

M(3) – 28 MARCH 2023

Ordinary Council Meeting

Minutes

Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in Senior Citizens Centre, 33 Smith Street, Myrtleford on **28 March 2023** commencing at **5:00pm**.

PRESENT

COUNCILLORS

Cr John Forsyth - Mayor

Cr Ron Janas

Cr Simon Kelley

Cr Kelli Prime

Cr Sarah Nicholas

Cr Katarina Hughes

OFFICERS

Will Jeremy - Chief Executive Officer

Alan Rees - Director Assets

Helen Havercroft - Director Customer and Community

APOLOGIES

Cr Tony Keeble - Deputy Mayor

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1. Recording and livestreaming of Council meetings

The CEO will read the following statement:

All council meetings are filmed with both video and audio being recorded.

Video is focused on a specific area however audio from the entire room is captured.

In common with all narrative during Council meetings, verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes. By submitting a question, you consent to your question being read aloud at the meeting.

The reasoning behind recording council meetings is to hold us more accountable and improve transparency of Council's decision-making to our community.

The full meeting is recorded on Council's YouTube channel which is "Alpine Shire Council" and will also be available on the YouTube channel after this meeting.

2. Acknowledgement of traditional custodians, and recognition of all people

All to stand, the Mayor will read the following statement:

Alpine Shire Council acknowledges the Traditional Owners of the lands on which we are meeting today. Council also acknowledges all of the Traditional Owners of the wider lands of the area known as the Alpine Shire.

We also acknowledge those people who have contributed to the rich fabric of our community and strive to make wise decisions that will improve the quality of life for all.

3. Confirmation of minutes

3.1 ORDINARY COUNCIL MEETING – M(2) – 28 FEBRUARY 2023

Cr Janas

Cr Prime

That the minutes of Ordinary Council Meeting M(2) held on 28 February 2023 as circulated be confirmed.

Carried

4. Apologies

Cr Tony Keeble - Deputy Mayor

5. Obituaries / congratulations

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.

6. Declarations by Councillors of conflict of interest

CLlr Nicholas declared a conflict of interest in relation to Council Report 8.3.2.

7. Public questions

Questions on Notice will be limited to two questions per person.

Written Questions on Notice will be tabled ahead of questions from the floor.

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.

8. Presentation of reports by officers

8.1 CHIEF EXECUTIVE OFFICER – WILL JEREMY

8.1.1 Petition - Proposed Removal of Trees

INTRODUCTION

The purpose of this report is to inform Council and provide a response to a petition relating to the proposed removal of trees on the Great Alpine Road at the entrance to Bright.

Cr Hughes

Cr Nicholas

That Council:

- 1. Notes the petition requesting that alternative solutions are explored which preserve the existing trees on the Great Alpine Road;*
- 2. Acknowledges the importance of these trees to the community and visitors;*
- 3. Commits to engaging a qualified and experienced consultant to assess the heritage, cultural, arboricultural and landscape values associated with the individual trees which have been identified for potential removal and also their contribution towards the value of the avenue of trees, in order to inform a recommendation in relation to seeking the application of an overlay to protect the trees; and*
- 4. Advises the main proponent of the petition of Council's decision.*

Carried

BACKGROUND

A petition was received on 28 February 2023 and was noted at the February 2023 Council Meeting held on the same day. The petition with 118 signatures noted the following:

We are concerned about the proposed removal of trees on the way into Bright, Victoria. The trees are a vital part of our town's natural beauty, and their removal would greatly diminish the area's aesthetic appeal. We urge the Alpine Shire to consider alternative solutions, to achieve the desired outcomes while preserving their beauty and value. Community engagement and collaboration are essential in this process. Please reconsider the proposal to remove the trees and work with the community to find a solution that balances the needs of the community with the preservation of the natural environment.

Council provided a verbal response to the petition during the February 2023 Council Meeting based on information that was available at this time and at short notice.

Subsequent to the Council Meeting, the main proponent of the petition has continued to collect signatures in support of the petition, and has presented additional pages of signatures to Council. The total number of signatories which had been presented to Council on Friday 24th March 2023 was approximately 3,197.

In addition to the petition which has been submitted to Council and which meets Council's Governance Rules, a petition on the Change.org online petition platform with the same content as noted above had secured approximately 22,800 signatures on Wednesday 22 March 2023. The Change.org petition does not satisfy Council's Governance Rules.

ISSUES

Approved Development Plan

A Development Plan was approved by Council in July 2022. The Development Plan states the following:

Future development of the site must be generally in accordance with the [Development] Plan, and must:

- *Respect or enhance views of the site from the Great Alpine Road and have regard to the transect of interfaces along Great Alpine Road through Bright.*
- *Identify, manage and protect all sites of conservation, heritage, archaeological significance or with landscape value.*

There are no existing overlays providing protection to any of the trees along this avenue, they are not listed on a Heritage Register, and Council does not maintain a Register of Significant Trees.

Planning Permit Assessment

Council's statutory planning team is assessing a planning permit application for the subdivision and is obligated to carry out this assessment strictly in accordance with the requirements of the Planning and Environment Act 1987 and the Alpine Planning Scheme.

A key test is whether the permit application is generally in accordance with the Development Plan which was approved by Council in July 2022.

Council's statutory planning team is required to assess and make a recommendation based on the information formally submitted in the application and in response to any Request for Further Information. The statutory planning team cannot impose any obligation on the applicant to make changes to their application against the applicants wishes. The team cannot take into account in their assessment of the permit application submissions which do not have a relevant planning basis.

Assessment of New Information

Over recent weeks, members of the community have unearthed new information which is potentially significant in informing the heritage, cultural, arboricultural and/or landscape

value of the trees which have been identified for potential removal along the Great Alpine Road.

It is recommended that a thorough assessment is made by a suitably qualified and experienced professional, supported by detailed research and taking into consideration any new information which might not have been considered previously, in order to reach a robust and defensible recommendation in respect of the value of the individual trees and their overall contribution to the value of the avenue and to inform consideration of any options appropriate for the protection of these trees.

POLICY IMPLICATIONS

The recommendations are in accordance with the following Strategic Objective of the Council Plan 2021-2025:

- 4.1 Conservation and promotion of the distinct character across the Shire

FINANCIAL AND RESOURCE IMPLICATIONS

Quotes have not yet been received for consultant support to assess heritage, cultural, arboricultural and landscape value of the trees. It is anticipated that the cost to carry out thorough historical research and prepare a robust and defensible recommendation in relation to the potential application of an overlay is unlikely to exceed \$10,000. This work can be funded from the operational budget allocated to Council's Strategic Planning Team.

RISK MANAGEMENT

Detail the key risks of the matter being addressed by the report and mitigation action / control.

Risk	Likelihood	Impact	Mitigation Action / Control
Trees which have high heritage, cultural, or arboricultural or landscape value might be removed.	Possible	Moderate	Engagement of qualified and experienced consultant to research and assess available information and provide recommendations in relation to use of an overlay to protect the trees.

Risk	Likelihood	Impact	Mitigation Action / Control
Undertaking an assessment of the trees and progressing any subsequent action to protect them (if justified) may impact on the statutory timeframes of the planning permit assessment. The applicant may decide to take the permit application to VCAT for a failure to determine the application within statutory timeframes.	Possible	Moderate	The assessment will be progressed as a high priority, and early feedback sought as to whether the facts are likely to provide any defensible avenue through which the trees might be protected against removal. VCAT will make a determination on the permit application based on relevant planning considerations.

CONSULTATION

Strong community support has been demonstrated for Council to explore any available opportunity to protect the avenue trees at the entrance to Bright on the Great Alpine Road, acknowledging the planning approvals which are already in place.

Council will engage a qualified and experienced consultant to provide a well-researched and defensible recommendation in relation to any options to apply an overlay to protect the trees. The community will be provided the opportunity to submit in writing any information they consider might be material to the assessment, and this information will be shared with the consultant for their consideration. The consultant's recommendation and the supporting information will be made available to the public through Council's website.

CONCLUSION

Strong community support exists to explore all available avenues to protect the trees on the Great Alpine Road at the entrance to Bright.

Council's statutory planning team is obligated to assess the permit application strictly in accordance with the requirements of the Planning and Environment Act 1987 and the Alpine Planning Scheme and to make a recommendation based on this assessment.

Since receipt of the permit application, new information has been unearthed relating to the history of the trees.

It is recommended that a qualified and experienced consultant is engaged to conduct thorough research and assessment of all available information in order to arrive at a robust and defensible recommendation in relation to the potential application of an overlay to protect the trees.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Chief Executive Officer

ATTACHMENT(S)

8.1.1.a Petition - Proposed Removal of Trees

8.2 DIRECTOR ASSETS – ALAN REES

8.2.1 Airport Services Lease for Aircraft Hangar at Porepunkah Aerodrome

INTRODUCTION

This report relates to a new lease at the Porepunkah Aerodrome on Site 13 contained in Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road Porepunkah. A lease has been prepared for a hangar on this site for a 10-year term with an option for an additional 10 years.

Cr Janas

Cr Nicholas

That Council:

- 1. Approves and executes a lease for Site 13 of Lot 1 PS612929, 266 Buckland Valley Road Porepunkah for an aircraft hangar; and*
- 2. Signs and seals the lease document at the appropriate part of this meeting.*

Carried

BACKGROUND

The Porepunkah Aerodrome Master Plan was presented to Council at the Ordinary Council Meeting June 2006. A recommendation of the Master Plan was that Council negotiate with the adjoining land owner of the airfield with regard to acquisition of additional land for potential hangar relocation and new hangars.

At the Ordinary Council meeting July 2007 Council approved the Acting CEO be authorised to proceed with the acquisition of an adjoining strip of land at the Porepunkah Aerodrome.

The land was acquired in 2008 and is Site 13 contained in Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road Porepunkah. A new entrance to the airfield was created on this land with the remaining land set aside for hangars and taxi way.

Lease documentation has been developed for the purpose of entering into long term hangar leases on this land. The length of the lease is 10 years, plus an option for a further 10 years. Commencement rent for the attached lease will be \$1153.80 (GST exclusive) per annum calculated based on the square meterage of the sites.

In September 2018 and in accordance with Section 190 of the Local Government Act 1989 Council posted public notices notifying of proposed future leases at the airfield and invited submissions in accordance with Section 223 (Section 190(3b) & (4)) of the Local Government Act 1989 against such future leases. No submissions were received.

This report sets out the proposals for issuing the proposed future leases for hangars consulted on in September 2018 with 10 (plus 10) year terms.

ISSUES

Under Section 115 of the Local Government Act 2020 (the Act),

- (1) A Council's power to lease any land to any person is limited to leases for a term of 50 years or less.
- (2) Subject to any other Act, and except where section 116 applies, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.
- (3) A Council must include any proposal to lease land in a financial year in the budget, where the lease is—
 - (a) for one year or more and -
 - (i) the rent for any period of the lease is \$100 000 or more a year; or
 - (ii) the current market rental value of the land is \$100 000 or more a year; or
 - (b) for 10 years or more.
- (4) If a Council proposes to lease land that is subject to subsection (3) and that was not included as a proposal in the budget, the Council must undertake a community engagement process in accordance with the Council's community engagement policy in respect of the proposal before entering into the lease.

In September 2018 and in accordance with Section 190 of the Local Government Act 1989 Council posted public notices notifying of proposed future leases at the airfield and invited submissions in accordance with Section 223 (Section 190(3b) & (4)) of the Local Government Act 1989 against such future leases. No submissions were received.

The intent and terms of these leases have not changed (except for Consumer Price Index (CPI) adjustments to annual rents). Council has therefore previously communicated its intention to enter into leases for aircraft hangars at the site and met its obligation under the Local Government Act 1989 which applied at the time.

POLICY IMPLICATIONS

The process adopted by Council for the awarding of future leases at the Porepunkah Aerodrome was in accordance with obligations under the Local Government Act 1989 and the Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land at that time. This lease is to be awarded as a result of these processes.

The recommendations are in accordance with the following Strategic Objective of the Council Plan 2021-2025:

- 4.5 Assets for our current and future needs

FINANCIAL AND RESOURCE IMPLICATIONS

The commencement annual lease income for a lease will be \$1,153.80 (GST exclusive). Forward lease charges are indexed to CPI annually and subject to a market review after the first 10 years of the lease. Income collected from hangar rentals at the airfield is paid to the Porepunkah Aerodrome Association to assist it in fulfilling its responsibilities to operations and day to day maintenance of the airfield.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Non-Compliance with Lease requirements	Unlikely	Minor	Termination of Lease

CONSULTATION

In accordance with Section 190 of the Local Government Act 1989, public notices were posted in September 2018 notifying of proposed future leases at the site and inviting submissions in accordance with Section 223 (Section 190(3b) & (4)) of that Act. No submissions were received at that time.

Council has therefore previously communicated its intention to enter into leases for aircraft hangars at the site and met its obligation under the Local Government Act 1989 which applied at that time. The current lease has been developed under the same terms (save for CPI adjustments to annual rent) and therefore it is not considered necessary to undertake further community engagement relating to such leases at the airfield.

The Porepunkah Airfield Association have been consulted and are supportive of the issuing of the leases.

CONCLUSION

Having previously met Council's obligations under the Local Government Act 1989 Council in relation to issuing leases at the airfield that the lease subject to this report does not require further Community Engagement and is executed by Council under the terms of section 115 of the Local Government Act 2020.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Operations
- Property and Contracts Coordinator

8.2.2 Alpine Planning Scheme Review 2023

INTRODUCTION

This report relates to the adoption and implementation of the Alpine Planning Scheme Review 2023 (Review). The report recommends that the Review be adopted by Council and be forwarded to the Minister for Planning as evidence that Alpine Shire Council has met its obligations in accordance with Section 12B of the Planning and Environment Act 1987 to review the planning scheme every four years. The report also recommends that Council resolves to prepare and exhibit a planning scheme amendment to implement key recommendations of the Review in the Alpine Planning Scheme.

Motion - Cllr Janas

Alternative Recommendation

lay on the table for a month to provide public with the opportunity to read the full suite of papers.

Cr Janas

Cr Nicholas

Carried

RECOMMENDATION

That Council:

- 1. Notes the Alpine Planning Scheme Review 2023 pursuant to section 12B (1) of the Planning and Environment Act 1987 has been finalised;***
- 2. Forwards the Alpine Planning Scheme Review 2023 to the Minister for Planning in accordance with Section 12B (5) of the Planning and Environment Act 1987; and***
- 3. Seeks authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to implement the Alpine Planning Scheme Review 2023.***

BACKGROUND

Council, as the planning authority for the Alpine Planning Scheme, is required to review its planning scheme every four years under Section 12(B) of the Planning and Environment Act 1987 (the Act).

A planning scheme review is an overall health check of the Alpine Planning Scheme and focuses on:

- the effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria;
- aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes; and

- ensuring the planning scheme contains a clear narrative about the way in which the use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews also provide the opportunity to align Council's policy position with the planning scheme, update out-of-date or redundant information, and educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

The *Alpine Planning Scheme Review 2023* forms attachment 8.2.2a to this report.

Council last undertook a comprehensive review of the Alpine Planning Scheme between 2010 and 2014. The findings of this review were translated into the planning scheme via Amendment C39, which was gazetted on 9 June 2016.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local planning policies to replace the former Local Planning Policy Framework. This was done via Amendment C62alpi and was a policy neutral amendment undertaken by the Victorian government.

ISSUES

High level findings

The Review found that the Alpine Planning Scheme contains many policy gaps and is not effectively guiding decision-making in Alpine Shire. There are significant gaps and the planning scheme is out-of-date. This is leading to inconsistent decision-making and lost opportunities for the most efficient use of land, adaptation to climate change and protection of values, such as landscapes and heritage, for the benefit of the community.

The statutory planning function of Council is confronted with both legislative requirements and community expectations.

The process to address the underlying issues that led to this situation to improve the performance of the planning function at Council are underway, but they will take time to see results. In the interim, the Review states that it is critical that Council remains focused on the strategic planning projects that will make the most difference to the wider community, and to building the capacity and confidence of the statutory planning team.

Planning scheme amendment

The Review recommends that Council prepares a planning scheme amendment or amendments using the marked-up ordinance that forms Attachment 8.2.2.b to this report.

- Incorporate the policy neutral changes identified in Chapter 5 to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes:
- Include new policy to implement the:

- Affordable Housing Research and Analysis Paper 2022;
 - Affordable Housing Action Plan 2022;
 - Rural Land Strategy 2015;
 - Community Vision and Council Plan including the Municipal Health and Wellbeing Plan 2022-2026;
 - Myrtleford Resilience Plan;
 - Economic Development Strategy;
 - Alpine Shire Events Strategy; and
 - Sport and Active Recreation Plan 2022-2023.
- Amend Clause 12.05-1L Public and private interfaces, and Clause 14.01-3L Forestry and timber products to introduce changes requested by HVP;
 - Include a new notice requirement at Clause 66.06s to ensure plantation managers are notified of applications for subdivision of land or use of land for accommodation within 300 metres of a timber plantation boundary;
 - Introduce new strategies at Clause 13.02-1L (Bushfire Planning) to support dual access to properties and consider bushfire risk at a landscape scale;
 - Amend Clause 19.03-2L Infrastructure design and provision to include consideration of the Infrastructure Design Manual and the Sustainable Infrastructure Guidelines when approving development;
 - Rezone the north east portions of 25, 27, 33 and 35 King Street, Myrtleford that are currently zoned General Residential Zone to Farming Zone to remove the zoning anomaly;
 - Delete DPO1 (Tempo Court area) as the subdivision is complete and the schedule does not contain any content;
 - Delete DPO2 (Glenburn Drive) as it does not contain any content;
 - Introduce the schedule to Clause 53.01 Public open space contributions and subdivision to collect a 5% contribution for residential subdivisions; and
 - Include an updated Clause 74.02 Further strategic work that prioritises the strategic work program based on the findings of the Review.
 - Attachment 8.2.2.c to this report contains the draft Explanatory Report for this amendment. This document explains what the amendment will do, and will be one of the public documents that is made available as part of the amendment should Council resolve to proceed.

Further strategic work

Following the analysis of the current planning scheme, stakeholder engagement and data, the Review identified the following priorities for Council over the next four years:

- Finalise the Land Development Strategy and implement into the planning scheme.
- Prepare the Rural Land Strategy Stage 2 to:
 - clarify the policy directions for each precinct in the Shire focused on supporting agricultural uses and minimising land use conflicts through separation of activities;

- review the appropriate zoning for small lots in the Farming Zone (for example, Freeburgh, Ovens, Wandiligong, etc.); and
- mitigate the impacts of climate change on rural land.
- Prepare structure plans for Porepunkah, Bright, Mount Beauty – Tawonga South and Myrtleford to:
 - direct land uses to appropriate locations;
 - develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character;
 - identify active transport linkages and routes;
 - support the intensification of residential development in appropriate locations;
 - identify the preferred character for commercial and industrial areas;
 - identify infrastructure requirements;
 - prepare landscaping guidelines for public and private property, including planting, retention and replacement of canopy trees; and
 - draft planning controls to implement the Structure Plans including schedules to the residential zones.
- Undertake a comprehensive review of the suite of controls applying to Wandiligong to ensure they provide clearer guidance about what is to be achieved and more detailed direction to applicants and decision makers. This includes a review of zones, HO83 and SLO4.
- Amend the schedules to the Farming Zone to increase the maximum floor area for which no permit is required for an outbuilding associated with a dwelling to decrease the number of permits that are triggered for this use.
- Commence a comprehensive assessment of the significant landscapes and vegetation in the municipality, including those at a regional scale (e.g., views to Mount Buffalo and Mount Bogong) and local scale (e.g., boulevards in Bright) and put in place planning controls to protect such as the Significant Landscape Overlay, Environmental Significance Overlay, Vegetation Protection Overlay and Heritage Overlay.
- Review the existing Significant Landscape Overlay Schedules (SLO1, SLO2, SLO3, SLO4 and SLO5) to strengthen the statement of significance and objectives, and populate the schedules with policy to more effectively guide decision making.
- Undertake a heritage gap analysis (identify existing citations, update and address gaps).
- Prepare a Heritage Policy to assist with decision making for applications in the Heritage Overlay.
- Apply flood controls to land identified by NECMA and GBCMA as being subject to inundation.
- Prepare an anomalies amendment to fix mapping anomalies that have been identified (land in two zones, publicly zoned private owned land, etc.).

Advocacy and process improvements

Drawn from both the analysis of the planning scheme and the targeted consultation with users of the planning scheme, the Review also made recommendations to:

- Improve processes associated with the collection and analysis of data (such as planning permits), processing and referral of applications, and communication.
- Matters that Council may wish to discuss with the Victorian government to highlight the issue and advocate for change, specially who is responsible for preparing flood mapping for the Shire.
- Engage a Dinner Plain advisor (similar to the Heritage advisor) to provide design advice on planning permit applications.

These will be considered by Council in its operational and advocacy activities.

POLICY IMPLICATIONS

The Review has undertaken a detailed assessment of all relevant planning policy reports and strategic documents. This Review has been undertaken in accordance with Section 12B of the Planning and Environment Act 1987, which requires Council to regularly review the Alpine Planning Scheme.

The recommendation is in accordance with the following Strategic Objectives of the Council Plan 2021-2025:

- 2.2 Innovative and sustainable business development that supports year-round benefit.
- 4.2 Planning and development that reflects the aspirations of the community.
- 5.2 A responsible, transparent and responsive organisation.
- 5.3 Bold leadership, strong partnerships and effective advocacy.

FINANCIAL AND RESOURCE IMPLICATIONS

Adoption of the review

There are no direct financial implications associated with the adoption of the Review, although the Review identifies future strategic work that may be required which will be subject to the normal annual budget process Council undertakes.

The Review was undertaken with assistance from the Department of Transport and Planning - Regional Planning Hub Program.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
An out-of-date planning scheme	Unlikely	Minor	Council accepts the recommendations in this Council Report

CONSULTATION

The Review is a technical assessment of the Alpine Planning Scheme so community consultation is not required.

However, targeted engagement took place throughout the preparation of the Review during the second half of 2022. This included engagement with Councillors, planning officers, other officers across Council who use or are impacted by the planning scheme, Council’s heritage advisor, all referral authorities listed in the planning scheme and the forestry plantation manager HVP. This engagement process and its findings are summarised in the Review.

The wider community will have the opportunity to make submissions to the proposed planning scheme amendment seeking to implement the recommendations of the Review through the public exhibition process.

CONCLUSION

Council is required to review the Alpine Planning Scheme every four years. This a mandatory requirement of the Planning and Environmental Act 1987. The Review has been prepared to meet this mandatory obligation.

Once formally noted by Council, the Review will constitute the formal ‘Planning Scheme Review’ of the Alpine Planning Scheme as required under Section 12B of the Planning and Environment Act 1987. A planning scheme amendment is required to implement the findings and recommendations of the Review.

The Review found that the Alpine Planning Scheme contains many policy gaps and is not effectively guiding decision-making in Alpine Shire. There are significant gaps and the planning scheme is out-of-date. This is leading to inconsistent decision-making and lost opportunities for the most efficient use of land, adaptation to climate change and protection of values, such as landscapes and heritage, for the benefit of the community.

It is recommended that Council note that the Review has been completed and to forward it to the Minister for Planning to meet the requirements of Section 12B of the Planning and Environment Act 1987. It is also recommended that a planning scheme amendment be prepared and exhibited to implement the findings of the Review.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Strategic Planning Coordinator

ATTACHMENT(S)

- 8.2.2.a Alpine Planning Scheme Review 2023.
- 8.2.2.b Recommended changes to planning scheme ordinance.
- 8.2.2.c Draft Explanatory Report for the proposed planning scheme amendment.

8.3 DIRECTOR CUSTOMER AND COMMUNITY – HELEN HAVERCROFT

8.3.1 Instruments of Appointment and Authorisation - *Planning and Environment Act 1987*

File Number: Delegations register.

INTRODUCTION

Instruments of appointment and authorisation are an important means of Council ensuring that its officers are appropriately authorised under the relevant Acts that Council administers. This report provides for a newly appointed position in Council's Planning department.

Cr Hughes

Cr Kelley

That Council exercise the powers conferred by section 147(4) of the Planning and Environment Act 1987, so that:

- 1. The following members of Council staff referred to in attachments 8.3.1.a and 8.3.1.b "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the instruments) be appointed and authorised as set out in the instrument;***
 - a. Senior Statutory Planning Officer***
- 2. The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them;***
- 3. On the coming into force of the instruments, the previous "S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987" for the following members of Council staff, as dated, be revoked;***
 - a. Planning Officer, dated 5 October 2021***
- 4. The instruments be signed and sealed at the appropriate stage of this meeting.***

Carried

BACKGROUND

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. Council has appointed a new Senior Statutory Planning Officer, requiring a new Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*. The Instrument of Appointment and Authorisation being revoked relate to one Planning Officer that has resigned their position.

ISSUES

Authorised Officers

Authorised officers have statutory powers under relevant legislation. In the case of Council's staff in the Planning department, the attached Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* mean that they are authorised officers for the purposes of that Act.

While Council may delegate its powers, duties or functions to staff, so that a delegate acts on behalf of the Council, staff appointed as authorised officers have their own statutory powers under the relevant Act.

Planning and Environment Act 1987

Section 188(1)(b) of the *Planning and Environment Act 1987* specifies that "a planning authority ... may by instrument delegate any of its powers, discretions or functions under this Act to an officer of the authority". However, Section 188(2)(c) specifically prevents an officer from further sub-delegating any duty, function or power. Therefore, as the responsible authority, Council must authorise staff directly using the "S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987", rather than via the Chief Executive Officer.

Maddocks Delegations and Authorisations Service

Council utilises the delegations and authorisations service provided by law firm Maddocks. This is a template system used by many councils and provides a detailed way of ensuring that appropriate delegations and authorisations are given to Council staff. All of the relevant legislation affecting local government, including Acts and regulations and the sections that relate to the powers, duties and functions of Council are outlined within the template and the relevant officer is allocated accordingly.

POLICY IMPLICATIONS

Ensuring authorisations are kept up to date ensures that Council's planning staff can undertake their statutory roles.

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2021-2025:

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Council has an annual subscription to the Maddocks delegation and authorisation service that is provided for in Council's annual budget. There are no other financial implications associated with these instruments of appointment and authorisation.

Appropriate authorisations allow Council and Council staff to operate effectively and within legislative frameworks.

RISK MANAGEMENT

Detail the key risks of the matter being addressed by the report and mitigation action / control.

Risk	Likelihood	Impact	Mitigation Action / Control
Authorisations are not in place or are out of date	Possible	Moderate	<ul style="list-style-type: none"> Ensure that all Council officers have up-to-date authorisations to ensure that they can undertake their duties.

CONSULTATION

The relevant staff and Director have been consulted during the preparation of the IoAAs. There is no requirement to consult the community in the preparation of these instruments.

CONCLUSION

The appropriate appointment of authorised officers to enforce the *Planning and Environment Act 1987* is required to ensure that Council officers can undertake their statutory roles.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Governance Officer

8.3.2 Planning Application P.2022.85 - 99 Centenary Avenue, Wandiligong

Clr Nicholas left room at 6.17pm.

Application number:	P.2022.85
Proposal:	Use of the land for a dwelling
Applicant's name:	Adam Rosser
Owner's name:	Naynad Investments Pty Ltd
Address:	99 Centenary Avenue, Wandiligong (Lot 2 PS 824322H)
Land size:	Approx. 2.45ha
Current use and development:	Vacant
Site features:	The site is an irregular shaped allotment with frontage to Centenary Avenue. The site is currently vacant with existing vehicular access to Centenary Road.
Why is a permit required?	Clause 35.07-1 – Section 2 Use (dwelling)
Zoning:	Clause 35.07 - Farming Zone
Overlays:	Clause 42.03 – Significant Landscape Overlay (Schedule 3) Clause 43.01 – Heritage Overlay (HO83) Clause 44.06 - Bushfire Management Overlay
Restrictive covenants on the title?	Section 173 Agreement AT584762Y Contains requirements relating to wastewater and stormwater disposal and future dwelling development. The proposal does not breach this agreement.
Date received:	27 September 2022
Statutory days:	183
Planner:	Ebony Cetinich

Cr Kelley

Cr Prime

That Council issue a Notice of Decision to grant a planning permit for the use of the land for a dwelling in accordance with the conditions outlined in Appendix 8.3.2.a to this report.

Carried

Clr Nicholas returns at 6.22pm

PROPOSAL

The proposal involves the use of the land for a dwelling only. No buildings and works are proposed. An indicative building envelope for the dwelling footprint and wastewater disposal field has been shown on a site plan.



Figure 1: Site Plan

SUBJECT LAND AND SURROUNDS

The subject site has an area of 2.45 hectares and a frontage of 134.28m to Centenary Avenue. The site is irregular in shape and has minimal fall across a majority of the site with the exception of the eastern section which has a moderate slope downwards towards the eastern boundary. The site is currently vacant with an existing access point at the southern end of the lot. There are a number of non-native scattered trees across

the land. Electricity and water supply infrastructure are available to the site, however, public stormwater and sewerage infrastructure is not.

The surrounding area predominantly contains rural dwellings on a range of different lot sizes. This site is in the farming zone but no meaningful agriculture is being undertaken within the vicinity of the site and the surrounding area is considered to be more akin to a rural living or low density residential zone. The existing pattern of subdivision is relatively inconsistent and fragmented. The nearest productive agricultural holding is situated approximately 750m to the south of the site.



Figure 2: Aerial image of the subject site

PUBLIC NOTIFICATION

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987, by sending notices to the owners and occupiers of adjoining land; and placing a sign on site.

Council has received one objection to date. The objection is summarised in the table below alongside Councils response to the issues raised.

Concern	Council's response
Questioned the validity/purpose of the application.	The application is valid and relates to the use of the land only, which means that there are no physical buildings and works being undertaken as part of this application. It is merely a permit to say that you can use this land for a dwelling. It may seem as though the permit is pointless if it doesn't allow any buildings to be constructed but it gives the owner some certainty that a dwelling could be built in the future.
No plans were provided to demonstrate what the dwelling would look like.	As no physical buildings and works are proposed, plans of the dwelling (i.e. detailed design site plan, floor plan and elevations) are not required for the assessment of this application. These plans will form part of the assessment of a future development permit.
Cost of works of \$10,000 which would devalue and impact the enjoyment of their	The cost of works of under \$10,000 is merely a requirement to complete a Planning Permit application form. This figure does not represent the cost of physical dwelling. The issues raised by the objector in relation to property enjoyment and property value would be more associated with a future built form application and not the land use application as proposed.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	GMW – Consent, no Conditions.
Internal referrals:	ASC ENG – Conditional consent ASC Environmental Health – Conditional consent As the proposed land use does not create a demand for upgrading the driveway and installing stormwater / wastewater infrastructure, conditions regarding these matters will not be included on any permit issued. These matters will be implemented as part of any future development application.

PLANNING ASSESSMENT

All applicable policy can be found in Appendix 8.3.2.b.

Municipal Planning Strategy and Planning Policy Framework

The relevant Clauses from the Municipal Planning Strategy and Planning Policy Framework are contained within Attachment 8.3.2.b.

The policies of the Municipal Planning Strategy and Planning Policy Framework provide support to the proposal for the following reasons:

- The site is not considered to be suitable for farming use given the fragmented subdivision pattern, existence of rural living properties and the proximity to the town centre. As such, the proposal is not seen to be removing productive agricultural land nor impacting the local agricultural industry.
- The proposal does not impact the character and heritage of Wandiligong as no buildings and works are proposed. The built form outcome will be assessed as part of any future development application.
- The proposal to use the land for a dwelling is acceptable taking into account the bushfire risks associated with the land. The subject land is not isolated and has frontage to an all-weather public road. Further bushfire matters such as BAL rating, defensible space, access, water supply and vegetation management will be assessed as part of any future development application. There are no site constraints that would render any of the above matters unachievable.
- The proposal is unlikely to have any impacts on the Catchment Area.
- The site is capable of accommodating the proposed land use taking into account access and infrastructure servicing. Wastewater and stormwater are able to be managed on-site.

Farming Zone

The subject land is situated within the Farming Zone. The purpose and decision guidelines of the Farming Zone focus strongly on protecting productive agricultural land and promoting agricultural production. Generally, land uses and development other than those associated with agricultural production are discouraged unless a site is not capable of accommodating any meaningful form of agricultural production.

After reviewing the Alpine Rural Land Strategy and the VCAT case *Niazi v Alpine SC* [2019] VCAT 1759 (25 November 2019), it has been determined that the subject site is not suitable for a farming land use. The site is surrounded by rural dwellings and at just over 2 hectares, it is relatively small to accommodate any meaningful form of agricultural land use. As a result, departure from the provisions of the Farming Zone encouraging agricultural land use is warranted in this instance.

The proposal is consistent with the purpose and decision guidelines for the following reasons:

- The development is not removing land for agricultural production as the site has been identified within the Rural Land Strategy and VCAT case *Niazi v Alpine SC*

[2019] VCAT 1759 (25 November 2019) as not suitable for farming and re-zoning should be investigated. As a result of the VCAT case *Niazi v Alpine SC* [2019], the subject land was created and a Section 173 Agreement was applied to the land. The Section 173 Agreement contains requirements for dwellings, affirming that residential development was contemplated for this site.

- The development is compatible with surrounding land uses, being rural/residential in nature.
- The development will not impact the continued operation and expansion of existing agricultural uses given that the site is surrounded by rural residential land uses.
- The development will not result in proliferation of dwellings as the site is within an area where proliferation of dwellings has already occurred. Given the small lot sizes within the surrounding area, it is likely that most new dwellings within the Farming Zone will require a planning permit and will each be individually assessed on their merits.
- The development can be adequately serviced, with wastewater and stormwater able to be managed on-site. Adequate all weather access from Centenary Avenue can be achieved.

Overlays

A planning permit is not required for the use of the land for a dwelling under any of the Overlays that apply to the site. As such, the Overlays will not form part of this assessment.

Particular Provisions

There are no relevant Particular Provisions.

General Provisions

Clause 65.01 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. The proposal can be supported taking into account the relevant decision guidelines of Clause 65.01.

CONCLUSION

The application is considered to be consistent with the Alpine Planning Scheme for the following reasons:

- The application is consistent with the Alpine Planning Scheme.
- The application is consistent with the objectives of planning in Victoria.
- There are no Covenants applicable to the land.
- The application does not breach the Section 173 Agreement that applies to the land.
- The objectors concerns have been reasonably addressed.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Consultant Planner

APPENDICIES

- 8.3.2.a. Conditions
- 8.3.2.b. Policy and decision guidelines

APPENDIX 8.3.2.a. CONDITIONS

Endorsed Plans

1. The use as shown on the endorsed plan must not be altered or modified (whether or not in order to comply with any statute, statutory rule or Local Law, or for any other reason) without the prior written consent of the Responsible Authority.

Farming Zone Dwelling Conditions

2. Prior to the commencement of the use authorised by this permit, access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles, to the satisfaction of the Responsible Authority.
3. Prior to the commencement of the use authorised by this permit, the dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
4. Prior to the commencement of the use authorised by this permit, the dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes, to the satisfaction of the Responsible Authority.
5. Prior to the commencement of the use authorised by this permit, the dwelling must be connected to a reticulated electricity supply or have an alternative energy source, to the satisfaction of the Responsible Authority.

Expiry

6. This permit will expire if one of the following circumstances applies:
 - a. The use is not started within two (2) years of the issue date of this permit; or
 - b. The use is discontinued for a period of two (2) or more years.
7. The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

- End of Conditions -

Planning Notes:

1. This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. A road opening/crossing permit must be obtained from the Alpine Shire Council prior to working in or occupying the road reserve with construction equipment or

materials. Applications may be accessed via the following link [Work on Council land permit](#), or from the Alpine Shire Council website.

3. An application for a Permit to Install a Septic Tank System must be made to the satisfaction of Council and any requirements of the relevant Water Authority prior to a building permit being issued in accordance with the requirements of the Building Act 1993. The septic system must comply with the Code of Practice – onsite Wastewater Management Publication 891.4 and AS1546.1 to 1546.4 and be in accordance with the Land Capability Assessment [Ref LCA-ROSS-03] from Foresight Engineering Services and any requirements of the relevant Water Authority.

APPENDIX 8.3.2b. POLICY

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03-1 & Clause 11.01-1L-01 – Settlement

Clause 11.01-1L-08 - Wandiligong

Clause 02.03-3 - Environmental Risks and Amenity

Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning

Clause 02.03-4 – Natural Resource Management

Clause 14.01-1S & 14.01-1L - Protection of agricultural land

Clause 14.01-2S & Clause 14.01-2L - Sustainable agricultural land use

Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management

Clause 14.02-2S & Clause 14.02-2S – Water Quality

Clause 02.03-5 – Built Environment and Heritage

Clause 15.01-6S – Design for Rural Areas

Clause 15.03-1S Heritage conservation

Clause 02.03-9 – Infrastructure

Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 35.07 - Farming Zone

Overlays

N/A

Particular Provisions

N/A

General Provisions

Clause 65.01 - Approval of an Application or Plan

8.3.3 Planning Application P.2016.105.1 - 5870 Great Alpine Road, Eurobin

Application number:	P.2016.105.1
Proposal:	Amendment to planning permit P.2016.105 seeking amended plans and conditions for a replacement dwelling.
Applicant's name:	Mountain Planning
Owner's name:	Antonio Mautone
Address:	5870 Great Alpine Road, Eurobin (Lot 1 PS729920)
Land size:	3.441 hectares
Current use and development:	The site has been developed with a dwelling, which is located at the rear of the site in the south-eastern corner. The site has also been developed with a large machinery shed.
Site features:	The site is relatively flat with small patches of native vegetation located in the north-eastern corner and along the western boundary of the site. A waterway runs north-south through the eastern side of the site.
Why is a permit required?	To amend the design and location of the proposed dwelling, and an extension of time to commence development.
Zoning:	Clause 35.07 - Farming Zone
Overlays:	Clause 44.06 - Bushfire Management Overlay
Restrictive covenants on the title?	Nil
Date received:	23 May 2022
Statutory days:	310
Planner:	Elke Cummins

Cr Janas

Cr Prime

That Council issue a Notice of Decision to grant a planning permit under the provisions of Clauses 35.07 and 44.06 of the Alpine Planning Scheme in respect of the land known and described as 5870 Great Alpine Road, Eurobin (Lot 1

PS729920) for amended plans, location and an extension of time for the commencement of development for the construction of a replacement dwelling in accordance with the conditions outlined in Appendix 8.3.3.a.

Carried

PROPOSAL

The proposal seeks approval for an amendment to planning permit P.2016.105, which granted permission for the construction of a replacement dwelling at 5870 Great Alpine Road, Eurobin on 5 December 2016. The date of commencement of the development was extended three times.

The proposal seeks approval for amended plans - both designs and location of the dwelling - and conditions relating to bushfire considerations and a final extension of time for the commencement of the development. The applicant has stated that these changes are required as a result of the impact of COVID-19 and the recent application of the Bushfire Management Overlay to the land.

The amended plans seek approval to replace the existing dwelling. The dwelling is single-storey and contains an open plan kitchen, dining and lounge area, two bathrooms, laundry and deck. The building would be located towards the centre of the site, and would be accessed via an existing crossover and driveway from Great Alpine Road.

The dwelling is of a contemporary design and the external walls are proposed to be clad in predominantly metal and timber sheeting, and the roof in Colorbond "monument" metal and galvanised sheeting, and, overall, the building's scale and massing is irregular.

A site plan and aerial photograph, floor plan and elevations are outlined in Figures 1 to 4 below.

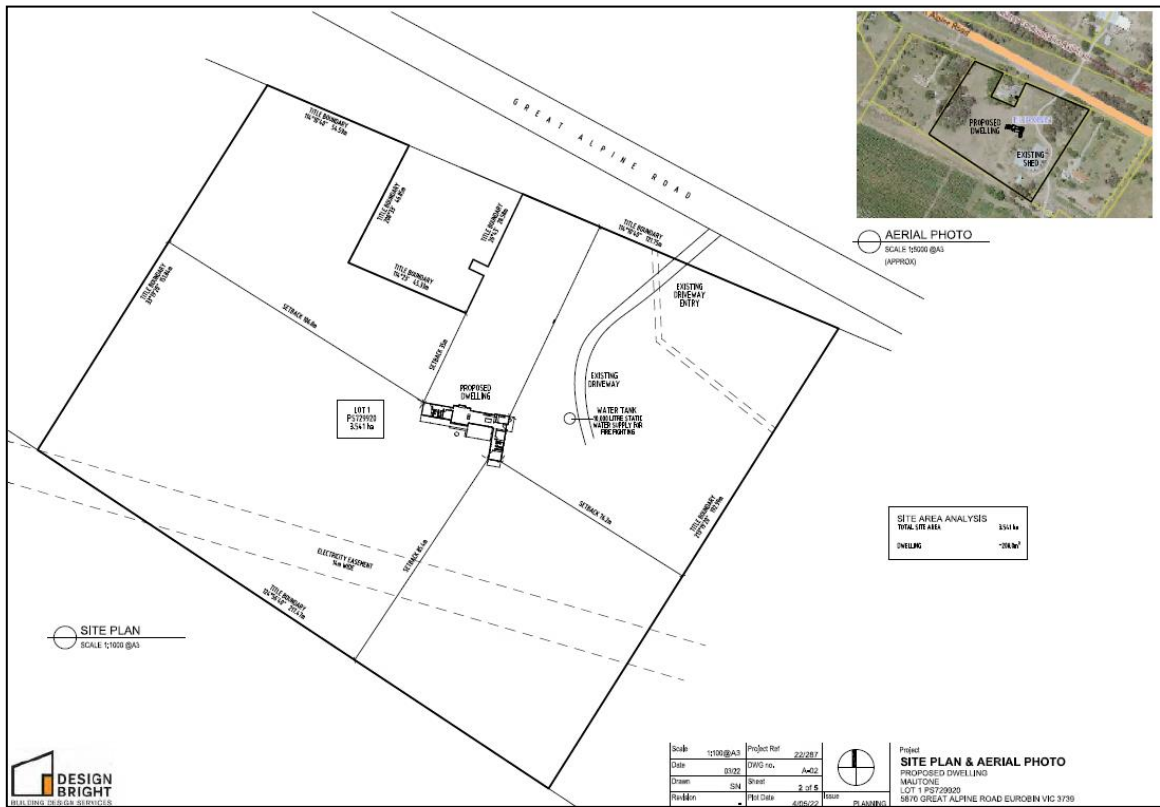


Figure 1: Site Plan and Aerial Photograph

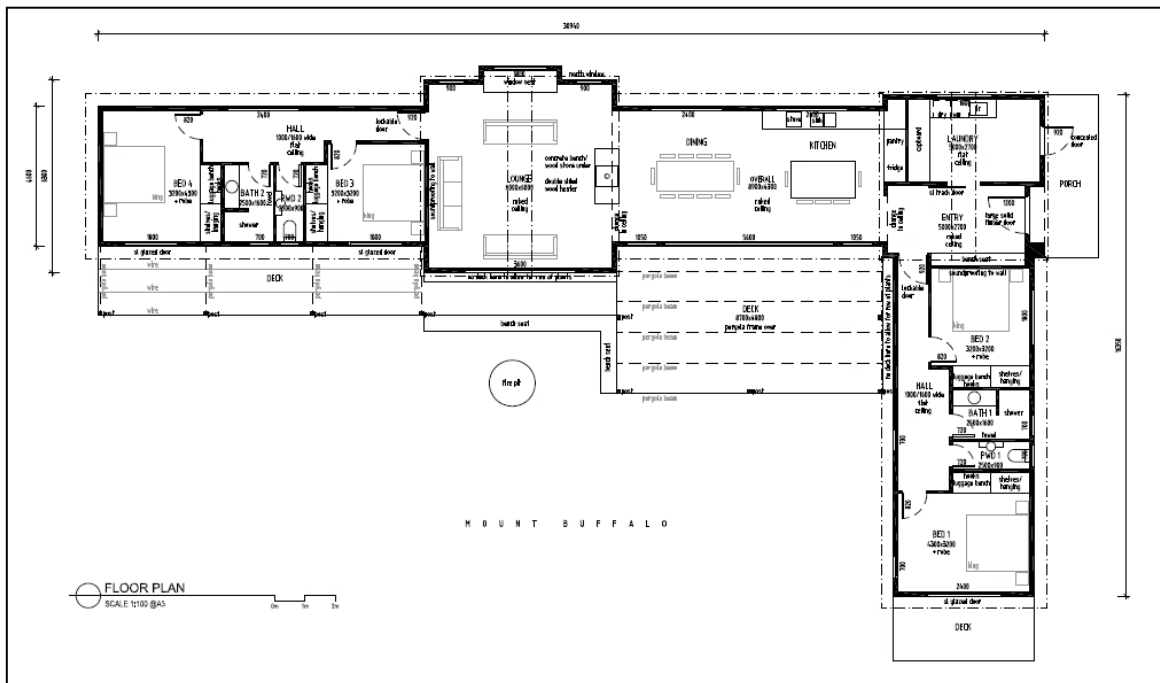


Figure 2: Floor Plan

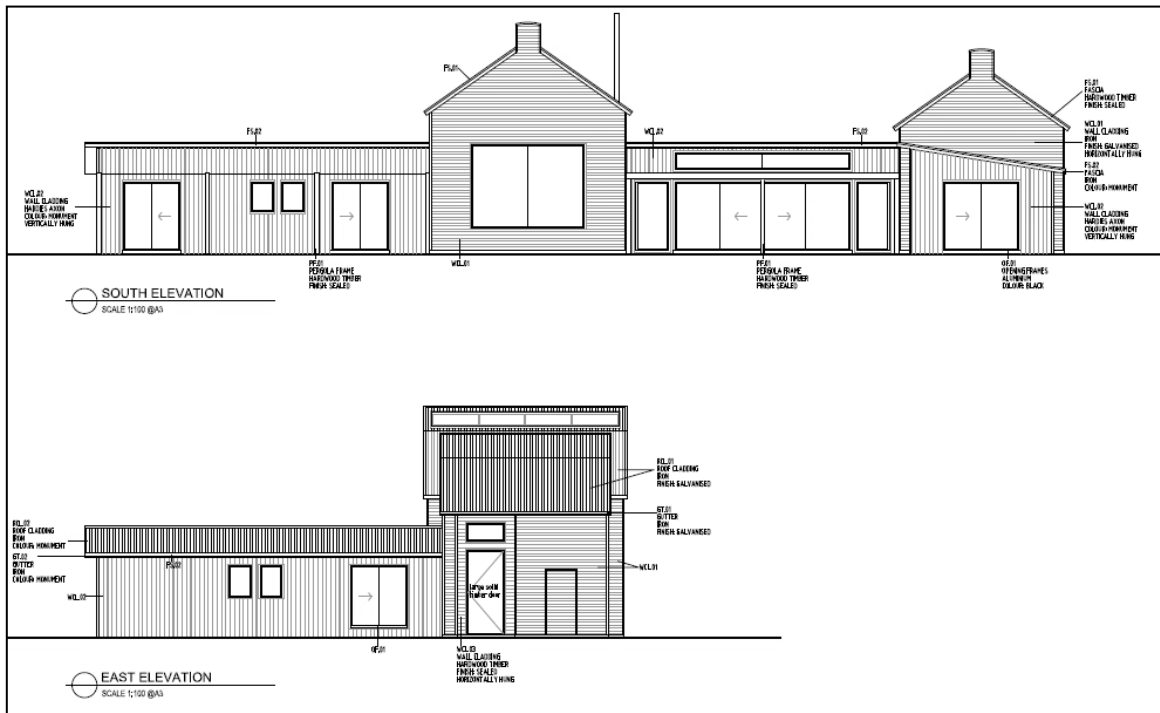


Figure 3: Elevations South and East

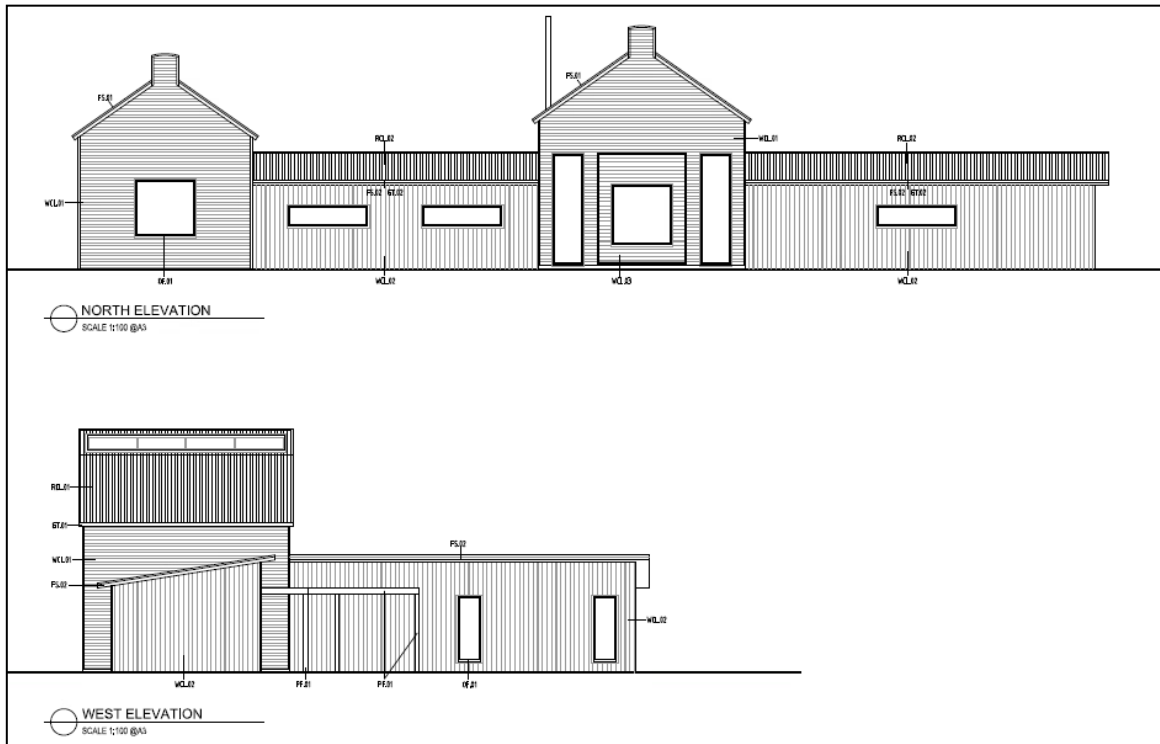


Figure 4: Elevations North and West

SUBJECT LAND AND SURROUNDS

The subject site has an area of 3.441 hectares and, although irregular, is broadly rectangular in shape with extensive frontage to the Great Alpine Road.

The site has an existing small dwelling, which is located at the rear of the site in the south-eastern corner. The site also contains a large machinery shed adjacent to the existing dwelling. The site is relatively flat with small patches of native vegetation located in the north-eastern corner and along the western boundary of the site. A waterway runs north-south through the eastern side of the site.

The subject site is located on the valley floor within the Ovens Valley and situated within an area used for agricultural and rural residential uses. The surrounding area is generally flat on the valley floor before rising to the ridges to the north and south of the site. The rising slopes of the valley contain mature native vegetation and the valley floors are generally cleared or contain hop gardens. Surrounding land is predominantly zoned Farming Zone and is affected by the Bushfire Management Overlay.

The site and surrounding area is highlighted on Figure 5 below.



Figure 5: Aerial Photograph of the Subject Site shaded in red.

PUBLIC NOTIFICATION

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987, by sending notices to the owners and occupiers of adjoining land; and placing a sign on site.

Council has received one objection to date. The objection is summarised in the table below alongside Council officers' responses to the issues raised.

Summary of concerns	Council officers' response
'Warehousing' of the planning permit	The applicant has articulated reasons for the delay in the commencement of the proposed development, including the impacts of COVID-19, and included a signed contract with a builder as part of the application to commence the development as soon as possible. Given this, and other considerations outlined in this report, Council officers are satisfied that the permit is not being 'warehoused'.
The probability of a new application for the same proposal being supported	Planning controls and policy have changed within the Alpine Planning Scheme since the initial application for a replacement dwelling was received in 2016. The proposal being sought will be fully assessed against the current provisions of the Alpine Planning Scheme as part of the consideration of the application.
Compliance with the state and local planning policy of the Alpine Planning Scheme relating to the preservation of agricultural land for agricultural use	<p>The proposal is for a replacement dwelling on the lot, and will therefore not introduce additional dwellings to the Farming Zone.</p> <p>The proposal is consistent with other developments in the area: dwellings on small lots in the Farming Zone. The site is within an area with development similar to that in a Rural Living Zone and, indeed, re-zoning of the land could be investigated as it is fragmented and not suitable for agriculture. This view was supported by VCAT in <i>Niazi v Alpine SC</i> [2019] VCAT 1759 (25 November 2019).</p> <p>Overall, the proposal would result in an acceptable planning outcome, subject to conditions, and be an appropriate alternative use in the Farming Zone.</p>
The notification process	The objector's comments regarding the size of the public notice that was erected on site and the description of the development proposal are noted. The concerns fall outside of the scope of the assessment of the assessment of the proposal sought by this application, but Council officers will consider these comments.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 52 referrals:	NECMA – No objections, subject to conditions

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	Ausnet – advice CFA – No objections, subject to condition Department of Transport – No objections, subject to conditions GM Water – No objections, subject to conditions
Internal referrals:	ASC Engineering – Conditional consent. ASC Environmental Health Officer – Consent with note to be added

PLANNING ASSESSMENT

A detailed assessment against the provisions of the Municipal Planning Strategy and Planning Policy Framework contained on the planning file - reference no. P.2016.105.1.

Municipal Planning Strategy and Planning Policy Framework

The relevant Clauses from the Municipal Planning Strategy and Planning Policy Framework are contained within Attachment 8.3.3.b.

The policies of the Municipal Planning Strategy and Planning Policy Framework provide support to the proposal for the following reason: the replacement dwelling will not impact upon the surrounding agricultural uses and will not be visually intrusive on the surrounding landscape.

Farming Zone

The subject land is zoned Farming Zone. The proposal is consistent with the purpose and decision guidelines of the Farming Zone, particularly, to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

Bushfire Management Overlay

The Bushfire Management Overlay applies to the land. There is a planning permit trigger for the proposal at Clause 44.06-2. The application was referred to the Country Fire Authority (CFA) for comment, which requested further information. Further information was received and the application further considered by the CFA, which provided conditional consent for the proposal.

The application is considered to meet the relevant requirements of the Bushfire Management Overlay.

Proposed Land Subject to Inundation Overlay

The application was referred to NECMA, which did not object to the proposal, subject to conditions. The proposed replacement dwelling would not redirect or obstruct floodwater, stormwater or drainage water from the site, and would not increase the potential flood risk to life, health and safety. It also would not have an effect on river health values. As such, it is considered that the proposal satisfies the purpose and decision guidelines of the overlay and is appropriate for the site.

Particular Provisions

Clause 53.02 - Bushfire Planning

This clause is a state-wide provision and relevant to the application. The proposal is considered to be generally in accordance with these provisions subject to the inclusion of conditions.

General Provisions

Clause 52.06 – Car Parking

Clause 52.06-5 of the Alpine Planning Scheme outlines the required number of car parking spaces for various uses. The replacement dwelling has four bedrooms as such, two on site car parking spaces are required. Two on site spaces can easily be accommodated. As such, the proposal meets the car parking requirements.

Clause 65.01 – Approval of an Application or Plan

Clause 65.01 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. The proposal can be supported considering the relevant decision guidelines of Clause 65.01. The proposal is considered to be generally in accordance with the decision guidelines.

CONCLUSION

The application is considered to be consistent with the Alpine Planning Scheme for the following summarised reasons:

- 1) The proposal generally meets the relevant provisions of the:
 - Planning Policy Framework;
 - Farming Zone;
 - Bushfire Management Overlay;
 - Particular Provision including Clause 53.02;
 - Decision guidelines at Clause 65.01; and
 - the objector's concerns have been reasonably addressed.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate Performance
- Acting Statutory Planning Coordinator

APPENDICIES

8.3.3.a. Conditions

8.3.3.b. Policy

APPENDIX 8.3.3.a. CONDITIONS

Endorsed Plans

1. The layout of the site and the size of the proposed buildings and works must be generally in accordance with the endorsed plans which form part of this permit. The endorsed plans must not be altered or modified (whether or not to comply with any statute statutory rule or local law or for any other reason) without the prior written consent of the responsible authority.

External Materials and Colours

2. The external materials of the dwelling, which includes the roof, must be constructed in materials of muted colours. No materials having a highly reflective surface shall be used. For the purposes of this condition 'highly reflective' surfaces include unpainted aluminium, zinc or similar materials.

Farming Zone Dwelling Conditions

3. Prior to occupation access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles to the satisfaction of the relevant authorities.
4. Prior to occupation the dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes (in accordance with the endorsed Bushfire Management Plan below) to the satisfaction of the Responsible authority.
5. Prior to occupation the dwelling must be connected to a reticulated electricity supply or have an alternative energy source.
6. Prior to installation an application for an on-site wastewater treatment system must be approved by Council's Environmental Health Officer. No works are to commence until a permit to install has been issued.

Alpine Shire Environmental Health Condition

7. Any application for a Permit to Install a Septic Tank System must be made to the satisfaction of Council and any requirements of the relevant Water Authority prior to a building permit being issued in accordance with the requirements of the Building Act 1993. Any septic system must comply with the Code of Practice – onsite Wastewater Management Publication 891.4 and AS1546.1 to 1546.4 and be in accordance with the Land Capability Assessment (Ref NM14092016-1A-22 from Porta Environmental Pty Ltd) obtained in support of the application and any requirements of the relevant Water Authority.

Alpine Shire Council Engineering Team Conditions

Rural Drainage Works

8. Prior to commencement of use, all stormwater and surface water discharging from the site, buildings and works must be retained and treated on site to the satisfaction of the responsible authority. No effluent or polluted water of any type will be allowed to enter the stormwater drainage system. Once treated to the satisfaction of the responsible authority, the stormwater shall be conveyed to the legal point of

discharge to the satisfaction of the Alpine Shire Council. The legal point of discharge for the site is on-site retention and overflow to an adequate size infiltration pit.

No Restriction to Flows

9. No earthworks shall be permitted to restrict the flow of water entering or leaving the depression and low lying land indicated on the plan.

No Restriction to Drainage

10. The approved works must not cut off natural drainage from adjacent properties.

Construction Management Plan

11. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Alpine Shire Council.
12. Issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management, "Doing It Right on Subdivisions" Publication 960, September 2004.

No Mud on Roads

13. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Alpine Shire Council.

- End -

Removal of Existing Dwelling Condition

14. The existing dwelling located on the land shall be removed within 30 days of the issue of a Certificate of Occupancy for the dwelling hereby approved.

Mandatory Bushfire Management Overlay Condition

15. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Country Fire Authority Condition

16. Before the development starts, the Bushfire Management Plan titled Bushfire Management Plan 5870 Great Alpine Road, Eurobin, prepared by Mountain Planning, reference 5870 Great alpine Road, Eurobin BMP Rev A, dated 17 August 2022 must be endorsed by the Responsible Authority. Once endorsed, the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

Department of Transport Conditions

17. Only one access will be permitted from subject land to the Great Alpine Road as shown on the plan appended to the application.
18. Prior to the occupation of the dwelling, the access must be constructed and sealed in accordance with VicRoads guideline drawing GD4010 Typical Access to Rural Properties to cater for the passenger vehicle as detailed in Table 2 - Access Setout Details to the satisfaction of and at no cost to the Head, Transport for Victoria.

19. The driveway must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

Goulburn Murray Water Conditions

20. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
21. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.
22. The wastewater disposal area must be located at least: 100m from any waterways (including dams on a waterway), 40m from any drainage lines, 60m from any dams, and 20m from any bores.
*Where wastewater is treated to at least a secondary standard, the distance may be reduced in accordance with the current EPA Code of Practice – Onsite Wastewater Management. However, where possible setback distances must be maximised.
23. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.
24. No buildings are to be located within 30m of any waterways or dams on waterways. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA 1991).

North East Catchment Management Authority Conditions

25. The finished floor level of the replacement dwelling shall be a minimum of 300 mm above the estimated 1% AEP flood level i.e. minimum finished floor level of RL 245.0 m AHD. A higher floor level is recommended to provide additional protection from larger flood events.
26. Any earth land filling at the site of the replacement dwelling must not be placed, or allowed to spill to land, beyond 1 m outside of the dwelling footprint.
27. The access driveway to the dwelling must be relocated a minimum of 10 m to the west of the current alignment adjacent the lagoon such that the driveway is located on land with an existing surface level at or above RL 244.4 m AHD. The surface level of the driveway must not be raised any more than 100 mm above surrounding natural surface elevation.
28. The existing dwelling must be demolished to the satisfaction of the Responsible Authority

Expiry

29. This permit will expire if one of the following circumstances applies:

- a. the development is not started within two (2) years of the date of this permit;
and or
 - b. the development is not completed within four (4) years of the date of this permit.
30. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards if the development has not lawfully commenced prior to the expiry of the permit, or within 12 months afterwards if the development has lawfully commenced prior to the expiry of the permit.

- End of Conditions -

Planning Notes:

1. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. Separate consent for works within the road reserve and the specifications of these works may be required under the Road Management Act.
3. Important information for working near Ausnet Services Electricity Assets
4. As there are AusNet Services Power Lines in the vicinity of the proposed construction, please note the following in regard to working near our assets:
 - AusNet Services refers to Energy Safe Victoria (ESV) for safety information and advice. ESV notes the following:
 - As part of this process the builder will need to undertake a Dial Before You Dig before construction takes place.
 - It is acceptable to work greater than 6.4m from any overhead power lines.
 - If power lines are within 3.0 - 6.4m, a registered spotter must be implemented.
 - If it is under 3.0m it is known as a NO GO ZONE where official permission from AusNet Services is required via Extec (see below).
 - Go to the following for more info from the ESV: <https://esv.vic.gov.au/technical-information/electrical-installations-and-infrastructure/no-go-zones/distribution-overhead-powerlines/>
 - For information on No Go Zones, please contact Extec who can assist you with your No Go Zone requirements. Their details can be obtained at: <https://www.ausnetservices.com.au/en/Safety/Working-Near-Lines>.

8.3.3.b. POLICY

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03-1 & Clause 11.01-1L-01 – Settlement

Clause 02.03-3 - Environmental Risks and Amenity
Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning

Clause 02.03-4 – Natural Resource Management
Clause 14.01-1S & 14.01-1L - Protection of agricultural land
Clause 14.01-2S & Clause 14.01-2L - Sustainable agricultural land use

Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management
Clause 14.02-2S & Clause 14.02-2S – Water Quality

Clause 02.03-5 – Built Environment and Heritage
Clause 15.01-6S – Design for Rural Areas
Clause 15.03-1S Heritage conservation

Clause 02.03-9 – Infrastructure
Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 35.07 - Farming Zone

Overlays

N/A

Particular Provisions

N/A

General Provisions

Clause 65.01 - Approval of an Application or Plan

8.3.4 Planning Application P.2022.31 - 29 & 31 Ashwood Avenue, Bright

Application number:	P.2022.31
Proposal:	Seven (7) lot subdivision with common property and buildings and works for the construction of six (6) dwellings.
Applicant's name:	MLC Developments Pty Ltd C/- Jennie Baldry
Owner's name:	Banyandah Gold Pty Ltd and Milan and Louise Cindric
Address:	29 and 31 Ashwood Avenue, Bright (Lot 10 and Lot 11 PS 219240A)
Land size:	Approx. 6,095sqm combined
Current use and development:	Dwelling
Site features:	Discussed under the subject site and surrounds section below
Why is a permit required?	Clause 32.08-3 – Subdivision Clause 32.08-6 – Construction of two or more dwellings on a lot Clause 44.06-2 – Building and works and subdivision
Zoning:	Clause 32.08 – General Residential Zone
Overlays:	Clause 44.06 - Bushfire Management Overlay
Restrictive covenants on the title?	Yes
Date received:	23 February 2022
Statutory days:	399
Planner:	Ebony Cetinich

Cr Hughes

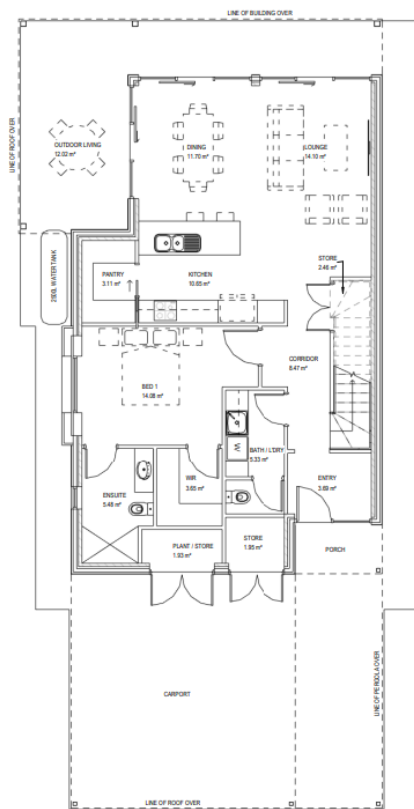
Cr Janas

That Council issue a Notice of Decision to grant a planning permit for Seven (7) lot subdivision with common property and buildings and works for the construction of six (6) dwellings in accordance with the conditions outlined in Appendix 8.3.4.a

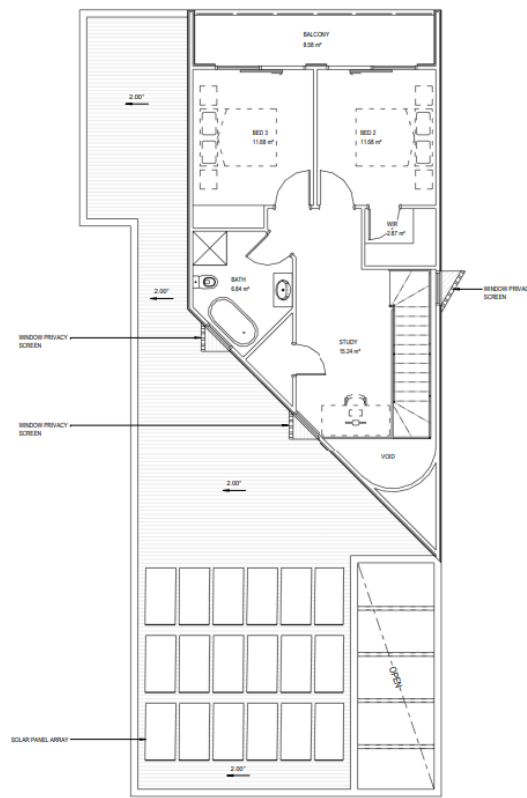
Not Carried



Figure 2: Plan of Subdivision



TYPE 'A' (MIRRORED) ON LOT 1 - GROUND FLOOR
 SCALE: 1:30



TYPE 'A' (MIRRORED) ON LOT 1 - UPPER LEVEL
 SCALE: 1:30

Figure 3: Floor Plan (Dwelling One)

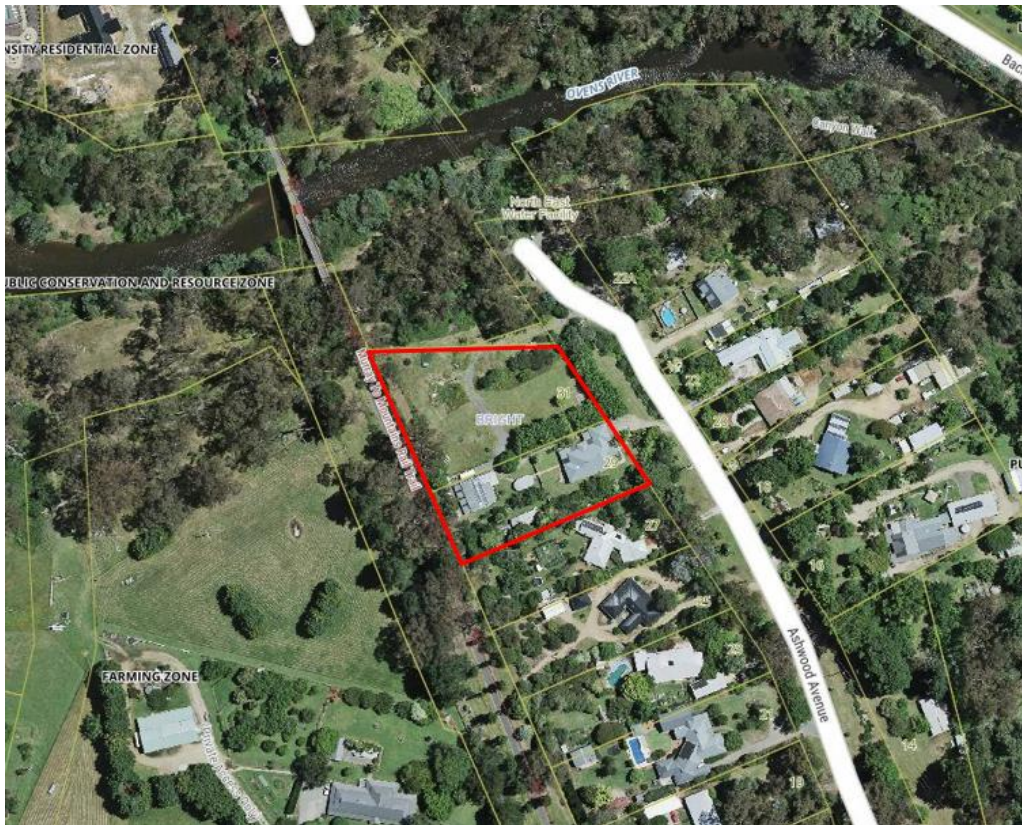


Figure 5: Aerial Image of the Subject Site

Dwellings

The construction of one two storey dwelling on proposed lot 3 with the following features:

- Basement consisting of a garage, workshop, various storage areas, gym, sauna, wine cellar and bathroom. Two shipping containers will also be located external to the building at basement level.
- Ground floor consisting of a master bedroom with WIR and ensuite, open plan living, kitchen and dining area, terrace and outdoor living area, study, powder room, pantry, laundry and double garage.
- Upper level consisting of three bedrooms, each with WIR and ensuite.
- The dwelling has a modern architectural external appearance with external cladding consisting of colorbond sheet metal, hardwood timber, charred timber, cemintel barestone fibre cement sheet and feature stone. The colour scheme varies between the dwellings but maintains muted tones of cream, sandstone, grey and black.
- The dwelling has been designed to suitably respond to the slope of the land to minimise earthworks.
- A skillion roof form has been adopted which gives a maximum building height of 10.6m at the highest point (9.5m from natural ground).

The construction of five two storey dwellings on proposed lots 1-2 and 4-6 with the following features:

- Three bedrooms (two with walk in robes and one with a standard built in robe), open plan living, kitchen and dining area, walk in pantry study nook, bathroom, ensuite, WC, laundry, storage rooms, two car carport, alfresco and balcony. Solar panels will also be incorporated into the design.
- The dwellings have a modern architectural external appearance with external cladding consisting of colorbond sheet metal, hardwood timber, cemintel barestone fibre cement sheet and feature stone. The colour scheme varies between the dwellings but maintains muted tones of cream, sandstone, grey and black.
- A skillion roof form has been adopted which gives a maximum building height of 7m at the highest point.

A shared accessway is proposed to provide access to dwellings 2 to 6 from Ashwood Avenue. Access to dwelling 1 will be shared with the existing crossover for the existing dwelling that will remain on the land.

Each dwelling is provided with two covered car parking spaces within the carport.

Considerable land has been set aside for landscaping. Some existing planted vegetation will be required to be removed to accommodate the development.

An on-site stormwater detention basin is proposed between the accessway and the northern boundary.

PUBLIC NOTIFICATION

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987, by sending notices to the owners and occupiers of adjoining land; and placing a sign on site.

Council has received nine objections. The objections are summarised in the table below alongside Councils response to the issues raised.

Summary of Concerns	Council Response
Character impacts	<p>The subject site is situated within an established residential area and is appropriately zoned for infill development. The character of Ashwood Avenue and surrounding environs is not specifically protected by any overlays (i.e. Design and Development Overlay, Significant Landscape Overlay and Heritage Overlay etc.</p> <p>Respecting character does not mean preventing change. The neighbourhood character standard in Clause 55 is not intended to result in the replication of existing building stock or stop change. Some areas will see significant changes as a result of new social and economic conditions, changing housing preferences and explicit housing policies. Typically, residential growth and change occurs within the General Residential Zone where there are no restrictive Overlays or environmental and servicing constraints. In these areas, it is important that respecting character is not taken too literally, as a new character will emerge in response to these new social and economic conditions.</p>
Setbacks	<p>The positioning of the site is relatively unique and is at the end of a cul-de-sac with an interface to public land to the north and west. The development has been designed to respond to this and orient the proposed dwellings to address the public land. As such, a majority of dwellings will be placed towards the rear of the site behind the existing dwelling on the land, minimising their interaction with and visibility from Ashwood Avenue.</p>

Summary of Concerns	Council Response
<p>Density (Small lots) Site Coverage</p>	<p>There will be little change to the pattern of subdivision. There will be little change to the allotment pattern adjacent to Ashwood Avenue, with the exception of the common driveway located along the northern boundary of the site. There currently exists two allotments with frontage to Ashwood Avenue and this will not change as a result of the proposal.</p> <p>The dwellings maintain the detached character of existing dwellings within the surrounding area and a relatively low site coverage. Only 23.6% of the site will be covered in buildings.</p>
<p>Intent of original subdivision was for large blocks, quiet country/lifestyle living, close to town. Loss of quiet / semi-rural atmosphere</p>	<p>A majority of the road reserve will be unaltered as a result of the proposal and most existing vegetation will remain.</p> <p>There will be no increase in the number of access points to Ashwood Avenue. The existing northern most access point must be relocated slightly to the south as it is currently encroaching Crown Land.</p> <p>The proposed dwellings have been architecturally designed and are of a modern appearance with a range of external cladding typically found within the surrounding area.</p>
<p>Two storey dwellings</p>	<p>Whilst not prevalent within the surrounding area, some two storey dwellings are observed. Two storey dwellings are not discouraged based on current planning controls, and the amenity of surrounding land will not be detrimentally impacted, as per the Clause 55 assessment at the end of this report. The visual bulk or a majority of dwellings will be reduced by setbacks from the street and retention of existing significant vegetation within the road reserve.</p>

Summary of Concerns	Council Response
<p>Amenity impacts</p> <ul style="list-style-type: none"> – Proximity of new dwellings to adjoining land – Light spill – Headlights – Increased traffic and congestion – Increased people noise 	<p>The proposal achieves a suitable level of off-site amenity and meets the standards of Clause 55 relating to building height, setbacks, overlooking and overshadowing. The road reserve is heavily vegetated and will assist in screening light spill and headlights from adjacent allotments. Standard domestic people noise is not a matter that can be enforced as part of a planning permit and is a police matter. Councils Engineering Department have not raised any issues in terms of the capacity of the existing road network to accommodate additional vehicles from the proposed development.</p>
<p>Visual bulk of buildings</p> <p>Impacts on views from Rail Trail and Ovens River and surrounding walking trails</p>	<p>The proposal is considered to have an acceptable visual impact on public land as the external materials and colour scheme will be of muted tones and will incorporate natural materials such as timber and stone to blend with the natural environment.</p> <p>The dwellings will be designed to overlook public land which is considered to be a positive outcome in terms of passive surveillance, interaction and inclusion with the public realm.</p>
<p>Impacts to the Ovens River and recreational use (nowhere for kayakers to park, possible impeding of access during construction)</p>	<p>No issues were raised by GMW or NECMA in relation to the impacts of the proposal on the Ovens River and surrounding environs.</p> <p>A construction management plan will be included as a condition on any permit issued to manage all construction related matters such as parking of construction vehicles.</p>
<p>Previous refusal for battle-axe subdivision at 16 Ashwood Avenue</p>	<p>Refusal of a permit does not ultimately lead to the same outcome for a permit application on a different site. Each permit application has its own site-specific considerations, facts and merits.</p>
<p>Setting a new precedent</p>	<p>Approval of a permit does not ultimately lead to setting a precedent. Each permit application has its own site-specific considerations, facts and merits.</p>

Summary of Concerns	Council Response
Short Term Rental use	The proposal under assessment is for the development of dwellings any future use is only hypothetical. Planning decisions must be made on the use and development being sought.
Construction vehicles, road degradation and safety hazard. Impact to existing businesses	A construction management plan will be included as a condition on any permit issued to manage all construction related matters such as access and parking of construction vehicles, responsibility of repairing damage to roads, reducing amenity impacts etc.
Increased traffic and road safety impacts	No issues were raised by the engineering department in relation to the capacity of the existing road network to accommodate additional traffic as a result of the proposed development.
Road widening and road upgrades to facilitate proposed development (i.e. kerb and channel, street lighting, drainage, footpaths etc). Burden to rate payers.	No such upgrades are proposed or required by Councils Engineering Department. The proposal provides for on-site detention to limit the extent of any upgrades to public stormwater infrastructure.
Non-compliance with Clause 54 and Clause 55	Clause 54 does not apply to this application as it only applies to the development of a single dwelling on a lot less than 300sqm. An assessment of Clause 55 has been undertaken and the proposal achieves compliance with all the relevant objectives and standards
Insufficient car parking	The proposal provides off-street car parking in accordance with Clause 52.06 of the Planning Scheme.
Reduced property values	Property value is not a relevant planning consideration.

REFERRALS

Referrals / Notice	Advice / response / Conditions
Section 55 referrals	CFA – Consent subject to Conditions GMW – Consent subject to Conditions Ausnet – Consent subject to Conditions NEW – Consent subject to Conditions
Section 52 referrals	NECMA - Consent subject to Conditions

Referrals / Notice	Advice / response / Conditions
Internal Referrals	ASC ENG – Consent subject to Conditions

PLANNING ASSESSMENT

All applicable policy can be found in Appendix 8.3.4.b.

Municipal Planning Strategy and Planning Policy Framework

The relevant Clauses from the Municipal Planning Strategy and Planning Policy Framework are contained within Appendix 8.3.4.b.

The policies of the Municipal Planning Strategy and Planning Policy Framework provide support to the proposal for the following reasons:

- The subject site is within the Bright Township boundary and has access to all reticulated services. The site does not have any particular environmental constraints such as steep topography, native vegetation, site contamination and the like that would restrict the development as proposed.
- The proposal provides for additional residential land which will support the projected population growth over the next 15 years. Residential land within the Municipality is currently in high demand and the proposal will assist in alleviating this demand. There are limited greenfield opportunities within Bright and as such, a majority of residential growth will be as a result of infill development within established residential areas.
- The dwellings will be designed to overlook public land which is considered to be a positive outcome in terms of passive surveillance, interaction and inclusion with the public realm. Open rural style post and wire fencing will be incorporated along all boundaries with public realm to maintain the natural character of the area. The external materials and colour scheme will be of muted tones and will incorporate natural materials such as timber and stone to blend with the natural environment.
- The proposal suitably responds to the risk of bushfire and flooding.
- The proposal will not have any detrimental impacts on the catchment area and water resources.
- The proposed development is considered to suitably respect the existing character of the area for the following reasons:
 - The positioning of the site is relatively unique and is at the end of a cul-de-sac with an interface to public land to the north and west. The development has been designed to respond to this and orient the proposed dwellings to address the public land. As such, a majority of dwellings will be placed towards the rear of the site behind the existing dwelling on the land, minimising their interaction with and visibility from Ashwood Avenue.
 - In terms of the pattern of subdivision, there will be little change to the allotment pattern adjacent to Ashwood Avenue, with the exception of the common driveway located along the northern boundary of the site. There currently exists

two allotments with frontage to Ashwood Avenue and this will not change as a result of the proposal.

- A majority of the road reserve will be unaltered as a result of the proposal and most existing vegetation will remain.
 - There will be no increase in the number of access points to Ashwood Avenue. The existing northern most access point must be relocated slightly to the south as it is currently encroaching Crown Land.
 - The proposed dwellings have been architecturally designed and are of a modern appearance with a range of external cladding typically found within the surrounding area.
 - The dwellings maintain the detached character of existing dwellings within the surrounding area and a relatively low site coverage. Only 23.6% of the site will be covered in buildings.
 - Whilst not prevalent within the surrounding area, some two storey dwellings are observed. Two storey dwellings are not discouraged based on current planning controls, and the amenity of surrounding land will not be detrimentally impacted, as per the Clause 55 assessment at the end of this report. The visual bulk or a majority of dwellings will be reduced by setbacks from the street and retention of existing significant vegetation within the road reserve.
- The site is capable of accommodating the proposed development taking into account access and infrastructure servicing. Wastewater and stormwater are able to be managed on-site.
 - The battle-axe form provides an orderly subdivision outcome, minimising impacts to the road reserve to assist in maintaining the existing character of the area.
 - There is a demand for housing within Bright and the proposal will assist in alleviating this demand and also provide for housing choice.
 - The subject site is situated within an urban area that has reticulated water, sewer and stormwater services. GMW, NEW and Councils Engineering Department have reviewed the application and raised no concerns in relation to water management.
 - The Engineering Department have recommended standard conditions relating to provision of detailed construction and drainage drawings. No requirements were made in relation to upgrading existing road infrastructure such as kerbing, footpaths and the like. Taking into consideration the above, the proposal suitably manages water resources.

General Residential Zone

- A planning permit is required under Clause 32.08-3 for subdivision and Clause 32.08-6 to construct two or more dwellings on a lot (6).
- 57.7% of the site has been set aside for garden area, meeting the minimum requirement prescribed by Clause 32.08-4.
- The proposed dwellings are no greater than two storeys and no greater than 11m in height, meeting the maximum height requirements under Clause 32.08-10.
- The application has been considered against the decision guidelines of Clause 32.08-13 and can be supported for the following reasons:

- The proposal positively responds to the Municipal Planning Strategy and the Planning Policy Framework, which have been discussed above.
- The proposal accords with the purpose of the General Residential Zone by achieving housing diversity and growth in an urban area that has access to all necessary development infrastructure and services to support increased residential densities. Whilst increased residential densities may be met with community resistance, the relevant planning controls that apply to the land are favourable of this type of development. For reasons discussed earlier in this report, the proposal is not considered to result in detrimental impacts the neighbourhood character of the surrounding area.
- As the development of dwellings has been incorporated into this application, it has been demonstrated that the pattern of subdivision has no consequence on the spacing of buildings. The proposed lot boundaries are suitably positioned to accommodate all existing and proposed dwellings as well as shared accessways and on-site stormwater detention.
- As the proposal is for a subdivision in conjunction with development, a complete assessment against the provisions of Clause 56 is not required as compliance with Clause 55 is deemed to satisfy the requirements of Clause 56. This approach is considered to be consistent with the application of Clause 56 as it is stated that the provisions of Clause 56 do not apply to an application to subdivide land into lots each containing an existing dwelling. There will be conditions on any permit issued ensuring that the dwellings are completed prior to the subdivision.
- The proposed dwellings will not overshadow any existing rooftop solar energy systems on dwellings on adjoining lots.
- The proposed achieves a suitable level of compliance with the objectives, standards, and decision guidelines of Clause 55.

Bushfire Management Overlay

The land is covered entirely by the Bushfire Management Overlay. There is a planning permit trigger for the proposal at Clause 44.06-2. The application was referred to the Country Fire Association (CFA) for comment and conditional consent was provided. The application is considered to meet the relevant requirements of the Bushfire Management Overlay.

Particular Provisions

Clause 52.06 - Car Parking

Five three-bedroom and one four bedroom dwellings are proposed, each providing for at least two covered car parking spaces within their respective carports or garages. One visitor car parking space is proposed within the shared accessway. As such, the proposal satisfies the car parking requirements. The plans submitted with the application show the necessary information required by Clause 52.06-8 and the proposal suitably meets the design standards for car parking under Clause 52.06-9.

Clause 53.01 – Public Open Space Contribution and Subdivision

The proposed subdivision does not provide any land for the purposes of public open space. As such, a public open space contribution is required to be paid in accordance with 18(1)(b) of the Subdivision Act 1988. The proposed subdivision results in five additional lots within Bright which places increased demand on existing public open spaces within the township. As such, the full 5% contribution will be required as per conditions.

Clause 53.02 - Bushfire Planning

The application was referred to the Country Fire Association for comment. Conditional consent was provided. The application is considered to meet the relevant requirements of this clause.

Clause 55 – Two or More Dwellings on a Lot and Residential Buildings

In summary, the proposal achieves suitable compliance with all relevant objectives of Clause 55.

Clause 56 – Residential Subdivision

As the proposal is for a subdivision in conjunction with development, a complete assessment against the provisions of Clause 56 is not required as compliance with Clause 55 is deemed to satisfy the requirements of Clause 56. This approach is considered to be consistent with the application of Clause 56 as it is stated that the provisions of Clause 56 do not apply to an application to subdivide land into lots each containing an existing dwelling. There will be conditions on any permit issued ensuring that the dwellings are completed prior to the subdivision.

General Provisions

Clause 65.01 and 65.02 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. The proposal can be supported taking into account the relevant decision guidelines of Clause 65.01 and 65.02.

Other matters – Breach of Covenant

Covenant W849570H applies to Lot 10 and contains the following restrictions:

- a. The erection of any building externally lined with materials other than brick veneer, masonry, mud brick, stone or new timber.
- b. The erection of any buildings or garage externally clad in iron or other commonly used materials unless such external cladding is in a colour that is not visually distracting from the amenity of the subdivision.
- c. The erection of a dwelling having an area less than 130sqm, excluding any built-in garage or carport.
- d. The erection of a dwelling with a roof of any material other than tiles, slate or colorbond iron.

- e. The erection or relocation onto the said land any transportable home.
- f. Notwithstanding point a., the erection of any dwelling manufactured or constructed from timber logs other than whole timber logs.

Covenant V252112Y applies to Lot 11 and contains the same restrictions as the Covenant described above.

The proposal does not currently comply with points a. of both Covenants as a majority of the dwellings are proposed to be clad in colorbond sheet metal. Whilst point b. allows for alternative materials to be used, the Covenant is not worded in a way to provide an option between a. and b.. Both requirements must be met.

In accordance with Section 61(4) of the Planning and Environment Act 1987, if the grant of a permit would authorise anything which would result in a breach of a registered restrictive covenant, the responsible authority must refuse to grant the permit unless a permit has been issued, or a decision made to grant a permit, to allow the removal or variation of the covenant.

A condition will be placed on any planning permit issued to ensure materials do not breach any covenant.

CONCLUSION

The application is considered to be consistent with the Alpine Planning Scheme for the following reasons:

- The application is consistent with the Alpine Planning Scheme.
- The application is consistent with the objectives of planning in Victoria.
- Appropriate conditions have been put in place to remedy any possible breach in the requirements of the restrictive Covenants that apply to the land.
- The objectors concerns have been reasonably addressed.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Consultant Planner

APPENDICIES

- 8.3.4.a. Conditions
- 8.3.4.b. Policy and decision guidelines

Appendix 8.3.4.a. CONDITIONS

- DEVELOPMENT CONDITIONS -

Plans required for endorsement

1. Before the endorsement of any plans, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted with the application but modified to show:
 - a. External materials and colours to comply with covenants contained in Instrument of Transfer W849570H and V252112Y in the Register of Titles.
 - b. Landscaping details as **per Condition 5**.
 - c. Location of all mailboxes.
 - d. All boundary fencing details on one site plan for the entire development. Fencing along the northern, eastern (for the length of proposed lot 1) and western boundaries must be rural style post and wire with a maximum height of 1.4m.
 - e. Location of areas to be utilised for kerbside collection, ensuring that it is of a sufficient area to accommodate all bins on collection day.
 - f. Construction and drainage details as per **Conditions 7 and 8**.

Amended Landscape Plan required

2. Concurrent with the submission of plans required by Condition 1, the Landscape Plan by Horizon Studio Landscape Architecture must be amended to the satisfaction of the Responsible Authority to show:
 - a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b. a survey, including botanical names, of all existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the subject site;
 - c. 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 plant. Plantings must achieve a suitable balance between achieving the landscape outcomes sought by consistent with existing vegetation within the surrounding area and adhering to the vegetation management requirements under Table 6 to Clause 53.02-5;
 - d. landscaping and planting within all open areas of the site (including each lot);
 - e. details of all proposed hard surface materials including pathways, patio or decked areas.

Endorsed Plans

3. The development and subdivision as shown on the endorsed plan must not be altered or modified (whether or not in order to comply with any statute, statutory

rule or Local Law, or for any other reason) without the prior written consent of the Responsible Authority.

Mandatory Bushfire Management Overlay Condition

4. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Completion and maintenance of landscaping

5. Within 3 months of the occupation of the dwelling hereby approved or within the next planting season, whichever is the earlier; the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
6. The landscaping must thereafter be maintained to the satisfaction of The Responsible Authority, including that any dead, diseased or damaged plants are to be replaced within 3 months or within the next planting season.

Alpine Shire Council Engineering Team Conditions

Detailed Construction and Drainage Plans Required

7. Concurrent with the plans required by Condition 1, detailed construction plans must be submitted to and approved by the Alpine Shire Council. Construction detail shall be generally in accordance with Council's Infrastructure Design Manual (www.designmanual.com.au). When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, and shall include proposed construction detail, further information or modifications to:
 - a. Common property pavement and proposed seal treatment including vehicle crossing and footpath.
 - b. Underground drainage system, with supporting computations
8. Concurrent with the plans required by Condition 1, a properly prepared drainage discharge plan with computations must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The information submitted must show the details listed in Council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:
 - a. Details of how the works on the land are to be drained and retarded.
 - b. a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council to predevelopment flow rate
 - c. connection points for drainage for each lot
 - d. underground pipe drains conveying stormwater to the legal point of discharge for each allotment
 - e. Detention system including approval from all relevant authorities.
 - f. Incorporation of water sensitive urban design in accordance with Clause 20 of the Infrastructure Design Manual, to enhance stormwater discharge quality from the site and protect downstream waterways, including the expected discharge quality

emanating from the development and design calculation summaries of the treatment elements; or as otherwise approved in writing by the Responsible Authority;

- g. Maintenance schedules for treatment elements.

Defect Identification – Council's Assets

9. Prior to commencement of construction (or demolition), the owner or developer must submit to the Alpine Shire Council a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb and channel, footpath, seal, streetlights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to Alpine Shire Council's assets/public infrastructure caused as a result of the development or use permitted by this permit.

Tree Protection during Construction

10. Prior to commencement of construction, a tree protection fence must be erected around the dripline of the existing trees to define a 'Tree Protection zone'. The fence must be constructed of (specify star pickets and chain mesh or similar) to the satisfaction of the relevant authority. The tree protection fence must remain in place until construction is completed. The ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the Alpine Shire Council.

No Vegetation Removal

11. No tree or other vegetation other than those specifically notated on the approved plan(s) as "tree to be removed" shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Alpine Shire Council.

Urban Drainage Works

12. Prior to issue of Statement of Compliance, or occupation of any new building, all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe to the satisfaction of the Alpine Shire Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system. The legal point of discharge for this site is Stormwater pit on Ashwood Avenue. All roof water from buildings and surface water from paved areas must be collected and discharged to the LPOD to avoid any nuisance discharge to adjacent land.

Vehicle Crossings

13. Prior to issue of Statement of Compliance, or occupation of any new building, vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Alpine Shire Council, and shall comply with the following:
 - a. standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete kerb and channel to match into the surrounding profile.

- b. Any proposed vehicular crossing shall have satisfactory clearance to any side entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;
- c. crossings may be concrete or have a bituminous seal applied over an appropriately constructed pavement. Dimensions and roadside drainage treatments are to be generally in accordance with IDM drawing SD260.

Prior to Commencement of Construction

14. Before any road/drainage works associated with the subdivision/development start, the following items must be satisfied:
 - a. Approval of the construction plans;
 - b. An on-site meeting with officers of the municipality, the contractor and the developer or the developer's consultant to discuss matters such as roadside management, construction techniques, sedimentation controls, vegetation clearing controls and vegetated areas to be barricaded off prior to and during construction.

Driveway Construction Requirements

15. Prior to issue of the Statement of Compliance or occupation of any of the new buildings, the common property driveway and parking area as shown on the endorsed plans must be:
 - a. constructed of concrete or surfaced with an all-weather seal coat; and
 - b. drained in accordance with an approved drainage plan; to the satisfaction of the responsibility authority.
16. The driveway must be constructed and drained to prevent diversion of flood or drainage waters and maintained in a continuously useable condition to the satisfaction of the responsible authority.

Construction Management Plan

17. Prior to commencement of construction, a construction management plan shall be submitted to and approved by the Alpine Shire Council. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manger must also be provided, so that this person can be easily contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management, "Doing It Right On Subdivisions" Publication 960, September 2004.
18. The approved Construction Management Plan must be adhered to at all times during the construction stage of the development to the satisfaction of the Alpine Shire Council.
19. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Alpine Shire Council.

- SUBDIVISION CONDITIONS –

Telecommunications

20. The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

21. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Public Open Space Contribution

22. Prior to the issue of Statement of Compliance, the permit holder must pay a public open space contribution of 5 per cent of the site value of all of the land in the subdivision intended to be used for residential purposes, in accordance with Section 18 of the Subdivision Act 1988.

Development to be Completed

23. Prior to the issue of Statement of Compliance, the development authorised by this permit as it relates to dwellings must be completed to the satisfaction of the Responsible Authority in accordance with the permit and endorsed plans (including, but not limited to the built form and layout, car parking, access, drainage and landscaping).

Mandatory BMO Condition

24. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- a. State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Alpine Planning Scheme.
- b. Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

- c. State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.
25. The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

This does need to be complied with if the dwellings have been completed in accordance with Condition 24.

Ausnet Electricity Services Pty Ltd

26. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.
27. The applicant must:
- a. Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
 - b. Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Country Fire Authority

Bushfire Management Plan Required

28. Prior to certification under the Subdivision Act 1988, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.
29. The plan must be generally in accordance with the plan submitted by Oxley and Co, dated 1/8/22, version 3 but amended to include or replace the conditions for Water Supply with:
- a. Water supply (Lots 1 & 2 and 4 - 6)
Lots 1 & 2 - 5,000 litres and Lots 4 - 6 - 2,500 litres of effective water supply for firefighting purposes must be provided within all lots which meets the following requirements:
 - i. Is stored in an above ground water tank constructed of concrete or metal.
 - ii. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
 - iii. Include a separate outlet for occupant use.

Hydrants

30. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

- a. 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.
- b. 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 web site (www.cfa.vic.gov.au)

Construction of vehicle access

31. Before the statement of compliance is issued under the Subdivision Act 1988, the vehicle access arrangements shown on the endorsed plans to all lots must be implemented to the satisfaction of the Responsible Authority.

Goulburn Murray Water

32. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
33. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.
34. All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).
35. No buildings are to be constructed within 50m of the Ovens River.

North East Catchment Management Authority

36. Prior to the issue of a Statement of Compliance it must be demonstrated that stormwater quality and quantity treatment measures have been constructed in accordance with the approved plans.

North East Water

37. The owner of the subject land (or applicant in anticipation of becoming the owner) is required to enter into a legal agreement with North East Water detailing the works to be constructed, and other requirements to be met, necessary for the provision of reticulated water supply to each of the lots and proposed dwellings, within the development, at the owners cost, to the satisfaction of North East Water, provided:
 - a. where the development is staged, a number of agreements may be required for separate stages; and
 - b. each agreement must be in accordance with North East Water policy and requirements applying at the time of entry into the relevant agreement.
38. The owner of the subject land (or applicant in anticipation of becoming the owner) is required to enter into a legal agreement with North East Water detailing the works to be constructed and other requirements to be met, necessary for the provision of reticulated sewerage services to each of the lots and proposed dwellings, within the development, at the owners cost, to the satisfaction of North East Water, provided:

- a. where the development is staged, a number of agreements may be required for separate stages; and
 - b. each agreement must be in accordance with North East Water policy and requirements applying at the time of entry into the relevant agreement.
39. Where the development (including any subdivision) occurs in stages the availability of water supply and sewerage services may be delayed having regard to NEW system capacity, conditions in relation to which shall be detailed in the relevant agreement for water supply and/or sewerage services.
40. The works required to be constructed for the provision of water supply and sewerage services must include, where so required by and to the satisfaction of, North East Water:
- a. works external to the subject land to allow connection to the North East Water water supply and sewerage systems;
 - b. the vesting at no cost of such of those works required by North East Water, to North East Water (“Developer Works”); and
 - c. works to ensure compatibility with and allowance for, other developments being served through existing and future North East Water infrastructure, including the Developer Works
 - d. internal or private works within the development, in accordance with applicable plumbing standards and providing adequate pressure and service levels.
41. Any modification to the development approved under this permit, including an increase or decrease in the number of dwellings or lots (or both) or the inclusion of additional land, requires the further consent of and may be subject to modified conditions, to the satisfaction of, North East Water.
42. Prior to the issue of a Statement of Compliance, the applicant must pay a new customer contribution determined in accordance with North East Water’s policy for development charges applicable to the water supply system currently servicing the area in which the subject land is located.
43. Prior to the issue of a Statement of Compliance, the applicant must pay a new customer contribution determined in accordance with North East Water’s policy for development charges applicable to sewers and disposal systems currently servicing the area in which the subject land is located.
44. The applicant must create easements to the satisfaction of and in favour of North East Water, over all existing and proposed sewerage facilities within the proposed subdivision.
45. The applicant must ensure that private water services do not traverse property boundaries and are independently supplied from a point of supply approved by North East Water.
46. The applicant must provide easements through other land, to the satisfaction of North East Water, if such easements are considered necessary for the efficient and economic servicing of the subject land.
47. That the applicant pays applicable charges determined in accordance with North East Water’s policy for development charges, applicable from time to time towards North

East Water's sewers and disposal systems servicing the area to which the permit applies.

48. Where the subject land is developed in stages, the North East Water conditions will apply to any subsequent stage of the subdivision.
49. Where an easement created in favour of North East Water is located within a proposed road reserve in a future stage, prior to the certification of the plan of subdivision for that stage, the applicant must formally remove the easement from the title to the land.
50. North East Water's consent to the issue of a Statement of Compliance under the Subdivision Act 1988 is conditional upon completion of all works, and meeting all requirements set out in this permit and any relevant agreement with, North East Water.
51. The plan of subdivision for certification must be referred to North East Water in accordance with Section 8 of the Subdivision Act 1988.

Permit Expiry

52. The above-mentioned planning permit as it relates to development will expire if either of the following circumstances arise:
 - a. The development is not started within two (2) years of the date of this permit; or
 - b. The development is not completed within four (4) years of the date of this permit.
53. The above-mentioned planning permit as it relates to subdivision will expire if either of the following circumstances arise:
 - a. The plan of subdivision is not certified within two (2) years of the date of this permit; or
 - b. The subdivision is not completed within five (5) years of the date of certification.
54. The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987

- End of Conditions -

Planning Notes:

1. This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. A road opening/crossing permit must be obtained from the Alpine Shire Council prior to working in or occupying the road reserve with construction equipment or materials. Applications may be accessed via the Alpine Shire Council website.

Appendix 8.3.4.b. POLICY AND DECISION GUIDELINES

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03-1, Clause 11.01-1S & Clause 11.01-1L-01 – Settlement
Clause 11.01-1L-02 – Bright

Clause 11.02-1S – Supply of Urban Land

Clause 02.03-2 – Environmental and Landscape Values
Clause 12.05-1L – Public and Private Land Interfaces
Clause 02.03-3 - Environmental Risks and Amenity
Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning
Clause 13.03-1S & Clause 13.03-1L – Floodplain Management
Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management
Clause 14.02-2S & Clause 14.02-2S – Water Quality
Clause 02.03-5 – Built Environment and Heritage
Clause 15.01-1S & Clause 15.01-1L-01 – Urban Design
Clause 15.01-2S – Building Design
Clause 15.01-3S – Subdivision Design
Clause 15.01-3L – Battle-Axe Development
Clause 15.01-5S - Neighbourhood Character
Clause 15.03-2S – Aboriginal Cultural Heritage
Clause 02.03-6 – Housing
Clause 16.01-1S – Housing Supply
Clause 16.01-2S – Housing Affordability
Clause 02.03-9 – Infrastructure
Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 32.08 - General Residential Zone

Overlays

Clause 44.06 – Bushfire Management Overlay

Particular Provisions

Clause 52.06 - Car Parking
Clause 53.01 – Public Open Space Contribution and Subdivision
Clause 53.02 – Bushfire Planning
Clause 55 – Two or More Dwellings on a Lot and Residential Buildings
Clause 56 – Residential Subdivision

General Provisions

Clause 65.01 - Approval of an Application or Plan
Clause 65.02 - Approval of an Application to Subdivide Land

8.3.5 Planning Application P.2022.142 - 24 Jubilee Street, Myrtleford

Application number:	P.2022.142
Proposal:	Use and development of a Warehouse
Applicant's name:	Sharni Wheatley – Shedboss Albury
Owner's name:	Anthony and Susan Jones
Address:	24 Jubilee Street, Myrtleford (Lot 5 PS 545517V)
Land size:	Approx. 783sqm
Current use and development:	Vacant
Site features:	There are no notable site features.
Why is a permit required?	Clause 33.01-1 – Section 2 Use Clause 33.01-4 – Buildings and works
Zoning:	Clause 33.01 – Industrial 1 Zone
Overlays:	Nil
Restrictive covenants on the title?	Nil
Date received:	13 October 2022
Statutory days:	133
Planner:	Ebony Cetinich

Cr Nicholas

Cr Prime

That Council issue a Notice of Decision to grant a planning permit for the use and development of a warehouse in accordance with the conditions outlined in Appendix 8.3.5.a

Carried

PROPOSAL

The proposal involves the use and development of the land for a warehouse. The building will be used for storage purposes and no manufacturing or other industrial related activity will occur.

The proposed building has a floor area of 348sqm and will contain an open floor space with disabled toilet amenities. The building has a wall height of 5m and a maximum

height of 6.25m at the roof apex. The external walls and roof will be clad in colorbond “windspray” metal sheet which is a grey tone. There will be one roller door and PA door on the north western elevation and the same on the north eastern elevation.

Six on site car parking spaces are proposed to the front and side of the building with an accessway down the north eastern side of the site. Landscaping is proposed at the property frontage in two separate landscaping beds.

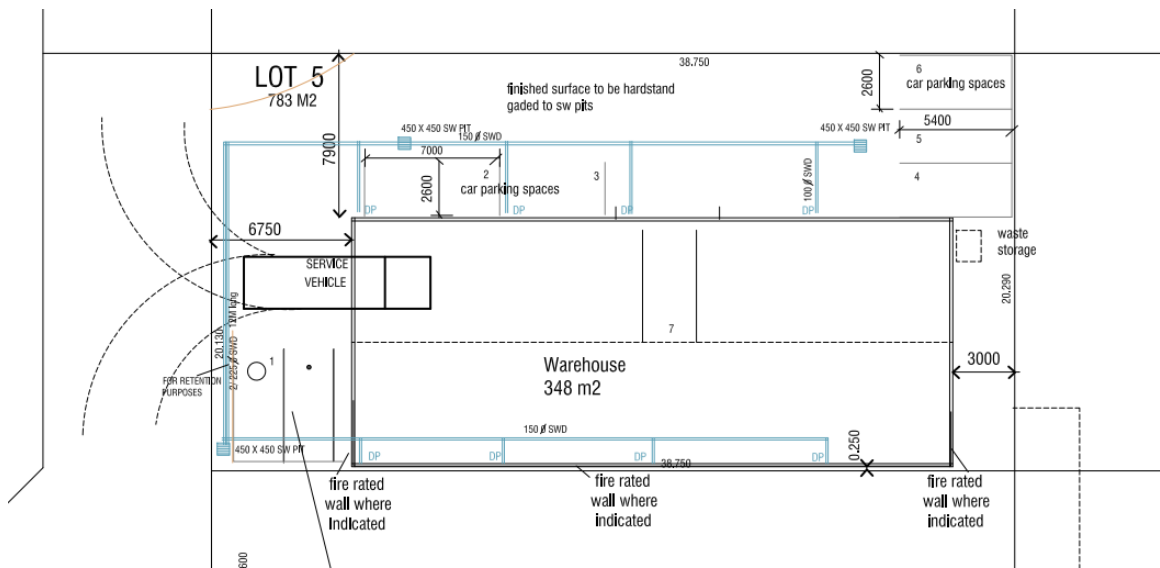


Figure 1: Site Plan

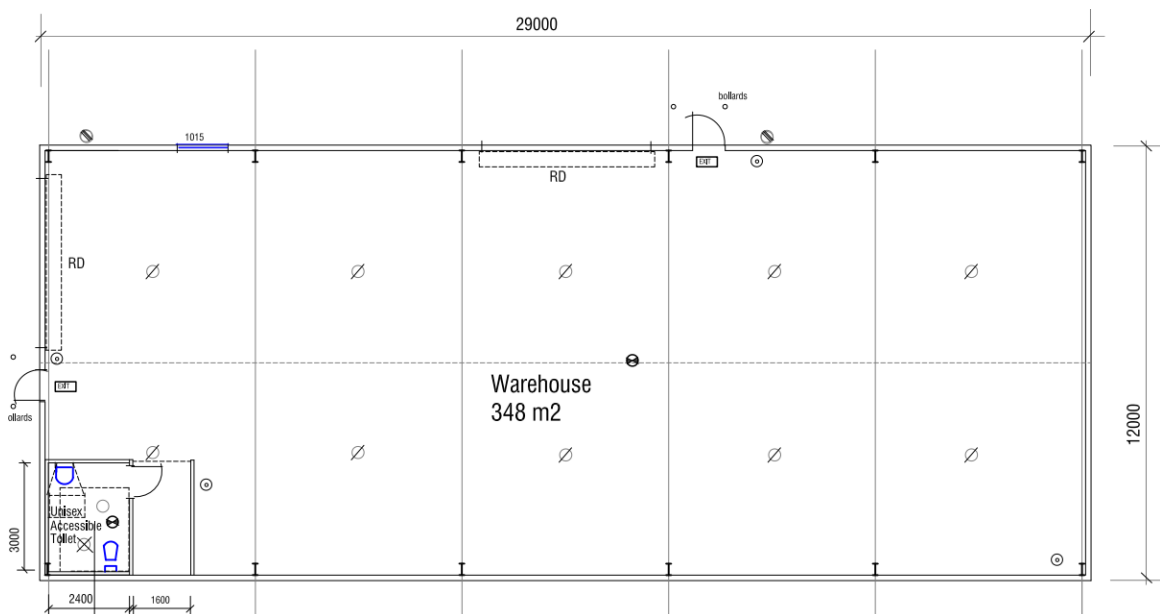


Figure 2: Floor Plan

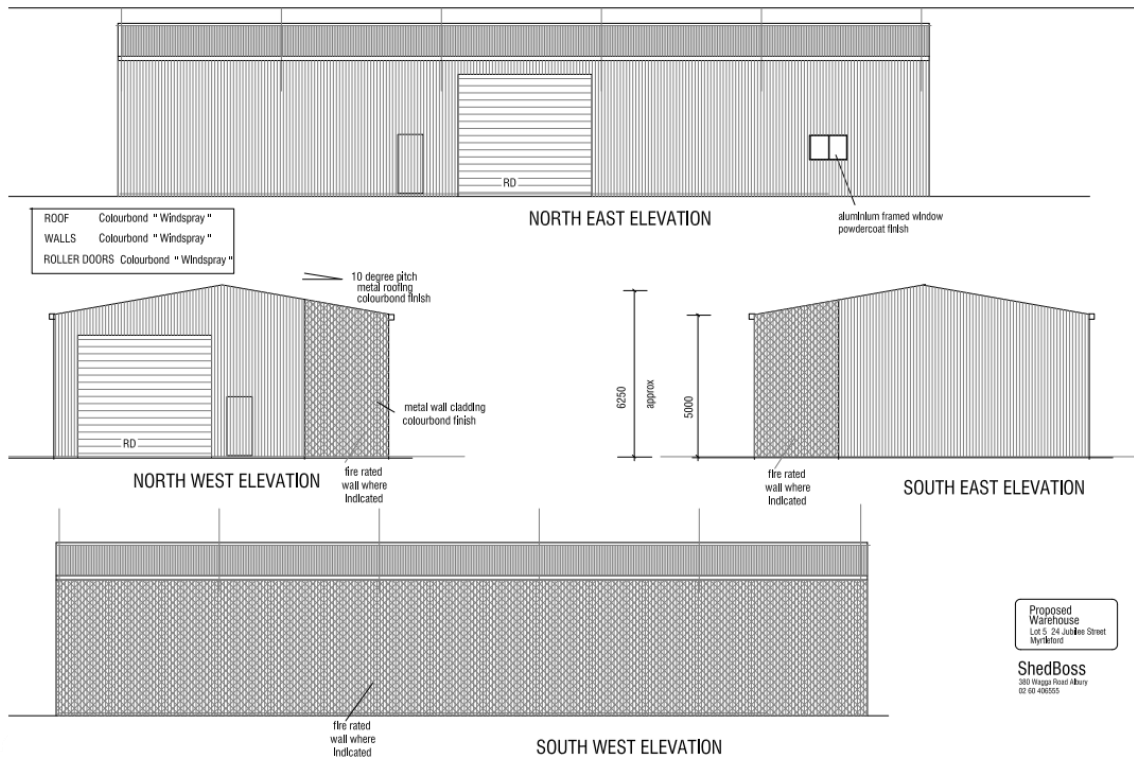


Figure 3: Elevations

SUBJECT LAND AND SURROUNDS

The subject site has an area of 783sqm and a frontage of 20.13m to Jubilee Street. The site is rectangular in shape and is relatively flat. The site is vacant and does not contain any vegetation or constructed access points to Jubilee Street. As the site is within an urban area, it has access to all necessary infrastructure and services given that it is within an urban area. The Jubilee Street road reserve adjacent to the site is not made and there is one mature tree adjacent to the site.

The subject site is situated within an industrial area with a residential interface. The area to the north, south and east of the site predominantly contains dwellings within the General Residential Zone and the area to the west contains various small scale commercial and industrial uses.

Concern	Officer Response
Possibility of the car parking area being used for outdoor storage leading to visual impacts and privacy issues.	Conditions will be included on any permit issued to ensure the car parking area will not be used for storage.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	GMW – Consent, no conditions
Internal referrals:	ASC ENG – Consent subject to conditions

PLANNING ASSESSMENT

All applicable policy can be found in Appendix 8.3.5.b.

Municipal Planning Strategy and Planning Policy Framework

The relevant Clauses from the Municipal Planning Strategy and Planning Policy Framework are contained within Appendix 8.3.5.b.

The policies of the Municipal Planning Strategy and Planning Policy Framework provide support to the proposal for the following reasons:

- The subject site is situated within the Myrtleford settlement boundary and the site does not have any infrastructure or servicing constraints and is not subject to natural hazards.
- The proposal is located on a site that does not have any significant environmental, heritage or landscape qualities.
- The proposal will not affect water catchments as it is connected to reticulated water services.
- The proposal will incorporate noise attenuation measures to reduce amenity impacts on the surrounding area, as per Conditions and the provision of an acoustic report.
- The design of the proposed building and site layout is typical for an industrial area and is functional. The size of the building is appropriate for the site and allows for access, car parking, waste storage, landscaping, stormwater management and services.
- The proposal is not considered to result in unreasonable traffic is unlikely to exceed the capacity of the existing road network.
- The height of the building is not unreasonable for an industrial zone.
- The proposal will support local economy and existing businesses within Myrtleford.
- Whilst a non-industrial land use is proposed, it is considered to be an appropriate use for this site given the residential interface and the proposed gym is likely to have

less off-site impacts than an industrial land use. Furthermore, the proposed buildings and site layout can be utilised by a small-scale industrial land use in the future if the opportunity arises.

- Whilst an industry is not proposed as part of this application, warehouses are typically found within industrial areas due to their land use compatibility. The built form is considered to be suitable to accommodate a small-scale industrial land use should the need arise in the future (subject to a permit)

Industrial 1 Zone

The subject land is situated within the Industrial 1 Zone. The proposal is consistent with the purpose and decision guidelines for the following reasons:

- The proposal supports the Municipal Planning Strategy and the Planning Policy Framework.
- The site has access to all necessary infrastructure and services.
- The land can be appropriately drained.
- No outdoor storage areas are proposed other than a bin storage area which will be suitably screened from view from the public realm and adjoining properties.
- Traffic generated by the proposal is unlikely to exceed the capacity of the public road network.
- The proposal provides for the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport via the existing road network and internal accessway.
- The proposal provides for adequate and appropriately designed car parking (subject to conditions) which will be discussed further below.
- Two security lights are directed to the carparking area and accessway. Given the residential interface, a condition will be included on any permit issued to ensure that the light is suitably baffled so as not to cause amenity issues.
- The proposed land use is unlikely to cause detrimental off-site amenity impacts to surrounding residential uses. An acoustic report will be required to be provided as per Conditions to ensure that noise emanating from the site does not exceed the limits of the relevant EPA noise policy. This safeguards that the proposal will not unreasonably impact the amenity of surrounding residential land uses by way of noise.
- There are no natural or cultural values on or near the land. The site is within 200m of a waterway but is not considered to be an Area of Cultural Heritage Sensitivity as per Division 3 of the Aboriginal Heritage Regulations 2008 given that the site has been subject to significant ground disturbance.
- The site and surrounding area does not have any distinct character due to the mixture of land uses within the surrounding area. As discussed earlier, the design of the proposed building is typical for an industrial area and is unlikely to impact streetscape character given that the site is located in an isolated area. External cladding will be of muted tones and not a highly reflective surface.
- Landscaping is proposed at the property frontage to assist in softening the built form and hard paved surfaces.

Particular Provisions

Clause 52.06 - Car Parking

The proposal is for one warehouse premises with a net floor area of 348sqm. As such, seven on-site car parking spaces are required. The proposal provides for seven on-site car parking spaces satisfying the car parking requirements of Table 1 to Clause 52.06-5.

Clause 53.18 – Stormwater Management in Urban Development

The applicant provided basic stormwater details on the plans submitted with the application. Councils Engineering Department reviewed the application and did not raise any major issues in terms of stormwater management. Several conditions were recommended relating to the provision of detailed construction and drainage plans for further assessment. These conditions will be included on any permit issued.

General Provisions

Clause 65.01 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. The proposal can be supported taking into account the relevant decision guidelines of Clause 65.01.

CONCLUSION

The application is considered to be consistent with the Alpine Planning Scheme for the following reasons:

- The application is consistent with the Alpine Planning Scheme.
- The application is consistent with the objectives of planning in Victoria.
- There are no Covenants or Section 173 Agreements applicable to the land.
- The objectors concerns have been reasonably addressed.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Consultant Planner

APPENDICIES

- 8.3.5.a Conditions
- 8.3.5.b Policy

Appendix 8.3.5.a. CONDITIONS

Plans required for endorsement

1. Prior to the endorsement of any plans, amended and additional plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans prepared by Shedboss Albury (Issue: C) but modified to show:
 - a. Any physical noise mitigation methods recommended within the Acoustic Report required under Condition 2.
 - b. Any alterations as a result of Condition 11, 14 and 16.

Acoustic report required

2. Concurrent with the submission of plans required by Condition 1 and before the commencement of buildings and works, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to and be endorsed by the Responsible Authority. The report must prescribe the form of acoustic treatment to:
 - a. Protect the amenity of dwelling occupants (including future residents within the building) from noise sources from the use approved as part of this permit, including, but not limited to, the proposed use, loading and unloading areas (including reversing beepers) and all plant and equipment to be installed or constructed.

Endorsed Plans

3. The use and development as shown on the endorsed plan must not be altered or modified (whether or not in order to comply with any statute, statutory rule or Local Law, or for any other reason) without the prior written consent of the Responsible Authority.

Implementation of acoustic measures

4. Prior to the commencement of the use, all acoustic recommendations in the endorsed acoustic report must be incorporated and adhered to at all times to the satisfaction of the Responsible Authority.

Completion and maintenance of landscaping

5. Within 3 months of the commencement of the use authorised by this permit or within the next planting season, whichever is the earlier; the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
6. The landscaping must thereafter be maintained to the satisfaction of The Responsible Authority, including that any dead, diseased or damaged plants are to be replaced within 3 months or within the next planting season.

Control of Light Spill

7. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.

Storage

8. No goods, equipment or materials may be stored outside of the building, unless allowed for on the endorsed plan.

Rubbish bins

9. All bins and receptacles must be stored within the dedicated waste storage area as shown on the endorsed plans and screened from view to the satisfaction of the Responsible Authority.
10. All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour to the satisfaction of the Responsible Authority.

Alpine Shire Council Engineering Team Conditions

Drainage

11. Concurrent with the plans required by Condition 1, a properly prepared drainage discharge plan with computations must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The information submitted must show the details listed in Council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.
12. The information and plan must include:
 - a. details of how the works on the land are to be drained and retarded.
 - b. underground pipe drains conveying stormwater to the legal point of discharge
 - c. The provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.
13. Prior to commencement of use, all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe to the satisfaction of the Alpine Shire Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system. The legal point of discharge for this site is the existing side entry pit at the frontage of the lot on Jubilee Street.
14. All roof water from buildings and surface water from paved areas must be collected and conveyed to the legal point of discharge so as to prevent stormwater nuisance to adjoining properties, to the satisfaction of Alpine Shire Council

Car Parking

15. The car parking and loading/unloading spaces must be designed to allow vehicles to drive forwards when entering and leaving the property. A turning template is to be shown on the approved drawing which clearly indicates a standard rigid truck is capable of achieving the required movements.
16. Prior to commencement of use, the area(s) set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. Constructed of concrete or Surfaced with an appropriate bituminous surface (asphalt or spray seal). Details of bituminous surface and pavement construction detail must be submitted and approved by the Alpine Shire Council prior to work commencing.
 - b. Drained in accordance with an approved drainage plan.
 - c. Line-marked or otherwise marked to indicate each car space and all access lanes.

- d. Provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Alpine Shire Council. This sign must not exceed 0.3 square metres.
17. Prior to commencement of use, vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Alpine Shire Council, and shall comply with the following:
- a. Standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete kerb and channel to match into the surrounding profile.
 - b. Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.
 - c. Crossings may be concrete or have a bituminous seal applied over an appropriately constructed pavement. Dimensions and roadside drainage treatments are to be generally in accordance with IDM drawing SD250.

Construction Phase

18. Prior to commencement of construction or demolition, the owner or developer must submit to the Alpine Shire Council a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb and channel, footpath, seal, streetlights, signs, street trees and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to Alpine Shire Council's assets/public infrastructure caused as a result of the development or use permitted by this permit.
19. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Alpine Shire Council. Issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.
20. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Alpine Shire Council.

Expiry

21. This permit will expire if one of the following circumstances applies:
- a. The development is not started within two (2) years of the date of this permit;
 - b. The development is not completed within four (4) years of the date of this permit;

- c. The use is not started within two (2) years after the completion of the development; or
 - d. The use is discontinued for a period of two (2) or more years.
22. The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

- End of Conditions -

Planning Notes:

1. This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. A road opening/crossing permit must be obtained from the Alpine Shire Council prior to working in or occupying the road reserve with construction equipment or materials. Applications may be accessed via the Alpine Shire Council website.
3. The facilities approved by this permit shall be constructed and maintained to accord with all relevant legislation (Federal or State), Australian Standards, or any other design requirements relating to access or other issues affecting people with disabilities to the satisfaction to the Alpine Shire Council.

APPENDIX 8.3.5.b POLICY

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03-1 & Clause 11.01-1L-01 – Settlement

Clause 11.01-1L-03 - Myrtleford

Clause 02.03-3 - Environmental Risks and Amenity

Clause 13.05-1S – Noise Management

Clause 13.07-1S – Land Use Compatibility

Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management

Clause 14.02-2S & Clause 14.02-2S – Water Quality

Clause 02.03-5 – Built Environment and Heritage

Clause 15.01-1S & Clause 15.01-1L-01 – Urban Design

Clause 15.01-1L-03 – Design for Industrial Development

Clause 15.01-2S – Building Design

Clause 15.01-5S - Neighbourhood Character

Clause 02.03-7 – Economic Development

Clause 17.01-1S & Clause 17.01-1L – Diversified Economy

Clause 17.03-1S – Industrial Land Supply

Clause 17.03-2L – Sustainable Industry

Clause 02.03-9 – Infrastructure

Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 33.01 – Industrial 1 Zone

Overlays

Nil

Particular Provisions

Clause 52.06 Car Parking

Clause 53.18 – Stormwater Management in Urban Development

General Provisions

Clause 65.01 - Approval of an Application or Plan

8.3.6 Planning Application P.2022.116 - Lot 3, Morses Creek Road, Wandiligong

Application number:	P.2022.116
Proposal:	Buildings and works for the construction of a dwelling
Applicant's name:	John Carter / Carter Perspective
Owner's name:	Lisa and Peter Stack
Address:	Morses Creek Road, Wandiligong (Lot 3 PS 221462S)
Land size:	Approx. 1097sqm
Current use and development:	Vacant
Site features:	Large oak tree at the property frontage and slope of approximately 2.5m from east to west.
Why is a permit required?	Clause 42.03-2 – Buildings and works Clause 43.01-1 – Buildings and works Clause 44.06-2 – Building and works
Zoning:	Clause 32.03 – Low Density Residential Zone
Overlays:	Clause 42.03 – Significant Landscape Overlay (Schedule 3) Clause 43.01 – Heritage Overlay (HO83) Clause 44.06 - Bushfire Management Overlay
Restrictive covenants on the title?	Nil
Date received:	30 August 2022
Statutory days:	87
Planner:	Ebony Cetinich

Cr Kelley

Cr Janas

That Council issue a Notice of Decision to grant a planning permit for Buildings and Works for the construction of a dwelling in accordance with the conditions outlined in Appendix 8.3.6.a.

Carried



Figure 2: Floor Plan

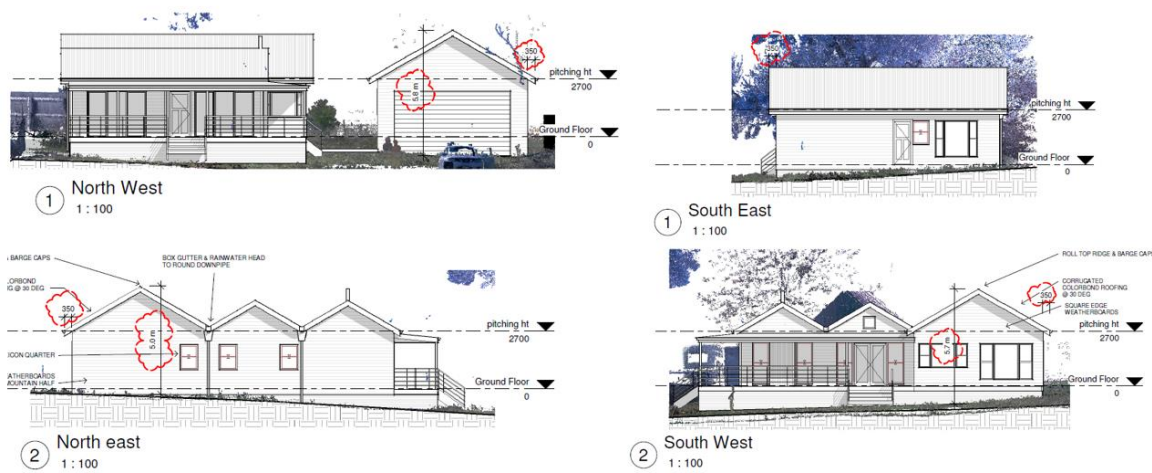


Figure 3: Elevations

SUBJECT LAND AND SURROUNDS

The subject site has an area of 1097 sqm and a frontage of 22.47 to Morses Creek Road. The site is rectangular in shape with slightly skewed boundaries. The site has a moderate crossfall of approximately 2.5m from east to west. The site is currently vacant with informal access to Morses Creek Road. Reticulated water and electricity supply infrastructure is available, but stormwater and sewer infrastructure is not. There is an existing large oak tree adjacent to the frontage of the site, otherwise, there is no existing vegetation on the land. The subject site is prone to bushfire and has heritage sensitivities.

The subject site is situated within Wandiligong at the southern end of the Low Density Residential Zone and abuts the Farming Zone to the south west. The surrounding area predominantly contains a mixture of existing dwellings on various sized allotments within

a rural setting. The Wandiligong Hotel (Wandi Pub) is situated to the north of the site (approx. 20m to the site boundary and 60m to the building).



Figure 4: Aerial image of the subject site

PUBLIC NOTIFICATION

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987, by sending notices to the owners and occupiers of adjoining land; and placing a sign on site.

Council has received one objection to date. The objection is summarised in the table below alongside Councils response to the issues raised.

Concerns	Officer Response
Recently issued permits not containing conditions relating to live music policy.	This is outside the scope of this application. This has no bearing over the assessment of this application.

Concerns	Officer Response
<p>No detail within the application relating to how the live music policy is addressed.</p>	<p>The amenity of future residents of the proposed dwelling and the continued operation of the Wandi Pub will be suitably protected.</p> <p>Conditions will be included on any permit issued for an acoustic report to be provided which assess noise emissions from the Wandi Pub and provides recommendations for noise mitigation methods to comply with the relevant noise protection policy.</p> <p>There will also be conditions enforcing that the recommendations of the acoustic report be implemented prior to occupation of the dwelling.</p>

REFERRALS

Referrals / Notice	Advice / Response / Conditions
<p>Section 55 referrals:</p>	<p>CFA – Consent subject to Conditions GMW - Consent subject to Conditions</p>
<p>Internal referrals:</p>	<p>ASC Engineering Department – Consent subject to Conditions ASC Environmental Health – Consent subject to Conditions ASC Heritage Advisor – Supports the proposal</p>

PLANNING ASSESSMENT

All applicable policy can be found in Appendix 8.3.6.b.

Municipal Planning Strategy and Planning Policy Framework

The relevant Clauses from the Municipal Planning Strategy and Planning Policy Framework are contained within Appendix 8.3.6.b.

The policies of the Municipal Planning Strategy and Planning Policy Framework provide support to the proposal for the following reasons:

- The scale of the dwelling is compatible with existing development and respects the character of Wandiligong.
- The dwelling been designed in a manner the is responsive to the character of HO83 (Wandiligong).
- The buildings are considered to blend well with the surrounding environment and will not be a visually dominant element in the landscape.
- No existing vegetation will be impacted and the proposal will provide for front yard and rear yard landscaping to complement the semi-rural feel of the locality.

- The proposal suitably responds to the risk of bushfire.
- The proposal suitably responds to the live music policy.
- The buildings will not impede any views of the natural scenery and landscape features including ridgelines, hill tops and waterways.
- The site is capable of accommodating the proposed development taking into account access and infrastructure servicing. Wastewater and stormwater are able to be managed on-site.
- The proposal will not have any detrimental impacts on the catchment area and water resources.

Low Density Residential Zone

A planning permit is not required for the proposal under the Low Density Residential Zone. As such, the Zone will not form part of this assessment.

Significant Landscape Overlay

The site is situated within the Significant Landscape Overlay (Schedule 3- Wandiligong Valley) which seeks to identify, conserve and enhance the character of significant landscapes. The proposal results in a relatively modest built form outcome that complements existing development within the surrounding area and doesn't not impact any significant views or vistas. No existing vegetation will be impacted and the proposal will provide for front yard and rear yard landscaping to complement the semi-rural feel of the locality. As such, the proposal is considered to have minimal impact on the landscape of the Wandiligong Valley and is acceptable in light of the considerations of the Significant Landscape Overlay.

Heritage Overlay

The site is situated within the Heritage Overlay (HO83 – Wandiligong). The Heritage Overlay seeks to conserve and enhance heritage places and ensure that development does not adversely affect the significance of a heritage place. The proposal is consistent with the Wandiligong Heritage Guidelines which has been affirmed by Councils heritage advisor. The proposal is considered to be acceptable taking into account the decision guidelines of the Heritage Overlay.

Bushfire Management Overlay

The land is covered entirely by the Bushfire Management Overlay. There is a planning permit trigger for the proposal at Clause 44.06-2. The application was referred to the Country Fire Association (CFA) for comment and conditional consent was provided. The application is considered to meet the relevant requirements of the Bushfire Management Overlay.

Particular Provisions

Clause 52.06 - Car Parking

Two on site car parking spaces must be provided for each three or more bedroom dwelling in line with Table 1 to Clause 52.06-5. A garage providing for two covered car parking spaces is proposed, satisfying the car parking requirements of Table 1.

The Site Plan shows the necessary information required by Clause 52.06-8 and the proposal suitably meets the design standards for car parking under Clause 52.06-9.

Clause 53.02 - Bushfire Planning

The application was referred to the Country Fire Association for comment. Conditional consent was provided. The application is considered to meet the relevant requirements of this clause.

Clause 53.06 – Live Music Entertainment Venues

Clause 53.06 applies to a noise sensitive residential use that is within 50 metres of a live music entertainment venue. The proposed dwelling is a noise sensitive residential use and is situated within 50m of the boundary of the site containing the Wandi Pub.

It is a requirement that a noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)
- Outdoor live music entertainment venue to below 45dB(A), assessed as an Leq over 15 minutes.

In order to ensure that the above requirements are met, a condition will be included on any permit issued for the provision of an acoustic report to assess noise emissions from the live music entertainment venue and provide recommendations for noise mitigation methods to comply with the relevant noise protection policy.

There will also be conditions enforcing that the recommendations of the acoustic report be implemented prior to occupation of the dwelling. As a result, the proposed dwelling will be satisfactorily protected from unreasonable live music and entertainment noise. In turn, this will also minimise impacts of the proposal on the functioning of the live music venue (i.e. reduced likelihood of noise complaints).

General Provisions

Clause 65.01 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. The proposal can be supported taking into account the relevant decision guidelines of Clause 65.01.

CONCLUSION

The application is considered to be consistent with the Alpine Planning Scheme for the following reasons:

- The application is consistent with the Alpine Planning Scheme.
- The application is consistent with the objectives of planning in Victoria.
- There are no Covenants or Section 173 Agreements applicable to the land.
- The objectors concerns have been reasonably addressed.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Consultant Planner

APPENDICIES

- 8.3.6.a. Conditions
- 8.3.6.b. Policy and decision guidelines

APPENDIX 8.3.6.a. CONDITIONS

Plans required for endorsement

1. Before the endorsement of any plans, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted with the application but modified to show:
 - a. Any recommendations for noise mitigation contained within the Acoustic Report provided as per Condition 2.
 - b. Landscaping details as per Condition 3.
 - c. Construction and drainage details as per Conditions 11 and 12.

Acoustic report required

2. Concurrent with the submission of plans required by Condition 1, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to and be endorsed by the Responsible Authority in accordance with the requirements of Clause 53.06-3 of the Alpine Planning Scheme. The report must prescribe the form of acoustic attenuation measures that will reduce noise levels from any:
 - a. Indoor live music entertainment venue (Wandi Pub) to below the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)
 - b. Outdoor live music entertainment venue (Wandi Pub) to below 45dB(A), assessed as an Leq over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (consistent with EPA Publication 1826).

Landscape Plan required

3. Concurrent with the submission of plans required by Condition 1 and before the commencement of buildings and works, a detailed Landscape Plan to the satisfaction of the responsible authority must be submitted to, and approved by the responsible authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:
 - a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b. a survey, including botanical names, of all existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the subject site.
 - c. 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 plant. Plantings must achieve a suitable balance between achieving the landscape outcomes sought by Schedule 3 of the Significant Landscape Overlay

- and the Wandiligong Heritage Guidelines and adhering to the vegetation management requirements under Table 6 to Clause 53.02-5;
- d. landscaping and planting within all open areas of the site;
 - e. details of all proposed hard surface materials including pathways, patio or decked areas.

Endorsed Plans

4. The development as shown on the endorsed plan must not be altered or modified (whether or not in order to comply with any statute, statutory rule or Local Law, or for any other reason) without the prior written consent of the Responsible Authority.

Implementation of acoustic measures

5. Prior to occupation of the dwelling hereby approved, all acoustic recommendations in the endorsed acoustic report must be incorporated and adhered to at all times to the satisfaction of the Responsible Authority.

Installation of septic system

6. Prior to occupation of the dwelling hereby approved, an on-site wastewater system must be installed and operational in accordance with the Land Capability Assessment [Ref 22021] from Land Capability Assessment Services to the satisfaction of the Responsible Authority.

Mandatory Bushfire Management Overlay Condition

7. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Car Parking Construction

8. Prior to occupation of the dwelling hereby approved, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a. constructed;
 - b. properly formed to such levels that they can be used in accordance with the plans;
 - c. surfaced with an all-weather seal coat;
 - d. drained;

to the satisfaction of the responsible authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Completion and maintenance of landscaping

9. Within 3 months of the occupation of the dwelling hereby approved or within the next planting season, whichever is the earlier; the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
10. The landscaping must thereafter be maintained to the satisfaction of The Responsible Authority, including that any dead, diseased or damaged plants are to be replaced within 3 months or within the next planting season.

Alpine Shire Council Engineering Team Conditions - Detailed Construction and Drainage Plans Required

11. Concurrent with the plans required by Condition 1, detailed construction plans must be submitted to and approved by the Alpine Shire Council. Construction detail shall be generally in accordance with Council's Infrastructure Design Manual (www.designmanual.com.au). When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, and shall include proposed construction detail, further information, or modifications to:
 - a. Drainage system, with supporting computations for detention and infiltration.
 - b. vehicular crossings showing the access has descent sight distance as recommended by AustRoad.
12. Concurrent with the plans required by Condition 1, a properly prepared drainage discharge plan with computations must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The information submitted must show the details listed in Council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:
 - a. details of how the works on the land are to be drained and/or retarded.
 - b. the discharge rate is to be restricted to the pre-development flowrate for a 20%AEP rainfall event.
 - c. infiltration pit designed to 20% AEP rainfall event with calculation.
 - d. underground pipe drains conveying stormwater to the legal point of discharge.
 - e. maintenance schedules for treatment elements.

Drainage

13. Prior to commencement of use, all stormwater and surface water discharging from the site, buildings and works must be retained and treated on site to the satisfaction of the responsible authority. No effluent or polluted water of any type will be allowed to enter the stormwater drainage system. Once treated to the satisfaction of the responsible authority, the stormwater shall be conveyed to the legal point of discharge to the satisfaction of the Alpine Shire Council. The legal point of discharge for this site is onsite detention and overflow into the infiltration pit.

Vehicle Crossings

14. Prior to occupation of the dwelling hereby approved, vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Alpine Shire Council, and shall comply with the following:
 - a. Standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and reinstated to match into the surrounding profile.
 - b. Any proposed vehicular crossing shall have satisfactory clearance to any pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.
 - c. Crossings are to be concrete or have a bituminous seal applied where they abut a sealed road. If the road is unsealed the crossing may remain an unsealed crushed

rock pavement. Dimensions and roadside drainage treatments are to be generally in accordance with IDM drawing SD255.

Construction Phase

15. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Alpine Shire Council. Issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.
16. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Alpine Shire Council.

Country Fire Authority Conditions

Endorsement of Bushfire Management Plan

17. Before the development starts, the Bushfire Management Plan prepared by Carter Perspective dated 18/10/2022 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

Goulburn Murray Water Conditions

18. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
19. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
20. The wastewater disposal area must be located at least: 100m from any waterways, 40m from any drainage lines, 60m from any dams (downslope of the wastewater disposal area), and 20m from any bores. *Where wastewater is treated to at least a secondary standard, the distance may be reduced in accordance with the current EPA Code of Practice – Onsite Wastewater Management. However where possible setback distances must be maximised.
21. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy of the dwelling (based on 3 bedrooms). The design must include at least 3 pods and an area set aside for a reserve pod.
22. Prior to the building permit being issued, the owner shall enter into an agreement with the Responsible Authority and Goulburn Murray Water under Section 173 of the Planning and Environment Act requiring that:
 - a. If a community effluent disposal system or reticulated sewerage system becomes available, all wastewater from the dwelling must be disposed of via this system and the on-site wastewater treatment and disposal system must be decommissioned.

- b. The owner of the property must enter into a contract with the relevant servicing agent for the lifetime of the wastewater management system entailing the following:
 - i. Three monthly (quarterly) service and maintenance inspections of the wastewater management system must be undertaken by the relevant servicing agent.
 - ii. All inspections, repairs and maintenance of the wastewater management system, and any pump out events of the holding tank, must be documented and reported to the Responsible Authority on a 3 monthly (quarterly) basis.
 - iii. The owner must meet the costs of all three monthly (quarterly) service and maintenance inspections, repairs, pump out events and reports.
- c. The owner shall meet the costs of the registration of the Agreement on the title of the land and provide evidence to Goulburn-Murray Water of this occurring within 3 months.
- d. This agreement is cancelled if (a) above is satisfied.

Expiry

23. This permit will expire if one of the following circumstances applies;

- a. The development is not started within two (2) years of the date of this permit;
- b. The development is not completed within four (4) years of the date of this permit;

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

- End of Conditions -

Planning Notes:

1. This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
2. A road opening/crossing permit must be obtained from the Alpine Shire Council prior to working in or occupying the road reserve with construction equipment or materials. Applications may be accessed via the Alpine Shire Council website.
3. An application for a Permit to Install a Septic Tank System must be made to the satisfaction of Council and any requirements of the relevant Water Authority prior to a building permit being issued in accordance with the requirements of the Building Act 1993. The septic system must comply with the Code of Practice – onsite Wastewater Management Publication 891.4 and AS1546.1 to 1546.4 and be in accordance with the Land Capability Assessment [Ref 22021] from Land Capability Assessment Services and any requirements of the relevant Water Authority.

APPENDIX 8.3.6.b. POLICY

Municipal Planning Strategy and Planning Policy Framework

Clause 11.01-1L-08 – Wandiligong

Clause 02.03-2 – Environmental and Landscape Values

Clause 12.05-2S & Clause 12.05-2L – Landscapes

Clause 02.03-3 - Environmental Risks and Amenity

Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning

Clause 13.07-3S – Live music

Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management

Clause 14.02-2S & Clause 14.02-2S – Water Quality

Clause 02.03-5 – Built Environment and Heritage

Clause 15.01-1S & Clause 15.01-1L-01 – Urban Design

Clause 15.01-2S – Building Design

Clause 15.01-5S - Neighbourhood Character

Clause 15.03-1S – Heritage Conservation

Clause 02.03-9 – Infrastructure

Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 32.03 - Low Density Residential Zone

Overlays

Clause 42.03 – Significant Landscape Overlay (Schedule 3)

Clause 43.01 – Heritage Overlay (HO83)

Clause 44.06 – Bushfire Management Overlay

Particular Provisions

Clause 52.06 - Car Parking

Clause 53.02 – Bushfire Planning

Clause 53.06 - Live Music Entertainment Venues

General Provisions

Clause 65.01 - Approval of an Application or Plan

8.3.7 Planning Application P.2021.185 - 134 Delany Avenue, Bright

Application number:	P.2021.185
Proposal:	Construction of a second dwelling and alteration to access a Transport Zone 2
Applicant's name:	Fischer Development Solutions
Owner's name:	Alpine Valley Developments Pty Ltd
Address:	134 Delany Avenue, Bright
Land size:	1010 square metres
Current use and development:	Existing dwelling at the rear of the lot
Site features:	The site is a rhomboid shaped rectangle, with a significant rise from front to rear where the existing dwelling is located. A driveway is located to the west side. Vegetation is cleared at the front of the site.
Why is a permit required?	Constructing a second dwelling on the lot and altering access to Delany Avenue. Clause 32.08-6 – Construct a dwelling if there is at least one dwelling existing on the lot Clause 44.06-2 – Buildings and works associated with accommodation Clause 52.29-2 – Alter access to a road in a Transport Zone 2
Zoning:	Clause 32.08 – General Residential Zone (Schedule 1)
Overlays:	Clause 44.06 - Bushfire Management Overlay
Restrictive covenants on the title?	N/A
Date received:	16 September 2021
Statutory days:	356
Planner:	Elke Cummins

Cr Kelley

Cr Janas

That Council issue a Notice of Decision to grant a planning permit for construction of a second dwelling and alteration to access a Transport Zone 2 in accordance with the conditions outlined in Appendix 8.3.7.a.

Carried

PROPOSAL

The proposal includes:

- Construction of a new two storey dwelling at the front of the site, in front of an existing dwelling which would be retained.
- The new dwelling would be setback at least 6m from the front property boundary.
- The new dwelling follows the slope of the land with a lower ground level providing front door and garage access, bedrooms bathroom laundry and rumpus.
- The second storey which adopts natural ground level at the rear of the dwelling houses the main living kitchen and dining spaces, master bedroom, ensuite, powder room. The dwelling adopts a “reverse living” arrangement, with the main private open space a north and street facing terrace off the living room.
- The existing crossover appears to require widening to access to separate driveways to service each dwelling.
- The design is contemporary, with use of Colorbond and MasterWall cladding (smooth render appearance), with feature stacked stone and a double garage door. The roof would be Colorbond custom orb, corrugated profile. No colours are specified.
- No subdivision is proposed. Note: the application was amended prior to advertising under S50 of the Planning and Environment Act 1987 to remove subdivision.

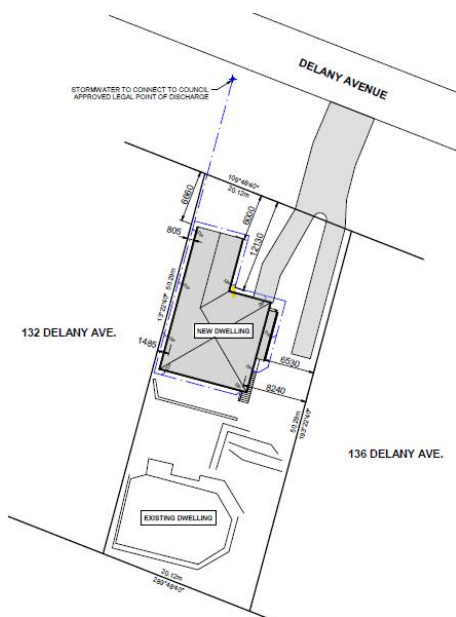


Figure 1: Site Plan

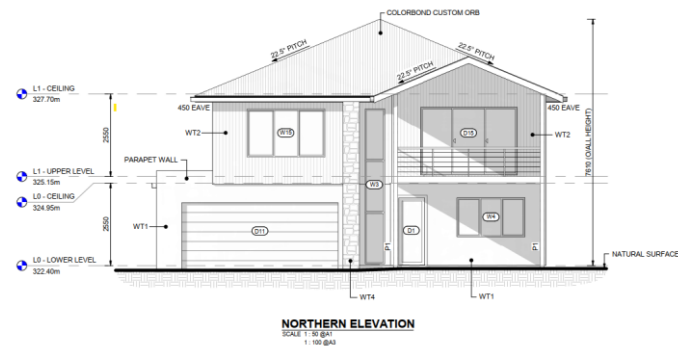


Figure 2: Front Elevation

SUBJECT LAND AND SURROUNDS

The subject site has an area of 1010 square metres, with a 20.1m frontage and 50.25m depth. The land rises significantly from front to rear, with an existing dwelling located at the very rear of the site and on high ground. An existing unmade crossover and driveway is located to the west side of the property.



Figure 3: Site frontage. Source: Google Street view October 2022

Existing vegetation has been cleared at the front of the site. There are a number of non-native scattered trees across the land. An existing Cedar tree is located in the nature strip. Electricity and water supply infrastructure are available to the site, specifically reticulated sewer and water.

The site is located on Delany Drive (Great Alpine Road), the main road travelling in and out of Bright and on route to Alpine regions. The surrounding area predominantly contains township dwellings in the General Residential Zone 1 scattered with holiday accommodation. The existing pattern of subdivision is relatively inconsistent and fragmented and front setbacks are varied. Dwellings are not always visible behind heavy landscaping, often formal in appearance.

Land to the south and rear is public along a ridgeline that separates the Great Alpine Road/Delany Avenue from Churchill Avenue and the Wandiligong Valley, part of this land further South-East is managed within a bushfire moderation zone to control threats to the residential areas of Bright.

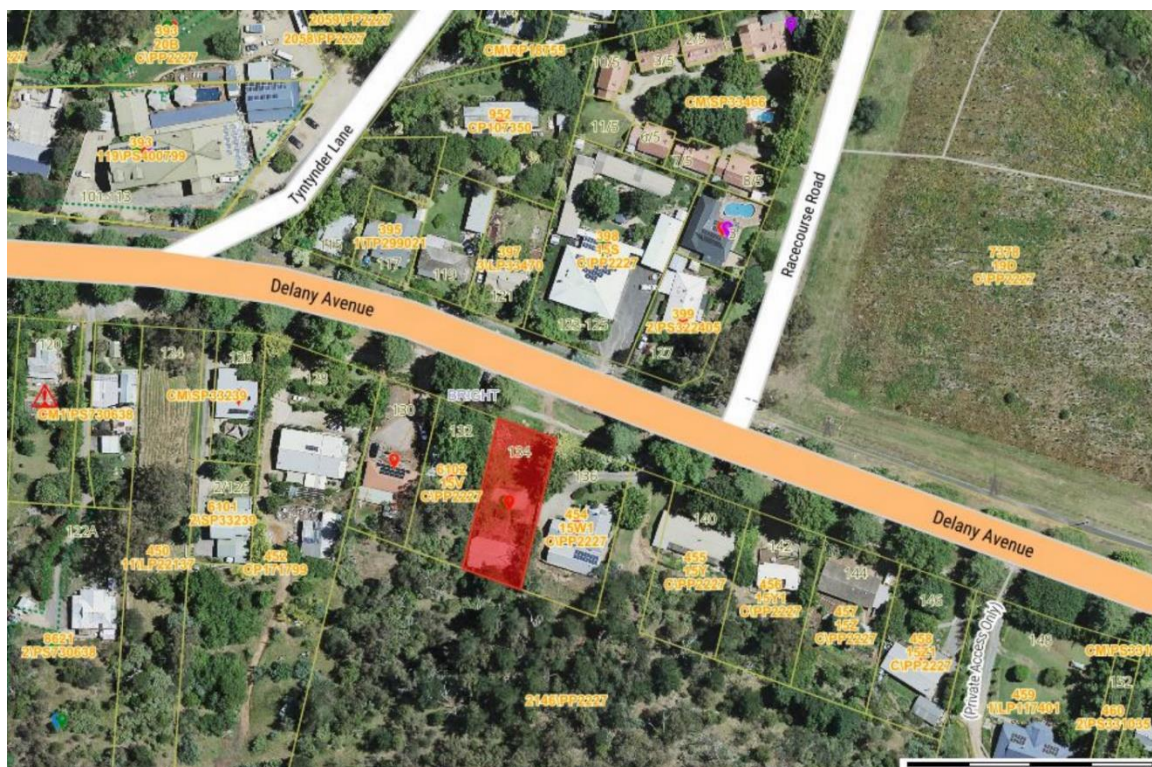


Figure 4: Aerial image of the subject site. Source: Council GIS

PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987 sending notices to the owners and occupiers of adjoining land and placing a sign on site.

Council has received four objections to date. The objections are summarised in the table below alongside Councils response to the issues raised.

To note the application was advertised:

- with the inclusion of subdivision in the proposal/preamble description. Subdivision is not proposed, it was removed from the application.
- without the inclusion of the alteration to land in a transport zone. This is one of the permit triggers.

Summary of Concerns	Officers Response
Existing vegetation removed from site frontage	The vegetation has already been removed and is a separate matter. Any approval will require a landscape plan with heavy vegetation in front of the dwelling.
Not in keeping with the streetscape through height and design	Increased front and side set back is required to better respond to the character setting.

Summary of Concerns	Officers Response
Visual impact of building when viewed from the street and neighbouring property in replacement of large oak trees/vegetation	An increased front and side setback is required to better respond the character setting, reducing its visual impact on the landscape.
Density is too high for the area	No subdivision is proposed. The addition of a dwelling is acceptable having regard to the size of the lot, with the rear dwelling sited at the rear boundary. A S173 agreement is required to ensure the land is not subdivided in accordance with bushfire management.
Overlooking	Overlooking can be managed via high level windows and fencing along the boundary. The applicant has agreed to privacy screening on western windows and a 1.8m high fence prior to commencement of buildings and works. This will form a permit condition. The timeframe to when a new fence is installed will be subject to private agreement and is not a planning matter.
Noise from the front balcony as the main outdoor space	The area is diverse in land use, in a General Residential Zone which houses both private dwellings and holiday accommodation. The balcony is not common but is not a new feature or proposition in the area where the land is undulating and outdoor spaces are often raised. Any noise will be domestic in nature. New vegetation along the boundary will assist, but the size of the balcony will also be reduced to manage visual impact of the building.
Dwelling too close to the boundary, visual impact & noise	The dwelling does not comply with Standard B17, side and rear setbacks of Clause 55. Compliance is required by permit condition.
Loss of light, including northern & overshadowing	Daylight to windows and overshadowing standards of Clause 55 are met given the size of the lot and setback between dwellings accommodated. The increased western side setback to 2m will improve daylight and shadows.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	CFA - Consent subject to conditions DTP - Consent subject to conditions and notes
Internal referrals:	Arborist - The application is suitable provided there is no disturbance within the trees dripline, noting the existing crossover has good clearance from the cedar tree in the nature strip. Any changes to the plans should be referred back to the Arborist.

PLANNING ASSESSMENT

All applicable policy can be found in Appendix 8.3.7.b.

Alpine Planning Scheme State & Local Policy Context:

Clause 02.03-3 – Environmental risks and amenity

Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning

Clause 13.02-1S & Clause 13.02-1L are considered when a site is within a designated Bushfire Prone Area to ensure that bushfire risk is appropriately managed. The subject site is within the Bushfire Management Overlay (BMO) and the provisions of Clause 53.02 Bushfire Planning apply. An assessment against the specific measures and referral requirements of the CFA are provided later.

The proposal to add a second dwelling to the land for a dwelling is acceptable taking into account the bushfire risks associated with the land. Subdivision however is not supported by the CFA. The subject land is not isolated and has frontage to an all weather public road.

Clause 11.01-1-1L-02 - Bright

Clause 12.04-1L – Sustainable Development in Alpine Areas

Clause 02.03-5 – Built Environment and Heritage

Clause 15.01-6S – Design for Rural Areas

Clause 15.01-1L-01 & 3L - Urban Design & Battle Axe Development

The general theme of state and local policy as it relates to design and character, is to maintained the visual amenity of the Great Alpine Road, minimise the visibility of development and manage environmental and landscape impact.

The proposal requires modifications via permit conditions to increase the new dwellings setback from both the front boundary and western side boundary, heavily landscape and modify external finishes to achieve these policy objectives. The details are discussed in detail later, and result in an acceptable outcome to the site having regard to its Great Alpine Road location.

The existing dwelling on the land is located at the rear of the lot on high ground and is highly exposed from the street already, the new dwelling obscures views and the need for heavy mature landscaping to be planted will enhance the landscape character of the area. The site abuts a ridgeline at the rear, which is heavily treed.

Whilst subdivision is not proposed, in development terms the proposal results in a battle-axe style development. Policy at Clause 15.01-3L discourages this layout unless wide driveways can be accommodated with adequate landscaping opportunities. Given the 20m wide by 50 deep dimensions of the site, these outcomes can be achieved and permit conditions ensure they will be. The existing character sees accessways traversing the undulated properties blended into the landscape setting.

- The proposal adds one additional dwelling on the land, and whilst outside the "medium density opportunity areas" in the Bright Structure Plan, the outcome is not out of character having regard to the myriad of more intense unit development and holiday accommodation scattered along the Great Alpine Road. With permit conditions to increase front and side setbacks, the open landscape character and building separation between and in front of buildings can be maintained. The proposal is a modest addition to the site, maximising the opportunity to provide additional housing on the site with the existing by virtue of the existing dwelling pushed all the way to the rear of the deep site. Housing demand is significant in Bright and the application responds in this way without compromising existing character.

Zone

Clause 32.08 General Residential Zone 1

A planning permit is required pursuant to Clause 32.01-8 to construct a dwelling if there is at least one dwelling existing on the lot.

Overlays

Clause 44.06 Bushfire Management Overlay (BMO)

Clause 44.06-1 triggers the need for a planning permit for the buildings and works.

An application must be referred to the CFA under Section 55 of the Planning and Environment Act 1987.

The CFA have consented to the grant of a permit and specified a number of conditions to be included in the permit.

It is noted that the original planning permit application included subdivision, but this was not supported by the CFA. The application was subsequently amended to remove subdivision prior to notice under S50 of the Planning and Environment Act 1987.

The proposed new dwelling adopts a BAL29 construction and meets the requirements of the BMO and Clause 53.02 Bushfire Planning.

Particular Provisions

Clause 52.06 Car Parking – A permit is not being sought under these provisions. Two or more car spaces are provided for each dwelling in accordance with Clause 52.06-5.

A condition of permit will require that the accessway dimensions are accurately shown to accommodate this as demonstrated on the swept path diagrams submitted by the applicant and in accordance with DoT (now DTP) requirements. Only one joint access from the site to Delany Avenue is permitted by the Department of Transport and Planning.

The double garage door material and colour has not been selected, a condition will require that it tie in with the overall dwelling design and not be dominant when viewed from Delany Avenue in accordance with Design standard 5.

A landscape plan is required as a condition of permit to demonstrate heavy planting around the site frontage to soften the extent of hard surface, but maintaining sight lines as required. The driveways will be required to be constructed in an appropriate surface, minimising any concreted look having regard to the landscape character in accordance with Design standard 7.

Clause 55 (Multi Dwelling) - Two or more dwellings on a lot and residential buildings.

A detailed assessment of Clause 55 has been undertaken.

The following comments are made where there is considered non-compliance in relation to the objectives and standards:

- Standard B1 Neighbourhood Character, B6 Street Setback, B13 Landscaping, B17 Side and Rear Setbacks & Standard B31 Design Detail

Conditions are required to increase the western side setback to 2m and the front setback of the balcony from 6m to 9m to reduce the visual impact of the new dwelling when viewed from Delany Avenue. Heavy landscaping is required to replace vegetation removed and respond to the landscaped character setting.

The “plan of building setbacks” submitted with the application indicates a setback of 11.26m for the western dwelling and 15.89m for the eastern dwelling.

The required setback is 9m. These lots are smaller and on the high side of the street, and this site is particularly exposed and will be the closest and tallest building to Delany Avenue at the setback proposed. Given the dwelling is 2 storey, highly exposed with no vegetation, it should be setback to comply. The front balcony is setback 6m and should be cut back by 3m, including the roof above which adds to the visual impact of the building when viewed from Delany Avenue which is a tourist road, main boulevard and entry and exit point into Bright. Whilst the balcony faces north, it would still benefit from shade and the depth of 2.3m will still be useable and appropriate to the dwelling needs.

In making these changes, regard must be given to bushfire requirements. Amended plans must be referred back to the CFA to ensure the Bushfire Management Plan still meets their requirements. The dwelling may be shifted further east to accommodate the setback requirements from the west, but it should not impact bushfire management and accessway requirements.

Standard B22 Overlooking

Conditions are required to address western windows, boundary fencing and views from the front balcony of the new dwelling to ensure views are sufficiently limited into the western adjoining property.

Boundary fence heights are required to be nominated above natural ground level, the height of the ground at the fence line to ensure no overlooking to neighbouring properties.

The side elevation windows are shown at a high level but with no dimensions. A condition is required to nominate sill heights 1.7m above finished floor level.

The rear elevation is at ground level and overlooking from the kitchen to either side will be managed by side fences.

The balcony is orientated to the street but is elevated. A condition will require the location of any habitable room windows for the dwelling to the west and compliance with the overlooking objective.

Clause 52.29 – Land Adjacent to a Principal Public Road Network

The application was referred to DoT (now DTP) who consent to the application subject to conditions. Specifically, only one joint access will be permitted from the subject land to the Delany Avenue located at the joint boundary between the lots as shown on the plan appended to the application.

Clause 53.02 Bushfire Planning

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines for Bushfire Planning at Clause 53.02-4.5.

The proposed is acceptable and bushfire management measures can be maintained as long as the land is not subdivided having regard to access and separation. For example, if the existing dwelling at the rear is demolished, any new dwelling will not likely comply with BAL requirements and bushfire management given the "forest" landscape abuttal and separation distances that would be required. This is identified by the CFA. A S173 Agreement is required to ensure the land is not subdivided.

General Provisions

Clause 65.01 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. The proposal can be supported taking into account the relevant decision guidelines of Clause 65.01.

Alle relevant matters have been considered uner the relevant zoning, policy and provisions that apply to the application including orderly planning of the area to respect character and off site amenity, bushfire protection, access to the site and landscaping/vegetation.

CONCLUSION

The application is considered to be consistent with the Alpine Planning Scheme for the following reasons:

- The application is consistent with the Alpine Planning Scheme.
- The application is consistent with the objectives of planning in Victoria.
- There are no Covenants applicable to the land.
- The objectors concerns have been reasonably addressed via permit conditions.

DECLARATION OF CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, and Chapter 7 section A6 of Council's Governance Rules, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Consultant Planner

APPENDICIES

- 8.3.7.a Conditions
- 8.3.7.b Policy and decision guidelines

APPENDIX 8.3.7.a CONDITIONS

Amended Plans Required

1. Before the development starts, amended plans must be submitted to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and provided in a digital format (where possible). The plans must be generally in accordance with the advertised plans but modified to show:
 - a. Levels across the site on floor and elevation plans.
 - b. The location and setbacks of buildings on adjoining land on the floor plans.
 - c. A shared driveway for both dwellings whilst ensuring vehicles can exit the site in a forwards direction. The width and any setbacks of the accessways must be dimensioned.
 - d. Compliance with Department of Transport (DoT) conditions below.
 - e. Surface treatment of the new driveways appropriate to the character of the area.
 - f. A detailed colours materials and finishes schedule, with external finishes modified to respond to the character of the area e.g. reduced use of colourbond cladding.
 - g. The garage door to tie in with the overall dwelling design.
 - h. A minimum setback of 2m from the western boundary.
 - i. The front setback of the balcony increased from a minimum of 6m to 9m, including the roof (gutter accepted) above in accordance with Standard B6 of Clause 55 – Street Setback.
 - j. The west elevation windows to comply with Standard B22 of Clause 55 – Overlooking, including the use of fixed privacy screens or sill height of at least 1.7m above finished floor level.
 - k. The location of habitable room windows for the adjoining dwelling to the west and the need for views to be limited from the western perimeter of the front balcony in accordance with Clause 55.04-6 - Overlooking objective.
 - l. The western boundary fence to be a minimum of 1.8m above natural ground level at any point, it may taper down at the site frontage.
 - m. The location of the tree, its trunk and drip line, and its setback from the proposed driveway and crossover.
 - n. The location of storage for each dwelling in accordance with Standard B30 of Clause 55 – Storage.
 - o. The location of bin storage.
 - p. The location and design of site services and mailboxes.
 - q. Bushfire Management Plan in accordance with conditions below.
 - r. A landscape plan in accordance with relevant condition below.

Endorsed Plans

2. The development as shown on the endorsed plan must not be altered or modified (whether or not in order to comply with any statute, statutory rule or Local Law, or for any other reason) without the prior written consent of the Responsible Authority.

General Conditions

3. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
4. Any poles, service pits or other structures/features on the footpath required to be relocated or modified to facilitate the development must be done so at the cost of the applicant and subject to the relevant authority's consent.
5. All visual screening and measures to prevent overlooking to adjoining properties must be erected prior to the occupation of the buildings to the satisfaction of the Responsible Authority.

Landscape conditions & Tree Protection

6. Concurrent with the endorsement of plans, a landscape plan must be submitted and be to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and provided in digital format (where possible). The plan must show:
 - a. The location of all existing vegetation to be retained and/or removed;
 - b. The location of buildings and trees on neighbouring properties within 3 metres of the boundary;
 - c. Details of surface finishes of pathways and driveways;
 - d. 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 plant;
 - e. Heavy and dense vegetation in the front setback and to the west side of the new dwelling. Sight lines must be maintained in accordance with Clause 52.06-9 – Car Parking.
7. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, this includes the replacement of any dead, diseased or damaged plants.
9. Before the development starts (including any demolition works), tree protection measures in accordance with AS4970-2009 (Protection of trees on Development Sites) must be erected around the existing street tree. The tree protection measures must remain in place until construction is completed.
10. No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.

Alpine Shire Council Engineering Plans

Detailed Construction Plans

11. Prior to commencement of construction, detailed construction plans must be submitted to and approved by the Alpine Shire Council. Construction detail shall be generally in accordance with Council's Infrastructure Design Manual (www.designmanual.com.au). When approved, the plans will be endorsed and will

then form part of the permit. The plans must be drawn to scale with dimensions, and shall include proposed construction detail, further information or modifications to:

- a. Underground drainage system, with supporting computations
- b. vehicular crossings
- c. stormwater retention and quality treatments
- d. retaining wall with structural design
- e. Turning template showing forward access and egress from parking space in both lots.

Urban Drainage Works

12. Prior to issue of Statement of Compliance, all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe to the satisfaction of the Alpine Shire Council. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system. The legal point of discharge for this site is on-site infiltration pit.
13. All roof water from buildings and surface water from paved areas must be collected and discharged to the LPOD to avoid any nuisance discharge to adjacent land.

Drainage Discharge Plan

14. Prior to certification, a properly prepared drainage discharge plan with computations must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The information submitted must show the details listed in Council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:
 - a. details of how the works on the land are to be drained and retarded.
 - b. connection points for drainage for each lot
 - c. underground pipe drains conveying stormwater to the legal point of discharge for each allotment
 - d. a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council
 - e. design with calculation of infiltration pit for 20% AEP Rainfall event the details of the incorporation of water sensitive urban design designed in accordance with "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.
15. Prior to issue of Statement of Compliance, all works constructed or carried out must be in accordance with those plans - to the satisfaction of Alpine Shire Council.

Construction Phase

Construction Management Plan

16. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Alpine Shire Council.
17. Prior to commencement of use, a construction management plan shall be submitted to and approved by the Alpine Shire Council. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site

manager must also be provided, so that this person can be easily contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management, "Doing It Right On Subdivisions" Publication 960, September 2004.

No Mud on Roads

18. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Alpine Shire Council.

Bushfire Management Conditions

19. Before the development starts, the Bushfire Management Plan prepared by Fischer Developments dated 11.10.22, version E must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.
20. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.
21. Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:
 - a. The land must not be subdivided unless bushfire management requirements and the relevant Fire Authority requirements can be achieved to the satisfaction of the relevant authorities.
 - b. The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Department of Transport conditions

22. Only one joint access will be permitted from the subject land to the Delany Avenue located at the joint boundary between the lots as shown on the plan appended to the application.
23. Prior to the endorsement of plans, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans date stamped 2/08/2021 and annotated Site Plan Drawing No. 38.2021A but modified to show:
 - a. Swept path diagrams demonstrating that vehicles can enter and exit in a forward direction for proposed Lot 1 & Lot 2.
24. The access must be constructed and sealed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.

Expiry

25. This permit will expire if one of the following circumstances applies:

- a. The use is not started within two (2) years of the issue date of this permit; or
- b. The use is discontinued for a period of two (2) or more years.

26. The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the Planning and Environment Act 1987.

Planning Notes:

Council Road Opening/Non-Utility Minor Works on Municipal Road Reserve/Consent for Works on Road Reserves Permit Required.

A road opening/crossing permit must be obtained from the Alpine Shire Council prior to working in or occupying the road reserve with construction equipment or materials. Applications may be accessed from the Alpine Shire Council website.

Building Approval Required

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Department of Transport

Separate consent for works within the road reserve and the specifications of these works may be required under the Road Management Act.

CFA

CFA note the construction of the second dwelling on this lot may expose any redevelopment of the existing building to BAL Flame Zone requirements due to an inability to site any replacement dwelling further north on the block.

Bushfire Management

Any future subdivision of this lot will not comply with the current Bushfire Management Overlay requirements and is unlikely to be supported.

Septic Tank System

An application for a Permit to Install a Septic Tank System must be made to the satisfaction of Council and any requirements of the relevant Water Authority prior to a building permit being issued in accordance with the requirements of the Building Act 1993. The septic system must comply with the Code of Practice – onsite Wastewater Management Publication 891.4 and AS1546.1 to 1546.4 and be in accordance with the Land Capability Assessment [Ref LCA-ROSS-03] from Foresight Engineering Services and any requirements of the relevant Water Authority.

APPENDIX 8.3.7.b POLICY AND DECISION GUIDELINES

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03-1 & Clause 11.01-1L-01 – Settlement

Clause 11.01-1L-02 - Bright

Clause 02.03-3 - Environmental Risks and Amenity

Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning

Clause 02.03-4 – Natural Resource Management

Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management

Clause 14.02-2S & Clause 14.02-2S – Water Quality

Clause 02.03-5 – Built Environment and Heritage

Clause 15.01-6S – Design for Rural Areas

Clause 15.01-1L-01 & 3L - Urban Design & Battle Axe Development

Clause 15.03-1S Heritage conservation

Clause 02.03-9 – Infrastructure

Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 32.08 - General Residential Zone 1

Overlays

Clause 44.06 - Bushfire Management Overlay

Particular Provisions

Clause 55 – Two or more dwellings on a lot

Clause 52.06 – Car Parking

Clause 52.29 – Land Adjacent to the Principal Road Network

Clause 53.02 – Bushfire Planning

General Provisions

Clause 65.01 - Approval of an Application or Plan

9. Informal meetings of Councillors

Introduction

In accordance with Chapter 8, section A1 of Council's Governance Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- 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 tabled at the next convenient Council meeting, and are recorded in the minutes of that Council meeting.

Cr Nicholas

Cr Hughes

That the summary of informal meetings of Councillors for February / March 2023 be received.

Carried

Background

The written records of the informal meetings of Councillors held during the previous month are summarised below. Detailed records can be found in Attachment 9.0 to this report.

Date	Meeting
21 February	Briefing Session
28 February	Briefing Session
1 March	Planning Forums (x3)
7 March	Hearing of Community Budget Submissions
14 March	Briefing Session
21 March	Briefing Session

Attachment(s)

- 9.0 Informal meetings of Councillors – February / March 2023

10. Presentation of reports by delegates

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to reports by delegates.

11. General business

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to general business.

12. Motions for which notice has previously been given

Nil

13. Reception and reading of petitions

14. Documents for sealing

Cr Janas

Cr Prime

That the following documents be signed and sealed.

- 1. Lease of Real Estate - Porepunkah Hangar to Lawrence Dittmer*
- 2. Contract No. 220861 in favour of Univerus for the supply and implementation of an Asset Management System.*
- 3. S11A - Instrument of Appointment and Authorisation - Planning & Environment Act 1987 - Senior Planning Officer*
- 4. Agreement under Section 173 of the Planning and Environment Act 1987*

Carried

There being no further business the Chairperson declared the meeting closed at
_7.31____p.m.

.....

Chairperson



Alpine Planning Scheme Review

Version 3.1

24 March 2023

Final

Planning and Environment Act 1987

Planning scheme review pursuant to Section 12B of the Act

Alpine Planning Scheme

Version	Author	Issue date
1.0	CR and CM	12 December 2022
2.0	CR and CM	1 March 2023
3.0	CR	16 March 2023
3.1	CR	23 March 2023

Abbreviations

Abbreviation	Meaning
ASC	Alpine Shire Council
BAO	Buffer Area Overlay
DDO	Design and Development Overlay
DPO	Development Plan Overlay
DTP	Department of Transport and Planning
GBCMA	Goulburn Broken Catchment Management Authority
MDFC	Ministerial Direction on the form and content of planning schemes
MPS	Municipal Planning Strategy
NECMA	North East Catchment Management Authority
PG	Practitioner's Guide to Victoria's Planning Schemes
PPF	Planning Policy Framework
SLO	Significant Landscape Overlay

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1. Executive summary

1.1. Why is the planning scheme being reviewed?

Council as the planning authority for the Alpine planning scheme is required to review its planning scheme every four years under Section 12(B) of the Planning and Environment Act 1987.

Council last undertook a comprehensive review of the planning scheme between 2010 and 2014. The findings of this review were translated into the planning scheme via amendment C39 which was gazetted on 9 June 2016.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local Planning Policies to replace the former Local Policy Planning Framework. This was done via amendment C62alpi and was a policy neutral amendment undertaken by the Victorian government.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the act once complete. A planning scheme amendment to implement the findings of the review has been prepared and is attached in the form of marked up ordinance as Appendix Two to this report.

1.2. Health check and findings

The Alpine Planning Scheme contains policy gaps, and the scheme is out of date. This is leading to inconsistent decision making and lost opportunities for the most efficient use of land, adaptation to climate change and protection of values such as landscapes for the benefit of the community.

The statutory planning function of Council is in crisis leading to increasingly poor performance against both legislative requirements and community expectations.

This situation has occurred because of:

- Inadequate investment in the strategic planning function over the last 15 – 20 years meaning that basic work such as settlement planning, housing strategy and protection of environmental values and landscapes has not taken place.
- Lack of resources in the statutory planning unit over a long period of time.
- There is a shortage of planning professionals across the country meaning it is difficult to attract and retain staff.
- Ongoing staff shortages which is affecting productivity with difficulties recruiting and retaining staff, particularly at the middle and senior levels.
- An under investment in training and resourcing for staff to efficiently use the permit administration software which has added to delays. This has been addressed with the recent installation of the Greenlight system for processing planning permit applications. Investment in maintaining and improving the system (through development of templates and reporting functions) is important to make the most of this resource.

During this planning scheme review, it has become clear that the executive team at Council both realise the extent of the problem and are committed to addressing the underlying issues and directing adequate resources to improve the performance of the planning function at Council. This process will take time and it is critical that Council remain focused on the strategic planning projects that will make the most difference to the wider community and building the capacity and confidence of the statutory planning team.

1.3. Top priorities for Council

The highest priorities for Council are clear:

- Rebuild the statutory planning team and function to enable Council to meet statutory requirements and community expectations.
- Establish a clear vision for the four main townships (Porepunkah, Bright, Mount Beauty-Tawonga and Myrtleford) and prepare Structure Plans to guide future development.
- Prepare Stage Two of the Rural Land Strategy to review zonings, including small lots in the Farming Zone, and other matters identified in Appendix Three (further strategic work).
- Undertake a comprehensive review of the zones and controls that apply to Wandiligong to update them to reflect current land use patterns and provide more guidance to applicants and decision makers.
- Identify and protect significant landscapes and vegetation.
- Review and update the application of the Heritage Overlay.
- Undertake several minor projects that will reduce the number of planning permit applications (and therefore the workload of the Statutory Planning Unit) and provide guidance around specific issues such as heritage decision making.

1.4. Consolidated recommendations

This section of the report outlines the recommendations and next steps for this planning scheme review. Recommendations are grouped as follows:

- Planning scheme recommendations
- Further strategic work recommendations
- Process improvement recommendations
- Advocacy recommendations
- Minister for Planning recommendation

1.4.1. Planning scheme amendment

These recommendations relate to the planning scheme amendment that should be progressed to implement the findings of this review relating to administrative matters or to incorporate Council or State adopted strategic planning work into the scheme.

The planning scheme review has identified many policy-neutral changes that should be made to the planning scheme to bring it into alignment with the Ministerial Direction on the Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

There are several factual changes that should be made to the Municipal Planning Strategy to bring it up to date with the most recent ABS and economic data, and the Council Plan.

The Rural Land Strategy policy that was deleted in the PPF translation is recommended for reintroduction into the ordinance.

Opportunity has been taken to make several other changes to the planning scheme to reflect Council practice including:

- Introducing a 5% public open space contribution for residential subdivisions.
- Introducing consideration of the Infrastructure Design Manual and the Sustainable Infrastructure Guidelines.
- Strengthening bushfire policy to ensure dual access to properties and consider landscape scale bushfire risk.

An audit of local and regional strategies and policies that have been completed since the last planning scheme review has been done and planning policy from these strategies incorporated into the planning scheme as relevant. The working documents that were used to do the analysis have been provided to Council officers for reference. The record of engagement with officers, referral authorities and Council is included at Appendix One.

These changes are marked up on the supporting marked up Ordinance at Appendix Two.

Within the Ordinance, the reason for each change is included in orange text in brackets like this: [\[source code\]](#). This reason will take the reader back to the correct page of the parent document or the correct provision in the planning scheme as appropriate and enable changes to be understood in their original context. If the words **NEW** is at the start of the source code, it means that this is new, strategically justified policy to be included in the scheme and will require a full amendment.

Recommendation:

It is recommended that Council:

- 1. Prepare a planning scheme amendment or amendments using the marked-up ordinance at Appendix Two to:**
 - a) Incorporate the policy neutral changes identified in Chapter 5 to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.**
 - b) Include new policy to implement the:**
 - **Affordable Housing Research and Analysis Paper 2022.**
 - **Affordable Housing Action Plan 2022.**
 - **Rural Land Use Strategy 2015.**
 - **Community Vision and Council Plan including the Municipal Health and Wellbeing Plan 2022 – 2026.**
 - **Myrtleford Resilience Plan.**
 - **Economic Development Strategy.**
 - **Alpine Shire Events Strategy.**
 - **Sport and Active Recreation Plan 2022 – 2023.**
 - c) Amend Clause 12.05-1L Public and private interfaces, and Clause 14.01-3L Forestry and timber products to introduce changes requested by HVP.**
 - d) Include a new notice requirement at Clause 66.06s to ensure Vic Forest is notified of applications for subdivision of land or use of land for accommodation within 300 metres of a timber plantation boundary.**
 - e) Introduce new strategies at Clause 13.02-1L (Bushfire Planning) to support dual access to properties and consider bushfire risk at a landscape scale.**
 - f) Amend Clause 19.03-2L Infrastructure design and provision to include consideration of the Infrastructure Design Manual and the Sustainable Infrastructure Guidelines when approving development.**
 - g) Rezone the north east portions of 25, 27, 33 and 35 King Street, Myrtleford that are currently zoned General Residential Zone to Farming Zone to remove the zoning anomaly.**
 - h) Delete DPO1 (Tempo Court area) as the subdivision is complete and the schedule does not contain any content.**
 - i) Delete DPO2 (Glenburn Drive) as it does not contain any content.**

- j) Introduce the schedule to Clause 53.01 Public open space contributions and subdivision to collect a 5% contribution for residential subdivisions.**
- k) Include an updated Clause 74.02 Further strategic work that prioritises the strategic work program based on the findings of this review.**

1.4.2. Further strategic work

Appendix Three of this report outlines the strategic planning work that has been identified through this planning scheme review.

Through the review process, the highest priority tasks for Council to undertake over the next four years to improve the planning scheme has been identified and is included in the recommendations below. Numerous other recommendations for further strategic work have been identified through this review and are included in Appendix Three. The list below represents the further strategic work that the consultants believe will have the most positive impact for the Alpine community and the efficient functioning of the planning service.

Only work that can be completed in the next four years should be included in Clause 74.02 of the planning scheme. A recommended Clause 74.02 is included in the marked-up ordinance at Appendix Two. This should be considered by Council to ensure that the work is reasonable to complete over the next four years and, if not, the priority projects that should be included in Clause 74.02.

Recommendations:

It is recommended that Council prioritise the following further strategic work over the next four years:

- 2. Finalise the Land Development Strategy and implement into the planning scheme.**
- 3. Prepare the Rural Land Strategy Stage 2 to:**
 - a) Clarify the policy directions for each precinct in the Shire focused on supporting agricultural uses and minimising land use conflicts through separation of activities.**
 - b) Review the appropriate zoning for small lots in the Farming Zone (for example, Freeburgh, Ovens, Wandiligong).**
 - c) Mitigate the impacts of climate change on rural land.**
- 4. Prepare Structure Plans for Porepunkah, Bright, Mount Beauty – Tawonga South and Myrtleford to:**
 - a) Direct land uses to appropriate locations.**
 - b) Develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character.**
 - c) Identify active transport linkages and routes.**
 - d) Support the intensification of residential development in appropriate locations.**
 - e) Identify the preferred character for commercial and industrial areas.**
 - f) Identify infrastructure requirements.**
 - g) Prepare landscaping guidelines for public and private property, including planting, retention, and replacement of canopy trees.**
 - h) Draft planning controls to implement the Structure Plans including schedules to the residential zones.**
- 5. Undertake a comprehensive review of the suite of controls applying to Wandiligong to ensure they provide clearer guidance about what is to be achieved and more detailed**

direction to applicants and decision makers. This includes a review of zones, HO83 and SLO4

- 6. Amend the schedules to the Farming Zone to increase the maximum floor area for which no permit is required for an outbuilding associated with a dwelling to decrease the number of permits that are triggered for this use.**
- 7. Commence a comprehensive assessment of the significant landscapes and vegetation in the municipality, including those at a regional scale (e.g. views to Mount Buffalo and Mount Bogong) and local scale (e.g. boulevards in Bright) and put in place planning controls to protect such as the Significant Landscape Overlay, Environmental Significance Overlay, Vegetation Protection Overlay and Heritage Overlay.**
- 8. Review the existing Significant Landscape Overlay Schedules (SLO1, SLO2, SLO3, SLO4 and SLO5) to strengthen the statement of significance and objectives, and populate the schedules with policy to more effectively guide decision making.**
- 9. Undertake a heritage gap analysis (identify existing citations, update and address gaps).**
- 10. Prepare a local Heritage Policy to assist with decision making for applications in the Heritage Overlay.**
- 11. Apply flood controls to land identified by NECMA and GBCMA as being subject to inundation.**
- 12. Prepare an anomalies amendment to fix mapping anomalies that have been identified (land in two zones, publicly zoned private owned land, etc.).**

1.4.3. Process improvements

These recommendations are drawn from both the analysis of the planning scheme and consultation with Council staff and referral authorities.

The recommendations relate to improvements that could be made to the processes associated with collection and analysis of data (such as planning permits), processing and referral of applications, and communication. Process improvements may apply to Council, the Victorian government or referral agencies.

Recommendations:

It is recommended that Council:

- 13. Adequately resource the proposed strategic work program to enable the delivery of the highest priority strategic planning projects identified in Chapter 11 of the report.**
- 14. Review the resourcing of the statutory planning function to ensure that adequate resources and systems are available to address the steadily declining performance in meeting statutory processing timeframes for planning permit applications (target reduction is from 114 days to the statutory 60 days).**
- 15. Invest in developing the statutory and strategic planning functions to develop a culture of teamwork and shared decision making (considering the two functions are in different directorates), develop clear internal policies to guide the approach to decision making, and utilise Greenlight to develop templates and reports that assist with consistent decision making that can be measured.**
- 16. Engage a Dinner Plain advisor (like the role the Heritage Advisor Plans for planning permit applications in the Heritage Overlay) to provide recommendations to Council on applications for development in Dinner Plain.**

1.4.4. Advocacy

These recommendations are generally beyond the scope of what Council can achieve in its planning scheme under the current Victoria Planning Provisions or scope of the Planning and Environment Act 1987. They are matters that Council may wish to discuss with the Victorian government to highlight the issue and advocate for change.

Recommendations:

It is recommended that Council:

- 17. Clarify with the Victorian government which entity is responsible for preparing the floodplain management strategies for Alpine: Council, or the Catchment Management Authorities.**
- 18. Seek DTP funds and support to implement available local flood studies into the planning scheme.**
- 19. Seek DTP support to fund or lead the review of significant landscapes and vegetation identified under further strategic work.**
- 20. Request the Victorian government undertake an assessment of erosion risk from public land to private land and apply appropriate planning controls.**
- 21. Seek DTP support for developing the Residential Development Framework for Alpine Shire through the preparation of structure plans for the four townships instead of a preparing a Housing Strategy and Neighbourhood Character Strategy for the whole municipality.**
- 22. Liaise with North East Water and the Victorian government ensure planning for subdivisions in townships reflects the anticipated growth of each township, recognising the water and sewerage infrastructure is not keeping up with current growth.**

1.4.5. Minister for Planning

Alpine Shire Council, with funding from DTP and assistance from Redink Planning has prepared a planning scheme review as required by section 12B(1) of the *Planning and Environment Act 1987* (the Act).

In accordance with section 12B(3) of the Act, this review identifies opportunities, set out in this report, enhances the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria and the objectives of the planning framework established in the Act.

In accordance with section 12B(4) of the Act, the review evaluates the planning scheme to ensure that it:

- Is consistent with Ministerial Direction on the Form and Content of Planning Schemes.
- Sets out the policy objectives for the use and development of land.
- Makes effective use of state and local provisions to achieve state and local planning policy objectives.

Recommendation:

- 23. That Alpine Shire Council accept this Planning Scheme Review and forward it to the Minister for Planning as evidence Alpine Shire Council, as the planning authority for Alpine Planning Scheme, has met its obligations in accordance with Section 12B of the Planning and Environment Act 1987 to review the planning scheme every four years.**

2. Introduction

2.1. Purpose

Council as the planning authority for the Alpine Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the *Planning and Environment Act 1987* (The Act).

The scope of a planning scheme review is established under Section 12(B) and planning scheme reviews should focus on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes.
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews also provide the opportunity to:

- Align Council's policy position with the planning scheme.
- Update out of date or redundant information.
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

Council last undertook a comprehensive review of the planning scheme over several years from 2010 - 2014. The findings of this review were translated into the planning scheme via amendment C39 which was gazetted on 9 June 2016. This amendment included the introduction of the Rural Land Strategy as well as a comprehensive restructure of the Local Planning Policy Framework.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local Planning Policies to replace the former Local Policy Planning Framework. This was done via amendment C62alpi and was a policy neutral amendment undertaken by the Victorian government.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete. A planning scheme amendment to implement the findings of the review has been prepared and is attached in the form of marked up ordinance as Appendix Two to this report.

2.2. Methodology

A six-stage methodology has been developed with DTP to undertake planning scheme reviews as shown in Figure 1.

The methodology is supported by the 'Good Practice Guide to Planning Scheme Reviews' and templates that have been developed to assist with each stage of the process.

Redink Planning has been engaged by DTP to conduct Stages One to Four for the Alpine Shire Council.

Stage five will involve a planning scheme amendment to implement the recommendations of the review, that the community will be consulted on. The amendment will be advertised and submissions invited from community members in accordance with the requirements of the Planning and Environment Act 1987. If submissions cannot be resolved, Council is obliged to ask the Minister

for Planning to appoint an independent Planning Panel to consider submissions and make recommendations to the Minister.

Figure 1: Planning scheme review methodology

1	2	3	4	5
Initiate	Analyse	Engage	Report	Consult and implement
Establish timelines Collate materials for review Survey planners Contact referral authorities Inform DELWP	Audit the planning scheme Strategic documents and new policy VCAT decisions Planning panel recommendations Previous planning scheme review Planning permit activity Survey results	Councillors and executive Statutory and strategic planners Internal referrals External referrals Registered Aboriginal parties Other identified stakeholder groups	Planning scheme review report Further strategic work plan Marked up ordinance	Planning scheme review to Minister for Planning Planning scheme amendment (including community consultation through the exhibition process) Budgeting for further strategic work Process improvements Advocacy

The timing for the project is:

Stage	Timing
Initiate	September 2022
Analyse	September / October 2022
Engage	October / November 2022
Report	December 2022
Consult and implement	April 2023 onwards

This planning scheme review has been prepared in consideration to the following directions and guidance provided by DTP.

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes.
- Ministerial Direction No. 11 Strategic Assessment of Amendments.

Planning practice notes and advice:

- A Practitioner’s Guide to Victoria’s Planning Schemes.
- PPN – 46 Strategic Assessment Guidelines.
- PPN32 – Review of planning schemes.

3. What’s driving change

3.1. Population, growth, and economy

The growth rate of Alpine Shire has steadily increased in the last decade, after a decade of decline in the 1990s.

The population of Alpine Shire grew from 12,337 persons in 2016 (ABS, 2016) to 13,235 in 2021 (ABS, 2021).

The population is forecast to reach 13,510 persons in 2036 (VIF, 2019), however this projection does not take into account the high rate of growth that has occurred in the last census period and is probably conservative. In 2021 the Shire had an estimated 7,211 private dwellings (ABS, 2021) and this is forecast to increase to 8,300 dwellings in 2036 (VIF, 2019).

This represents an additional 810 dwellings to be accommodated, but as noted, this number is likely to be conservative.

Most residents live in the large townships of Bright, Mount Beauty-Tawonga South and Myrtleford, and the small township of Porepunkah. There is continued demand for new housing in townships, much of which is purchased for holiday houses and short-term rental accommodation placing pressure on the permanent housing market. This is evident from the occupancy rate of 74.5% (ABS 2021) and this rate is expected to be maintained over time. It indicates a high number of holiday houses and short term accommodation in dwellings (e.g. Airbnb, Stayz).

Alpine Shire supports 4,755 jobs and has an annual economic output of \$1.5 billion (Remplan 2022). The Shire's largest industry is its vibrant tourism industry based on snow sports, cycling, wine and fine food and nature-based recreation. Agriculture (beef, dairy and horticulture) and forestry (hardwood and softwood plantations) are also important contributors to the local economy. There is a mining legacy in the Shire, and land is still used for resource extraction.

3.2. Climate change and other environmental risks

Alpine Shire lies within the Alpine National Park and its foothills and has significant environmental values. Most of the municipality (92%) is declared national or state park. The area is well known for its mountains, landscapes and vegetation, and these are a major attractor to the region.

Alpine Shire Council formally declared a Climate Emergency in November 2021.

Alpine Shire is regularly affected by significant natural events, particularly bushfire, and significant storm events that cause flooding and landslip in steeper areas.

Large areas of the municipality are affected by the Bushfire Management Overlay including the whole of the upper Ovens (from the edge of Porepunkah to Dinner Plain). Bushfire risks in both urban and rural areas are largely due to dense vegetation cover, difficulty of access for emergency vehicles, and exposure of development at the rural-urban interface.

Flooding within parts of the Alpine Shire is a severe constraint on development particularly in the Ovens River and tributaries. The flood mapping for the Shire is not up to date.

Large areas of the Shire are potentially contaminated due to past land use practices, particularly related to mining.

3.3. Victorian government amendments and advice

The Victoria Planning Provisions are constantly being reviewed and updated at a state level with numerous VC and GC amendments occurring each year. The State also provides advice to planners in the form of updates to the Practitioner's Guide and new planning practice notes. The full list of

Victorian and Regional amendments that have been gazetted, and practice notes that have been released since the last review forms Appendix 4.

The way in which the Alpine Planning Scheme should respond at a local level to these changes to the Victoria Planning Provision and how they should be applied has been considered in this review and includes:

Planning for housing

The introduction of more sophisticated schedules to the residential zones (through Amendment VC169), including the ability to include place-based objectives (essentially a preferred neighbourhood character statement), provides an opportunity for Council to introduce controls to manage built form in residential areas more effectively. Planning Practice Notes 90 – Planning for Housing and 91 – Using the Residential Zones provide the advice about how this should be done.

This will assist with achieving sustainability and neighbourhood character objectives. Council has already identified that undertaking structure planning for the key townships, once the Land Development Strategy is complete is a high priority, and this would be a good opportunity to take advantage of the flexibility afforded by the planning for housing reforms. This opportunity is discussed further in Chapter 10 – Key issues.

Applying the buffer area overlay

Amendment VC175 introduced the Buffer Area Overlay (BAO). The BAO is a new amenity buffer that is designed to make sure sensitive land uses, like schools and residences, are not affected by odour or dust from industries operating nearby. This control may be suitable for application around a range of infrastructure assets in the Shire, including wastewater treatment plants. This work is best led by the owners of the assets.

There may be other uses in the municipality where the BAO may be appropriate, such as mining operations, however no obvious ones were identified in this planning scheme review.

4. Previous planning scheme review

4.1. Previous planning scheme review

The Alpine Planning Scheme was last reviewed by EDM Group in 2010. This review was completed in 2014, and then implemented into the planning scheme via Amendment C39 in June 2016.

The review found:

- The (at the time of the review) 10-year-old Alpine Planning Scheme was tired and dated and in need of a comprehensive overhaul.
- The MSS needed to be restructured to facilitate a closer relationship to the (then) Council Plan and 2030 Community Vision, and to provide a more modern and improved structure to accommodate new and emerging policies.
- A comprehensive program of policy development was necessary to improve decision making.
- A comprehensive review of zones and overlays was necessary to ensure the Alpine Planning Scheme reflected current best practice and helped to create stronger correlations between State, regional and local issues.

The previous review recommended a daunting ninety-eight actions, many of them very significant pieces of work. The full list is in Appendix Three.

4.2. Progress since last review

4.2.1. Completed projects

Council has implemented several of the recommendations from the last review through:

- Restructuring the Local Planning Policy Framework.
- Strengthening tourism and recreation policy.
- Introducing several policies from the Rural Land Strategy.
- Introducing the Special Use Zone over the Mount Beauty Aerodrome, AGL assets and Porepunkah Airfield.
- Preparing the Economic Development Strategy.
- Partially implementing the Heritage Review.

4.2.2. Projects underway

Council is currently undertaking two projects that will implement several of the projects already identified in the previous review:

- The Land Development Strategy that will address numerous settlement issues identified.
- Review of the Dinner Plain Special Use Zone.
- Neighbourhood Character and Design Guidelines for Bright
- Bright Urban Design Framework

4.3. Outstanding work since last review

Several issues that were identified in the 2010 review have been picked up in the current strategic work program, however many remain outstanding, as follows:

- Detailed planning for townships, including zoning and urban design.
- Identification and protection of significant landscapes.
- Various rural planning issues, including the application of the Rural Activity Zone.
- Small lots in the Farming Zone.
- A comprehensive review of controls in Wandiligong.
- The application of the Erosion Management Overlay (particularly relevant considering the 2016 flood event in Ovens/Eurobin, and the current Bogong High Plains landslide).
- Flood mapping.
- Signage strategy.

Many other issues that were identified in the last review have not emerged as issues through this review process. Many of these relate to rezoning of land. Given the passage of time since the last review, it is recommended that Council officers undertake a more thorough assessment to determine if they need to progress.

4.4. Obsolete recommendations

Some recommendations from the last review are obsolete because of changes that have been implemented by the Victorian government. These include recommendations relating to:

- The Wildfire Management Overlay (superseded) and Bushfire Management Overlay which are now the responsibility of the Victorian government.
- The application of the Business suite of zones which have been replaced by a more limited Commercial suite of zones.
- The application of the Residential Zones. These have been completely overhauled since the last review and the recommendations are redundant.
- Catchment Management Planning, Flood Management and Stormwater Management which are now adequately dealt with at the State level policy.
- Zoning anomalies associated with power assets (AGL).
- Permission for non-conforming uses in the Heritage Overlay: this is already dealt with in State policy and a local policy is not required.

4.5. Findings

Council has introduced some important changes since the last planning scheme review, most notably the restructure of the planning scheme, the application of the Heritage Overlay to more than 100 properties and the implementation of the Rural land strategy.

However, most recommendations made in the previous review have not been progressed. As is evident from the current work program of the strategic planning unit, most of the issues identified in 2010 have not gone away and remain on the list of things to do.

In addition, new issues have emerged related to climate change adaptation and risk management, accommodating growth, housing affordability and design of development.

Developing a prioritised list of projects to progress through a risk management and community benefit lens will be beneficial to Council and will assist Council in allocating sufficient resources to deliver these projects in a timely way so that the planning scheme does not become further outdated.

Several unactioned items from the last planning scheme review are probably no longer a priority for Council and these should be removed from the list of further strategic work if they no longer serve a purpose.

Recommendation:

- A. **Review the Further Strategic Work outlined in Appendix Three and delete any actions from the 2010 review (line numbers 12 – 110) that are no longer necessary because they have been superseded, or they are no longer a priority.**

5. Audit and assessment of current scheme

5.1. Methodology

An audit of each local provision (policies and schedules) in the planning scheme has been undertaken. This audit has compared the drafting and application of each local provision against the Ministerial Direction on the Form and Content of Planning Schemes, *a Practitioners' Guide to Victorian Planning Schemes* (Version 1.5, April 2022) and relevant planning practice notes.

Each provision has also been assessed with consideration to the work it is doing in achieving the strategic objectives that are set out in the State, regional and local planning provisions.

The detailed outcomes of the audit have been provided to Council officers, and changes that can be made without further strategic work have been made to the ordinance at Appendix Two.

Findings on improvements that could be made are listed below. Some of these can occur as part of a planning scheme review based on the findings in this report and are included in the marked-up ordinance at Appendix Two. Others require further strategic work to justify the change and are listed as findings.

5.2. Municipal Planning Strategy

As well as the assessment outlined above, the MPS was cross referenced against all the other local provisions in the scheme to ensure that there is a link to all local policies in the MPS.

Clause no. and name	Change	Action
02.01 Context	Make minor amendments to include important factual contextual information, appropriate First Nations recognition, and updated economic and population data.	Policy neutral amendment
02.03-1 Settlement	Move fifth 'settlement' strategic direction to become a 'housing' strategic direction at Clause 02.03-6.	Policy neutral amendment
02.03-2 Environmental and landscape values	Amend the wording of the second strategic direction for 'sustainable development in alpine areas' to make clearer use of plain English. Amend the wording of the first strategic direction for 'landscapes' to make it clearer.	Policy neutral amendment
02.03-3 Environmental risks and amenity	Amend and merge 'environmental risks and amenity' strategic directions to make it clearer.	Policy neutral amendment
02.03-4 Natural resource management	Introduce new 'agriculture' and 'forestry and timber production' strategic directions to implement and give effect to <i>Economic Development Strategy</i> (Urban Enterprise and Alpine Shire Council, 2021)	Full amendment
02.03-5 Built environment and heritage	Amend the wording of the first 'built environment and heritage' strategic direction to improve readability / clarity of intent.	Policy neutral amendment
02.03-6 Housing	Relocate the fifth 'settlement' strategic direction from Clause 02.03-1 as a 'housing' strategic direction.	Policy neutral amendment
02.03-7 Economic development	Introduce new 'industry' and 'tourism' strategic directions to implement and give effect to <i>Economic Development Strategy</i> (Urban Enterprise and Alpine Shire Council, 2021)	Full amendment
02.03-9 Infrastructure	Introduce new 'open space' context and strategic directions to implement and give effect to <i>Sport and Active Recreation Plan 2022-2033</i> (Alpine Shire Council, 2022)	Full amendment
02.04 Strategic Framework Plan	Replace map with higher quality version.	Policy neutral amendment

5.3. Planning Policy Framework

All the Local PPF policies that are included in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the Ministerial Direction on the Form and Content of Planning Schemes, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

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Clause no. and name	Changes required (if relevant)	Action
11.01-1L-01 Settlement	Introduce new strategies to implement and give effect to <i>Economic Development Strategy</i> (Urban Enterprise and Alpine Shire Council, 2021)	Full amendment
11.01-1L-02 Bright	Delete unnecessary strategies that duplicates other strategies and the relevant policy document.	Policy neutral amendment
11.01-1L-03 Myrtleford		Complies
11.01-1L-04 Mount Beauty – Tawonga South		Complies
11.01-1L-05 Harrietville		Complies
11.01-1L-06 Porepunkah		Complies
11.01-1L-07 Tawonga		Complies
11.01-1L-08 Wandiligong	Change “large settlement” to “township” to comply with established naming conventions in the MPS.	Policy neutral amendment
11.01-1L-09 Dederang	Amend the policy map to identify the specified ‘green belt’	Further strategic work
11.01-1L-10 Dinner Plain		Complies
11.03-6L Bogong		Complies
12.01-1L Protection of biodiversity and native vegetation	Split first strategy into two to ensure each strategy expressed only one idea, in accordance with PG. Delete third strategy, duplication of 12.01-S and other local strategies within this Clause	Policy neutral amendment
12.03-1L River corridors and waterways	Revise single strategy to clarify what land use and development outcomes are sought to be achieved and how decision making can support the desired outcome.	Further strategic work
12.04-1L Sustainable development in Alpine areas	Amend policy application to reference 1,110m Australian Height Datum on the Strategic Framework Plan, to comply with PG policy application requirements. Delete first design strategy, duplication of 12.03-3S.	Policy neutral amendment
12.05-1L Public and private land interfaces	Amend wording of objective to make clearer use of plain English. Redraft last strategy as a policy guideline, in accordance with PG guidance.	Policy neutral amendment
12.05-2L Landscapes		Complies
13.02-1L Bushfire planning	Include policy application to clearly indicate where policy applies in accordance with PG. Amend wording of strategy to clarify and simplify.	Policy neutral amendment
13.03-1L Floodplain management		Complies
13.04-2L Erosion and landslip		Complies
13.07-1L Land use compatibility		Complies
14.01-1L Protection of agricultural land	Include policy application to clearly indicate where policy applies in accordance with PG.	Policy neutral amendment
14.01-2L Sustainable agricultural land use	Include policy application to clearly indicate where policy applies in accordance with PG. Include ‘strategies’ heading in accordance with MD.	Policy neutral amendment

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Clause no. and name	Changes required (if relevant)	Action
14.01-3L Forestry and timber production		Complies
14.02-1L Catchment planning and management		Complies
14.02-2L Water quality		Complies
14.03-1L Resource exploration and extraction	Revise single strategy to clarify what land use and development outcomes are sought to be achieved and how decision making can support the desired outcome.	Further strategic work
15.01-1L-01 Urban design	Introduce new strategy to implement and give effect to <i>Alpine Shire Council Access and Inclusion Plan 2021-2024 (Alpine Shire Council, 2021)</i>	Full amendment
15.01-1L-02 Signs		Complies
15.01-1L-03 Design of industrial development		Complies
15.01-3L Battle-axe development		Complies
16.01-3L Rural residential development		Complies
17.01-1L Diversified economy		Complies
17.03-2L Sustainable industry		Complies
17.04-1L Tourism	Introduce new strategy to implement and give effect to <i>Alpine Shire Events Strategy (Urban Enterprise, 2021)</i> . Introduce new Myrtleford-specific tourism strategies to implement and give effect to <i>Myrtleford Resilience Plan (Projectura, 2019)</i>	Full amendment
18.01-1L Land use and transport integration		Complies
18.02-2L Cycling		Complies
18.02-4L Roads		Complies
18.02-5L Freight		Complies
18.02-7L Airports	Delete first strategy, duplication of 18.02-7S	Policy neutral amendment
19.01-1L Energy supply		Complies
19.02-4S Social and cultural infrastructure		Complies
19.02-4L Community and social infrastructure	Delete entire Clause, duplicates 19.02-4S	Policy neutral amendment
19.02-4L Recreation – Alpine	Introduce new Clause to implement and give effect to <i>Sport and Active Recreation Plan 2022-2033 (Alpine Shire Council, 2022)</i>	Full amendment
19.03-2L Infrastructure design and provision	Introduce Infrastructure Design Manual policy	Full amendment
19.03-3L Integrated water management		Complies
19.03-4L Telecommunications		Complies

5.4. Zones

All the zone schedules that are included in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the Ministerial Direction on the Form and Content of Planning Schemes, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Changes required (if relevant)	Action
32.03s1 Low Density Residential Zone		Complies
32.04s – Mixed Use Zone		Complies
32.05s Township Zone		Complies
32.08s1 General Residential Zone		Complies
33.01s Industrial 1 Zone		Complies
33.02s Industrial 3 Zone		Complies
34.01s Commercial 1 Zone		Complies
35.03s Rural Living Zone		Complies
35.06s Rural Conservation Zone		Complies
35.07s Farming Zone	Create 2 separate schedules for 2 separate subdivision areas to comply with MD	Further strategic work
36.01s Public Use Zone		Complies
36.02s Public Park and Recreation Zone		Complies
36.03 Public Conservation and Resource Zone		Complies
37.01s1 Special Use Zone – Dinner Plain Village Area	Include mandatory MD text in ‘use of land section’	Policy neutral amendment
	Clause 8.0 does not comply with MD – consider need to revise or utilise alternative VPP tools. Duplications of Rescode should be removed	Further strategic work
37.01s2 Special Use Zone – Dinner Plain Service and Recreation	Include mandatory MD text in ‘subdivision’	Policy neutral amendment
	Table of uses incorrectly constructed	Further strategic work
37.01s3 Special Use Zone – GPU Pownet Pty Ltd Terminal Stations	Table of uses incorrectly constructed	Further strategic work
37.01s4 Special Use Zone – Bogong Power Development Project	Relocate ‘decision guidelines’ and conditions to be met’ to comply with MD drafting requirements	Policy neutral amendment
	Table of uses incorrectly constructed	Further strategic work
37.01s5 Special Use Zone – Mount Beauty Aerodrome and Air Park	Include mandatory MD text in use of land ‘application requirements	Policy neutral amendment
37.01s6 Special Use Zone – Golf Courses	Table of uses incorrectly constructed	Further strategic work

5.5. Overlays

All the overlay schedules that are included in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the Ministerial Direction on the Form and Content of Planning Schemes, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Changes required (if relevant)	Action
42.03s1 Significant Landscape Overlay – Upper Kiewa Valley Significant Landscape Area	Rationalise 6 objectives into 5 to comply with MD	Policy neutral amendment
42.03s2 Significant Landscape Overlay – Happy Valley Significant Landscape Area	The overlay does not provide much direction. Recommend further landscape protection work be undertaken to better identify all significant landscapes, to inform a more detailed statement of significance and more nuanced policy to help decide.	Further strategic work
42.03s3 Significant Landscape Overlay – Wandiligong Valley Significant Landscape Area	The overlay does not provide much direction. Recommend further landscape protection work be undertaken to better identify all significant landscapes, to inform a more detailed statement of significance and more nuanced policy to help make a decision.	Further strategic work
42.03s4 Significant Landscape Overlay – Buckland Valley Significant Landscape Area	Rationalise 6 objectives into 5 to comply with MD	Policy neutral amendment
	The overlay does not provide much direction. Recommend further landscape protection work be undertaken to better identify all significant landscapes, to inform a more detailed statement of significance and more nuanced policy to help decide.	Further strategic work
42.03s5 Significant Landscape Overlay – Upper Ovens And Harrietteville Valley Significant Landscape Area	Rationalise 6 objectives into 5 to comply with MD	Policy neutral amendment
	The overlay does not provide much direction. Recommend further landscape protection work be undertaken to better identify all significant landscapes, to inform a more detailed statement of significance and more nuanced policy to help make a decision.	Further strategic work
43.01s Heritage Overlay		Complies
43.02s1 Design and Development Overlay - Lot 1 PS 317374, 396 Back Porepunkah Road, Bright	Introduce mandatory MD text in application requirements	Policy neutral amendment
43.04s1 Development Plan Overlay – No name	Delete this Development Plan as development is largely completed, does not include any requirements, and does not appear to serve a role informing decision making. All the overlay is achieving is preventing advertising from occurring when new development occurs.	Policy neutral amendment
43.04s2 Development Plan Overlay – No name	Delete the control as it has no content.	Full amendment

Clause no. and name	Changes required (if relevant)	Action
43.04s3 Development Plan Overlay - LOTS 1 & 2 ON PS613866 AND LOTS 1, 2, 4, 5, 7 - 9 ON TP859376 – GREAT ALPINE ROAD	Change name to “Bright Gateway” to provide the common name of the land and reflect the approved development plan.	Policy neutral amendment
	Include referrals (servicing authorities and CFA) to Clause 66.04s	Policy neutral amendment
44.05s Land Subject to Inundation Overlay	Specify a Schedule name to comply with MD	Policy neutral amendment
	Review LSIO Schedule to determine relevance: does not include any requirements and does not appear to serve a role informing decision making.	Further strategic work
44.06s1 Bushfire Management Overlay - Dinner Plain, Bright, Mt Beauty, Myrtleford, Porepunkah, Tawonga South BAL-12.5 Areas		Complies
44.06s2 Bushfire Management Overlay - Dinner Plain, Bright, Myrtleford, Tawonga, Tawonga South BAL-29 Areas		Complies

5.6. Particular provisions

All the particular provision schedules that are available to be applied in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the Ministerial Direction on the Form and Content of Planning Schemes, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Is it applied? Changes required (if relevant)	Action
51.01s Specific sites and inclusions	Applied, no changes required	Complies
52.02s Easements, restrictions, and reserves	Applied, no changes required	Complies
52.05s Signs	Applied, no changes required	Complies
52.16s Native vegetation precinct plan	Applied, no changes required	Complies
52.17s Native vegetation	Applied, no changes required	Complies
52.27s Licenced premises	Applied, no changes required	Complies
52.28s Gaming	Applied, no changes required	Complies
52.32s Wind energy facility	Applied, no changes required	Complies
52.33 Post boxes and drystone walls	Applied, no changes required	Complies
53.01s Public open space contributions and subdivision	Applied, should be utilised to collect 5% levy.	PSR Full amendment
53.06s Live music entertainment venues	Applied, no changes required	Complies
53.15s Statement of underlying provisions	Applied, no changes required	Complies
59.15s Local VicSmart applications	Applied, no changes required	Complies

Clause no. and name	Is it applied? Changes required (if relevant)	Action
59.16 Information requirements and decision guidelines for local VicSmart applications	Applied, no changes required	Complies

5.7. General provisions

There are two general provisions that have a schedule available. They are included in the table below with a notation about whether they comply or require changing because of this review. Changes may be required to align with the Ministerial Direction on the Form and Content of Planning Schemes, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Is it applied? Changes required (if relevant)	Action
66.04s Referral of permit applications under local provisions.	Applied. Include referrals for the SUZ5, DPO2 and DPO3	Policy neutral amendment
66.06s Notice of permit applications under local provisions	Applied, no changes required	Complies

5.8. Operational provisions

All the operational provision schedules that are available to be applied in the planning scheme are included in the table below, and a notation about whether they comply or require changing because of this review. Changes may be required to align with the Ministerial Direction on the Form and Content of Planning Schemes, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Changes required (if relevant)	Action
72.01s Responsible authority for this planning scheme	Applied, no changes required	Complies
72.01s What area is covered by this planning scheme?	Applied, no changes required	Complies
72.03s What does this planning scheme consist of?	Applied, no changes required	Complies
72.04s Documents incorporate into this planning scheme.	Applied, no changes required	Complies
72.05s When did this planning scheme begin?	Applied, no changes required	Complies
72.08s Background documents	Applied. Include new background documents outlined in chapter 9.	Full amendment
74.01s Application of zones, overlays, and provisions	Applied, no changes required	Complies
74.02s Further strategic work	Applied, no changes required	Complies

5.9. Recommendations

- B. Amend the MPS, local PPF policies and schedules to include changes identified in the audit of the planning scheme review and shown on the marked up ordinance at Appendix Two.**
- C. Undertake further strategic work to address issues identified in the planning scheme audit for the following controls:**
- Amend the Dederang plan at Clause 11.01-1L-9 to show the identified green belt.
 - Strengthen Clause 12.03-1L River corridors and waterways to provide more direction to applicants and decision makers about what is to be achieved.
 - Strengthen Clause 14.03-1L Resource exploration and extraction to provide more direction to applicants and decision makers about what is to be achieved.
 - Amend all the 37.01 Special Use Zone schedules to correct the table of uses, and remove the Rescode requirements from the SUZ1 Dinner Plain as they duplicate Clauses 54 and 55.
 - Review all the 42.03 Significant Landscape Overlay schedules to clarify the objectives to be achieved and provide more direction to applicants and decision makers.
 - Review the 44.05 Land Subject to Inundation Overlay schedule to clarify the objectives to be achieved and provide more direction to applicants and decision makers

6. Planning scheme performance

This section contains an analysis of planning permit activity that has taken place during the last four years. It draws on both publicly available Planning Permit Activity and Reporting System (PPARs) data and data provided by Council.

6.1. Planning permit activity

6.1.1. Number of permits assessed

Evidence

Table 1 shows the number of permit applications received between the 2017/18 financial year and the 2020/21 financial year. The numbers varied, with a low of 232 in 2020/2021 and a high of 285 in 2017/2018, with the average permits being processed per year at 254.25. Permit activity in Alpine Shire has been generally steady, if somewhat declining over the last four years.

Table 1: PPARs report for permits issued between the 2017/2018 financial year and the 2020/2021 financial year

Permits (including refusals)	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022
Received	285	260	240	232	248
NOD	0	1	1	1	8
New / Amended Permit	278	233	226	218	195
Refusal	3	7	3	3	9

Source: PPARS

Discussion

There has been a general trend across the state in increased permit activity in regional areas which has been attributed to the COVID-19 pandemic, however this trend is not apparent from Council's permit data.

This may be because several fairly large subdivisions were developed between 2015 and 2019 in Bright and development of these estates is now complete.

The number of Notice of Decisions (NODs) Council has issued has risen considerably from an average of 1 to 8 in 2021/2022. This indicates a much higher level of community engagement in planning decisions, as Notice of Decisions are only issued if objections are received, and Council determines to issue the permit.

6.1.2. Service performance

Evidence

The average timeframe taken to decide applications at Alpine has increased significantly over the past 4 years. Between 2021 and 2022 this time increased by 67% to 114 days which is well above the average for other small rural councils (69 days) and the statutory requirement set out in the Planning and Environment Act 1987 (60 days).

The percentage of applications decided within the requisite timeframes has correspondingly decreased significantly over the past 4 years. Council's performance improved slightly in 2020/21 however remains below the State average. Council aims to improve performance in 2021/22 with increased resourcing.

The per-application cost of statutory planning services at Alpine is significantly lower than the selected comparable councils. At \$1,683.26 per application, it is also significantly lower for than similar councils (\$2,697.85) and all councils (\$2,483.12).

Discussion

The performance of the statutory planning service at Alpine Shire has declined significantly over the last four years.

Even though application numbers have dropped, the processing time for applications has increased significantly by 67% to 114 days per application, and only 41% of decisions are being made within 60 days as required by the Act.

While the cost to Council to process each application has increased over the last four years, it is still below the average cost for other small rural councils by \$900 per application indicating an under investment in the statutory planning function.

It is concerning that even though the cost to service each application has risen, the performance of the unit in processing applications within timeframes has dropped significantly despite this.

Table 2 compares the recent service performance of the Alpine Shire against comparable small councils.

Table 2: Comparison of service performance against comparable small rural councils

Measure description	Council	2017-2018	2018-2019	2019-2020	2020-2021	2021-22
Time taken to decide planning applications	Alpine	43 days	36 days	68 days	68 days	114 days
	Central Goldfields	57 days	93 days	84 days	78 days	61 days
	Indigo	33 days	39 days	34 days	61 days	77 days
	Mansfield	83 days	63 days	70 days	59 days	61 days
	Towong	63 days	64 days	25 days	45 days	No data
	Small Council average	51 days	54 days	52 days	54 days	69 days
Planning applications decided within required time frames	Alpine	81%	72%	56%	62%	41%
	Central Goldfields	52%	32%	32%	36%	50%
	Indigo	75%	82%	92%	21%	19%
	Mansfield	47%	67%	48%	67%	91%
	Towong	51%	57%	82%	76%	No data
	Small Council average	74%	69%	76%	74%	69%
Cost of statutory planning service per planning application	Alpine	\$1,388	\$1,346	\$1,534	\$1,683	\$1,936
	Central Goldfields	\$1,981	\$2,876	\$2,464	\$2,919	\$3,316
	Indigo	\$1,931	\$2,435	\$2,036	\$1,926	\$2,351
	Mansfield	\$2,142	\$2,192	\$2,410	\$2,970	\$1,965
	Towong	\$2,903	\$2,403	\$1,795	\$2,601	No data
	Small Council average	\$2,467	\$2,599	\$2,604	\$2,698	\$2,836
Decisions upheld at VCAT	Alpine	N/A	100%	N/A	100%	67%
	Central Goldfields	N/A	100%	100%	100%	100%
	Indigo	100%	33%	75%	N/A	67%
	Mansfield	100%	50%	N/A	100%	100%
	Towong	100%	N/A	100%	100%	No data
	Small Council average	66%	49%	26%	29%	43%

Source: www.knowyourdata.vic.gov.au

6.1.3. Most common permit triggers

As shown in Table 4, applications for 'Single Dwelling' and '2 lot subdivision' are the two most common in Bright and Porepunkah, while applications for 'Single Dwelling' and 'Sheds' make up the two most common application types in Myrtleford. In Mount Beauty – Tawonga South, the most common applications are single dwellings and dwelling extensions.

Table 4: Most Common Application Types in the townships

	Bright	Myrtleford	Mount Beauty – Tawonga South	Porepunkah
Application type				
Single Dwelling	48	28	37	35
2 Lot subdivision	20	7	6	9
2 or more dwellings	10		1	
Multi-lot subdivision	8	6	5	6
Sheds		15	7	5
Dwelling extension			8	6
Hangar			4	5

Source: PPARS

This pattern of permit applications is like other similar councils and not of concern.

6.1.4. VCAT matters

Only one planning application was decided at VCAT in 2020/21, with Council's original decision being varied. Alpine Shire does not appear regularly at VCAT, only 5 grounds of appeal in the last 4 years:

- 3 Appeals against issue of permit
- 1 Appeal against refusal of permit
- 1 Appeal against conditions

The level of activity is low given the number of applications Council processes.

6.1.5. Geographic spread of applications

Table 3: Distribution of planning permit applications between 2018 and 2021

Locality	Number of Applications	%
Bright	163	23%
Myrtleford	97	14%
Mount Beauty - Tawonga South	88	13%
Porepunkah	86	12%
Wandiligong	57	8%
Dinner Plain	36	5%
Harrietville	31	4%

Source: PPARS

Unsurprisingly most of the permit activity is happening in the main townships of Bright, Myrtleford, Mount Beauty – Tawonga South and Porepunkah.

Considering its size, with a total of 238 dwellings, Wandiligong sees a very high number of applications. There are multiple issues that apply to Wandiligong including small lots in the Farming Zone, heritage and bushfire and these matters trigger a lot of permits.

The high level of applications in Dinner Plain can be explained by the ongoing development of the estate, and the constraints on the land particularly relating to bushfire and design.

6.2. Planning Panels Victoria

Council has undertaken 18 'C' planning scheme amendments since the last planning scheme review. A detailed analysis of these has been provided to Council officers. The ones that went to Panel are summarised below. No policy issues were raised through Panels.

- **C15** - Updated the Municipal Strategic Statement at Clause 21 of the Alpine Planning Scheme because of council adopting the Alpine Shire 2030 Community Vision and the Alpine Shire 2005 Residential Land Review.

- **C34** - Rezoned Lots 1 and 2 PS613866 and Lots 1 2 4 5 7 8 and 9 TP859376 Great Alpine Road Bright from the Farming Zone (FZ) to the General Residential Zone (GRZ). Applied the Development Plan Overlay (Schedule 3) to the subject land and correct anomalies.
- **C38** - Implemented the Mount Beauty Aerodrome Master Plan, November 2016 and the Master Plan for the Airpark by rezoning the Mount Beauty Aerodrome to Special Use Zone Schedule 5 to allow for aircraft related development and expand the capacity of the Aerodrome to provide for safer conditions for aircraft.
- **C60alpi** - Corrected errors and omissions in Schedule 5 to the Special Use Zone Mount Beauty Aerodrome and Air Park.

6.3. VCAT

6.3.1. VCAT cases reviewed

Council officers provided the following list of VCAT cases to review.

- Mioni v Alpine SC [2017] VCAT 1100
- Alpine Valley Developments Pty Ltd v Alpine SC [2019] VCAT 835
- Botterill v Alpine SC [2019] VCAT 903
- Niazi v Alpine SC [2019] VCAT 1759
- Gibson v Alpine SC [2019] VCAT 1979
- McNally v Alpine SC [2022] VCAT 109
- T & A Fell Pty Ltd v Alpine SC [2022] VCAT 880

6.3.2. Policy issues raised at VCAT

The issues raised with policy implications at VCAT over the past four years related to:

- Bushfire risk.
- The effectiveness of Significant Landscape Overlay Schedule 3 (Wandiligong).
- The effectiveness of Special Use Zone Schedule 1 (Dinner Plain).
- Absence of locally specific policy to inform decision making, particularly relating to preferred character.

6.3.3. Bushfire Risk

In **Alpine Valley Developments Pty Ltd v Alpine SC [2019] VCAT 835** the Tribunal refused an application for a 6 lot subdivision and native vegetation removal on a Low Density Residential Zone site within an existing and partially developed estate in close proximity to Bright. The Tribunal found that the site was in an area of high bushfire risk and that Clause 13 specifically directs population growth away from such locations.

Further, the Tribunal found that there would be no ability to mitigate broader landscape risks (which were identified as significant) and in the event of a landscape-scale bushfire, future occupants would need to evacuate. While the subject site is not remote from Bright, the Tribunal found that Bakers Gully Road would be the sole means of accessing the nearest place of relative safety and this road would not be safe to utilise in a bushfire event.

Discussion

Alpine Shire has particular risks associated with landscape-scale bushfires that add a nuance to the Bushfire Management Overlay that should be considered in decision making and a strategy is proposed to address this.

Access and egress from sites is a constant requirement of the CFA and a number of other planning schemes have introduced an access and egress strategy to address this. Given the extremely high risks associated with this issue in Alpine, a new strategy is proposed to address this.

D. Introduce new strategies at Clause 13.02-1L (Bushfire Planning):

- **Avoid development in areas where the impacts of a landscape-scale bushfire cannot be mitigated through on-site measures.**
- **Avoid development in areas where only one safe access route to the nearest place of relative safety is provided.**

6.3.4. Absence of locally specific policy to inform decision making

In **McNally v Alpine SC [2022] VCAT 109**, the Tribunal noted that there is currently no policy in the planning scheme that articulates any preferred future neighbourhood character aspirations for Porepunkah.

Similarly, in **Gibson v Alpine SC [2019] VCAT 1979**, the Tribunal noted that local policy does not significantly assist to guide decision-making with respect to stone extraction.

Discussion

These VCAT decisions highlight the need for Council to prepare more detailed strategy to identify preferred neighbourhood character in townships and introduce clearer guidance to assist applicants and decision makers in relation to stone extraction.

- E. Prepare preferred neighbourhood character statements for townships.**
- F. Prepare a local policy that provides guidance about managing land use conflicts such as stone extraction.**

6.3.5. Wandiligong controls

In **Botterill v Alpine SC [2019] VCAT 903**, the Tribunal overturned Council's decision to refuse to grant a permit for the use of an existing rail carriage on a small FZ lot as a store. Council's reasons for refusal included inconsistency with the SLO3 as well as general negative impact upon the amenity of the area.

The Tribunal found the rail carriage was of a modest built form and did not detract from the typical built form in the Wandiligong Valley. While recommending that additional planting could assist further in screening the rail carriage from Morses Creek Road, the Tribunal did not impose a condition requiring such planting, meaning the carriage would remain partly visible from the road.

In **Niazi v Alpine SC [2019] VCAT 1759**, the Tribunal identified the need to explore "rezoning of land to the west of Morses Creek (Centenary Avenue) from Farming Zone to a more appropriate zone outcome".

Wandiligong's controls are dated and require review. This is discussed in more detail in Chapter 10.

6.3.6. Dinner Plain Special Use Zone 1

In **T & A Fell Pty Ltd v Alpine SC [2022] VCAT 880**, the Tribunal noted that the existing character of the area was not consistent regarding either the presence or absence of single storey entry porticos (the key feature upon which the hearing was based). In response to direct questioning the existing mixed character of the area was conceded by Council, which brought into question the relevance and currency of the applicable “Architectural characteristics of Dinner Plain” as set out at Clause 8.1 of Special Use Zone Schedule 1 (SUZ1) with the Tribunal being of the view that Council had applied the controls too literally given the maturity of the estate.

Council currently has a review of the Dinner Plain controls on its work program.

7. Stakeholder engagement

This section contains an overview and analysis of stakeholder engagement that has informed the Planning Scheme Review. It includes data collected as part of a Council planner survey, responses from key referral agencies and external stakeholders as well as feedback provided by planning staff, key internal staff and Councillors through a series of workshops.

The intention of this part of the review is to provide context from those who most use the planning scheme and Councillors, as the community representatives. The findings of this engagement help refine the key issues that Council needs to address and prioritise the scope of further strategic work that should be undertaken during the next four years.

Refer to Appendix One for detailed meeting notes and narrative, and tabulated survey results.

7.1. Council officer survey

Council officers were asked to respond to a survey about the Alpine Planning Scheme, prior to any analysis documents or findings being shared. The Survey included to questions to determine, from an officer perspective, how well the Scheme is performing, controls that need refining or could be removed, applications that are taking more time than they should, and policy gaps.

Council officers raised numerous matters influencing the operation of the Planning Scheme, that may be grouped under the following headings:

- Dwellings in the Bushfire Management Overlay.
- Dwellings, Outbuildings and Subdivision in the Farming Zone.
- Ineffective and cumbersome Significant Landscape Overlays.
- Lack of a Heritage policy to provide guidance and consistency.

7.2. Planners’ workshop

Feedback from the initial planner survey provided the basis for a workshop with Council planners held on 3 November 2022. The workshop expanded on the issues raised in the Planners’ survey and analysed planning scheme performance more broadly.

Matters raised in this workshop that echo the survey results include:

- Sheds in the Farming Zone.
- Insufficient guidance to support consistent decision-making in the Farming Zone.
- Bushfire Management Overlays and the siting of dwellings.

Other items raised include:

- Strengthening developer contribution requirements.
- Stormwater treatment.
- Dinner Plain planning permit triggers.
- Design of new dwellings - encouraging more sustainable design and maintaining neighbourhood character.
- Open space contributions.

7.3. Internal staff

Council staff identified as having an interaction with the Alpine Planning Scheme, either in an internal referral capacity or as an administrator of its policies, were asked to participate in a workshop on the 27 October 2022. Matters raised by internal staff include:

- Small lots in the Farming Zone.
- Lack of affordable housing.
- Recognition of Community Plans in the planning scheme.
- Environmentally Sustainable Development.\
- Incomplete Heritage work.

7.4. Councillors and executive team

The Executive team and Councillors participated in a workshop on 15 November 2022. The workshop introduced the planning scheme review, discussed the objectives of planning in Victoria, and included a summary of analysis findings to date.

The Councillors were active and engaged participants in the workshop, raising several matters, including:

- The treatment and prioritisation of Further Strategic Work.
- Small lots in the Farming Zone.
- The protection of Heritage and culturally significant landscapes

7.5. Referral agencies

All relevant Referral agencies and Registered Aboriginal Parties were invited to provide their written comments and feedback regarding the current performance of the Alpine Planning Scheme, in relation to their specific area(s) of responsibility.

NECMA and North East Water both agreed moving planning scheme references to them from specific trigger clauses to Clause 66.04 (according to the Ministerial Direction on the Form and Content of Planning Schemes).

- G. Move references to NECMA and NEW from policy, zone and overlay local provisions to Clause 66.04s.**

7.6. Other stakeholders

HVP Plantations

As HVP Plantations share many kilometres of boundaries with Alpine settlements they were asked to provide input into the planning scheme review.

HVP manage the estates of plantations in Alpine Shire, most of which is on State land that is licenced to HVP for the purposes of forestry, and some of which is on freehold land.

Council and HVP have held discussions over the last twenty-four months in regard to clarifying and refining the planning scheme controls to reduce the conflict between sensitive uses such as residential development and HVP operations, recognising that forestry is one of the most significant contributors to the local economy and creates many local jobs.

Key issues raised through discussions and in HVP's written response to Council were:

- Managing the interface between townships settlement boundaries and plantations.
- Ensuring HVP are notified and have an opportunity to provide feedback on planning permit applications for sensitive uses proximate to its boundaries, to ensure that interface, amenity and risk issues are managed proactively rather than reactively.
- Managing haulage and freight routes for timber (and other industrial uses including agricultural and resource extraction).
- The future of timber plantations in the Shire and the best locations for new plantations.

As a result of the consultation with HVP, several changes are recommended to the planning scheme. These strengthen the existing policy in the scheme and reiterate the important role that timber plantations play in the local community. The changes focus on minimising conflicts with township settlement boundaries, and managing the movement of haulage trucks and freight within the local transport network. The changes proposed are marked up in Appendix Two.

In addition, it is proposed to introduce a notice requirement in Clause 66.06s that HVP, as the licensee to the Victorian government for timber plantations in Alpine Shire, be notified of all applications for sensitive development, including accommodation, within 300 metres of a timber plantation.

This will have the effect of ensuring that HVP can advise Council of concerns it may have, and mitigation that might be required, to minimise amenity impacts between timber plantations near settlements and new sensitive development going forward. This does not provide HVP with decision making powers, but it will ensure that potential impacts can be properly considered before Council makes decisions on planning applications near timber plantations. The proposed provision is marked up in Appendix Two.

It should be noted that not all the changes that HVP requested were supported by the consultants and Council officers preparing this planning scheme review. At this point, the focus is on strengthening and clarifying the way the interface between plantations and settlements will be managed, ensuring that the local transport network responds to the impact of haulage and freight, including timber, agriculture, and resource extraction and reinforcing the important contribution that timber plantations make to the local economy.

HVPs submission is included in Appendix Five.

7.7. Summary of issues raised through engagement

The following table prioritises the various matters raised during the Stakeholder Engagement phase of the review and recommends appropriate actions:

Issue	Officer survey	Planners	Internal staff	Crs and Executive	Referral Agencies	Other stakeholders
Development in the Farming Zone	☑		☑	☑		
Bushfire Management Overlay	☑		☑			
Heritage	☑	☑		☑		☑
Significant Landscape Overlay	☑					
Developer contribution requirements		☑	☑			
Stormwater treatment			☑			
Dinner Plain planning permit triggers			☑			
Design of new dwellings			☑			
Affordable housing				☑		
Environmentally Sustainable Development				☑		
Risk management between plantations and residential land.						☑

8. New strategic work

New strategic work that has been adopted by Council and prepared for the North East Victoria and the Hume Region was reviewed to identify whether any policy should be incorporated into the planning scheme.

The intention of this part of the review process is to incorporate policy that may have been developed by another part of Council (for example, Economic Development, Sustainability, Community Planning etc.) and that is unlikely to be incorporated into the planning scheme through a stand-alone amendment.

The scope of this does not include significant strategic land use planning projects such as Structure Plans for Activity Centres, or Housing Strategies, which should go through a separate, dedicated planning scheme review process.

Regional documents, such as Catchment Management Plans, are also reviewed, to identify if there are any Council specific proposals that should be reflected in the planning scheme. (For example, the construction of a new wetland).

8.1. Council projects and documents

8.1.1. Documents reviewed

- Community Vision 2040 and Council Plan 2021-25 including the Municipal Public Health & Wellbeing Plan (Alpine Shire, 2021)
- Myrtleford Resilience Plan (Projectura, 2019)
- Economic Development Strategy (Urban Enterprise and Alpine Shire Council, 2021)
- Alpine Shire Events Strategy (Urban Enterprise, 2021)
- Municipal Emergency Management Plan 2021-2024 (Alpine Shire, 2021)
- Alpine Shire Rural Land Use Strategy (Alpine Shire, 2015)
- Climate Action Plan 2021-2024 (Alpine Shire Council, 2021)
- Alpine Shire Council Access and Inclusion Plan 2021-2024 (Alpine Shire Council, 2021)
- Sport and Active Recreation Plan 2022-2033 (Alpine Shire Council, 2022)

8.1.2. Documents with policy implications

Community Vision 2040 and Council Plan 2021-25 including the Municipal Public Health & Wellbeing Plan (Alpine Shire, 2021)

This document sets out the strategic directions and priorities of Alpine Shire Council and its community for the next four years and incorporates the Municipal Public Health and Wellbeing Plan. To implement the plan in the planning scheme:

- H. Include policy in the planning scheme to implement the Council Plan 2021 – 2025 as shown on Appendix Two.**
- I. Insert an acknowledgement in Clause 2.01 (Context) of the Dhudhuroa, Gunai-Kurnai, Taungurung, Waywurru and Jaitmathang as the First Peoples and Traditional Custodians of the land and their continued connection to the mountains, valleys and waters of the Alpine Shire.**
- J. Amend the strategy at Clause 18.01-1L (Land use and transport integration) to include community transport.**
- K. Add a new strategy to Clause 14.01-2L (Sustainable agricultural land use): Promote diversification to improve resilience in the agricultural sector.**
- L. Support a diverse range of industries that are climate sensitive.**
- M. Strengthen the strategy at Clause 19.03-4L (Telecommunications): Improve digital connectivity, coverage and speed across the Shire.**

Myrtleford Resilience Plan (Projectura, 2019)

The Myrtleford Resilience Plan sets out a series of recommended actions designed to diversify the reliance on current industry and build the economic and social sustainability of Myrtleford. To implement the plan into the planning scheme:

- N. Introduce new strategies to Clause 17.04-1L (Tourism) to implement the Myrtleford Resilience Plan as shown in Appendix Two:**
 - **Support tourism that showcases Myrtleford’s food culture, local produce, and Italian heritage.**
 - **Strengthen active tourism opportunities that are already present in the region.**
 - **Develop the tourism facilities and activities at Lake Buffalo.**

Economic Development Strategy (Urban Enterprise and Alpine Shire Council, 2021)

The Economic Development Strategy (Urban Enterprise and Alpine Shire Council, 2021) focuses on ways to support, grow, and stabilise existing businesses in key sectors such as tourism, agriculture, manufacturing, education, and health as well as attract new businesses that are suited to the values and attributes of the Alpine Shire. To implement the strategy into the planning scheme:

- O. Introduce new strategic directions to the MPS to implement the Economic Development Strategy as shown in Appendix Two:**
- **02.03-4 (Natural resource management): Increase the value of agricultural production.**
 - **02.03-7 (Economic development – tourism): Support the creation of a sustainable tourism industry in the Alpine Shire and to increase geographic and seasonal visitor dispersal.**
 - **02.03-7 (Economic development - Industry): Support food and beverage manufacturing and increased industrial diversification.**
- P. Introduce new strategies to Clause 11.01-1L-01 (Settlement) to implement the Economic Development Strategy as shown in Appendix Two:**
- **Support development that builds the permanent population.**
 - **Develop liveable communities that generate economic and social wellbeing.**

Alpine Shire Events Strategy (Urban Enterprise, 2021)

The Alpine Shire Events Strategy acts as a blueprint for Council to guide decision making, forward planning and strategic direction for events within the Alpine Shire. To implement the strategy in the planning scheme:

- Q. Amend the first strategy at Clause 17.04-1L (Tourism) to implement the Alpine Shire Events Strategy by adding to three additional dot points.**
- **Foster community development and engagement.**
 - **Contribute to positive public health and wellbeing outcomes.**
 - **Minimise environmental impacts.**

Climate Action Plan 2021-2024 (Alpine Shire Council, 2021)

The Climate Action Plan 2021-2024 commits Council to achieve net zero greenhouse gas emissions from Council operations by July 2023 and sets out the pathway to achieve this target. To give effect to the plan in the planning scheme:

- R. Undertake further strategic work to investigate and put in place planning controls that support the use and development of micro-grids (Climate Change Action Plan 2021 – 2024).**

Alpine Shire Council Access and Inclusion Plan 2021-2024 (Alpine Shire Council, 2021)

The Alpine Shire Council Access and Inclusion Plan 2021-2024 outlines actions Council will take to support Council and the community to become more inclusive and accessible for people with a disability. The strategies outlined in the plan are already covered in Clause 15.01-1S (Urban design) and do not need to be repeated at the local level.

Sport and Active Recreation Plan 2022-2033 (Alpine Shire Council, 2022)

The Sport and Active Recreation Plan 2022-2033 provides a strategic framework to guide Council's investment in sport and active recreation over the new 12 years. To implement and give effect to the plan in the planning scheme:

- S. Introduce new open space context and strategic direction at 02.03-9 (Infrastructure) and policy at Clause 19.02-4L (Recreational facilities) of the MPS to implement the Sport and Active Recreation Plan 2022 – 2023 as shown in Appendix Two.**

Alpine Affordable Housing Research and Analysis Paper (Alpine Shire Council, 2022)

The Affordable Housing Research and Analysis Paper details the challenges that Alpine Shire has in providing affordable housing, the high number of dwellings used for short term accommodation and holiday houses and the challenges associated with inadequate housing for key workers. To implement and give effect to the plan in the planning scheme:

- T. Introduce contextual information and high-level strategic directions to reflect the housing needs of the community in Clause 2.03-6 (Housing) of the MPS as shown in Appendix Two.**
- U. Undertake further strategic work to develop planning scheme policies that support key worker and affordable housing, identify areas for medium density development and preferred lot sizes close to town centres in townships, and Council owned land (e.g. caravan parks) that would be better used for housing in the medium to long term.**

8.2. Regional projects and documents

8.2.1. Documents reviewed

- Hume Bushfire Management Strategy 2020 (State Government of Victoria, 2020)
- Hume Regional Growth Plan (State Government of Victoria, 2014)
- North East Waterway Strategy 2014 (North East Catchment Management Authority, 2014)
- Goulburn Broken Regional Catchment Management Strategy 2021-2027 (Goulburn Broken Catchment Management Authority, 2021)
- Taungurung Country Plan (Taungurung Land and Waters AC, 2016)
- Gunaikurnai Country Plan (Gunaikurnai Land and Waters AC, 2015)

8.2.2. Documents with policy implications

Taungurung Country Plan (Taungurung Land and Waters AC, 2016)

The Taungurung Country Plan sets out the rights of the Taungurung people and identifies their aspirations and action plans to address key concerns about Country.

To show respect for Traditional Owners and their continuing connection to Country, it is recommended that appropriate First Nations recognition be introduced at Clause 02.01 (Context).

Gunaikurnai Whole of Country Plan (Gunaikurnai Land and Waters AC, 2015)

The Whole of Country Plan brings together and adds to the discussions that the Gunaikurnai people have had over the past two decades during their fight for Native Title and paints a picture of how the Gunaikurnai people are going to move forward. This has been covered above in 9.1.2.

To show respect for Traditional Owners and their continuing connection to Country, it is recommended that appropriate First Nations recognition be introduced at Clause 02.01 (Context) This has been covered above in 9.1.2.

9. Work underway

There are no concurrent planning scheme amendments occurring now.

Council is currently preparing the following strategic planning projects.

- Land Development Strategy. This work identifies how projected growth will be accommodated in the Shire, including residential, commercial, and industrial growth.
- Neighbourhood character and design guidelines for Bright
- Bright Urban Design Framework

Council is currently scoping the following projects

- Stage Two of the Rural Land Strategy
- Structure Planning for Bright, Porepunkah, Myrtleford, and Mount Beauty – Tawonga South

All these projects align with the priorities that have been identified in the Planning Scheme Review.

10. Key issues

This section expands on the key issues that have emerged from the Planning Scheme Review, as well as other less significant matters that have emerged and require discussion.

10.1. Administrative and resourcing issues

10.1.1. Issue

There has been an underinvestment in resourcing of the planning service at Alpine Shire which has resulted in a planning scheme that has gaps, inconsistent decision making and planning permit processing delays.

10.1.2. Gaps in the planning scheme

Evidence that there are significant gaps in the planning scheme was evident at all stages of this review: the audit, the engagement, review of VCAT decisions and review of planning permit decisions.

Little work has been done to advance the planning scheme in the past decade. The policy of substance that has been introduced into the planning scheme in the last decade is:

- The rezoning of the Bright Gateway land and application of a Development Plan Overlay in 2015.
- Mount Beauty Aerodrome rezoning to the Special Use Zone in 2017.
- Introduction of 140 additional heritage places to the schedule to the Heritage Overlay in 2016.

There are gaps in the planning scheme relating to:

- Settlement Planning.
- Housing diversity and affordability including management of short-term vs long term accommodation.
- Appropriate zoning and controls for Wandiligong and Freeburgh.
- Identification of significant landscapes.
- Township planning including urban design and character controls.
- Managing land use conflicts (stone extraction, plantation interfaces).

The current Council has recognised these gaps and identified them in Clause 74.02 of the planning scheme. Resources are now being directed at filling these gaps, but it will take a considerable amount of time to 'catch up'. It is important that Council keep focused on the pieces of work that will bring the most benefit to the community (e.g., settlement strategy, housing strategy, township planning) and will reduce the workload of planners (e.g. resolving areas of inappropriate zoning on small lots in the Farming Zone, increasing the size of outbuildings not requiring a permit in the Farming Zone).

These matters are addressed in the following sections.

Recommendation

- V. Adequately resource the proposed strategic work program to enable the delivery of the highest priority strategic planning projects identified in Chapter 11 of the report.**

10.1.3. Inadequate resourcing of statutory planning

The review of planning permit at data at 6.1 indicates that Council is underspending on the statutory planning service it delivers and as a result there are negative impacts on the processing of applications within statutory timeframes.

This data was backed up in discussions with the planners and Executive Team. The statutory planning service is extremely under resourced with only one junior staff member in place, one temporary administration officer and new administration officer. A senior officer has been temporarily seconded to manage the unit, and one of Council's project managers is providing support one day per week. Council has come up with a solution to get them through the next six months through the use of consultants, however this is not a long term solution. There is a shortage of planners across the country, which, along with the chronic shortage of housing in Bright, is making it even more difficult to attract planners to Alpine Shire.

The reasons Council has got into this situation appear to be:

- Lack of resources in the statutory planning unit over a long period of time. The impact of this has accumulated over time leaving Council at a crisis point.
- Staff attraction and retention is creating ongoing staff shortages which is affecting productivity with difficulties recruiting and retaining staff, particularly at the middle and senior levels.
- An underinvestment in training and resourcing for staff to efficiently use the permit administration software which has added to delays.

These are the core issues that should be addressed. They may be addressed by recruiting more staff (difficult in the current environment), investing in the IT system to automate and streamline the processing of applications, investing in staff training both in planning permit decision making and using the IT system, and removing unnecessary permit triggers.

Council should consider partnering with another municipality to service the statutory planning function. This would alleviate the issues recruiting middle and senior statutory planning staff, reduce

the need for a planning professional at the Manager or Director level and provide Council with a framework to rebuild the statutory planning function.

Other innovative solutions should be explored.

Recommendation

- W. Review the resourcing of the statutory planning function to ensure that adequate resources and systems are available to address the steadily declining performance in meeting statutory processing timeframes for planning permit applications (target reduction is from 114 days to the statutory 60 days).**

10.1.4. Lack of consistent decision making and processes

There is evidence of lack of consistent decision making. Examples include differing approaches to permitting subdivision of and dwellings on small lots in the Farming Zone (Wandiligong and Freeburgh for example), inconsistent application of design guidelines at Dinner Plain leading to a fragmented character that does not accord with SUZ1 policy, lack of direction on the preferred future character of neighbourhoods which has led to suboptimal, unsympathetic development outcomes in Bright (for example, dwellings that cover most of the lot, dwellings that stand out in the landscape because of bulk, colours and lighting), overly literal application of the Farming Zone (Five Acres application).

The lack of consistent decision making is a direct result of the above two issues: lack of policy guidance and inadequate resourcing of the planning function.

It also indicates a lack of team decision making about applications and building a better team culture underpinned by clear internal policies, processes and procedures that encourage consistent decision making will improve this over time.

Recommendation

- X. Invest in developing the statutory and strategic planning functions to develop a culture of team work and shared decision making (considering the two functions are in different directorates), develop clear internal policies to guide the approach to decision making, and utilise Greenlight to develop templates and reports that assist with consistent decision making that can be measured.**

10.2. Settlement planning and development of townships

10.2.1. Background

Council is currently preparing the Land Development Strategy which will identify land required to accommodate the anticipated residential, industrial, and commercial development needs of the municipality over the medium term. It considers heritage, environmental, landscape and land capability constraints and will identify land that is suitable to accommodate growth. Once this work is complete will be able to demonstrate how it will accommodate growth over the next fifteen years as required by Clause 11.01-1 LS of the planning scheme.

Once these areas are identified, Council then intends to prepare structure plans for each of the main settlements: Bright, Mount Beauty-Tawonga South, Porepunkah and Myrtleford to guide the development of each town looking at land use, preferred character, preferred built form, housing

mix and density, open space and community facilities (including key worker and affordable housing), and transport and circulation needs.

This work aligns with the Council Plan strategies of:

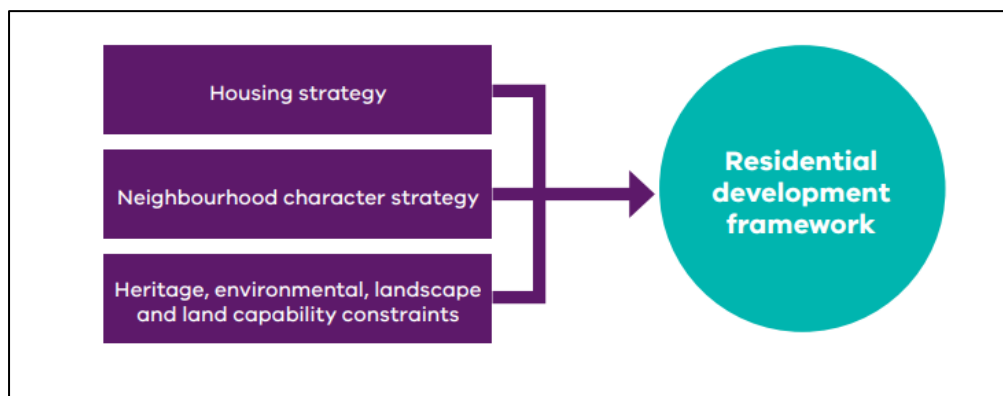
- Strategy 4.2.1: The development of our townships, settlements and landscapes is managed sensitively and sustainably.
- Strategy 4.2.2: Adequate, inclusive, and sustainable housing.

10.2.2. DTP expectations for planning for housing

DTP issued PPN90: Planning for housing in December 2019, and this provides a preferred approach to preparing a residential development framework for municipalities.

It recommends that it be prepared at a municipal level and include a Housing Strategy, a Neighbourhood Character Strategy and an assessment of constraints as shown in Figure 2.

Figure 2: DTP recommendation for preparing a residential development framework



Source: PPN 90: Planning for housing

10.2.3. Council's proposed approach and rationale

The Land Development Strategy will achieve part of the work outlined above as it will:

- Identify constraints (relating to heritage, environmental risks such as flood, bushfire, and erosion).
- Identify opportunities for growth through rezoning of additional land to accommodate growth in townships, or infill development in townships at a high level.
- Identify the growth in population (and dwellings) and floorspace requirements (for industrial and commercial) that should be accommodated in each township.

The Land Development Strategy will not:

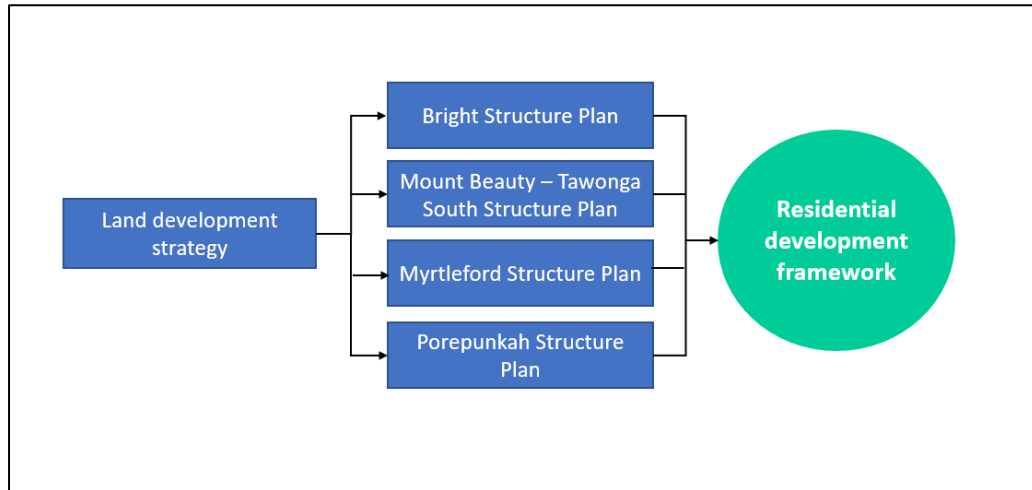
- Identify the mix of housing that is required in each township to accommodate group. It just identifies locations that are considered appropriate for urban growth.
- Develop preferred neighbourhood character statements.
- Identify variations to the residential schedules that are required to achieve the preferred neighbourhood character in each location.

Once the Land Development Strategy is complete, Council will have done all the work required to understand the constraints, and some of the work to prepare the Housing Strategy.

To complete the work required to develop a residential development framework, Council intends to prepare structure plans for each of the main townships rather than a municipal wide Housing Strategy and Neighbourhood Character Strategy.

Each Structure Plan will include a residential framework plan that will be applied via the residential zone schedules and neighbourhood character overlay (if appropriate) for each township. The way that Council intends to deliver its residential framework plan is shown in Figure 3.

Figure 3: Council's proposed approach to responding to PPN90 Planning for housing



Source: Redink Planning

The rationale for undertaking township based structure planning rather than a whole of municipality process is because the communities within Alpine Shire operate as quite separate settlements. Each town has a distinct community and no town has an up to date structure plan in place to guide future development proposals.

Alpine Shire has very limited resources and must channel these resources in the most efficient way. It has assessed that preparing township based structure plans to develop the residential development framework rather than a municipal wide Housing Strategy and Neighbourhood Character Guidelines is the most efficient use of resources, and also provides an better opportunity to genuinely engage with each township's community.

Structure Plans will be completed in sequence over several years. The sequence will be determined once the Land Development Strategy has been completed, based on need.

Council requires DTP support for this approach prior to commencing the work to ensure that time and resources are not wasted doing strategic planning that DTP will not accept.

10.2.4. Work to date

As well as the Land Development Strategy which is nearing completion, Council has prepared the Affordable Housing Research and Analysis Paper (2022) and the Affordable Housing Action Plan (2022) which outlines numerous matters to be addressed in the Structure Planning for each township to develop more affordable housing options through the planning system.

Council has also commenced work on other inputs that will inform the Bright Structure Plan including the Bright Urban Design Guidelines (currently under preparation) and the Bright Urban Design Framework (in draft).

10.2.5. Planning for reticulated water and sewerage

A critical problem for planning for growth, that has emerged through the preparation of the Land Development Strategy, is that North East Water has limited capacity to service growth. This is a particular problem with sewerage. In recent referrals for planning permit applications for dual and three lot subdivisions in Bright, North East Water have not been able to provide wastewater disposal to the site and have recommended alternative solutions.

This is not an acceptable solution to support the growth that the Victorian government expects Alpine Shire will absorb over the coming years.

Under the Water Act, North East Water is required to prepare a fifty year plan for infrastructure which is updated every four years. There has been a failure to plan for the projected growth in Alpine's townships and this is compromising the ability of the market to deliver housing in a cost effective and sustainable manner.

10.2.6. Recommendation

- Y. Consult with North East Water and the Victorian government ensure planning for subdivisions in townships reflects the anticipated growth of each township, recognising the water and sewerage infrastructure is not keeping up with current growth.**
- Z. Seek DTP support for developing the Residential Development Framework for Alpine Shire through the preparation of structure plans for the four townships instead of a preparing a Housing Strategy and Neighbourhood Character Strategy for the whole municipality.**
- AA. Prepare Structure Plans for Porepunkah, Bright, Mount Beauty – Tawonga South and Myrtleford to:**
 - **Direct land uses to appropriate locations.**
 - **Develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character.**
 - **Identify active transport linkages and routes.**
 - **Support the intensification of residential development in appropriate locations.**
 - **Identify the preferred character for commercial and industrial areas.**
 - **Identify infrastructure requirements.**
 - **Prepare landscaping guidelines for public and private property, including planting, retention, and replacement of canopy trees.**
 - **Draft planning controls to implement the Structure Plans including schedules to the residential zones.**

10.3. Rural land use strategy

10.3.1. Alpine Shire Rural Land Use Strategy (Alpine Shire, 2015)

The Alpine Shire Rural Land Use Strategy (ASRLUS) provides guidance for the future use and development of agricultural and rural land in the Shire. This was stage one of a planned two stage process and looked at the high-level issues related to rural land use, designated seven rural precincts and provided high level strategic direction for each precinct, and identified parcels of land that should be investigated for rezoning. The Strategy also included guidance for how Council would exercise its discretion for a range of rural matters including rural residential development, tourism and sustainable agricultural land use.

It was adopted in 2015 and incorporated into the planning scheme through Amendment C39. The policy that was incorporated through that amendment included reference to the Rural Land Use Strategy in strategies, essentially relying on a document outside the planning scheme to guide decision making.

With the introduction of the new format for planning policy via Amendment VC148 in 2018, this way of referencing documents was no longer allowed, and DTP advised councils to 'pull out' the relevant information in the reference document and include it in the planning scheme rather than relying on the external document. This work was done as part of the PPF translation for Alpine Shire but unfortunately was not included in the documentation that Council approved in the December 2021 meeting. As a result, much of the policy guidance and strategy in relation to the Rural Land Strategy is no longer in the scheme.

The PPF translation went through the amendment process as a 20(4) amendment, on the basis it was policy neutral. A 20(4) amendment is prepared by the Minister for Planning and no consultation with the community was undertaken. No consultation with Councillors was undertaken either as the decision to remove the policy was made at an officer level before it could be considered by Council. At the time DTP advised that the policy could be reinstated through the planning scheme review process. The policy is important to guide applicants and decision makers.

Recommendation

- BB. Re-introduce key directions of the Alpine Shire Rural Land Use Strategy that were introduced by Amendment C62alpi and then inadvertently removed through the PPF translation as shown in Appendix Two**

10.3.2. Stage Two of the Rural Land Use Strategy

A further stage of the Rural Land Use Strategy has always been planned to look at the more detailed land use zoning and policy that should be applied to the rural precincts. Stage two should address whether the currently applied zones and schedules are achieving what is envisioned for each rural precinct. At the moment the Alpine Shire Planning Scheme uses the generic schedule to the Farming Zone (that has a 40 hectare subdivision control) however there are parts of the municipality where some nuancing is appropriate. For example in areas where the existing subdivision pattern is four or ten hectares in the Farming Zone, a schedule that allows for a dwelling to be built on a 'typical' lot rather than the default 40 hectare threshold may be appropriate.

There are also areas zone Farming Zone in Wandiligong, Freeburgh and Ovens that are functioning as rural residential areas, with small lots sizes and not agricultural use taking place. Stage Two should examine these areas and determine whether Farming Zone remains the appropriate zone for them taking into consideration constraints like flooding and landslip.

Recommendation

- CC. Prepare the Rural Land Strategy Stage 2 to:**
- **Review the appropriate zoning for small lots in the Farming Zone (for example, Freeburgh, Ovens, and Wandiligong).**
 - **Clarify the policy directions for each precinct in the Shire focused on supporting agricultural uses and minimising land use conflicts through separation of activities.**
 - **Mitigate the impacts of climate change on rural land.**

10.4. Planning review for Wandiligong

In 2021, it was estimated that there was a total of 7,188 dwellings in Alpine Shire, of which 283 are in Wandiligong. Wandiligong homes under 0.5% of the dwellings in Alpine Shire.

Between 2018 and 2021, 57 permit applications were received for Wandiligong representing 5% of all applications processed.

Wandiligong has a complex layering of planning controls which includes a the Low Density Residential Zone, the Farming Zone, the Significant Landscape Overlay, the Heritage Overlay and the Bushfire Management Overlay.

As has been identified in other sections of this report, the Significant Landscape Overlay is poorly drafted and does not provide clear direction on what is significant about the landscape and how it should be preserved. The Heritage Overlay applies but the citation including the significance of the valley and what should be preserved is not included in the planning scheme. The Wandiligong Design Guidelines also sit outside the scheme.

Finally, the Farming Zone is applied to a large part of the northern part of the valley to land that is clearly not used for agricultural purposes at present but is functioning as a rural residential area.

Council spends an inordinate amount of time dealing with queries in Wandiligong and it is very difficult for applicants to understand what is expected when they apply for a permit. There is a history of inconsistent decision making in the valley because, though it is clear the valley is special and should be preserved, there is a lack of articulation of how to achieve this objective.

Reviewing and updating the policy, zone and overlay controls applying to Wandiligong will ensure that the valley's values are better protected, make the applicants job easier, and ensuring more efficient and consistent decision making by Council.

Recommendation

- DD. Undertake a comprehensive review of the suite of controls applying to Wandiligong to ensure they provide clearer guidance about what is to be achieved and more detailed direction to applicants and decision makers. This includes a review of zones, HO83 and SLO4**

10.5. Flood mapping

Issue

Where flood mapping is included in the Alpine Planning Scheme it is out of date. Many parts of the municipality that are known to flood have no flood controls applied.

Evidence

This issue has been acknowledged by NECMA. It was raised at an officer level and by the Councillors. It is a well-known problem, with potential applicants being advised they need to contact NECMA directly to understand the flood issues and development implications on their land prior to being granted a permit.

Discussion

There is some confusion about who is responsible for undertaking local flood studies with NECMA saying it is a Council responsibility and officers understanding it is a NECMA responsibility. Under the Victorian Floodplain Management Strategy (Victorian Government, 2021) it is unclear who is

responsible for completing local flood studies (the Management Strategy indicates it is the Catchment Management Authority OR Council. Until recently it has always been understood to be a Catchment Management Authority responsibility. Once local flood studies have been completed, Council as planning authority for the Alpine Planning Scheme is responsible for implementing them into the planning scheme.

Introducing flood controls into planning schemes is a very challenging process, as there is always a high level of debate about the methodology used and the implications on individual property rights, often with good cause. Once local flood studies are completed, resourcing their implementation into the planning scheme will be problematic for Alpine Shire given the pipeline of strategic work that has been identified as a priority.

Recommendation

- EE. Apply flood controls to land identified by NECMA and GBCMA as being subject to inundation.**
- FF. Clarify with the State government which entity is responsible for preparing the floodplain management strategies for Alpine: The Council, or the Catchment Management Authorities.**
- GG. Seek DTP support to implement available local flood studies into the planning scheme**

10.6. Heritage

10.6.1. Citations

The Heritage Overlay and citations need to be updated to reflect the DTP requirements outlined in Planning Practice Note PPN01 Applying the Heritage Overlay.

The Heritage Overlay was comprehensively updated in 2016 via Amendment C51 to the Heritage Overlay. This amendment added 105 places to the Heritage Overlay and made various corrections and was based on the *Thematic Environmental History of the Alpine Shire*, (LRGM Services, 2004) and *The Wandiligong Heritage Guidelines*, (Alpine Shire, 2016) which contain the citations for each area. Neither of these documents are incorporated into the planning scheme, and they should be to give weight to the citations. The citations, particularly the statements of significance, should be checked to ensure they are in the correct format required by DTP and statements of significance incorporated into the planning scheme. If incorporated documents apply to places of heritage significance this must be included in the schedule to the Heritage Overlay.

10.6.2. Heritage gap analysis

A heritage study was prepared for Wandiligong (2008) and an earlier document of building citations. That and the heritage guidelines that have been prepared form a lot of the basis of heritage advice for Wandiligong. Both studies are old and do not meet today's standards for this type of document.

For the rest of Alpine, Council's heritage advisor is currently relying on statement of significance on the central heritage database called Hermes. While there must have been studies done to underpin these citations, Council and Council's heritage advisor can not currently find these documents. These documents are expected to include: Alpine Shire Thematic Environmental History (Stage 1) and. Copies of these documents will requested from the Victorian Government Land Service.

During the consultation on the Heritage Overlay in 2008, properties were removed from the proposed Heritage Overlay at the request of the landowners (e.g. the former hospital in Park Street Bright) and have no heritage protection. This is an unusual approach as heritage places are assessed

on whether they meet the threshold of local significance and the view of the landowner is just one consideration on whether the overlay should be applied.

It is likely that the most recent heritage investigation (undertaken in 2004) does not contain all the places of heritage significance in Alpine Shire as new places of significance may have emerged, and some places may have been missed. Places that are of local heritage significance may not be included in the Heritage Overlay as new places of significance may have emerged, and some places may have been missed. Places that are of local heritage significance may not be included in the Heritage Overlay and a review gap analysis should be undertaken to identify any places that should now be included.

10.6.3. Application requirements in the schedule to the Heritage Overlay

The schedule to the Heritage Overlay has provisions for application requirements. At present, there are no application requirements for heritage applications in the planning scheme. This leads to additional work load for planners explaining to applicants what is required to make an assessment. And confusion for applicants in understanding what they need to provide.

Many Councils in the state have included applications requirements in the schedule to the Heritage Overlay and these are fairly generic.

The application requirements that have recently been approved for the Greater Bendigo Planning Scheme have been added to the Alpine schedule. Inclusion of these is administrative, will save resources and make expectations clearer to applicants. It is considered no further strategic justification is required to include these application requirements.

10.6.4. Local policy

At present, there is no guidance in the planning scheme about who Council will apply its discretion when considering applications in the Heritage Overlay. Most Councils in the State have a local policy at Clause 15.03-1L that provides this guidance. This assists in decision making relating to all places – such as industrial, commercial, residential, vegetation, public infrastructure etc, and all types of applications such as demolition, extensions, new buildings, signage. landscaping etc.

10.6.5. Recommendations

- HH. Update the citations for the existing places in the Heritage Overlay and incorporate them in the planning scheme (in local policy or an incorporated document).**
- II. Undertake a gap analysis of heritage places in Alpine Shire to ensure that appropriate protection is provided in the planning scheme for all places that meet the threshold of local heritage significance.**
- JJ. Prepare a local Heritage Policy to assist with decision making for applications in the Heritage Overlay.**

10.7. Significant landscapes

10.7.1. Issue

Significant landscapes in Alpine are not adequately documented or protected by the planning scheme. This creates a risk where inappropriate development may occur that detracts from these landscapes that are of local, state and national significance.

10.7.2. Evidence

The Council Plan outlines a strategy (4.1.2) that iconic alpine and rural landscapes are protected.

Only five small areas in the Shire are currently covered by the Significant Landscape Overlay. These overlay schedules were all introduced at the request of the National Trust many years ago and cover the Upper Kiewa, Happy Valley, Wandiligong Valley, Buckland Valley and the Upper Ovens. Planners report that these SLOs would benefit from more detail about what is significant and the objectives to be achieved. None of the SLOs contain clear policy guidance to assist planners in determining how the objectives should be achieved.

Alpine Shire is renowned for its stunning landscapes and significant vegetation, particularly the deciduous trees that line roadways and slopes and form a major tourist attraction during autumn in particular. There are significant landscapes at both a regional scale, such as long distance views to Mount Buffalo and Mount Bogong from various locations in the municipality, as well as at a local scale such as the boulevards of deciduous trees that line roadways in Bright, Mount Beauty, Myrtleford and other roadsides and places.

Most of these significant landscapes are not identified or protected in the planning scheme.

Beginning in 2006 with the Coastal Spaces Landscape Assessment Study, the Victorian government has prepared landscape assessments for many high quality landscapes across the state including the Macedon Ranges, the Great Ocean Road including the Otways, Bass Coast, Bellarine Peninsula, Surf Coast, South West Victoria (both the coastal areas, and around the Grampians) and the Gippsland region. The protection for landscapes of the Upper Yarra Valley and Dandenong Ranges is incorporated into the *Planning and Environment Act 1987* and a special provision in the Victoria Planning Provisions (Clause 51.03).

It is recommended that a similar piece of work be undertaken for Alpine Shire (and potentially the wider region) and the significant landscapes identified and protected in the planning scheme.

10.7.3. Discussion

Within Alpine Shire, the Alpine resorts and the North East Region in general, there are stunning, spectacular and iconic landscapes that have not been studied or documented, and do not enjoy the same protection in the planning system that other landscapes in the State enjoy.

10.7.4. Recommendations

- KK. Commence a comprehensive assessment of the significant landscapes and vegetation in the municipality, including those at a regional scale (e.g. views to Mount Buffalo and Mount Bogong) and local scale (e.g. boulevards in Bright) and put in place planning controls to protect such as the Significant Landscape Overlay, Environment Significance Overlay, Vegetation Protection Overlay and Heritage Overlay.**
- LL. Review SLO1, SLO2, SLO3, SLO4 and SLO5 to strengthen the statement of significance and objectives, and populate the schedules with policy to more effectively guide decision making.**
- MM. Seek DTP support to fund or lead the review of significant landscapes and vegetation identified under further strategic work.**

10.8. Open space contribution

10.8.1. Issue

Council does not currently utilise the schedule to Clause 53.01 Public open space contributions and subdivision, that permits the collection of public open space contributions at the time of subdivision of land.

10.8.2. Discussion

Council officers currently negotiate on a case by case basis for open space contributions when residential subdivisions occur, and this generally results in a 5% open space contribution. This is what is permissible under the *Subdivision Act 1987*.

Clause 53.01 provides for Councils to tailor a contribution rate for the municipality. Generally, the introduction of a tailored subdivision contribution is underpinned by a strategic planning study that justifies the collection of the tailored amount. In some the contribution applies to categories of land development (for example, industrial, commercial and residential), in others there may be a variable rate depending on the intensification of development expected (for example, 5% for incremental growth areas and 8% for high growth areas).

Most planning schemes now utilise Clause 53.01 to the planning scheme and this provides up front clarity and certainty to applicants, and eliminates the need for officers to negotiate for open space contributions on a case by case basis. Alpine Shire is behind on its strategic planning work for reasons already outlined and it is not a priority to prepare a strategy to justify the application of Clause 53.01. Negotiating the open space contributions on a case by case basis is time consuming for officers, and generally results in a 5% contribution. Rather than spending resources negotiating for a fairly certain and consistent outcome, it is proposed that, through this planning scheme review, the schedule to Clause 53.01 is introduced to align the Alpine planning scheme with other planning schemes across the state, and reflect current practice to provide certainty to the community, applicants and decision makers.

10.8.3. Recommendation

NN. Introduce the schedule to Clause 53.01 Public open space contributions and subdivision to collect a 5% contribution for residential subdivisions in line with the Subdivision Act 1987 and current Council practice.

10.9. Infrastructure Design Manual and Sustainable Infrastructure Guidelines

10.9.1. Issue and discussion

Like many rural and regional councils the Infrastructure Design Manual produced and maintained by the Local Government Infrastructure Design Association is used by Council planners and engineers to specify standards to be met for infrastructure upgrade and provision in new development.

Planning schemes where the Infrastructure Design Manual is used generally have a local policy that supports a consistent approach to the provision of infrastructure and references the Infrastructure Design Manual. This local policy is proposed to be duplicated at Clause 19.03-2L Infrastructure design and provision, through the planning scheme amendment to implement this review.

Recently, the Sustainable Infrastructure Guidelines have been developed. These include a higher standard of infrastructure than what is included in the Infrastructure Design Manual focused on achieving more sustainable design outcomes. If Council adopt the Sustainable Infrastructure

Guidelines, it will be listed as such as in the Infrastructure Design Manual. If Council decides to do this, it will mean that Council's engineers will apply the higher standard Sustainable Infrastructure Guidelines instead of the Infrastructure Design Manual guidelines to new developments.

This aligns with Council's Climate Emergency Declaration of 2021, and the intent of Council's Climate Action Plan 2021-2024 (Alpine Shire Council, 2021).

10.9.2. Recommendation

OO. Amend Clause 19.03-2L Infrastructure design and provision to include a strategy, policy guideline and policy document that directs applications and decision makers to consider the Infrastructure Design Manual when approving development.

PP. Adopt the Sustainable Infrastructure Guidelines.

10.10. Development Plan Overlays

10.10.1. Issue

There are three Development Plan Overlay (DPO) schedules applied in Alpine Shire. Two of them have 'no content' and this is an inappropriate application of the schedule. These are the Tempo Crescent/Louie Court area in Bright (DPO1) in Figure 4 and Glenbourn Drive in Mount Beauty (DPO2) in are recommended for removal.

10.10.2. Discussion

The purposes of the DPO are:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Within the schedule to the DPO the following matters can be included:

- Objectives to be achieved for the are affected by the overlay.
- Any conditions or requirements.

The schedules in question contain no content which means no direction is provided in the control for the preferred form of development and the community's ability to make an objection and take the matter to VCAT are removed.

These controls are nonsensical and should not have been applied when the new format planning scheme was approved in the late 1990s.

10.10.3. Implications

The removal of the DPO1 Tempo Crescent / Louie Court development (Figure 4) is has minimal implications as the subdivision is complete and there are few lots left to be developed. If DPO1 is removed, it will have the effect of introducing third party notice and appeal rights for any future development on the land.

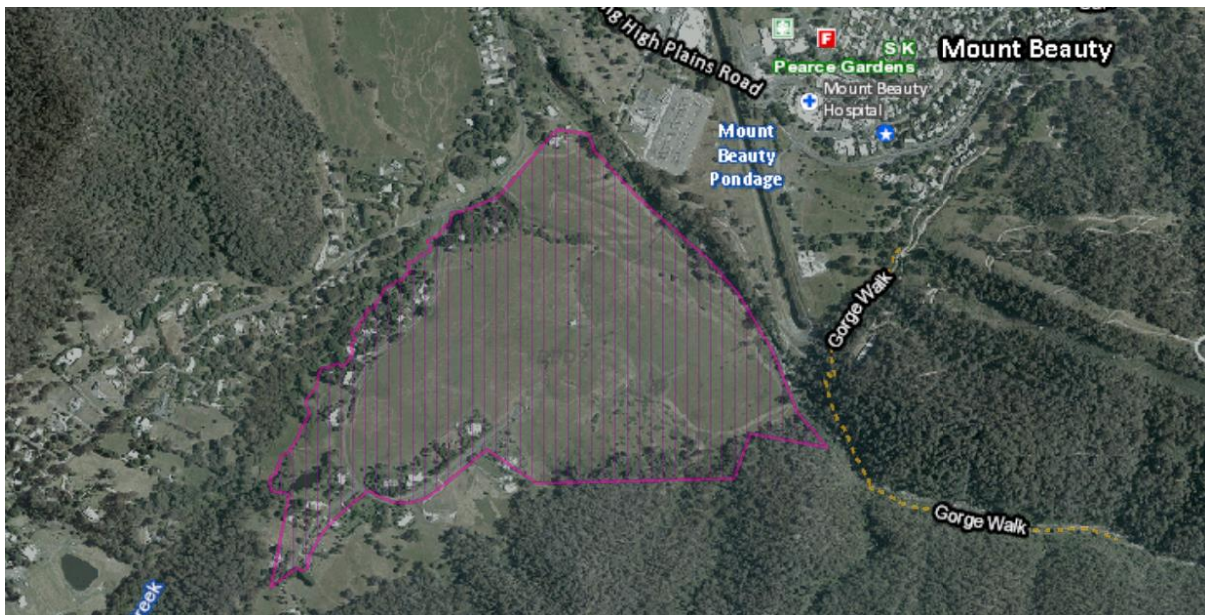
Figure 4: Plan showing application of DPO1 (hatched in purple)



Source: Planning Schemes online

The impact on the land at Glenburn Drive (Figure 5) is more significant as it has not yet been subdivided. Council is currently in discussions with the owners of the land to develop a subdivision plan which under the DPO2 would eventually become an approved Development Plan for the subdivision and guide future development.

Figure 5: Plan showing application of DPO2 (hatched in purple)



Source: Planning Schemes online

The requirement for the Development Plan is to be generally in accordance with the Development Plan Overlay, and as there is no content in the relevant schedule this means there is no guidance about what is expected in the development in relation to lot layout and size, transport linkages, development contributions, vegetation retention and so on.

Removing the Development Plan from this site does not change any of these things, but it does open up third party notice and appeal rights to any subdivision plan for the development which enables

the community to have a say on the future development of the land. A right they don't have under present conditions.

The alternative to this approach is to draft a Development Plan Overlay schedule for the site and replace the existing schedule with the new one. This course of action is not recommended at this stage due to resourcing issues as it would essentially introduce a double planning process for the site when the developer is already in the process of progressing the approvals process for the land.

10.10.4. Recommendations

- QQ. Delete DPO1 (Tempo Court area) as the subdivision is largely complete and the schedule contains no content.**
- RR. Delete DPO2 (Glenburn Drive) as there is no content in the schedule to guide the development of the land.**

10.11. Dinner Plain design guidelines and planning controls

10.11.1. Issue

The Special Use Zone schedule 1 for Dinner Plain is very long, duplicates many parts of Clause 54 and 55 (Rescode) and the design guidelines which were updated in 2015 have not been incorporated into the scheme.

10.11.2. Discussion

Thirty-six planning permit applications were issued for Dinner Plain between 2018 and 2021 representing 5% of the applications that were processed by Council.

There is no question that the Special Use Zone for Dinner Plain is overly long and clunky, and duplicates controls in other parts of the scheme.

Design guidelines were prepared for Dinner Plain in 2015 and in 2018 a revised schedule was drafted to both delete the duplications with other parts of the scheme, and incorporate the 2015 design guidelines. Unfortunately this work was not taken through to the amendment stage, and now, five years later, the design guidelines are not current due to the development that has occurred in the intervening period and the precedents that have been set by Council and VCAT for developments.

While it would be ideal to update the zone schedule for Dinner Plain, the amount of work required to do this cannot be considered a priority in the context of the current work that the Strategic Planning Unit has on its program.

The work is recommended as further strategic work, however this is considered something that should only occur once the higher priority work associated with settlement planning, rural land, significant landscapes and heritage is addressed.

10.11.3. Interim arrangements

In the meantime, Council should consider engaging an expert who can provide comment on Dinner Plain applications, in the same way that Council has engaged a Heritage Advisor to provide advice on applications received in the Heritage Overlay.

Whilst there will be a cost incurred with this, the benefit will be that there will be more consistent decision making in Dinner Plain against the complex Special Use Zone provisions that are in place.

10.11.4. Recommendation

- SS. Review the Special Use Zones for Dinner Plain (SUZ1 and SUZ2) to ensure they are fit for purpose in managing use and the design of development.**
- TT. Engage a Dinner Plain advisor (similar to the role the Heritage Advisor Plans for planning permit applications in the Heritage Overlay) to provide recommendations to Council on applications for development in Dinner Plain.**

10.12. Sheds and outbuildings in the Farming Zone

There are a high number of applications in the Farming Zone that are triggered the requirement that rural stores, outbuildings, sheds etc over 100 square metres require a planning permit. Between 2018 and 2021, 77 applications fell into this category which represents about 9% of the applications received over that time. In most cases, there is not a great deal of benefit gained from planning team assessing them and they are often granted a permit with no conditions.

The Farming Zone schedule allows for this figure of 100 square metres to be changed and many Councils across the State have done this and increased the trigger area to a greater number (for example, 200 square metres).

Amending the floor area could have the effect of reducing the number of low value permit applications that need to be processed by Council and would save resources that could be directed to assessing more significant applications.

To progress this, an analysis of the permits for sheds that have been issued over the past four years should be undertaken to determine whether there is value in changing the floor area for outbuildings in the Farming Zone to reduce the permit workload while still maintaining appropriate oversight on developments on farms.

Recommendation

- UU. Amend the schedules to the Farming Zone to increase the maximum floor area for which no permit is required for an outbuilding associated with a dwelling to decrease the number of permits that are triggered for this use.**

10.13. Rezoning of 25, 27, 33 and 35 King Street, Myrtleford

During the course of preparing the planning scheme review, a zoning anomaly was identified that should be fixed as soon as possible as the land owner wishes to develop the land and under the anomalous zone cannot be granted a permit to build an accessway to the rear of the land where the new development is proposed.

Four properties – 25, 27, 33 and 35 King Street Myrtleford – are in two zones, the General Residential Zone and the Farming Zone.

It is unclear why two zones apply to the land but it appears to be an error that has been in place since the introduction of the new format planning schemes in the late 1990s.

These parcels of land are currently used for industrial purposes, and should not be zoned for residential development.

The application of the General Residential Zone means that a permit cannot be granted to build a road from King Street to the proposed development of a storage facility at the rear of one of the

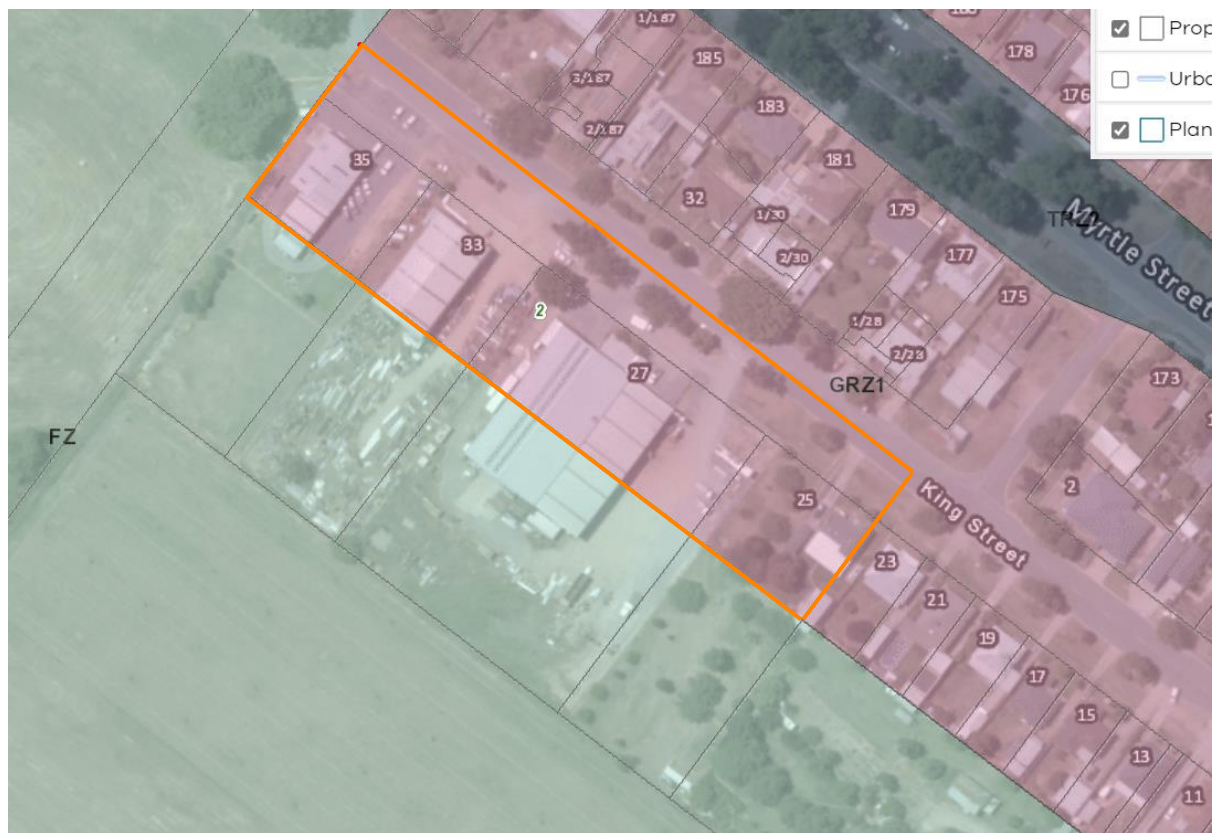
properties as access to a use that is prohibited in the general residential zone cannot be provided to the development which is proposed to be located in the Farming Zone.

The General Residential Zone should be rezoned to Farming Zone to remove the anomaly and enable the land owner to exercise the existing use rights of the parcel as an industrial development and develop the land. All four of the parcels that have this anomaly should be rezoned to clean up the anomaly comprehensively, and support the ongoing use and development of the land for industrial.

The proposal to rezone the General Residential Zone to Farming Zone is not considered to be 'back zoning'. Rather it is correcting an error that was made when the new format planning schemes was introduced, which has continued as zones have been changed through the reforms to the residential zones.

A rezoning to an industrial zone should be considered through the Land Development Strategy.

Figure 6: Land proposed to be rezoned in King Street Myrtleford within orange line



Source: VicPlan and Redink Planning

Recommendation:

- VV. Rezone the north east portions of 25, 27, 33 and 35 King Street that are currently General Residential Zone to Farming Zone to remove the zoning anomaly.

11. Further strategic work

Appendix Three of this report outlines the strategic planning work that has been identified through this planning scheme review.

Through the review process, the highest priority tasks for Council to undertake over the next four years to improve the planning scheme has been identified and is included in the recommendations below. Numerous other recommendations for further strategic work have been identified through this review and are included in Appendix Three.

Council should review this list and remove any projects that are no longer required.

The list below represents the further strategic work that the consultants believe will have the most positive impact for the Alpine community and the efficient functioning of the planning service.

Only work that can be completed in the next four years should be included in Clause 72.04 of the planning scheme. A recommended Clause 72.04 is included in the marked-up ordinance at Appendix Two. This should be considered by Council to ensure that the work is reasonable to complete over the next four years and, if not, the priority projects that should be included in Clause 74.02.

Recommendations:

It is recommended that Council prioritise the following further strategic work over the next four years:

WW. Finalise the Land Development Strategy and implement into the planning scheme.

XX. Prepare the Rural Land Strategy Stage 2 to:

- Clarify the policy directions for each precinct in the Shire focused on supporting agricultural uses and minimising land use conflicts through separation of activities.
- Review the appropriate zoning for small lots in the Farming Zone (for example, Freeburgh, Ovens, Wandiligong).
- Mitigate the impacts of climate change on rural land.

YY. Prepare Structure Plans for Porepunkah, Bright, Mount Beauty – Tawonga South and Myrtleford to:

- Direct land uses to appropriate locations.
- Develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character.
- Identify active transport linkages and routes.
- Support the intensification of residential development in appropriate locations.
- Identify the preferred character for commercial and industrial areas.
- Identify infrastructure requirements.
- Prepare landscaping guidelines for public and private property, including planting, retention, and replacement of canopy trees.
- Draft planning controls to implement the Structure Plans including schedules to the residential zones.

ZZ. Undertake a comprehensive review of the suite of controls applying to Wandiligong to ensure they provide clearer guidance about what is to be achieved and more detailed direction to applicants and decision makers. This includes a review of zones, HO83 and SLO4

AAA. Amend the schedules to the Farming Zone to increase the maximum floor area for which no permit is required for an outbuilding associated with a dwelling to decrease the number of permits that are triggered for this use.

BBB. Commence a comprehensive assessment of the significant landscapes and vegetation in the municipality, including those at a regional scale (e.g. views to Mount Buffalo and

Mount Bogong) and local scale (e.g. boulevards in Bright) and put in place planning controls to protect such as the Significant Landscape Overlay, Environment Significance Overlay, Vegetation Protection Overlay and Heritage Overlay.

- CCC. Review the existing Significant Landscape Schedules (SLO1, SLO2, SLO3, SLO4 and SLO5) to strengthen the statement of significance and objectives, and populate the schedules with policy to more effectively guide decision making.**
- DDD. Review and update the application of the Heritage Overlay.**
- EEE. Prepare a local Heritage Policy to assist with decision making for applications in the Heritage Overlay.**
- FFF. Apply flood controls to land identified by NECMA and GBCMA as being subject to inundation.**
- GGG. Prepare an anomalies amendment to fix mapping anomalies that have been identified (land in two zones, publicly zoned private owned land, etc.).**

Appendix One

Summary of engagement outcomes

Council and Executive - meetings

Date of meeting: 15 November 2022		
Topic discussed	Main issues raised	Preliminary comments/discussion
Strategic work	<p>Concern that old strategies and plans still need to be progressed</p> <p>Concern that priorities might have changed</p>	<p>FSW identified in the 2004 PS review is still current</p> <p>Update and prioritise FSW schedule – refer prioritised list to community for comment</p>
Small lots in the FZ	<p>Significant issue in small settlements such as Wandiligong and Freeburgh where the lots have limited agricultural value</p> <p>Decision making in Wandil is not consistent</p> <p>Numerous outbuilding applications that unnecessarily require a permit</p> <p>Reduce permit triggers to lessen resourcing requirements</p> <p>Lack of direction in Farm Plans</p>	<p>Identified as a 'Gap'</p> <p>Review and re-instate the Rural Land Use Strategy</p> <p>Review and update relevant PS schedules (reduce the requirement for dwellings without a permit from 40 to 2.5 ha)</p> <p>Add FZ rezoning to the FSW schedule</p> <p>Advocacy work at the State level</p>
Heritage	<p>Guidance regarding Heritage and Neighbourhood Character are absent</p> <p>Decision making in Wandiligong is inconsistent</p> <p>Lack of Heritage Policy</p>	<p>Develop Heritage Policy</p>

Statutory and Strategic Planners – survey, meetings, and workshops

Issue	Planner survey feedback
BMO	<ul style="list-style-type: none"> Dwellings in the BMO were identified as one of the most common types of applications received. Triggers under BMO were identified as one of the most common classes of permit triggers. Applications for single dwellings under the BMO were identified as a class of application that has no or very limited planning consequence. Single dwellings under the BMO (in particular under BMO1 and GRZ lots above 300sqm) were identified as being one of the easiest categories of applications to process. BMO dwellings in FZ were identified as being a class of application taking the longest time to determine. Policy pertaining to bushfire protection was identified as being relied upon frequently in decision-making. Triggers under the BMO were identified as potentially better being drafted as VicSmart provisions.

Issue	Planner survey feedback
FZ	<ul style="list-style-type: none"> • Sheds & outbuildings in the FZ were identified as one of the most common types of applications received, and were also identified as a class of applications that have no or very limited planning consequence. • Triggers under the FZ were identified as one of the most common classes of permit triggers. • Applications that require the provision of a farm plan were identified as one of the classes of applications causing unnecessary delays and also taking the longest time to determine. • FZ dwellings were identified as a class of application taking the longest time to determine and also being one of the most common public enquiries. • A lack of direction for use and development in the FZ, in particular regarding development on lots with limited agricultural value, was identified as a policy gap. • Redrafting of the FZ schedule to reduce setback distances (and therefore triggers) and allow for utilisation of lots with limited agricultural value, were identified as preferred drafting changes. • More / additional policy regarding use and development within the FZ was identified as a change which would make decision-making easier.
SLO's	<ul style="list-style-type: none"> • Triggers under SLO3 were identified as one of the most common groups of permit triggers. • SLO 1, 2, 4, & 5 triggers were identified as being poorly drafted and not serving a useful purpose. • The SLO schedules generally we identified as being poorly drafted, not useful for decision making or redundant. • Applications for buildings and works under the SLO's were identified as a class of application with no or very limited planning consequence. • SLO 1, 2, 4, & 5 triggers were identified as causing unnecessary delays (referral requirement to GMW).
Heritage	<ul style="list-style-type: none"> • An absence of heritage policy and controls was identified as a policy gap in the planning scheme. • The addition of HO local policy was identified as a change that would make decision-making easier. • The HO Schedule was identified as being often relied upon in decision-making. • The HO generally, and HO83 for Wandiligong specifically, were identified as one of the most common permit triggers.

Date of meeting: 3 November 2022

Overview of what was discussed	Main issues raised	Preliminary comments/discussion
Sheds in the FZ	Need to reduce permit triggers for sheds in the FZ Solutions include amending schedules and/or rezoning Amend schedules now and plan for future rezoning amendments	Amend schedules to lower the bar for permit triggers, including increasing allowable shed areas (say up to 200m ²), and/or reducing required lot sizes (say <4ha), etc Identify FZ rezoning on the FSW list
Insufficient FZ guidance	Controls lost in PPF translation	Identify what was lost because of PPF and broader advocacy work in FZ at State level.
Infrastructure Design Manual	The IDM is used for decision making, but is not referenced in the PS	Reference the IDM in the PS Identify as 'low hanging fruit'

Date of meeting: 3 November 2022		
Overview of what was discussed	Main issues raised	Preliminary comments/discussion
Stormwater treatment and quality controls	Can a requirement for more 'shire-wide' advice be included?	Include as a Policy guideline, (probably in the form of a sliding scale of action/requirement)
Development Contribution Plan	Use the PS (cl 53.01) to define (including maps) and quantify the DCP, providing for developer contributions to items such as stormwater management, public spaces, etc	Amend Clause 53.01 and the Schedule to Clause 53.01 to define and quantify the application of contributions (including maps)
BMOs/siting of dwellings	S173 agreements identify protected areas around development sites. But there's a missed opportunity to specify sites in the Bushfire Management Plan.	Recommend adding siting into BMO assessments. Identified as 'Planner's issue'
Building orientation		Add 'Building Health – better orientation, etc' to 'Gaps'
DP triggers	There's an administrative backlog relating to DP	Remove triggers that add no value Add further DP design work to the FSW schedule
Establish a 'Planning Design Panel'	Porepunkah airfield problems regarding hanger design Gateway to Bright development - concerns regarding lack of design/aesthetic diversity Similar design issues at Wandiligong A Design Panel could provide expert advice and guidance, while waiting for a PS amendment to 'catch-up'	Recommend establishing a 'Planning Design Panel' to review proposals in the first instance, before reference to Council Consider s63 Committee (under the LGA), with the purpose of assessing relevant proposals before referring to Council

Internal Referral Officers - meetings, workshops, and written feedback

Date of meeting: Executive - 27 October 2022		
Topic discussed	Main issues raised	Preliminary comments/discussion
Small lots in the FZ	Protection of agricultural land vs development of very small lots Development on lots with limited agricultural value e.g., in Wandi and Freeburgh	Further discussion with Planners Review schedules to the Farming Zones in the short term Review the zoning of Wandi as part of a comprehensive review of controls in the valley in the longer term
Lack of affordable housing	Shortage of appropriate, affordable housing for key permanent and seasonal workers (of all professions)	Identified as a 'big rock' Add Affordable Housing to FSW schedule
Community Plans	Reference Community Plans in the PS e.g.: principles, locations, micro-grids, etc could be extracted in the case of Climate and Energy plans	Add relevant Community Plans to FSW schedule Amend/write new policy to reference Community Plan priorities

Date of meeting: Executive - 27 October 2022		
Topic discussed	Main issues raised	Preliminary comments/discussion
Environmentally Sustainable Development	Discuss with CASBE, but Council hasn't allocated resources to administer (refer to the State for assistance)	Advocate for State support
Infrastructure Design Manual	Reference the IDM in the PS (identify as 'low hanging fruit') Use the IDM for smaller projects, and the VBA Precinct Planning Guidelines for bigger projects. Reference larger infrastructure projects (e.g., significant road upgrades, new bridges, rail trail extensions, etc) in the PS	Add significant infrastructure projects to FSW schedule Amend policy to reference IDM

Internal referral Officers were invited to provide written feedback, but none was received.

External Stakeholder feedback

Referral Agent	Permit trigger	Changes requested	Strategic justification (or administrative change)	Draft of recommended changes to the ordinance (including cl66.04s and 66.06s inclusions)
Clause 66.04 External Referral Authorities (no clause 66.06 Referral Authorities were identified in I3):				
NECMA	37.01s1 – SUZ5 - Mount Beauty Aerodrome 43.04s3 – DPO3 – Bright Gateway	Move PS reference to NECMA from trigger clause(s) to Clause 66.04	Referring to referral or notice authorities within a trigger clause is not in accordance with	Add NECMA as a referral authority for the listed clauses to the Clause 66.04 schedule.
North East Water	19.03-3L – Integrated water management 37.01s1 – SUZ5 - Mount Beauty Aerodrome 43.04s3 – DPO3 –	Move PS reference to North East Water from trigger clause(s) to Clause 66.04	Referring to referral or notice authorities within a trigger clause is not in accordance with the Ministerial Direction on the Form and Content of Planning Schemes	Add North East Water as a referral authority for the listed clauses to the Clause 66.04 schedule.

Referral Agent	Permit trigger	Changes requested	Strategic justification (or administrative change)	Draft of recommended changes to the ordinance (including cl66.04s and 66.06s inclusions)
	Bright Gateway			
Other stakeholders:				
HVP	None specified	Refinements to Private Public interface policy and Timber Production policy. Inclusion of a notice referral at Clause 66.06s.	See appendix 5	Amend Private Public Interface policy. Amend Timber Production policy. Introduce new Clause 66.06s notice referral.
Table 2: Referral Agents that provided feedback, but didn't request a change:				
Referral Agent	Permit trigger	Comments made	Response	
Referral Agents either provided feedback requesting changes (Table 1), or did not respond (Table 3)				
Table 3: Referral Agents that were invited to provide comment, but did not respond:				
Referral Agent	Permit trigger	Comment		
Registered Aboriginal Parties				
Taungurung Clans Aboriginal Corporation		02.03 Strategic Directions 15.03-2S Land developments within culturally sensitive areas.		
Gunaikurnai Land & Water Aboriginal Corp		02.03 Strategic Directions 15.03-2S Land developments within culturally sensitive areas.		

Appendix Two

Marked up ordinance with policy neutral and strategically justified changes to the planning scheme.

(Separate document).

Appendix Three

Comprehensive list of further strategic work

Project Name	Project source:
Prepare a Land Development Strategy to identify land available for residential, commercial, and industrial growth, establish settlement boundaries and identify constrained land.	Clause 74.02
Prepare a Housing and Settlement Strategy to:	Clause 74.02
▪ Identify the housing needs of the community.	Clause 74.02
▪ Identify the planning controls that should apply to land that has been identified in the Land Development Strategy as suitable for residential growth.	Clause 74.02
▪ Identify consolidation and intensification opportunities in townships and the planning controls that should be applied.	Clause 74.02
▪ Review the zoning around the settlements of Wandiligong, Freeburg, and Ovens.	Clause 74.02
▪ Identify strategies to ensure a good balance between permanent accommodation and short term accommodation.	Clause 74.02
▪ Identify the valued neighbourhood character and landscape characteristics of the Shire that can be protected through the application of the residential zone schedules.	Clause 74.02
▪ Identify opportunities for delivering a greater range of affordable housing options for the community.	Clause 74.02
Undertake a Significant Landscape Assessment to:	Clause 74.02
▪ Recognise Alpine landscapes as of State significance.	Clause 74.02
▪ Articulate landscape values.	Clause 74.02
▪ Protect landscapes from encroachment by development.	Clause 74.02
Prepare Stage Two of the Rural Land Use Strategy to:	Clause 74.02
▪ Articulate agricultural values by precinct.	Clause 74.02
▪ Identify where Farming Zone and Rural Conservation Zone schedules should be modified to better reflect the preferred use of the land.	Clause 74.02
▪ Respond to climate change predictions.	Clause 74.02
▪ Identify rural living opportunities.	Clause 74.02
▪ Determine where non-agricultural uses like earth and resource extraction and renewable energy generation should be supported or avoided.	Clause 74.02
Revise the Special Use Zone schedule applied to Dinner Plain to reduce the complexity of the control.	Clause 74.02
Prepare a Structure Plan for the Bright Gateway to guide the future use and development of the land and develop an iconic entry point to the township.	Clause 74.02
Develop an urban design policy to guide development in Bright Town Centre, Myrtleford Town Centre and Mount Beauty and Tawonga South.	Clause 74.02
Investigate risks associated with climate change and put in place planning controls to manage these, specifically relating to:	Clause 74.02
▪ Management of flooding and avulsion risks.	Clause 74.02
▪ Management of land instability, land slip and erosion.	Clause 74.02
Prepare an Indigenous Heritage Strategy and work with First Nations peoples with a connection to the land to develop suitable planning controls to protect places of significance.	Clause 74.02
Prepare a Canopy Trees Strategy to increase the amount of canopy trees across the Shire.	Clause 74.02
Prepare a Signage Policy to guide decision making about signs on private land.	Clause 74.02
Introduce a Timber Production policy to deal with new Timber plantations proposed in National Trust classified landscapes and other significant landscape areas.	Last 12B Review (2010)
Introduce a Catchment Management and Water Quality Protection policy to provide appropriate guidelines referencing the NE Regional Strategy and other relevant documents including the NE Regional River Health Strategy.	Last 12B Review (2010)
Introduce an Environmental Management Guidelines policy to identify areas that have specific environmental / land management requirements, including issues related to erosion risk, mass movement, land slip, etc.	Last 12B Review (2010)

M(4) - 26 April 2023 Ordinary Council Meeting
8.2.2.a Alpine Planning Scheme Review - Council 26 April 2023

Project Name	Project source:
Introduce a Wildfire Risk policy as this is a critical planning issue for the Shire. A Policy, in addition to the Wildfire Management Overlay (WMO), will further assist in raising awareness of this issue particularly to new residents. The policy itself will not provide a permit trigger and it should be seen as complimentary to the WMO. Reference should be made to the self-assessment kit prepared by the CFA for assessing wildfire risk.	Last 12B Review (2010)
Introduce a Heritage policy and review and update once the Alpine Heritage Study is adopted for inclusion in the Scheme. This policy would provide useful application requirements that the structure of the schedule to the Heritage Overlay does not provide. Policy requirements should be complimentary to the proposed new heritage theme in the MSS.	Last 12B Review (2010)
Introduce a Floodplain and Rural Drainage policy to build on the floodplain management SPPF objective as well as the proposed environmental risk theme in the MSS. This policy should also assist in implementing the NECMA Regional Floodplain Management Strategy and Regional Rural Management Strategy.	Last 12B Review (2010)
Introduce a Rural Living policy once the Rural Land use Strategy has been finalised and adopted by Council. This policy will set out clear objectives, application requirements, performance measures and decision guidelines.	Last 12B Review (2010)
That in addition to existing zoning anomalies already identified within Alpine Planning Scheme Amendment C23 that: i) Bogong be rezoned to Special Use Zone and that an appropriate Schedule be drafted to make provision for reference to a Comprehensive Outline Development Plan and an Urban Design Framework Plan to guide future land use decisions. ii) A detailed investigation in respect of surplus AGL land situated to the south of Mount Beauty be undertaken to determine the best mix of alternative zones for the subject land. iii) Land situated between the Myrtleford Mill facility and the Mummery Road residential area be rezoned to either the Farming Zone or the Rural Conservation Zone.	Last 12B Review (2010)
That DPCD undertake a Review of the Alpine Resorts Planning Scheme to address various issues raised within this Review report including: <ul style="list-style-type: none"> • Lack of reference to municipal areas including Alpine Shire • Lack of reference to any relationship to Bogong and Mount Beauty in the Falls Creek section. • Interface issues relevant to municipal areas. 	Last 12B Review (2010)
DPCD liaise with G-MW and relevant CMAs to prepare a regional water catchment policy so as to adequately address issues raised by designation of land as Special Water Supply Catchment areas.	Last 12B Review (2010)
Mapping, study, policy, and scheme implementation of natural resource issues such as flooding, erosion hazard, fire hazard, etc.	Section 5.2 (recommendations from 2004 review)
Implementation of Heritage Study	Section 5.2 (recommendations from 2004 review)
Update flooding mapping to reflect the North East Floodplain and Rural Drainage Study.	Section 5.2 (recommendations from 2004 review)
Amend the Dederang plan at Clause 11.01-1L-9 to show the identified green belt.	Section 5.9 (Planning Scheme Audit Recommendations)
Strengthen Clause 12.03-1L River corridors and waterways to provide more direction to applicants and decision makers about what is to be achieved.	Section 5.9 (Planning Scheme Audit Recommendations)
Strengthen Clause 14.03-1L Resource exploration and extraction to provide more direction to applicants and decision makers about what is to be achieved.	Section 5.9 (Planning Scheme Audit Recommendations)

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Project Name	Project source:
Amend all the 37.01 Special Use Zone schedules to correct the table of uses, and remove the Rescode requirements from the SUZ1 Dinner Plain as they duplicate Clauses 54 and 55.	Section 5.9 (Planning Scheme Audit Recommendations)
Review all the 42.03 Significant Landscape Overlay schedules to clarify the objectives to be achieved and provide more direction to applicants and decision makers.	Section 5.9 (Planning Scheme Audit Recommendations)
Review the 44.05 Land Subject to Inundation Overlay schedule to clarify the objectives to be achieved and provide more direction to applicants and decision makers	Section 5.9 (Planning Scheme Audit Recommendations)
Prepare preferred neighbourhood character statements for townships.	Section 6.3 (VCAT Analysis)
Prepare a local policy that provides guidance about managing land use conflicts such as stone extraction.	Section 6.3 (VCAT Analysis)
Undertake further strategic work to investigate and put in place planning controls that support the use and development of micro-grids (Climate Change Action Plan 2021 – 2024).	Section 8.1 (Council Projects and Documents)
Undertake further strategic work to develop planning scheme policies that support key worker and affordable housing, identify areas for medium density development and preferred lot sizes close to town centres in townships, and Council owned land (e.g. caravan parks) that would be better used for housing in the medium to long term.	Section 8.1 (Council Projects and Documents)
<p>Prepare Structure Plans for Porepunkah, Bright, Mount Beauty – Tawonga South and Myrtleford to:</p> <ul style="list-style-type: none"> – Direct land uses to appropriate locations. – Develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character. – Identify active transport linkages and routes. – Support the intensification of residential development in appropriate locations. – Identify the preferred character for commercial and industrial areas. – Identify infrastructure requirements. <p>Prepare landscaping guidelines for public and private property, including planting, retention, and replacement of canopy trees.</p> <p>Draft planning controls to implement the Structure Plans including schedules to the residential zones.</p>	Section 10.2 (Settlement Planning and Development of Townships)
<p>Prepare the Rural Land Strategy Stage 2 to:</p> <ul style="list-style-type: none"> – Review the appropriate zoning for small lots in the Farming Zone (for example, Freeburgh, Ovens, and Wandiligong). – Clarify the policy directions for each precinct in the Shire focused on supporting agricultural uses and minimising land use conflicts through separation of activities. – Mitigate the impacts of climate change on rural land. 	Section 10.3 (Rural Land Use Strategy)
Undertake a comprehensive review of the suite of controls applying to Wandiligong to ensure they provide clearer guidance about what is to be achieved and more detailed direction to applicants and decision makers. This includes a review of zones, HO83 and SLO4	Section 10.4 (Planning review for Wandiligong)
Apply flood controls to land identified by NECMA and GBCMA as being subject to inundation	Section 10.5 (Flood Mapping)
<p>Update the citations for the existing places in the Heritage Overlay and incorporate them in the planning scheme (in local policy or an incorporated document).</p> <p>Undertake a gap analysis of heritage places in Alpine Shire to ensure that appropriate protection is provided in the planning scheme for all places that meet the threshold of local heritage significance.</p>	Section 10.6 (Heritage)

Project Name	Project source:
Prepare a local Heritage Policy to assist with decision making for applications in the Heritage Overlay.	
<p>Commence a comprehensive assessment of the significant landscapes and vegetation in the municipality, including those at a regional scale (e.g. views to Mount Buffalo and Mount Bogong) and local scale (e.g. boulevards in Bright) and put in place planning controls to protect such as the Significant Landscape Overlay, Environment Significance Overlay, Vegetation Protection Overlay and Heritage Overlay.</p> <p>Review SLO1, SLO2, SLO3, SLO4 and SLO5 to strengthen the statement of significance and objectives, and populate the schedules with policy to more effectively guide decision making.</p>	Section 10.7 (Significant Landscapes)
Review the Special Use Zones for Dinner Plain (SUZ1 and SUZ2) to ensure they are fit for purpose in managing use and the design of development.	Section 10.11 (Dinner Plain Design Guidelines and Planning Controls)
Amend the schedules to the Farming Zone to increase the maximum floor area for which no permit is required for an outbuilding associated with a dwelling to decrease the number of permits that are triggered for this use.	Section 10.12 (Sheds and Outbuildings in the Farming Zone)

Appendix Four

State and regional planning scheme amendments and planning practice notes issued since last planning scheme review

VC (Victorian) and GC (group of council) amendments.

Since the last planning scheme review in 2010, several VC and GC amendments have introduced new policy into the Alpine Planning Scheme and are directly relevant to this review:

- VC083: Introduced a raft of changes to bushfire policy and provisions to implement the recommendations of the 2009 Victorian Bushfires Royal Commission.
- VC103: Introduced the reformed rural zones.
- VC105: Implemented reforms to Victoria's native vegetation and biodiversity provisions.
- VC134: Introduced the Municipal Planning Strategy (MPS).
- VC138: Updates to the Native Vegetation Framework
- VC140: Provisions for the Planning Policy Framework transition
- VC142: Update to the Ministerial Direction on Form and Content and clean-up of permit triggers.
- VC144: Introduced VicSmart provisions.
- VC147: Enabled the online publishing of planning schemes through the DTP Amendment Tracking System (ATS).
- VC148: Planning Policy Framework introduction
- VC150: Implemented actions outlined in the Victorian Government's Planning for Sustainable Animal Industries Report.
- VC154: Implemented of the integrated water management reforms.
- VC169: Updated State policy to direct balanced outcomes for housing growth and built form, while also clarifying and consolidating housing policy.
- VC175: Buffer Area Overlay introduction
- VC200, VC 204 and VC205: Transport planning reforms
- VC203: Introduced the new environment protection framework into the Victoria Planning Provisions
- VC216: Changed the Planning Policy Framework (PPF) to support Environmentally Sustainable Development (ESD).

11.1.1. New Planning Practice Notes

Since the last planning scheme review in 2010, Several Planning Practice Notes (PPNs) have been introduced which may impact on the future development of the Alpine Planning Scheme.

- PPN03 - Applying the Special Use Zone
- PPN23 - Applying the Incorporate Plan and Development Plan Overlays
- PPN24 - Shipping Container Storage
- PPN30 - Potentially Contaminated Land
- PPN58 - Structure Planning for Activity Centres
- PPN59 - The Role of Mandatory Provisions in Planning Schemes
- PPN60 - Height and Setback Controls for Activity Centres
- PPN61 - Licensed Premises – Assessing Cumulative Impact
- PPN63 - Applying for a Planning Permit to Farm Chickens
- PPN74 - Making Planning Documents Available to the Public
- PPN81 - Live Music and Entertainment Noise

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- PPN84 - Applying the Minimum Garden Area Requirement
- PPN85 - Applying the Commercial 3 Zone
- PPN86 - Applying for a Planning Permit for a Pig Farm
- PPN87 - Preparing a Planning Permit Application for Animal Production
- PPN88 - Planning for Domestic Rooftop Solar Energy Systems
- PPN89 - Extractive Industry and Resources
- PPN90 - Planning for Housing
- PPN91 - Using the Residential Zones
- PPN92 - Managing Buffers and Land Use Compatibility
- PPN94 - Land Use and Transport Integration
- PPN95 - Local Heritage Provisions

Appendix Five

Responses from referral authorities and other stakeholders

North East Water

NEW response: 8 December 2022

A review of the proposed amendment has been undertaken and it is believed that this change will strengthen the local policy provisions for referral to North East Water.

North East Water does not object to the proposed amendment to the local policy as identified in emailed correspondence dated 1 December 2022.

North East Catchment Management Authority

NECMA response: 6 December 2022

As discussed with Cazz on Friday, we would have no objection to clarification of the referral arrangements under 37.01s1 – SUZ5 and 43.04s3 – DPO3.

Inclusion of the North East CMA as a Recommending Referral Authority (Consistent with our role under FO and LSIO) in 66.04 would seem to align with the way SUZ5 and DPO3 were intended to apply.

HVP Plantations

(PENDING)

APPENDIX TWO: RECOMMENDED CHANGES TO PLANNING SCHEME ORDINANCE

How to read this document

This document shows all the changes recommended to the planning scheme as a result of the Planning Scheme Review.

Additions and deletions are shown as ‘track changes’.

Changes generally have a source code to explain where the policy has come from or where it has gone. [\[Source codes look like this\]](#).

Where the policy is new, the source code includes NEW in front of it, like this. [\[NEW: Gumnut Council Plan, page 6\]](#)

If a change requires an explanation, it has a reason code against it. [\[Reason codes look like this\]](#)

The list of documents that have been referred to in the ordinance, and the abbreviations used, is in the table below.

Document name	Source code
<i>Community Vision 2040 and Council Plan 2021-25 including Municipal Public Health & Wellbeing Plan</i> (Alpine Shire Council, 2021)	CVCP
<i>Myrtleford Resilience Plan</i> (Projectura, 2019)	MRP
<i>Economic Development Strategy</i> (Urban Enterprise and Alpine Shire Council, 2021)	ESD
<i>Alpine Shire Events Strategy</i> (Urban Enterprise, 2021)	ASES
<i>Municipal Emergency Management Plan 2021-2024</i> (Alpine Shire Council, 2021)	MEMP
<i>Alpine Shire Rural Land Use Strategy</i> (Alpine Shire Council, 2015)	ASRLUS
<i>Climate Action Plan 2021-2024</i> (Alpine Shire Council, 2021)	CAP
<i>Alpine Shire Council Access and Inclusion Plan 2021-2024</i> (Alpine Shire Council, 2021)	ASCAIP
<i>Sport and Active Recreation Plan 2022-2033</i> (Alpine Shire Council, 2022)	SARP
<i>Affordable Housing Research and Analysis Paper</i> (Alpine Shire Council, 2022)	AHRAP
<i>Hume Bushfire Management Strategy 2020</i> (State Government of Victoria, 2020)	HBMS
<i>Hume Regional Growth Plan</i> (State Government of Victoria, 2014)	HRGP
<i>North East Waterway Strategy 2014</i> (North East Catchment Management Authority, 2014)	NEWS
<i>Goulburn Broken Regional Catchment Management Strategy 2021-2027</i> (Goulburn Broken Catchment Management Authority, 2021)	GBRCMA
<i>Taungurung Country Plan</i> (Taungurung Land and Waters AC, 2016)	TCP
<i>Gunaikurnai Country Plan</i> (Gunaikurnai Land and Waters AC, 2015)	GCP
<i>Alpine Planning Scheme Review 2023</i>	PSR
<i>Ministerial Direction on the Form and Content of Planning Schemes</i>	MD
<i>Practitioner’s Guide to Victorian Planning Schemes</i>	PG

02 MUNICIPAL PLANNING STRATEGY

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02.01 CONTEXT

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Alpine Shire Council is located approximately 300 kilometres north east of Melbourne and 70 kilometres south of Wodonga. The Shire is ~~and~~ approximately 4,787 square kilometres in area, 92% of which is public land including parts of the Alpine National Park and all of Mount Buffalo National Park. [to include important factual / contextual data]

Several First Nations peoples have a connection to the country the Alpine Shire is located on, including the Dhudhuroa, Gunai-Kurnai, Taungurung, Waywuru and Jaitmathang. [NEW: CVCP, p9., Aboriginal and Torres Strait Islander Australia map of indigenous Australia][Factual data].

The Shire falls into two distinct subregions:

- To the west lies the Ovens River basin which includes the large townships of Bright and Myrtleford. This subregion has a close relationship with the regional city of Wangaratta for employment opportunities, economic activity and higher order services.
- To the east lies the Kiewa River basin that includes the large township of Mount Beauty-Tawonga South. This subregion has a close relationship with the regional twin cities of Albury and Wodonga for economic activity, higher education, health services, cultural activities and recreational opportunity.

Although not part of Alpine Shire, Falls Creek and Mount Hotham Alpine Resorts are located wholly within the Shire boundary and have a strong economic and environmental relationship with Alpine Shire.

Most freehold land is located along the river valleys. There is in excess of 600 kilometres of common boundaries between privately owned land and public land requiring careful management of interfaces.

The Shire had an estimated resident population of 13,235 people in 2021 [NEW: ABS Census, 2021], with limited population growth (275 persons) forecast to 2036. [NEW: VIF 2019] [to include most up to date demographic data] While growth in permanent population is forecast to remain low, the Shire is anticipated to continue to experiences significant seasonal visitation, and attracted around 850,000 visitors in 2019. [NEW: ASES, p19] [to include most up to date demographic data]

There is continued demand for new housing in townships, much of which is purchased for holiday houses and short term rental accommodation placing pressure on the permanent housing market. There is a shortage of key worker housing that is affecting the viability of businesses. There is a critical shortage of affordable housing in the municipality, and only 1.4 percent of housing stock is social housing. [NEW: AHRAP, Chapter 4]

Most residents live in the large townships of Bright, Mount Beauty-Tawonga South and Myrtleford, and the small township of Porepunkah.

Alpine Shire's largest industry is its vibrant tourism industry based on snow sports, cycling, wine and fine food and nature based recreation such as rock climbing, fishing, mountain biking, bush walking, 4-wheel-driving, rafting, sight-seeing, and paragliding. Agriculture (beef, dairy and horticulture) and forestry (hardwood and softwood plantations) are also important contributors to the local economy. There is a mining legacy in the Shire, and land is still used for resource extraction.

Alpine Shire supports 4,755 jobs and has an annual economic output of \$1.5B. The Manufacturing industry sector makes the greatest contribution to economic output in the region, whilst the Accommodation & Food Services industry sector is the largest employer. [NEW: REMPLAN, 2022] [to include most up to date economic data]

Major regional transport connections include the Great Alpine Road and the Kiewa Valley Highway - Bogong High Plains Road. There are three airfields situated at Porepunkah, Mt Beauty and Mount Hotham (located at Horse Hair Plain). There is a rail service to Sydney and Melbourne from Albury-Wodonga which connects by bus to Mount Beauty – Tawonga South, and Wangaratta which connects by bus to Bright and Myrtleford. Albury Airport provides services to Sydney and Melbourne.

02.02

VISION

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Our people, places and environment enrich our area's resilience, prosperity and sustainability.

- **For those who live and visit:** To be connected, supported and welcomed throughout all stages of life.
- **For a thriving economy:** Ideas and industry thrive through a climate sensitive and diverse economy.
- **For bold protection of our future:** Our natural environment is protected and preserved.
- **For the enjoyment and opportunities of our lifestyle:** The connection between people and place is strengthened.
- **For strong and informed leadership:** Collaborative, bold and evidence-based decision making.

02.03 **STRATEGIC DIRECTIONS**

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02.03-1 **SETTLEMENT**

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Townships, settlement and growth

Approximately 70 per cent of the Shire's population is located in Ovens Valley area (Bright, Myrtleford, Dinner Plain, Harrierville, Porepunkah and Wandiligong) and approximately 30 per cent of the Shire's population is located in Kiewa Valley area (Mount Beauty/Tawonga South, Bogong, Dederang and Tawonga).

Opportunities for development within the shire are limited by the environmental capacity of the surrounding land and influenced by proximity to road infrastructure and community, health and recreational opportunities.

Large townships

Bright is located at the upper end of the Ovens Valley. The valley in this location is narrow and the surrounding hills, with their pine plantations, enclose the town including Apex Hill to the north and Mystic Hill to the south.

Bright has the second largest population in the Shire. The main industry is tourism and over 30 per cent of the town's employees work in this industry.

Bright services the surrounding small townships, settlements and rural localities in the Upper Ovens Valley including Harrierville, Smoko, Freeburgh, Germantown, Porepunkah and Wandiligong. Residents and visitors to Dinner Plain and Mount Hotham Alpine Resort also rely on Bright for services.

Myrtleford is the largest town within the Shire accommodating around 21 per cent of the Shire's population. Myrtleford is well serviced and supports the Upper Ovens Valley communities with access to goods and services. The town also plays an important service role to surrounding agricultural based land uses and enterprises.

Mount Beauty – Tawonga South are located 90 kilometres to the south of Albury / Wodonga. Although distinct townships, Mount Beauty and Tawonga South are physically and economically linked and considered as a large township for planning purposes. They support the agriculture, tourism and power generation industries of the Upper Kiewa Valley, the surrounding rural communities and the small township of Tawonga and Falls Creek Alpine Resort.

Small townships

Porepunkah is a small residential town situated 5 kilometres northwest of Bright. The town is more residential in nature, compared to the more tourist focused Bright. Porepunkah has a small activity centre that includes a general store and a hotel, adjacent to a recreation reserve, community hall and primary school. Minor service type industrial uses are also located in the town along Station Street.

Porepunkah has significant potential for residential expansion.

Harrierville is a small sub-alpine village situated around 20 kilometres south east of Bright and stretching along the valley floor of the upper Ovens River Valley. Harrierville is the last settlement before accessing Mt Hotham and Dinner Plain and is valued by residents and visitors for its proximity to outdoor activities and environmental assets. The village relies on Bright for provision of goods and services. Services include two hotels, bus depot and ski hire facilities and a number of tourist accommodation facilities. There is also a primary school as well as a private outdoor educational centre.

Tawonga is situated 7 kilometres to the north of Mount Beauty and is the oldest settlement in the upper end of the Kiewa valley, dating back to the 1850's. The town is located on the Alpine approach to Falls Creek and functions as an outlying residential area to Mount Beauty / Tawonga South. The town character is dominated by its semi-rural setting. There is no reticulated sewer and other urban services are limited.

Dederang is located on the Kiewa Valley Highway, some 36 kilometres north of Mount Beauty and 50 kilometres to the south of Wodonga serving rural communities of the northern part of the Shire. It is spread over 2-3 kilometres along the Kiewa Valley Highway without a defined town centre. Services include a primary school, police station, Country Fire Authority brigade, hotel, general store, churches and recreational facilities. Overall the town retains a strong rural character with farming properties extending to, and continuing within the town boundaries.

Wandiligong is located approximately 4 kilometres to the south east of Bright. Wandiligong has developed its own distinctive character based on its irregular lot layouts and sizes capitalising on its location to the Morses and Growlers creeks and building on its heritage. Areas of open space along the creeks have been developed to provide community facilities including an historic oval, picnic areas and walking trails. There is no reticulated sewer. Other urban services are limited.

Alpine settlements

Dinner Plain is a freehold alpine village resort located approximately 10 kilometres south east of the Mount Hotham Alpine Resort. The village is 231 hectares in area and is completely surrounded by the Alpine National Park. The village comprises approximately 4,000 beds within a mixture of commercial lodges, apartments and individual houses.

Bogong is situated in the foothills of the Australian Alps midway between Mt Beauty and Falls Creek. Bogong is a leasehold settlement surrounded by the Alpine National Park.

Settlements and rural localities

There are two other small settlements (Ovens and Freeburgh) in the municipality, and numerous rural localities that are small groupings of dwellings in rural areas.

Rural precincts

Most of the freehold land in the Shire is used for agricultural uses and this is a major factor that shapes settlement patterns. Seven rural precincts have been defined and are expanded on in Clause 2.03-4.

Settlement strategic directions are:

- Protect ~~agricultural~~ **food, fibre and forestry** land resources. [\[more contemporary language and better description\]](#)
- Focus urban land use and development in the townships of Bright, Mount Beauty-Tawonga South and Myrtleford, and Porepunkah.
- Avoid urban land uses outside of settlement boundaries around townships and settlements.
- Avoid ribbon development along main roads linking townships and settlements.
- ~~Encourage diversity and choice in housing options.~~ [\[moved to 2.03-6\]](#)
- Encourage infill housing developments that are sympathetic to preferred neighbourhood character to protect the distinct character and identity of townships and settlements.
- Avoid development within areas subject to infrastructure limitations due to environmental constraints such as bushfires, flooding and topography.
- Limit development in sparsely populated communities and remote areas with limited accessibility and services.

02.03-2 ENVIRONMENTAL AND LANDSCAPE VALUES

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Protection of biodiversity and native vegetation management

Extensive areas of native vegetation cover much of the Alpine Shire.

A major proportion of the Shire is public land containing significant environmental assets including a wide variety of flora and fauna and many rare, vulnerable and endangered species.

In excess of 20,000 hectares of native forest is located on private land.

The Shire also contains a number of remote rural sub-alpine areas that are effectively “islands” of private land surrounded by extensive public land holdings. The remote rural locations have significant areas of native vegetation and are regarded as having high conservation values being integral components of the sub-alpine environment.

These natural resources and environmental qualities contribute to its main industries (tourism, timber and agriculture) and to the sustainable and economic well-being of the Shire

Protection of biodiversity and native vegetation management strategic directions:

- Conserve environmentally significant areas and biodiversity and protect endangered species.
- Protect flora and fauna from inappropriate land use, development and land management.
- Maintain the quality and appearance of the natural environment to support the prosperity and well-being of the community.
- Minimise the impacts of the reduction and modification of vegetation across freehold land including vegetation clearing along fence lines.
- Encourage creation and retention of wildlife corridors across private land.
- Minimise dwellings and subdivisions in environmentally sensitive, high conservation value, isolated and remote rural areas.

River corridors and waterways

The headwaters of a number of Victoria’s major rivers are located in the Alpine Shire including:

- The Buckland, Buffalo, Kiewa and Ovens Rivers (North East Catchment Management area); and
- The Dargo, Humffrey, Wongungarra and Wonnangatta Rivers (East Gippsland Catchment Management area).

The Kiewa and Ovens Basins contribute over 2 million megalitres of surface water a year to the Murray Darling Basin.

Townships, settlements and farming communities are heavily dependent upon the health of the rivers and streams within these catchments for town water supplies and rural irrigation. The continued health of these catchments is not only important to the long term sustainability of the Shire and the economic wellbeing of the Shire’s industry, agriculture, and settlements, but also other downstream communities.

The natural condition of the catchments in the alpine areas helps deliver water to river systems that supply urban and rural land uses. Climate change is impacting the natural condition of the catchments in alpine areas and this is affecting the water quality, its flow regime and the overall water yield of the catchments. This has major economic implications for the Murray-Darling Basin.

There are six Special Water Supply Catchment Areas shown on the Strategic Framework Plan at 2.04 that cover most of the Shire. These are important sources of water for urban water supplies, and domestic and stock use.

River corridors and waterways strategic directions:

- Protect the quality of the water in catchments in the Shire, recognise they are significant catchment area within the Murray Darling Basin.
- Manage farming and timber production uses to maintain the health of catchments.
- Improve the quality of the environment along riparian corridors.

Sustainable development in Alpine areas

Substantial private and public landholdings across the Alpine Shire are located above 1100 metres Australian Height Datum where snowfall may persist as ground cover for long periods over the winter months.

The alpine areas have a high recreational use all year round including skiing and snow sports, bush walking, mountain biking, camping, fishing, horse riding and sight-seeing.

The Alpine National Park and Mt Buffalo National Park are two of the 11 national parks and reserves that comprise the Australian Alps National Parks network protecting an area of great national and

international importance. These alpine areas are natural assets of local, regional and State significance. They also exhibit significant social, historic and cultural values.

Falls Creek and Hotham Alpine Resorts are not part of Alpine Shire. There are interface issues that need to be managed given the location of these resorts within the shire boundaries.

Significant freehold areas include Dinner Plain, Howman's Gap, Cobungra and Treasure Plain.

The environment is particularly sensitive and fragile and there is ongoing development pressure on the environment, infrastructure and services of alpine areas.

Changes in snow regimes predicted under future climate change scenarios are likely to have a significant impact on the animals and plants whose ecology is intrinsically linked to snow conditions. Likely impacts on the tourism industry will also require adaptive responses

Sustainable development in Alpine areas strategic directions:

- Protect sensitive alpine environments from degradation as a result of development pressures including tourism, infrastructure and movement of people and goods.
- Plan for the impacts ~~that of~~ climate change ~~predictions may cause~~ [Clearer use of English] by supporting adaptive responses, and minimising activities that contribute to climate change impacts.

Public and private land interfaces

As a consequence of most private land in the Alpine Shire being located along the elongated valley areas of major rivers, there is an extensive common boundary between the private and public land holdings including National Parks, State Parks and plantations on licenced crown land.

Public and private land interfaces strategic directions:

- Avoid private land uses, pest plants and animals spilling or merging into adjacent public land.
- Maintain separation between sensitive land uses, including accommodation, and timber plantations. [NEW: HVP submission]
- Avoid access to public land via private property on tracks located off surveyed road alignments.
- Encourage the public purchase of private land adjoining the Alpine National Park - Bogong Unit or the Mount Buffalo National Park.

Landscapes

There is a significant variety of landscapes across the Shire from the fertile valleys and terraces along the Kiewa, Ovens and Buffalo Rivers to the spectacular mountain ranges and alpine areas of the Great Dividing Range.

The quality and appearance of the natural environment has a major impact on the prosperity and well-being of the community. Many people choose to live, invest or visit the Alpine Shire because of the spectacular rural and mountain scenery, as well as proximity to clean rivers, forests and open space.

The Australian Alps (including the Alpine National Park and Mount Buffalo National Park) is one of ten recognised National Landscapes and across the Shire there are also a number of landscapes that have been recorded or classified by the National Trust for their special appeal and characteristics.

Key landscapes across the Shire can be regarded as being of the highest level of public concern for visual management. Such areas are highly sensitive to visual intrusion by poorly sited development that interrupts the landscape (such as development on ridgelines) or sight lines from key viewing points (such as along major roads) .

Landscapes strategic directions:

- Protect the significance, attractiveness and environmental qualities of the Shire's natural landscapes from inappropriately [Clearer use of English] located use and development that detracts from these qualities.
- Avoid poorly sited and designed buildings and changes in land management practices that reduce the quality of views from the Shires' various scenic lookout and vantage points.
- Avoid promotional signage along the main tourist and traffic routes within the Shire.

02.03-3 ENVIRONMENTAL RISKS AND AMENITY

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Alpine Shire is regularly affected by significant natural events, particularly bushfire, and significant storm events that cause flooding and landslip in steeper areas.

Large areas of the municipality are affected by the Bushfire Management Overlay.

Bushfire risks in both urban and rural areas are largely due to dense vegetation cover, difficulty of access for emergency vehicles, and exposure of development at the rural-urban interface.

Conflicting objectives between vegetation retention and clearing to reduce the risk from bushfire require considered management.

Flooding within parts of the Alpine Shire is a severe constraint on development particularly in the Ovens River and tributaries.

Large areas of the Shire is potentially contaminated land including areas with a legacy of past land uses.

Environmental risks and amenity strategic directions:

- ~~* Plan for the impacts of climate change on bushfire risk, flooding, erosion and landslip risk.~~
- Ensure ~~that~~ decision making ~~that includes consideration of bushfire, flooding, erosion or landslip risk~~ takes into account ~~any changes to the risk of harm associated with the impacts of climate change on storm events~~. [Merged, use of clearer English]
- Ensure disturbed and contaminated land, such as old dredge sites, is remediated before development.

02.03-4 NATURAL RESOURCE MANAGEMENT

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Agriculture

The Alpine Shire has the natural attributes, soil types, climate, and water availability that make it capable of producing a wide range of agricultural products. Areas of high agricultural capability are evident in the Kiewa Valley, the Happy Valley, Mudgegonga and Rosewhite areas as well as around Myrtleford and the Buckland Valley.

Agriculture is a key industry in the Shire, its protection and enhancement is linked to the environmental and economic well-being of the Shire.

Over seventy square kilometres of land in the Shire is used for agriculture. The agricultural sector is very diverse with small family run farms and larger corporate farms run with new production methods to increase productivity.

Livestock particularly beef cattle, milk, fruit and nut production, cut flowers, hay production, hops and grapes are the major contributors to value of agricultural production.

The agricultural sector within the Shire is experiencing structural change with a shift towards more intensive agricultural industries and boutique, lifestyle or part time farming. This is changing the rural landscape of parts of the Shire.

The closure of the tobacco industry in 2006 left a significant legacy in infrastructure for intensive horticultural production. There are opportunities to value add and develop agricultural based industries that develop the sector and provide employment opportunities. Agricultural growth opportunities include green tea, capsicum, grapes, berries, vegetable seeds, hops, tree crops and essential oils.

A key constraint to the scale of the agricultural industry is the area available for agriculture, constrained to the narrow valleys between steep mountain ranges. Inappropriate development and subdivision can remove land from productive rural use, create conflict with rural activities, fragment land holdings and creates pressure for dwellings.

Remote rural areas of the Shire are generally located in areas of high conservation significance and include land holdings aligned within significant landscapes and touring routes, some of national significance. These areas are under increasing development pressure.

As a legacy of the original Crown grants, gold mining and tobacco there are a significant number of small rural lots particularly along the river flats of the Ovens, Buffalo and Buckland Rivers.

Rural lifestyle aspirations have the potential to restrict and conflict with agricultural production and create demand for the dispersed provision of infrastructure to service lifestyle developments.

Seven agricultural precincts have been identified in Alpine Shire. They each have different characteristics and a defined agricultural role. In addition there are also parcels of freehold agricultural land scattered amongst the High Plains and other remote areas surrounded by National and State parks.

- Precinct 1 - Bright to Harrietville: The land between Bright and Harrietville does not have a high level of commercial agricultural production. There is opportunity to develop agri-tourism.
- Precinct 2 - Bright to Myrtleford: This precinct includes regionally significant agricultural land that is capable of growing a wide variety of agricultural commodities suited to cool climate growing conditions.
- Precinct 3 - Wandiligong Valley: This precinct is locally significant for agricultural production, and is capable of attracting higher value products, including horticulture and downstream processing.
- Precinct 4 – Buffalo River to Gapstead: This precinct includes regionally significant agricultural land that is capable of growing a wide variety of higher value agricultural commodities suited to cool climate growing conditions, for example horticulture and dairying.
- Precinct 5 - Buckland Valley: The precinct is locally significant for agricultural production, with land being capable of attracting higher value products, including horticulture and dairying.
- Precinct 6 - Happy Valley to Mudgegonga: This precinct is locally significant for agricultural production, primarily supporting the dairy and beef industry. The precinct includes high versatility agricultural land on the valley floor in Happy Valley - Rosewhite areas capable of attracting higher value products, including horticulture and dairying.
- Precinct 7 - Kiewa Valley: This valley has regionally significant agricultural land that is capable of growing a wide variety of agricultural commodities suited to cool climate growing conditions and higher value products, including horticulture and dairying. The precinct includes the most productive grazing land in the municipality, with grazing being the predominant land use.

Agriculture strategic directions:

- _____ Maintain a viable and sustainable agricultural industry, **and increase the value of agricultural production**, to support the municipal economy and wellbeing. [NEW: ESD, p vi] [to implement adopted Council policy]
- Protect the importance of primary production for the sustainable economic future of the Alpine Shire.
- Reinforce the importance of the valley floors in supporting ongoing agricultural land use outcomes.
- Support the adaptation and modification of farming practices in response to climate change.
- Maintain the amount of land available for commercial farming by avoiding subdivision of productive agricultural land and the development of dwellings for rural residential purposes.

Forestry and timber production

The timber industry is a major industry that offers the Shire substantial opportunities for new investment and job creation, particularly for the Myrtleford community.

Alpine Shire's softwood timber plantation estate is around 14,800 hectares which is around twenty three per cent of the total area of softwood plantation across north east Victoria. This has not changed over the last decade. Most softwood holdings exceed 40 hectares, providing the necessary scale for commercial viability. The majority of softwood plantations are situated on Crown land held under licence.

There is also approximately 83 hectares of hardwood plantation.

There are some smaller-scale farm forestry plantations that provide both on-farm (timber and shelter) and landscape (environmental) benefits.

Of the 409,700 hectares of native forest across the Shire approximately 220,070 hectares is located within State forest and around 23,200 hectares is located on private land. Approximately 20 per cent of

the State forest hardwood resource is potentially available for timber harvesting for saw logs and residual logs.

Forestry and timber production strategic directions:

- [Support new timber plantations in appropriate locations, away from township settlement boundaries.](#) [NEW: HVP submission]
- Support sustainable timber production and the development of timber industries to process product where they are undertaken so as to minimise any adverse impacts.
- Minimise negative effects on natural environment and areas of significant landscape and heritage significance.
- Manage interface issues with freehold land and the extensive plantation holdings across the Shire.

02.03-5 BUILT ENVIRONMENT AND HERITAGE

C62alpi 26/05/2022

Residential land within the Alpine Shire is characterised by a variety of lot sizes and shapes including irregular battle axe type allotments.

Bright is characterised by deciduous European alpine and avenue plantings including significant avenues in Delany Avenue, Cobden Street and Wood Street which create strong linear spaces within the public realm in the town centre.

The pedestrian scale of Bright is a legacy of the township's settlement in the mid 1800's. Today, a network of dedicated and shared paths provide safe access for pedestrians and cyclists across much of Bright.

The architectural style of buildings in the town centre of Myrtleford is diversified and there are few historical buildings. While there is no unifying or predominant architectural or design style, building alignments are consistent with continuous buildings along street frontages and from side boundary to side boundary. Verandahs feature on buildings along Clyde and Standish Streets.

Mount Beauty and Tawonga South are distinct townships nestled in the foothills of the Alpine National Park. They each have an individual history and character but are physically and economically linked. Mount Beauty was originally established as a State Electricity Commission town and retains much of this development history and building fabric in the older section of the town.

The townships areas are surrounded by a highly scenic and National Trust classified landscape that includes the distant and immediate backdrop of the Alpine National Park and Mount Bogong and views across the agricultural fields of the Kiewa Valley.

Integral with the urban fabric are the scenic assets of the Kiewa River and the hydro power generation regulating pond at Mt Beauty.

Harrietville's historic character results from its mining heritage and low levels of commercial development. The broader landscape setting includes extensive areas of public open space within the township area of the Alpine National Park surrounding the township.

Wandiligong has a distinctive historic character, based on its irregular lot layouts and sizes located around the Morses and Growlers creeks and building and reflecting its development during the gold rush. It has a semi-rural valley setting that presents an interesting mosaic of patterns, forms and colours, extensive areas of open space, and no defined commercial core. Commercial and tourist services are dispersed through the settlement.

Derderang retains a strong rural character with farming properties extending to, and continuing within the town boundaries.

The character of Dinner Plain has been achieved through careful planning and consistently applied building controls and design standards to create buildings that are both imaginative and sympathetic to the natural environment of the area.

There are significant heritage items within the Shire including the historic area of Wandiligong, the National Trust classified landscapes and a variety of buildings, sites and objects linked to the mining and agricultural development in the Shire.

There are significant areas of Aboriginal cultural heritage sensitivity situated throughout the Shire. They are poorly protected by the planning scheme.

Built environment and heritage strategic directions are:

- Ensure new development responds to built and natural landscapes, and incorporates [Necessary for readability / clarity of intent] high quality architectural standards to protect and improve the aesthetics and liveability of the Shire.
- Avoid development that undermines the existing character of townships and settlements.
- Promote environmentally sustainable development.

02.03-6 HOUSING

C62alpi 26/05/2022

~~Location of residential development~~ Housing supply and affordability

The supply of housing is not meeting the demand for housing as the population of Alpine Shire is growing and land for development is heavily constrained by the environmental risks of flood, bushfire and erosion. [NEW: AHRAP, p20, 21] the special water catchment, and national and state park boundaries. [NEW: AHRAP, p22]

A significant proportion of dwellings are not permanently occupied and are used for short term accommodation and holiday homes. More than 76 percent of Alpine residents meet the Victorian government's threshold as potentially needing affordable housing and there is a shortage of affordable housing due to faster than expected population growth, the significant proportion of dwellings that are not permanently occupied and are used for short term accommodation and holiday homes, and the cost of development due to distance to market, skills shortages and infrastructure constraints. [NEW: AHRAP, p17..24]

Only 1.3 percent of housing stock is social housing (managed by the Victorian government and Community Housing Providers). [NEW: AHRAP, p23]

Housing for key workers is extremely limited with many businesses having to close or limit operations due to staff shortage. [NEW: AHRAP, p25]

Housing supply and affordability strategic directions:

- Facilitate the development of affordable housing to create a more balanced range of housing choices across the municipality. [NEW: AHRAP, p16..24]
- Facilitate adequate levels of key worker housing to support the local economy. [NEW: AHRAP, p25]
- Encourage diversity and choice in housing options. [Moved from 2.03-1]

Rural residential development

There is an increasing demand for rural residential living in this Shire and this is an important contributor to housing choice available to existing and prospective residents.

Land that is zoned Low Density Residential and Rural Living identifies existing developed areas able to support rural residential living and, where appropriate a mix of small scale commercial farming operations.

Adequate provision of services and infrastructure is a significant constraint that guides whether subdivision and development for rural residential living is appropriate.

Rural residential development strategic directions:

- Support rural residential development that takes advantage of existing and future infrastructure, and does not undermine the viability of food and fibre operations. [articulates direction from the context]

02.03-7 ECONOMIC DEVELOPMENT

C62alpi 26/05/2022

Business

Most commercial operators are retail and service business in the large townships that service the local community and visitors. The regional centres of Albury-Wodonga and Wangaratta provide Alpine Shire residents with higher order commercial services.

There are limited employment opportunities for people moving to the municipality for lifestyle reasons.

The impacts of natural disasters such as bushfire, landslip and flooding are significant on the local economy.

The economy of the Shire is heavily reliant upon climate-dependent industries including- forestry, agriculture and snow-based tourism. The geography of the Shire ensures that it will have a greater security of water for business and industry than many other locations in Victoria both now and into the future.

Business strategic directions:

- Maintain active and attractive retail centres in townships.
- Encourage economic diversity and emerging shifts in economic activity.
- Promote economic opportunities resulting from a changing climate.

Industry

Agriculture in the Alpine Valleys region supports a rich and diverse agrifood sector including growers, processors, marketers and associated service providers.

The existing industrial precincts within the Shire are close to full capacity.

Some industrial precincts are located in close proximity to residential areas including land in Nelse Street, Mount Beauty and land within the Industrial 3 Zone on the northern edge of Myrtleford.

Significant warehouse and processing plant opportunities are available along the Myrtleford-Yackandandah Road in Myrtleford.

Hydro-electricity generation at Mt Beauty is a significant industry.

Industry strategic directions:

- Support value adding industries to complement existing industries including agriculture.
- Support food and beverage manufacturing. [NEW: ESD, p vi] [to implement adopted Council policy]
- Encourage light industrial and air-park development at the Mount Beauty Airfield and surrounds.
- Facilitate new industrial uses and increased industrial diversification. [NEW: ESD, pvi] [to implement adopted Council policy]
- ~~by ensuring existing industrial precincts are not~~ Retained existing industrial precincts for industrial uses ~~and not taken up by other uses.~~ [split from above strategy as they are two separate concepts and remove unrequired words]
- Ensure development of land in the industrial zones does not undermine the amenity of surrounding areas.

Tourism

The tourism sector is a major driver of the economy of the Alpine Shire attracting more than a million visitors a year from all over Australia, and increasingly from overseas.

The tourism industry is underpinned by all-year round nature and adventure based activities, and the environmental values and scenic landscape qualities, high quality wine and food establishments and providers, and a wide range of accommodation offerings.

The Alpine Resorts of Hotham and Falls Creek sit within the boundaries of the shire, and Dinner Plain and Mount Buffalo are part of the shire. These snow based resorts provide visitor accommodation, community facilities, commercial services, infrastructure, equipment, access and provision of supplies to visitors in winter and increasingly year round.

Ongoing growth in tourism is expected, and rural based tourism has a vital role to play in the continuing economic success and development of the Alpine Shire. There are significant opportunities to capitalise on nature based tourism.

Tourism strategic directions:

- [Create a sustainable tourism industry in the Alpine Shire.](#) [NEW: ESD, pvi] [to implement adopted Council policy]
- [Increase geographic and seasonal visitor dispersal.](#) [NEW: ESD, pvi] [to implement adopted Council policy]
- Protect the tourism values that attract people to the Shire, in townships, settlements, rural areas and State and National parks.
- Support the development of nature and adventure-based tourism activities focused upon the diverse environmental values and scenic and landscape qualities of the Alpine National Park and Mount Buffalo National Park.
- Ensure the benefits of tourism are balanced against potential negative impacts, including:
 - Impacts on local communities through loss of amenity, pressure on infrastructure (water supply, wastewater treatment, waste disposal, roads, car parking) and environmental damage.
 - Pressure for higher density and larger scale urban tourist development, that can compromise existing character and appearance of townships and settlements.
 - Pressure for tourism development on productive rural land as well as land in remote and environmentally sensitive locations that has potential to compromise the natural environment, scenic views, landscape values and agricultural activities. [To meet MD formatting requirements]

02.03-8 TRANSPORT

C62alpi 26/05/2022

The arterial road network within and around the Alpine Shire provides a major role in the main economic sectors of the Shire: tourism, agriculture, forestry and commerce.

Settlements are highly car dependent communities with limited public transport services.

The Murray to the Mountains Rail Trail is an important network of distinct bicycle and walking trails linking the Murray River at Rutherglen with the mountains at Bright.

Three aerodromes are situated within the Alpine Shire: Mount Hotham Airport at Horsehair Plain as well as Mount Beauty and Porepunkah aerodromes.

Transport strategic directions:

- Maintain the arterial road network to support the viability and growth of significant economic industries that rely on it: tourism, agriculture and forestry.
- Develop a network of cycling and walking trails for residents and tourist.
- Improve the aerodromes located within the Shire to improve connections with transport gateways and support recreational use.
- [Ensure the cartage of produce associated with agricultural, extraction and harvesting operations does not adversely impact upon road networks including local and arterial roads.](#)
- [Plan new subdivisions and development to avoid adverse impact on haulage and transportation routes associated with agricultural land use, extractive industries, and timber plantations.](#) [NEW: HVP submission]

02.03-9 **INFRASTRUCTURE**

C62alpi 26/05/2022

Community infrastructure

Alpine Shire has an abundance of beautiful outdoor settings where both local residents and visitors enjoy a wide range of informal active recreational pursuits. There is a diversity of sporting facilities and community spaces that provide opportunities for formal active recreation. [NEW: SARP, p4] [to implement adopted Council policy]

Open space strategic directions:

- To support increased participation in physical activity by the community. [NEW: SARP, p7, 16] [to implement adopted Council policy]
- To provide a diversity of quality and accessible sport and recreation places and spaces for the community. [NEW: SARP, p7, 16] [to implement adopted Council policy]

Development infrastructure [to differentiate categories of infrastructure]

Bright, Mount Beauty and Myrtleford are all generally well serviced in terms of civil infrastructure with sealed roads, footpaths, lighting and stormwater implemented comprehensively in the town centres and outwards in varying degrees of completion towards the town limits.

Residential development in other areas of the Shire is restricted by various infrastructure limitations.

The availability of telecommunications including broadband internet is critical to the economy of the Shire.

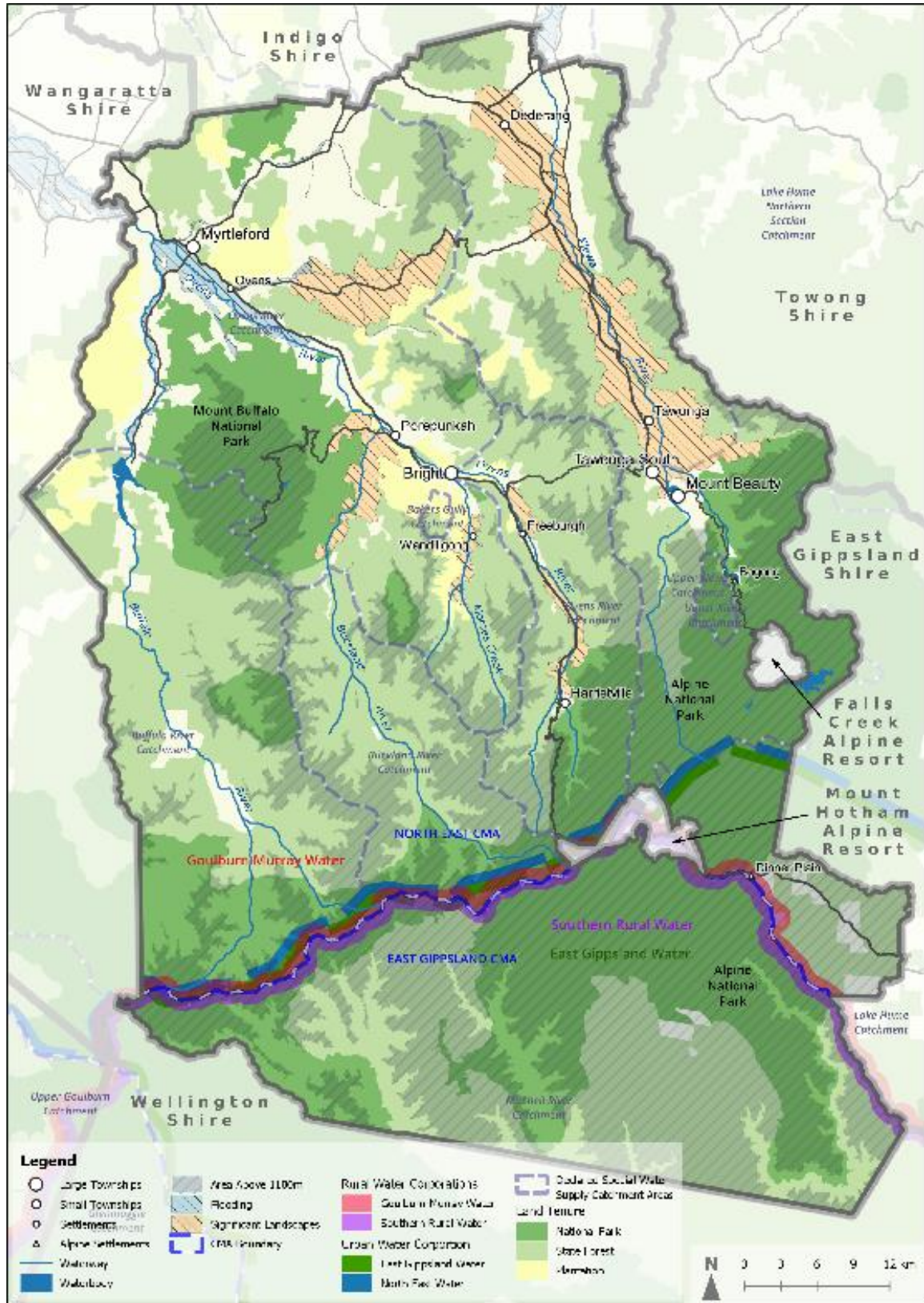
Hydro-electricity generation at Mt Beauty is a significant industry.

Infrastructure strategic directions:

- Avoid development within areas subject to infrastructure limitations.
- Support water sensitive urban design outcomes in new housing developments.

02.04 **STRATEGIC FRAMEWORK PLAN**

C62alpi 26/05/2022



11.01-1L-01 **SETTLEMENT – ALPINE**

C62alpi 26/05/2022

Strategies

Direct the majority of urban growth to the large townships.

Avoid the negative impacts of a dispersed population base by:

- Supporting population consolidation and higher density development in townships to make effective use of existing infrastructure.
- Facilitating higher density development and mixed uses around the commercial core of large and small townships.
- Supporting growth in areas with reticulated services.
- Ensuring the cost effective servicing of towns and communities across the municipality.

Maintain at least fifteen years supply of residential land within the large townships.

[Support development that builds the permanent population.](#) [NEW: ESD, pvi] [to implement adopted Council policy]

Maintain ‘green buffers’, open space and ecological integrity around and between townships, settlements and rural localities including:

- The rural ‘green buffer’ between Bright and Wandiligong.
- The rural ‘green buffer’ between Tawonga and Tawonga South to protect each townships character and identity.
- The ‘green buffer’ between Bright and Porepunkah that reinforces they are separate townships.

[Protect land east of Bright between Great Alpine Road and Ovens River for future urban growth.](#) [NEW: ASCRLS, p30]

[Support limited complimentary commercial development in the Mudgegonga old township area.](#) [NEW: ASCRLS, p40].

Ensure development in settlements provides reasonable levels of safety through avoidance of environmental hazards, accessibility to roads, water, telecommunications and other reasonable infrastructure.

Facilitate, in appropriate areas and with environmental safeguards, allocation of sufficient lands to allow the development of rural living communities within the Shire.

[Discourage development in remote rural areas.](#) [NEW: ASCRLS, p34]

[Prevent residential development around the settlement of Wandiligong.](#) [NEW: ASCRLS, p34]

[Develop liveable communities that generate economic and social wellbeing.](#) [NEW: ESD, pvi] [to implement adopted Council policy]

11.01-1L-02 **BRIGHT**

C62alpi 26/05/2022

Policy application

This policy applies to the township of Bright as shown on the Bright Structure Plan that forms part of this clause.

Objective

To maintain and enhance the character of Bright as a vibrant tourist town in a rural setting that is:

- Well served by parklands and waterways surrounding the town centre.
- Predominantly pedestrian in scale.

~~and support development in accordance with the Bright Structure Plan that forms part of this clause.~~
[Text unnecessary, duplicates strategies and policy documents]

Strategies

Recognise the township of Bright as a hub for tourist activities in the region and a vibrant place to live.

Avoid development outside the township boundary.

Ensure commercial development and accommodation is of high quality design which does not dominate the streetscape.

Direct medium density development into medium density opportunity areas shown on the plan to this clause.

Maintain the open landscape aspect and predominance of exotic vegetation between and amongst buildings.

Provide sufficient site area in new development to accommodate mature tree plantings.

Maintain view corridors from public and private places.

Ensure minimum lots sizes for residential subdivision are appropriate to the area and have regard to the existing lot size and density of development in the neighbourhood.

Maintain building separation and the rhythm of building setbacks and form in established streetscapes.

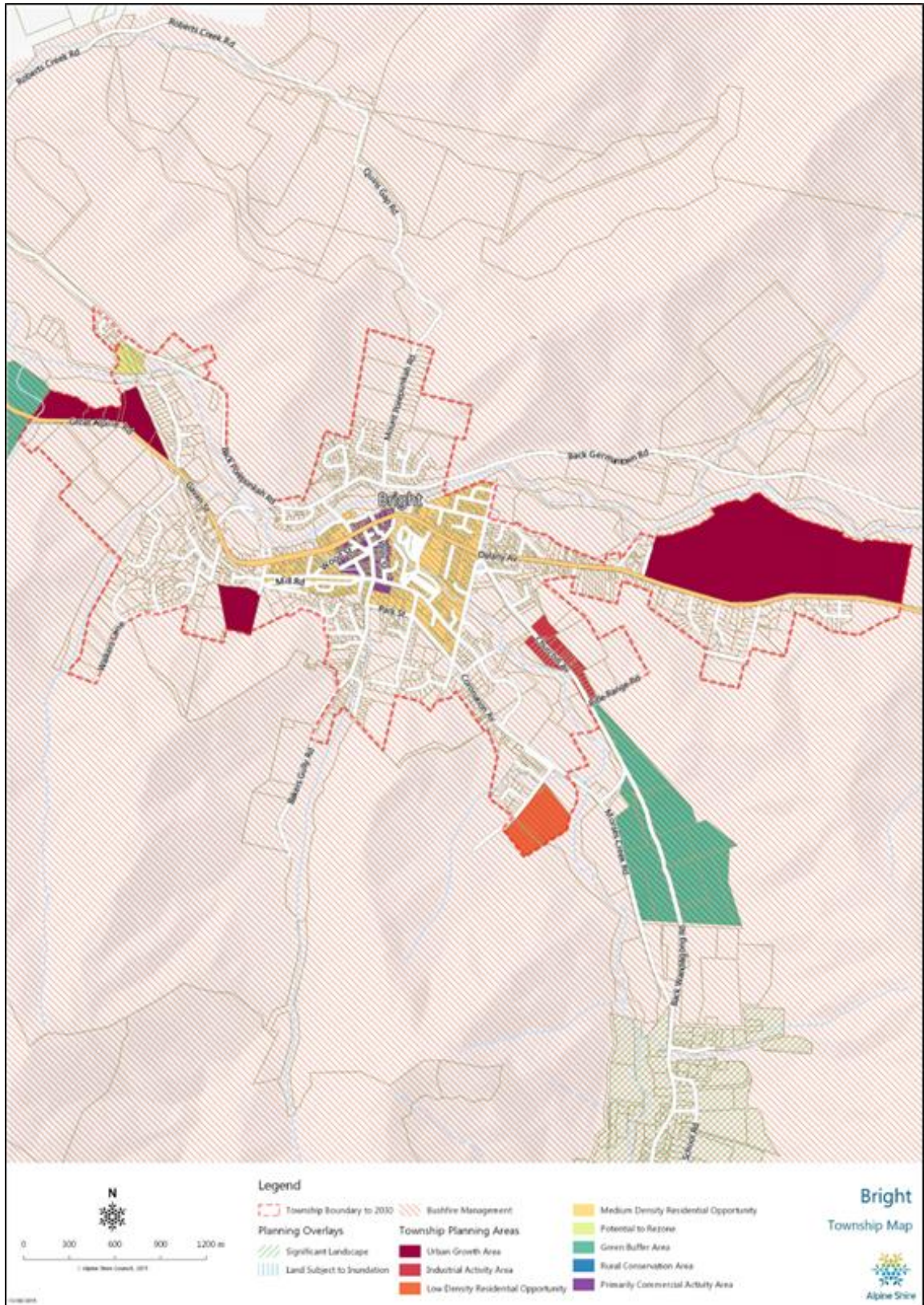
Locate development to minimise the obstruction of flood waters particularly overland flooding associated with Morses Creek, Stackey Gully Creek and Bakers Gully Creek.

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan - Bright* (Inspiring Place Pty Ltd, 2009)
- *Bright Futures Urban Design Framework* (Alpine Shire Council, 2003)

Bright Structure Plan



Policy application

This policy applies to the township of Myrtleford as shown on the Myrtleford Structure Plan that forms part of this clause.

Objective

To maintain and enhance Myrtleford's access to a diverse range of lifestyle opportunities and quality visitor experience supported by local trade and industry and recognise the rich cultural, heritage and natural resources of the town.

Strategies

Protect land for the future urban growth of Myrtleford. [NEW: ASCRLS, p36]

Discourage new residential development and especially increased residential densities in areas affected by flooding.

Locate development to minimise the obstruction of flood waters.

Encourage high quality building design to provide visual cohesion within the town centre.

Encourage commercial and retail development around Clyde and Myrtle Streets between Standish Street and Elgin Street.

Ensure that redevelopment of land between Clyde Street and the Great Alpine Road addresses both streets but maintains the key retail focus in Clyde Street.

Support lower density retail and commercial activities that address the Great Alpine Road to the east and west of the within existing business zoned land.

Maintain a visually and physically continuous facade of buildings in the primarily commercial area.

Ensure all new development provides an active street frontage.

Ensure minimum lots sizes for residential subdivision are appropriate to the area and have regard to the existing lot size and density of development in the neighbourhood.

Promote large, heavy, offensive or dangerous industrial development to the north of the township on the Industrial 2 Zone land.

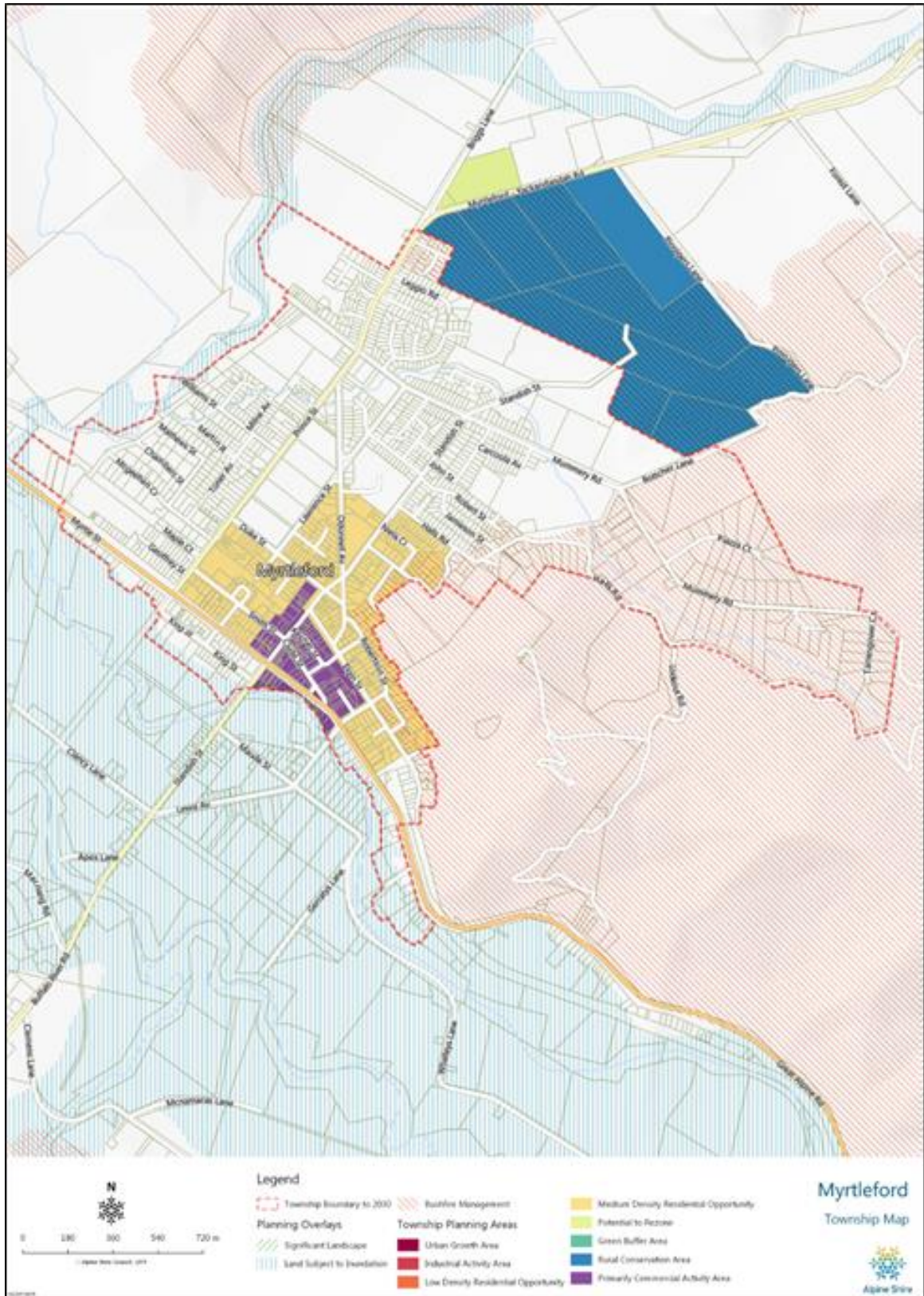
Encourage light industrial development in the McGeehan Crescent industrial estate with application of appropriate buffers to surrounding properties.

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan - Myrtleford* (Inspiring Place Pty Ltd, 2009)
- *Myrtleford Master Plan Study* (Gillespies, 2001)

Myrtleford Structure Plan



11.01-1L-04 MOUNT BEAUTY – TAWONGA SOUTH – ALPINE

Policy application

This policy applies to the township of Mount Beauty – Tawonga South as shown on the Mount Beauty – Tawonga South Structure Plan that forms part of this clause.

Objective

To maintain and enhance the significant environmental, heritage, landscape and recreational qualities of the township and protect the operations of the Mount Beauty Airport.

Strategies

Maintain the rural land use and development pattern on the eastern (river) side of the Kiewa Valley Highway between Mount Beauty and Tawonga South.

Prevent ribbon development along the Kiewa Valley Highway.

Protect the significant sightlines from the Kiewa Valley Highway to Mount Bogong across the valley.

Ensure minimum lots sizes for residential subdivision are appropriate to the area and have regard to the existing lot size and density of development in the neighbourhood.

Improve pedestrian and cycle access within and between Mount Beauty and Tawonga South to encourage more people to walk and cycle more often.

Focus new development in identified growth areas, subject to the necessary site capability investigations.

Integrate development with the open space network.

Facilitate public riverside access along a network of paths and trails.

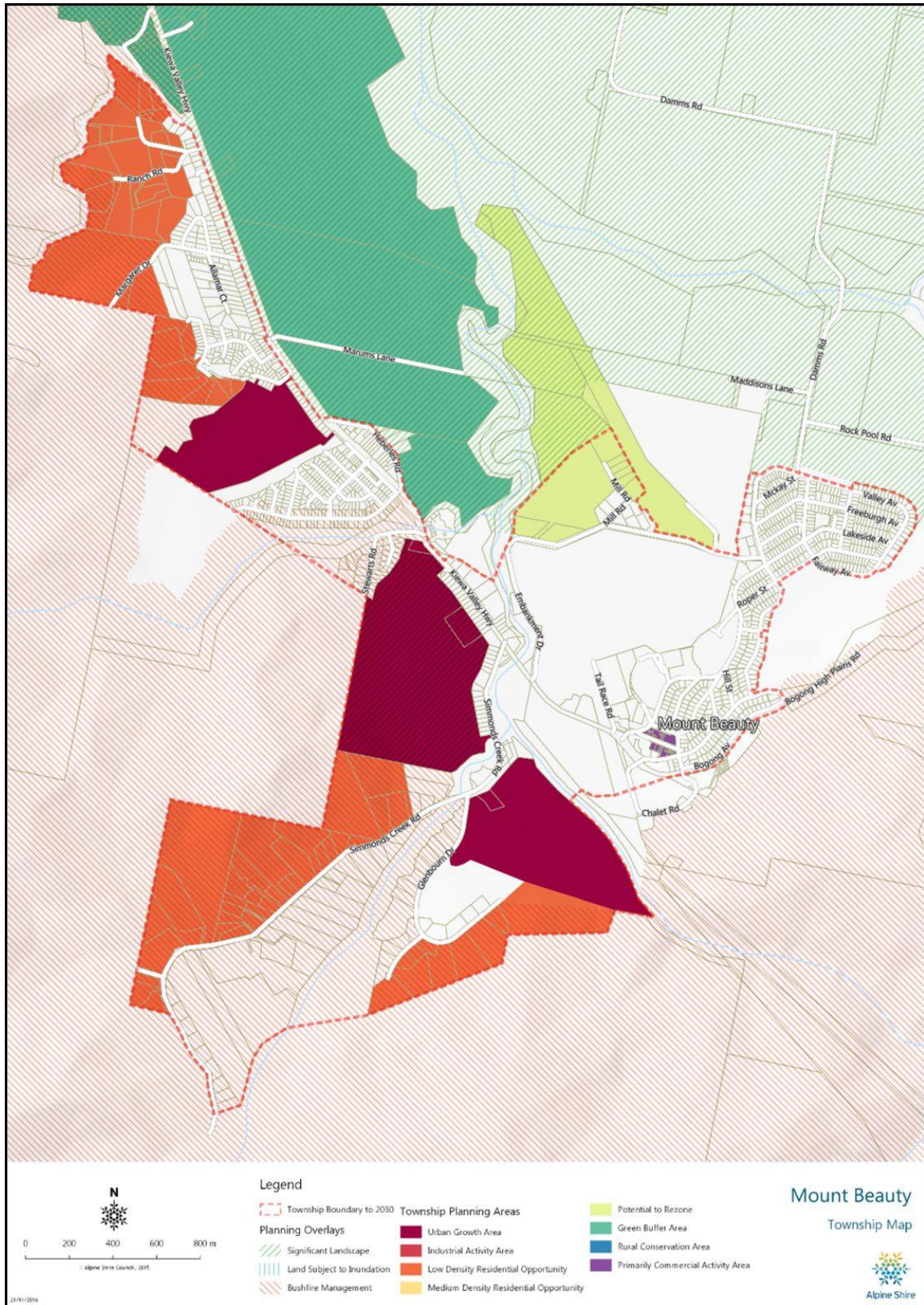
Facilitate the runway extension and development of the Mount Beauty Aerodrome.

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan – Mt Beauty and Tawonga South* (Inspiring Place Pty Ltd, 2009)
- *Mount Beauty Master Plan 2003* (Alpine Shire Council, 2003)
- *Mount Beauty Aerodrome Master Plan* (EDM, 2011)

Mount Beauty – Tawonga South Structure Plan



Policy application

This policy applies to the township of Harrietville as shown on the Harrietville Structure Plan that forms part of this clause.

Objective

To ensure that future development within the township respects the existing low scale and historic character of the township, and its heritage significance.

Strategies

Encourage in-fill residential development to promote township consolidation.

Improve the intersection of the Great Alpine Road and Mill Road.

Encourage rehabilitation of dredged areas to improve and enhance the ecological integrity and aesthetic quality of these areas.

Promote commercial development between Pioneer Park and Bon Accord Track.

Locate buildings so they do not interfere with or preclude future development opportunities in the event of reticulated services becoming available.

Ensure the ability of a site to adequately contain and treat any on-site effluent in accordance with the requirements of the Environment Protection Inspiring Place Pty Ltd for an on-site wastewater management system.

Integrate development with the open space network.

Policy guideline

Consider as relevant:

- If a Land Capability Assessment is required to ensure the site ~~has the ability to~~can adequately contain and treat on site effluent.

Policy documents

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan – Harrietville* (Inspiring Place Pty Ltd, 2009)

Harrietville Structure Plan



11.01-1L-06 POREPUNKAH – ALPINE

Policy application

This policy applies to the township of Porepunkah as shown on the Porepunkah Structure Plan that forms part of this clause.

Objectives

Ensure future development within Porepunkah:

- Leads to improved levels of infrastructure within the township.
- Respects the town's rural look and feel, recreation and open space values.

Use strategies

Encourage residential development within the township boundaries.

Locate industrial development along the north east side of Station Street between Grange Road and Armstrongs Road.

Locate retail and office uses along Service Street, between Bailey and Martley Street.

Discourage retail and office uses along Station Street.

Development strategies

Encourage connectivity between developments to support walking and cycling.

Encourage development and redevelopment to reflect the existing scale and bulk of surrounding buildings.

Ensure minimum lots sizes for residential subdivision are appropriate to the area and have regard to the existing lot size and density of development in the neighbourhood.

Ensure industrial development and use is of a scale that is consistent and respectful of the surrounding residential uses.

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan – Porepunkah* (Inspiring Place Pty Ltd, 2009)

Porepukah Structure Plan



Policy application

This policy applies to the small township of Tawonga as shown on the Tawonga Structure Plan that forms part of this clause.

Objective

To recognise the high visual quality of the landscape setting of Tawonga, and maintain a range of facilities and services that can cater for local needs and those of passing visitors.

Strategies

Support consolidation of commercial and community uses between the two distinct hub areas in the settlement:

- The existing commercial precinct at the intersection of the Kiewa Valley Highway and Mountain Creek Road.
- A predominantly residential living area to the north of the township that includes local community services such as the community hall, primary school, Country Fire Authority Brigade, general store, mechanical repairs shop and scout hall.

Avoid commercial and community uses outside the two hub areas.

Facilitate residential development on the western side of Kiewa Valley Highway.

Ensure residential subdivision and development respects the existing township character and promotes connectivity between different parts of the township to encourage walking and cycling.

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Tawonga Town Framework Plan* (Inspiring Place Pty Ltd, 2009)

Tawonga Structure Plan



Policy application

This policy applies to the [large settlement township](#) [For consistency with township naming conventions] of Wandiligong as shown on the Wandiligong Structure Plan that forms part of this clause.

Objectives

To recognise and protect the distinct landscape setting and heritage attributes of Wandiligong and:

- Improve development and community infrastructure.
- Respect the historic semi-rural look and feel.
- Respect recreation and open space values.

Strategies

Maintain the relationship of historic buildings with the landscape.

Ensure development, specifically housing and subdivision, is sympathetic to the natural, historical and cultural landscape and maintains the historical density of development.

Ensure future subdivision provides for a variety of lot size and lot layout patterns on land capable of disposing of waste water and effluent on site.

Encourage the scale and bulk of new and redeveloped buildings to reflect that of existing development.

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan – Wandiligong* (Inspiring Place Pty Ltd, 2009)

Wandiligong Town Plan



C62alpi 26/05/2022

Policy application

This policy applies to the township of Dederang as shown on the Dederang Structure Plan that forms part of this clause.

Objective

To maintain and enhance Dederang's rural character by supporting its development as a rural service centre with access to high quality community facilities and services.

Strategies

Facilitate better connectivity between the separate activity nodes by improving pedestrian links.

Encourage additional commercial development to locate adjacent to existing commercial use.

Maintain the 'green belt' between activity nodes.

Protect the scenic quality of the valley.

Promote the ongoing rural use of land within the village area.

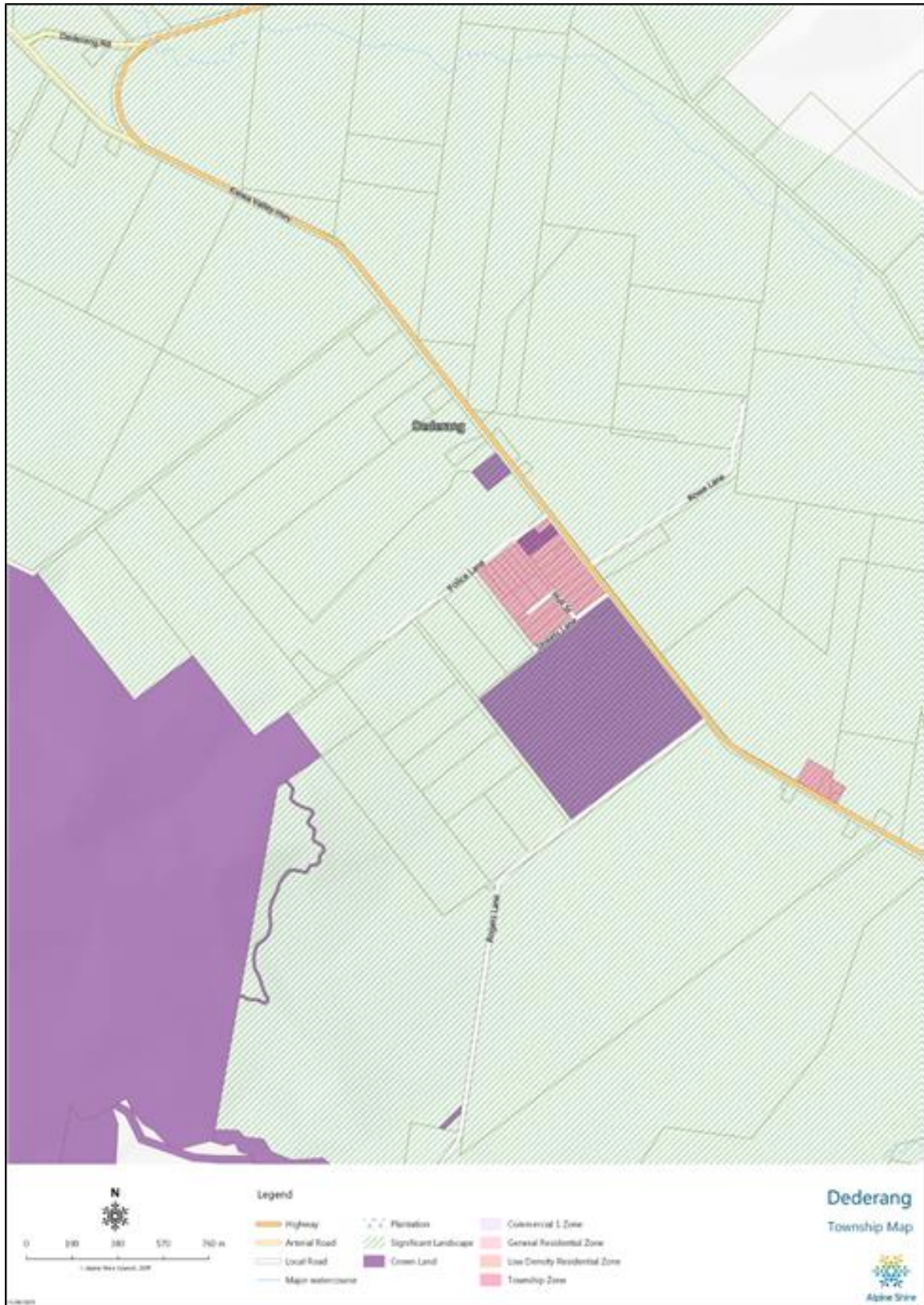
[Support development in Dederang that supports agricultural production.](#) [NEW: ASCRLS p42]

Policy documents

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)
- *Alpine Shire Town Framework Plan - Dederang* (Inspiring Place Pty Ltd, 2009)

Dederang Structure Plan



11.01-1L-10 **DINNER PLAIN – ALPINE**

Objective

To develop Dinner Plain as the pre-eminent freehold alpine settlement in Australia within this significant alpine landscape setting.

Strategies

Maintain the high architectural standard of development.

Provide for the use and development of a quality integrated alpine tourist village with appropriate ancillary services.

Ensure that the design, scale, intensity, bulk and character of any development maintains the special local character of the village and its natural setting.

Facilitate a range of tourist and recreational facilities that complement the village character and setting to encourage year round use of the village.

Facilitate the development of land adjacent to the village for ancillary infrastructure, recreational and educational facilities that are sympathetic and complimentary to the alpine environment.

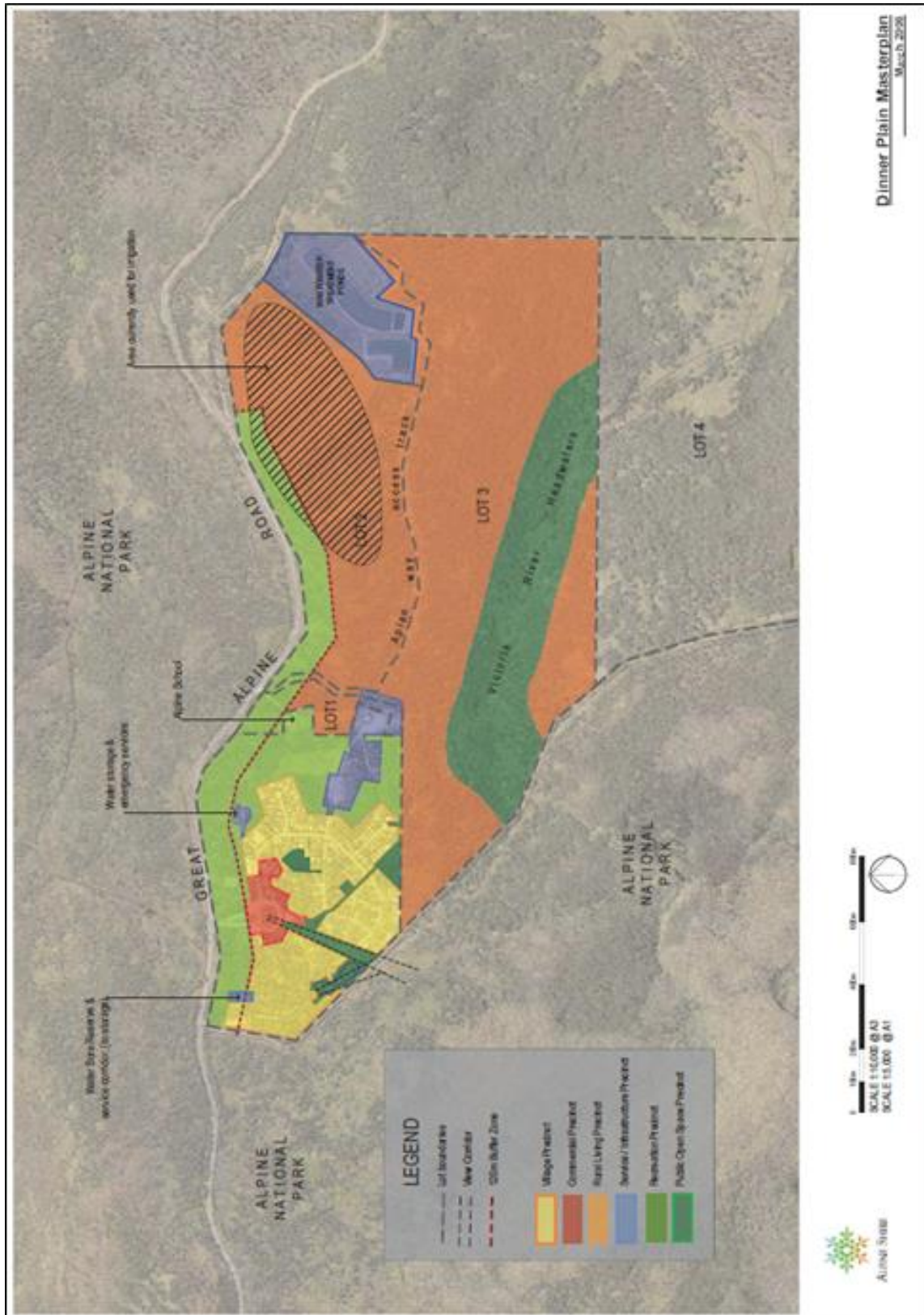
Maintain and protect areas identified as being of high conservation significance.

Policy documents

Consider as relevant:

- *Dinner Plain Development Code* (Alpine Shire Council Strategic Services Department, 2008)
- *Dinner Plain Master Plan 2008* (Alpine Shire Council Strategic Services Department, 2008)

Dinner Plain Structure Plan



11.03-6L BOGONG – ALPINE

C62alpi 26/05/2022

Objective

To recognise the history and existing low scale of development of the small sub-alpine settlement of Bogong.

Strategies

Maintain the existing character and scale of the settlement in its natural landscape setting.

Contain development within the existing leasehold area.

Provide for a range of tourist and recreational facilities that complement the character of the settlement and the surrounding natural environment and encourage year round visitation.

12.01-1L PROTECTION OF BIODIVERSITY AND NATIVE VEGETATION – ALPINE

C62alpi 26/05/2022

Strategies

Conserve native fauna, native plant communities and significant species in their natural condition. ~~and to maintain the genetic diversity of native fauna, native plant communities and significant species.~~ [split to ensure each strategy expresses only one idea in accordance with Practitioner's Guide drafting requirements]

Encourage the retention of and re-establishment of native vegetation on private land.

~~Protect areas of significant remnant vegetation.~~ [Duplicates 12.01-1S Protection of biodiversity and below dot pointed strategy]

Support ecologically sustainable use, development and management of rural land, particularly in the agricultural, timber and other industries that rely on the natural resources.

Protect the environmental, cultural and aesthetic features and values of rural areas.

Retain native vegetation, including roadside vegetation, remnant vegetation areas, large old paddock trees and revegetation areas.

Encourage innovative environmental and native vegetation retention initiatives, including carbon farming.

Encourage the retention of vegetation as it provides catchment wide land and water management benefits.

Design and site buildings and works, including on-site effluent disposal fields, fencing and access tracks, to minimise the requirement for native vegetation removal or any detrimental impacts on retained native vegetation.

Support developments that provide areas of open space directly adjacent to existing vegetation or areas of public land.

Protect high value remnant vegetation:

- With an Ecological Vegetation Class conservation status of depleted, rare or endangered.
- Identified as habitat for rare and threatened species.
- Considered to be an area of significant local value.

Design and locate revegetation projects to:

- Enhance and protect existing remnant vegetation across the landscape.
- Contribute to the protection and enhancement of vegetation links and habitat corridors.
- Stabilise waterways.
- Enhance riparian areas.

12.03-1L RIVER CORRIDORS AND WATERWAYS – ALPINE

C62alpi 26/05/2022

Strategy

Support the ongoing management of environmental flows in river systems.

12.04-1L SUSTAINABLE DEVELOPMENT IN ALPINE AREAS – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to all land located above 1100 metres Australian Height Datum [as shown on the Strategic Framework Plan](#), ~~where snowfall may persist as ground cover for long periods over the winter months.~~ [to comply with policy application requirements as set out in the PG]

Objective

To preserve the high-altitude alpine areas of the Shire as natural, cultural and historic assets of local, regional and State significance while supporting sustainable development.

Use strategies

Support nature based tourism development that is small-scale and located in areas with access to tourist activities, services and amenities.

Consolidate tourism activities in the Alpine Resorts and at Dinner Plain.

Facilitate the responsible recreational use of freehold land.

Ensure nature-based tourist accommodation that provides overnight accommodation for more than 12 people will:

- Be centrally managed by on-site management with all structural components being the responsibility of one management whether or not individual structures are owned by different entities.
- Contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area.
- Provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.

Environment and landscape strategies

Protect important geological and landform features.

Protect native vegetation and natural environmental assets on freehold land.

Maintain a high level of visual amenity along the approaches to Falls Creek, Mount Hotham and Mount Buffalo.

Maintain the high quality visual amenity of the Great Alpine Road and the Bogong Highplains Road by ensuring any development outside the Alpine Resorts, Dinner Plain and Bogong Village is not visible from the road.

Alpine resorts and Dinner Plain strategies

Consolidate development in Mount Hotham, Falls Creek and the Dinner Plain area.

Facilitate development of a quality, self contained and integrated alpine tourist village at Dinner Plain.

Protect Mount Hotham Airport from development that will impact on its operation and the environment.

Ensure any development proximate to the Mount Hotham Airport minimises impacts on alpine bogs, heathlands and wetlands.

Design strategies

~~Encourage development that is designed to be sensitive to the natural, cultural and historic values of the Alpine area~~ – [Duplicates strategies at 12.04-1S]

Locate and design development, including on-site effluent disposal fields and access tracks, to minimise any potential to destroy or threaten native flora and fauna habitats.

Minimise the visibility of development.

Ensure development is supported by an adequate level of infrastructure.

Design and site development to minimise any adverse visual and environmental impact.

Ensure use of building materials that blend with the surrounding landscape, promoting the use of natural materials and materials sourced from the region.

Ensure water consumption in the development is minimised, and that the water supply is ecologically sustainable.

Ensure buildings:

- Maximise energy efficiency and minimise use of non-renewable energy.
- Respond to potential environmental impacts on the sensitive natural alpine environment, flora and fauna.
- Do not dominate the visual landscape.
- Are compatible with the local cultural character.
- Avoid environmental harm as a result from discharges by retaining and treating any on-site effluent.

Policy guidelines

Consider as relevant:

- Ensuring environmental risks that may arise from the proposed development are identified and strategies for managing the risk are prepared.
- Ensuring- effluent disposal systems are demonstrated to be the best suited to local conditions and provide the highest level of environmental performance.

12.05-1L PUBLIC AND PRIVATE LAND INTERFACES – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to all areas where publicly owned or managed land and privately owned land interface.

Objective

To ensure development of private land adjacent to public land minimises impacts on [the \[clearer use of plain English\]](#) environmental values of public land.

Strategies

Minimise the potential for invasion of pest plants and animals from land adjacent to public land.

Encourage public and private land holders to plan cooperatively to ensure the protection of both private property and public land from fire, pests and other hazards.

Ensure development is compatible with and does not detract from the values of and management plans for the adjoining public land including national parks, state forest, ~~or~~ nature reserves and timber plantations. [HVP submission]

Ensure development is designed and sited to minimise visual intrusion when viewed from vantage points within the national park or nature reserve.

Avoid residential development on land of high biodiversity value adjacent to public land.

Policy guidelines

Consider as relevant:

- Ensuring environmental risks that may arise from the proposed development are identified and strategies for managing the risk are prepared. [More appropriate as a policy guideline, in accordance with PG guidance]

12.05-2L LANDSCAPES – ALPINE

C62alpi 26/05/2022

Objective

To protect the Shire's significant valley and alpine landscapes by minimising visual impacts landscapes, especially from major viewing areas.

Strategies

Protect the iconic natural, cultural and built landscape setting, values, integrity and character in rural areas and the approaches to Alpine areas to improve the experience of residents and visitors.

Maintain the scenic landscapes throughout the valley.

Support development that maintains scenic qualities and landscape qualities of the area and demonstrates high levels of visual management.

Minimise the impact of development on private land on the landscape values of adjacent national parks.

Protect National Trust classified landscapes and views.

Protect views along the Murray to Mountains Rail Trail.

Maintain locally significant views and vistas from the open farmed landscape and ridgelines that have a view line to or from National and State forest and other crown land.

Protect the landscape and tourism values of agricultural land.

Protect the rural character and the landscape and tourism values along key touring routes -particularly between townships and settlements, including:

- Great Alpine Road.
- Key touring routes.
- Buckland Valley Road.
- Kiewa Valley Highway – Bogong High ~~plains~~ Plains Road.
- Mountain Creek Road.

Minimise the visual impact of infrastructure and signage on the landscape and viewpoints.

Support development in rural areas that does not dominate or intrude on the landscape setting including landscape corridors.

Limit development on prominent ridges and hilltops.

Locate developments so rooflines do not protrude above ridgelines when viewed from any road or public land.

Encourage the revegetation of landscape features.

Ensure that all structures blend in with the surrounding environment.

Retain mature vegetation which provides a backdrop for any development.

Ensure external finishes are non-reflective and of colours that blend with the surrounding landscape.

Ensure that external cladding of buildings in is a muted tone except in instances where the buildings are not readily visible from roads, public land or adjoining properties due to the topography or existing vegetation.

Policy document

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)

13.02-1L **BUSHFIRE PLANNING – ALPINE**

C62alpi 26/05/2022

Strategy

Avoid residential use and development of land that is identified as Bushfire Prone Land where ~~residential development and use of land it~~ will intensify the risk or require a Bushfire Attack Level rating more than 29. [to simplify a complex and lengthy strategy in accordance with PG]

Avoid development in areas where the impacts of a landscape-scale bushfire cannot be mitigated through on-site measures. [NEW: Based on VCAT decisions and PSR findings]

Avoid development in areas where only one safe access route to the nearest place of relative safety is provided. [NEW: Based on VCAT decisions and PSR findings]

13.03-1L **FLOODPLAIN MANAGEMENT – ALPINE**

C62alpi 26/05/2022

Strategy

Avoid residential development of land that is flood prone.

Limit development in Wallace Drive, Buckland due to flooding hazard. [NEW: ASCRLS p38]

13.04-2L **EROSION AND LANDSLIP – ALPINE**

C62alpi 26/05/2022

Strategies

Avoid residential development of land susceptible to landslip.

Avoid residential development of land with a slope greater than 20 per cent (1 in 5).

13.07-1L **LAND USE COMPATIBILITY – ALPINE**

C62alpi 26/05/2022

Strategy

~~Ensure Maintain~~ adequate external buffers around water treatment plants are maintained to ensure that sensitive uses such as ~~residential-accommodation~~ do not impact on their continued use.

Ensure adequate external buffers around timber plantations are maintained to ensure that sensitive uses such as accommodation do not impact on their continued use. [NEW: HVP submission]

14.01-1L PROTECTION OF AGRICULTURAL LAND – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to all land in the Farming Zone and Rural Conservation Zone. [To clarify where the policy applies and to which groups of discretions, in accordance with PG]

Strategies

Avoid conversion of land away from soil based use and development unless there is clear public benefit such as a rural dependent enterprise that complements the agricultural production base.

Encourage the consolidation and restructuring of rural lots.

Retain agricultural land in productive units considering the agricultural capability of the land.

Minimise the loss of broad acre commercial farming through subdivision.

Ensure that subdivision and residential development within the rural zones does not:

- Impact on the right of adjacent properties to be farmed and for timber production. [NEW: HVP submission]
- Prejudice existing agricultural activities on surrounding land, including the operation of timber plantations. [NEW: HVP submission]
- Diminish the agricultural capability of the land.
- Take place where it does not support a clear improvement to farm efficiency and land management.

Ensure that dwellings, where approved:

- Are linked to and necessary to enable the daily management of agricultural activity conducted on the land.
- Are required to accommodate a permanent land manager to run the agricultural activity in association with an existing use that has been demonstrated to be environmentally sustainable, financially sustainable and substantiated by a 'whole farm plan'.
- Do not result in the further fragmentation of productive agricultural land.

Avoid house lot excisions unless it can be demonstrated that the creation of small dwelling lots will continue to be associated with agriculture.

Limit the cumulative impact of house lot excisions by avoiding serial small lot subdivisions.

Policy guidelines

Consider as relevant:

- Directing rural residential development to defined rural residential settlements or designated areas on the edges of townships to minimise adverse impacts on agricultural and other rural based uses.
- Ensuring subdivisions that create a lot less than 40 hectares in the Farming Zone meet all of the following conditions:
 - Are of a lot size necessary for genuine agricultural or rural production that can be substantiated by a 'whole farm plan' or is associated with a legitimate rural based enterprise.
 - The lot will not be used solely for the purpose of a dwelling or include provision for a future dwelling.
 - There is no other available land for the proposed land use and the lot cannot be created by a means of restructuring existing lots.
 - The balance of the landholding is consolidated.
 - The subdivision does not fragment or further fragment a farm or land holding.
- Avoid dwellings for rural lifestyle purposes unless all of the following conditions are met:

- The land is less than 4 hectares in area.
- The land is of low agricultural value and versatility.
- The land is not able to be consolidated with adjoining land used or able to be used for agriculture.
- The land can be accessed via a road in Council's Register of public roads.
- There is no access to irrigation water.

Policy document

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)

14.01-2L **SUSTAINABLE AGRICULTURAL LAND USE – ALPINE**

C62alpi 26/05/2022

Policy application

This policy applies to all land in the Farming Zone and Rural Conservation Zone. [To clarify where the policy applies and to which groups of discretions, in accordance with PG]

General strategies [To comply with MD]

Protect the highly productive valley floors from development and land use that undermine the agricultural value of these areas, especially residential development.

Recognise the environmental significance of remote rural areas and to protect from inappropriate development and land use.

Support the expansion of the horticultural industry.

Preserve land used for commercial horticulture for this use. [NEW: ASCRLS, p30 .. 42]

Support and encourage the expansion of the dairy industry, retaining larger lot sizes in core dairy areas.

Promote diversification to improve resilience in the agricultural sector. [NEW: CPCVp27]

Encourage ~~and support~~ sustainable agricultural practices that are capable of increasing productivity levels.

Promote emerging natural resource based industries that support agricultural uses.

Encourage well designed, sustainable industries that support agricultural uses that enhance the visual amenity of rural areas.

Facilitate the growth and expansion of farms, recognising industry requirements for incremental growth.

Support sustainable agricultural industries that incorporate best management practice.

Locate intensive agricultural industries having regard to:

- Soil and water quality.
- The adequacy of infrastructure services.
- The location of sensitive use and development.
- The impact on traditional forms of agriculture nearby.

Place based strategies

Encourage the growth of horticulture except between Happy Valley to Mudgegonga. [NEW: ASCRLS, p30 .. p42]

Support the following agricultural uses within the Buckland Valley:

- Preserve grazing land on the valley floor as a green belt in sub precinct 1 as shown on the plan to this Clause [NEW: ASCRLS, p38]
- Retain mixture of horticulture and grazing land in sub precinct 2 as shown on the plan to this clause. [NEW: ASCRLS, p38]
- Maintain agriculture as the predominant land use in sub precinct 4 as shown on the plan to this clause. [NEW: ASCRLS, p38]

Support the expansion of the hop industry between Bright to Myrtleford. [NEW: ASCRLS, p32]

Support the expansion of the dairy industry in the Kiewa Valley. [NEW: ASCRLS, p42]

Preserve High Country and remote areas for conservation purposes rather than farming. [NEW: ASCRLS, p43]

Policy guideline

Consider as relevant:

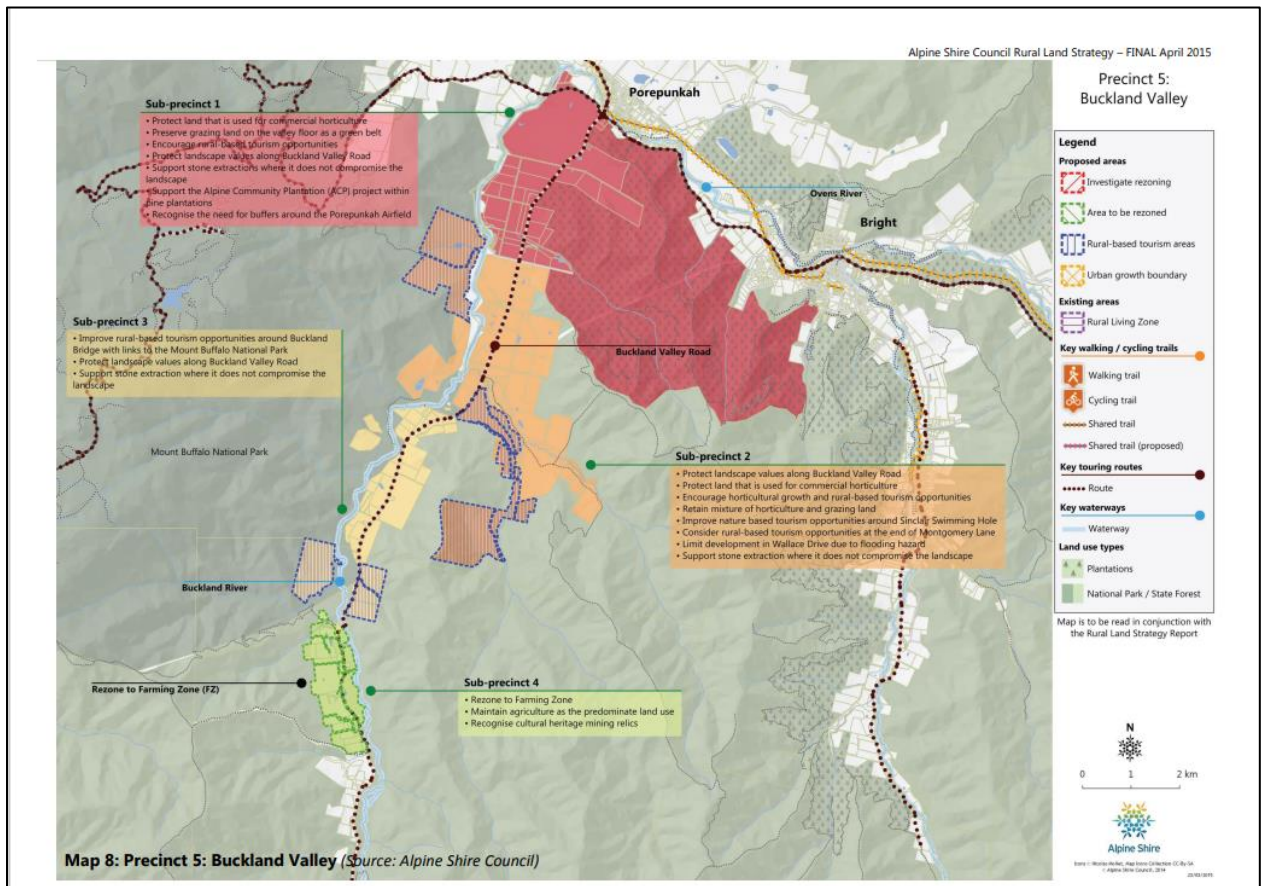
- The ability to establish horticultural activities on smaller allotments.

Policy document

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)

Plan of Buckland Valley showing subprecincts



14.01-3L FORESTRY AND TIMBER PRODUCTION – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to the establishment of new timber plantations and timber industries.

Objective

To facilitate timber production and value adding industries.

Strategies

Encourage the further value adding and processing of timber products to strengthen the local economy and provide employment opportunities.

~~Avoid the loss of agricultural land of strategic importance.~~ [duplicates state policy at 14.01-1S]

~~Protect timber plantations from encroachment by incompatible development.~~ [NEW: ASCRLS, p32]

Encourage the establishment of small-scale plantations (less than 40 hectares), trees on farms and agri-forestry on previously cleared agricultural land within areas that can provide the necessary road infrastructure.

~~Support the establishment of new timber production and value adding industries in appropriate locations considering: Minimise the impact of timber plantations and production on:~~ [NEW: HVP submission]

- Surrounding natural and built environments.
- Sensitive areas including significant landscapes and sub-alpine areas.
- National Trust classified landscapes particularly along valleys.
- Heritage values.
- Existing and likely future agricultural uses, particularly on high quality agricultural land.
- Existing tourist and recreation uses and development.
- The local road network.
- ~~The settlement boundaries of Townships~~townships.
- Rural infrastructure.

~~Minimise the impacts~~~~Ensure that on~~ water quality is not affected during planting and harvesting of timber by:

- Minimising the impacts of stormwater runoff and erosion.
- Ensuring sediment is controlled.
- Limiting changes to catchment water yield during planting and harvesting.

Ensure that adequate road infrastructure is provided to all sites.

Manage the proposed tonnage of timber to be harvested to minimise impacts on road, drainage and bridge infrastructure, where possible.

~~Discourage~~ ~~Avoid~~ new timber production ~~in National Trust classified landscapes,~~ in the Significant Landscape Overlay, schedule 1 – 5 (National Trust Landscapes), adjacent to large and small townships, settlements and adjacent to tourist routes, ~~except where it can be established that adverse impacts from the new timber production are able to be minimised.~~ [NEW: HVP submission]

Policy document

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)

14.02-1L **CATCHMENT PLANNING AND MANAGEMENT – ALPINE**

C62alpi 26/05/2022

Strategy

Avoid land use and development that will affect the quality and quantity of water available for:

- Environmental allocation.
- Domestic, industrial, commercial and agricultural consumption.

14.02-2L **WATER QUALITY – ALPINE**

C62alpi 26/05/2022

Strategies

Protect water quality in the Bakers Gully, Buckland River, Lake Hume, Buffalo River (Lake Buffalo), Ovens River (Bright), Ovens River (Wangaratta) and Upper Kiewa Special Water Supply Catchment Areas.

Encourage land and water management to protect water quality in special water supply catchment areas.

Ensure land use and development setbacks from waterways are adequate to protect water quality in special water catchment areas.

14.03-1L **RESOURCE EXPLORATION AND EXTRACTION – ALPINE**

C62alpi 26/05/2022

Strategies

Recognise the mineral potential within the Shire and its impact on the environment and community.

Support stone extraction where it does not compromise the landscape in the Buckland Valley. [NEW: ASCRLS, p38]

Preserve land with the potential for gravel extraction within the Barwidgee area. [NEW: ASCRLS, p40]

15.01-1L-01 **URBAN DESIGN – ALPINE**

C62alpi 26/05/2022

Strategies

Limit the height of buildings to reflect the current character and urban design and to maintain rural and mountain vistas.

Ensure new housing development responds to:

- The scale, mass, form, roof pitch, height, materials and colour of surrounding buildings.
- Surrounding landscape features.
- Maintaining view lines from the local environs.

Incorporate landscaping into commercial development where there are setbacks provided.

Ensure development addresses barriers in buildings, housing, transport and open spaces to facilitate increased participation of people with disabilities in all aspects of community life. [NEW: ASCAIP, p16]
[to implement adopted Council policy]

15.01-1L-02 **SIGNS – ALPINE**

C62alpi 26/05/2022

Strategies

Restrict promotional signage along the main tourist and traffic routes and at entrances to townships and settlements.

Ensure advertising signs for tourism uses relate to the land on which the sign is located.

15.01-1L-03 DESIGN OF INDUSTRIAL DEVELOPMENT – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to all land in the Industrial Zones, the Mixed Use Zone and other areas identified for industrial use.

Strategies

Ensure that development allows for functional layouts and use of land.

Ensure development within the industrial precincts positively contributes to the visual amenity of the area by:

- Supporting buildings that are of a high quality design and construction.
- Encouraging the use of materials and colours in muted tones that blend in with the surrounding environment.

Design building heights, setbacks and form that are compatible with the surrounding development and character.

Design access to industrial lots to be suitable and unobstructed for all types of vehicles likely to require access, including emergency vehicles.

Provide adequate storage and parking on site to avoid use of loading and unloading facilities for this purpose.

Incorporate appropriate stormwater disposal at the planning stage of industrial development.

Provide landscaping along common property boundaries and within frontage setbacks and areas.

Design landscaping to:

- Incorporate suitable native indigenous species.
- Minimise fire risk to buildings in the event of bushfire.

15.01-3L BATTLE-AXE DEVELOPMENT – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to all land in the General Residential Zone, Township Zone and Low Density Residential Zone.

Strategies

Avoid battle axe blocks unless they can be designed to allow access from existing laneways or roadways.

Ensure that site entries are clearly defined and visible.

Design and locate driveways to:

- Create visual interest.
- Retain existing vegetation.
- Provide adequate opportunity for landscaping.

- Provide safe, manageable and convenient access to dwellings.
- Be of a width that is compatible with surrounding pattern of development.

Provide for the shared use of driveways and infrastructure.

Provide for waste collection and maintenance of facilities.

Discourage dividing fences on the common boundaries of the access handle.

Design a single driveway in subdivisions to access multiple lots rather than permitting adjoining access handles.

Design driveways to be curvilinear to create visual interest and to encourage vehicles to slow down and to create landscaping opportunities.

Provide adequate driveway widths and incorporating passing bays to accommodate likely usage patterns with consideration to the number of lots and driveway length.

Provide service infrastructure in a common trench.

Policy guidelines

Consider as relevant:

- Designing access handles (driveways) to the following minimum widths unless site dimensions or characteristics warrant a variation:
 - 8 metres for the Low Density Residential Zone.
 - 5 metres for two lot subdivisions in the General Residential and Township Zones.
 - 6 metres for 3 or more lots in the General Residential and Township Zones.
- Providing services and conduits to the end of the access handle at the time of subdivision works to avoid disturbance to landscaping and infrastructure within handle when lots are developed.
- Providing landscaping and retaining existing vegetation within the access handle to soften the appearance of driveways and create legibility in the streetscape.
- Ensuring facilities and landscaping are designed to be easy to maintain.

15.03-1L HERITAGE CONSERVATION – ALPINE

Strategy

Preserve cultural heritage relics associated with the mining boom in the Buckland Valley. [NEW: ASCRLS, p38]

16.01-3L RURAL RESIDENTIAL DEVELOPMENT – ALPINE

C62alpi 26/05/2022

Policy application

This policy applies to all land in the Low Density Residential Zone and Rural Living Zone.

Objective

To ensure that rural residential development is appropriately located to:

- Protect rural land from inappropriate development to provide social, economic and environmental benefits for existing and future generations.
- Provide a safe living environment for residents.

Strategies

Locate rural residential development to protect agricultural areas from urban sprawl and conflicting land uses.

Ensure rural residential development is compatible with the environmental characteristics of the area.

Locate development for vulnerable groups, such as nursing homes and childcare facilities, away from the interface with bushland and grassland.

Direct new rural residential subdivision and development away from:

- Land classified as high quality for agriculture.
- Land of high biological significance due to its flora and fauna values.
- Land of high landscape, cultural heritage, or archaeological significance.

Avoid rural residential development on constrained land that:

- Has a bushfire hazard rating resulting in the construction requirement of a Bushfire Attack Level rating in excess of 29.
- Is subject to one in 100 year or one per cent flood frequency level.
- Is subject to soil contamination to a degree which would require specialist management for growing plants or animal keeping.
- Is contaminated as a result of previous land uses to an extent that would make the land unsuitable for residential use, unless remediation works have been undertaken to the satisfaction of the Environment Protection Authority.
- Is sloped steeper than twenty per cent (1 in 5).
- Is susceptible to landslip.

Ensure land rezoned for rural residential living is designed to maximise efficiency and ensure appropriate staging of development.

Locate outbuildings, shedding, large water tanks and similar items behind the main dwelling so that the dwelling presents to the road.

Policy guidelines

Consider as relevant:

- Encouraging lot sizes in the range 0.2 hectares to 1.0 hectares in the Low Density Residential Zone unless:
 - A larger lot is required for the on-site treatment of waste.
 - A larger lot is needed to protect pockets of significant remnant vegetation.
 - A larger lot is needed for the provision of defensible space under the Bushfire Management Overlay.
- The land has a high landscape value.
- Encouraging lot sizes in the range of 2.0 hectares in the Rural Living Zone unless:
 - A larger lot is required to provide a buffer to adjoining agricultural land uses.
 - A larger lot is needed to protect pockets of significant remnant vegetation.
- The land has a high landscape value.
- Permitting rural residential development on constrained land if development envelopes can be designed to avoid the constraints.

Policy document

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)

17.01-1L **DIVERSIFIED ECONOMY – ALPINE**

C62alpi 26/05/2022

Strategies

Protect the unique tourism attributes of the Shire from impacts from inappropriate commercial and industrial land use and development.

Reinforce the important commercial, service and employment roles played by large townships.

Facilitate the growth of existing businesses.

Encourage value adding business to complement and support agricultural production.

Support development that improves digital access to support growth of rural businesses.

17.03-2L **SUSTAINABLE INDUSTRY – ALPINE**

C62alpi 26/05/2022

Policy application

This policy applies to land in the Industrial Zones, the Mixed Use Zone and other areas identified for industrial use.

Strategies

Support a diverse range of industries that are climate sensitive. [NEW: CVCP p27]

Ensure that the use and development and redevelopment of sites within the industrial precincts are for industrial uses.

Discourage industrial uses in the Mixed Use Zone to avoid conflict with other land uses.

17.04-1L **TOURISM – ALPINE**

C62alpi 26/05/2022

Objective

To enhance and expand the tourism industry, while protecting the environmental, landscape and cultural values of the Shire and the lifestyle of its residents.

General strategies

Support quality tourist development that takes advantage of the environmental, landscape, and heritage values of rural and urban areas.

Encourage tourism development that supports and promotes key attractions, including:

- Walking trails to Buffalo National Park and the High Country. [NEW: ASCRLS, p29, 31, 42]
- Shared trails and mountain bike trails. [NEW: ASCRLS, p34]
- The Murray to Mountains Rail Trail. [NEW: ASCRLS, p32]
- The Ovens River. [NEW: ASCRLS, p29,31]
- Morses Creek. [NEW: ASCRLS, p33]
- Local produce sales. [NEW: ASCRLS, p29, 30, 31]
- Food and wine experiences. [NEW: ASCRLS, p29, 30, 31]
- Mining relics. [NEW: ASCRLS, p33]
- The historic township of Wandiligong and the Diggings. [NEW: ASCRLS, p33, 34]

Locate and design tourism development in the high country and remote areas to minimise impact on landscape, environmental and conservation values. [NEW: ASCRLS, p43]

Encourage the re-use of ex-tobacco sheds for rural-based tourism. [NEW: ASCRLS, p32, 36, 42]

Encourage a diverse range of tourist activities, accommodation, eating establishments and facilities in appropriate locations to:

- Meet changing visitor needs.
- Generate increased visitation, yield, length of stay, and visitation dispersal.
- Spread tourism activity across the Shire more evenly, both geographically and seasonally.
- Support nature based tourism.
- Foster community development and engagement. [NEW: ASES, p23] [to implement adopted Council policy]
- Contribute to positive public health and wellbeing outcomes. [NEW: ASES, p23] [to implement adopted Council policy]
- Minimise environmental impacts. [NEW: ASES, p23] [to implement adopted Council policy]

Encourage development that complements the shared trails in Germantown, Freeburgh, Smoko, Stony Creek Road and walking tracks into the Alpine Areas. [NEW: ASCRLS, p30]

Ensure tourism activities do not undermine public land management objectives to preserve and protect the natural environment, and conserve flora and fauna.

Facilitate the provision of appropriate infrastructure to support the tourism industry including nature based and agriculture based land uses.

Support development at Dinner Plain that encourages year round visitation.

Encourage development within the Shire that supports Mount Hotham and Falls Creek:

- To remain premier snow skiing destinations for Victoria.
- To build capacity as year round destinations.
- By preserving the alpine, natural and wild landscapes on the alpine approaches that provide the sense of arrival to the Alpine Resorts.

Provide services that meet the needs of people visiting the Alpine Resorts and national parks.

Maintain the existing character of towns by ensuring that township boundaries are not compromised by tourism development.

Discourage linear development of tourist facilities along the major traffic routes including the Great Alpine Road, the Kiewa Valley Highway and the alpine approaches.

Locate tourist development in areas with support services and facilities where possible.

Discourage tourism development in close proximity to wastewater treatment plants.

Minimise the transport impact of proposed development on the amenity of the area and the operation of any agricultural uses nearby.

Rural tourism strategies

Ensure tourism development is related to agricultural and other industries that support agricultural uses, and minimises:

- The loss of rural land.
- The potential for land use conflicts with current or potential agricultural production.

Ensure that where rural based tourism is supported it is consistent with the purpose of the zone and surrounding use of land, and:

- Links to agriculture, agri-tourism or the natural environment so that the predominant use of the rural area for agricultural production, and the rural character of the area, is maintained.
- Is compatible with other rural land uses and protects the landscape, environmental and heritage values of the area.
- Protects key environmental features, preserves land of high scenic quality, recognises the importance of the natural and built environment and is sensitively designed and located in the landscape to avoid adverse visual impacts.

- Diversifies the rural economy.

Promote agri-tourism uses and encourage non-traditional agri-tourism experiences.

Support the following types of tourism developments in rural zones:

- Bed and breakfasts undertaken in conjunction with the agricultural use of the land.
- Host farm.
- Tourist uses undertaken in conjunction with the agricultural of the land.

Discourage tourism development in prime productive farming areas, particularly in areas with an open rural landscape.

Myrtleford tourism strategies

Support tourism that takes advantage of Myrtleford's food culture, local produce and Italian heritage. [NEW: MRP, p39] [to implement adopted Council policy]

Strengthen active tourism opportunities that are already present in the region. [NEW: MRP, p42] [to implement adopted Council policy]

Develop the tourism facilities and activities at Lake Buffalo. [NEW: MRP, p42] [to implement adopted Council policy]

Design strategies

Support tourism development that is:

- High quality, low intensity, unobtrusive and site responsive.
- Ecologically sustainable.
- Responsive to the existing character of the area.
- Integrated with existing commercial use and development.

Design and site tourism development to avoid conflict with landscape and environmental values.

Design tourism development to be of a height, scale, mass and colour to reflect building forms and types that blend in with the surrounding landscape.

Ensure tourist facilities provide infrastructure appropriate to the scale and function of the development.

Incorporate landscaping to improve the presentation of the development and blend with the landscape features in the immediate environs.

Policy guidelines

Consider as relevant:

- Tourism development should enhance the environmental condition of the land through protection and re-establishment of native vegetation and control of pest plants and animals, erosion, salinity, stormwater and nutrient runoff.
- Access to tourism sites should be provided via an all-weather two wheel drive road (this applies to the government and internal road) with dimensions adequate to accommodate emergency vehicles and constructed in a manner which minimises any negative impact on the environment.
- Tourism use should only be approved if it can be demonstrated there is a demand for tourist facility proposed in the chosen location.

Policy document

Consider as relevant:

- *Alpine Shire Rural Land Strategy* (Alpine Shire Council, 2015)

18.01-1L LAND USE AND TRANSPORT INTEGRATION – ALPINE

C62alpi 26/05/2022

Strategy

Facilitate community, pedestrian and cycle links between residential, commercial and community facilities. [NEW: CVCP 20]

18.02-2L CYCLING – ALPINE

C62alpi 26/05/2022

Strategy

Develop the Murray to the Mountains Rail Trail.

18.02-4L ROADS – ALPINE

C62alpi 26/05/2022

Strategies

Maintain a safe and efficient rural road network.

Develop an effective and efficient tourist road network.

18.02-5L FREIGHT – ALPINE

C62alpi 26/05/2022

Strategy

Encourage new freight transport facilities and activities in Myrtleford that will improve economic development opportunities and support agricultural growth.

Support the movement of freight associated with agricultural land uses, extractive industries, and timber plantations by managing encroachment from incompatible land use and development that would limit the use of haulage routes. [NEW: HVP submission]

18.02-7L AIRPORTS – ALPINE

C62alpi 26/05/2022

Strategies

~~Protect airports from inappropriate development.~~ [Duplicates first strategy of 18.02-7S]

Support the extension of runway facilities at the Mount Beauty aerodrome while managing the environmental, waterway and flood site constraints on the land.

19.01-1L ENERGY SUPPLY – ALPINE

C62alpi 26/05/2022

Strategy

Encourage the use of alternative energy systems in rural areas.

19.02-4L RECREATIONAL COMMUNITY AND SOCIAL INFRASTRUCTURE - ALPINE

C62alpi 26/05/2022

Strategy

Locate social infrastructure across townships to meet local needs and ensure a higher level of accessibility. [Duplicates 19.02-4S]

Objective

To develop active, connected and liveable communities. [NEW: SARP, p5] [to implement adopted Council policy]

Strategies

Provide recreational facilities that:

- Respond to demonstrated need. [NEW: SARP, p6] [to implement adopted Council policy]
- Encourage opportunities for social connections. [NEW: SARP, p6] [to implement adopted Council policy]
- Are multi-purpose, sustainable and adaptable. [NEW: SARP, p6] [to implement adopted Council policy]
- Optimise the use of existing recreation and open space assets. [NEW: SARP, p6] [to implement adopted Council policy]

Policy document

Sport and Active Recreation Plan 2022-2033 (Alpine Shire Council, 2022) [NEW: SARP] [to implement adopted Council policy]

19.03-2L INFRASTRUCTURE DESIGN AND PROVISION

C62alpi 26/05/2022

Strategies

Encourage infrastructure provided in townships to have sufficient capacity to accommodate expected growth.

Minimise the visual impact of infrastructure.

Facilitate appropriate infrastructure to support agricultural, commercial and tourism uses, development and growth in rural areas.

Improve infrastructure along key touring routes.

Provide a consistent approach to the design and construction of infrastructure across the municipality. [To reflect Council's use of the IDM in line with other rural and regional municipalities].

Policy guideline

Consider as relevant:

- The *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2022) or an approved precinct structure plan for subdivision and development. [To reflect Council's use of the IDM in line with other rural and regional municipalities].

Policy document

Consider as relevant:

- The Infrastructure Design Manual (Local Government Infrastructure Design Association, 2022) [To reflect Council's use of the IDM in line with other rural and regional municipalities].

19.03-3L INTEGRATED WATER MANAGEMENT

C62alpi 26/05/2022

Strategies

Encourage the use of alternative effluent and water systems in rural areas.

Avoid the creation of new point source discharges and rationalise existing discharge points.

Design development in rural areas so stormwater flows downstream are no greater than predevelopment levels.

Ensure development in rural areas retains and treats all effluent on site.

Policy guidelines:

Consider as relevant:

- Allowing increased stormwater flows if there are no detrimental downstream impacts ~~and the drainage authority approves~~. [Cannot include referral requirements in local provisions, move to 66.06]
- Applications to construct a building within 100 metres of a waterway that will generate effluent should include evidence that the building site is capable of containing an appropriate water treatment system as required by the relevant EPA "Code of Practice – Onsite Wastewater Management".

19.03-4L TELECOMMUNICATIONS

C62alpi 26/05/2022

Strategy

Improve digital connectivity, coverage and speed ~~Support upgrades to the telecommunication network~~ to ensure access and fast speeds to telecommunications across the whole Shire to support economic growth and eliminate black spots. [NEW: CVCP p27] [Strengthens policy in line with Council's adopted position]

SCHEDULE TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **LDRZ**.

1.0 Subdivision requirements

C55alpi 14/01/2021

	Land	Area (hectares)
Minimum subdivision area (hectares)	None specified	

2.0 Outbuilding permit requirements

C55alpi 14/01/2021

Dimensions above which a permit is required to construct an outbuilding (square metres)
None specified

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **MUZ**.

ALPINE MIXED USE AREAS

1.0 Objectives

C55alpi 14/01/2021

None specified.

2.0 Clause 54 and Clause 55 requirements

C55alpi 14/01/2021

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement

C55alpi 14/01/2021

None specified.

4.0 Exemption from notice and review

C55alpi 14/01/2021

None specified.

5.0 Application requirements

C55alpi 14/01/2021

None specified.

6.0 Decision guidelines

C55alpi 14/01/2021

None specified.

7.0 Signs

C55alpi 14/01/2021

None specified.

SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **TZ**.

ALPINE TOWNSHIPS

1.0 Neighbourhood character objectives

C55alpi 14/01/2021

None specified.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

C55alpi 14/01/2021

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No
Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

3.0 Clause 54 and Clause 55 requirements

C55alpi 14/01/2021

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified

Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling or residential building

[C55alpi](#) [14/01/2021](#)

None specified.

5.0 Application requirements

[C55alpi](#) [14/01/2021](#)

None specified.

6.0 Decision guidelines

[C55alpi](#) [14/01/2021](#)

None specified.

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

[C55alpi](#) [14/01/2021](#)

Shown on the planning scheme map as **GRZ1**.
 ALPINE GENERAL RESIDENTIAL AREA

1.0 Neighbourhood character objectives

[C55alpi](#) [14/01/2021](#)

None specified.

2.0 Construction or extension of a dwelling or residential building – minimum garden area requirement

[C55alpi](#) [14/01/2021](#)

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

[C55alpi](#) [14/01/2021](#)

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?
No
Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?
No

4.0 Requirements of Clause 54 and Clause 55

[C55alpi](#) 14/01/2021

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

5.0 Maximum building height requirement for a dwelling or residential building

[C55alpi](#) 14/01/2021

None specified.

6.0 Application requirements

[C55alpi](#) 14/01/2021

None specified.

7.0 Decision guidelines

[C55alpi](#) 14/01/2021

None specified.

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

[C55alpi](#) 14/01/2021

1.0 Maximum leasable floor area requirements

[C55alpi](#) 14/01/2021

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

SCHEDULE TO CLAUSE 33.02 INDUSTRIAL 2 ZONE

[C55alpi](#) 14/01/2021

1.0 Maximum leasable floor area requirements

[C55alpi](#) 14/01/2021

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

C55alpi 14/01/2021

1.0 Maximum leasable floor area requirements

C55alpi 14/01/2021

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified	None specified	None specified

SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **RLZ1**.

1.0 Subdivision and other requirements

C55alpi 14/01/2021

Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land 2 hectares
Minimum area for which no permit is required to use land for a Dwelling (hectares)	All land 2 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified None specified
Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)	None specified None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres)	None specified None specified
Minimum setback from a road (metres)	None specified None specified
Minimum setback from a boundary (metres)	None specified None specified
Minimum setback from a dwelling not in the same ownership (metres)	None specified None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **RCZ1**.

CONSERVATION VALUES

To ensure that sub-alpine freehold land is protected and managed in a way that maintains the high scenic and conservation values of the sub-alpine environment.

1.0

Subdivision and other requirements

C55alpi 14/01/2021

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares)	All land	100 hectares
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary	All land
Earthworks which increase the discharge of saline groundwater	All land

SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **FZ1**.

1.0 Subdivision and other requirements

VC205 20/01/2022

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares)	All land	40 hectares or 20 hectares in accordance with Municipal Planning Strategy and the Planning Policy Framework <i>Agriculture in Clause 22.03-2</i>
Minimum area for which no permit is required to use land for a dwelling (hectares)	All land	40 hectares
Maximum area for which no permit is required to use land for timber production (hectares)	Land in a Significant Landscape Overlay	40 hectares
	All other land	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)	None specified	None specified
Minimum setback from a road (metres)	A Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> ▪ The Head, Transport for Victoria is the acquiring authority; and ▪ The purpose of the acquisition is for a road. 	100 metres
	A Transport Zone 3 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> ▪ The Head, Transport for Victoria is not the acquiring authority; and 	40 metres

	<ul style="list-style-type: none"> ▪ The purpose of the acquisition is for a road. 	
	Any other road	20 metres
Minimum setback from a boundary (metres)	Any other boundary	5 metres
Minimum setback from a dwelling not in the same ownership (metres)	Any dwelling not in the same ownership	100 metres
Permit requirement for earthworks		
		Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary		All land
Earthworks which increase the discharge of saline groundwater		All land

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

C55alpi 14/01/2021

1.0 Permit exemptions and conditions

C55alpi 14/01/2021

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

C55alpi 14/01/2021

Land	Sign Category
None specified	None specified

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

C55alpi 14/01/2021

1.0 Permit exemptions and conditions

C55alpi 14/01/2021

Public land	Use or development	Conditions
None specified	None specified	None specified

2.0 Sign requirements

C55alpi 14/01/2021

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

C55alpi 14/01/2021

None specified.

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **SUZ1**.

DINNER PLAIN – VILLAGE AREA

Purpose

To provide for the use and development of a quality integrated alpine tourist village supported by appropriate ancillary services.

To effectively implement the Dinner Plain Masterplan (Dec 2005).

To provide for a range of residential, tourist and recreational facilities, supported by ancillary services that complements the surrounding natural environment and encourages all year round use of the village.

To ensure that the scale, intensity, bulk and character of all development is sympathetic and complimentary to the alpine environment and the village neighbourhood character.

To ensure that further subdivision does not adversely affect the existing character and amenity of the village.

19.0 ~~4.0~~ Table of uses

C55alpi 14/01/2021

Section 1 – Permit not required	
Use	Condition
Dwelling	Must be within the Residential Precinct identified on the Dinner Plain Master Plan – Clause 21.07-9
Informal outdoor recreation Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
Section 2 – Permit required	
Use	Condition
Group accommodation Convenience restaurant Hotel Restaurant Shop	

Service industry	
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
Use	
Abattoir Animal keeping Cemetery Crematorium Extractive industry Intensive animal husbandry Refuse disposal Saleyard	

2.0

Use of land

C55alpi 14/01/2021

The use of land must accord with the precincts identified in Clause 21.07-9 and on the Dinner Plain Masterplan (Dec 2005).

Objectives

Village Precinct A – Commercial Core/ Entrance Area

- To ensure land is used for retailing and other complementary commercial, entertainment and community uses. Residential use is possible provided it is ‘shop top housing’, or located to the rear of the site and ancillary to commercial use.

Village Precincts B1 & B2 – Commercial Core/ Entrance Area/ Scrubber’s Lane Area

- To confine use of land only to community facilities eg visitor information centre, toilet facilities, school, crèche, community hall, meeting rooms, conference facilities, health and recreation.

Village Precinct C – Service Estate

- To provide opportunity only for service industries ancillary to the operation of Dinner Plain to be concentrated in an area separated from the core village area eg storage and vehicle servicing.

Village Precinct D – Residential

- To ensure these areas are used predominately for residential accommodation purposes.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. An application to use land must be accompanied by the following information, as appropriate: [To comply with MD drafting requirements]

- The purpose of the use and the type of activities that will be carried out.
- The likely effects, if any, on the surrounding area, including noise levels, air borne emissions, emissions to land or water, traffic, hours of operation and light spill.
- Provisions for the storage of trade wastes and garbage receptacles, and for the screening of these areas from public view.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority. [To comply with MD drafting requirements]

- The use is consistent with the purpose of the Precinct in which it is to be located.
- The use will not adversely impact on the surrounding area.

3.0

Subdivision

C55alpi 14/01/2021

Permit requirement

A permit is required to subdivide land.

Each lot within the Residential Precinct identified on the Dinner Plain Masterplan (Dec 2005) – Clause 21.07-9, must be at least 220 square metres in area.

Subdivision to create lots less than 220 square metres in the Residential Precinct is possible where there are existing buildings to be used to accommodate persons away from their normal place of residence and there is a body corporate management regime that ensures the accommodation is used only for short term stays. There must be sufficient common area available for occupants to use for passive and active recreational purposes.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. [To comply with MD drafting requirements]

- Similar to Clause 56.01, an application must be accompanied by a ‘site and context description’ and a ‘design response’.
- For subdivision of buildings containing accommodation units on lots less than 220 square metres in area, an appropriate management plan for the communal common property areas must be provided together with details of the body corporate regulations that will ensure the units are used only for short-term holiday purposes.
- For lots smaller than 500 square metres, building envelopes are required to be shown to ensure the amenities of future neighbours will be preserved, achieving reasonable density in a controlled manner. It can include matters of building setback, daylight, overshadowing, visual bulk and impervious surface materials and snow shedding.
- The specification of such building envelopes will assist in providing for the following design considerations:
 - Maintaining view corridors.
 - Generating undulating streetscape avenues.
 - Providing solar access.
 - Compatibility with the neighbourhood scale of the local flora and geographical characteristics, the tree line heights etc.
 - The development of a diverse range of lot sizes ensures a varying array of building forms and sizes.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority. ~~Before deciding on an application to subdivide land, the responsible authority must consider, as appropriate:~~ [To comply with MD drafting requirements]

- The requirements of Clause 56.
- The protection and enhancement of the natural environment and character of the area including the retention of vegetation along waterways, gullies and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- The maintenance of an average lot size of at least 220 square metres.

4.0 Buildings and works ~~Construction and extension of one dwelling on a lot~~ [To comply with MD drafting requirements]

C55alpi 14/01/2021

Permit requirement

A permit is required to construct or extend one dwelling on a lot and to construct outbuildings and site facilities (such as garbage facilities, service yards, telecommunications structures).

A permit is required to construct a building or construct or carry out works for a use in Table 2 of Section 1 of this Schedule. [To comply with MD drafting requirements]

A permit is required to:

- Remove any indigenous vegetation other than vegetation shown on an approved development plan.
- Plant any vegetation other than species indigenous to the Dinner Plain area. [To comply with MD drafting requirements]

Exemption from notice and review

An application to construct or extend one dwelling on a lot (and construct related outbuildings and site facilities) is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the satisfaction of the responsible authority. [To comply with MD drafting requirements]

Before deciding on an application to construct or extend one dwelling on a lot (and construct related outbuildings and site facilities) the responsible authority must consider, as appropriate:

- The objectives, standards and decision guidelines of the Development Code in Clause 8.0 of this Schedule.

Before deciding on an application to construct a building or carry out works for a use in Table 2 of Section 1 of this Schedule, the responsible authority must consider, as appropriate:

- The objectives, standards and decision guidelines of the Development Code in Clause 8.0 of this Schedule. [To comply with MD drafting requirements]

Before deciding on an application to remove any indigenous vegetation other than vegetation shown on an approved development plan or plant any vegetation other than species indigenous to the Dinner Plain area, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework, including local planning policies.
- The objectives, standards and decision guidelines of Clause 8.0 of this Schedule. [To comply with MD drafting requirements]

5.0 Buildings and works

C55alpi 14/01/2021

Permit requirement

~~A permit is required to construct a building or construct or carry out works for a use in Table 2 of Section 1 of this Schedule.~~

Decision guidelines

~~Before deciding on an application to construct a building or carry out works for a use in Table 2 of Section 1 of this Schedule, the responsible authority must consider, as appropriate:~~

- ~~• The objectives, standards and decision guidelines of the Development Code in Clause 8.0 of this Schedule.~~

6.0 Landscaping and removal of vegetation

C55alpi 14/01/2021

Permit requirement

A permit is required to:

- ~~• Remove any indigenous vegetation other than vegetation shown on an approved development plan.~~
- ~~• Plant any vegetation other than species indigenous to the Dinner Plain area.~~

Decision guidelines

~~Before deciding on an application, the responsible authority must consider, as appropriate:~~

- ~~• The Municipal Planning Strategy and the Planning Policy Framework, including local planning policies.~~
- ~~• The objectives, standards and decision guidelines of Clause 8.0 of this Schedule.~~

57.0

Signs

C55alpi 14/01/2021

Sign requirements are at Clause 52.05. This schedule is in Category 4.

Exempt Signs

In addition to the exemptions in Clause 52.05-4, a permit is not required to display the following signs:

- Skier and pedestrian control signs, direction signs and identification signs erected or constructed for the safety of users of the resort.

68.0

Development code

C55alpi 14/01/2021

Application requirements

An application must include the following information:

- A design response explaining how the proposal respects the Dinner Plain neighbourhood character described in Clause 68.1 of this Schedule.
- Details of the present use of land.
- Boundaries and dimensions of the site.
- The existing landform and topographic features of the site including drainage lines and existing vegetation.
- Details of any indigenous vegetation proposed to be removed.
- Proposals for landscaping and rehabilitation of any disturbed areas.
- Proposed access to the site and provisions for car parking on the lot.
- Details of the exterior treatment and finish of walls and roofs.
- The plan, elevation and section views of the proposed building.
- Snow management proposals such as roof snow shedding design, and impact on pedestrian areas, car parks and adjoining properties. Details of the manner in which snow is to be cleared from pedestrian and vehicle access ways and car parking areas.
- Details of site servicing including water and sewerage connections and installations, drainage provisions, and the location of a garbage collection point.
- Details of sediment pollution control works.

68.1

Neighbourhood character description

VC37 19/01/2006

Streetscape characteristics of Dinner Plain

- The streetscape features a series of varying roof pitches and non-aligned sidewalls, creating an informal and clustered image.
- While most houses are double storey, each incorporate single storey elements presenting a human scale to the street.
- The winding nature of the street reveals the sides and corners of houses, emphasising the cluttered and informal characteristic of the village. The street network also intermixes pedestrians with cars.
- Meandering access ways also create a “level of intrigue” in traversing the village and reinforces intimacy of scale.
- The subtle use of various materials and colours, the proximity to trees and retention of surrounding natural landscape is emphasised to assist integration. Large gumtrees also de-emphasise the scale of houses.
- Loosely scattered houses, no formal property boundaries, undefined front gardens, no fencing and the proximity of adjoining houses (creating intimate pathways) enhances the communal character.
- Elements of varying heights, such as towers, add to visual diversity and also create visual landmarks.
- Considered and restrained use of colour and natural materials enable harmony between the architecture and natural environment and create a cohesive image.

Architectural characteristics of Dinner Plain

- Provide a human scale to the entry spaces with single storey porticos, framed by low roofs.
- Have varying roof profiles.
- Overall height and length of walls reduced with stone entry porticos supported by timber columns and projecting rooms creating a sense of depth and relief.
- Irregular placement of windows in the walls, emphasising the creation of nooks and crannies (lofts) to add charm and variety.
- The retention of the trees in most developments allows the housing stock to merge into the landscape.
- Small-scale windows used in most houses and irregular windows and attention to detail enhances the character and visual intrigue of the dwelling.
- Rooflines dropping down to almost ground level, with no gutters or downpipes to facilitate snow shedding.
- The use of a mix of wall materials including: timber, stone and small elements of Colorbond® and glass.
- Detail to gable roof ends, intimate entry porches, stone walling, irregular timber columns, intricate timber fretwork detail around the eave line.
- Subdued colour schemes throughout each house in the walls, roof and trim details so as to blend harmoniously with the snow gums.
- Front elevation having an intimate scale, assisted by sweeping rooflines, chimney articulation, highlight windows and small window openings.
- Building external balconies around existing trees extends the interior of the house outside and integrates the architecture with the natural environment.
- Recessed, single entry garage doors to ensure they are not dominant elements.

68.2

Building design

C55alpi 14/01/2021

Objectives

- Buildings must be designed and constructed in a way that is consistent and complementary to the architectural and streetscape characteristics described in Clause 8.1 of this Schedule.
- Gives strong recognition to the alpine climatic demands in the design of the building form so as to ensure that the building functions well when subjected to the rigours of that climate. The building design should strongly relate to the unique natural climatic environment.
- Minimises energy consumption and captures the benefits of passive solar energy.
- Minimises soil disturbance by taking advantage of the natural topography of the site.
- Maximises the retention of existing snow gums on the site.
- Uses materials, finishes and colours that complement the colours and materials of the alpine environment. Acceptable building materials include local stone and earth, and stained timber, Colorbond® roofs and elements of Colorbond® walls.
- Ensures that snow deposition from the building and adjoining buildings will not affect any existing or proposed pedestrian or vehicle access ways.

Standard

- Buildings should be in context with the existing Dinner Plain built form.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the building design is consistent and compatible with the Dinner Plain neighbourhood character description in Clause 8.1 of this Schedule.

68.3

Integration with the street

C55alpi 14/01/2021

Objectives

- To integrate the layout of development with the existing street patterns.
- To achieve a coherent development that provides a pleasant and energy efficient living environment, respecting the Dinner Plain neighbourhood character described in Clause 8.1 of this Schedule.

Standards

- Dwellings should be oriented to front existing and proposed streets.
- Fencing is not permitted (unless required by a statutory authority or for a service yard, and is of appropriate design).
- Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.
- Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.
- Developments next to existing public open space should be laid out to complement the open space.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the layout of the development is consistent with the Dinner Plain neighbourhood character description in Clause 8.1 of this Schedule.
- Whether the developments provide a variety of accommodation to accommodate various types of households or guest groupings.

68.4 Dwelling diversity

C55alpi 14/01/2021

Objectives

- To encourage a range of dwelling sizes and types in the resort development as a whole.
- To optimise the yield of accommodation development while promoting high design standards, a variety of accommodation types, and minimising loss of amenity to adjacent landholders.

Standards

- Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and washbasin at ground floor level (to allow disabled access).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- There is variety in the layout and design consistent with the elements referred to in the Dinner Plain neighbourhood character description in Clause 8.1 of this Schedule.
- Whether the developments provide a variety of accommodation to accommodate various types of households or guest groupings.

68.5 Infrastructure

VC37 19/01/2006

Objectives

- To ensure development is provided with appropriate utility services and infrastructure.
- To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standards

- Development should be connected to reticulated services, including water, sewerage, drainage, electricity and gas.
- Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
- In areas where utility services or infrastructure have little or no spare capacity, (or there are sensitive environmental drainage issues such as in water bore buffer zones), developments should provide for the upgrading of, or mitigation of, the impact on services or infrastructure or catchment areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, (or there are sensitive environmental drainage issues) the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

68.6 Site layout and building massing

C55alpi 14/01/2021

Objective

- To achieve a coherent layout that provides a pleasant and energy efficient living environment.

Standards

- The design and layout of buildings enhances existing streets, maintaining amenity for adjacent properties and provides a sense of address and identity.
- In larger scale developments, varied building types and forms are integrated throughout the development to provide an interesting sense of mix and contrast.
- The development capitalises on views from the site engaging existing vegetation and site features.
- The design retains significant stands of native vegetation, in particular snow gums or other viable native vegetation, on the site.

Decision guidelines

The layout of a development should be based on a thorough analysis of the site and its surrounding areas. Issues to be considered in site layout, by the applicant and responsible authority include:

- The size and shape of the site should be considered so that the building can be designed to sit on the site and have the opportunity of maximising all the desirable characteristics being sought to satisfy the list of design objectives.
- Location, function and management of public or shared open spaces.
- The effects of adjoining structures and vegetation.
- Energy efficiency, solar orientation and predominating winds.
- Ground conditions and site drainage.
- Snow shedding, personal safety, and access.
- Traffic flows around and through the site and its connectivity to the village.

68.7

Development and street setbacks

C55alpi 14/01/2021

Objectives

- To ensure that development are setback from the Great Alpine Road to protect the visual and environmental amenity of the resort.
- To ensure that development is constrained by buffer zones around identified environmentally significant areas.
- To ensure that the setbacks of buildings from a street respect the defining elements identified in the Dinner Plain neighbourhood character description in Clause 8.1 of this Schedule whilst making efficient use of the site.
- To ensure that buildings are sympathetic in scale and location to the landscape, trees and views.
- To ensure buildings are well articulated and fragmented in form.
- To allow for some variety in the frontage setbacks of properties, thus enhancing the existing “informal character”.
- To ensure that view corridors between buildings and along specified view lines are maintained.

Standards

- The minimum setbacks from the Great Alpine Road are:
 - 120 metres for buildings other than tennis courts, information centres, gatehouses, service utility installations and community use facilities.
 - 100 metres for commercial and residential development on the western side of the village entrance to the water bore reserve, as shown on the Dinner Plain Masterplan (Dec 2005).
 - 50 metres for community use buildings and car parking areas on the western side of the village entrance road.
 - 50 metres for residential development on the western side of the water bore reserve as shown on the Dinner Plain Masterplan (Dec 2005).
 - 25 metres for community use buildings and car parking areas on the eastern side of the village entrance road.

- The minimum setback from significant environmental areas as identified on the Dinner Plain Masterplan (Dec 2005) is 20 metres.
- The minimum setback from the village’s water supply bore is 250 metres unless a Section 173 Agreement incorporating a management plan to control use and development within the 250 metre buffer is entered into with the land owner(s), the responsible authority and the water supply authority.
- Walls of buildings should be set back from streets:
 - At least the distance specified in the Table 8.1 below, but with some varied setback to add to diversity.
 - To align with the existing tree line where possible.
 - To align with specified view lines where appropriate.

Table of street setbacks

Development Context	Minimum Setback From Front Street (Metres)	Minimum Setback From a Side Street (Metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 4 metres, whichever is the lesser	Not applicable
The site is on a corner	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 4 metres, whichever is the lesser If there is no building on the abutting allotment, 4 metres minimum	The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Clause 8.1 — the Dinner Plain neighbourhood character description.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties and any specific identified view lines.
- The value of retaining vegetation within the front setback.

68.8

Building height

C55alpi 14/01/2021

Objective

- To ensure that the height of buildings respect the Dinner Plain neighbourhood character description.

Standards

- The maximum height of any building must not exceed 11 metres.
- A permit may be granted to exceed 11 metres in height for an architectural feature, being a bell tower, on the south west corner of a building on Lot 191 PS 146751C, Parish of Theddora, Big Muster Drive, Dinner Plain, generally in accordance with the plan “Deacon Investments Development at 191 Big Muster Drive, Dinner Plain TP4”, prepared by Crosier Scott & Associates Architects Pty Ltd and dated 9 December 1998.
- Changes of building height between existing buildings and new buildings should be graduated.

- The built form should be articulated and appear fragmented to break up the mass of the building.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Clause 8.1 of this Schedule — The Dinner Plain Neighbourhood Character Description.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

68.9

Site coverage

C55alpi 14/01/2021

Objective

- To ensure development is consistent with the Dinner Plain Neighbourhood Character Description and recognises the importance of maintaining environmental values.

Standards

- Unless there are previously approved building envelopes, that exceed the following criteria, the site area of the allotment covered by buildings should not exceed:
 - 60 per cent in the Commercial Precinct.
 - 50 per cent in the Residential Precinct.

The precincts are identified on the Dinner Plain Masterplan (Dec 2005) in Clause 21.07-9.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Clause 8.1 of this Schedule, the Dinner Plain neighbourhood character description.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site-specific constraints such as steep or undulating topography, vegetation retention or recognised view protection areas, or major physical limitations or servicing inadequacies that cannot be satisfactorily overcome.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this will impact on neighbourhood character.

68.10

PERMEABILITY AND SNOWSHED

C55alpi 14/01/2021

Objectives

- To reduce the impact of increased stormwater run-off on the drainage system.
- To facilitate on-site stormwater infiltration.
- To control the snowshed from roof so it does not spill or have impact on neighbouring properties and protects vehicular and pedestrian access ways.

Standards

- At least 40 per cent of the site should be permeable (ie. Not be covered by impervious surfaces).
- In environmental setback areas, ensure stormwater runoff from buildings and roadways, does not detrimentally increase the discharge into protected/sensitive areas.

- Roof pitch, building setback and site slope are factors to be considered when assessing the impact of snowshed on adjoining properties.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving at least 40 per cent site coverage of permeable surfaces, (60 per cent impervious) particularly on lots of less than 300 square metres.
- The distance from environmentally sensitive features such as water bores, alpine bog and likely water infiltration impacts and requirements of responsible authorities.
- The distance of roof eaves from neighbouring properties, vehicular and pedestrian access ways and walkways and likely impact of snow shedding.

68.11

ENERGY EFFICIENCY

C55alpi 14/01/2021

Objectives

- To achieve a site layout and landscaping that protects and promotes environmental management in terms of air quality, energy efficiency, control of solar access and efficient stormwater management.
- To achieve and protect energy efficient dwellings and residential buildings.
- To ensure the orientation and layout of development minimises fossil fuel energy use and make appropriate use of daylight and solar energy.

Standards

All buildings should:

- Be designed to minimise fossil fuel energy use and to maximise use of natural ventilation, daylight and solar energy.
- Have layouts and orientation that minimise winter heat loss and make use of solar energy where practical.
- Be sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Have living areas and larger wall openings/windows on the northern side where solar access is available, and double-glazing on all windows and glazed doors.
- For sites with multiple dwellings, the development should be designed to achieve a four-star energy rating, using the Sustainable Energy Authority of Victoria 'First-Rate' system or equivalent.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response to alpine conditions (including massing, windows, entry protection, insulation and materials).
- The size, orientation and slope of the lot.
- The impact on solar access to neighbouring buildings.
- The availability of solar access to north-facing windows on the site.

68.12

LANDSCAPING

C55alpi 14/01/2021

Objectives

- To encourage development that respects the landscape character of the Dinner Plain alpine environment.
- To ensure the retention of native vegetation and significant stands of trees on the site.
- To create a pleasant, safe and attractive alpine village environment, blending new development in to the existing landscape. The landscaping of a development should form part of a comprehensively designed concept, which brings together the design of the buildings, a sense of space and maintenance of the existing landscape character of the locality.
- To maximise the retention of existing snow gums on each site.

Standards

- Development should provide for the retention and planting of indigenous trees (snow gums) and other indigenous alpine vegetation, as these are part of the neighbourhood character.
- The construction of buildings should not result in a net loss of indigenous vegetation.
- Compensatory planting will be required in alternative locations if it cannot be contained on site. Priority given to retention of existing native vegetation. Only native species can be re-established.
- A 10 metre planted buffer will be required between the Residential and Service Area Precincts where designated on the Dinner Plain Masterplan (Dec 2005) – Clause 21.07-9.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The Dinner Plain neighbourhood and vegetation character and existing tree lines.
- The design response and effect on existing stands of trees and any compensatory planting proposals.

68.13

CAR PARKING

VC37 19/01/2006

Objectives

- To ensure that car parking is adequate for the needs of residents.
- To minimise detrimental impacts of vehicles, accommodation and access on the amenity of building developments, street/landscape, neighbourhoods and the alpine environment.
- To encourage the provision of private car parking on sites where possible.

Standards

- One car space should be provided per dwelling under 100 square metres. One space must be at least 6 metres long and 3.5 metres wide.
- Two car spaces should be provided per dwelling up to 200 square metres. If the space is provided in a garage, the use of double doors should be ideally avoided by tandem parking.
- Buildings in excess of 200 square metres to provide parking based on generated demand (demonstrated to the responsible authority- taking account of bed capacity for residential buildings, or customer demand generated by commercial land uses).
- Car parking facilities including access ways, garages and car storage areas should not dominate the view of the building from the road and should be visually compatible with the building. A building may project into a car space if it is at least 2.1 metres above the space.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The likely needs of users.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.

- The reduction of on-street car parking spaces resulting from the provision of car parking on the site, particularly for lots of less than 300 square metres.
- The availability of on-street parking.
- Any relevant parking precinct plan.

68.14

AMENITY IMPACTS

C55alpi 14/01/2021

In the Dinner Plain resort-village environment, the predominant use is for short stay accommodation purposes, which does not generate the same need for visual and acoustic privacy compared with that necessary for long term permanent residents. However direct overlooking of adjacent private apartments or dwellings from nearby new developments should be minimised.

Acoustic privacy can be a major problem between apartments within a development. Most problems can be minimised through appropriate layout combined with use of sound insulating materials.

68.14-1

SIDE AND REAR SETBACKS

Objective

- To ensure that the height and setback of a building from a boundary respects the existing Dinner Plain neighbourhood character as described in Clause 8.1 of this Schedule and limits the impact on the amenity of nearby residents.

Standard

- A new building should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Clause 8.1 of this Schedule, the Dinner Plain neighbourhood character description.
- The impact on the amenity of existing residents.

68.14-2

WALLS ON BOUNDARIES

Objective

- To ensure that the location, length and height of a wall on a boundary respects the Dinner Plain neighbourhood character and limits the impact on the amenity of existing residents.

Standard

- A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Clause 8.1 of this Schedule, the Dinner Plain neighbourhood character description.
- The impact on the amenity of existing residents.

68.14-3

DAYLIGHT TO NEW AND EXISTING WINDOWS

Objective

- To allow adequate daylight into new and existing habitable room windows.

Standards

- Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

- A window in a habitable room should be located to face an outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing residents.

68.14-4 NORTH-FACING WINDOWS

Objective

- To allow adequate solar access to existing north-facing habitable room windows.

Standard

- If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

68.14-5 Overlooking and internal views- into habitable room windows

Objectives

- To limit views into existing habitable room windows.
- To limit overlooking of private living areas and views for neighbouring dwellings and apartments.

Standard

- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio.

68.14-6 NOISE IMPACTS

Objectives

- To contain noise sources in developments that may affect existing dwellings.
- To protect residents/guests from external noise.
- To substantially contain noise within each apartment/dwelling and to limit noise from communal areas or shared facilities affecting nearby apartments/dwellings.

Standards

- Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.
- Noise sensitive rooms of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.
- Dwellings and residential buildings close to busy roads/commercial premises/car park areas should be designed to limit noise levels in habitable rooms.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The management of facilities response.

68.15-1 ACCESSIBILITY

Objectives

- To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard

- For sites with multiple dwellings on one lot, the dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

68.15-2 BUILDING ENTRIES

Objectives

- Building entries should be clearly visible and easily identified from public areas. Access should be convenient, direct and free from the possibility of falling snow.
- Entries should be designed to give each building an individual identity.
- Entries should incorporate a transition space from the front protected porch area to warm interior dry areas (and ideally include a ski room/drying room as a practical transition from wet areas).
- For larger public buildings, access for the disabled should also be provided where practicable by minimising changes of level for steps being replaced by ramps.
- Access to buildings should be all weather.

Standards

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

68.15-3 PRIVATE/COMMUNAL OPEN SPACE

There are two categories of open space associated with residential development.

Private open space associated with residential accommodation, is not considered to be necessary, due to the high proportion of residents being transient or short-term stayers.

Communal open space comprises land or facilities provided for the use and enjoyment of residents/tourists occupying a residential development. The owners of the land usually manage this space corporately. Communal open spaces and shared facilities may include swimming pools, tennis courts and children's play areas. Such spaces must be capable of effective maintenance and management and may require specific boundaries and protective fencing.

68.16 SITE FACILITIES AND INFRASTRUCTURE

[C55alpi](#) 14/01/2021

In the alpine village in particular, site facilities and service areas require careful design, both for individual dwellings and commercial and community buildings. These areas should be designed in a manner appropriate to their function and detailed to complement the design of the development and its environs.

Many building developments contain services and facilities that are grouped or shared amongst leaseholders. Most common group facilities include garbage bin enclosures, electricity and gas meters, service yards, letterbox areas and clotheslines.

Several categories of infrastructure requirements need to be considered:

- Connections from the development to the physical service reticulations, water supply, sewerage, electricity, gas, telecommunications.
- Street vehicular capacity and traffic management.

- Garbage and waste collection.
- Service yards.

Objectives

- Adequate provision shall be made of storage and collection of garbage and other solid wastes and service yards and for the appropriate screening or fencing of areas and equipment used for such purposes from public view.
- Pedestrian access ways to building entries are adequately lit at night for safety and security of residents and guests.
- To encourage building development in areas where it can take advantage of existing physical infrastructure.

Standards

- All services, water, electricity, sewerage, gas and telephone must be installed underground in accordance with the requirements of the responsible authority.
- All telecommunications structures (antennae, satellite dishes etc.) must be installed in accordance with the requirements of the responsible authority.
- No water, waste etc. shall be discharged from the site other than means of an underground pipe or drain connected to an approved outlet or to an underground drain to the satisfaction of the responsible authority.
- Garbage bin enclosures, mailboxes, service yards and clothesline areas must be adequate in size and location and appropriate in design, with adequate screening or fencing.

SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **SUZ2**.

DINNER PLAIN SERVICE AND RECREATION

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework, including local planning policies.

To identify land that is used for the provision of infrastructure and support facilities for the Dinner Plain village.

To provide for recreation facilities ancillary to the Dinner Plain village.

To provide for educational and accommodation facilities that are sympathetic and complimentary to the alpine environment which are not appropriate in the Special Use Zone 1.

1.0

Table of uses

C55alpi 14/01/2021

Section 1 – Permit not required	
Use	Condition
Car park	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet requirements of Clause 52.08-2
Search for stone	Must not be costeaning or bulk sampling
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 – Permit required	
Use	Condition
Caretaker’s house Child care centre Education centre Residential building Major sports and recreation facility Transfer station	
Section 3 – Prohibited	
Use	
Any other use not in Section 1 or 2	

2.0 Use of land

[C55alpi](#) 14/01/2021

The following decision guidelines apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and the Planning Policy Framework and local planning policies.
- The Dinner Plain neighbourhood character described in Clause 21.07-9.
- The protection and enhancement of the natural environment and character of the area including the retention of vegetation along waterways, gullies and property boundaries.
- The purpose of this Schedule and whether the use would be more appropriately located in the Special Use Zone 1.
- The impact of the use on the Dinner Plain village and its future development.
- The impact of the use on the capability of the land to provide for wastewater and sewerage treatment and disposal.

3.0 Subdivision

[VC37](#) 19/01/2006

Permit requirement

A permit is required to subdivide land.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. An application must be accompanied by relevant information and a plan showing: [To comply with MD drafting requirements]

- The existing landform and topographic and environmental features of the site, including drainage lines and existing vegetation, and likely environmental impacts.
- Proposals for the provision of drainage the supply of power and water, and for the disposal of waste.
- Proposals for the landscaping and rehabilitation of any disturbed areas.
- Provision for transport access and parking provision.

4.0 **Buildings and works**

C55alpi 14/01/2021

Permit requirement

A permit is required to construct a building or construct or carry out works other than buildings and works associated with a utility installation.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Details of the present use of the land.
- Boundaries and dimensions of the site.
- The existing landform and topographic features of the site including drainage lines and existing vegetation.
- Details of any indigenous vegetation proposed to be removed.
- Proposals for landscaping and rehabilitation of any disturbed areas.
- Proposed access to the site and provisions for car parking, both on the lot and the adjoining road reserve.
- Details of the exterior treatment and finish of walls and roofs.
- The plan, elevation and section views of the proposed building.
- Snow management proposals such as roof snow shedding design, and impact on pedestrian areas, car parks and adjoining properties. Details of the manner in which snow is to be cleared from pedestrian and vehicle access ways and car parking areas.
- Details of site servicing including water and sewerage connections and installations, drainage provisions, and the location of a garbage collection point.
- Details of sediment pollution control works.

Building height

The maximum building height of any building must not exceed 11 metres.

Building design guidelines

- Buildings must be designed and constructed in a way that reflects the Dinner Plain neighbourhood character as described in Clause 21.07-9.
- Gives strong recognition to the alpine climatic demands in the design of the building form so as to ensure that the building functions well when subjected to the rigors of that climate. The building design should strongly relate to the unique natural climatic environment.
- Is consistent with and complements the character of development in the village.
- Minimises energy consumption and captures the benefits of passive solar energy.
- Minimises soil disturbance by taking advantage of the natural topography of the site.
- Maximises the retention of existing snow gums on the site.
- Uses materials, finishes and colours that complement the colours and materials of the alpine environment. Acceptable building materials include local stone and earth, and stained timber, with Colorbond® roofs.

Landscaping and removal of vegetation

A permit is required to:

- Remove any indigenous vegetation.
- Plant any vegetation other than species indigenous to the Dinner Plain area.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and the Planning Policy Framework, including local planning policies.
- The Dinner Plain neighbourhood character described in Clause 21.07-9.
- Whether the development would be more appropriately located in the Special Use Zone 1.
- The availability of and connection to services.
- The extent of compliance with the building design guidelines.
- The adequacy of snow management proposals and their impact on other uses and development.
- The impact of the proposal on views from the Great Alpine Road.
- The environmental constraints and issues of the land and processes proposed to alleviate them.

5.0 Signs

C55alpi 14/01/2021

Sign requirements are at Clause 52.05. All land within the Dinner Plain Service and Recreation precinct is in Category 4.

Exempt Signs

In addition to the exemptions in Clause 52.05-4 a permit is not required to display the following signs:

- Skier and pedestrian control signs, direction signs and identification signs erected or constructed for the safety of users of the resort.

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **SUZ3**.

GPU POWERNET PTY LTD TERMINAL STATIONS

Purpose

To provide for the use and development of land as a terminal station for electricity supply.

1.0 Table of uses

C55alpi 14/01/2021

Section 1 – Permit not required	
Use	Condition
Industry	Must be used for the generation of electricity
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Search for stone	Must not be costeaning or bulk sampling
Utility installation	Must be used for the transmission or distribution of electricity
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
Section 2 – Permit required	
Use	Condition
Section 3 – Prohibited	
Use	
Any use not in Section 1 or 2	

2.0 Use of land

C55alpi 14/01/2021

None specified.

3.0 Subdivision

C55alpi 14/01/2021

None specified.

4.0 Buildings and works

C55alpi 14/01/2021

No permit is required to construct a building or carry out works for a Section 1 use.

5.0 Signs

C55alpi 14/01/2021

None specified.

SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

C55alpi 14/01/2021

Shown on the planning scheme map as **SUZ4**.

BOGONG POWER DEVELOPMENT PROJECT

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework and local planning policies.

To facilitate the development of the Bogong Power Development Project in accordance with an approved Development Plan.

To provide for the development of a hydroelectric power station and ancillary facilities, including a visitor centre as part of the operation of the Bogong Power Development Project.

To identify existing hydroelectric power generation facilities at McKay Creek.

To facilitate the operational and maintenance activities of the hydro electric power schemes including power stations and ancillary facilities in the zone.

1.0 Table of uses

C55alpi 14/01/2021

Section 1 – Permit not required	
Use	Condition
Industry	Must be in accordance with an approved Development Plan
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Power generation	
Search for stone	Must not be costeaning or bulk sampling
Utility installation	Telecommunications facility must meet the requirements of Clause 52.19
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 – Permit required	
Use	Condition
Tourist Facility	
Section 3 – Prohibited	
Use	
Any use not in Section 1 or 2	

2.0 Use of Land

VC37 19/01/2006

The use of land for power generation, as part of the Bogong Power Development Project, may include, the development of a hydroelectric power station and associated access ways, car parking and drainage, a tunnel for water transmission between McKay Creek Power Station and the proposed Bogong Power Station, a tail race, connection of new power lines, underground services, management, transport and storage of silt and rock, vegetation removal and associated tourism facilities.

3.0 Subdivision

VC37 19/01/2006

A permit is required to subdivide land.

4.0 Buildings and works

C55alpi 14/01/2021

A permit is not required to construct a building or construct or carry out works in accordance with an approved Development Plan for the Bogong Power Station Development.

The Development Plan must be submitted to the responsible authority for endorsement prior to the commencement of any buildings and works. The Development Plan must generally be in accordance with the Bogong Power Development Project Environmental Impact Assessment, July 2005 and include:

- A site plan at a scale to the satisfaction of the responsible authority showing:
 - The proposed location, of any buildings;
 - The location of all fencing proposed;
 - The location of all lighting;
 - The location of all car parking areas for employees and visitors;
 - The proposed access to and egress from the site;
 - The location of spoil storage sites;
- Details of all buildings and works including:
 - The design, type, height and colours and materials of all buildings;
 - Method of treatment of all roads, access ways and car parking areas;
 - Stormwater management details;
 - Type and height of all fencing;
 - Type and intensity of lighting;
 - Extent of all earthworks;
- Details of the proposed landscape treatment of the site, including:
 - Location and type of vegetation to be retained;
 - Location and type of proposed additional planting;
 - The proposed screening measures of the proposed Power Station;

- The proposed weed management
- Details of the proposed water and wastewater management for the new power station;
- Details of traffic management during construction.
- Details of the Environmental Management Plan, generally in accordance with the Bogong Power Development Project Environmental Impact Assessment, prepared by GHD Pty Ltd, July 2005; and
- An Emergency Management Plan to the satisfaction of the responsible authority.

Before deciding on a Development Plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- Potential off-site effects, including those associated with:
 - Light emissions;
 - Noise emissions;
 - Traffic access and car parking provision for employees and visitors;
 - The visual impact, including corridor views to the site;
 - Landscaping design and treatment;
 - Spoil Management; and
 - Weed management.
- The effect of the Bogong Power Station on surrounding land uses;
- The effect of the surrounding land uses on the Bogong Power Development Project. [To comply with MD drafting requirements]

The approved Development Plan may be modified by and to the satisfaction of the responsible authority.

Any development and use for power generation must comply with the recommendations and requirements of an approved development plan. [To comply with MD drafting requirements]

5.0 Signs

C55alpi 14/01/2021

Sign requirements are at Clause 52.05. All land within the Bogong Power Development Project is in Category 4.

6.0 ~~Decision guidelines~~

~~Before deciding on a Development Plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:~~

- ~~▪ Potential off site effects, including those associated with:~~
 - ~~· Light emissions;~~
 - ~~· Noise emissions;~~
 - ~~· Traffic access and car parking provision for employees and visitors;~~
 - ~~· The visual impact, including corridor views to the site;~~
 - ~~· Landscaping design and treatment;~~
 - ~~· Spoil Management; and~~
 - ~~· Weed management.~~
- ~~▪ The effect of the Bogong Power Station on surrounding land uses;~~
- ~~▪ The effect of the surrounding land uses on the Bogong Power Development Project.~~ [To comply with MD drafting requirements]

7.0 — Conditions to be met

~~Any development and use for power generation must comply with the recommendations and requirements of an approved development plan.~~ [To comply with MD drafting requirements]

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

C60alpiPt2 11/11/2021

Shown on the planning scheme map as **SUZ5**.

MOUNT BEAUTY AERODROME AND AIR PARK

Purpose

To provide for the integrated use, development and subdivision of a range of residential, commercial, light industrial and tourist uses supported by ancillary services that complement the operation of the Aerodrome and Air Park.

To effectively implement the *Mount Beauty Air Park Master Plan (2016)*.

To ensure that the scale, intensity, bulk and character of all development within the Air Park is sympathetic and complementary to the aerodrome environment.

To protect the natural features and resources, environmental and biodiversity values, and landscape values of the surrounding land and waterways.

1.0 Table of uses

C60alpiPt2 11/11/2021

Section 1 — Permit not required	
Use	Condition
Airport	Must be within Precinct 4
Bed and breakfast	Must be within Precinct 1
Dwelling	Must be within Precinct 1 Must be located consistent with the requirements specified in Clause 4.0 of this Schedule
Extensive animal husbandry Informal outdoor recreation	
Home based business	Must not be in Precinct 5
Open sports ground	Must be within Precinct 5 Must be a use conducted on or behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the Fisheries Act 1995, the Water Industry Act 1994, The Water Act 1989, or the Crown Land (Reserves) Act 1978
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
Section 2 — Permit required	
Use	Condition
Agriculture (other than Apiculture and Extensive husbandry)	
Caretaker's house	Must be within Precinct 2 or 3 Must be within, attached to or located to the rear of an aircraft hangar

Convenience restaurant Convenience shop	Must be within Precinct 2
Education centre	Must not be a Primary or Secondary school
Fuel depot Function centre Heliport Industry (other than Transfer station and Refuse disposal)	Must be within Precinct 2 or 3 Must be related to the aviation industry or for purposes compatible with the Aerodrome
Office	Must be within Precinct 2 or 3 The leasable floor area must not exceed 500 square metres and must be related to the aviation industry or for purposes compatible with the Aerodrome
Place of assembly	Must be related to the aviation industry or for purposes compatible with the Aerodrome Must not be in Precinct 5
Tourist facility	Must be within Precinct 2 Must be related to the aviation industry or for purposes compatible with the Aerodrome
Trade supplies Transport terminal Utility installation (other than Minor utility installation) Warehouse	Must be within Precinct 2 or 3 Must be related to the aviation industry or for purposes compatible with the Aerodrome
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
Use	
Adult sex product shop	
Cinema based entertainment facility	
Extractive industry	
Hospital	
Intensive animal husbandry	
Materials recycling	
Major sports and recreation facility	
Retail premises (other than Convenience shop, Convenience restaurant and Trade supplies)	
Refuse disposal	
Transfer station	

2.0

Use of land

[C60alpiPt2 11/11/2021](#)

- The use of land must accord with the precincts identified in Figure 1: *Mount Beauty Air Park Master Plan* (2016). The land can be divided into five precincts with the following objectives.

Objectives

Precinct 1 – Airpark Residential Hangar Area

- To ensure land is used for residential purposes in conjunction with an aircraft hangar on site.
- To ensure that use of the land for residential hangar purposes does not adversely affect the operations of the Mount Beauty Aerodrome.

Precinct 2 – Airpark Mixed Use Area

- To ensure land is used for a range of residential, commercial, industrial and tourist related other uses either in connection with the operation of the Aerodrome or for purposes compatible with the Aerodrome and complementing the mixed-use function of the precinct.
- To ensure that use of the land for mixed use purposes does not adversely affect the operations of the Mount Beauty Aerodrome.

Precinct 3 – Airpark Business Area

- To ensure land is used for commercial and light industrial purposes either in connection with the operation of the Aerodrome or for purposes compatible with the Aerodrome.
- To ensure that use of the land for commercial or light industrial purposes does not adversely affect the operations of the Mount Beauty Aerodrome.
- To ensure community awareness of odour emissions emanating from the treatment plant for that part of the land within the buffer to the Mount Beauty Wastewater Treatment Plant.

Precinct 4 – Aerodrome Precinct

- To provide for the safe and efficient operation of the Mount Beauty Aerodrome.
- To provide for the coordinated use and development of the Aerodrome.

Precinct 5 – Open Space

- To protect the East and West branches of the Kiewa River from detrimental affects of development.
- To provide open space.

Exemption from Notice and Appeal

- An application that is consistent with the *Mount Beauty Air Park Master Plan* (2016) is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Amenity

- The use of the land for a use associated with the Mount Beauty Air Park must not adversely affect the amenity of the neighbourhood and surrounding land and waterways including through:
- Impacts to the natural, environmental and landscape values, in particular the riparian vegetation associated with the East and West branches of the Kiewa River.
- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

Application requirements

[The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. Unless the circumstances do not require, an application to use land must be accompanied by the following information:](#)[To comply with MD drafting requirements]

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.

- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the *Dangerous Goods Act* 1985 is required.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, airborne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).
- Mitigation measures to be incorporated to avoid impacts on the natural, environmental and landscapes on surrounding land and waterways.
- An application to use land for a sensitive use within Precinct 3 must be accompanied by an environmental site assessment by a suitably qualified environmental professional which provides advice on whether the environmental condition of the land is suitable for the proposed use and whether an environmental audit of all, or part, of the land is recommended. A report is not required if a previous report has determined that a site does not have contamination issues.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that the use may have on other uses which are sensitive to industrial off-site effects, ~~having regard to any comments or directions of the referral authorities.~~ [cannot include referral provisions in local schedules, move to 66.06]
- The impact on the landscape, natural features and resources, environmental and biodiversity values including soil, water and native vegetation.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land, in particular to the adjoining riparian area and the East and West branches of the Kiewa River.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

3.0

Subdivision

[C60alpiPt2 11/11/2021](#)

A permit is required to subdivide land.

Exemption from Notice and Appeal

- An application that is consistent with the *Mount Beauty Air Park Master Plan* (2016) is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Mandatory condition

- As a condition of any approved subdivision of land within the Air Park that an agreement under Section 173 of the Act must be entered into requiring design guidelines for the future development of subdivision addressing building design, built form, building materials, heights, access and egress from each lot to the road and the taxiway and safety issues.

Application requirements

- Any works must be located at least 30 metres from the East and West branches of the Kiewa River measured from the river bank.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A 'site and context description' and a 'design response' including:
 - Measures proposed to mitigate potential impacts on the natural features and resources; environmental and biodiversity values; and landscape values of the area.

- For subdivision within Air Park Precincts 1, 2 or 3 a plan that shows for each lot:
 - A building envelope, taxiway access and a driveway to the envelope – the driveway must be from the road. No direct pedestrian or vehicular access except for aircraft is permitted from any taxiway or runway.
 - Potable water supply for domestic use and firefighting provision.
 - Reticulated sewerage provision
 - For lots adjacent to the Mount Beauty Aerodrome runway a 60 metres setback boundary
 - For lots adjacent to public land the Building Exclusion Zone that applies.
 - For lots adjacent to other land with native vegetation present the tree protection zones that apply in accordance with Australian Standard *AS4970-2009 Protection of trees on development sites*.
- If a staged subdivision, show how the balance of the land may be subdivided.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Level of compliance with the *Mount Beauty Air Park Master Plan* (2016).
- The impact on the landscape, natural features and resources, environmental and biodiversity values including soil, water and native vegetation.
- Adequacy of potable water and reticulated sewerage supply.
- ~~The views of the relevant flood plain management authority.~~ [cannot include referral provisions in local schedules, move to 66.04]

4.0

Buildings and works

C60alpiPt2 11/11/2021

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to a building or works which:

- Rearrange, alter or renew plant if the area or height of the plant is not increased.
- Are a modification necessary to comply with a direction or licence under the *Dangerous Goods Act* 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the *Environment Protection Act* 1970.

Design guidelines

The following requirements apply:

- All buildings must be setback at least 60m from the centreline of the runway;

All buildings and all parts of buildings (including aerials, air vents and the like) to be erected or established must not impinge into the approved Mount Beauty Aerodrome transitional surface gradient of 20% or 1:5 as referenced in the Mt Beauty Aerodrome Master Plan 2011;

- Buildings to be constructed of non-reflective materials;
- Buildings must incorporate noise attenuation measures;
- All buildings, trees and structures must not breach into the approved Mount Beauty Aerodrome transitional surface gradient of 20% or 1:5 as referenced in the Mt Beauty Aerodrome Master Plan 2011;
- No electrical or radio interference to occur with the Aviation Navigational Aids.

Design guidelines for specified land

- These design guidelines apply to the land outlined in blue on the map at Figure 2 in this Schedule. The following are to be considered as part of any permit application for this land.
- The sensitivity of the proposed use to odour that may be generated from the Mount Beauty Wastewater Treatment Plant.

- The availability of ameliorative measures on the site to reduce the impact of odour.
- The number of people likely to use the proposed development.
- The potential for the proposed development to expand and attract additional people.
- The degree of choice a person has to remain on the site associated with the development.
- The length and frequency of stay of any person on the site associated with the development.
- Built form of the development, including:
 - Building design to isolate the internal air environments for occupied rooms during an odour event.
 - The layout of buildings to maximise the separation distances to the Mount Beauty Wastewater Treatment Plant.
 - Building design to ensure apertures (including roller doors) are orientated away from the Mount Beauty Wastewater Treatment Plant.
 - Vegetation to improve air flow turbulence.

Application Requirements

- A dwelling in Precinct 1 – Airpark Residential Hangar Area must be located either within or attached to a hangar or if detached, located to the rear of an aircraft hangar when viewed from a taxiway.
- Buildings must be located at least 100 metres and any works at least 30 metres from the East and West branches of the Kiewa River measured from the river bank.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads and taxi way.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - Driveways and vehicle parking and loading areas.
 - Connection point and type of potable water supply for domestic and firefighting use.
 - Connection point to reticulated sewerage.
 - Proposed landscape areas.
 - External storage and waste treatment areas.
- Measures proposed to mitigate potential impacts on the natural features and resources; environmental and biodiversity values; and landscape values of the area.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of:
 - Vegetation to be planted, using appropriate indigenous species, and where not possible, native species.
 - The surface to be constructed,
 - A site works specification, and
 - The method of preparing, draining, watering and maintaining the landscape area.

Exemption from Notice and Appeal

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Mount Beauty Aerodrome Obstacle Limitation Surfaces.
- Built form.
- Landscape treatment.
- Impacts on natural features and resources, environmental and biodiversity values and the landscape values of the area.
- Interface with the aerodrome.
- Interface with public land.
- Native vegetation to be retained.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- Potable water supply for domestic and firefighting use.
- Reticulated sewerage supply.
- Distance of buildings and works to the East and West branches of the Kiewa River.
- The effect of the elevation of the runway above natural surface level to the floodplains.
- ~~The views of the relevant flood plain management authority.~~ [cannot include referral provisions in local schedules, move to 66.04]

Maintenance

All buildings and works must be maintained in good order and appearance to the responsible authority.

5.0

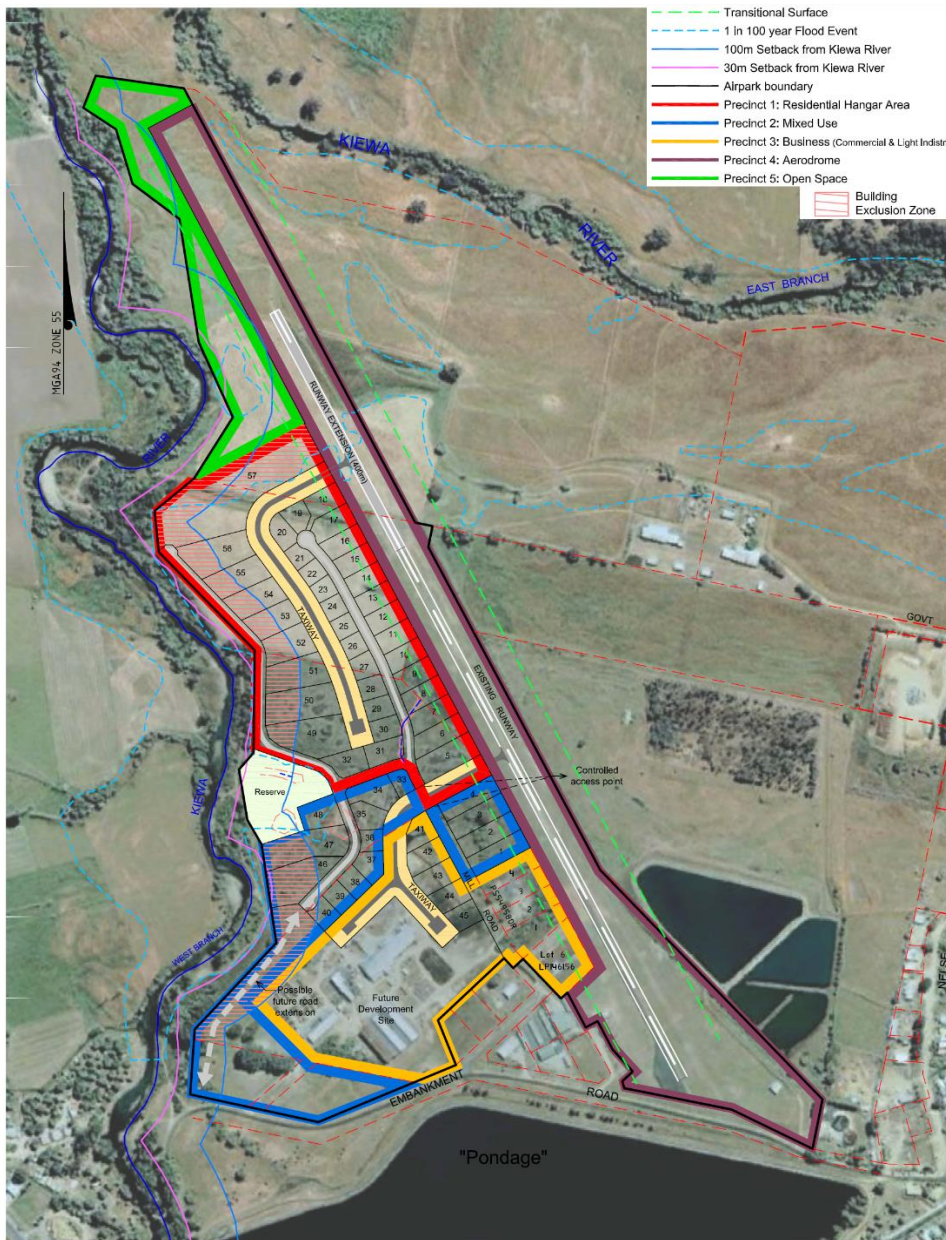
Signs

C55alpi 14/01/2021

Sign requirements are at Clause 52.05. This zone is in Category 3.

Figure 1 to Schedule 5 to Clause 37.01

Mount Beauty Air Park Master Plan, 2016



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MOUNT BEAUTY AIRPARK
 MASTER PLAN 2016

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Figure 2 to Schedule 5 to Clause 37.01

Lots outlined in blue



SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

C60alpiPt1 05/11/2021

Shown on the planning scheme map as **SUZ6**.

GOLF COURSES

To provide for the use and development of land as a golf course and associated land uses.

1.0

Table of uses

C60alpiPt1 05/11/2021

Section 1 – Permit not required	
Use	Condition
Caretaker's house Crop raising Extensive animal husbandry Golf course Golf driving range Leisure and recreation (other than Indoor recreation facility, Major sports and recreation facility, Motor racing track, Paintball games facility, Amusement parlour and Zoo)	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01
Section 2 – Permit required	
Use	Condition
Function centre Indoor recreation facility	Must be associated with the use of the land for a golf course
Group accommodation	
Mineral, stone or soil extraction (other than Extraction industry, Mineral exploration, Mining and Search for Stone)	
Place of assembly (other than Amusement parlour, Cinema, Drive-in-theatre, and Nightclub)	Must be associated with the use of the land for a golf course
Utility installation (other than Minor utility installation and telecommunications facility)	
Section 3 – Prohibited	
Use	
Cinema Circus Drive-in-theatre Extractive industry Major sports and recreation facility Motor racing track Nightclub Paintball games facility Race course Zoo	

Any other use not in Section 1 or 2

2.0 Use of land

C60alpiPt1 05/11/2021

None specified.

3.0 Subdivision

C60alpiPt1 05/11/2021

None specified.

4.0 Buildings and works

C60alpiPt1 05/11/2021

None specified.

5.0 Signs

C60alpiPt1 05/11/2021

None specified.

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **SLO1**.

UPPER KIEWA VALLEY SIGNIFICANT LANDSCAPE AREA

1.0 Statement of nature and key elements of landscape

C55alpi 14/01/2021

The landscape of the Upper Kiewa Valley has a distinct character with significant contrasts between the cleared flat to undulating valley floor and the steep treed mountains. The valley narrows in the upper reaches and the contrast is emphasised. The visual boundaries are definite in this landscape not only between natural features but also the townships which are generally well contained with little urban sprawl. A key element of this landscape is the majestic views across the cleared valley floor to Mount Bogong.

2.0 Landscape character objectives to be achieved

C55alpi 14/01/2021

Contain urban development, specifically housing, to existing townships with definite visual boundaries.

Encourage appropriately sited development to reduce ribbon development along the Kiewa Valley Highway.

Encourage rural development of a “human” scale and form. ~~That m~~Maintains the existing rural landscape. [To comply with MD drafting requirements]

Maintain existing vegetation on the steeper slopes of the valley to maintain its integrity.

Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls.

~~Maintain the existing rural landscape.~~ [To comply with MD drafting requirements]

3.0 Permit requirement

C55alpi 14/01/2021

No permit is required for:

- Alterations or extensions to existing buildings, unless the total floor area including the existing building is more than 100 square metres.

- Construction of out-buildings and works associated with an existing dwelling.
- Construction of buildings associated with the rural use of the land, subject to
 - the land being located on the west side of the Kiewa Valley Highway;
 - the building being less than 100 square metres in area: and
 - the external walls and roof being ~~colourbond~~ Colorbond® or similar.

4.0 **Application requirements**

C55alpi 14/01/2021

None specified.

5.0 **Decision guidelines**

C55alpi 14/01/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape due to siting.
- The extent to which the site of the buildings and works will be landscaped and the type of vegetation used.
- The document Landscape Planning & Conservation in North-East Victoria, National trust of Australia (Victoria), 1977.

SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **SLO2**.

HAPPY VALLEY SIGNIFICANT LANDSCAPE AREA

1.0 **Statement of nature and key elements of landscape**

C55alpi 14/01/2021

Happy Valley is surrounded by escarpments and ridges, forested by both native vegetation and softwood, which contrasts with the fertile valley floor. Mount Buffalo is a dominant feature of this landscape as viewed from the eastern end of the valley.

2.0 **Landscape character objectives to be achieved**

C55alpi 14/01/2021

Maintain forested escarpments and ridges.

Encourage appropriately sited development to reduce ribbon development along the Happy Valley Road.

Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls.

Maintain the existing pastoral landscape of the valley floor.

Maintain the view of Mt. Buffalo from the eastern end of the valley.

3.0 **Permit requirement**

C55alpi 14/01/2021

No permit is required for:

- Alterations or extensions to existing buildings, unless the total floor area including the existing building is more than 100 square metres.
- Construction of out-buildings and works associated with an existing dwelling.

- Construction of buildings associated with the rural use of the land, subject to:
 - the building being less than 100 square metres in area: and
 - the external walls and roof being ~~colourbond~~ Colorbond® or similar.

4.0 **Application requirements**

C55alpi 14/01/2021

None specified.

5.0 **Decision guidelines**

C55alpi 14/01/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape due to siting.
- The extent to which the site of the buildings and works will be landscaped and the type of vegetation used.
- The document Landscape Planning & Conservation in North-East Victoria, National trust of Australia (Victoria), 1977.

SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **SLO3**.

WANDILIGONG VALLEY SIGNIFICANT LANDSCAPE AREA

1.0 **Statement of nature and key elements of landscape**

C55alpi 14/01/2021

The Wandiligong Valley is characterised by a myriad of patterns, forms and colours where the built environment is intrinsic to the landscape. This is emphasised by the cultural and heritage background of the valley.

2.0 **Landscape character objectives to be achieved**

C55alpi 14/01/2021

Maintain relationship of historic buildings with the landscape.

Continue the mosaic of patterns, forms and colours of the natural and built environment within the valley.

Ensure development, specifically housing and subdivision, is sympathetic to the natural and historical and cultural landscape.

Encourage rural development of a “human” scale and form.

Minimise vegetation clearance along creeks and roadsides.

3.0 **Permit requirement**

C55alpi 14/01/2021

None specified.

4.0 **Application requirements**

C55alpi 14/01/2021

None specified.

5.0 Decision guidelines

[C55alpi](#) 14/01/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape due to siting.
- The extent to which the site of the buildings and works will be landscaped and the type of vegetation used.
- The document Landscape Planning & Conservation in North-East Victoria, National trust of Australia (Victoria), 1977.

SCHEDULE 4 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

[C55alpi](#) 14/01/2021

Shown on the planning scheme map as **SLO4**.

BUCKLAND VALLEY SIGNIFICANT LANDSCAPE AREA

1.0 Statement of nature and key elements of landscape

[C55alpi](#) 14/01/2021

The Buckland Valley is a pastoral valley, wide at its northern end, narrowing in its upper reaches. The key element of this landscape is the steep and rugged contrast of Mount Buffalo against the cleared valley floor.

2.0 Landscape character objectives to be achieved

[C55alpi](#) 14/01/2021

Maintain the contrasts in landform and land use between the valley floor and the imposing Mt. Buffalo.

Maintain the existing pastoral landscape of the valley floor ~~and [Maintain the views of Mt. Buffalo from the valley.](#)~~ [To comply with MD drafting requirements]

~~[Maintain the view of Mt. Buffalo from the valley.](#)~~ [To comply with MD drafting requirements]

Encourage appropriately sited development to reduce ribbon development along the Buckland Valley Road and the impact on the views to Mt. Buffalo on the western side of the road.

Encourage rural development of a "human" scale and form.

Minimise vegetation clearance along the Buckland River, creeks and roadsides.

3.0 Permit requirement

[C55alpi](#) 14/01/2021

No permit is required for:

- Alterations or extensions to existing buildings, unless the total floor area including the existing building is more than 100 square metres.
- Construction of out-buildings and works associated with an existing dwelling.
- Construction of buildings associated with the rural use of the land, subject to:
 - the land being located on the eastern side of the Buckland Valley Road;
 - the building being less than 100 square metres in area: and
 - the external walls and roof being ~~colourbond~~ [Colorbond® or similar](#).

4.0 Application requirements

[C55alpi](#) 14/01/2021

None specified.

5.0 Decision guidelines

C55alpi 14/01/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape due to siting.
- The extent to which the site of the buildings and works will be landscaped and the type of vegetation used.
- The document Landscape Planning & Conservation in North-East Victoria, National trust of Australia (Victoria), 1977.

SCHEDULE 5 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **SLO5**.

UPPER OVENS AND HARRIETVILLE VALLEY SIGNIFICANT LANDSCAPE AREA

19.0 ~~1.0~~ Statement of nature and key elements of landscape

C55alpi 14/01/2021

The Upper Ovens/Harrietville Valley is a narrow valley where the steep timbered ranges contrast greatly with the flat valley floor. The landscape includes significant native species as well as exotics, evidence of the past historical use of the valley for mining.

2.0 Landscape character objectives to be achieved

C55alpi 14/01/2021

Contain urban development, specifically housing, to existing townships with definite visual boundaries. Encourage appropriately sited development to reduce ribbon development along the Happy Valley Road.

Encourage rural development of a "human" scale and form ~~to maintain the existing pastoral landscape of the valley floor.~~ [to maintain the existing pastoral landscape of the valley floor.](#) [To comply with MD drafting requirements]

Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls.

~~Maintain the existing pastoral landscape of the valley floor.~~

Minimise vegetation clearance along the Ovens River, creeks and roadsides.

3.0 Permit requirement

C55alpi 14/01/2021

No permit is required for:

- Alterations or extensions to existing buildings, unless the total floor area including the existing building is more than 100 square metres.
- Construction of out-buildings and works associated with an existing dwelling.
- Construction of buildings associated with the rural use of the land, subject to:
 - the land being located on the western side of the Great Alpine Road;
 - the building being less than 100 square metres in area: and
 - the external walls and roof being ~~colourbond~~ [Colorbond® or similar](#).

4.0 Application requirements

C55alpi 14/01/2021

None specified.

5.0 Decision guidelines

C55alpi 14/01/2021

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposed buildings and works on the landscape due to siting.
- The extent to which the site of the buildings and works will be landscaped and the type of vegetation used.
- The document Landscape Planning & Conservation in North-East Victoria, National trust of Australia (Victoria), 1977.

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

GC138 21/11/2019

1.0 Application requirements

GC138 21/11/2019

The following application requirements apply to an application under Clause 43.01, in addition to those specified elsewhere in the planning scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written report that explains how the application addresses the provisions of Clause 15.03-1L and the justification for any variations from this clause.
- Plans and elevations (A3 size), fully scaled or dimensioned including:
 - Elevations and floor plans of existing conditions, the extent of any proposed demolition, and any alterations and additions or new buildings.
 - A site plan showing the existing and proposed development including outbuildings, fences, significant trees or vegetation, car parking, new cross overs, on-site parking space locations and any other relevant features.
 - A streetscape elevation which shows the existing streetscape and how the application sits within it.
 - A landscape plan.
 - Details and samples of materials, finishes and colours.
 - A photo montage of the streetscape.
- If demolition is proposed:
 - A report undertaken by a heritage practitioner that includes an assessment of the building's significance and a structural assessment that demonstrates that the building is beyond repair.
 - An application for the new development.
 - If relocation or removal is proposed:
 - A thorough history of the building to be relocated by a heritage practitioner.
 - A statement on whether the building can be physically relocated and whether the current and proposed location contribute to the significance of the place; and
 - A detailed description of the site chosen for relocation and whether the site, if appropriate, will not diminish the significance of the heritage place.
- An application to develop land in areas where there is potential for Aboriginal archaeological sites to occur will be required to be accompanied by a report from a suitably qualified archaeologist that demonstrates that the potential impacts of the development on Aboriginal cultural heritage values have been addressed. [Standard application requirements taken from Greater Bendigo Planning Scheme].

None specified.

2.0

Heritage places

C60alpiPt1 05/11/2021

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<u>PRECINCT</u>							
HO83	Wandiligong	Yes	No	Yes	No	No	No	No
	<u>BOGONG, BOGONG UNIT ANP</u>							
HO2	Blair, Cleve, Cope, Fitzgerald & Tawonga Huts, High Plains, Bogong	Yes	Yes	No	No	No	No	No
	<u>BRIGHT</u>							
HO3	Alpine Hotel, 7-9 Anderson St, Bright	Yes	Yes	No	No	No	No	No
HO4	Powder Magazine, 7-11 Bakers Gully Rd, Bright	No	No	No	No	No	No	No
HO94	All Saints Anglican Church, 1 Church Street, Bright	Yes	No	No	Yes	No	No	No
HO5	Araucaria bidwillii (Bunya Bunya Pine) x 14, Burke St, Bright	No	No	Yes	No	No	No	No
HO95	Tree Plantings: <i>Platanus orientalis</i> x 2, Camp St, Bright;			Yes		No	No	No
HO96	Stone Kiosks (3): <ul style="list-style-type: none"> ▪ Bright Municipal Caravan Park, Cherry Lane, Bright ▪ Delany Ave, Bright 	Yes	Yes	No	No	No	No	No

M(4) - 26 April 2023 Ordinary Council Meeting
 8.2.2.b Recommended changes to Planning Scheme Ordinance - Council 26 April 2023

PS map ref	Heritage place	External paint controls apply?	Internal alterations s101 apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<ul style="list-style-type: none"> ▪ Centenary Park, Mountbatten Ave, Bright 							
HO97	Grandstand, Cobden St (Pioneer Park Reserve), Bright	Yes	Yes	No	No	No	No	No
HO98	Delany Pavilion, Cobden St (Pioneer Park Reserve), Bright	Yes	Yes	No	No	No	No	No
HO99	Our Lady of the Snows Catholic Church, 2 Coronation Ave, Bright	Yes	No	No	No	No	No	No
HO100	Former Mine Managers House, 30 Coronation Ave, Bright	Yes	No	No	No	No	No	No
HO102	Bright Cemetery (old section), 12-20 Coronation Ave, Bright	Yes		Yes, Quercus lanata	No	No	No	No
HO7	Quercus palustris (Pin Oak) x 88 Delaney Ave (between Hawthorn & Tyntynder Lanes), Bright	No	No	Yes	No	No	No	No
HO103	E J Delany Drinking Fountain, Delany Ave, Bright	Yes		No	No	No	No	No
HO105	Bright Chinese Camp Site, 14 -20 Delany Ave, Bright	-	-	-	-	Yes Ref No H2370	Yes	No
HO107	Steam Engine, Apex Park, Gavan Street, Bright	No	No	No	No	No	No	No
HO127	House "Benhaven", 68 Gavan Street, Bright	Yes	No	No	No	No	No	No
HO108	Former Doctors Surgery & House (now Simones of Bright), 98 Gavan Street, Bright	Yes	No	No	No	No	No	No

M(4) - 26 April 2023 Ordinary Council Meeting
 8.2.2.b Recommended changes to Planning Scheme Ordinance - Council 26 April 2023

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO109	ANZ Bank building, 105 Gavan Street, Bright	Yes	No	No	No	No	No	No
HO8	Citrus maxima (Shaddock) x 2, CA's 5 & 5C, Section M, Parish of Bright, Great Alpine Rd, Bright	No	No	Yes	No	No	No	No
HO11	Uniting Church, 17, Ireland Street, Bright	Yes	No	No	No	No	No	No
HO112	Oriental Guest House, 2 Ireland Street, Bright	Yes	No	No	No	No	No	No
HO113	Former Bright Post Office, 3 Ireland Street, Bright	Yes	No	No	No	No	No	No
HO114	Bright Library, 12 Ireland Street, Bright	Yes	No	No	No	No	No	No
HO115	Former Buckley's Store, 2/11 Ireland Street, Bright	Yes	No	No	No	No	No	No
HO116	Former Supper Room, Victoria Hall, 28 & 28A Ireland Street, Bright	Yes	No	No	No	No	No	No
HO117	Bright Memorial Clock Tower & Mafeking Square, Ireland Street, Bright	Yes	Yes	No	Yes	No	No	No
HO118	Former Bright Railway Goods Shed and Crane Mill Road and Steel Water Tank at 23 Mil Road, Mill Road, Bright	Yes	No	No	No	No	No	No
HO119	Former Bright State Battery, 175 Coronation Avenue, Bright	Yes	Yes	No	Yes	No	No	No
HO120	Bright Memorial Arboretum, Mountbatten Avenue, Bright			No	Yes	No	No	No
HO9	Bright Court House and Lockup, 1-3 Park Street, Bright	-	-	-	-	Yes Ref No H1921	Yes	No
HO122	Bright P-12 College (Old primary School Building), 8 Park Street, Bright	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO124	Former St Andrews Church, 18 Park Street, Bright	Yes	No	No	No	No	No	No
HO11	Former Bright Railway Station, Railway Ave, Bright	Yes	Yes	No	No	No	Yes	No
HO125	Former Sharpe's Bakery Stables, Shop 5, (now Bright Chocolate), Riverside Avenue, Bright	Yes	No	No	No	No	No	No
HO12	The Canyon Hydraulic Gold Sluicing Site, Frasers Lane, Bright	-	-	-	-	Yes Ref No H1231	No	No
HO126	Survey Marker, Cnr Wills & Camp Streets, Bright	Yes		No	No	No	No	No
HO13	Cedrus deodara (Deodara) x 17, Wood St (between Anderson St and Gully Creek), Bright	No	No	Yes	No	No	No	No
	BUCKLAND							
HO14	Buckland River Hydraulic Gold Sluicing Paddock, Buckland River and Off Buckland Road, Buckland	-	-	-	-	Yes Ref No H1224	No	No
HO129	Buckland Cemetery, (including Chinese Burial Ground), next to 1628 Buckland Valley Road, Buckland	Yes		Yes	Yes	No	No	No
	CORAL BANK							
HO130	Former Mongans Bridge School, Mongans Caravan Park, 42 Bay Creek Lane, Mongans Bridge	Yes	No	No	No	No	No	No
HO131	Tawonga Station Graves, Kiewa Valley Highway, Coral Bank	No	No	No	No	No	No	No
	DARGO HIGH PLAINS							
HO132	Unknown Woman's Grave, Dargo High Plains Rd, Dargo High Plains	Yes		No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<u>DEDERANG</u>							
HO133	Protestant Church, 4333 Kiewa Valley Highway, Dederang	Yes	No	No	No	No	No	No
HO134	St Joseph's Catholic Church, 4607A Kiewa Valley Highway, Dederang	Yes	No	No	No	No	No	No
	<u>EUROBIN</u>							
HO213	Tobacco Kilns (Cement), 106 Cavedons Lane, Eurobin	Yes		No	No	No	No	No
HO136	House 'Rostrevor', 5730 Great Alpine Road, Eurobin	Yes	No	No	No	No	No	No
HO135	Former Church of England, 5958 Great Alpine Road, Eurobin	Yes	No	No	No	No	No	No
	<u>FREEBURGH</u>							
HO138	Freeburgh Cemetery (burial Ground), Great Alpine Road, Freeburgh			No	No	No	No	No
	<u>GAPSTED</u>							
HO141	Schlapps Walnut Farm Kiln, 235 Schlapps Lane, Gapsted	Yes		No	No	No	No	No
HO142	Cousins Battery, 43 Stoney Creek Road, Gapsted	No	No	No	No	No	No	No
	<u>GERMANTOWN</u>							
HO212	Kiln (Log), Merrivale Walnut Groves, Tawonga Gap Road, Germantown	Yes		No	No	No	No	No
	<u>GUNDOWRING</u>							
HO145	Upper Gundowring Hall, Gundowring Road, Gundowring	Yes	No	No	No	No	No	No
HO146	Former Bonegilla Greek Orthodox Church, Gundowring Recreation	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Reserve, Quirk Lane, Gundowring							
	HARRIETVILLE							
HO1 47	Harrietville Chinese Camp, Bon Accord Track, East Branch, Ovens River, Harrietville			No	No	No	No	No
HO1 48	Harrietville Cemetery (old section), Cemetery Lane, Harrietville			No	No	No	No	No
HO1 5	Tronoh Gold Dredging Ponds, Dredge Hole Lane and Feathertop Track, Harrietville	-	-	-	-	Yes Ref No H1756	No	No
HO1 6	Monarch Gold Battery Site, Great Alpine Rd, Harrietville	-	-	-	-	Yes Ref No H1273	No	No
HO1 49	St Etheldreda Church, Great Alpine Road, Harrietville	Yes	No	No	No	No	No	No
HO1 51	Harrietville Primary School (old building), Great Alpine Road, Harrietville	Yes	No	No	No	No	No	No
HO1 52	Tronoh Shed, 152 Great Alpine Road, Harrietville	Yes	No	No	No	No	No	No
HO1 54	Former Police House, 201 Great Alpine Road, Harrietville	Yes	No	No	No	No	No	No
HO1 55	St Francis of Assisi Catholic Church, 215 Great Alpine Road, Harrietville	Yes	No	No	No	No	No	No
HO1 56	Former Harrietville PO, 245 Great Alpine Road, Harrietville	Yes	No	No	Yes	No	No	No
HO1 57	Gows Hop Kiln Base, 2179 Great Alpine Road, Harrietville			No	No	No	No	No
HO2 14	Sambas Gold Mine, Great Alpine Road, Harrietville	-	-	-	-	Yes Ref No H2356	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO22	Lyrebird Gully Hop Kiln, Lyrebird Gully Road Harrierville	-	-	-	-	Yes Ref No H70	No	No
HO158	Big Mill Battery Site, Mill Road, Harrierville			No	No	No	No	
HO159	Former Conleys Butcher Shop, 74 Mill Road, Harrierville	Yes	No	No	No	No	No	No
HO18	Rose Thistle and Shamrock Quarry Gold Mining Precinct, Cemetery Lane, Harrierville	-	-	-	-	Yes Ref No H1758	No	No
	<u>HOTHAM HEIGHTS</u>							
HO1	Red Robin Gold Mine and Battery, West Kiewa Logging Road, Hotham Heights	-	-	-	-	Yes Ref No H1881	No	No
	<u>MERRIANG</u>							
HO20	Merriang Homestead, 6 Merriang Homestead Road, Merriang	-	-	-	-	Yes Ref No H566	No	No
	<u>MOUNT BEAUTY</u>							
HO162	St Josephs Catholic Church, 20 Lakeside Avenue, Mount Beauty	Yes	No	No	No	No	No	No
	<u>MOUNT BUFFALO</u>							
HO21	Mount Buffalo Chalet, Mount Buffalo Rd, Mount Buffalo	-	-	-	-	Yes Ref No H901	No	No
	<u>MUDGEONGA</u>							
HO170	St Johns Catholic Church, 4 Murrays Lane, Mudgegonga	Yes	No	No	No	No	No	No
HO171	Barwidgee Homestead, 1620 Myrtleford-Yackandandah Road, Mudgegonga	Yes	No	No	No	No	No	No
	<u>MYRTLEFORD</u>							

PS map ref	Heritage place	External paint controls apply?	Internal alterations ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO23	Italian Cypress Tree, Old Buffalo Heffer Station, Lot 2 PS 219290, Parish of Myrtleford, Ablett's Lane, Myrtleford	No	No	Yes	No	No	No	No
HO173	Railway Bridge, Barwidgee Creek, Myrtleford	Yes		No	No	No	No	No
HO174	St Pauls Anglican Church, 12-24 Clyde Street, Myrtleford	Yes	No	No	No	No	No	No
HO24	O'Donnell's House, 14 Elgin St, Myrtleford	Yes	No	Yes	No	No	No	No
HO25	Former State Primary School, 29 Elgin St, Myrtleford	Yes	No	Yes	No	No	No	No
HO175	Ivan Swinburne Reserve, Great Alpine Road, Myrtleford			Yes	No	No	No	No
HO208	Tobacco Kiln (Log), Rotary Park, Great Alpine Road, Myrtleford	Yes		No	No	No	No	No
HO26	Elms Road Reserve, Lawrence St (Corner Duke St), Myrtleford	No	No	Yes	No	No	No	No
HO176	Former Myrtleford Flax Mill, 187 Merriang Road, Myrtleford	Yes	No	No	Yes	No	No	No
HO27	Rothery Home, 82 Myrtle St (Great Alpine Rd), Myrtleford	Yes	No	Yes	No	No	No	No
HO28	Rothery Tree at Rothery Home, 82 Myrtle St (Great Alpine Rd), Myrtleford	No	No	Yes	No	No	No	No
HO29	Eucalyptus camaldulensis (River Red Gum), South west of Lot 3 LP 33528, Parish of Myrtleford, North west corner of Myrtle St (Great Alpine Rd) and Prince St, Myrtleford	No	No	Yes	No	No	No	No
HO30	RSL Memorial & Memorial Square, Myrtle St (Great	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations s101 apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Alpine Rd) & Clyde St, Myrtleford							
HO177	Soldiers Memorial Hall, Myrtle Street (Great Alpine Road), Myrtleford	Yes	No	No	Yes	No	No	No
HO31	Phoenix Tree, Median Reserve, South of Lot 17 LP 16933, Parish of Myrtleford Myrtle St (Great Alpine Rd), west of Prince St, Myrtleford	No	No	Yes	No	No	No	No
HO178	Former Myrtleford Butter factory, 15 Myrtle Street, Myrtleford	Yes	No	No	No	No	No	No
HO32	Myrtleford Civic Centre, 14 O'Donnell Ave, Myrtleford	Yes	Yes	No	No	No	Yes	No
HO180	Pioneer Cemetery, 62-68 O'Donnell Road, Myrtleford	Yes		No	No	No	No	No
HO181	St Marys Catholic School and Convent, 25 Prince Street, Myrtleford	Yes	No	No	Yes	No	No	No
HO182	St Marys Catholic Church, 49 Prince Street, Myrtleford	Yes	No	No	No	No	No	No
HO183	Hume & Hovell Monument, Reform Hill, Myrtleford	Yes		No	No	No	No	No
HO185	Former Bush Nursing Hospital, 20 Smith Street, Myrtleford	Yes	No	No	No	No	No	No
HO33	Pine Tree, 34 Smith St, Myrtleford	No	No	Yes	No	No	No	No
HO34	St Andrew's Church, 32 Smith St, Myrtleford	Yes	Yes	Yes	No	No	No	No
HO35	Eucalyptus camaldulensis (River Red Gum), Reserve No.1 PS 345771V, Parish of Myrtleford, Smith St (Yarrah Pl), Myrtleford	No	No	Yes	No	No	No	No
HO186	Railway Hotel, 99-103 Standish Street, Myrtleford	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO209	Tobacco Kiln (log), 12 Whalleys Lane, Myrtleford	Yes		No	No	No	No	No
	<u>OVENS</u>							
HO187	Ovens Hotel, 4994 Great Alpine Hotel, Ovens	Yes	No	No	No	No	No	No
	<u>POREPUNKAH</u>							
HO36	Sequoia sempervirens (Coast Redwood) Bright Country Golf Club, CA's F & P, Section 4, Parish of Porepukah, Back Porepukah Rd, Porepukah	No	No	Yes	No	No	No	No
HO189	Old Buckland Bridge, Barretts Lane, Porepukah	Yes		No	No	No	No	No
HO190	Old Porepukah Bridge, Great Alpine Road, Porepukah	Yes		No	No	No	No	No
HO191	Former Russells Temperance Hotel site, (next to old Porepukah Bridge), Great Alpine Road, Porepukah			No		No	No	No
HO194	Porepukah Primary School (old section) Martley Street, Porepukah	Yes	No	No	Yes	No	No	No
	<u>ROSEWHITE</u>							
HO196	Happy Valley Homestead, 713 Happy Valley Road, Rosewhite	Yes	No	No	No	No	No	No
HO197	Happy Valley Hall, 18 Havilah Road, Rosewhite	Yes	No	No	No	No	No	No
	<u>SELWYN</u>							
HO199	Gun Reef Gold Battery Sites, Upper west branch of Ovens River, Selwyn	-	-	-	-	Yes Ref No H1301	No	No
	<u>SMOKO</u>							
HO198	Cottage at 1255 Great Alpine Road, Smoko	Yes	No	No	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations s101 apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO199	Cottage at 1464 Great Alpine Road, Smoko	Yes	No	No	No	No	No	No
	TAWONGA, TAWONGA SOUTH							
HO203	Former SECV Workshop, 39-45 Bogong High Plains Road. Tawonga South	Yes	Yes	No	No	No	No	No
HO202	Tawonga Gap, Tawonga Gap Road, Tawonga			No	No	No	No	No
	WANDILIGONG							
HO401	Cottage, 42 Centenary Ave, Wandiligong	Yes	No	Yes	No	No	No	No
HO403	Timber cottage, 44 Centenary Ave, Wandiligong	Yes	No	Yes	No	No	No	No
HO308	House, 69 Centenary Ave, Wandiligong	Yes	No	Yes	No	No	No	No
HO402	Cottage, 74 Centenary Ave, Wandiligong	Yes	No	Yes	No	No	No	No
HO309	Cottage, 78 Centenary Ave, Wandiligong	Yes	No	Yes	No	No	No	No
HO400	"Hazelbrook", Centenary Ave, Wandiligong CA S31, Section T, Parish of Bright	Yes	No	Yes	No	No	No	No
HO204	Slab Shed, 7 Gillards Lane, Wandiligong	Yes	No	No	No	No	No	No
HO404	House, 28 Grenvilles Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO406	Timber Cottage, 22 Growlers Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO407	Cottage, 2 Jagoes Gully Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO408	Cottage, 37 Jagoes Gully Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO409	Timber Cottage, 9 Long Tunnel Track, Wandiligong	Yes	No	Yes	No	No	No	No

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 8.2.2.b Recommended changes to Planning Scheme Ordinance - Council 26 April 2023

PS map ref	Heritage place	External paint controls apply?	Internal alterations 101 apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO50	Former Church of England 483 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO51	Former Library, 479 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO52	Brick Cottage, 375 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO55	Former Parsonage (Uniting Church), 497 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO56	Uniting Church, 499 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO57	Timber Shop and Dwelling, 517 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO58	Former General Store, 521 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO59	"Nut Cottage", 5 Gillards Lane, Wandiligong	Yes	No	Yes	No	No	No	No
HO60	"Until", 571 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO61	Former Post Office, 518 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO62	"Redruth", 516 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO63	Manchester Unity Hall, 462 Morses Creek Road, Wandiligong	Yes	No	Yes	No	No	Yes	No
HO64	House, 444 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO65	House, 418 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO66	House, 406 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO67	"Mill Cottage", 382 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO68	"Coburn Villa", 380 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO69	General Store, 522 Morses Creek Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO205	"The Poplars", Populus sp, avenue, 924 Morses Creek Road, Wandiligong			Yes		No	No	No
HO53	Timber Cottage, 10 Norleys Lane, Wandiligong	Yes	No	Yes	No	No	No	No
HO71	"Cora Linn" CA 2, Section W, Parish of Bright Peabody Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO74	Timber Cottage, 135 School Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO54	Timber House and early Sheds, 136 School Road, Wandiligong	Yes	No	Yes	Yes	No	No	No
HO75	Former Roman Catholic Church (St Peters), 155 School Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO73	Former Police Residence, 169 School Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO72	Primary School No.275, 119 School Rd, Wandiligong	-	-	-	-	Yes Ref No H1638	No	No
HO45	Timber Cottage, 2 Sidling Track, Wandiligong	Yes	No	Yes	No	No	No	No
HO76	"The Nut House" and Slab Cottage and Dairy and Cellar, 48 Sidling Track, Wandiligong	Yes	No	Yes	No	No	No	No
HO70	Brick Cottage, 3 Smithy Lane, Wandiligong	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alterations control s ¹⁰¹ apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO77	Cottage, 6 Smithy Lane, Wandiligong	Yes	No	Yes	No	No	No	No
HO206	Alpine Park, White Star Road, Wandiligong			Yes	No	No	No	No
HO78	Cottage, 33 White Star Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO79	Cottage, 60 White Star Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO80	"Glenora", 45 Williams Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO81	"Claremont", 5 Williams Rd, Wandiligong	Yes	No	Yes	No	No	No	No
HO82	Growlers Gold Bucket Dredge Site, Williams Rd, Wandiligong	-	-	-	-	Yes Ref No H1303	No	No

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **DDO1**.

LOT 1 PS 317374, 396 BACK POREPUNKAH ROAD, BRIGHT

1.0 Design objectives

C55alpi 14/01/2021

To provide for the subdivision of land into fully serviced residential lots.

To ensure that development is consistent with the density and character of the area.

2.0 Buildings and works

C55alpi 14/01/2021

Requirements

A permit is not required for:

- The alteration or extension of an existing dwelling that is less than 50 per cent of the floor area of the existing dwelling.
- A building or works with a floor area of less than 100 square metres that is ancillary to a dwelling and not used for accommodation.
- A rainwater tank with a capacity of less than 20,000 litres.
- An internal or rear fence provided the design requirements in this schedule are met.

A permit is required to construct a fence along the Back Porepukah Road and golf course frontage.
A permit may be granted to construct a building or carry out works if the following requirements are met:

Building Setbacks

All buildings are setback at least:

- 10 metres from any lot boundary abutting the Back Porepukah Road reserve and/or rail trail.

Dwelling density

The density of dwellings does not exceed one dwelling per lot.

Fences

All fences are less than 1.8 metres high.

Solid fences abutting the Back Porepukah Road reserve and/or rail trail are setback at least 5 metres from the boundary or alternatively are of an open style design and construction.

Landscaping

The setback area between any solid fence and the Back Porepukah Road reserve and/or rail trail boundary is landscaped to screen the fence to the satisfaction of the responsible authority.

Access

Lots must not have direct access to the Back Porepukah Road except for any lot created for a dwelling existing on the approval date of this provision.

Tourist development

Buildings and works associated with any tourist development will be subject to the application requirements and decision guidelines as specified under the applicable zone.

Exemption from Notice and Review

An application to construct a building or construct or carry out works which conform with the requirements of this schedule is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0

Subdivision

C55alpi 14/01/2021

Requirements

A permit may be granted to subdivide land if the following requirements are met:

- An overall development plan is prepared to the satisfaction of and approved by the responsible authority prior to the subdivision of land.
- An average lot size of 1000 square metres is maintained.
- The land is serviced with reticulated water and sewerage.
- All lots have frontage and access to a road other than the Back Porepukah Road except for any lot created for a dwelling existing on the approval date of this provision.

A permit cannot be granted to vary the average lot size of 1000 square metres.

4.0

Signs

C55alpi 14/01/2021

None specified.

5.0

Application requirements

C55alpi 14/01/2021

[The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an](#)

application, as appropriate, to the satisfaction of the responsible authority.[To comply with MD drafting requirements]

Buildings and works

- Fully scaled and dimensioned site plans showing existing and proposed conditions;
- Fully scaled and dimensioned elevations and floor plans;
- A design response that identifies and assesses:
 - How the development responds to the site;
 - Neighbourhood details;
 - Features and characteristics of the site;
 - How the development derives from and responds to the neighbourhood and site description;
- A landscape plan; and
- Identification and assessment of all relevant planning scheme requirements.

Subdivision

- A site analysis, documenting the site in terms of landform, vegetation and the relationship to surrounding land,
- A report explaining how the proposed subdivision has responded to the site analysis. The report should include:
 - The topography of the land.
 - Location of existing vegetation.
 - Layout of the proposed subdivision including size and dimension of all proposed lots and public open space.
 - Location of areas appropriate for the construction of a dwelling
 - Location of vehicle access to each lot.
 - A traffic assessment that includes existing traffic details, traffic generation, impact of increased traffic and traffic management from the development construction phase onwards;
 - How the balance of the land is to be subdivided if the subdivision is proposed to be staged.

6.0 Decision guidelines

C55alpi 14/01/2021

~~The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:~~

- ~~• The design objectives and requirements of this schedule.~~

None specified [To comply with MD. Parent provision already requires consideration of the design objectives and requirements in the schedule]

~~**SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**~~

~~C55alpi 14/01/2021~~

~~Shown on the planning scheme map as **DPO1**.~~

~~19.0 **1.0 Objectives**~~

~~C55alpi 14/01/2021~~

~~None specified.~~

~~2.0 **Requirement before a permit is granted**~~

~~C55alpi 14/01/2021~~

~~None specified.~~

~~3.0 Conditions and requirements for permits~~

~~C55alpi 14/01/2021~~

~~None specified.~~

~~4.0 Requirements for development plan~~

~~C55alpi 14/01/2021~~

~~None specified.~~ [This development is now nearing completion and as the schedule has no content it should be removed].

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

~~C55alpi 14/01/2021~~

Shown on the planning scheme map as DPO2.1.0 — Objectives

~~C55alpi 14/01/2021~~

~~None specified.~~

2.0 — Requirement before a permit is granted

~~C55alpi 14/01/2021~~

~~None specified.~~

3.0 — Conditions and requirements for permits

~~C55alpi 14/01/2021~~

~~None specified.~~

4.0 — Requirements for development plan

~~C55alpi 14/01/2021~~

- ~~None specified.~~ [This provision has no content and has been inappropriately applied]

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

~~C55alpi 14/01/2021~~

Shown on the planning scheme map as **DPO3**.

LOTS 1 & 2 ON PS613866 AND LOTS 1, 2, 4, 5, 7 — 9 ON TP859376 – GREAT ALPINE ROAD

1.0 Objectives

~~C55alpi 14/01/2021~~

~~None specified.~~

2.0 Requirement before a permit is granted

~~C55alpi 14/01/2021~~

A planning permit may be granted for minor buildings and works associated with an existing use or development prior to the preparation of a Development Plan, but only if it does not prejudice the future orderly development of the area.

3.0 Conditions and requirements for permits

~~C55alpi 14/01/2021~~

All residential development must be serviced with:

- Reticulated water and sewerage and underground reticulated electricity;
- Sealed roads and reticulated stormwater drainage.

The following condition must be included on any planning permit issued to subdivide the land:

- A condition requiring a Section 173 agreement to be registered on the land to provide for the recognition of the pine plantations and associated activity that surround the land. The agreement must state:
 - The surrounding land is used for plantation forestry. Plantation forestry is a farming activity which will generate noise (including night time noise) at the time of harvest, as well as increased truck movements and possible associated dust. The removal of the tree crop will result in the loss of visual amenity and can result in increased water run-off. Chemicals can be applied to the plantation (including aerial application 200 metres from any residence) to control weeds and pests and to promote growth.

4.0 Requirements for development plan

C55alpi 14/01/2021

A development plan must include the following requirements:

Layout and design:

- Be generally in accordance with the Bushfire Response Outline Development Plan attached to this schedule.
- Describe the relationship of proposed development on the land to existing and proposed developments on adjoining land.
- Provide for a 50 metres buffer distance between the Great Alpine Road and residential uses.
- Outline how the layout and appearance of the subdivision will be in keeping with or enhance the site when viewed from the Great Alpine Road.
- Identify any sites of conservation, heritage, archaeological significance or with landscape value and how they will be proposed to be managed and/or protected.
- Provide a range of lot sizes and identify potential residential densities across stages of development with lot sizes generally increasing to the south of the land with no lots for residential purposes being created further south of any perimeter road along the southern boundaries of the land adjacent to the pine plantation.
- Show the conceptual layout of future internal roads and external roads, including at least two points of external road access to the land and a perimeter road around the full site and adjacent to the central drainage line generally as shown in the Bushfire Response Outline Development Plan.
- Where appropriate, include the provision of adequate and functional open space networks and recreational areas and linkages to nearby existing and proposed open space/recreational areas.

Staging:

- Provide for the orderly staging of development and supply of services. In order to prevent leapfrog development and the oversupply of land, staging must be determined having regard to:
 - Existing land supply in the locality; and
 - Efficient use of existing and future infrastructure.
- Where practical, list the anticipated timing of development and indicate the manner in which the Development Plan can proceed in the event that the owner of any land is not able or intending to develop.

Landscaping:

- Provide an overall scheme of landscaping and any necessary arrangements for the preservation or regeneration of vegetation. The landscaping theme must be consistent with bushfire mitigation measures.

Infrastructure:

- Provide a soil and water report which demonstrates how stormwater is to be disposed of and where appropriate what downstream retardation works will be required to alleviate the inundation of properties, siltation of watercourses or soil erosion.
- Provide an infrastructure report demonstrating that the site can be connected to reticulated water, sewerage and power. Comments from all servicing authorities should be submitted with this report.
- Include a conceptual Stormwater Management Plan demonstrating compliance with the Alpine Shire Stormwater Management Plan and the Urban Stormwater Best Practice Management Guidelines. Proposed retarding basins and the means by which these will be managed and the water quality maintained.

Bushfire mitigation:

- Include a requirement that any dwelling constructed on lots located within 150 metres of the southern boundaries of the subject land or on any lot which abuts the perimeter ring road along the southern boundaries of the land be constructed to comply with BAL-29 in accordance with Sections 3 and 7 of AS.3959-2009.

- Provide a Management Plan for the land within the 53 metre buffer shown on the Outline Development Plan and all areas of public open space or communal open space that ensures the land is managed for the purposes of defendable space.
- Include a subdivision design that minimises the risk of house-to-house fire spread, including but not limited to the following:
 - A graduation in the size of the lots located south of the central swale drain with lots generally increasing in size the closer they are located to the southern boundary of the land.
 - For all lots that abut the southern perimeter road and all lots located within 150 metres of the southern boundary of the subject land:
 - Building envelopes being separated by at least 10 metres from each other.
 - Building envelopes being separated by at least 10 metres from the rear boundary of the lot.
 - A prohibition of any buildings or other ancillary structures (other than water tanks constructed of metal or concrete) being constructed outside of the building envelopes (irrespective of the materials of construction).
- For all lots located south of the central swale drain include:
 - A requirement that all outbuildings and other ancillary structures to be constructed of non-combustible materials.
 - A requirement for all fencing and screening devices to be constructed of non-combustible materials.
- Address the static water supply requirements of the Bushfire Management Overlay.

5.0 Consultation with the Country Fire Authority

Prior to the approval of the Development Plan, the responsible authority must seek the views of the Country Fire Authority.

Map 1 to Schedule 3 to Clause 43.04



SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **LSIO**.

1.0 Land subject to inundation objectives to be achieved

C55alpi 14/01/2021

None specified.

2.0 Statement of risk

C55alpi 14/01/2021

None specified.

3.0 Permit requirement

C55alpi 14/01/2021

None specified.

4.0 Application requirements

C55alpi 14/01/2021

None specified.

5.0 Decision guidelines

C55alpi 14/01/2021

None specified.

SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **BMO1**.

DINNER PLAIN, BRIGHT, MT BEAUTY, MYRTLEFORD, POREPUNKAH, TOWONGA SOUTH
BAL-12.5 AREAS

1.0 Statement of the bushfire management objectives to be achieved

C55alpi 14/01/2021

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 Application

C55alpi 14/01/2021

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0 Permit requirement

C55alpi 14/01/2021

None specified.

4.0 Application requirements

C55alpi 14/01/2021

The following application requirements apply to an application for a permit under Clause 44.06:

- A bushfire management plan that:
 - Shows all of the required bushfire protection measures specified in this schedule,
 - Includes written conditions that implement the required bushfire protection measures,
 - Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
 - Details vehicle access.

5.0 Requirements to be met

C55alpi 14/01/2021

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 Substitute approved measures for Clause 53.02

C55alpi 14/01/2021

None specified.

7.0 Additional alternative measures for Clause 53.02

C55alpi 14/01/2021

None specified.

8.0 Mandatory Condition

C55alpi 14/01/2021

An application must include the mandatory conditions as specified in Clause 44.06-5.

9.0 Referral of application not required

C55alpi 14/01/2021

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0 Notice and review

C55alpi 14/01/2021

None specified.

11.0 Decision guidelines

C55alpi 14/01/2021

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether all of the bushfire protection measures in this schedule have been met.

SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

C55alpi 14/01/2021

Shown on the planning scheme map as **BMO2**.

DINNER PLAIN, BRIGHT, MYRTLEFORD, TAWONGA, TAWONGA SOUTH BAL-29 AREAS

1.0 Statement of the bushfire management objectives to be achieved

C55alpi 14/01/2021

To specify bushfire protection measures to construct or extend one dwelling on a lot.

To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0 Application

C55alpi 14/01/2021

An application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.

Clause 53.02 applies in all other circumstances.

3.0 Permit requirement

C55alpi 14/01/2021

None specified.

4.0 Application requirements

C55alpi 14/01/2021

The following application requirements apply to an application for a permit under Clause 44.06:

- A bushfire management plan that:
 - Shows all of the required bushfire protection measures specified in this schedule,
 - Includes written conditions that implement the required bushfire protection measures,
 - Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
 - Details vehicle access.

5.0 Requirements to be met

C55alpi 14/01/2021

The following requirements apply to an application to construct a single dwelling on a lot:

- The dwelling must be constructed to BAL-29
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
 - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

6.0 Substitute approved measures for Clause 53.02

C55alpi 14/01/2021

None specified.

7.0 Additional alternative measures for Clause 53.02

[C55alpi](#) [14/01/2021](#)

None specified.

8.0 Mandatory Condition

[C55alpi](#) [14/01/2021](#)

An application must include the mandatory conditions as specified in Clause 44.06-5.

9.0 Referral of application not required

[C55alpi](#) [14/01/2021](#)

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0 Notice and review

[C55alpi](#) [14/01/2021](#)

None specified.

11.0 Decision guidelines

[C55alpi](#) [14/01/2021](#)

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether all of the bushfire protection measures in this schedule have been met.

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

[VC148](#) [31/07/2018](#)

1.0 Specific sites and exclusions

[GC161](#) [08/07/2021](#)

Address of land	Title of incorporated document
None specified	None specified

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

[C55alpi](#) [14/01/2021](#)

1.0 Under Section 23 of the Subdivision Act 1988

[VC37](#) [19/01/2006](#)

Land	Easement or restriction	Requirement
None specified		

2.0 Under Section 24A of the Subdivision Act 1988

[C55alpi](#) [14/01/2021](#)

Land	Person	Action
None specified		

3.0 Under Section 36 of the Subdivision Act 1988

[VC37](#) [19/01/2006](#)

Land	Easement or right of way	Requirement
None specified		

SCHEDULE TO CLAUSE 52.05 SIGNS

[C55alpi](#) [14/01/2021](#)

1.0 Exemption from notice and review

[C55alpi](#) [14/01/2021](#)

Land	Condition
None specified	

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

[C55alpi](#) [14/01/2021](#)

1.0 Native vegetation precinct plan

[VC49](#) [15/09/2008](#)

Name of plan
None specified

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

[C55alpi](#) [14/01/2021](#)

1.0 Scheduled area

[C55alpi](#) [14/01/2021](#)

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
None specified	

2.0 Scheduled weed

[C55alpi](#) [14/01/2021](#)

Area	Description of weed
None specified	

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

C55alpi 14/01/2021

1.0 Permit not required

VC37 19/01/2006

Land	Type of licence
None specified	

2.0 Permit may not be granted

VC37 19/01/2006

Land	Type of licence
None specified	

SCHEDULE TO CLAUSE 52.28 GAMING

C55alpi 14/01/2021

1.0 Objectives

C55alpi 14/01/2021

None specified.

2.0 Prohibition of a gaming machine in a shopping complex

C55alpi 14/01/2021

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
None specified	None specified

3.0 Prohibition of a gaming machine in a strip shopping centre

C55alpi 14/01/2021

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

4.0 Locations for gaming machines

C55alpi 14/01/2021

None specified.

5.0 Venues for gaming machines

C55alpi 14/01/2021

None specified.

6.0 Application requirements

C55alpi 14/01/2021

None specified.

7.0 Decision guidelines

C55alpi 14/01/2021

None specified.

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

VC148 31/07/2018

1.0 Wind energy facility prohibition

VC148 31/07/2018

Land where a Wind energy facility is prohibited
None specified

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

VC148 31/07/2018

1.0 Permit requirement for dry stone walls

VC148 31/07/2018

Land
None specified

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

VC148 31/07/2018

1.0 Subdivision and public open space contribution

VC148 31/07/2018

Type or location of subdivision	Amount of contribution for public open space
None specified Residential zones	5 percent

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

GC175 18/02/2021

1.0 Areas to which Clause 53.06 does apply

VC210 04/05/2022

Name of area	Description
None specified	

2.0 Areas to which Clause 53.06 does not apply

VC210 04/05/2022

Name of area	Description
None specified	

3.0 Other venues to which Clause 53.06 applies

VC210 04/05/2022

Name of venue	Address	Condition or limitation
None specified		

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

VC148 31/07/2018

1.0 Incorporated statement

VC148 31/07/2018

Land	Incorporated Document
None specified	None specified

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

C55alpi 14/01/2021

1.0 Table 1 Classes of VicSmart application under zone provisions

C55alpi 14/01/2021

Name of zone or class of zone	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

2.0 Table 2 Classes of VicSmart application under overlay provisions

C55alpi 14/01/2021

Name of overlay or class of overlay	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

3.0 Table 3 Classes of VicSmart application under particular provisions

C55alpi 14/01/2021

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

C55alpi 14/01/2021

1.0 Information requirements

C55alpi 14/01/2021

None specified.

2.0 Decision guidelines

C55alpi 14/01/2021

None specified.

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

C55alpi 14/01/2021

1.0 Referral of permit applications under local provisions

C55alpi 14/01/2021

Clause	Kind of application	Referral authority	Referral authority type
None specified 37.01 (SUZ5)	None specified All applications	None specified North East Catchment Management Authority North East Water	None specified Recommending referral authority
43.04s3 (DPO3)	All applications	Country Fire Authority North East Water North East Catchment Management Authority Ausnet	Recommending referral authority

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

C55alpi 14/01/2021

1.0 Notice of permit applications under local provisions

C55alpi 14/01/2021

Clause	Kind of application	Person or body to be notified
19.03-3L Integrated water management	Applications generating increased stormwater flows	East Gippsland Water North East Water Goulburn Murray Water
32.03s (Low Density Residential Zone), 32.04s (Mixed Use Zone), 32.05s (Township Zone), 32.08s (General Residential Zone), 34.01s (Commercial 1 Zone), 35.03s (Rural Living Zone), 35.06s (Rural Conservation Zone), 35.07s (Farming Zone), 43.04s3 (DPO3).	Development Plan Subdivision of land within 300m of a timber plantation Development of accommodation within 300m of a timber plantation	Managing authority for timber operations.

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

VC148 31/07/2018

1.0 Responsible authority for administering and enforcing this planning scheme:

VC148 31/07/2018

The Alpine Shire Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0 Responsible authority for administering and enforcing a provision of this planning scheme:

VC148 31/07/2018

None specified.

3.0 Person or responsible authority for issuing planning certificates:

VC148 31/07/2018

Minister for Planning.

4.0 Responsible authority for VicSmart and other specified applications:

C55alpi 14/01/2021

The Chief Executive Officer of the Alpine Shire Council is the responsible authority for considering and determining VicSmart applications to which Clause 91 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Alpine Shire Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

VC148 31/07/2018

1.0 Area covered by this planning scheme:

VC148 31/07/2018

The municipal district of the Alpine Shire.

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

VC148 31/07/2018

1.0 Maps comprising part of this planning scheme:

VC148 31/07/2018

- Zoning and Overlay maps
- 1, 1BMO, 1HO, 1LSIO,
- 2, 2BMO, 2HO, 2LSIO,
- 3, 3BMO, 3HO, 3LSIO, 3SLO,
- 4, 4BMO, 4HO, 4SLO,
- 5, 5BMO
- 6, 6BMO, 6HO, 6LSIO,
- 7, 7BMO, 7DDO, 7DPO, 7HO, 7SLO, 7LSIO,
- 8, 8BMO, 8EAO, 8HO, 8SLO,
- 9, 9BMO, 9DPO, 9HO, 9LSIO,
- 10, 10BMO, 10HO,
- 11, 11BMO, ~~11DPO~~, 11HO, 11SLO,
- 12, 12BMO, 12SLO,
- 13, 13BMO, 13SLO,
- 14, 14BMO, ~~14DPO~~, 14HO, 14SLO,
- 15, 15BMO
- 16, 16BMO
- 17, 17BMO, 17HO, 17SLO,
- 18, 18BMO, 18HO, 18SLO,
- 19, 19BMO, ~~19DPO~~, 19HO, 19SLO,
- 20, 20BMO, 20HO, 20SLO,
- 21, 21BMO
- 22, 22BMO
- 23, 23BMO, 23HO,
- 24, 24BMO
- 25, 25BMO
- 26, 26BMO

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

VC148 31/07/2018

1.0 Incorporated documents

GC161 08/07/2021

Name of document	Introduced by:
Goulburn-Murray Water Native Vegetation Code of Practice, February 2011	C33

SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

VC148 31/07/2018

1.0 Date this planning scheme began:

VC148 31/07/2018

9 September 1999

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

VC148 31/07/2018

1.0 Background documents

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Name of background document	Amendment number - clause reference
<i>Alpine Shire heritage study, Stage 2: Mount Beauty and Boqong heritage study (Kaufman, 2008)</i>	
<i>Alpine Shire heritage study, Stage 2: Wandiligong heritage study (Kaufman, 2008)</i>	
<i>Alpine Shire heritage study: thematic environmental history of the Alpine Shire, North East Victoria (Kaufman, 2008)</i>	
<i>Alpine Shire 2005 Residential Land Review (Alpine Shire Council, August 2006)</i>	11.01-1L
<i>Alpine Shire Rural Land Strategy (Alpine Shire Council, 2015)</i>	2.01 2.03 11.01-1L 12.05-2L 14.01-1L 14.01-2L 14.01-3L 16.01-3L
<i>Alpine Shire Stormwater Management Plan Volume 1 (Earth Tech, 2004)</i>	
<i>Alpine Shire Town Framework Plan - Bright (Inspiring Place Pty Ltd, 2009)</i>	11.01-1L-02
<i>Alpine Shire Town Framework Plan - Dederang (Inspiring Place Pty Ltd, 2009)</i>	11.01-1L-09

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 8.2.2.b Recommended changes to Planning Scheme Ordinance - Council 26 April 2023

<i>Alpine Shire Town Framework Plan - Harrietville</i> (Inspiring Place Pty Ltd, 2009)	11.01-1L-05
<i>Alpine Shire Town Framework Plan – Mt Beauty and Tawonga South</i> (Inspiring Place Pty Ltd, 2009)	11.01-1L-04
<i>Alpine Shire Town Framework Plan - Myrtleford</i> (Inspiring Place Pty Ltd, 2009)	11.01-1L-03
<i>Alpine Shire Town Framework Plan - Porepunkah</i> (Inspiring Place Pty Ltd, 2009)	11.01-1L-06
<i>Alpine Shire Town Framework Plan – Tawonga</i> (Inspiring Place Pty Ltd, 2009)	11.01-1L-07
<i>Alpine Shire Town Framework Plan - Wandiligong</i> (Inspiring Place Pty Ltd, 2009)	11.01-1L-08
<i>Alpine Shire Municipal Emergency Management Plan</i> (Alpine Shire Council, 2012)	
<i>Bright Futures: Urban Design Framework</i> (Hassell, 2003)	11.01-1L-02
<i>Bright Water Supply System Plan</i> (North East Water Corporation, 2012)	
<i>Bright Wastewater System Plan</i> (North East Water Corporation, 2012)	
Caring for Our Australian Alps Catchments, Department of Climate Change and Energy Efficiency, Canberra, 2011	
Climate Change in the North East Region, DSE, 2008	
Climate Change in the North East Region: Socio-economic Resilience Plan, North East Greenhouse Alliance, 2012	
<i>Dinner Plain Master Plan</i> (Alpine Shire Council Strategic Services Department, 2008)	
<i>Domestic Storm Water Management Plan</i> (Alpine Shire, 2019)	
<u>Infrastructure Design Manual (Local Government Infrastructure Design Association, 2020)</u>	<u>CXX</u> <u>19.03-2L</u>
<i>Harrietville Floodplain Management Plan</i> (Geo Eng Australia Pty Ltd, 2001)	
<i>Harrietville Floodplain Management Plan</i> (GHD, 2003)	
<i>Harrietville Water Supply System Plan</i> (North East Water, 2012)	
<i>Landscape Planning & Conservation in North East Victoria</i> (National Trust of Australia (Victoria), 1977)	
<i>Mount Beauty Master Plan</i> (EDAW Gillespies Aust., 2003)	11.01-1L-04
<i>Mount Beauty Aerodrome Master Plan</i> (EDM 2011)	C60alpiPt1

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<i>Mount Beauty Water Supply System Plan</i> (North East Water, 2012)	
<i>Mount Beauty Wastewater System Plan</i> (North East Water, 2012)	
<i>Myrtleford Master Plan Study</i> (Gillespies, 2001)	11.01-1L-03
<i>Myrtleford Floodplain Management Study</i> (Sinclair Knight Merz, 2000)	
<i>Myrtleford Water Supply System Plan</i> (North East Water Corporation, 2012)	
<i>Myrtleford Wastewater System Plan</i> (North East Water Corporation, 2012)	
<i>Ovens River Catchment Floods</i> (Department of Natural Resources and Environment, 1993)	
<i>Planning Permit Applications in Open Potable Water Supply Catchment Areas</i> (Department Sustainability and Environment, 2015)	
<i>Porepunkah Aerodrome Master Plan</i> (Airports Plus Pty Ltd. 2005)	
<i>Protection of Mt Beauty WWTP from Residential Encroachment by ESO</i> (Consulting Environmental Engineers, February 2015)	
<i>Shire of Bright Conservation Planning Study</i> (Centre for Environmental Studies, University of Melbourne, December 1976)	
<i>Shire of Bright Local Conservation Strategy</i> (August 1994)	
<i>Shire of Bright – Rural Land Mapping Project</i> (Town and Country Planning Board, 1980)	
<i>Shire of Myrtleford – Rural Land Mapping Project</i> (Town and Country Planning Board, 1978)	
<u><i>Sport and Active Recreation Plan 2022-2033</i></u> <u><i>(Alpine Shire Council, 2022)</i></u>	<u>CXX</u> <u>19.02-6L</u>
<i>The Thematic Environmental History of Alpine Shire</i> (LRGM Services, 2004)	
<i>Upper Ovens River Flood Study</i> (Earth Tech, 2004)	
<i>Urban Stormwater: Best Practice Environmental Guidelines</i> (CSIRO, 2006)	
<i>Wandiligong Heritage Guidelines</i> (2016)	
<i>Wastewater Forward Development Plan for Bright-Porepunkah, Final Report</i> (Kellog Brown & Root Pty Ltd, 2005)	
<i>Wastewater Forward Development Plan for Myrtleford, Final Report</i> (Kellog Brown & Root Pty Ltd, 2005)	
<i>Wastewater Strategy</i> (North East Water Corporation, 2012)	

<i>Water Supply Master Plan for Mount Beauty, Final Report</i> (Beca Pty Ltd, 2004)	
<i>Water Supply Demand Strategy</i> (North East Water Corporation, 2012)	

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

C62alpi 26/05/2022

1.0 Application of zones, overlays and provisions

C62alpi 26/05/2022

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- Low Density Residential Zone to:
 - Residential lots 0.2 to 1 hectares, or larger where on-site treatment of waste is required.
 - Residential areas with pocket vegetation.
 - Residential areas with high landscape value.
- Mixed Use Zone to areas in Myrtleford and Tawonga South designated as a mixed use cluster and community activity cluster to encourage more intensive development.
- Township Zone to the towns of Dederang, Harrietville, Porepunkah and Tawonga to facilitate development proportionate to the services and facilities they provide.
- General Residential Zone to the main towns of Bright, Mount Beauty / Tawonga South, Myrtleford, and Porepunkah to encourage residential development close to major existing retail, community, and commercial facilities.
- Industrial 1 Zone to:
 - Warehouses and processing plants along Myrtleford-Yackandandah Road in Myrtleford.
 - Industrial areas in Bright, and Mount Beauty/Tawonga South.
- Industrial 2 Zone to warehouses along Myrtleford-Yackandandah Road in Myrtleford.
- Commercial 1 Zone to the towns of Bright, Mount Beauty and Myrtleford to allow for further commercial expansion.
- Rural Living Zone to:
 - Small precincts within Bright, Harrietville, Mount Beauty and Porepunkah.
 - Within the localities of Buffalo Creek, Buffalo River and Ovens River.
 - Provide opportunities for residential development while keeping the rural nature of these localities.
- Rural Conservation Zone to remote rural areas adjacent to National Parks, State Forests and Crown land.
- Farming Zone to areas of strategically significant farming land to protect and facilitate diverse agricultural activities.
- Public Use Zone to Land in public ownership including recreation, health, education and community facilities as well as public utilities to facilitate appropriate use.
- Public Parks and Recreation Zone to areas for public recreation and open space.
- Public Conservation and Resource Zone to protect and conserve the historic, natural and cultural values of the Shire's environmental and economic assets which abuts public land, as identified in the Alpine Shire Rural Land Strategy 2015.
- Road Zone to identify declared roads and roads that carry significant economic/social traffic routes.
- Special Use Zone to:

- Schedule 1 – Dinner Plain Village area.
- Schedule 2 – Dinner Plain Service and Recreation.
- Schedule 3 – GPU Powernet PTY LTD Terminal Stations.
- Schedule 4 – Bogong Power Development Project.
- Schedule 5 – Mount Beauty Aerodrome and Air Park.
- Significant Landscape overlay to:
 - Schedule 1 – To guide development in the Upper Kiewa Valley area.
 - Schedule 2 – To maintain landform and vegetation and guide development in the Happy Valley area and maintain views to Mt Buffalo.
 - Schedule 3 - The cultural and heritage values of the Wandiligong Valley area.
 - Schedule 4 - To maintain landform and vegetation and guide development in the Buckland Valley area, and maintain views to Mt Buffalo.
 - Schedule 5 – To guide development and maintain vegetation and view lines in the Upper Ovens and Harrietville Valley areas.
- Heritage Overlay to places of heritage significance.
- Design and Development Overlay to Lot 1 PS 317374, 396 Back Porepunkah Road, Bright, to provide for subdivision of the land and ensure development is consistent with the density and character of the area.
- Development Plan Overlay to:
 - ~~Outline future development in patterns for lots, roads, services and open space as identified in Schedules 1 and 2 for land in Mount Beauty and Tawonga South.~~
 - Schedule 3 - Guide development for Lots 1 and 2 on PS613866 and Lots 1, 2, 4, 5, 7-9 on TP859376, Great Alpine Road.
- Land Subject to Inundation Overlay to recognise and protect riverine floodprone areas identified by the Catchment Management Authority.
- Bushfire Management Overlay to:
 - Areas identified with potential for bushfire risk.
 - Schedule 1 – Dinner Plain, Bright, Mt Beauty, Myrtleford, Porepunkah, Tawonga South BAL-12.5 Areas.
 - Schedule 2 - Dinner Plain, Bright, Myrtleford, Tawonga, Tawonga South BAL-29 Areas.
- Environmental Audit Overlay to former extraction sites.
- Apply the Rural Conservation Zone over isolated freehold land and land surrounded by National Parks and/or State Forests.

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

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1.0

Further strategic work

C62alpi 26/05/2022

Prepare a Land Development Strategy to identify land available for residential, commercial and industrial growth, establish settlement boundaries and identify constrained land.

Prepare Stage Two of the Rural Land Use Strategy to:

- Clarify the policy directions for each rural precinct focussing on supporting agricultural uses and minimising land use conflicts through separation of activities.
- Review the appropriate zoning for small lots in the Farming Zone (for example, Freeburg, Wandiligong and Ovens).
- Mitigate the impacts of climate change on rural land.

- ~~▪ Articulate agricultural values by precinct.~~
- Identify where Farming Zone and Rural Conservation Zone schedules should be modified to better reflect the preferred use of the land.
- ~~▪ Respond to climate change predictions.~~
- ~~▪ Identify rural living opportunities.~~
- Determine where non agricultural uses like earth and resource extraction and renewable energy generation should be supported or avoided. [Additions reflect findings of PSR]

Prepare ~~a Housing and Settlement Strategy Structure Plans for Bright, Porepunkah, Mount Beauty-Tawonga South and Myrtleford~~ to:

- Direct land uses to appropriate locations.
- Develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character.
- Identify active transport linkages and routes.
- Support the intensification of residential development in appropriate locations.
- Identify infrastructure requirements.
- Prepare landscaping guidelines for public and private property, including planning, retention and replacement of canopy trees.
- Develop signage guidelines for signs on public and private land.
- Draft planning controls to implement the Structure Plans, including schedules to the residential zones.
- ~~▪ Identify the housing needs of the community.~~
- ~~▪ Identify the planning controls that should apply to land that has been identified in the Land Development Strategy as suitable for residential growth.~~
- ~~▪ Identify consolidation and intensification opportunities in townships and the planning controls that should be applied.~~ [Change from Housing Strategy to Structure Plans, and additions reflect findings of PSR]

Undertake a comprehensive review of the suite of controls applying to Wandiligong to ensure they provide clearer guidance about what is to be achieved and more detailed direction to applicants and decision makers. This includes a review of zones, HO83 and SLO4. Review the zoning around the settlements of Wandiligong, Freeburg and Ovens. [More detail of issues to be resolved in Wandi from PSR. Freeburg and Ovens will be addressed in Stage 2 Rural Land Strategy]

Identify strategies to ensure a good balance between permanent accommodation and short term accommodation.

~~Identify the valued neighbourhood character and landscape characteristics of the Shire that can be protected through the application of the residential zone schedules.~~ [Merged into Structure Plan project]

Amend the schedules to the Farming Zone to increase the maximum floor area for which no permit is required for an outbuilding associated with a dwelling to decrease the number of permits that are triggered for this use. [Planning Scheme Review recommendation]

Identify opportunities for delivering a greater range of affordable housing options for the community.

Commence a comprehensive assessment of the significant landscapes and vegetation in the municipality, including those at a regional scale (e.g. views to Mount Buffalo and Mount Bogong) and local scale (e.g. boulevards in Bright) and put in place planning controls to protect such as the Significant Landscape Overlay, Environmental Significance Overlay, Vegetation Protection Overlay and Heritage Overlay. [Replaces project below with more detail about the purpose of the project]

~~Undertake a Significant Landscape Assessment to:~~

- ~~▪ Recognise Alpine landscapes as of State significance.~~
- ~~▪ Articulate landscape values.~~

~~Protect landscapes from encroachment by development.~~ [Replaced by previous new project]

Revise the Special Use Zone schedule applied to Dinner Plain to reduce the complexity of the control.

Prepare a Structure Plan for the Bright Gateway to guide the future use and development of the land and develop an iconic entry point to the township.

~~Develop an urban design policy to guide development in Bright Town Centre, Myrtleford Town Centre and Mount Beauty and Tawonga South.~~ [Merged into Structure Plan project]

Investigate risks associated with climate change and put in place planning controls to manage these, specifically relating to:

- Management of flooding and avulsion risks.
- Management of land instability, land slip and erosion.

~~Review and update the application of the Heritage Overlay including undertaking Heritage Gap study.~~ [Recommendation from Planning Scheme Review]

~~Prepare a local Heritage Policy to assist with decision making for applications in the Heritage Overlay.~~ [Recommendation from Planning Scheme Review]

Prepare an Indigenous Heritage Strategy and work with First Nations peoples with a connection to the land to develop suitable planning controls to protect places of significance.

~~Prepare a Canopy Tress Strategy to increase the amount of canopy trees across the Shire.~~ [Merged into structure plan project]

~~Prepare a Signage Policy to guide decision-making about signs on private land.~~ [Merged into structure plan project]

ALPINE PLANNING SCHEME

AMENDMENT CXXalpi

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Alpine Shire Council, which is the planning authority for this amendment.

The amendment has been made at the request of Alpine Shire Council.

Land affected by the Amendment

The amendment applies to all land in Alpine Shire.

What the amendment does

The amendment proposes to implement the *Alpine Planning Scheme Review 2023*.

The amendment proposes to make the following changes to the Alpine Planning Scheme:

- Implements the land use and development directions of Council's adopted strategies and documents, including the:
 - *Affordable Housing Research and Analysis Paper* (Alpine Shire Council, 2022);
 - *Alpine Shire Council Access and Inclusion Plan 2021-2024* (Alpine Shire Council, 2021);
 - *Alpine Shire Events Strategy* (Urban Enterprise, 2021);
 - *Alpine Shire Rural Land Use Strategy* (Alpine Shire Council, 2015),
 - *Climate Action Plan 2021-2024* (Alpine Shire Council, 2021);
 - *Community Vision 2040 and Council Plan 2021-25 including the Municipal Public Health and Wellbeing Plan* (Alpine Shire Council, 2021);
 - *Economic Development Strategy* (Urban Enterprise and Alpine Shire Council, 2021);
 - *Municipal Emergency Management Plan 2021-2024* (Alpine Shire Council, 2021);
 - *Myrtleford Resilience Plan* (Projectura, 2019); and
 - *Sport and Active Recreation Plan 2022-2033* (Alpine Shire Council, 2022).
- Clarifies and improves the style, format, language or grammatical form of content in accordance with the requirements of the *Ministerial Direction on the Form and Content of Planning Schemes* and the principles set out in *A Practitioner's Guide to Victoria's Planning Schemes, April 2022* where the intended effect of that clause or any other clause is not changed.
- Updates clause references, department names, legislation names, document references, terminology and statistical data.
- Deletes or adjusts content that conflicts with State planning policy of the Victoria Planning Provisions.
- Removes repetitive content.
- Removes or updates outdated content.

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8.2.2.c Draft Explanatory Report for the proposed planning scheme amendment.
Specifically, the amendment proposes to make the following changes to the Alpine Planning Scheme:

Purpose and Vision

1. Amend Clauses 02.01 (Context) and 02.03 (Settlement) to add land use and development directions from local and regional documents and strategies; to recognise First Nations peoples; and to include policy guiding new timber plantations to appropriate locations away from areas identified for urban growth, and to ensure new urban development does not adversely impact upon routes associated with agricultural land use, extractive industries, and timber plantations.

Planning Policy Framework

- Amend local policy content in Clause 11 (Settlement), Clause 12 (Environmental and Landscape Values), Clause 13 (Environmental Risks and Amenity), Clause 14 (Natural Resource Management), Clause 15 (Built Environment and Heritage), Clause 16 (Housing), Clause 17 (Economic Development), Clause 18 (Transport) and Clause 19 (Infrastructure) of the Planning Policy Framework to add new content from Council adopted documents and strategies, and the *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2022).

Zones

- Amend Schedules 1, 2, 3, 4, 5 and 6 to Clause 37.01 (Special Use Zone) to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.

Overlays

- Amend Schedules 1, 2, 3, 4 and 5 to Clause 42.03 (Significant Landscape Overlay) to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Amend Schedule 1 to Clause 43.02 (Design and Development Overlay) to align with the *Ministerial Direction: the Form and Content of Planning Schemes*.
- Delete Schedules 1 and 2 to Clause 43.04 (Development Plan Overlay) as they contain no content.

Particular Provisions

- Amend the Schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) to require a 5 per cent contribution for public open space in residential zones.

General Provisions

- Amend the Schedule to Clause 66.04 (Referral of permit applications under local provisions) with a new schedule to reflect changes to ordinance introduced by Amendment VC148 and recommendations of the Review.
- Amend the Schedule to Clause 66.06 (Notice of permit applications under local provisions) with a new schedule to reflect changes to ordinance introduced by Amendment VC148 and recommendations of the Review.

Operational Provisions

- Amend the Schedule to Clause 72.03 (What does this Planning Scheme consist of?) to delete Planning Scheme Map Nos. 11DPO, 14DPO and 19DPO.
- Amend the Schedule to Clause 72.08 (Background Documents) to include the *Alpine Shire heritage study, Stage 2: Mount Beauty and Bogong heritage study* (Kaufman, 2008), the *Alpine Shire heritage study, Stage 2: Wandiligong heritage study* (Kaufman, 2008), the *Alpine Shire heritage study: thematic environmental history of the Alpine Shire, North East Victoria* (Kaufman, 2008), the *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2020) and the *Sport and Active Recreation Plan 2022-2033* (Alpine Shire Council, 2022) as background documents.
- Amend the Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) to delete Schedules 1 and 2 to Clause 43.04 (Development Plan Overlay).

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8.2.2.c Draft Explanatory Report for the proposed planning scheme amendment.

- Amend the Schedule to Clause 74.02 (Further Strategic Work) to implement the *Alpine Planning Scheme Review 2023*, which revises the further work plan.
- Amend Planning Scheme Map 2zn to rezone part of the land at 25, 27, 33 and 35 King Street, Myrtleford from the General Residential Zone to the Farming Zone; and
- Delete Planning Scheme Maps 11DPO, 14DPO and 19DPO to delete Schedules 1 and 2 to Clause 43.04 (Development Plan Overlay).

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to implement the recommendations of the *Alpine Planning Scheme Review 2023*.

The Review was finalised in March 2023 as required by Section 12B of the *Planning and Environment Act 1987*. Periodic reviews ensure planning schemes provide the necessary framework to achieve a council's land use vision for the municipality.

The Review found that the Alpine Planning Scheme contains many policy gaps and is not effectively guiding decision making in Alpine Shire. This is leading to inconsistent decision making and lost opportunities for the most efficient use of land, adaptation to climate change and protection of values such as landscapes for the benefit of the community. The Review recommends future strategic work required over the next four years to achieve this.

The Review has also identified policy-neutral changes that should be made to the planning scheme to align with the *Ministerial Direction: the Form and Content of Planning Schemes*; to make factual changes to the Municipal Planning Strategy to include the most recent Australian Bureau of Statistics and other economic data; and the need to include land use and development directions from local and regional strategies in the Planning Policy Framework.

How does the Amendment implement the objectives of planning in Victoria?

The proposed amendment implements the objectives of planning in Victoria included at Section 4(1) of the *Planning and Environment Act 1987*:

The amendment is consistent with the following objectives of planning in Victoria:

- *Section 4(1)(a) - to provide for the fair, orderly, economic and sustainable use, and development of land;*
- *Section 4(1)(b) - to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- *Section 4(1)(c) - to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *Section 4(1)(d) - to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value;*
- *Section 4(1)(e) - to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
- *Section 4(1)(f) - to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and*
- *Section 4(1)(g) - to balance the present and future interests of all Victorians.*

The amendment seeks to implement the Review by making corrections and updating the Alpine Planning Scheme to reflect the key strategic directions established for Alpine Shire. This will provide certainty for all users of the planning system by ensuring the fair, orderly, economic and sustainable development of land in the municipality, which is consistent with the objectives of planning in Victoria.

How does the Amendment address any environmental, social and economic effects?

While the changes to the Alpine Planning Scheme are generally administrative and policy neutral arising from the Review, the amendment is expected to have positive environmental, social and economic effects for Victorian businesses, industry and the community by:

- improving the clarity and transparency of local policy content in the Municipal Planning Strategy, Planning Policy Framework and local schedules, which will result in greater certainty for users of the planning system;
- reducing unnecessary costs to applicants and Council by enhancing the effectiveness and efficiency of the Alpine Planning Scheme; and
- improving planning outcomes by removing errors, inconsistencies and incompatibility in local policy content in the Municipal Planning Strategy, Planning Policy Framework and local schedules.

The application of updated and improved local policy content in the Municipal Planning Strategy, Planning Policy Framework and amended local schedules will provide certainty to the users of the planning system by ensuring land use and development outcomes are consistent with environmental, social and economic land use objectives of planning in Alpine Shire and Victoria.

Does the Amendment address relevant bushfire risk?

Alpine has a significant level of bushfire risk, due to the presence of large amounts of native vegetation and a steadily increasing population.

Strategies in Clauses 02.03-3 (Environmental risks and amenity) and 13.02-1L (Bushfire planning) have been either reworded to provide greater clarity or have had extra requirements included to ensure that any development in areas where the impacts of a landscape-scale bushfire cannot be mitigated through on-site measures or where only one safe access route to the nearest place of relatively safety can be provided are avoided.

The Country Fire Authority was consulted during the development of *Alpine Planning Scheme Review 2023* and the preparation of this amendment. The Municipal Planning Strategy states that bushfire is a key environmental risk for Alpine and stating that future development should avoid bushfire prone areas.

The proposed changes and the introduction of adopted strategies into the Planning Scheme will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction - the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987 with new and updated policy being consistent with the templates.

The amendment has also been prepared in accordance with the strategic considerations set out in *Minister's Direction No. 11 Strategic Assessment of Amendments* made under Section 12 of the Planning and Environment Act. The amendment has been assessed against environmental, economic, and social effects as well as bushfire risk and the objectives of planning in Victoria and is deemed to comply with the Minister's direction. Details of these assessments are outlined within the relevant sections of this explanatory report.

The amendment meets the requirements of *Minister's Direction No. 19 Ministerial Direction on the Preparation and Content of Amendments* that may Significantly Impact the Environment, Amenity and Human Health which requires planning authorities to seek the views of the Environment Protection Authority in the preparation of planning scheme reviews that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste.

The EPA was consulted during the preparation of this amendment.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The proposed amendment is consistent with and supportive of the State Planning Policy Framework by including or updating policies that build upon and support the state and regional policies in the Planning Policy Framework. Any competing policies have also been removed.

This ensures that the Local Planning Policy in the Planning Policy Framework responds to a demonstrated need, is linked to a strategic direction in the Municipal Planning Strategy and is designed to assist the responsible authority in assessing planning permit applications and proponents in understanding whether a proposal is likely to be supported or not.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment strengthens the Local Planning Policy Framework, specifically the Municipal Planning Strategy by aligning it with the Council Plan (the *Community Vision 2040 and Council Plan 2021-25 including the Municipal Public Health and Wellbeing Plan*), which is the key document that drives the strategic direction of Council. The Local Planning Policy Framework is proposed to be updated and strengthened with the inclusion of new policies that have been developed by Council since 2015. The amendment seeks to better reflect the strategic direction and priorities of Council and the Alpine community in the Local Planning Policy Framework.

How does the amendment support or implement the Municipal Planning Strategy?

The proposed amendment seeks to update the Municipal Planning Strategy to include the land use and development directions in a number of local and regional strategies, which underpins the policy content of the Planning Policy Framework and local schedules.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions. The amendment updates local policy and associated local content consistent with the *Ministerial Direction: the Form and Content of Planning Schemes*.

The proposed amendment applies the appropriate planning provisions to land throughout the municipality allowing the planning controls contained within the Victoria Planning Provisions to be correctly applied.

How does the Amendment address the views of any relevant agency?

The views of relevant agencies were sought and assisted in the formation of the *Alpine Planning Scheme Review 2023*.

The agencies consulted in the development of the Review include Country Fire Authority, East Gippsland Water, Goulburn Murray Water, North East Catchment Management Authority, North East Water and the timber plantation managers of Crown land.

The Country Fire Authority and the Environment Protection Authority were also consulted during the preparation of this amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The purpose of the *Transport Integration Act 2010* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. The vision statement recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible State.

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8.2.2.c Draft Explanatory Report for the proposed planning scheme amendment.

The objectives of the *Transport Integration Act 2010* relate to social and economic inclusion, economic prosperity, environmental sustainability, integration of transport and land use, efficiency, coordination and reliability, safety, and health and wellbeing.

The proposed amendment does not have any detrimental implications on the objectives, strategies and decision making principles set out in the *Transport Integration Act 2010*.

The Minister has not prepared any statements of policy principles under Section 22 of the *Transport Integration Act 2010*; therefore, no such statements are applicable to this proposed amendment.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

It is expected that the proposed amendment will have a positive effect on the resource and administrative costs of the responsible authority. The amendment seeks to provide a clear set of policies to give a greater level of certainty to the community and other stakeholders about land use and development in the municipality. This will have the effect of reducing the burden on the responsible authority of administering the Planning Scheme.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- during office hours at Alpine Shire Council offices, 2 Churchill Avenue, Bright
- at the Alpine Shire Council website at www.alpineshire.vic.gov.au; and
- at the Department of Transport and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by

A submission must be sent to:

Alpine Shire Council

PO Box 139,

Bright VIC 3741

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing:
- panel hearing:

INSTRUMENT OF DELEGATION

**Council to
Chief Executive Officer**

April 2023

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (the Act) and all other powers enabling it, the Alpine Shire Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on **26 April 2023**;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 26th day of
April 2023 in the presence of:

COUNCILLOR NAME

SIGNATURE

COUNCILLOR NAME

SIGNATURE

CHIEF EXECUTIVE OFFICER NAME

SIGNATURE

Schedule

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1. entering into a contract or making any expenditure that exceeds the value of \$150,000 (excluding GST);
 - 1.2. appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.3. electing a Mayor or Deputy Mayor;
 - 1.4. granting a reasonable request for leave under s35 of the Act;
 - 1.5. making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.6. approving or amending the Council Plan;
 - 1.7. adopting or amending any policy that Council is required to adopt under the Act;
 - 1.8. adopting or amending the Governance Rules;
 - 1.9. appointing the chair or the members to a delegated committee;
 - 1.10. making, amending or revoking a local law;
 - 1.11. approving the Budget or Revised Budget;
 - 1.12. approving the borrowing of money;
 - 1.13. subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
or
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

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4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 4.1. policy; or
 - 4.2. strategy
adopted by Council;
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

INSTRUMENT OF DELEGATION

**Council to
Members of Council Staff**

April 2023

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

DELEGATE	TITLE
ACC	Accountant
AMC	Asset Management Coordinator
AOBEH	Administration Officer (Building and Environmental Health)
AOP	Administration Officer (Planning)
AOSLL	Administration Officer (Subdivision and Local Laws)
BC	Building Coordinator
BI	Building Inspector
BSL	Building Surveyor Limited
BSU	Building Surveyor Unlimited
BSM	Municipal Building Surveyor
CEO	Chief Executive Officer
CPC	Compliance Coordinator
CRO	Community and Recreation Officer
CWC	Civil Works Coordinator
DA	Director Assets
DCC	Director Customer and Community
EACEO	Executive Assistant (CEO)
EC	Engineering Coordinator
ED	Development Engineer
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
EMC	Emergency Management Coordinator
FO	Finance Officer
GISAO	GIS and Assets Officer
GO	Governance Officer
LLO	Local Laws Officer
LLO2	Local Laws Officer
MBEH	Manager Building and Environmental Health
MC	Manager Corporate
MCD	Manager Community Development

DELEGATE	TITLE
MCE	Manager Customer Experience
MEA	Manager Engineering and Assets
MGF	Manager Growth and Future
MO	Manager Operations
MSPCL	Manager Statutory Planning, Compliance and Local Laws
PC	Statutory Planning Coordinator
POS	Senior Statutory Planning Officer
PO	Planning Officer
POD	Project Officer (Delivery)
PRCC	Property and Contracts Coordinator
PRO	Prosecutor
PRO2	Prosecutor
RC	Rates Coordinator
SPC	Strategic Planning Coordinator
SP	Strategic Planner
TOA	Technical Officer (Assets)

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **26 April 2023**; and

3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation ;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

3.3 the delegate must not determine the issue, take the action or do the act or thing:

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council; or

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

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8.3.1.b - S6 - IoD - Council to members of Council staff - April 2023 - COMBINED

- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 26th day of
April 2023 in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

SCHEDULE

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CEMETERIES AND CREMATORIA ACT 2009

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DA, MO, PRCC	<i>Note: Alpine Shire Council is defined as a Class B cemetery trust - only those clauses that apply to this class is delegated in this document.</i>
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for	DA, MO, PRCC	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its	DA, MO, PRCC	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	not delegated	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	not delegated	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DA, MO, PRCC	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	not delegated	
s 15(4)	Duty to keep records of delegations	DA, MO, PRCC	
s 17(1)	Power to employ any persons necessary	not delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DA, MO, PRCC	
s 17(3)	Power to determine the terms and conditions of employment or engagement	not delegated	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	DA, MO, PRCC	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	not delegated	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	not delegated	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	not delegated	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	not delegated	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	not delegated	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2009

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	not delegated	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	not delegated	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	not delegated	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	not delegated	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	not delegated	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	not delegated	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	not delegated	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	not delegated	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	not delegated	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	not delegated	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	not delegated	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	not delegated	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	not delegated	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2009

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	not delegated	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	not delegated	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	DA, MO, PRCC	
s 20(1)	Duty to set aside areas for the interment of human remains	DA, MO, PRCC	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DA, MO, PRCC	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	DA, MO, PRCC	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	not delegated	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	not delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	not delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	DA, MO, PRCC	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	not delegated	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	DA, MO, PRCC	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DA, MO, PRCC	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	DA, MO, PRCC	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DA, MO, PRCC	

CEMETERIES AND CREMATORIA ACT 2009

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(2)	Power to charge fees for providing information	DA, MO, PRCC	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DA, MO, PRCC	
s 64B(d)	Power to permit interments at a reopened cemetery	DA, MO, PRCC	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	not delegated	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DA, MO, PRCC	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	DA, MO, PRCC	
s 70(2)	Duty to make plans of existing place of interment available to the public	DA, MO, PRCC	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DA, MO, PRCC	
s 71(2)	Power to dispose of any memorial or other structure removed	DA, MO, PRCC	
s 72(2)	Duty to comply with request received under s 72	DA, MO, PRCC	
s 73(1)	Power to grant a right of interment	DA, MO, PRCC	
s 73(2)	Power to impose conditions on the right of interment	DA, MO, PRCC	
s 74(3)	Duty to offer a perpetual right of interment	DA, MO, PRCC	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DA, MO, PRCC	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DA, MO, PRCC	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DA, MO, PRCC	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DA, MO, PRCC	
s 80(2)	Function of recording transfer of right of interment	DA, MO, PRCC	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DA, MO, PRCC	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	DA, MO, PRCC	

CEMETERIES AND CREMATORIA ACT 2005

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DA, MO, PRCC	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DA, MO, PRCC	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	DA, MO, PRCC	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	DA, MO, PRCC	
s 84I(4)	Power to exercise the rights of a holder of a right of internment	DA, MO, PRCC	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	DA, MO, PRCC	
84I(6)(a)	Power to remove any memorial on the place of interment	DA, MO, PRCC	
s 84I(6)(b)	Power to grant right of interment under s 73	DA, MO, PRCC	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DA, MO, PRCC	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	DA, MO, PRCC	Does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	DA, MO, PRCC	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DA, MO, PRCC	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	DA, MO, PRCC	

CEMETERIES AND CREMATORIA ACT 2005

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DA, MO, PRCC	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DA, MO, PRCC	
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	DA, MO, PRCC	
s 86(5)	Duty to provide notification before taking action under s 86(4)	DA, MO, PRCC	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DA, MO, PRCC	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DA, MO, PRCC	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DA, MO, PRCC	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DA, MO, PRCC	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DA, MO, PRCC	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	DA, MO, PRCC	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DA, MO, PRCC	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DA, MO, PRCC	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DA, MO, PRCC	
s 100(1)	Power to require a person to remove memorials or places of interment	DA, MO, PRCC	

CEMETERIES AND CREMATORIA ACT 2005

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	DA, MO, PRCC	
s 100(3)	Power to recover costs of taking action under s 100(2)	DA, MO, PRCC	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DA, MO, PRCC	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	DA, MO, PRCC	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DA, MO, PRCC	
s 103(1)	Power to require a person to remove a building for ceremonies	DA, MO, PRCC	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DA, MO, PRCC	
s 103(3)	Power to recover costs of taking action under s 103(2)	DA, MO, PRCC	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	DA, MO, PRCC	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DA, MO, PRCC	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DA, MO, PRCC	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	DA, MO, PRCC	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DA, MO, PRCC	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DA, MO, PRCC	
s 108	Power to recover costs and expenses	DA, MO, PRCC	

CEMETERIES AND CREMATORIA ACT 2009

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 109(1)(a)	Power to open, examine and repair a place of interment	DA, MO, PRCC	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DA, MO, PRCC	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DA, MO, PRCC	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	DA, MO, PRCC	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent	DA, MO, PRCC	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DA, MO, PRCC	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DA, MO, PRCC	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DA, MO, PRCC	
s 112	Power to sell and supply memorials	DA, MO, PRCC	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DA, MO, PRCC	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DA, MO, PRCC	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DA, MO, PRCC	
s 119	Power to set terms and conditions for interment authorisations	DA, MO, PRCC	
s 131	Function of receiving an application for cremation authorisation	DA, MO, PRCC	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	DA, MO, PRCC	Subject to s 133(2)

CEMETERIES AND CREMATORIA ACT 2009

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DA, MO, PRCC	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DA, MO, PRCC	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DA, MO, PRCC	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DA, MO, PRCC	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DA, MO, PRCC	
s 151	Function of receiving applications to inter or cremate body parts	DA, MO, PRCC	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DA, MO, PRCC	
SCHEDULE 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DA, MO, PRCC	
SCHEDULE 1 cl 8(8)	Power to regulate own proceedings	DA, MO, PRCC	Subject to cl 8
SCHEDULE 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	not delegated	Where Council is a Class A cemetery trust
SCHEDULE 1A cl 8(8)	Power to regulate own proceedings	not delegated	Where Council is a Class A cemetery trust. Subject to cl 8.

CEMETERIES AND CREMATORIA REGULATIONS 2013

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCC, MO, PRCC	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCC, MO, PRCC	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	not delegated	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	not delegated	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	not delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	not delegated	
r 30(2)	Power to release cremated human remains to certain persons	not delegated	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	not delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	not delegated	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	not delegated	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	not delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DCC, MO, PRCC	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DCC, MO, PRCC	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DCC, MO, PRCC	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	DCC, MO, PRCC	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	not delegated	

CEMETERIES AND CREMATORIA REGULATIONS 2013

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 40	Power to approve a person to play sport within a public cemetery	DCC, MO, PRCC	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DCC, MO, PRCC	
r 42(1)	Power to approve hunting within a public cemetery	DCC, MO, PRCC	
r 43	Power to approve camping within a public cemetery	DCC, MO, PRCC	
r 45(1)	Power to approve the removal of plants within a public cemetery	DCC, MO, PRCC	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCC, MO, PRCC	
r 47(3)	Power to approve the use of fire in a public cemetery	DCC, MO, PRCC	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DCC, MO, PRCC	
Note: SCHEDULE 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DCC, MO, PRCC	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2013

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCC, MO, PRCC	See note above regarding model rules

DOMESTIC ANIMALS ACT 1994

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	DCC, MSPCL, LLO, LLO2, CPC	Council may delegate this power to a Council authorised officer

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCC, MBEH, EHC, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	DCC, MBEH, EHC, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	DCC, MBEH, EHC, EHO	If s 19(1) applies. Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DCC, MBEH, EHC, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCC, MBEH, EHC, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCC, MBEH, EHC, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	DCC, MBEH, EHC, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	DCC, MBEH, EHC, EHO	Where Council is the registration authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19EA(3)	Function of receiving copy of revised food safety program	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCC, MBEH, EHC, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	DCC, MBEH, EHC, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DCC, MBEH, EHC, EHO	Where Council is the registration authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority
---	Power to register, or renew or transfer the registration of a food premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority Refusal to grant/ or renew/transfer the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	DCC, MBEH, EHC, EHO	Where Council is the registration authority.
s36B	Duty to pay the charge for use of online portal	DCC, MBEH, EHC, EHO	Where Council is the registration authority.
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DCC, MBEH, EHC, EHO	Where Council is the registration authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	DCC, MBEH, EHC, EHO	Where Council is the registration authority. Not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority.
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DCC, MBEH, EHC, EHO	Where Council is the registration authority.
39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a or transfer food premises despite minor defects	DCC, MBEH, EHC, EHO	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	DCC, MBEH, EHC, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	DCC, MBEH, EHC, EHO	Where Council is the registration authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	DCC, MBEH, EHC, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	DCC, MBEH, EHC, EHO	
s 40F	Power to cancel registration of food premises	DCC, MBEH, EHC, EHO	Where Council is the registration authority.
s 43	Duty to maintain records of registration	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	DCC, MBEH, EHC, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	DCC, MBEH, EHC	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	DCC, MBEH, EHC, EHO, PRO	Where Council is the registration authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	Must first obtain Executive Director's written consent. Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989
 8.3.16 - S6 - Instrument of Council to members of Council staff - April 2023 - COMBINED

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO[1]	

[1] [The only member of staff who can be a delegate in Column 3 is the CEO.](#)

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DA, DCC, MGF, MSPCL, PC, SPC, SP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DA, DCC, MGF, MSPCL, PC, SPC, SP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP	
s 8A(5)	Function of receiving notice of the Minister's decision	DA, DCC, MGF, MSPCL, PC, SPC, SP	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DA, DCC, MGF, MSPCL, PC, SPC, SP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DA, DCC, MGF, MSPCL, PC, SPC, SP	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, DA, DCC, MGF, MSPCL, PC, SPC, SP	
s 12B(1)	Duty to review planning scheme	CEO, DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 17(1)	Duty of giving copy amendment to the planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(2)	Duty of giving copy s 173 agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	Where Council is a planning authority

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s197B of the Act	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 28(1)	Duty to notify the Minister if abandoning an amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DA, DCC, MGF, MSPCL, PC, POS, PO, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DA, DCC, MGF, MSPCL, PC, POS, PO, AOSLL, AOP	
s 30(4)(a)	Duty to say if amendment has lapsed	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 30(4)(b)	Duty to provide information in writing upon request	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 32(2)	Duty to give more notice if required	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 33(1)	Duty to give more notice of changes to an amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 36(2)	Duty to give notice of approval of amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38(5)	Duty to give notice of revocation of an amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DA, DCC, MGF, MSPCL, PC, SPC, SP	
s 40(1)	Function of lodging copy of approved amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DA, DCC, MGF, MSPCL, PC, SPC, SP, AOSLL, AOP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	not delegated	Where Council is a responsible public entity and is a planning authority. Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils - <i>and does not affect Alpine Shire Council.</i>
s 46AW	Function of being consulted by the Minister	DA, DCC, MGF, MSPCL, SPC, PC	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy. Power to endorse the draft Statement of Planning Policy	DA, DCC, MGF, MSPCL, SPC, PC	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DA, DCC, MGF, MSPCL, SPC, PC	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DA, DCC, MGF, MSPCL, SPC, PC	Where Council is a responsible public entity

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	not delegated	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency. <i>There are no Development Contribution Plans incorporated in the Alpine Planning Scheme. Currently, Infrastructure Contribution Plans only apply to the Metropolitan Greenfield Growth Area surrounding Melbourne. Therefore, no delegations are made regarding these provisions for Alpine Shire Council.</i>
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	not delegated	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	not delegated	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	not delegated	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	not delegated	
s 46GP	Function of receiving a notice under s 46GO	not delegated	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	not delegated	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	not delegated	
s 46GR(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister	not delegated	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	not delegated	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	not delegated	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	not delegated	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	not delegated	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	not delegated	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution. Power to specify the manner in which the payment is to be made	not delegated	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	not delegated	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	not delegated	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	not delegated	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	not delegated	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	not delegated	Where Council is the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	not delegated	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	not delegated	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	not delegated	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	not delegated	Where the Council is the planning authority. This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	not delegated	Where Council is the development agency specified in the approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	not delegated	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4). Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Function of receiving the fee simple in the land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	not delegated	If the VPA is the collecting agency under an approved infrastructure contributions plan. Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	not delegated	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	not delegated	Where Council is the collection agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	not delegated	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	not delegated	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	not delegated	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	not delegated	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	not delegated	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	not delegated	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	not delegated	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	not delegated	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	not delegated	
s 46Q(1)	Duty to keep proper accounts of levies paid	not delegated	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	not delegated	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	not delegated	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	not delegated	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	not delegated	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	not delegated	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	not delegated	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	not delegated	
s 46QD	Duty to prepare report and give a report to the Minister	not delegated	Where Council is a collecting agency or development agency.
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	not delegated	<i>Does not apply to Alpine Shire Council</i>

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribed fee, after the inspection period	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public availability requirements	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46Y	Duty to carry out works in conformity with the approved strategy plan	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 47	Power to decide that an application for a planning permit does not comply with that Act	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(4)	Duty to amend application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 50(5)	Power to refuse to amend application	DA, DCC, MGF, MSPCL, PC, SPC, SP, CPC	
s 50(6)	Duty to make note of amendment to application in register	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 50A(1)	Power to make amendment to application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(4)	Duty to note amendment to application in register	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 52(3)	Power to give any further notice of an application where appropriate	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1)	Power to require the applicant to provide more information	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 54(1B)	Duty to specify the lapse date for an application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time und s 54A(3)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP, AOBEH	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DA, DCC, MGF, MSPCL	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availaibility requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57A(5)	Power to refuse to amend application	DA, DCC, MGF, MSPCL, PC, SPC, SP, CPC	
64	Duty to note amendments to application in register	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 57B(1)	Duty to determine whether and to whom notice should be given	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 57C(1)	Duty to give copy of amended application to referral authority	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 58	Duty to consider every application for a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 58A	Power to request advice from the Planning Application Committee	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 60	Duty to consider certain matters	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 60(1A)	Duty to consider certain matters	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	not delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DA, DCC, MGF, MSPCL, PC, POS, PO, CPC	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 62(2)	Power to include other conditions	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75 <i>Where there are objections, the decision regarding the permit is presented to a Council meeting.</i>
s 64(3)	Duty not to issue a permit until after the specified period	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DA, DCC, MGF, MSPCL, PC, CPC, POS, PO, CPC, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 69(1A)	Function of receiving application for extension of time to complete development	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 69(2)	Power to extend time	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 70	Duty to make copy permit available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 71(1)	Power to correct certain mistakes	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(2)	Duty to note corrections in register	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 73	Power to decide to grant amendment subject to conditions	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 74	Duty to issue amended permit to applicant if no objectors	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 83	Function of being respondent to an appeal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 83B	Duty to give or publish notice of application for review	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 84AB	Power to agree to confining a review by the Tribunal	not delegated	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(2)	Duty to comply with the directions of VCAT	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 93(2)	Duty to give notice of VCAT order to stop development	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 95(3)	Function of referring certain applications to the Minister	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 95(4)	Duty to comply with an order or direction	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DA, DCC, MGF, MSPCL	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96F	Duty to consider the panel's report under s 96E	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96H(3)	Power to give notice in compliance with Minister's direction	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96J	Duty to issue permit as directed by the Minister	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97C	Power to request Minister to decide the application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97Q(4)	Duty to comply with directions of VCAT	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 101	Function of receiving claim for expenses in conjunction with claim	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 103	Power to reject a claim for compensation in certain circumstances	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 107(1)	Function of receiving claim for compensation	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 107(3)	Power to agree to extend time for making claim	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 114(1)	Power to apply to the VCAT for an enforcement order	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	Except Crown Land
s 129	Function of recovering penalties	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 130(5)	Power to allow person served with an infringement notice further time	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149A(1)	Power to refer a matter to the VCAT for determination	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 171(2)(g)	Power to grant and reserve easements	CEO, DA, DCC, MGF, MSPCL	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	not delegated	Where Council is a development agency specified in an approved infrastructure contributions plan <i>As previously stated, ICPs do not apply to Alpine Shire Council.</i>
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	not delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	not delegated	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DCC	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	not delegated	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DA, DCC, MGF, MSPCL	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178A(1)	Function of receiving application to amend or end an agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178A(5)	Power to propose to amend or end an agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	After considering objections, submissions and matters in s 178B.
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	After considering objections, submissions and matters in s 178B

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 182	Power to enforce an agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 184G(2)	Duty to comply with a direction of the Tribunal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 184G(3)	Duty to give notice as directed by the Tribunal	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 198(1)	Function to receive application for planning certificate	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 199(1)	Duty to give planning certificate to applicant	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 201(1)	Function of receiving application for declaration of underlying zoning	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 201(3)	Duty to make declaration	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to give written authorisation in accordance with a provision of a planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, CPC, AOSLL, AOP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available in accordance with the public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, AOSLL, AOP	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, AOSLL, AOP	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DA, DCC, MGF, MSPCL, PC, SPC, SP, POS, PO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

		Column 3	
Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED		CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DA, DCC, MGF, MSPCL	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DA, DCC, MGF, MSPCL	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	DA, DCC, MGF, MSPCL	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, DCC, DA, MCD, EMC, MBEH, BSM, EHC, EHO, CPC, MO, PRCC	
s 522(1)	Power to give a compliance notice to a person	CEO, DCC, MBEH, MCE, EHC, EHO, PRCC, FAO, EC	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	GO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	MBEH, MCE, EHC, EHO, AOBEL, PRCC, FAO	
s 526A(3)	Function of receiving report of inspection	CEO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	DCC, MSPCL, MBEH, CPC, EHC, EHO	
r 10	Function of receiving application for registration	MBEH, EHC, EHO, AOBEH	
r 11	Function of receiving application for renewal of registration	MBEH, EHC, EHO, AOBEH	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DCC, MBEH, EHC, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCC, MBEH, EHC, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DCC, MBEH, EHC, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCC, MBEH, EHC, EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO, DCC, MBEH, EHC, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DCC, MBEH, EHC, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	MBEH, BSM, BSL, BSU, EHC, EHO, AOBEH	
r 14(3)	Power to determine where notice of transfer is displayed	MBEH, EHC, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	MBEH, EHC, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	MBEH, EHC, EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MBEH, EHC, EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MBEH, EHC, EHO	
r 17	Duty to keep register of caravan parks	MBEH, BSM, BSL, BSU, EHC, EHO, AOBEL	
r 18(4)	Power to determine where the emergency contact person's details are displayed	MBEH, EHC, EHO, AOBEL	
r 18(6)	Power to determine where certain information is displayed	DCC, MSPCL, MBEH, CPC, EHC,	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MBEH, EHC, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	MBEH, EHC, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MBEH, EHC, EHO, BSM, BSL, BSU	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MBEH, EHC, EHO, BSM, BSL, BSU	
r 25(3)	Duty to consult with relevant floodplain management authority	MBEH, EHC, EHO, BSM, BSL, BSU	
r 26	Duty to have regard to any report of the relevant fire authority	MBEH, EHC, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DCC, MBEH, EHC, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MBEH, BSM, BSL, BSU EHC, EHO, AOBEL	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DCC, MSPCL, MBEH, CPC, EHC, EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 41(4)	Function of receiving installation certificate	MBEH, BSM, BSL, BSU, EHC, EHO, AOBEH	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBEH, BSM, BSL, BSU, EHC, EHO	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MBEH, EHC, EHO	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO	
s 11(9)(b)	Duty to advise Registrar	DA, DCC, MEA, MSPCL	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DA, DCC, MEA, MSPCL	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DA, DCC, MEA, MSPCL	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, DA	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, DA, MEA,	Power of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, DA, MEA	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CEO, DA, MEA	Function of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DA, MEA	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(10)	Duty to notify of decision made	DA, MEA	Duty of coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, DA, MEA	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, DA	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, DA	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DA	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, DA	
s 15(2)	Duty to include details of arrangement in public roads register	DA, MO, GISAO, EC, ED, AMC	
s 16(7)	Power to enter into an arrangement under s 15	CEO, DA, DCC	
s 16(8)	Duty to enter details of determination in public roads register	DA, MO, GISAO, EC, ED, AMC	
s 17(2)	Duty to register public road in public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DA	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, DA, DCC	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DA	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DA, MO, GISAO, EC, ED, AMC	
s 19(4)	Duty to specify details of discontinuance in public roads register	DA, MO, GISAO, EC, ED, AMC	
s 19(5)	Duty to ensure public roads register is available for public inspection	DA, MO, GISAO, EC, ED, AMC	
s 21	Function of replying to request for information or advice	CEO, DA, MEA, MO	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DA, MEA, MO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	CEO, DA, MEA, MO, GO	
s 22(5)	Duty to give effect to a direction under s 22	CEO, DA, MEA, MO	
s 40(1)	Duty to inspect, maintain and repair a public road	DA, MO, MEA, CWC, EC, DE, TOA	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DA, MO, MEA, CWC, EC, DE, TOA	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DA, MEA, EC, ED, AMC	
s 42(1)	Power to declare a public road as a controlled access road	CEO, DA	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, DA	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DA, MO	Where Council is the coordinating road authority. If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, DA	Where Council is the coordinating road authority. If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DA, MEA, MO	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DA, DCC, MEA, MO, MSPCL, MGF	
s 49	Power to develop and publish a road management plan	CEO, DA, MEA, AMC	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, DA, MEA, AMC	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DA	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, DA, MEA, AMC	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, DA, MEA, AMC	
s 54(6)	Power to amend road management plan	CEO, DA, MEA, AMC	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, DA, MEA, AMC	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, DA, MEA, AMC	
s 63(1)	Power to consent to conduct of works on road	CEO, DA, MEA, AMC, EC, TOA	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO, DA, MEA, MO, CWC, EC, ED, TOA	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DA, MEA, MO	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DA, DCC, MEA, MO, MSPCL, LLO, CPC	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DA, DCC, MEA, MO, MSPCL, LLO, CPC	Where Council is the coordinating road authority
s 67(3)	Power to request information	DA, DCC, MEA, MO, MSPCL, LLO, CPC	Where Council is the coordinating road authority
s 68(2)	Power to request information	DA, DCC, MEA, MO, MSPCL, LLO, CPC	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 72	Duty to issue an identity card to each authorised officer	MC, GO	
s 85	Function of receiving report from authorised officer	DA, DCC, MEA, MO, MSPCL, GO	
s 86	Duty to keep register re s 85 matters	DA, DCC, MEA, MO, MSPCL, GO	
s 87(1)	Function of receiving complaints	CEO, DA, MEA, MO	
s 87(2)	Duty to investigate complaint and provide report	CEO, DA, DCC, MO, MEA	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	
s 112(2)	Power to recover damages in court	CEO, DA	
s 116	Power to cause or carry out inspection	DA, MEA, MO	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DA, MEA, MO	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DA, MEA, MO	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DA, MEA, MO	
s 121(1)	Power to enter into an agreement in respect of works	DA, MEA, MO	
s 122(1)	Power to charge and recover fees	DA, DCC, MO, MSPCL, MC	
s 123(1)	Power to charge for any service	DA, DCC, MO, MSPCL, MC	
SCHEDULE 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, DA	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, DA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, DA	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 5	Duty to publish notice of declaration	CEO, DA	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DA, MEA, MO	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DA, MEA, MO	Where Council is the infrastructure manager or works manager
SCHEDULE 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DA, MEA, MO, EC, ED	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DA, MEA, MO, POD, EC, ED, GISAO, AMC	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DA, MEA, MO, POD, EC, ED, GISAO, AMC	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DA, DCC, MEA, MO, MC, ACC	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DA, MEA, MO, POD, EC, ED	Where Council is the works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 13(2)	Power to vary notice period	CEO, DA	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DA, MEA, POD, MO, POD, EC, ED	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
SCHEDULE 7A cl 2	Power to cause street lights to be installed on roads	DA, MEA, MO, POD, EC, ED	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DA, MEA, MO, MC, ACC	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DA, MEA, MO, MC, ACC	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	DA, MEA, MO, MC, ACC	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DA, MEA, AMC	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DA, MEA	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DA, MEA	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DA, MEA	
r 13(1)	Duty to publish notice of amendments to road management plan	DA, MEA	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	DA, MEA	
r 16(3)	Power to issue permit	DA, MO, MEA, POD, EC, ED, TOA	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DA, MO, MEA, POD, EC, ED	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DA, DCC, MO, MEA, MSPCL	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) <i>Road Management Act</i>	DA, DCC, MC	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DA, MO, MEA, TOA, CWC, BC, LLO, LLO2, CPC, EC, ED, POD	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DA, DCC, MEA, MC, MO	Where Council is the responsible road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DA, DCC, MEA, MC, MO	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DA, DCC, MEA, MO, MC	Where Council is the coordinating road authority

INSTRUMENT OF SUB-DELEGATION

Council to

Members of Council Staff

(Environment Protection Act 2017)

26 April 2023

Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. record that references in the Schedule are as follows

DELEGATE	TITLE
CPC	Compliance Coordinator
DCC	Director Customer and Community
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
LLO	Local Laws Officer
LLO2	Local Laws Officer
MBEH	Manager Building and Environmental Health
MSPCL	Manager Statutory Planning, Compliance and Local Laws

3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on **26 April 2023** pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
 - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 4.2 remains in force until varied or revoked;
 - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
 - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
 - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
 - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
 - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:

M(4) - 26 April 2023 Ordinary Council Meeting

8.3.1.c - S18 - IoD - Council to members of staff (EPA 2017) - April 2023

- 6.1.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
- 6.1.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
- 6.1.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 6.1.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Instrument of Sub-Delegation to Members of Council Staff (Environment Protection Act 2017)– 26 April 2023

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 26th day of
April 2023 in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

SCHEDULE

ENVIRONMENT PROTECTION ACT 2017 **1**

ENVIRONMENT PROTECTION ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	DCC, MBEH, MSPA, CPC, EHC, EHO, LLO, LLO2	
s 272	Power to issue prohibition notice	DCC, MBEH, MSPA, CPC, EHC, EHO, LLO, LLO2	
s 279	Power to amend a notice	DCC, MBEH, MSPA, CPC, EHC, EHO, LLO, LLO2	
s 358	Functions of the Environment Protection Authority	DCC, MBEH, MSPA, CPC, EHC, EHO, LLO, LLO2	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	DCC, MBEH, MSPA, CPC, EHC, EHO, LLO, LLO2	
s 359(2)	Power to give advice to persons with duties or obligations	DCC, MBEH, MSPA, CPC, EHC, EHO, LLO, LLO2	

INSTRUMENT OF APPOINTMENT AND
AUTHORISATION
*(PLANNING AND ENVIRONMENT
ACT 1987)*

Compliance Coordinator

Luke Gillam – April 2023

Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

OFFICER	TITLE	NAME
CPC	Compliance Coordinator	Luke GILLAM

By this Instrument of Appointment and Authorisation, Alpine Shire Council –

1. Under s147(4) of the *Planning and Environment Act 1987* – appoints the **CPC** to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under s313 of the *Local Government Act 2020* authorises the **CPC** either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Alpine Shire Council made on **26 April 2023**.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 26th day of
April 2023 in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

NO.2022/23-4 – 24 FEBRUARY 2023

Audit and Risk Committee Meeting

Minutes

In Attendance

COMMITTEE MEMBERS

Gerard Moore, Chair

Craig Covich

Julie Guest

Jason Young

Cr Simon Kelley

OFFICERS

Will Jeremy, Chief Executive Officer

Helen Havercroft, Director Customer and Community

Sarah Buckley, Acting Director Assets

Dennis O’Keeffe, Manager Corporate

Kirsten McDonald, Health, Safety and Risk Officer

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1. Acknowledgement of traditional custodians, and recognition of all people

2. Apologies

Cr Tony Keeble

Alan Rees, Director Assets

3. Declarations by Committee members of conflict of interest

Nil

4. Confirmation of minutes

4.1 AUDIT AND RISK COMMITTEE MEETING NO. 2022/23-3, 25 NOVEMBER 2022

RECOMMENDATION

That the Audit and Risk Committee confirm the minutes of its Meeting No.2022/23-3 held on 25 November 2022.

C Covich

J Young

Carried

4.2 BUSINESS ARISING FROM PREVIOUS MEETING MINUTES

The Committee asked questions and sought clarification on a number of matters arising from the minutes including in relation to the CouncilWise data incident, cyber security and insurance, business transformation, and the organisation restructure including the focus on customer service.

5. Standing items

5.1 PROGRESS OF AUDIT AND RISK COMMITTEE ACTIONS

Introduction

The Audit and Risk Committee action sheet is a register of the Committee resolutions and requests that require a subsequent action to be implemented. Each meeting an update on the progress and status of the actions is provided to the Committee.

RECOMMENDATION

That the Audit and Risk Committee note the progress of outstanding actions.

Noted

ACTIONS

- ***Provide an update to the Committee at the July 2023 meeting on the status of the development of a Grants Register.***

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6. Reports by officers

6.1 LOCAL GOVERNMENT INSPECTORATE REPORT - CHECKING COMPLIANCE: A REVIEW OF COUNCIL POLICIES

Introduction

This report provides an overview of the Victorian Local Government Inspectorate Report *Checking Compliance: A Review of Local Government Policies*, released in January 2023, and Council's response to the recommendations.

RECOMMENDATION

That the Audit and Risk Committee note this report.

Noted

ACTIONS

- ***Investigate whether the State Government has provided Local Government with a Model Code of Conduct***

Background

In 2020, the *Local Government Act 2020* came into force with the aim of increasing accountability and transparency as well as improving financial management and community engagement.

The implementation of the new Act required councils to develop a suite of new policies and update or amend existing policies. The Act required councils to develop or adopt each policy within a set timeframe.

The Local Government Inspectorate (Inspectorate) is the lead integrity agency for Victorian councils and has the role of ensuring compliance with the provisions in the Act. It does this through undertaking reviews and audits and investigating breaches.

Report

In early 2022, the Inspectorate started a project to identify the key documentation councils were required to have in place under the Act and measure the success of each of the 79 councils' in meeting those requirements. The full scope of the project was to:

1. identify which of the new and amended policies required under the Act the LG Inspectorate should review
2. request that all 79 councils provide the Inspectorate with a copy of the policies covered by our review
3. test that each of the requested policies was adopted prior to, or on the date required by the Act
4. randomly sample a range of requested policies to ensure they were compliant with the legislation
5. publish a selection of example policies on the Inspectorate's website so they can be used as a resource for councils to compare their own policies against.

The final report was released in January 2023 and made nine recommendations.

<https://www.lgi.vic.gov.au/checking-compliance-review-council-policies>

Recommendations and Alpine responses

Item	Recommendation	Alpine response
Compliance rate with timeframes for adoption	<p>1. Councils must ensure that:</p> <ul style="list-style-type: none"> the councillor induction training has been completed by councillors by the required time as per section 32 (1) of the Act confirmation of the training has been signed off by councillors and the CEO to confirm it has been completed as per section 32 (3) of the Act. 	<p>Compliant</p> <p>Council completed all induction training for Councillors elected in October 2020, and the countback in January 2022 within the required timeframe of the LGA 2020.</p> <p>All Councillors signed confirmations once Inductions were complete, which were then countersigned by the CEO.</p>
CEO Employment and Remuneration Policy	<p>2. LGV should provide formal guidance about whether councils should appoint a CEO employment and remuneration matters advisory committee, what its powers should be and how independent professional advice should be obtained.</p>	<p>Noted</p> <p>Council purchased the Maddocks template for the CEO Employment and Remuneration Policy. The template stated: <i>[Note: This Policy includes a committee as in our experience this is the common practice. However, if Council would not like to manage this process not by Committee, this Policy can be adapted.]</i> Council elected to follow the recommended template and create a committee.</p> <p>Officers will monitor LGV guidance that arises as a result of the LG Inspectorate report.</p>
Governance Rules and Election Period Policy	<p>3. Councils should note that the common seal must be used in accordance with any applicable local law rather than being incorporated in the Governance Rules.</p>	<p>Compliant</p> <p>Council's Governance Rules do not include reference to the Common Seal. Council created a new Governance Local Law to deal with the Common Seal, and to create offences during a Council meeting.</p>

Item	Recommendation	Alpine response
	4. Councils should note there is no current requirement in their Election Period Policy for the CEO to certify council publications, which was required under the 1989 Act.	<p>Noted</p> <p>Council elected to retain the requirement for publications to be certified by the CEO during the election period, despite it no longer being a legislative process.</p> <p>If there is appetite for this to be reviewed, this should be done before the commencement of the election (caretaker) period for the October 2024 elections.</p>
Format of policies	5. Councils may consider including the following on all council policies: <ul style="list-style-type: none"> • the date adopted • the date of next review • a summary of changes made to the policy. 	<p>Compliant</p> <p>Alpine’s document control and revision record is presented as an example of good practice in the Appendix to the report (page 15).</p>
Audit and Risk Committee	6. Councils should consider having the Audit and Risk Committee Charter signed off at each renewal by the: <ul style="list-style-type: none"> • CEO • Committee chair • Mayor / Committee members (at the council’s discretion). 	<p>Noted</p> <p>The Alpine Audit and Risk Committee Charter is adopted by Council.</p> <p>The LG Inspectorate report notes: <i>While the Charter must go before the Council for adoption, to increase accountability, and ensure currency, the Inspectorate would like to see each charter signed off accordingly, particularly where there has been a change to the membership.</i></p> <p>This will be considered when the Charter is reviewed in 2024.</p>

Item	Recommendation	Alpine response
Policies covering councillor relationships	7. Councils are strongly encouraged to develop a policy to guide the relationships and interactions between councillors and council staff.	<p>Noted</p> <p>The current Councillor Code of Conduct includes a section (6.3) outlining <i>Councillor relationships with Council employees and improper influence</i>.</p> <p>Following discussions with Councillors, the CEO will prepare a draft Councillor Staff Interaction Policy for Councillor review and input.</p>
	8. Councils should consider developing a policy for councillors interreacting with third parties in an open and transparent way so that the public can be confident that decision-making is taking place in an unbiased way.	<p>Noted</p> <p>Alpine does not currently have a specific policy relating to interaction with third parties. However, the Councillor Gift Policy and Employee Gift Policy both set out occasions where gifts from third parties raise Conflicts of Interest.</p>
Sample policies for self-assessment	9. Councils should benchmark their own policies by comparing them with policies published on our website. This can be done by visiting the Inspectorate’s website to review the sample policies from the cross section of policies published.	<p>Noted</p> <p>The LG Inspectorate website includes a selection of best practice policies https://www.lgi.vic.gov.au/best-practice-council-policies.</p> <p>These will be reviewed against the current Alpine documents as policies are reviewed.</p>

Risk management

Risk	Likelihood	Impact	Level / Rating	Mitigation Action / Control
Non-compliance with LGA 2020 policy requirements	Unlikely	Minor	D4	<ul style="list-style-type: none"> Policy register and currency review by leadership team and Audit and Risk Committee

Policy implication

The report aligns with the following Strategic Objective of the Council Plan 2021-2025:

- 5.2 A responsible, transparent and responsive organisation

Conclusion

Council has reviewed the findings and recommendations of the Inspectorate report *Checking Compliance: A Review of Local Government Polices* and is satisfied that it is compliant with the Act requirements. It notes opportunities for improvement as its policies and required documents are scheduled for review.

Declaration of conflict of interest

Under Section 130 of the *Local Government Act 2020*, the following officers declare that they have no interests to disclose in providing this report.

- Director Customer and Community
- Manager Corporate
- Governance Officer

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7. For information only

7.1 2022/23 QUARTER 2 BUDGET REPORT

Section 54(2)(b) of the *Local Government Act 2020* requires the Audit and Risk Committee to monitor Council's financial reporting. This includes the quarterly budget report presented by the CEO to Council under section 97 of the Act. The quarterly budget report must include:

1. a comparison of the actual and budgeted results to date; and
2. an explanation of any material variations; and
3. any other matters prescribed by the regulations

ACTIONS

- **Provide the Committee with a copy of the report to Council on annual insurance costs**

7.2 2022/23 QUARTER 2 PERFORMANCE REPORT

Section 54(2)(b) of the *Local Government Act 2020* requires the Audit and Risk Committee to monitor Council's performance reporting.

7.3 2022/23 QUARTER 2 PURCHASING AUDIT

Quarterly purchasing audits are undertaken and reported to the Audit and Risk Committee in response to the findings of a 2014 internal audit review and to provide continuing assurance that Council's purchasing controls are effective and complied with.

The random sample testing is based on an even spread of purchases across all departments (15 in total) and spend thresholds as documented in the Procurement Policy. The sample excludes purchases under \$1,000, mandated services, utility services, credit cards, councillor expenses, levies payable to and money collected on behalf of other entities.

7.4 2022/23 QUARTER 2 CEO CREDIT CARD REPORT

VAGO, in its fraud and corruption control review (June 2019) and 2019 Interim Management Letter, recommends that credit card expenditure be reviewed and reported to the Audit and Risk Committee for periodic review.

7.5 2022/23 QUARTER 2 COUNCILLOR ALLOWANCES AND EXPENSES

Section 40 of the *Local Government Act 2020* requires Council to reimburse Councillors for out-of-pocket expenses which the Council is satisfied:

1. are bona fide expenses; and
2. have been reasonably incurred in the performance of the role of Councillor; and
3. are reasonably necessary for the Councillor to perform their role.

Council is required to provide details of all reimbursements made under s40 of the Act to the Audit and Risk Committee.

Councillor allowances are scheduled to increase on 18 December 2022. Allowances are set by the Victorian Independent Remuneration Tribunal.

7.6 2022/23 QUARTER 2 HEALTH AND SAFETY REPORT

Quarterly health and safety reports are prepared in accordance with Council's Health and Safety Management System (HSMS) and reported to the Audit and Risk Committee to provide continuing assurance that Council is monitoring its health and safety obligations and staff are complying with the requirements of the HSMS.

ACTIONS

- ***Update the quarterly health and safety report to present data in a rolling 12-month format.***

7.7 APPROVED POLICY REGISTER – REVIEW STATUS UPDATE

VAGO in its 2015 Interim Management Letter recommended that Council review the appropriateness and currency of all policies.

The Approved Policy Register is reported to the Audit and Risk Committee to provide continuing assurance that Council is monitoring and maintaining the currency of its policies.

ACTIONS

- ***Provide an update to the Committee at the May 2023 meeting on the plan and timeframes to review the Facilities Maintenance Policy No.56.***
- ***Update responsibility and due dates for policies No.108 Child Safe, No.109 Body Work Cameras, No.110 Leave Management, and No.112 Equal Opportunity, Discrimination and Harassment.***

7.8 ASSET MANAGEMENT DOCUMENT TRACKER REPORT

The Asset Management Document Tracker is reported to the Audit and Risk Committee to provide continuing assurance that Council is progressing the review of key asset management actions.

ACTIONS

- ***Review "target completion dates" and where target date already exceeded update to reflect agreed new target dates or propose new achievable dates.***

7.9 RISK REPORT

Manager Corporate provided an update on work being undertaken internally with review and update of the risk register to align with the Risk Policy and Governance and Risk Framework adopted by Council in 2022.

7.10 2023/24 BUDGET PROCESS

The 2023/24 Budget is being prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Budget will cover a four-year period, including the budget year 2023/24, and the subsequent three financial years.

Council prepares its budgets with the objective of balancing long-term financial sustainability and prioritised delivery against community needs.

An overview of the 2023/24 Budget timelines, actions and milestones is included in Attachment 7.10.

7.11 ICT / BUSINESS TRANSFORMATION GOVERNANCE

Manager Corporate provided a verbal report on ICT and Business Transformation Governance including the business transformation strategy and board and the ICT Steering committee charter.

7.12 STATE OF LOCAL GOVERNMENT FINANCES REPORT

The Municipal Association of Victoria (MAV) and Local Government Finance Professionals (FinPro) commissioned a review into the state of Victorian local government finances in late 2022.

The requirements of the review were to:

- Develop a master set of financial data for the past five years and future five years that can be maintained by the MAV overtime for the purposes of regular monitoring and reporting, advocacy, and campaigning, and strengthening the MAV's knowledge and capacity in this area.
- Develop 3-5 indicators, measures and/or ratios for the purposes of monitoring and reporting the financial viability of the sector on a regular basis Municipal Association of Victoria.
- Undertake an analysis of the financial data with a view to preparing a 'State of Local Government Finances' report on the impact of rate capping, COVID -19 and other revenue impacts on the financial viability of the sector.

ACTIONS

- ***Provide the Committee with a copy of the finance report presented to the February 2023 Council meeting.***

7.13 EXTERNAL AUDITOR

RSD Audit has advised that after a long and successful career providing audit services, Phil Delahunty has retired from practice. Phil was one of the founders of RSD and provided more than 25 years of audit services on behalf of VAGO.

RSD has notified VAGO, and it has agreed to the new Engagement Leaders taking over Phil's remaining audits for FY23. Council's new Engagement Leader will be Mahesh Silva who is a current Engagement Leader for a range of clients on behalf of VAGO and has a wealth of experience and is well placed to move into the role with Alpine Shire.

RSD is working to ensure that to maintain continuity, other staff working on the engagement will be retained where possible.

7.14 ORGANISATION RESTRUCTURE

CEO to provide verbal update.

8. General business

8.1 EXECUTIVE RISK UPDATE

The Chief Executive Officer outlined key risks the executive having potential to impact service and project delivery including recruitment and retention, project management expertise, market forces including high prices against budget, funding opportunities and agreements.

ACTIONS

- ***Provide a report to the Committee on the status of capital projects.***

8.2 MEMBERSHIP TERMS

The Committee requested an update on the current members terms of appointment.

ACTIONS

- ***Advise Committee members of their terms of appointment.***

8.3 MAY 2023 MEETING APOLOGY

Chair, Gerard Moore advised that he is likely to be an apology for the May 2023 meeting.

8.4 ENTERPRISE AGREEMENT UPDATE

The Committee requested and received a verbal update on the status of the Enterprise Agreement negotiations.

ACTIONS

- ***Provide an update to the Committee at the May 2023 meeting on the status of the Enterprise Agreement negotiations.***

9. Next meeting

The next meeting of the Audit and Risk Committee will be held on Friday 26 May 2023 at 9.00am.

There being no further business, the Chair declared the meeting closed at 11.44am



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While every care is taken by Alpine Shire Council and the Department of Environment, Land, Water and Planning to ensure the accuracy of this data, Alpine Shire Council and the Department of Environment, Land, Water and Planning jointly and severally make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaim all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which may be incurred as a result of data being inaccurate or incomplete in any way and for any reason.



ALPINE
SHIRE COUNCIL

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Draft Budget

2023/24

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1 Mayor and CEO's Introduction

We are excited to introduce the Alpine Shire Council Draft 2023/24 budget. This draft budget is in line with our Community Vision 2040 in the Alpine Shire Council Plan 2021-2025, which aims to meet the needs and support the aspirations of our community.

It also reaffirms our commitment to delivering high-quality services, initiatives, events, and projects across the Alpine Shire, as we collectively look towards a bright and positive future.

By maintaining effective cost management practices, the budget establishes a sound financial footing that empowers Council to sustainably provide essential services and carry out vital projects.

Highlights in this year's budget include our Capital Works Program, which continues to be strong with over \$12m allocated for asset renewal supported by successful Grant applications totalling over \$6m.

Major projects included in this budget include:

- \$2m for our annual road renewal program
- completing the Dinner Plain Activation project
- Dinner Plain Snowmaking
- Nimmo Pedestrian Bridge
- Ablett Pavilion Upgrade
- Myrtleford Splashpark
- Myrtleford Savoy Soccer Club Upgrade
- Tronoh Dredge Hole Precinct
- Tawonga Memorial Hall Upgrade

Further supporting Council's commitment to climate change mitigation and reduction of greenhouse gas emissions, key projects will be delivered to improve the efficiency and reduce the environmental impacts of Council infrastructure.

These vital projects include energy efficient projects, vehicle renewal including ongoing EV upgrades, Mount Beauty Landfill Rehabilitation Design, and the roll out of the kerbside collection service for Food Organics, Garden Organics (FOGO).

For the first time, we also encouraged our community to help shape the budget in its development stage, with community members, clubs, sporting groups and organisations invited to submit proposals for possible inclusion.

We received over 40 submissions, each having the opportunity to present to Council. Four projects – the Pebble Beach public toilet in Mount Beauty, Bright Skate Park upgrade, Cobden Street upgrade in Bright, and Big Hill Trail Head Power Upgrade in Mount Beauty - are proposed to be funded in the draft budget.

Another 14 projects have been included for proposed activity in the draft budget without the allocation of specific budget amount.

As we move forward, we have made recruitment a priority, with a specific emphasis on rebuilding the capacity of our statutory planning team. These efforts will be complemented by our commitment to improve our existing processes and procedures, with the aim of delivering an enhanced customer experience for our community.

In addition, we have updated our pipeline of initiatives to align with the strategic objectives outlined in our Council Plan 2021-2025, ensuring that our budgeted activities are in line with our long-term vision for the community.

The upcoming financial year will see the continuation of a number of key initiatives by Council to provide long term solutions to the current housing challenges, including adoption of the Land Development Strategy, progress on the Bright Valley subdivision, and investigation of a Short Stay Rental Accommodation Local Law.

Our 2023/24 budget demonstrates responsible financial management, balancing the ongoing challenges of rising living costs with the strategic delivery of exciting new projects and service improvements that reflect the needs of our growing community.

We are proud to serve our vibrant community in a place known for its natural beauty and its many opportunities for both residents and visitors.

We invite you to read this draft budget and provide feedback during the exhibition period. We look forward to your views on this important document.

Cr John Forsyth
Mayor

Will Jeremy
Chief Executive Officer

Financial Snapshot

Key Statistics	2022/23 Forecast \$'000	2023/24 Budget \$'000
Total Operating Expenditure (\$000)	33,750	34,504
Underlying Operating Surplus (\$000)	7,251	4,333
Capital Works Expenditure (\$000)	17,683	12,601
Staff Numbers (EFT)	138	139

Budgeted Expenditure by Strategic Driver	2023/24 Budget \$'000	Budget %
1. For those who live and visit	2,037	4%
2. For a thriving economy	1,380	3%
3. For the bold protection of our future	3,693	7%
4. For the enjoyment and the opportunities of our lifestyle ^{*1}	18,176	36%
5. For strong and informed leadership ^{*2}	25,501	50%

^{*1} Capital expenditure is largely contained in Strategic Driver 4

^{*2} Operational wages are all included in Strategic Driver 5

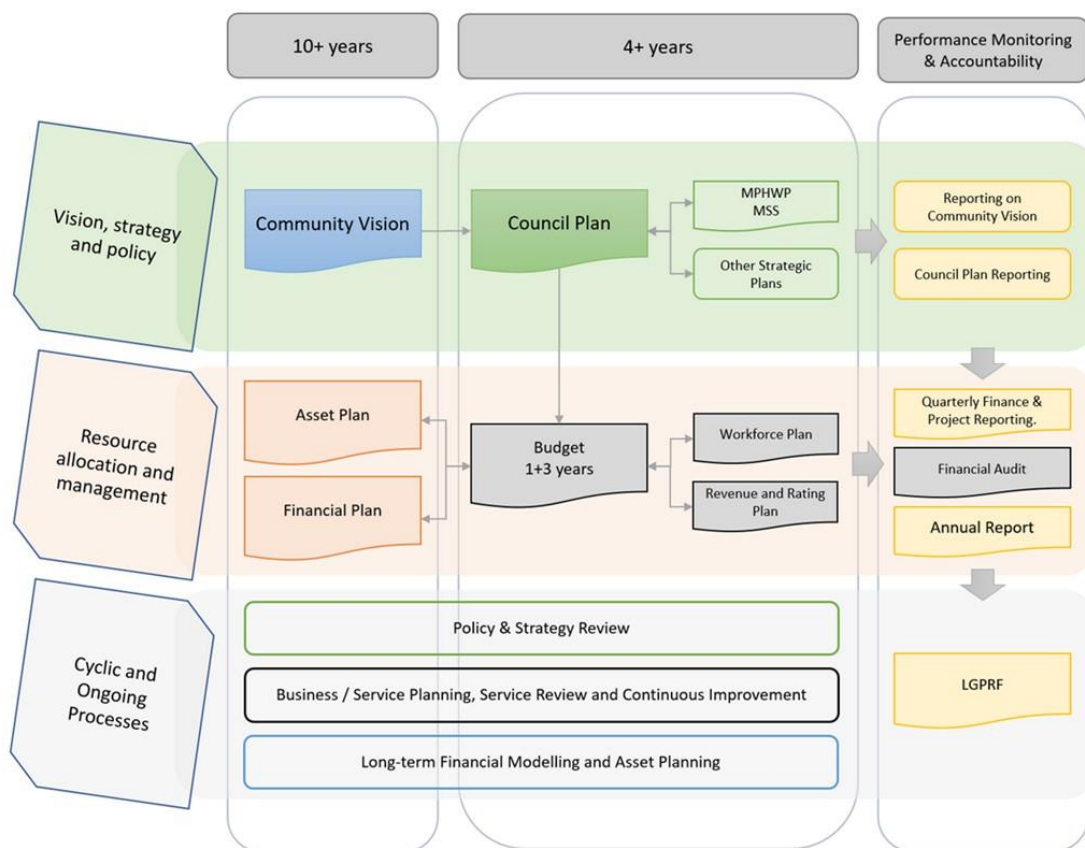
2 Link to the Integrated Planning and Reporting Framework

This section describes how the Annual Budget links to the achievement of the Community Vision 2040 and Council Plan 2021-2025 within an overall integrated planning and reporting framework.

This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision 2040 and Long Term Financial Plan), medium term (Council Plan, Workforce Plan and Revenue and Rating Plan) and short term (Budget) and then holding itself accountable (Annual Report).

2.1 Legislative planning and accountability framework

The Budget is a rolling four-year plan that outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan. The diagram below depicts the integrated planning and reporting framework that applies to local government in Victoria. At each stage of the integrated planning and reporting framework there are opportunities for community and stakeholder input. This is important to ensure transparency and accountability to both residents and ratepayers.



Source: Department of Jobs, Precincts and Regions

The timing of each component of the integrated planning and reporting framework is critical to the successful achievement of the planned outcomes.

2.1.1 Key Planning Considerations

Although councils have a legal obligation to provide some services — such as animal management, local roads, food safety and statutory planning — most council services are not legally mandated, including some services closely associated with councils, such as libraries, building permits and sporting facilities. Further, over time, the needs and expectations of communities do change.

Therefore, councils need to have robust processes for service planning and review to ensure all services continue to provide value for money and are in line with community expectations. In doing so, councils should engage with communities to determine how to prioritise resources and balance service provision against other responsibilities such as asset maintenance and capital works.

Community consultation needs to be in line with a council’s adopted Community Engagement Policy and Public Transparency Policy.

2.2 Our Purpose

Our Community Vision

“Our people, places and environment enrich our area’s resilience, prosperity, and sustainability”.

The 2040 Community Vision was developed in consultation with our community in 2021. This vision identifies and articulates the long-term aspirations, needs and opportunities of our community and is also consistent with community sentiment expressed during the development of the Council Plan that was adopted in October 2021.

Our Values

1. **A**ccountable
2. **L**eadership
3. **P**roductive
4. **I**ntegrity
5. **N**urture
6. **E**ngaged

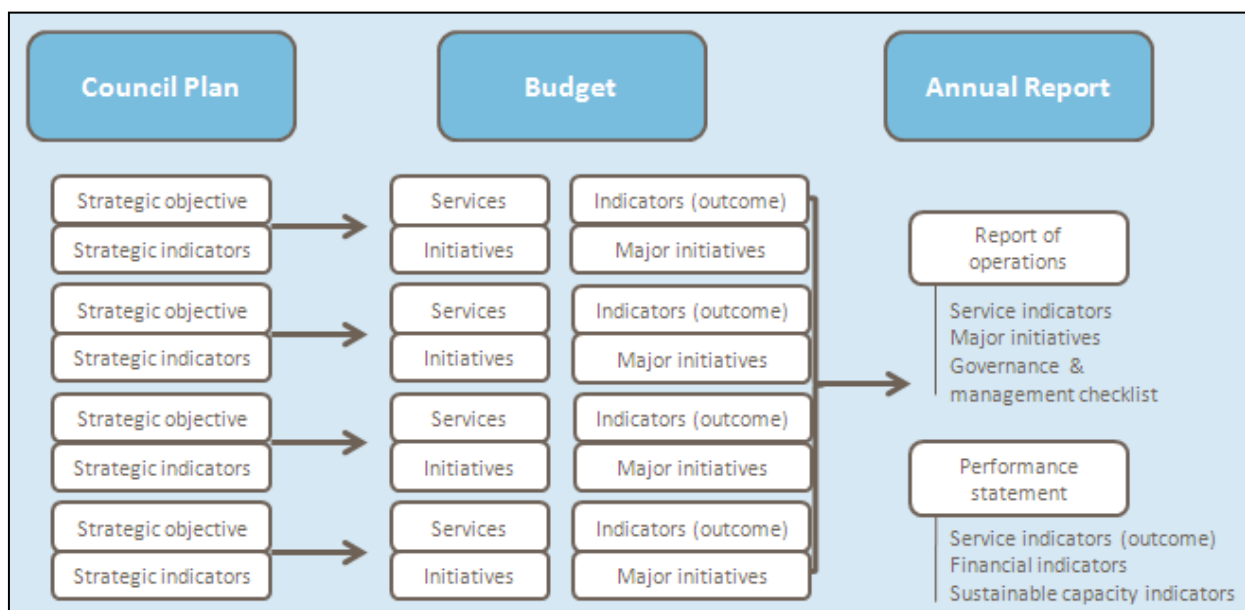
2.3 Strategic Objectives

The Community Vision 2040 provides the long term vision that outlines the aspirations and goals of the Alpine Shire community. This is underpinned by the five strategic drivers identified through community and deliberative engagement that are critical to achieving the community's Vision and frame the Council Plan. The Council Plan 2021-2025 is a four-year plan that outlines Council's role and how it will pursue the aspirations and goals outlined in the Community Vision, Municipal Public Health and Wellbeing Plan and other strategies and plans developed by Council. The Strategic Objectives support delivery of our Strategic Drivers. Under some of the Objectives will be strategies, which describe how we will achieve our objectives.

Strategic Drivers	Strategic Objectives
1. For those who live and visit	<ul style="list-style-type: none"> • A community that is active, connected and supported • Services and resources that enhance health and wellbeing • A caring community • Increasing healthy eating and active living • Improving mental wellbeing • Preventing all forms of violence
2. For a thriving economy	<ul style="list-style-type: none"> • Diverse reasons to visit • Innovative and sustainable business development that supports year-round benefit • Access to technology that meets our evolving needs
3. For the bold protection of our future	<ul style="list-style-type: none"> • Decisive leadership to address the impacts and causes of climate change • Stewardship and care of our natural environment • Responsible management of waste • A community that is prepared for, can respond to, and recover from emergencies • Reducing the impact of climate change on health
4. For the enjoyment and opportunities of our lifestyle	<ul style="list-style-type: none"> • Conservation and promotion of the distinct character across the Shire • Planning and development that reflects the aspirations of the community • Accessible parks that promote active and passive recreation • Diverse arts and cultural experience • Assets for our current and future need
5. For strong and informed leadership	<ul style="list-style-type: none"> • Effective communication and engagement • A responsible, transparent, and responsive organisation • Bold leadership, strong partnerships and effective advocacy

3 Services, and Service Performance Indicators

This section provides a description of the services and initiatives to be funded in the Budget for the 2023/24 year and how these will contribute to achieving the strategic drivers outlined in the Council Plan. It also describes several initiatives and service performance outcome indicators for key areas of Council’s operations. In line with legislation, Council has identified major initiatives, and service performance outcome indicators in the Budget and will report against them in the Annual Report to support transparency and accountability. The relationship between these accountability requirements in the Council Plan, the Budget and the Annual Report is shown below:



Source: Department of Jobs, Precincts and Regions

3.1 Strategic Driver 1: For those who live and visit

Vision: To be connected, supported, and welcomed throughout all stages of life.

3.1.1 Services

Service area	Description of services		2022/23 Forecast \$'000	2023/24 Budget \$'000
Libraries	Libraries consist of the Alpine Shire library branches in Myrtleford, Bright and Mount Beauty and delivery of programs such as rhyme time, story time, school holiday programs and visiting authors. The Council also operates the High Country Library Network Hub, which undertakes the purchase and management of books and library materials for the Alpine Shire Council as well as neighbouring councils of Benalla, Mansfield and Wangaratta as a shared service.	Expense	734	766
		Revenue	988	980
		NET Exp (Rev)	(254)	(214)
Swimming Pools	This service is managed under contract to Belgravia Leisure Services. It covers Bright Sports Centre, the provision of outdoor seasonal pools at Myrtleford and Mount Beauty and lifeguarding at the Bright and Porepunkah river pools.	Expense	480	500
		Revenue	0	0
		NET Exp (Rev)	480	500
Visitor Information Centres	This service comprises visitor information services located at Bright, Mount Beauty and Myrtleford. Income is derived from the sale of souvenirs and the lease of the River-deck Café in Bright.	Expense	161	173
		Revenue	175	182
		NET Exp (Rev)	(14)	(9)
Youth	Provision of specific services to youth in the community, including youth awards, youth activities and the Learner to Probationary (L2P) program.	Expense	224	189
		Revenue	403	297
		NET Exp (Rev)	(179)	(108)
Community Development	This service is concerned with building community capacity. Key areas include community resilience, the community grant program and implementing the Municipal Health and Wellbeing Plan.	Expense	411	168
		Revenue	534	421
		NET Exp (Rev)	(123)	(253)
School Crossings	Council provides the school crossing supervisor function to schools within the Alpine Shire Council.	Expense	2	2
		Revenue	44	45
		NET Exp (Rev)	(42)	(43)

3.1.2 Major Initiatives

- Implement the Alpine Shire Council Access and Inclusion Plan.
- Sport and Recreation Masterplan

3.1.3 Strategic Indicators

- Number of visits to aquatic facilities per head of population
- Active library borrowers in municipality
- Cost of library service per population
- Participation in the Maternal and Child Health service
- Participation in supported playgroups

3.1.4 Prescribed Service performance outcome indicators

Service	Indicator	Performance Measure	Computation
Swimming Pools (Aquatic Facilities)	Utilisation	Utilisation of aquatic facilities	Number of visits to aquatic facilities / Municipal population
Libraries	Participation	Library membership	Number of registered library members / Municipal population
Maternal and Child Health	Participation	Participation in MCH service	[Number of children who attend the MCH service at least once (in a year) / Number of children enrolled in the MCH service] x100
Maternal and Child Health	Participation	Participation in the MCH service by Aboriginal children	[Number of Aboriginal children who attend the MCH service at least once (in a year) / Number of Aboriginal children enrolled in the MCH service] x100

3.2 Strategic Driver 2: For a thriving economy

Vision: Ideas and industry thrive through a climate sensitive and diverse economy.

3.2.1 Services

Service area	Description of services provided		2022/23 Forecast \$'000	2023/24 Budget \$'000
Tourism	This service provides destination marketing and aids in the development of the local industry. It develops and distributes tourism collateral including Official Visitors Guide, trail brochures, maps and retail and dining guide.	Expense	299	327
		Revenue	0	0
		NET Exp (Rev)	299	327
Dinner Plain Services	Provision of specific services to Dinner Plain such as marketing and events of this alpine village, and the provision of the Dinner Plain to Mount Hotham winter bus service.	Expense	381	673
		Revenue	395	413
		NET Exp (Rev)	(14)	260
Festivals and Events	Events are a major contributor to the economy. Council has a role in facilitating the events agenda.	Expense	457	332
		Revenue	70	10
		NET Exp (Rev)	387	322
Economic Development	This service facilitates local and new business to develop and grow.	Expense	63	48
		Revenue	0	0
		NET Exp (Rev)	63	48

3.2.2 Major Initiatives

- Implement the Alpine Shire Council Economic Development Strategy
- Implement the Alpine Shire Council Events Strategy

3.2.3 Strategic Indicators

- Number of small businesses and light industry in the Shire
- Number of permitted festivals and events in the Shire
- Number of overnight and day trip visitors

3.2.4 Service performance outcome indicators

There are no prescribed service performance outcome indicators for this service.

3.3 Strategic Driver 3: For the bold protection of our future

Vision: Our natural environment is protected and preserved.

3.3.1 Services

Service area	Description of services provided		2022/23 Forecast \$'000	2023/24 Budget \$'000
Waste and Recycling	Provision of waste management and recycling services across the Shire. This includes kerbside garbage and recycling collection services as well as the operation of the Myrtleford, Mount Beauty and Porepunkah transfer stations and municipal residual landfills.	Expense	2,995	3,610
		Revenue	3,887	4,754
		NET Exp (Rev)	(892)	(1,144)
Emergency Management	Administrative costs of Council's Emergency Management Planning role, maintenance of various flood warning infrastructure, and additional coordination activities which are fully grant funded.	Expense	98	83
		Revenue	73	98
		NET Exp (Rev)	25	(15)

3.3.2 Major Initiatives

- Commence Community Climate Action Plan
- Introduce Food Organics, Green Organics
- Mount Beauty Landfill Rehabilitation Design

3.3.3 Strategic Indicators

- Increase kerbside collection waste diverted from landfill
- Net Zero Greenhouse Gas Emissions - 2023
- Community satisfaction with waste management performance - Target 70

3.3.4 Service performance outcome indicators

Service	Indicator	Performance Measure	Computation
Waste Collection	Waste diversion	Kerbside collection waste diverted from landfill*	[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100

* See section 5.6 Targeted Performance Indicators, which sets out targets set for Waste in 2023/24 and future years.

3.4 Strategic Driver 4: For the enjoyment and opportunities of our lifestyle

The connection between people and place is strengthened

3.4.1 Services

Service area	Description of services provided		2022/23 Forecast \$'000	2023/24 Budget \$'000
Airports	Provision and maintenance of aerodromes at Mount Beauty and Porepunkah.	Expense	49	49
		Revenue	32	41
		NET Exp (Rev)	17	8
Local Roads, Bridges and Drainage	Maintenance of all Council's roads, and bridges. Council has 685km of roads, 190 bridges and over 40 major culverts. Spending in this area also covers roadside vegetation and drainage.	Expense	1,135	1,266
		Revenue	18	17
		NET Exp (Rev)	1,017	1,243
Footpaths	Maintenance of Council footpaths. Also includes snow grooming services for Dinner Plain.	Expense	116	118
		Revenue	0	0
		NET Exp (Rev)	116	118
Open Spaces	Maintenance of all of Council's open space areas such as playgrounds, parks, street trees, roundabouts and public reserves	Expense	758	835
		Revenue	22	0
		NET Exp (Rev)	736	835
Building Maintenance	Maintenance of all of Council's buildings. This includes operational buildings such as depots and libraries as well as community buildings such as halls and childcare centres.	Expense	374	422
		Revenue	0	0
		NET Exp (Rev)	374	422
Property Management	Management of public amenity facilities and property leases.	Expense	695	500
		Revenue	950	669
		NET Exp (Rev)	(255)	(169)
Operations	Administration and management of Myrtleford, Bright and Mount Beauty works depots and plant maintenance and operational expenses.	Expense	913	996
		Revenue	65	43
		NET Exp (Rev)	848	953
Recreation	Council supports the development and maintenance of recreation reserves across the Shire and also supports recreation clubs and committees.	Expense	91	89
		Revenue	300	0
		NET Exp (Rev)	(209)	89
Building Services	Statutory building services includes processing of building applications, emergency response	Expense	35	45
		Revenue	226	222

Service area	Description of services provided		2022/23 Forecast \$'000	2023/24 Budget \$'000
	responsibilities, fire safety inspections, audits of swimming pool barriers and investigations of complaints and illegal works.	NET Exp (Rev)	(191)	(177)
Environmental Health	Registration and inspection of all food premises, wastewater applications, investigation of complaints in relation to noise, odours, dealing with infectious disease outbreaks and other health issues.	Expense	40	195
		Revenue	176	181
		NET Exp (Rev)	(136)	14
Local Laws	This area provides animal registrations, animal management, and local law enforcement.	Expense	58	64
		Revenue	40	35
		NET Exp (Rev)	18	29
Statutory Planning	Assessment of planning applications, the provision of advice to developers and property owners and representing Council at the Victorian Civil and Administrative Tribunal.	Expense	91	361
		Revenue	348	318
		NET Exp (Rev)	(257)	43
Strategic Planning	Prepares and reviews amendments to the Alpine Planning Scheme, structure plans, strategies, master plans, urban growth plans, frameworks and design guidelines.	Expense	984	725
		Revenue	0	0
		NET Exp (Rev)	984	725
Asset Development	Delivers the critical projects to renew and upgrade our community assets and to develop new assets. The area is in part subsidised by recurrent and non- recurrent grants.	Refer to Capital Works Budget		

3.4.2 Major Initiatives

- Planning Scheme Review
- Dinner Plain Activation project
- Nimmo Pedestrian Bridge
- Ablett Pavilion Upgrade

3.4.3 Strategic Indicators

- Community satisfaction with sealed local roads
- Time taken to decide planning applications
- Planning applications decided within required time frames
- Sealed roads maintained to condition standards

3.4.4 Service performance outcome indicators

Service	Indicator	Performance Measure	Computation
Food Safety	Health and Safety	Critical and major non-compliance notifications	[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about food premises] x100
Roads	Condition	Sealed local roads maintained to condition standards*	[Number of kilometres of sealed local roads below the renewal intervention level set by Council] / [Kilometres of sealed local roads] x 100
Statutory Planning	Service standard	Planning applications decided within required time frames*	[Number of planning application decisions made within 60 days for regular permits and 10 days for VicSmart permits] / [Number of planning application decisions made] x 100
Animal Management	Health and safety	Animal management prosecutions	[Number of successful animal management prosecutions / Number of animal management prosecutions] x 100

* See section 5.6 Targeted Performance Indicators, which sets out targets set for Roads and Statutory Planning in 2023/24 and future years.

3.5 Strategic Driver 5: For strong and informed leadership

Vision: Collaborative, bold and evidence-based decision making

3.5.1 Services

Service area	Description of services provided		2022/23 Forecast \$'000	2023/24 Budget \$'000
Corporate	Support function to enable Council to deliver services in an efficient, effective and safe manner. This includes financial control, revenue collection, information technology, governance, and risk management.	Expense	9,637	12,088
		Revenue	22,030	23,902
		NET Exp (Rev)	(12,393)	(11,814)
Councillors and Executive	This area includes all remuneration for the Council including the Mayor, and Councillors.	Expense	11,604	13,413
		Revenue	26	0
		NET Exp (Rev)	11,578	13,413

3.5.2 Major Initiatives

- Develop Advocacy Plan

3.5.3 Strategic Indicators

- Council decisions made at meetings closed to the public
- Councillor attendance at council meetings
- Community satisfaction with Council's community consultation and engagement performance
- Working Capital (Current assets as a percentage of current liabilities)
- Community satisfaction with Council's overall performance

3.5.4 Service performance outcome indicators

Service	Indicator	Performance Measure	Computation
Governance	Consultation and engagement	Satisfaction with community consultation and engagement*	Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement.

* See section 5.6 Targeted Performance Indicators, which sets out targets set for Roads and Statutory Planning in 2023/24 and future years.

4 Financial Statements

This section presents information regarding the Financial Statements and Statement of Human Resources. The budget information for the year 2023/24 has been supplemented with projections to 2026/27.

This section includes the following financial statements, prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cash Flows
- Statement of Capital Works
- Statement of Human Resources

4.1 Comprehensive Income Statement

For the four years ending 30 June 2027

	Budget Future Years				
	Forecast	Budget	Projections		
	2022/23	2023/24	2024/25	2025/26	2026/27
	\$'000	\$'000	\$'000	\$'000	\$'000
Income					
Rates and charges	20,528	22,414	23,266	23,806	24,736
Statutory fees and fines	552	527	585	601	617
User fees	971	995	1,012	1,038	1,063
Contributions - cash	766	690	750	768	787
Contributions - non-monetary assets	438	1,300	1,100	1,128	1,156
Grants - Operating (recurrent)	3,918	5,236	5,700	5,843	5,989
Grants - Operating (non-recurrent)	2,458	371	-	-	-
Grants - Capital (recurrent)	698	710	726	742	759
Grants - Capital (non-recurrent)	8,987	4,956	2,936	2,920	2,903
Other income	1,684	1,638	1,438	1,368	1,200
Total income	41,001	38,837	37,513	38,214	39,210
Expenses					
Employee costs	11,013	11,754	11,811	11,684	11,999
Materials and services	14,776	14,589	14,462	14,896	15,343
Depreciation and amortisation	7,030	7,250	7,323	7,396	7,470
Amortisation	28	41	41	41	41
Landfill rehabilitation	78	95	61	61	61
Other expenses	817	800	994	1,016	1,038
Net gain/(loss) on disposal of property, infrastructure, plant, and equipment	8	(25)	(25)	(25)	(25)
Total expenses	33,750	34,504	34,667	35,069	35,927
Surplus (deficit) for the year	7,251	4,333	2,846	3,145	3,283
Other comprehensive income					
Net asset revaluation increment /(decrement)	7,341	6,400	4,808	5,170	2,869
Comprehensive result	14,592	10,733	7,654	8,315	6,152

4.2 Balance Sheet

For the four years ending 30 June 2027

	Budget Future Years				
	Forecast	Budget	Projections		
	2022/23	2023/24	2024/25	2025/26	2026/27
	\$'000	\$'000	\$'000	\$'000	\$'000
Assets					
Current assets					
Cash and cash equivalents	3,439	5,498	3,507	3,970	6,864
Trade and other receivables	1,785	2,935	1,911	1,959	2,008
Financial assets	32,000	26,000	24,000	19,000	16,000
Inventories	72	112	110	110	110
Other assets	158	326	313	313	313
Total current assets	37,454	34,871	29,841	25,352	25,295
Non-current assets					
Investment properties	4,153	4,153	4,278	4,406	4,494
Investments in shared services					
Property, infrastructure, plant & equipment	269,308	281,287	287,981	300,662	306,151
Intangibles	134	216	237	258	279
Total non-current assets	273,595	285,656	292,496	305,326	310,924
Total assets	311,049	320,527	322,337	330,678	336,219
Liabilities					
Current liabilities					
Trade and other payables	2,711	2,306	3,124	3,218	3,314
Trust funds and deposits	225	318	358	378	398
Provisions	4,255	3,193	2,633	2,441	2,490
Income received in advance	4,172	4,173	2,032	2,699	2,753
Total current liabilities	11,363	9,990	8,147	8,736	8,955
Non-current liabilities					
Provisions	2,726	3,144	6,679	6,846	6,983
Income received in advance	7,201	6,901			
Total non-current liabilities	9,927	10,045	6,679	2,908	6,983
Total liabilities	21,290	20,035	14,826	15,582	15,938
Net assets	289,759	300,492	307,511	315,096	320,281
Equity					
Accumulated surplus	129,055	133,388	135,599	138,014	140,330
Reserves	160,704	167,104	171,912	177,082	179,951
Total equity	289,759	300,492	307,511	315,096	320,281

4.3 Statement of Changes in Equity

For the four years ending 30 June 2027

	Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
	\$'000	\$'000	\$'000	\$'000
2023 – Forecast				
Balance at beginning of the financial year	281,336	127,973	147,291	6,072
Comprehensive result	7,251	7,251		-
Transfer to reserves	7,341	-	7,341	-
Transfer from reserves	(6,169)	(6,169)		-
Balance at end of the financial year	289,759	129,055	154,632	6,072
2024 - Budget				
Balance at beginning of the financial year	289,759	129,055	154,632	6,072
Comprehensive result	4,333	4,333		-
Transfer to reserves	6,400	-	6,400	-
Transfer from reserves			-	
Balance at end of the financial year	300,492	133,388	161,032	6,072
2025 - Budget				
Balance at beginning of the financial year	300,492	133,388	161,032	6,072
Comprehensive result	2,846	2,846		-
Transfer to reserves	4,808	-	4,808	-
Transfer from reserves	(635)	(635)	-	-
Balance at end of the financial year	307,511	135,599	165,840	6,072
2026 - Budget				
Balance at beginning of the financial year	307,511	135,599	165,840	6,072
Comprehensive result	3,145	3,145		-
Transfer to reserves	5,170	-	5,170	-
Transfer from reserves	(730)	(730)	-	
Balance at end of the financial year	315,096	138,014	171,010	6,072
2027 - Budget				
Balance at beginning of the financial year	315,096	138,014	171,010	6,072
Comprehensive result	3,283	3,283		-
Transfer to reserves	2,869	-	2,869	-
Transfer from reserves	(967)	(967)	-	-
Balance at end of the financial year	320,281	140,330	173,879	6,072

4.4 Statement of Cash Flows

For the four years ending 30 June 2027

	Forecast 2022/23 \$'000	Budget 2023/24 \$'000	Future Years Projections		
			2024/25 \$'000	2025/26 \$'000	2026/27 \$'000
Cash flows from operating activities					
Rates and charges	20,594	22,703	22,836	23,293	23,759
Statutory fees and fines	552	527	585	601	617
User fees	971	995	1,012	1,038	1,063
Contributions - cash	766	690	750	768	787
Grants - operating	6,376	7,648	5,861	6,008	6,158
Grants - capital	9,685	8,589	1,102	1,130	1,158
Interest	600	673	411	287	184
Other receipts	1,806	965	277	316	226
Trust funds deposits taken	2,420	2,420	2,420	2,420	2,420
Trust funds deposits repaid	(2,400)	(2,400)	(2,400)	(2,400)	(2,400)
Employee costs	(11,013)	(12,004)	(12,067)	(10,917)	(10,302)
Materials and consumables	(14,551)	(16,219)	(12,173)	(12,014)	(12,255)
Other payments	(835)	(855)	(876)	(898)	(921)
Net cash provided by operating activities	14,205	13,732	7,738	9,632	10,494
Cash flows from investing activities					
Payments for property, plant, and equipment	(18,799)	(17,698)	(11,755)	(10,958)	(8,932)
Proceeds from sale of property, plant, and equipment	25	26	26	26	27
Net cash used in investing activities	(18,774)	(17,672)	(11,729)	(10,932)	(8,905)
Cash flows from financing activities					
Finance costs	(0)	6,000	2,000	2,000	3,000
Proceeds from borrowings	-	-	-	-	-
Repayment of borrowings	-	-	-	-	-
Net cash provided by (used in) financing activities	(0)	6,000	2,000	2,000	3,000
Net (decrease) increase in cash & cash equivalents	(4,569)	2,029	(1,991)	700	4,4589
Cash and cash equivalents at beginning of the financial year	8,008	3,439	5,498	3,270	2,275
Cash and cash equivalents at end of the financial year	3,439	5,498	3,507	3,970	6,864

4.5 Statement of Capital Works

or the four years ending 30 June 2027

	Forecast	Budget	Future Year Projections		
	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000
Property					
Land	-	-	-	-	-
Buildings	3,109	2,705	2,205	2,260	2,316
Total property	3,109	2,705	2,205	2,260	2,316
Plant and equipment					
Plant, machinery, and equipment	686	595	459	459	459
Computers and telecommunications	518	830	246	246	246
Intangibles	47	47	41	41	41
Library books	69	84	79	81	83
Total plant and equipment	1,320	1,556	825	827	829
Infrastructure					
Roads	8,506	4,195	2,068	2,125	2,106
Bridges	16	1,125	295	302	309
Footpaths and cycleways	323	150	289	297	305
Drainage	580	370	234	237	244
Recreational, leisure and community facilities	1,314	2,280	528	514	554
Parks, open space and streetscapes	-	-	104	107	110
Waste	2,516	220	363	372	381
Total infrastructure	13,255	8,340	3,881	3,954	4,009
Unallocated	-	-	1,854	1,909	1,966
Total capital works expenditure	17,683	12,601	8,765	8,950	9,120
Represented by:					
New asset expenditure	4,141	4,478	-	-	-
Asset renewal expenditure	6,127	5,491	5,925	6,050	6,165
Asset upgrade expenditure	7,415	2,632	2,840	2,900	2,955
Asset expansion	-	-	-	-	-
Total capital works expenditure	17,683	12,601	8,765	8,950	9,120

4.6 Statement of Human Resources

For the four years ending 30 June 2027

	Forecast	Budget	Future Year Projections		
	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000
Staff expenditure					
Employee costs - operating	11,013	11,754	11,811	11,684	11,999
Employee costs - capital	900	900	900	900	900
Total staff expenditure	11,913	12,654	12,711	12,584	12,899
Staff numbers	FTE	FTE	FTE	FTE	FTE
Employees	138	139	136	131	131
Total staff numbers	138	139	136	131	131

A summary of human resources expenditure in 2023/24 categorised according to the organisational structure of the Council

Department	2023/24 \$'000	Permanent			
		Full Time \$'000	Part Time \$'000	Casual \$'000	Temporary \$'000
Community					
Development	1,262	315	329	79	539
Corporate	1,507	748	354	6	399
Customer Experience	1,566	705	571	221	69
Engineering and Assets	856	248	147	101	360
Executive	900	-	-	-	900
Operations	3,212	2,129	668	281	134
Growth and Future	772	405	307	14	46
Statutory Planning and Amenity	1,679	1,142	236	-	301
Total Staff Expenditure	11,754	5,692	2,612	702	2,748
Capitalised Labour Costs	900				
Total Expenditure	12,654				

A summary of the number of full time equivalent (FTE) Council staff in 2023/24 in relation to the above expenditure is included below:

Department	2023/24	Permanent Full Time	Part Time	Casual	Temporary
Community Development	11	3	3	-	5
Corporate	16	8	4	-	5
Customer Experience	20	7	8	3	2
Engineering and Assets	18	10	2	-	5
Executive	6	3	-	-	3
Growth and Future	7	4	3	-	1
Operations	43	32	6	3	2
Statutory Planning & Amenity	18	12	2	-	3
Total staff full time equivalent	139	79	28	6	26

A summary of the human resource expenditure by gender in 2023/24

Gender	Total \$'000	Permanent Full Time \$'000	Part Time \$'000	Casual \$'000	Temporary \$'000
Female	4,831	2,579	1,513	574	1,165
Male	4,882	3,136	515	185	1,046
Self- described gender					
Vacant	2,941	1,779	625		537
Total Staff Expenditure	12,654	6,494	2,653	759	2,748

Gender	Total	Permanent Full Time	Part Time	Casual	Temporary
Female	58	23	17	4	13
Male	53	37	5	2	9
Self- described gender					
Vacant	29	19	5		5
Total Staff Expenditure	139	79	28	6	26

4.6.1 Summary of Planning Human Resources Expenditure

For the four years ending 30 June 2027

	2023/24	2024/25	2025/26	2026/27
	\$'000	\$'000	\$'000	\$'000
Executive				
Permanent full time	900	930	960	990
Permanent part time				
Total executive	900	930	960	990
Customer and Community				
Permanent full time	2,150	2,100	2,100	2,200
Permanent part time	1,853	1,900	1,400	1,400
Total Customer and Community	4,003	4,000	3,500	3,600
Assets				
Permanent full time	5,302	5,481	5,542	5,409
Permanent part time	1,746	1,500	1,682	2,000
Total assets	7,048	6,981	7,224	7,409
Casual and other	703	800	900	900
Total Casuals and other	703	800	900	900
Total staff expenditure	12,654	12,711	12,584	12,899
	FTE	FTE	FTE	FTE
Executive				
Permanent full time	3	3	3	3
Permanent part time	-	-	-	-
Total executive	3	3	3	3
Customer and Community				
Permanent full time	28	28	28	28
Permanent part time	13	13	13	13
Total Customer and Community	41	41	41	41
Assets				
Permanent full time	48	49	50	51
Permanent part time	14	14	14	14
Total assets	62	63	64	65
Casual and other	33	29	23	22
Total staff full time equivalent	139	136	131	131

5 Notes to the Financial Statements

This section presents detailed information on material components of the financial statements. Council assesses which components are material, considering the dollar amounts and nature of these components.

5.1 Rates and Charges

This section presents information about the Council's rates and charges as prescribed for inclusion in the budget in accordance with the *Local Government Act 1989*, *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

- Rates and Charges Overview
- Detailed Rating Strategy and Policies
- Detailed Charges Strategy and Policies
- Rebates and Concessions
- Detail Rates and Charges Outcomes

5.1.1 Rates and Charges Overview

In combination with grants, rates and charges are an important source of funding which support our ongoing ability to provide community facilities, services and capital works. They account for an estimated 57.7% of total revenue to be received by the Council in 2023/24. In assessing our rates and charges, we take into account:

- Our ability to deliver ongoing cost savings;
- Our ability to source revenue through other means, for example grants;
- Our ability to support community facilities and services;
- Our ability to deliver our capital works pipeline, now and into the future.

In 2023/24, we are proposing a 3.5% increase in average rates, compared to a 1.75% increase in 2022/23. This is in line with the State Government cap under the Fair Go Rates System, which allows local governments to raise rates in line with inflation.

In line with Victorian standards, each Ratepayer's rates are calculated by applying a standard 'rate in the dollar', which is multiplied by the ratepayer's property value ('Capital Improved Value' or CIV) to derive their rates bill.

It is noted that there are typically some variations in actual rates collected compared to the Budget due to:

- Supplementary valuations, whereby under the *Valuation of Land Act 1960* a ratepayer's CIV is adjusted due to (for example) improvement of the developments on their land;
- Ratepayer valuation appeals;
- Changes in land use, for example when rateable land becomes non-rateable, or when residential land becomes commercial / industrial or farm land, or vice versa.

Waste charges will be charged according to a) the bins or waste services that each ratepayer has, and b) the overall cost of managing waste, for example developing, monitoring, managing and rehabilitating landfills; operating our transfer stations; and managing public place waste.

A new Food Organics, Garden Organics (FOGO) Kerbside service (weekly) is being introduced in 2023/24. The charges related to this service are highlighted in this document.

5.1.2 Detailed Rating Strategy and Policies

This statement accompanies the Rates and Charges overview to outline the actual rating strategy of the Council. The purpose of the rating strategy is to identify the fairest and most equitable method of distributing rates across the Alpine Shire.

5.1.2.1 Level of Rates and Charges

The guiding principle for setting of the level of rates and charges is the long term sustainability of the Council, while enabling sufficient funding to deliver:

- Valued Council services,
- Critical capital renewal projects, and
- Works that create new and improved infrastructure for the benefit of residents and visitors.

The guiding documents that aid Council to assess this balance are the Council Plan, which is developed in consultation with the community every four years following general elections; and its associated medium and longer term financial plans, namely the four-year rolling Budget and the Long Term Financial Plan.

Consideration is also given to financial risks such as inflationary risks and local economic risks.

5.1.2.2 Application of Rates to Properties

When levying rates, Council adheres to three overriding principles:

- Equity: including both horizontal and vertical equity in the basis of rating. Horizontal equity means that those in the same position, i.e. with the same property value, should be treated the same. Vertical equity demands that higher property values should attract a higher level of rates;
- Efficiency: that the rating system is easy to apply and is consistent with the major policy objectives of the Council;
- Simplicity: that the rating system is easy to understand. This ensures that the rating system is transparent and capable of being questioned and challenged by ratepayers.

In line with these principles, rates are applied in proportion to the Capital Improved Value (CIV) of each property, as is the standard for the majority of Victorian Councils. CIV is essentially the market value of a property which is easily understood by the average ratepayer. It has been used uniformly by the Alpine Shire Council since the 1995/96 financial year.

The formula for determining the rates payable on a property is: Capital Improved Value (CIV) multiplied by the rate in the dollar.

The rate in the dollar is adjusted as part of the annual budget process to ensure that the correct amounts of rates are raised to fund Council's operations.

In addition to this, the Alpine Shire Council applies a rating structure which includes a general rate, differential rates, and a special rate.

The general rate is the cornerstone of the Council's rating structure and is applied to every property unless the property falls into a specific differential rate category.

The *Local Government Act 1989* enables the Council to apply differential rates if the Council considers that they will contribute to the equitable and efficient carrying out of its functions, in line with local objectives. The Alpine Shire currently has two differential rates, namely the Farm Rate, and the Commercial / Industrial Rate.

The *Local Government Act 1989* also enables the Council to apply special rates and charges for funding initiatives which directly benefit specific segments of the community. Council can require a person to pay a special rate or charge, if it will defray the expense of an initiative of special benefit to the person required to pay it. Council proposes one special rate to fund the special services at Dinner Plain Village, deemed the Dinner Plain Special Rate.

It is noted that the *Local Government Act 1989* also allows for a Municipal Charge, which is a flat charge per assessment that can be used to offset administrative costs of the Council and is in addition to general rates. Municipal Charges have the effect of flattening the rate burden making people in lower valued properties pay more. The Alpine Shire does not have many low value properties as some other Councils do and to place a charge on the rate notice to cover the 'administrative costs' of Council, is unpopular and hard for the ratepayer to understand. Accordingly, this mechanism has been deemed to be unsuitable and is not applied to the Alpine Shire.

5.1.3 Policy

The Revenue and rating Plan was adopted by Council on 15 June 2021. Limited sections are copied here to aide the understanding of the budget documentation.

Council will be undertaking a Revenue and Rating Strategy Review in 2023/24. This will assess likely future fiscal challenges for Council and the role Rates and other Revenue streams will play in funding Council activities.

5.1.3.1 The Farm Rate Policy

Objective

The objective of the farm rate policy is to *“to allow for a reduced rate on all land declared as farm land which will more equitably spread the general rate burden over the rate base of the municipality given the broad nature of services provided by Council and their availability to the farming community.”*

It is important to ensure that highly productive farming land is not rated at levels that force farmers to seek to subdivide and sell off parcels to remain viable.

Scope

The policy applies to Council when considering and determining the annual budget of rates and charges. It does not apply to land located in Bogong Village or the Dinner Plain Village.

Policy Details

A differential rate is applied to farm land at 73% of the general rate. An application must be made in writing to change the classification of a property to the differential farm rate.

“Farm Land” means any rateable land which satisfies the following criteria:

- The land area must be of 8Ha or over; or
 - be used primarily for grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee keeping, viticulture, horticulture, fruit growing or the growing of crops of any kind or for any combination of those activities; and
 - show that the primary source of income is derived from the land; and
- The land must be used by a business:
 - that has a significant and substantial commercial purpose or character; and
 - that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and
 - that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way it is operating.

Any variations outside this policy require Council approval.

Use of the Rate

The differential rate will be used to fund items of expenditure described in the Budget adopted by Council. The level of the differential rate is the level which Council considers is necessary to achieve the objectives as specified above.

5.1.3.2 The Commercial / Industrial Rate Policy

Purpose

The objective of the Commercial / Industrial Rate Policy is *“to ensure equity in the application of the rating burden across the Shire. It provides for the higher costs of servicing commercial and industrial properties, specialist properties and undertaking economic development and tourism strategies. This is reflected in the application of a rate in the dollar which is higher than the rate in the dollar for other land.”*

The tourism industry is the largest industry within the Shire. Festivals and events are a critical driver for the Alpine Shire economy and Council delivers a coordinated program to facilitate a strong calendar of events.

A significant portion of the money raised is invested to undertake economic development and tourism strategies, to support the growth and future wellbeing of both tourism and economic development within the Shire.

Investment in tourism and economic development, along with the physical location and general nature of commercial/industrial properties, results in a higher servicing cost to Council. Therefore, a differential rate is applied to ensure equity.

Scope

The policy applies to Council when considering and determining the annual budget of rates and charges. It does not apply to land located in Bogong Village or the Dinner Plain Village.

Policy Details

A commercial/industrial differential rate of 143% of the general rate is applied to Commercial / Industrial land.

Commercial or Industrial Land means land which:

- is used primarily for commercial or industrial purposes (including but not limited to any accommodation premises, motel or hotel used primarily to accommodate travellers, tourists or other persons engaged in recreational pursuits); or
- is adapted or designed to be used primarily for commercial or industrial purposes (including but not limited to any accommodation premises adapted or designed to be used primarily for accommodating travellers, tourists or other persons engaged in recreational pursuits); or
- is located in a Commercial 1 Zone, Industrial 1 Zone or Industrial 2 Zone under the Alpine Planning Scheme; or
- has a dwelling constructed on it, which is not the principal place of residence of the owner and which is made available for commercial hire, lease or licence to tourists, persons engaged in recreational pursuits or other like persons (on either a casual or permanent basis). This is defined as a ‘holiday house’.

Any variations outside this policy require Council approval.

5.1.3.3 The Dinner Plain Special Rate

Dinner Plain receives a number of services of special benefit to the Dinner Plain's Commercial and Industrial ratepayers.

In 2023/24 this includes the Dinner Plain to Hotham winter bus service, marketing and event support undertaken specifically for Dinner Plain. The Dinner Plain Special Rate is applied to defray the expenses associated with these special services. The Special Rate is applied to Commercial and Industrial ratepayers in the Dinner Plain village in addition to the General Rate. This Special Rate has reduced over time and is now aligned to the rate applied to Commercial and Industrial land across the rest of the Alpine Shire.

5.1.3.4 Cultural and Recreational Lands

Under the *Cultural Recreational Land Act 1963*, Council has the ability to charge a reduced amount of rates, or not charge rates, to lands that fall under this category. These may include, for example, tennis clubs, bowls clubs or golf clubs. In making this decision, Council needs to have regards to the services provided by the Council and the benefit to the community derived from the recreational lands.

Council individually considers community recreational lands that provide a community benefit as to whether they warrant a reduced or nil rate charge. These lands may still be required to pay service charges such as a waste and recycling collection on a user pays basis.

5.1.3.5 Rates in Lieu

In line with the *Electricity Industry Act 2000*, the Council has a 'Rates In Lieu' arrangement with the AGL Hydro Partnership for its properties within the Alpine Shire. The amount paid is determined by a Victorian Government Gazette and is based on the power generating capacity of the operation, indexed annually in line with CPI. Discounts may be provided where the station operates at low capacity.

5.1.4 Detailed Charges Strategy and Policies

Service rates and charges may be declared for provision of water supply, collection and disposal of refuse and the provision of sewage services. A service rate or charge may be declared on the basis of any criteria specified by the Council.

The annual service rate or charge is applied according to the service delivered and is fully funded from this area. It is not funded by general rates, differential rates or special rates.

Alpine Shire Council levies the following annual waste service charges:

- Waste and Recycling Collection
- Dinner Plain Waste Collection

- Waste Management Charge
- From 2023/24 a Food Organics, Green Organics (FOGO) Collection.

5.1.4.1 Waste Services Charges

Purpose

The purpose of this policy is to ensure that Council has a sound and equitable basis on which to determine the application of waste collection, recycling collection and waste management charges and ensure consistency with provisions of the *Local Government Act 2020*.

Scope

This policy applies to Council when considering and determining the annual budget of rates and charges. This policy does not apply to land located in Bogong Village.

Policy Details – Waste and Recycling Collection

Council operates a waste and recycling kerbside collection service. The waste and recycling kerbside collection service is a compulsory charge to all ratepayers excluding the following:

- Dinner Plain ratepayers (refer to Dinner Plain Waste Collection); and
- Ratepayers who have been provided an exemption from the standard waste and recycling kerbside service.

Council's kerbside waste and recycling collection is compulsory for all premises within the Shire's kerbside collection areas (as determined by Council), except where:

- Properties not included on a collection service route;
- Undeveloped land; or
- An existing commercial service already in place.

The waste and recycling kerbside collection will be charged to ratepayers on the following basis:

- Sizes of bins supplied;
- Types of bins supplied (standard or recycling);
- Quantity of bins supplied; and
- Frequency of bin collection.

The waste and recycling kerbside collection charge operates on a total cost recovery basis which can be applied across multiple years to avoid yearly fluctuations in charges being passed onto ratepayers. If revenue raised from the waste and recycling kerbside collection charge exceeds that of expenditure incurred in a given year, then the balance will be transferred to a reserve, namely the 'Waste Reserve'. The Waste Reserve will then be used for future purposes. Balances retained in the Waste Reserve must be considered each year in determining any future waste kerbside collection charge with the aim of minimising increments being applied to ratepayers. A new FOGO weekly waste service is being introduced in 2023/24.

Policy Details - Dinner Plain Waste Collection

Dinner Plain ratepayers are provided with a separate waste service under a separate waste collection contract due to the specific waste collection requirements of the village. The Dinner Plain waste service is charged on the following basis:

- Standard service; or
- Commercial service.

The commercial service is provided to properties that operate as businesses outside of normal residential property rentals. The Dinner Plain waste services charge is in lieu of the waste and recycling kerbside collection charge.

Any variations outside this policy require Council approval.

Policy Details – Waste Management

Council operates three transfer stations and has a number of residual landfills which are closed and require remediation in the future as required by the Environmental Protection Authority Victoria (EPA). Council also provides a public place waste and recycling service. There are significant costs associated with the management of these sites and provision of these services. The waste management charge is raised to recover the costs incurred.

Expenditure included within the Waste Management Charge includes:

- Landfill rehabilitation expenditure;
- Landfill monitoring expenditure;
- Landfill and transfer stations capital works (renewal and development) expenditure;
- Transfer station operations;
- Waste diversion; and
- Public place bin renewals, purchases and service costs.

The Waste Management Charge will be charged to all rateable assessments on which a building adapted for separate occupancy exists.

The Waste Management Charge operates on a total cost recovery basis which can be applied across multiple years to avoid yearly fluctuations in charges being passed onto ratepayers. If revenue raised from the Waste Management Charge exceeds that of expenditure incurred in a given year, then the balance will be transferred to a reserve, namely the 'Waste Reserve'. The Waste Reserve will then be used for application to future waste related expenditure as specified above.

Balances retained in the Waste Reserve must be considered each year in determining any future Waste Management Charge with the aim of minimising increments being applied to ratepayers.

5.1.5 Rebates and Concessions

The *Local Government Act 1989* provides for concessions applicable under the *State Concessions Act 1986*. Eligible pensioners may apply for a rate concession on their principle place of residence as funded by the State Government.

5.1.6 Detailed Rates and Charges Outcomes

5.1.6.1 Reconciliation of rates and charges to the Comprehensive Income Statement

	Forecast 2022/23	Budget 2023/24	Change	
General rates*	15,735	17,299	1,574	10.0%
Waste management charges	3,653	4,282	629	17.22%
Special rates and charges	168	171	(7)	-3.93%
Supplementary rates and rate adjustments	450	220	(230)	-51.11%
Interest on rates and charges	75	40	(35)	-46.67%
Revenue in lieu of rates	447	400	(47)	-10.5%
Total rates and charges	20,528	22,412	1,884	9.18%

* Includes the flow-through impact of 2022/23 supplementary development in the Shire.

5.1.6.2 The rate in the dollar to be levied as general rates and under section 158 of the Act for each type or class of land compared with the previous financial year

Type or class of land	2022/23 cents/\$CIV	2023/24 cents/\$CIV	Change %
General rate for rateable residential properties	0.2750	0.2846	(3.5%)
General rate for rateable Dinner Plain properties	0.2750	0.2846	(3.5%)
Differential rate for rateable commercial/industrial properties	0.3933	0.4071	(3.5%)
Differential rate for rateable farm properties	0.2008	0.2078	(3.5%)

* Estimated cents/\$CIV pending valuation from the Valuer General

5.1.6.3 The estimated total value of each type or class of land compared with the previous financial year. The basis of valuation is the Capital Improved Value (CIV).

Type or class of land	2022/23 \$'000	2023/24 \$'000	Change	
			\$'000	%
Residential	3,733,638	3,755,256	21,618	0.6%
Dinner Plain	270,151	271,682	1,531	0.6%
Commercial/Industrial	658,036	732,965	74,929	11.4%
Farm	1,237,566	1,241,562	3,996	0.3%
Total value of land	5,899,391	6,001,456	102,065	1.7%

5.1.6.4 The number of assessments in relation to each type or class of land, and the total number of assessments, compared with the previous financial year.

Type or class of land	2022/23	2023/24	Change	
	Number	Number	Number	%
Residential	6,383	6,390	7	0.1%
Dinner Plain	543	543	0	0.0%
Commercial/Industrial	1,028	1,052	24	2.3%
Farm	1,047	1,051	4	0.4%
Total number of assessments	9,001	9,036	35	0.4%

5.1.6.5 The estimated total amount to be raised by general rates in relation to each type or class of land, and the estimated total amount to be raised by general rates, compared with the previous financial year

Type or class of land	2022/23	2023/24	Change	
	\$'000	\$'000	\$'000	%
Residential	9,919	10,962	1,043	10.52%
Dinner Plain	743	773	31	4.17%
Commercial/Industrial	2,588	2,984	396	15.30%
Farm	2,485	2,580	95	3.82%
Total amount to be raised by general rates	15,735	17,299	1,564	9.94%

5.1.6.6 The rate in the dollar to be levied as special rates and under section 163 of the Act for each type or class of land compared with the previous financial year.

Type or class of land	2022/23	2023/24	Change	
	cents/\$CIV	cents/\$CIV*		%
Special rate for rateable Commercial/Industrial Dinner Plain properties (Airport not included)	0.1183	0.1224		(3.5%)

* Estimated cents/\$CIV pending valuation from the Valuer General

5.1.6.7 The estimated total amount to be raised by special rates in relation to Dinner Plain Properties compared with the previous financial year.

Type or class of land	2022/23	2023/24	Change	
	\$'000	\$'000	\$'000	%
Special rate for rateable Commercial/Industrial Dinner Plain properties (Airport not included)	168	171	(2)	(1.2) %
Total amount to be raised	168	171	(2)	(1.2) %

5.1.6.8 The rate or unit amount to be levied for each type of service rate or charge under section 162 of the Act compared with the previous financial year.

Type of Charge	Per Rateable	Per Rateable	Change	
	Property 2022/23	Property 2023/24	\$	%
Waste – 80 litre bin – weekly (fortnightly)	231.30	83.09	(148.21)	(178.4%)
Waste – 240 litre bin - weekly	515.24	-	(515.24)	(100.0%)
Waste – 240 litre bin - fortnightly	231.30	146.30	(85.00)	(58.10%)
FOGO – 240 litre bin – fortnightly* ¹	-	100.71	100.71	100%
Recycling – 140 litre - fortnightly	101.49	60.08	(41.41)	(68.92%)
Recycling – 240 litre - fortnightly	107.00	69.75	(37.25)	(53.41%)
Recycling – 360 litre - fortnightly	113.07	81.35	(31.72)	(38.99%)
Recycling – 240 litre - weekly	214.13	139.50	(74.63)	(53.50%)
Recycling – 360 litre - weekly	226.27	162.70	(63.57)	(28.09%)
Dinner Plain standard service	709.80	603.00	(106.80)	(17.71%)
Dinner Plain commercial service	1,613.12	1,400.00	(213.12)	(15.22%)
Waste management charge* ²	95.00	274.00	179.00	65.33%

*¹ New Food Organics Green Organics Service

*² Waste management charge have been increased to reflect service and processing cost increases.

5.1.6.9 The number of items in relation to each charge type compared to the previous financial year

Type of Charge	Bins	Bins	Change
	2022/23	2023/24	#
Waste - 80 litre bin – weekly(fortnightly)	5,948	5,973	25
Waste - 240 litre bin - weekly	772	-	(772)
Waste - 240 litre bin - fortnightly	217	1,040	823
FOGO 240 litre bin – fortnightly		6,788	6788
Recycling - 140 litre - fortnightly	394	391	(3)
Recycling - 240 litre - fortnightly	5,929	5,990	61
Recycling - 360 litre - fortnightly	623	639	16
Recycling - 240 litre - weekly	85	84	(1)
Recycling - 360 litre - weekly	79	80	1
Dinner Plain standard service	387	393	6
Dinner Plain commercial service	13	13	-
Total number of bins	14,451	21,391	6,940

Type of Charge	Assessments	Assessments	Change
	2022/23	2023/24	
Waste management charge	7,852	7,943	91

5.1.6.10 The estimated total amount to be raised by each type of service rate or charge compared with the previous financial year.

Type of Charge	2022/23 \$	2023/24 \$	Change %
Waste - 80 litre bin – weekly (fortnightly)	1,375,772	496,297	(177.21%)
Waste - 240 litre bin - weekly	395,449	-	100.00%
Waste - 240 litre bin - fortnightly	50,192	152,152	67.01%
FOGO 240 litre bin – fortnightly	-	683,619	100.00%
Recycling - 140 litre - fortnightly	39,987	23,491	(70.75%)
Recycling - 240 litre - fortnightly	634,403	417,803	(52.56%)
Recycling - 360 litre - fortnightly	70,443	51,983	(35.51%)
Recycling - 240 litre - weekly	18,201	11,718	(55.33%)
Recycling - 360 litre - weekly	17,875	13,016	(37.33%)
Dinner Plain standard service	277,532	236,979	(17.11%)
Dinner Plain commercial service	20,971	18,200	(15.23%)
Waste management charge	745,940	2,176,382	65.73%
Total	3,646,765	4,281,639	14.83%

5.1.6.11 Fair Go Rates System Compliance

Alpine Shire Council is required to comply with the State Governments Fair Go Rates System (FGRS). The table below details the budget assumptions consistent with the requirements of the Fair Go Rates System.

	2022/23	2023/24
Total Rates	\$16,084,000	\$16,451,135
Number of rateable properties	9,001	9036
Base Average Rate	\$1,786.91	\$1,820.62
Maximum Rate Increase (set by the State Government)	1.75%	3.5%
Capped Average Rate	\$1,818.18	\$1,884.34
Maximum General Rates and Municipal Charges Revenue	\$16,365,470	\$17,026,924
Budgeted General Rates and Municipal Charges Revenue	\$16,084,000	\$17,299,000
Budgeted Supplementary Rates	\$125,000	\$220,000
Budgeted Total Rates and Municipal Charges Revenue	\$16,209,000	\$17,519,000

5.1.6.12 Any significant Changes that may affect the estimated amounts to be raised by rates and charges

There are no known significant changes which may affect the estimated amounts to be raised by rates and charges. However, the total amount to be raised by rates and charges may be affected by:

- The making of supplementary valuations (2023/24: estimated \$220,000 and budgeted 2022/23: \$125,000)
- The variation of returned levels of values (e.g., valuation objections)

- Changes of use of land such that rateable land becomes non-rateable land and vice-versa.
- Changes of use of land such that residential land becomes commercial/industrial land and vice versa.
- Introduction of new services, i.e. FOGO

5.2 Grants

5.2.1 Grants - Operating

Operating Grant Funding Type and Source	Forecast	Budget	Variance
	2022/23	2023/24	
	\$'000	\$'000	\$'000
Recurrent - Commonwealth Government			
Victorian Grants Commission	3,138	4,491	1,353
Recurrent - State Government			
Youth services	42	47	5
School crossing supervisors	44	45	1
Maternal and child health	325	325	-
Fire Services Levy	55	55	-
Libraries	162	168	6
Other	152	105	(47)
Total recurrent grants	3,918	5,236	1,318

Business Function	VGC Allocations 2023/24
	\$'000
Airports	8
Building Maintenance	225
Community Development	332
Councillor's and Executive	1,562
Economic Development	503
Festivals & Events	225
Footpaths	24
Libraries	56
Local Laws	56
Open Space	385
Operations	385
Property Management	134
Recreation	70
Strategic Planning	111
Swimming Pools	139
Tourism	278
Total	4,491

5.2.1.1 Non-recurrent Operating Grants

Operating Grant Funding Type and Source	Forecast	Budget	Variance
	2022/23	2023/24	
	\$'000	\$'000	\$'000
Non-recurrent - Commonwealth Government			
Nil	-	-	-
Non-recurrent - State Government			
Bushfire recovery	947	0	(947)
Economic development and tourism	70	10	(60)
Community development	323	281	(42)
ICT Infrastructure Support	250	-	(250)
Emergency Management	60	60	-
Flood restoration	500	0	(500)
Kerbside Transition Plan	62	0	62)
Other	246	20	(226)
Total non-recurrent grants	2,458	371	(2,087)

5.2.2 Grants – Capital Grants – Capital

Capital grants include all monies received from State, Federal and community sources for the purposes of funding the capital works program. Overall, the level of capital grants will decrease by \$2,087m compared to the forecast for 2022/23.

A list of capital grants by type and source, classified into recurrent and non-recurrent, is included below.

5.2.2.1 Recurrent Capital Grants

Capital Grant Funding Type and Source	Forecast	Budget	Variance
	2022/23	2023/24	
	\$'000	\$'000	\$'000
Recurrent - Commonwealth Government			
Roads to recovery	698	710	12
Recurrent - State Government			
Nil	-	-	-
Total recurrent grants	698	710	12

5.2.2.2 Non-Recurrent Capital Grants

Capital Grant Funding Type and Source	Forecast 2022/23 \$'000	Budget 2023/24 \$'000	Variance Variance \$'000
Non-recurrent - Commonwealth Government			
Nil	-	-	-
Non-recurrent - State Government			
Buildings	1,990	1,836	(154)
Roads	2,726	700	(2,026)
Recreation	2,728	2,157	(571)
Bridges	479	263	(216)
Pathways	1,064	-	(1,064)
Total non-recurrent grants	8,987	4,956	(4,031)

5.3 Borrowings

The Council continues to operate free from borrowings.

5.4 Capital Works Program

This section presents an overview of capital works expenditure and funding sources, as well as a listing of the capital works projects that will be undertaken for the 2023/24 financial year. Works are also disclosed as current budget or carried forward from last year.

5.4.1 Summary of Works

	Forecast Actual 2022/23 \$'000	Budget 2023/24 \$'000	Change \$'000	%
Property	3,109	2,705	(404)	(13)%
Plant and equipment	1,320	1,509	189	14%
Infrastructure	13,255	8,340	(4,915)	(37)%
Total	17,684	12,554	(5,130)	(29)%

Capital Works Area	Project cost \$'000	Asset expenditure type				Summary of funding sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contributions \$'000	Council cash \$'000	Borrowings \$'000
Property	2,705		1,075	1,630	-	1,939	-	766	-
Plant and equipment	1,509	105	1,404	-	-	-	-	1,509	-
Infrastructure	8,340	4,373	2,965	1,002	-	4,680	-	3,660	-
Total capital works	12,554	4,478	5,444	2,632	-	6,619	-	5,938	-

5.4.2 Capital Works Budget New Works 2023/24

Capital Works Area	Project cost \$'000	Asset expenditure type				Summary of funding sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contributions \$'000	Council cash \$'000	Borrowing \$'000
Property									
Buildings									
Myrtleford Memorial Hall	510	-	510	-	-	256	-	254	-
Myrtleford Savoy Soccer Club Upgrade	600	-	-	600	-	600	-	-	-
Ablett Pavilion Upgrade	610	-	-	610	-	610	-	-	-
Energy Efficient Projects	150	-	-	150	-	-	-	150	-
Building Renewal	200	-	200	-	-	-	-	200	-
Mountain View Childrens Centre	50	-	50	-	-	-	-	50	-
Harrietville Log Wagon	50	-	50	-	-	-	-	50	-
Building Maintenance Minor Capital Works	65	-	65	-	-	-	-	65	-
Total property	2,235		875	1,360		1,466		769	
Plant and equipment									
Plant, machinery, and equipment									
Large Plant Renewal	200	-	200	-	-	-	-	200	-
Large Plant New	50	50	-	-	-	-	-	50	-
Small Plant and Equipment Renewal	30	-	30	-	-	-	-	30	-
Vehicle Renewal	260	-	260	-	-	-	-	260	-
Vehicle New	55	55	-	-	-	-	-	55	-
Office furniture and equipment									
Disaster Recovery System Renewal	40	-	40	-	-	-	-	40	-
Internet Renewal	20	-	20	-	-	-	-	20	-
Cyber Security	215	-	215	-	-	-	-	215	-
Unified Communications	22	-	22	-	-	-	-	22	-

Capital Works Area	Asset expenditure type					Summary of funding sources			
	Project cost	New	Renewal	Upgrade	Expansion	Grants	Contri- butions	Council cash	Borrowing
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Corporate Technology Infrastructure	270	-	270	-	-	-	-	270	-
Asset management System	20	-	20	-	-	-	-	20	-
End Use Computers	163	-	163	-	-	-	-	163	-
Business Reporting Systems	80	-	80	-	-	-	-	80	-
Library Books	84	-	84	-	-	-	-	84	-
Total plant and equipment	1,509	105	1,404	-	-	-	-	1,509	-
Infrastructure									
Roads									
Dinner Plain Activation	600	600	-	-	-	600	-	-	-
Development Engineering Roads Design	100	-	100	-	-	-	-	100	-
Roads Upgrades	250	-	-	250	-	-	-	250	-
Road Stabilisation and Patching 2023/2024	220	-	220	-	-	220	-	-	-
Resealing and Asphalt Overlays 2023/2024	850	-	850	-	-	500	-	350	-
Kerb And Channel Renewal 2023/2024	145	-	145	-	-	-	-	145	-
Line Marking 2023/2024	50	-	50	-	-	-	-	50	-
Gravel Road Reconstruction and Resheeting Program	500	-	500	-	-	-	-	500	-
Bridges									
Nimmo Pedestrian Bridge	263	263	-	-	-	263	-	-	-
East Ovens Pedestrian Bridge	185	185	-	-	-	113	-	72	-
Bridge Renewal	190	-	190	-	-	-	-	190	-
Footpaths and cycleways									
Footpath Renewal	150	-	150	-	-	-	-	150	-
Drainage									
Drainage Renewal	270	-	270	-	-	-	-	270	-

Capital Works Area	Project cost	Asset expenditure type				Summary of funding sources			
		New	Renewal	Upgrade	Expansion	Grants	Contri- butions	Council cash	Borrowing
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Development Engineering Drainage Program	20	-	20	-	-	-	-	20	-
Recreational, leisure and community facilities									
Dinner Plain Snowmaking	850	850	-	-	-	850	-	-	-
Bright Skate Park	40	40	-	-	-	30	-	10	-
Stockman Vegetation Offset Management	15	-	15	-	-	-	-	15	-
Myrtleford Splash Park	660	660	-	-	-	660	-	-	-
Waste									
Kerbside Bins Renewal and New	100	-	100	-	-	-	-	100	-
Public Bins Renewal	35	-	35	-	-	-	-	35	-
Food Organics Garden Organics (FOGO) Bins	60	60	-	-	-	-	-	60	-
Transfer Station and Office Renewal	25	-	25	-	-	-	-	25	-
Total infrastructure	5,578	2,658	2,670	250	-	3,236	-	2,342	-
Capitalised wages	900	300	300	300	-	-	-	900	-
Total new capital works expenditure	10,222	3,063	5,249	1,910	-	4,702	-	5,520	-

5.4.3 Works Carried Forward from 2022/23

Capital Works Area	Project cost \$'000	Asset expenditure type				Summary of funding sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contribu- tions \$'000	Council cash \$'000	Borrowing \$'000
Property									
Buildings									
Tawonga Memorial Hall	200	-	200	-	-	200	-	-	-
Myrtleford Savoy Soccer Club Upgrade	160	-	-	160	-	160	-	-	-
Ablett Pavilion Upgrade	110	-	-	110	-	110	-	-	-
Total property	470	-	200	270	-	470	-	-	-
Infrastructure									
Roads									
Dinner Plain Activation	500	500	-	-	-	500	-	-	-
Montgomery Lane Scoping and Design	30	-	30	-	-	30	-	-	-
Carparking Study – Bright Carparking Stage 3	50	-	50	-	-	-	-	50	-
Bridges									
Nimmo Pedestrian Bridge	487	487	-	-	-	487	-	-	-
Drainage									
Development Engineering Design Program	80	-	80	-	-	-	-	80	-
Recreation, Leisure Community									
Dinner Plain Snowmaking	150	150	-	-	-	150	-	-	-
Myrtleford Sport and Activation Recreation Plan	80	-	-	80	-	80	-	-	-
Bright Pioneer Park Masterplan	50	-	-	50	-	50	-	-	-
Mount Beauty Education and Sports Precinct	60	-	-	60	-	60	-	-	-
Myrtleford Splashpark	200	200	-	-	-	200	-	-	-
Tronoh Dredgehole Precinct Design	175	-	-	175	-	175	-	-	-
Total infrastructure	1,862	1,337	160	365	-	1,732	-	130	-
Total capital works carried forward	2,332	1,337	360	635	-	2,202	-	130	-

5.4.4 Summary of Planned Capital Works Expenditure For the four years ended 30 June 2027

Capital Works Area 2025	Project cost \$'000	Asset expenditure type				Summary of funding sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contri- butions \$'000	Council cash \$'000	Borrowing \$'000
Property									
Buildings	2,205	-	2,205	-	-	-	-	2,205	-
Total property	2,205	-	2,205	-	-	-	-	2,205	-
Plant and equipment									
Plant, machinery and equipment	459	-	459	-	-	-	-	459	-
Computers and telecommunications	246	-	246	-	-	-	-	246	-
Intangibles	41	-	41	-	-	-	-	41	-
Library books	79	-	79	-	-	-	-	79	-
Total plant and equipment	825	-	825	-	-	-	-	825	-
Infrastructure									
Roads	2,068	-	1,082	986	-	726	-	1,342	-
Bridges	295	-	295	-	-	-	-	295	-
Footpaths and cycleways	289	-	289	-	-	-	-	289	-
Drainage	234	-	234	-	-	-	-	234	-
Recreational, leisure and community facilities	528	-	528	-	-	528	-	-	-
Parks, open space and streetscapes	104	-	104	-	-	-	-	104	-
Waste	363	-	363	-	-	-	-	363	-
Total infrastructure	3,881	-	2,895	986	-	1,254	-	2,627	-
Unallocated	1,854	-	-	1,854	-	-	-	1,854	-
Total capital works expenditure	8,765	-	5,925	2,840	-	1,254	-	7,511	-

Capital Works Area 2026	Project cost \$'000	Asset expenditure type				Summary of funding sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contributi ons \$'000	Council cash \$'000	Borrowing s \$'000
Property									
Buildings	2,260	-	2,260	-	-	-	-	2,260	-
Total property	2,260	-	2,260	-	-	-	-	2,260	-
Plant and equipment									
Plant, machinery and equipment	459	-	459	-	-	-	-	459	-
Computers and telecommunications	246	-	246	-	-	-	-	246	-
Intangibles	41	-	41	-	-	-	-	41	-
Library books	81	-	81	-	-	-	-	81	-
Total plant and equipment	827	-	827	-	-	-	-	827	-
Infrastructure									
Roads	2,125	-	1,134	991	-	742	-	1,383	-
Bridges	302	-	302	-	-	-	-	302	-
Footpaths and cycleways	297	-	297	-	-	-	-	297	-
Drainage	237	-	237	-	-	-	-	237	-
Recreational, leisure and community facilities	514	-	514	-	-	-	-	514	-
Parks, open space and streetscapes	107	-	107	-	-	-	-	107	-
Waste	372	-	372	-	-	-	-	372	-
Total infrastructure	3,954	-	2,963	991	-	742	-	3,212	-
Unallocated	1,909	-	-	1,909	-	-	-	1,909	-
Total capital works expenditure	8,950	-	6,050	2,900	-	742	-	8,208	-

Capital Works Area 2027	Asset expenditure type					Summary of funding sources			
	Project	New	Renewal	Upgrade	Expansion	Grants	Contributi	Council	Borrowing
	cost \$'000	\$'000	\$'000	\$'000	\$'000	\$'000	ons \$'000	cash \$'000	s \$'000
Property									
Buildings	2,316	-	2,316	-	-	-	-	2,316	-
Total property	2,316	-	2,316	-	-	-	-	2,316	-
Plant and equipment									
Plant, machinery and equipment	459	-	459	-	-	-	-	459	-
Fixtures, fittings and furniture	-	-	-	-	-	-	-	-	-
Computers & telecommunications	246	-	246	-	-	-	-	246	-
Intangibles	41	-	41	-	-	-	-	41	-
Library books	83	-	83	-	-	-	-	83	-
Total plant and equipment	829	-	829	-	-	-	-	829	-
Infrastructure									
Roads	2,106	-	1,117	989	-	759	-	1,347	-
Bridges	309	-	309	-	-	-	-	309	-
Footpaths and cycleways	305	-	305	-	-	-	-	305	-
Drainage	244	-	244	-	-	-	-	244	-
Recreational, leisure and community facilities	554	-	554	-	-	-	-	554	-
Parks, open space and streetscapes	110	-	110	-	-	-	-	110	-
Waste	381	-	381	-	-	-	-	381	-
Total infrastructure	4,009	-	3,020	989	-	759	-	3,250	-
Unallocated	1,966	-	-	1,966	-	-	-	1,966	-
Total capital works expenditure	9,120	-	6,165	2,955	-	759	-	8,361	-

5.5 Financial Performance Indicators

The following table highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the organisation's objectives.

The financial performance indicators below are the prescribed financial performance indicators contained in Part 3 of Sch 3 of the *Local Government (Planning and Reporting) Regulations 2020*.

Results against these indicators will be reported in Council's Annual Report.

Indicator	Measure	Forecast	Budget	Future Budget Projections			Trend
		2022/23	2023/24	2024/25	2025/26	2026/27	+ / o / -
Operating position							
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	-6.9%	-5.9%	-4.2%	-6.9%	-6.5%	O
Liquidity							
Working Capital	Current assets / current liabilities	392.6%	349.1%	363.4%	270.8%	243.0%	-
Unrestricted cash	Unrestricted cash / current liabilities	28.3%	51.9%	35.7%	217%	32.8%	O
Obligations							
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	0.0%	0.0%	0.0%	0.0%	0.0%	O
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue	0.0%	0.0%	0.0%	0.0%	0.0%	O
Indebtedness	Non-current liabilities / own source revenue	40.5%	38.2%	24.7%	24.8%	24.6%	-
Asset renewal	Asset renewal expenditure / depreciation	191.8%	111.4%	150.0%	101.5%	101.4%	-

Indicator	Measure	Forecast	Budget	Future Budget Projections			Trend
		2022/23	2023/24	2024/25	2025/26	2026/27	+ / o / -
Stability							
Rates concentration	Rate revenue/adjusted underlying revenue	63.1%	67.7%	68.4%	68.6%	69.8%	O
Rates effort	Rate revenue / CIV of rateable properties in the municipality	0.5%	0.5%	0.5%	0.5%	0.5%	O
Efficiency							
Expenditure level	Total expenditure/no. of property assessments	\$3,748	\$3,836	\$3,880	\$4,060	\$4,163	O
Revenue level	Residential rate revenue / No. of residential property assessments	\$1,608	\$1,715	\$1,786	\$1,802	\$1,850	+
Workforce turnover	No. of permanent staff resignations & terminations/average no. of permanent staff for the financial year	20%	10%	10%	10%	10%	O

Key to Forecast Trend:

- + Forecast increase in Council's financial performance/financial position indicator
- O Forecasts that Council's financial performance/financial position indicator will be steady
- Forecast reduction in Council's financial performance/financial position indicator

Notes to indicators

Loans and Borrowings - Council repaid all its borrowings in July 2015 and does not forecast to take out any further borrowings.

5.6 Targeted Performance Indicators – Service and Financial

The following tables highlight Council's current and projected performance across a selection of targeted service and financial performance indicators. These indicators provide a useful analysis of Council's intentions and performance and should be interpreted in the context of the organisation's objectives.

The targeted performance indicators below are the prescribed performance indicators contained in Schedule 4 of the *Local Government (Planning and Reporting) Regulations 2020*. Results against these indicators and targets will be reported in Council's Performance Statement included in the Annual Report.

Indicator Service	Measure	Forecast	Budget	Future Budget Projections			Trend
		2022/23	2023/24	2024/25	2025/26	2026/27	+ / o / -
Governance¹							
Satisfaction with community consultation and engagement	Community satisfaction rating out of 100	55	55	55.3	55.6	55.8	+
Roads²							
Sealed Local Roads below the intervention level	Number of kms of sealed local roads below the renewal intervention level set by Council per kms of sealed local roads	95%	95%	95.5%	96%	96.4%	+
Statutory Planning³							
Planning Applications decided within the required relevant time	Number of planning application decisions made within the relevant required time by the number of decisions made	40%	67%	67.3%	67.7%	68%	+
Waste Management⁴							
Kerbside collection waste diverted from landfill	Weight of recyclables and green organics collected from kerbside bins by weight of garbage, recyclables and green organics collected from kerbside bins	40%	47%	47.2%	47.5%	47.7%	+

Indicator	Measure	Forecast	Budget	Future Budget Projections			Trend
		2022/23	2023/24	2024/25	2025/26	2026/27	+ / o / -
Liquidity⁵							
Working Capital	Current assets / current liabilities	392.6%	349.1%	320.4%	280.8%	280%	-
Obligations⁶							
Asset renewal	Asset renewal and upgrade expense / asset depreciation	191.8%	111.4%	150.5%	101.5%	104.4%	-
Stability⁷							
Rates concentration	Rate revenue / adjusted underlying revenue	63.1%	67.7%	68.5%	68.5%	68.5%	O
Efficiency⁸							
Expenditure Level	Total expenses / no. of property assessments	\$3,748	\$3,836	\$3,880	\$3,900	\$4,000	+

Key to Target Trend:

- + Increase in Council's financial / service performance
- O Council's financial / service performance will be steady
- Reduction in Council's financial / service performance

Notes to indicators

1. Satisfaction with community consultation and engagement was lowest in 2021/22 - Council will use this as a benchmark for future improvement.
2. Council has undertaken a condition assessment of sealed local roads in 2022/23, with results expected by June 2023. Coupled with the impact of wet weather causing damage to the sealed local road network, it is anticipated that Council's % of sealed local roads below the intervention level may fall compared to previous years, with gradual improvement over future years as a targeted maintenance program improves condition.

3. Council has elected to use the current Statewide Council average of 67% as a target to improve Statutory Planning services in 2023/24. This target may be amended once end-of-year results are obtained for 2022/23.
4. Council will be introducing Food Organics Garden Organics (FOGO) in July 2023 - which should increase the proportion of waste being diverted from landfill. Council has elected to use the current Statewide Council average of 47% as a target in 2023/24 and will review after 12 months of FOGO being delivered.
5. Working Capital is at high levels currently due to unspent Capital grants, the target is to return the indicated range.
6. Council is targeting an Asset Renewal metric in the 100% - 125% range which is considered appropriate in context of asset base.
7. Council is targeting a consistence result for this indicator which emphasises Council's reliance on rates revenue to provide the important services to the community.
8. Council is targeting expenditure growth to be consistent over future periods.

6 Schedule of Fees and Charges

This section presents the fees and charges of a statutory and non-statutory nature which will be charged in respect to various goods and services provided during the 2023/24 year.

Fees and charges are based on information available at the time of publishing and may vary during the financial year subject to any changes in Council's policy or legislation.

Please see overleaf.

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Corporate - Finance and Governance								
Finance	Records retrieval	5 years old or less	Yes	\$ 13.00	\$ 25.00	\$ 12.01	per item	No
Finance	Records retrieval	over 5 years old	Yes	\$ 43.50	\$ 45.00	\$ 1.50	per item	No
Finance	Disabled parking permit			free	free			No
Governance	Freedom of information		Yes	as per legislation	as per legislation		as per legislation	Yes
Corporate - Rates								
Rates	Rates debt recovery costs		Yes	Cost recovery from the ratepayer	Cost recovery from the ratepayer			Partial
Customer Experience - Customer Service								
Customer Service	Land information certificate	Within 7 days	Yes	as per legislation	as per legislation		as per legislation	Yes
Customer Service	Land information certificate	Within 24 hrs	Yes	\$ 51.50	\$ 52.00	\$ 0.50	per certificate	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Customer Service	Copy of rates notice	Post 1999	Yes	\$ 12.50	\$ 12.50	\$ -	per notice per year	No
Customer Experience - Events								
Events	Waste Charges		Yes	\$ -	cost of the service plus 10% administration fee			No
Customer Experience - Libraries								
Libraries	Overdue fine > than 2 days	Inter library	Yes	\$ -	\$ 0.60	\$0.60	per day	No
Libraries	Overdue fine > than 2 days	Book Club	Yes	\$ -	\$ 1.00	\$1.00	per day	No
Libraries	Non-Collection of reserved item				\$ 2.00	\$ 2.00	per item	No
Libraries	Printing/photocopying	Black & White A4	Yes	\$ 0.20	\$ 0.25	\$ 0.05	per page	No
Libraries	Printing/photocopying	Colour A4	Yes	\$ 0.50	\$ 0.50	\$ -	per page	No
Libraries	Printing/photocopying	Black & White A3	Yes	\$ 0.50	\$ 0.50	\$ -	per page	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Libraries	Printing/photocopying	Colour A3	Yes	\$ 1.00	\$ 1.00	\$ -	per page	No
Libraries	Minor damage to an item or barcode		Yes	\$ 2.50	\$ 3.00	\$ 0.50	per item	No
Libraries	DVD or CD ROM replacement cover		Yes	\$ 2.50	\$ 3.00	\$ 0.50	per item	No
Libraries	CDB covers		Yes	\$ 10.50	\$ 10.20	-\$ 0.30	per item	No
Libraries	Lost or damaged items, where price is known		Yes	Price of item	Price of item		per item	No
Libraries	Lost or damaged items, where price is unknown	Adult book	Yes	\$ 27.00	\$ 27.00	\$ -	per item	No
Libraries	Lost or damaged items, where price is unknown	Junior book	Yes	\$ 14.50	\$ 14.50	\$ -	per item	No
Libraries	Lost or damaged items, where price is unknown	Light romance	Yes	\$ 2.50	\$ 2.00	-\$ 0.50	per item	No
Libraries	Lost or damaged items, where price is unknown	Periodical	Yes	\$ 9.50	\$ 9.40	-\$ 0.10	per item	No
Libraries	Lost or damaged items, where price is unknown	Book on disk	Yes	\$ 103.50	\$ 104.00	\$ 0.50	per item	No
Libraries	Lost or damaged items, where price is unknown	Single disk	Yes	\$ 3.50	\$ 19.80	\$ 16.30	per item	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Libraries	Lost or damaged items, where price is unknown	DVD	Yes	\$ 28.00	\$ 28.50	\$ 0.50	per item	No
Libraries	Lost or damaged items, where price is unknown	Playaway	Yes	\$ 103.50	\$ 104.00	\$ 0.50	per item	No
Libraries	Lost or damaged items, where price is unknown	MP3	Yes	\$ 108.50	\$ 109.10	\$ 0.60	per item	No
Libraries	Replacement of lost or damaged cards		Yes	\$ 3.00	\$ 3.00	\$ -	per card	No
Libraries	Interlibrary loans (for loans outside of Victoria or from non-library institutions)		Yes	\$ 28.50	\$ 28.50		per item	No
Libraries	Inter library loan strap/barcode		Yes	\$ 3.50	\$ 4.00	\$ 0.50	per item	No
Libraries	Requests for photocopies not in stock and obtained on inter library loan		Yes	As charged by supplier	As charged by supplier		per item	No
Libraries	Research fee		Yes	\$ 16.50	\$ 16.50	\$ -	per half hour	No
Libraries	Programs and activities		Yes	Free to minimal charge	Set for each event seperately		per attendee	No
Libraries	Disc Cleaning		Yes	\$ 4.50	\$ 4.50	\$ -	per item	No
Libraries	Room Hire		Yes	\$ 5.00	\$ 17.00	\$ 12.00	per hour	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Libraries	USB		Yes		Recover Costs	Recovery of costs. Depends on memory capacity	per item	No
Customer Experience - Visitor Information Centres								
Tours and Talks	Mount Beauty tour and talk (adult)		Yes	\$ 5.00	\$ 5.00		Per person	No
Tours and Talks	Mount Beauty tour and talk (junior)		Yes		\$ 3.00		Per person	No
Engineering and Assets								
Asset Management	Application for Occupation/Works on Council Managed Land Permit		Yes	free	free		per permit	No
Operations - Bright Sports Centre								
Bright Sports Centre	Additional Lifeguard		Yes	\$ 37.50	\$ 39.00	\$ 1.50	per hour	No
Bright Sports Centre	Centre Membership - all areas	Adult - 1 month	Yes	\$ 92.00	\$ 95.50	\$ 3.50	per person	No
Bright Sports Centre	Centre Membership - all areas	Concession - 1 month	Yes	\$ 67.50	\$ 70.00	\$ 2.50	per person	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Bright Sports Centre	Centre Membership - all areas	Family - 1 month	Yes	\$ 164.00	\$ 170.00	\$ 6.00	per family	No
Bright Sports Centre	Centre Membership - all areas	Adult - 3 month	Yes	\$ 268.00	\$ 277.50	\$ 9.50	per person	No
Bright Sports Centre	Centre Membership - all areas	Concession - 3 month	Yes	\$ 195.00	\$ 202.00	\$ 7.00	per person	No
Bright Sports Centre	Centre Membership - all areas	Family - 3 month	Yes	\$ 475.00	\$ 492.00	\$ 17.01	per family	No
Bright Sports Centre	Centre Membership - all areas	Monthly Direct Debit Adult	Yes	\$ 76.50	\$ 79.50	\$ 3.00	per person	No
Bright Sports Centre	Centre Membership - all areas	Monthly Direct Debit Concession	Yes	\$ 53.50	\$ 55.50	\$ 2.00	per person	No
Bright Sports Centre	Centre Membership - all areas	Monthly Direct Debit Family	Yes	\$ 158.00	\$ 164.00	\$ 6.00	per family	No
Bright Sports Centre	After Hours Access	Fob Charge	Yes	\$ 21.00	\$ 22.00	\$ 1.00	per fob	No
Bright Sports Centre	Swimming pool only	Adult - 3 month	Yes	\$ 128.00	\$ 132.50	\$ 4.50	per person	No
Bright Sports Centre	Swimming pool only	Concession - 3 Month	Yes	\$ 80.00	\$ 83.00	\$ 3.00	per person	No
Bright Sports Centre	Swimming pool only	Family - 3 month	Yes	\$ 322.00	\$ 333.50	\$ 11.50	per family	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Bright Sports Centre	Swimming pool only	Adult casual visit	Yes	\$ 8.50	\$ 9.00	\$ 0.50	per person	No
Bright Sports Centre	Swimming pool only	Child/concession - casual visit	Yes	\$ 5.00	\$ 5.50	\$ 0.20	per person	No
Bright Sports Centre	Swimming pool only	Family - Casual Visit	Yes	\$ 18.50	\$ 19.50	\$ 1.00	per family	No
Bright Sports Centre	Swimming pool only	Adult 10 visit card	Yes	\$ 76.50	\$ 79.50	\$ 3.00	per card	No
Bright Sports Centre	Swimming pool only	Concession/child 10 visit card	Yes	\$ 45.00	\$ 47.00	\$ 2.00	per card	No
Bright Sports Centre	Casual gym entry (includes gym and pool)	Adult Casual	Yes	\$ 15.50	\$ 16.50	\$ 1.00	per person	No
Bright Sports Centre	Casual gym entry (includes gym and pool)	Concession - Casual	Yes	\$ 11.00	\$ 11.50	\$ 0.50	per person	No
Bright Sports Centre	Casual gym entry (includes gym and pool)	Adult 10 visit card	Yes	\$ 139.50	\$ 144.50	\$ 5.00	per card	No
Bright Sports Centre	Casual gym entry (includes gym and pool)	Concession 10 visit card	Yes	\$ 96.50	\$ 100.00	\$ 3.50	per card	No
Bright Sports Centre	Hydro program	Hydro 10 Visit Card	Yes		\$ -	\$ -	per person	No
Bright Sports Centre	Learn to swim program		Yes	\$ 18.50	\$ 19.50	\$ 1.00	per person per session	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Bright Sports Centre	Learn to swim program - Early payment discount 10%		Yes		\$ -	\$ -	per person	No
Bright Sports Centre	Learn to swim private lesson		Yes	\$ 58.00	\$ 60.00	\$ 2.00	per lesson	No
Bright Sports Centre	Casual group exercise class entry	Regular Class - Non Member	Yes	\$ 12.50	\$ 13.00	\$ 0.50	per person	No
Bright Sports Centre	Casual group exercise class entry	Active Seniors Class - Non Member	Yes	\$ 7.50	\$ 8.00	\$ 0.50	per person	No
Bright Sports Centre	Casual group exercise class entry	Intro Seniors Class	Yes	\$ 6.50	\$ 7.00	\$ 0.50	per person	No
Bright Sports Centre	Squash court	Adult	Yes	\$ 7.50	\$ 8.00	\$ 0.50	per person	No
Bright Sports Centre	Squash court	Child/concession	Yes	\$ 5.00	\$ 5.50	\$ 0.20	per person	No
Bright Sports Centre	Multi-purpose room hire		Yes	\$ 27.00	\$ 28.00	\$ 0.95	per hour	No
Bright Sports Centre	Pool hire with lifeguard		Yes	\$ 109.00	\$ 113.00	\$ 4.00	per hour	No
Bright Sports Centre	Shower Only		Yes	\$ 4.50	\$ 5.00	\$ 0.50	per person	No
Bright Sports Centre	Squash Membership - 1 week	adult	Yes	\$ -	\$ 12.00	\$ 12.00	per person	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Bright Sports Centre	Squash Membership - 1 week	Concession	Yes	\$ -	\$ 8.00	\$ 8.00	per person	No
Bright Sports Centre	Corporate Membership 5 to 9 Members - 1 month (new members only)	Adult	Yes	\$ -	\$ 83.00	\$ 83.00	per person	No
Bright Sports Centre	Corporate Membership 5 to 9 Members - 1 month (new members only)	Concession	Yes	\$ -	\$ 61.00	\$ 61.00	per person	No
Bright Sports Centre	Corporate Membership 10 to 19 Members - 1 month (new members only)	Adult	Yes	\$ -	\$ 80.00	\$ 80.00	per person	No
Bright Sports Centre	Corporate Membership 10 to 19 Members - 1 month (new members only)	Concession	Yes	\$ -	\$ 55.00	\$ 55.00	per person	No
Bright Sports Centre	Corporate Membership 20+ Members - 1 month (new members only)	Adult	Yes	\$ -	\$ 75.00	\$ 75.00	per person	No
Bright Sports Centre	Corporate Membership 20+ Members - 1 month (new members only)	Concession	Yes	\$ -	\$ 50.00	\$ 50.00	per person	No
Operations - Cemetery								
Cemetery	Administration Fee Misc - Interment		Yes	\$ -	\$ 35.00		per person	No
Cemetery	Administration Fee Misc - Search of cemetery records		Yes	\$ -	\$ 15.00		per person	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Cemetery	Interment Services Exhumation		Yes	\$ -	\$ 425.00		per person	No
Cemetery	Interment Services - Interment of bodily remains - Adult - First Interment		Yes	\$ -	\$ 85.00		per person	No
Cemetery	Interment Services Re Opening Grave - With Cover		Yes	\$ -	\$ 185.00		per person	No
Cemetery	Interment Services Re Opening Grave - Without Cover		Yes	\$ -	\$ 175.00		per person	No
Cemetery	Memorial permit fees Installation - New Headstone and base without existing foundation - Single Grave - Or Monument		Yes	\$ -	\$ 200.00		per person	No
Cemetery	Right of Interment bodily remains At need - Adult - First Interment		Yes	\$ -	\$ 85.00		per person	No
Operations - Community Centres								
Community Centres	Hall or kitchen only hire	Max \$170/day	Yes	\$ 17.00	\$ 18.00	\$ 1.00	per hour	No
Community Centres	Hall and kitchen hire	Max \$280/day	Yes	\$ 28.50	\$ 29.50	\$ 1.00	per hour	No
Community Centres	Bond		Yes	\$ 269.00	\$ 275.00	\$ 6.00	per hire	No
Community Centres	Hall hire insurance (any hall)		Yes	\$ 37.50	\$ 39.00	\$ 1.50	per hire	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Operation - Swimming Pools								
Swimming Pools	Adult daily		Yes	\$ 5.50	\$ 6.00	\$ 0.50	per person	No
Swimming Pools	Child/concession daily		Yes	\$ 3.00	\$ 3.50	\$ 0.10	per person	No
Swimming Pools	Supervising parent		Yes	\$ 4.00	\$ 4.50	\$ 0.50	per person	No
Swimming Pools	Family season - early bird		Yes	\$ 89.00	\$ 92.50	\$ 3.50	per season	No
Swimming Pools	Family season - after early bird closes		Yes	\$ -	\$ 220.00	\$ 220.00	per season	No
Swimming Pools	Adult season		Yes	\$ 82.00	\$ 85.00	\$ 3.00	per season	No
Swimming Pools	Child/concession season		Yes	\$ 43.50	\$ 45.00	\$ 1.50	per season	No
Swimming Pools	Adult 10 visit pass		Yes	\$ 48.00	\$ 50.00	\$ 2.00	per 10 visits	No
Swimming Pools	Child/concession 10 visit pass		Yes	\$ 27.00	\$ 28.00	\$ 0.95	per 10 visits	No
Swimming Pools	Mount Beauty stadium hire		Yes	\$ 27.50	\$ 28.50	\$ 1.00	per hour	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Swimming Pools	Aqua fit/concession		Yes	\$ 8.00	\$ 8.50	\$ 0.50	per session	No
Swimming Pools	Aqua fit/adult		Yes	\$ 11.00	\$ 11.40	\$ 0.40	per session	No
Swimming Pools	Arthritis group		Yes	\$ 3.00	\$ 3.50	\$ 0.10	per hour	No
Swimming Pools	Lane hire		Yes	\$ 30.50	\$ 32.00	\$ 1.50	and swi	No
Swimming Pools	Learn to swim		Yes	\$ 18.00	\$ 19.00	\$ 1.00	one lesson	No
Swimming Pools	Learn to swim		Yes	\$ 56.00	\$ 58.00	\$ 2.00	private lesson	No
Swimming Pools	Pool hire with lifeguard		Yes	\$ 107.00	\$ 111.00	\$ 4.00	per hour	No
Swimming Pools	Seniors Hour		Yes	\$ 3.00	\$ 3.50	\$ 0.50	per hour	No
Operation - The Pavillion, Pioneer Park								
The Pavilion	Meeting room	max 10hr charge/day	Yes	\$ 16.00	\$ 17.00	\$ 1.00	per hour	No
The Pavilion	Function Centre (no kitchen)	max 10hr charge/day	Yes	\$ 26.50	\$ 27.50	\$ 1.00	per hour	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
The Pavilion	Function Centre incl. kitchen	max 10hr charge/day	Yes	\$ 46.50	\$ 48.50	\$ 2.00	per hour	No
The Pavilion	Kitchen only	max 10hr charge/day	Yes	\$ 26.50	\$ 27.50	\$ 1.00	per hour	No
The Pavilion	First Aid Room & Downstairs Toilets (2) Hire	Full day hire	Yes	\$ 152.00	\$ 157.50	\$ 5.50	per day	No
The Pavilion	Entire Downstairs Area (Changerooms, First Aid Room, Toilets)	Full day hire	Yes	\$ 355.00	\$ 367.50	\$ 12.50	per day	No
Operations - Waste Services								
Waste	Domestic putrescible and hard waste		Yes	\$ 48.00	\$ 50.00	\$ 2.00	per cubic metre	No
Waste	Domestic putrescible and hard waste	minimum charge	Yes	\$ 8.00	\$ 8.50	\$ 0.50	per large bag	No
Waste	Concrete and bricks		Yes	\$ 40.50	\$ 42.00	\$ 1.50	per cubic metre	No
Waste	Cement sheeting, plaster board		Yes	\$ 57.00	\$ 59.00	\$ 2.00	per cubic metre	No
Waste	Green waste		Yes	\$ 18.50	\$ 19.50	\$ 1.00	per cubic metre	No
Waste	Raw organic timber		Yes	\$ 18.50	\$ 19.50	\$ 1.00	per cubic metre	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Waste	Processed/treated timber		Yes	\$ 48.00	\$ 50.00	\$ 2.00	per cubic metre	No
Waste	Whitegoods (all)		Yes	\$ 11.50	\$ 12.00	\$ 0.50	each	No
Waste	Steel		Yes	\$ 12.00	\$ 12.50	\$ 0.50	per cubic metre	No
Waste	Oil		Yes	free	free		per litre	No
Waste	Plastic and metal oil containers			\$ 0.80	\$ 1.00	\$ 0.20	per item	No
Waste	Car bodies		Yes	\$ 26.00	\$ 27.00	\$ 1.00	per item	No
Waste	Aluminium, cardboard, steel cans, plastic bottles and containers		Yes	\$ 15.50	\$ 16.50	\$ 1.00	per cubic metre	No
Waste	Paint cans 10 litres and over of any size containing paint		Yes	\$ 5.00	\$ 5.50	\$ 0.20	per litre	No
Waste	Car batteries		Yes	free	free		each	No
Waste	LPG cylinders		Yes	\$ 6.00	\$ 6.50	\$ 0.50	each	No
Waste	Tyres small/4WD		Yes	\$ 11.00	\$ 11.50	\$ 0.50	each	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Waste	Tyres large - truck		Yes	\$ 16.00	\$ 17.00	\$ 1.00	each	No
Waste	Tyres large - tractor or truck		Yes	\$ 95.00	\$ 98.50	\$ 3.35	each	No
Waste	E-waste - Small appliances		Yes	free	free		each	No
Waste	E-waste - Medium appliances		Yes	free	free		each	No
Waste	E-waste - Large appliances		Yes	free	free		each	No
Waste	E-waste scheme exempt items		Yes	free	free		each	No
Waste	Asbestos - Porepunkah only	Minimum charge \$5	Yes	\$ 101.50	\$ 105.50	\$ 4.00	per cubic metre	No
Waste	Green organic mulch sales		Yes	free	free		per cubic metre	No
Waste	Crushed concrete sales		Yes	\$ 39.50	\$ 41.00	\$ 1.50	per cubic metre	No
Waste	Mattress - any size except cot		Yes	\$ 29.50	\$ 31.00	\$ 1.50	each	No
Waste	Mattress - cot		Yes	\$ 10.50	\$ 11.00	\$ 0.50	each	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Waste	Single seater couch		Yes	\$ 21.50	\$ 22.50	\$ 1.00	each	No
Waste	Two seater, sofa or larger couch		Yes	\$ 30.50	\$ 32.00	\$ 1.50	each	No
Waste	Skis or snowboards		Yes	\$ 6.50	\$ 7.00	\$ 0.50	per pair or board	No
Waste	Silage wrap		Yes	\$ 3.50	\$ 4.00	\$ 0.50	per cubic metre	No
Waste	Drum master		Yes	free	free			No
Statutory Planning & Amenity - Building								
Building	Lodgement Fee			as per legislation	as per legislation			
Building	Commercial works \$15,000 - \$39,999	+ lodgement fee	Yes	competitive quote	competitive quote		minimum fee	No
Building	Commercial works \$40,000 or over	+ lodgement fee	Yes	competitive quote	competitive quote		minimum fee	No
Building	Carport, garage, verandahs, patios, pergolas and other small extensions - up to 4 inspections \$16,001 or greater alterations / additions to a Class 1 or 10		Yes	competitive quote	competitive quote		minimum fee	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Building	Swimming pool / spa registration		No	as per legislation	as per legislation		Per property	Yes
Building	Swimming pool / spa document search fee		No	as per legislation	as per legislation		Per property	Yes
Building	Swimming pool / spa inspection (2 site visit max)		Yes	\$ 415.00	\$ 500.00	\$ 85.00	Minimum fee	No
Building	Certificate of compliance lodgement		Yes	as per legislation	as per legislation			Yes
Building	Certificate of non-compliance lodgement		Yes	as per legislation	as per legislation			Yes
Building	Commercial works <\$15,000	+ lodgement fee	Yes	competitive quote	competitive quote		minimum fee	No
Building	Commercial works \$15,001 - \$40,000	+ lodgement fee	Yes	competitive quote	competitive quote		minimum fee	No
Building	Commercial works >\$40,001	+ lodgement fee	Yes	competitive quote	competitive quote		minimum fee	No
Building	Carport, garage, sheds, veranda and other small extensions		Yes	competitive quote	competitive quote		minimum fee	No
Building	Swimming pool (in-ground)		Yes	competitive quote	competitive quote		minimum fee	No
Building	Swimming pool (above ground)		Yes	competitive quote	competitive quote		minimum fee	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Building	Restumping or demolition		Yes	competitive quote	competitive quote		minimum fee	No
Building	Dwelling extensions and alterations		Yes	competitive quote	competitive quote		minimum fee plus applicable levies	No
Building	New dwelling		Yes	competitive quote	competitive quote		minimum fee plus applicable levies	No
Building	Multi-unit development		Yes	competitive quote	competitive quote		minimum fee	No
Building	Extension of time for building permit		Yes	\$ 268.00	\$ 270.00	\$ 2.00	per extension	No
Building	Temporary Siting approvals x3 Structures		Yes	\$ 447.00	\$ 450.00	\$ 3.00		
Building	Temporary Siting approvals more than 3 Structures		Yes	\$ 570.00	\$ 590.00	\$ 20.00		
Building	POPE attendance up to 1000 persons & 1 prescribed structure		Yes	\$ 1,146.50	\$ 1,300.00	\$ 153.50		No
Building	POPE attendance up to 5000 persons & 5 prescribed structure		Yes	\$ 1,561.00	\$ 1,800.00	\$ 239.01		No
Building	POPE attendance of greater than 5,000 persons and more than 5 prescribed structures		Yes	\$ 1,770.00	\$ 2,000.00	\$ 230.00		No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Building	Minor amendment to building permit		Yes	\$ 137.00	\$ 140.00	\$ 3.01	per amendment	No
Building	Major amendment to building permit		Yes	\$ 274.00	\$ 300.00	\$ 26.00	per amendment	No
Building	Variation to ResCode (report and consent)		Yes	as per legislation	as per legislation		as per legislation	Yes
Building	Notification of adjoining landowners for siting variation		Yes	as per legislation	as per legislation		per item	
Building	Flooding (Reg 153)		Yes	as per legislation	as per legislation		per item	
Building	Projections beyond street alignment (Part 6)		Yes	as per legislation	as per legislation		per item	
Building	Protection of the public (Reg 116)		Yes	as per legislation	as per legislation		per item	
Building	Additional inspection or re-inspection		Yes	\$ 241.00	\$ 250.00	\$ 9.00	per inspection	No
Building	Additional inspection or re-inspection (remote area)		Yes	\$ 328.00	\$ 350.00	\$ 22.00	per inspection	No
Building	Copy of building permit, endorsed plans or occupancy permit		Yes	\$ 35.00	as per legislation		as per legislation	Yes
Building	Legal point of discharge information		No	as per legislation	as per legislation		as per legislation	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Building	Build over easement		No	as per legislation	as per legislation		as per legislation	Yes
Building	Building information certificate		No	as per legislation	as per legislation		as per legislation	Yes
Building	Essential service inspection and report	minimum amount	Yes	\$ 450.00	\$ 500.00	\$ 50.00	per inspection	No
Building	Non-mandatory inspection		Yes	\$ 240.00	\$ 300.00	\$ 60.00	per inspection	No
Building	Council Comments (to vary a regulation, where report and consent not an option)		Yes	\$ 440.00	\$ 450.00	\$ 10.00	as per regulations	No
Building	BAL Assessment – desktop assessment:		Yes	\$ 650.00	\$ 650.00	\$ -	minimum fee	No
Building	BAL Assessment – on site assessment:		Yes	\$ 1,300.00	\$ 1,300.00	\$ -	minimum fee	No
Building	BAL Assessment – remote on site assessment:		Yes	\$ 1,650.00	\$ 1,650.00	\$ -	minimum fee	No
Building	Performance solutions - amenity matter		Yes	\$ 350.00	\$ 350.00	\$ -	per item	No
Building	Performance solutions - access matter (per item)		Yes	\$ 500.00	\$ 500.00	\$ -	per item	No
Building	Performance solutions - fire safety matter (per item)		Yes	\$ 650.00	\$ 650.00	\$ -	per item	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Building	Partial compliance Exemption - amenity matter (per item)		Yes	\$ 280.00	\$ 300.00	\$ 20.00	per item	No
Building	Partial compliance Exemption - access matter (per item)		Yes	\$ 430.00	\$ 450.00	\$ 20.00	per item	No
Building	Partial compliance Exemption - fire safety matter (per item)		Yes	\$ 550.00	\$ 550.00	\$ -	per item	No
Building	Occupancy Permit/Final Certificate not assoc. with Building Permit Class 1 & 10		Yes	\$ 561.00	\$ 575.00	\$ 14.00	per document	No
Building	Occupancy Permit/Final Certificate not assoc. with Building Permit class 1b		Yes	\$ 1,010.00	\$ 1,100.00	\$ 90.00	per document	No
Building	Occupancy Permit/Final Certificate not assoc. with Building Permit Class 2-9		Yes	\$ 1,224.00	\$ 1,300.00	\$ 76.00	per document	No
Statutory Planning & Amenity - Development								
Development	Application for permit to work in a road reserve		No	as per legislation	as per legislation		as per legislation	Yes
Statutory Planning & Amenity - Health								
Health	Class 1 food premises		No	\$ 557.00	\$ 650.00	\$ 93.00	per annum	No
Health	Class 1 food premises - Charity and Community Groups		No	\$ 278.00	\$ 300.00	\$ 22.00	per annum	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Health	Class 2 food premises		No	\$ 484.00	\$ 550.00	\$ 66.00	per annum (pro rata)	No
Health	Class 2 food premises - Charity and Community Groups		No	\$ 242.00	\$ 275.00	\$ 33.00	per annum (pro rata)	No
Health	Class 3 food premises		No	\$ 276.00	\$ 325.00	\$ 49.00	per annum (pro rata)	No
Health	Class 3 food premises - Charity and Community Groups		No	\$ 138.00	\$ 225.00	\$ 87.00	per annum (pro rata)	No
Health	Class 4 food premises		No	-	-		per annum	No
Health	Class 2 temporary food premises & mobile food vendors (Stretrader)		No	\$ 216.00	\$ 275.00	\$ 59.00	per annum	No
Health	Class 2 temporary food premises & mobile food vendors, charitable and community groups (Stretrader)		No	\$ 56.00	\$ 100.00	\$ 44.00	per annum	No
Health	Class 3 temporary food premises & mobile food vendors (Stretrader)		No	\$ 129.00	\$ 200.00	\$ 71.00	per annum	No
Health	Class 3 temporary food premises & mobile food vendors, charitable and community groups (Stretrader)		No	\$ 31.50	\$ 75.00	\$ 43.50	per annum	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Health	New premises fee		No	50% of annual registration fee plus applicable registration fee	50% of annual registration fee plus applicable registration fee		pro rata	
Health	Inspection and report fee		No	\$ 159.00	\$ 250.00	\$ 91.01	per registration	No
Health	Major non-compliance inspection fee		No	\$ 186.00	\$ 250.00	\$ 64.00	per inspection	No
Health	Major non-compliance inspection fee (where a notice has been issued)		No	\$ 250.00	\$ 250.00	\$ -	per inspection	No
Health	Hairdresser premise registration		No	\$ 213.00	\$ 225.00	\$ 12.01	per premise	No
Health	Beauty or skin penetration registration		No	\$ 170.00	\$ 215.00	\$ 45.00	per annum	No
Health	Prescribed accommodation premise registration		No	\$ 223.00	\$ 275.00	\$ 52.01	per annum	No
Health	Permit to install wastewater system		No	Per legislation	as per legislation		per application	Yes
Health	Change to an existing wastewater permit		No	Per legislation	as per legislation		per application	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Health	Permit to alter wastewater system		No	Per legislation	as per legislation		per application	Yes
Health	Health search		No	\$ 41.50	\$ 55.00	\$ 13.50	per hour or part thereof	No
Health	Caravan park registration		No	as per legislation	as per legislation		as per legislation	Yes
Health	Caravan park rigid annex approval fee		No	\$ 166.00	\$ 170.00	\$ 4.00	per approval	No
Health	Transfer registration fee		No	50% of applicable annual registration fee	50% of applicable annual registration fee		of applicable annual registration fee	No
Health	Registration late penalty fee		No	30% addition to annual registration fee	30% addition to annual registration fee		of original registration fee	No
Statutory Planning & Amenity - Local Laws								
Local Laws	Dog registration	Full	No	\$ 93.50	\$ 95.00	\$ 1.50	per animal	Partially
Local Laws	Dog registration	Pensioner	No	\$ 46.50	\$ 48.00	\$ 1.50	per animal	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Local Laws	Dog registration	Reduced (Desexed/working dog)	No	\$ 31.00	\$ 33.00	\$ 2.00	per animal	Yes
Local Laws	Dog Registration	Reduced Pensioner	No	\$ 15.00	\$ 16.00	\$ 1.01	Per animal	Yes
Local Laws	Dog Registration	Declared Dog	No	\$ 93.50	\$ 95.00	\$ 1.50	Per animal	Yes
Local Laws	Cat registration	Full	No	\$ 93.50	\$ 95.00	\$ 1.50	per animal	Yes
Local Laws	Cat registration	Pensioner	No	\$ 46.50	\$ 48.00	\$ 1.50	per animal	Yes
Local Laws	Cat registration	Reduced	No	\$ 31.00	\$ 33.00	\$ 2.00	per animal	Yes
Local Laws	Cat registration	Reduced Pensioner	No	\$ 15.00	\$ 16.00	\$ 1.00	Per animal	Yes
Local Laws	Domestic Animal Act infringements (e.g. Failure to Register Dog or Cat)		No	as per legislation	as per legislation		as per legislation	Yes
Local Laws	Animal registration tag replacement		Yes	\$ 6.00	\$ 6.50	\$ 0.50	per tag	No
Local Laws	Pound release fee – animals	Registered	No	\$ 85.00	\$ 85.00	\$ -	per animal	Partially
Local Laws	Pound release fee – animals	Unregistered	No	\$ 170.00	\$ 180.00	\$ 10.00	per animal	Partially

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Local Laws	Impounded item release fee – all other items		Yes	\$ 62.50	\$ 62.50	\$ -	Per movement	No
Local Laws	Animal sustenance fee		Yes	\$ 15.50	\$ 17.00	\$ 1.50	per animal per day	No
Local Laws	Livestock impound fee – small stock		Yes	\$ 23.00	\$ 50.00	\$ 27.00	Per animal	No
Local Laws	Livestock impound fee – large stock		Yes	\$ 104.00	\$ 100.00	-\$ 4.00	Per animal	No
Local Laws	Sustenance fee – small stock		Yes	\$ 11.00	\$ 17.00	\$ 6.00	Per animal per day	No
Local Laws	Sustenance fee – large stock		Yes	\$ 21.00	\$ 30.00	\$ 9.00	Per animal per day	No
Local Laws	Veterinary fees		Yes	Reasonable costs	Full cost recovery plus 10% admin fee		Per animal	No
Local Laws	Cat trap hire deposit		No	nil	free		per hire	No
Local Laws	Cat trap hire fee		Yes	nil	free		per hire	No
Local Laws	Domestic animal business fee		No	\$ 135.00	\$ 135.00	\$ -	per year	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Local Laws	Dinner Plain snowmobile permit		No	\$ 73.50	\$ 75.00	\$ 1.50	per snowmobile	No
Local Laws	Parking infringement	Category 1 (e.g. Time Limit)	No	0.5 Penalty Unit	0.5 Penalty Unit		As per legislation	Partially
Local Laws	Parking infringement	Category 2 (e.g. Bus Zone)	No	0.6 Penalty Unit	0.6 Penalty Unit		as per legislation	Yes
Local Laws	Parking infringement	Category 3 (e.g. No Stopping Area)	No	1.0 Penalty Unit	1.0 Penalty Unit		as per legislation	Yes
Local Laws	Vehicle impound fee		No	\$ 116.00	\$ 120.00	\$ 4.00	per vehicle	No
Local Laws	Vehicle storage fee		Yes	\$ 16.00	\$ 20.00	\$ 4.00	per vehicle per day	No
Local Laws	Vehicle & livestock transport fee		Yes	Reasonable costs	Full cost recovery plus 10% admin fee		Per movement	No
Statutory Planning & Amenity - Memorials								
Memorials	Memorial plaque fee		Yes	\$ 61.00	\$ 65.00	\$ 4.00	per annum	No
Statutory Planning & Amenity - Planning								

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Public notification	Notice to neighbours	Yes	\$ 69.00	\$ 75.00	\$ 6.00	per general notification	No
Planning	Public notification	Additional notices	Yes	\$ 9.00	\$ 10.00	\$ 1.00	per notice	No
Planning	Public notification	Notice on land	Yes	\$ 87.00	\$ 150.00	\$ 63.00	up to two signs	No
Planning	Public notification	Additional notices on land	Yes	\$ 15.00	\$ 15.00	\$ -	each additional sign	No
Planning	Public notification	Notice in papers	Yes	\$ 213.00	Cost plus 10% administration fee		per notice	No
Planning	Planning advice in writing		Yes	\$ 128.00	\$ 250.00	\$ 122.00	per advice	No
Planning	Sect 173 agreements		Yes	\$ 425.00	\$ 425.00		per agreement	No
Planning	Copy of Certificate of title and instruments		Yes	\$ 64.00	\$65 plus cost of title & instrument (Land Registry)		per certificate	No
Planning	Copy of planning permit or endorsed plans		Yes	\$ -	\$ 150.00	\$ 150.00	per application	No
Planning	Secondary Consent			\$ 190.00	\$ 240.00	\$ 50.00	per application	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Development Plans - Assessment or amendment				\$ 340.00	\$ 340.00	per application	No
Planning	Demolition of Building s29A Consent - Consideration of request				\$ 65.00	\$ 65.00	per application	No
Planning	Timber Harvesting Plans - Assessment and inspection				\$ 110.00	\$ 110.00	per application	No
Planning	Planning panel - proponent request amendment		Yes	cost of panel	cost of panel			Yes
Planning	Request for Extension of Time	First Request (Development less than \$1M, Subdivisions of 2-20 lots & Change of Use)	No	\$ 128.00	\$ 260.00	\$ 132.00	per application	No
Planning	Request for Extension of Time	Second Request (Development less than \$1M, Subdivisions of 2-20 lots & Change of Use)	No	\$ -	\$ 410.00	\$ 410.00	per application	No
Planning	Request for Extension of Time	Third and Subsequent Requests (Development less than \$1M, Subdivisions of 2-20 lots & Change of Use)	No	\$ -	\$ 620.00	\$ 620.00	per application	No

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Request for Extension of Time	First Request (Development \$1M+ & Subdivisions of 21+ lots)	No	\$ -	\$ 510.00	\$ 510.00	per application	No
Planning	Request for Extension of Time	Second Request (Development \$1M+ & Subdivisions of 21+ lots)	No	\$ -	\$ 980.00	\$ 980.00	per application	No
Planning	Request for Extension of Time	Third and Subsequent Requests (Development \$1M+ Subdivisions of 21+ lots)	No	\$ -	\$ 1,450.00	\$ 1,450.00	per application	No
Planning	Regulation 6 Planning and Environment (Fees) Regulations 2016 - Amendments to planning schemes under the Planning and Environment Act 1987							
Planning	Stage 1 of Amendment - consideration of: - request to amend - submissions that don't seek a change to the amendment - if applicable, abandonment of amendment	Stage 1	No	as per legislation	as per legislation		206 fee units	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Stage 2 of Amendment - consideration of submissions seeking a change to the amendment - referral of amendment to a panel where necessary - consideration of panel report - if applicable, abandonment of amendment	Stage 2	No	as per legislation	as per legislation		1021 to 2727 fee units	Yes
Planning	Stage 3 of Amendment - adoption of the amendment - submission of amendment to the Minister (s31) - giving notice of approval of amendment	Stage 3	No	as per legislation	as per legislation		32.5 fee units	Yes
Planning	Stage 4 of Amendment - consideration of request to approve amendment by Minister - giving notice of approval of amendment	Stage 4	No	as per legislation	as per legislation		32.5 fee units	Yes
Planning	Regulation 7 Planning and Environment (Fees) Regulations 2016 - Amendment to planning scheme exempted from certain requirements							
Planning	Request for Minister to prepare amendment to planning scheme exempted from certain requirements		No	as per legislation	as per legislation		270 fee units	Yes
Planning	Regulation 8 Planning and Environment (Fees) Regulations 2016 - Amendment to planning scheme under section 20A of the Planning and Environment Act 1987							

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Request for Minister to prepare amendment to planning scheme of a Class prescribed		No	as per legislation	as per legislation		65 fee units	Yes
Planning	Regulation 9 Planning and Environment (Fees) Regulations 2016 - Applications for permits under section 47 of the Planning and Environment Act 1987							
Planning	Class 1 – Use of land only		No	as per legislation	as per legislation		89 fee units	Yes
Planning	To develop land for a single dwelling per lot, or to use and develop land for a single dwelling per lot, or to undertake development ancillary to the use of land for a single dwelling per lot:							
Planning	Class 2 - Single dwelling per lot - \$10,000 or less		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Class 3 - Single dwelling per lot - \$10,001 to \$100,000		No	as per legislation	as per legislation		42.5 fee units	Yes
Planning	Class 4 - Single dwelling per lot - \$100,001 to \$500,000		No	as per legislation	as per legislation		87 fee units	Yes
Planning	Class 5 - Single dwelling per lot - \$500,001 to \$1,000,000		No	as per legislation	as per legislation		94 fee units	Yes
Planning	Class 6 - Single dwelling per lot - \$1,000,001 to \$2,000,000		No	as per legislation	as per legislation		101 fee units	Yes
Planning	VicSmart applications							
Planning	Class 7 - VicSmart - \$10,000 or less		No	as per legislation	as per legislation		13.5 fee units	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Class 8 - VicSmart - more than \$10,000		No	as per legislation	as per legislation		29 fee units	Yes
Planning	Class 9 - VicSmart - subdivision or consolidation of land		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Class 10 - VicSmart - other than Classes 7, 8 or 9		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Other development							
Planning	Class 11 - \$100,000 or less		No	as per legislation	as per legislation		77.5 fee units	Yes
Planning	Class 12 - \$100,001 to \$1,000,000		No	as per legislation	as per legislation		104.5 fee units	Yes
Planning	Class 13 - \$1,000,001 to \$5,000,000		No	as per legislation	as per legislation		203.5 fee units	Yes
Planning	Class 14 - \$5,000,001 to \$15,000,000		No	as per legislation	as per legislation		587.5 fee units	Yes
Planning	Class 15- \$15,000,001 to \$50,000,000		No	as per legislation	as per legislation		1732.5 fee units	Yes
Planning	Class 16 - more than \$50,000,001		No	as per legislation	as per legislation		3894 fee units	Yes
Planning	Subdivision, relignment of boundaries, consolidation, or creation, variation or removal of restrictions, easements and right of ways							

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Class 17 - Subdivision - existing building - other than Class 9		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 18 - Subdivision - two lots - other than Classes 9 or 17		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 19 - Relignment of a common boundary between lots or consolidation of two or more lots - other than Class 9		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 20 - Subdivision - other than Classes 9, 17, 18 or 19		No	as per legislation	as per legislation		89 fee units per 100 lots	Yes
Planning	Class 21 - - Create, vary or remove a restriction (within the meaning of the <i>Subdivision Act 1988</i>), or - Create or remove a right of way, or - Create, vary or remove and easement other than a right of way, or - vary or remove a condition in the nature of an easement (other than a right of way) in a Crown grant		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Other							
Planning	Class 22 - A permit not otherwise provided for in Classes 1 to 21		No	as per legislation	as per legislation		89 fee units	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Regulation 10 <i>Planning and Environment (Fees) Regulations 2016 - Composite fee for combined a application for permit under section 47 of the <i>Planning and Environment Act 1987</i></i>							
Planning	Combined application for more than one Class of permit under Regulation 9.		No	as per legislation	as per legislation		Sum of the highest fee applicable plus 50% of each of the other applicable fees under Reg.9	Yes
Planning	Regulation 11 <i>Planning and Environment (Fees) Regulations 2016 - Applications to amend permits under section 72 of the <i>Planning and Environment Act 1987</i></i>							
Planning	Class 1 – Change use of land allowed by permit or allow new use		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 2 - Amendment to a permit (other than in relation to single dwellings per lot) to change: - statement of what the permit allows - any or all of the permit conditions		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 3 - Amendment to Class 2, 3, 4, 5 or 6 permit - \$10,000 or less		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Class 4 - Amendment to Class 2, 3, 4, 5 or 6 permit - \$10,001 to \$100,000		No	as per legislation	as per legislation		42.5 fee units	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Class 5 - Amendment to Class 2, 3, 4, 5 or 6 permit - \$100,001 to \$500,000		No	as per legislation	as per legislation		87 fee units	Yes
Planning	Class 6 - Amendment to Class 2, 3, 4, 5 or 6 permit - more than \$500,000		No	as per legislation	as per legislation		94 fee units	Yes
Planning	Class 7 - Amendment to a VicSmart permit - \$10,000 or less		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Class 8 - Amendment to a VicSmart permit - more than \$10,000		No	as per legislation	as per legislation		29 fee units	Yes
Planning	Class 9 - Amendment to Class 9 permit		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Class 10 - Amendment to Class 10 permit		No	as per legislation	as per legislation		13.5 fee units	Yes
Planning	Class 11 - Amendment to Class 11, 12, 13, 14, 15 or 16 permit - \$100,000 or less		No	as per legislation	as per legislation		77.5 fee units	Yes
Planning	Class 12 - Amendment to Class 11, 12, 13, 14, 15 or 16 permit - \$100,001 to \$1,000,000		No	as per legislation	as per legislation		104.5 fee units	Yes
Planning	Class 13 - Amendment to Class 11, 12, 13, 14, 15 or 16 permit - more than \$1,000,000		No	as per legislation	as per legislation		230.5 fee units	Yes
Planning	Class 14 - Amendment to Class 17 permit		No	as per legislation	as per legislation		89 fee units	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Class 15 - Amendment to Class 18 permit		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 16 - Amendment to Class 19 permit		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 17 - Amendment to Class 20 permit		No	as per legislation	as per legislation		89 fee units per every additional 100 lots	Yes
Planning	Class 18 - Amendment to Class 21 permit		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Class 19 - Amendment to Class 22 permit		No	as per legislation	as per legislation		89 fee units	Yes
Planning	Regulation 12 <i>Planning and Environment (Fees) Regulations 2016</i> - Request to amend applications under section 57A of the <i>Planning and Environment Act 1987</i>							
Planning	Amend an application for a permit (all Classes) after s52 notice of the application has been given - no change to Class of permit		No	as per legislation	as per legislation		40% of the applicable fee under Reg.9	Yes
Planning	Amend an application for a permit (all Classes) after s52 notice of the application has been given - change to Class of permit with a higher application fee		No	as per legislation	as per legislation		40% of the applicable fee under Reg.9 for the original Class of permit plus difference between	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
							original fee and fee for new Class of permit	
Planning	Amend an application to amend a permit (all Classes) after s52 notice of the application has been given - no change to Class of permit		No	as per legislation	as per legislation		40% of the applicable fee under Reg.11	Yes
Planning	Amend an application to amend a permit (all Classes) after s52 notice of the application has been given - change to Class of permit with a higher application fee		No	as per legislation	as per legislation		40% of the applicable fee under Reg.11 for the original Class of permit plus difference between original fee and fee for new Class of permit	Yes
Planning	Regulation 13 Planning and Environment (Fees) Regulations 2016 - Request to amend applications under section 57A of the Planning and Environment Act 1987							
Planning	Application for any combination of matters in one or more Classes of application under Regulation 11.		No	as per legislation	as per legislation		Sum of the highest fee applicable plus 50% of each of the other	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
							applicable fees under Reg.11	
Planning	Regulation 14 Planning and Environment (Fees) Regulations 2016 - Combined permit and amendment process							
Planning	Application for permit when amendment to planning scheme requested - one Class of permit only		No	as per legislation	as per legislation		50% of the applicable fee under Reg.9	Yes
Planning	Application for permit when amendment to planning scheme requested - more than one Class of permit		No	as per legislation	as per legislation		50% of the highest applicable fee under Reg.9	Yes
Planning	Regulation 15 Planning and Environment (Fees) Regulations 2016 - Certificate of Compliance							
Planning	Certificate of compliance		No	as per legislation	as per legislation		22 fee units	Yes
Planning	Regulation 16 Planning and Environment (Fees) Regulations 2016 - Applications to amend or end an agreement under section 173 of the Planning and Environment Act 1987							
Planning	Amend or end an agreement		No	as per legislation	as per legislation		44.5 fee units	Yes
Planning	Regulation 17 Planning and Environment (Fees) Regulations 2016 - Planning Certificate							
Planning	Planning Certificate - non-electronically lodged application		No	as per legislation	as per legislation		1.5 fee units	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Planning	Planning Certificate - electronically lodged application		No	as per legislation	\$ 7.39		7.39	Yes
Planning	Regulation 18 Planning and Environment (Fees) Regulations 2016 - Determination matters to the satisfaction of a person or body							
Planning	Determination that matter specified by a planning scheme has been done satisfactorily		No	as per legislation	as per legislation		22 fee units	Yes
Roadside Trading	Commercial participant – events		No	\$ 68.50	\$ 70.00	\$ 1.50	per event	No
Roadside Trading	Business premises – footpath trading		No	\$ 159.00	\$ 165.00	\$ 6.01	per annum	No
Roadside Trading	Approved site location – annual		No	\$ 245.00	\$ 250.00	\$ 5.00	Per annum	No
Roadside Trading	Horse drawn vehicle / motorcycle tour operator		No	\$ 159.00	\$ 160.00	\$ 1.01	per year	No
Roadside Trading	Advertising sign		No	\$ 74.50	\$ 80.00	\$ 5.50	per sign	No
Roadside Trading	Busking (adult)	Commercial	No	\$ 33.00	\$ 33.00	\$ -	per year	No
Streets & Roads	Outdoor eating facility – footpath dining		No	\$ 159.00	\$ 165.00	\$ 6.00	per annum	No
Subdivision	Certification of a plan of subdivision	Fixed	No	as per legislation	as per legislation		per subdivision	Yes

Business Area	Fee name	Fee - sub group	GST	Adopted 2022/23 Fee	Proposed 2023/24 Fees	\$ Change	Unit of measure	Regulated?
Subdivision	Supervision of works		No	as per legislation	as per legislation		as per legislation	Yes
Subdivision	Checking engineering plans		No	as per legislation	as per legislation		as per legislation	Yes
Subdivision	Public open space contributions		No	<= 5.0%	<= 5.0%		subdivision value	Yes



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

- Meeting Title:** Briefing Session
Date: Tuesday 28 March 2023
Location: Briefing Session – Myrtleford Senior Citizens Centre
Start Time: 1.30pm
Finish Time: 3.55pm
Chairperson: Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Alan Rees	Director Assets
Cr Katarina Hughes	Councillor	Helen Havercroft	Director Corporate Performance
Cr Ron Janas	Councillor		
Cr Sarah Nicholas	Councillor		
Cr Simon Kelley	Councillor		
Cr Kelli Prime	Councillor		

Councillor and staff apologies:

Name	Position

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

3. Items

Item
CEO and Councillors Only
Procurement Policy
FOGO
Planning Scheme Review
Sports and Recreation Masterplan
Agenda Review
Meeting Closed
Citizenship Ceremonies



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's Governance Rules, the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Planning Objectors Forum for Planning Application P.2021.007
42 White Star Road, Wandiligong

Date: Wednesday 29 March 2023

Location: Bright Council Office and Online – Teams

Start Time: 2.00pm

Finish Time: 3.00pm

Chairperson: Elke Cummins

Councillor and staff attendees:

Name	Position	Name	Position
Cr Forsyth	Councillor	Cr Prime	Councillor
Elke Cummins	Planning Coordinator		

Councillor and staff apologies:

Name	Position	Name	Position
Helen Havercroft	Director Customer and Community		

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's Governance Rules, and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items discussed

A list of items discussed at the meeting must be included here.

Item
Planning Objectors Forum, to discuss submissions received on a planning application for Use and Buildings and works for Group Accommodation use and development of a camping and caravan park (one tiny house)



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's Governance Rules, the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Planning Objectors Forum for Planning Application P.2022.57
90 Delany Avenue, Bright

Date: Wednesday 29 March 2023

Location: Bright Council Office and Online – Teams

Start Time: 10.00am

Finish Time: 11:00am

Chairperson: Elke Cummins

Councillor and staff attendees:

Name	Position	Name	Position
Cr Forsyth	Councillor		
Elke Cummins	Planning Coordinator		

Councillor and staff apologies:

Name	Position	Name	Position
Helen Havercroft	Director Customer and Community		

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's Governance Rules, and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items Discussed

A list of items discussed at the meeting must be included here.

Item
Planning Objectors Forum, to discuss submissions received on a planning application for Building and Works for the Construction of Three (3) Dwellings, Alteration of access to a road in transport road zone 2 and the removal of native vegetation



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's Governance Rules, the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Planning Objectors Forum for Planning Application P.2022.87

5061 Great Alpine Road, Ovens

Date: Wednesday 29 March 2023

Location: Bright Council Office and Online – Teams

Start Time: 11.30am

Finish Time: 12.30pm

Chairperson: Elke Cummins

Councillor and staff attendees:

Name	Position	Name	Position
Cr Forsyth	Councillor		
Elke Cummins	Planning Coordinator		

Councillor and staff apologies:

Name	Position	Name	Position
Helen Havercroft	Director Customer and Community		

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's Governance Rules, and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items discussed

A list of items discussed at the meeting must be included here.

Item
Planning Objectors Forum, to discuss submissions received on a planning application for Subdivision – Boundary Alignment – Spear Ref: S195945V



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

- Meeting Title:** Briefing Session
Date: Tuesday 11 April 2023
Location: Briefing Session – Bright Committee Room
Start Time: 2.00pm
Finish Time: 5.30pm
Chairperson: Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Katarina Hughes	Councillor	Helen Havercroft	Director Corporate Performance
Cr Ron Janas	Councillor	Alan Rees	Director Assets
Cr Kelli Prime	Councillor		

Councillor and staff apologies:

Name	Position
Cr Tony Keeble	Deputy Mayor
Cr Simon Kelley	Councillor
Cr Sarah Nicholas	Councillor

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

Councillors will not be part of the decision making process during the Council Meeting

3. Items

Item
Hydrogen Project – External Presentation
Dinner Plain Update – Special Rate, TV, Bus
Fees and Charges 23/24
Finance Monthly Update
Review Acknowledgement of Country
Alpine Resilience Partnership new Terms of Reference
Porepukah Transfer Station office upgrade



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Briefing Session
Date: Tuesday 18 April 2023
Location: Briefing Session – Bright Committee Room
Start Time: 2.00pm
Finish Time: 5.30pm
Chairperson: Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Katarina Hughes	Councillor	Helen Havercroft	Director Corporate Performance
Cr Ron Janas	Councillor	Alan Rees	Director Assets
Cr Kelli Prime	Councillor		
Cr Tony Keeble	Deputy Mayor		
Cr Simon Kelley	Councillor		
Cr Sarah Nicholas	Councillor		

Councillor and staff apologies:

Name	Position

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

Councillors will not be part of the decision making process during the Council Meeting

3. Items

Item
Outcome of Community Budget Submissions
Draft Budget
Fleet Renewal
Flood / Emergency Funding Support Update
April Ordinary Council Meeting Agenda Review