

M(12) – 13 DECEMBER 2022

# Ordinary Council Meeting

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Agenda

Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Council Chambers, Great Alpine Road, Bright on **13 December 2022** commencing at **5:00pm**.

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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 being streamed live on Council's YouTube channel which is "Alpine Shire Council" and will also be available on the YouTube channel shortly after this meeting.

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

*The Mayor will read the following statement:*

The Alpine Shire Council acknowledges the Taungurung Traditional Owners and their ancestors as the Traditional Owners of the land we are now on. We pay our respect to Elders, past and present.

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(11) – 8 NOVEMBER 2022

#### **RECOMMENDATION**

***That the minutes of Ordinary Council Meeting M(11) held on 8 November 2022 as circulated be confirmed.***

## 4. Apologies

## 5. Obituaries / congratulations

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to questions.

## **6. Declarations by Councillors of conflict of interest**

## **7. Public questions**

Questions from the public 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](http://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 Schedule of Ordinary Council Meetings for 2023

##### **INTRODUCTION**

This report seeks Council's endorsement of the proposed ordinary meeting schedule for the 2023 calendar year.

##### **RECOMMENDATIONS**

###### ***That Council:***

- Endorses the schedule of ordinary meetings to be held in 2023 in accordance with the schedule below:***

<b><i>DATE</i></b>	<b><i>TIME</i></b>	<b><i>LOCATION</i></b>
<b><i>31 January 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>28 February 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>28 March 2023</i></b>	<b><i>5pm</i></b>	<b><i>Myrtleford</i></b>
<b><i>26 April 2023*</i></b>	<b><i>5pm</i></b>	<b><i>Mount Beauty</i></b>
<b><i>30 May 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>27 June 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>25 July 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>29 August 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>26 September 2023</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>
<b><i>31 October 2023</i></b>	<b><i>5pm</i></b>	<b><i>Mount Beauty</i></b>
<b><i>21 November 2023</i></b>	<b><i>5pm</i></b>	<b><i>Myrtleford</i></b>
<b><i>19 December 2023*</i></b>	<b><i>5pm</i></b>	<b><i>Bright</i></b>

- Notes that the April 2023 ordinary meeting will be held on the fourth Wednesday due to Anzac Day Public Holiday and the December 2023 ordinary meeting be held on the third Tuesday of the month;***
- Publishes the notice of Council's 2023 ordinary meeting schedule on its website;***
- Notes that notice of any changes required to the 2023 ordinary meeting schedule be given at least six days prior to the revised date; and***
- Notes that meetings held outside of the Council Chamber in Bright cannot be livestreamed and that the recording will be made available on the website the day after the meeting.***

## **BACKGROUND**

In accordance with Council's Governance Rules Chapter 3 section C1, Council must set the date, time, and locations of Ordinary Council meetings.

## **ISSUES**

### ***Change of scheduling for Ordinary Council Meetings***

Council's regular ordinary meeting cycle has previously been the first Tuesday of the month with no meeting held in January. Council is proposing to change the cycle from the first Tuesday to the last Tuesday of each month and to introduce an ordinary meeting in January. The primary reason for this proposed change is to better align the timing for Council Meetings with administrative deadlines, many of which fall at the end of the month, in doing so improving the efficiency of workflow within the organisation.

### ***Timing of the April meeting***

The April ordinary meeting clashes with ANZAC Day Public holiday and it is proposed to hold the meeting a day later on the Wednesday instead.

### ***Timing of December meeting***

The December ordinary meeting will be held on the third Tuesday of the month prior to the office closure for 2023.

### ***Start time to Ordinary Council meetings***

Following the election of the 2020 Councillors, a review of the Ordinary Council Meeting time was undertaken and moved to an earlier commencement time of 5pm. All meetings are recorded and available for community members to watch after the meeting. Meetings held in the Council Chamber in Bright are live streamed and can be watched in real time. Council intends to continue to hold its meetings at 5pm.

### ***Alternative locations***

Council welcomes the return to face to face meetings with the cessation of COVID restrictions and proposes to host two meetings in Mount Beauty and two meetings in Myrtleford during 2023. The locations will be specified in the advertisements and will be published on our website and on Council's Facebook page

### ***Special meetings of Council***

A Special Council meeting, outside the Schedule set in Rule C1, may be called in the following manner:

- By resolution of the Council; or
- By written notice from the Mayor; or
- By written notice from at least three Councillors; or
- By the Chief Executive Officer immediately following a general election to allow:

- i. Councillors to take their oath or affirmation of office, or
- ii. An election of Mayor or Deputy Mayor.

When calling for a special meeting of Council, the date and time of the meeting and the business to be transacted at the meeting must be specified. On this basis a schedule for special meetings of Council cannot be prepared.

### **POLICY IMPLICATIONS**

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

- 5.2 A responsible, transparent and responsive organisation

### **CONCLUSION**

That the schedule of proposed meeting dates and times for 2023 be adopted by Council.

### **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
- Executive Assistant to CEO

### **ATTACHMENT(S)**

Nil



## 8.2 DIRECTOR ASSETS – ALAN REES

### 8.2.1 Key Worker Housing Pilot and Affordable Housing Analysis

#### INTRODUCTION

This report relates to the completion of the Key Worker Housing Pilot and Affordable Housing Analysis and Action Plan Projects.

#### **RECOMMENDATIONS**

##### ***That Council:***

- 1. Notes the completion for the Key Worker Housing Pilot project;***
- 2. Notes the completion of the Affordable Housing Analysis and Action Plan project;***
- 3. In collaboration with other significantly impacted councils, advocates to the Victorian Government for legislation change or a different mechanism to manage the supply of short stay rental accommodation;***
- 4. Through appropriate community engagement, develops a Short Stay Rental Accommodation Local Law; and***
- 5. Develops a business case for five (5) key worker accommodation units to be installed at each of the Council owned caravan parks in Bright, Myrtleford and Tawonga and seeks funding opportunities for the design and construction of the units.***

#### BACKGROUND

Housing affordability and availability has deteriorated over the past five years for a variety of reasons, including:

- A recent acceleration in population growth with the migration of individuals and families from metro cities and large regional centres into rural Victoria throughout the COVID19 pandemic
- Ongoing increase to population growth as a result of individuals and families making decisions for a lifestyle change
- Low housing stock available for purchase or long-term let
- Low or no medium density housing stock
- Increase in the number of properties being turned from long-term let into short-term let accommodation
- Property purchase prices have increased significantly
- Availability of land to develop is scarce; is expensive to purchase; is being banked and cost the to develop is expensive
- Low social housing stock and turnover

The impact that housing affordability and availability has on the community, includes:

- A shortage of housing for key workers. It is estimated that 65% of the working population of the Shire are classified as key workers

- Shortage of housing results in staff shortages across all industry sectors
- Staff shortages result in a reduction to economic output and contribution into the local economy
- Service delivery is deteriorating
- Health and wellbeing effects on community

In 2021, Council secured funding from state government to deliver the following two projects:

- Key Worker Housing Pilot Program, funded through the Living Regions Living Suburb program, administered by the Department of Jobs, Precincts and Regions; and
- Affordable Housing Analysis and Action Plan, funded through the Regional Planning Hubs program, administered by the Department of Environment, Land, Water and Planning.

The purpose of these projects was to investigate and, where possible, deliver immediate assistance to key worker bed shortages and to identify initiatives that could be undertaken to support longer-term key worker housing solutions.

All activities defined within the Project Plans for both projects have been completed.

The following actions have been identified to progress.

### ***Coordination and Facilitation***

- Development of a business case for five key worker accommodation units to be installed at each of the Council owned caravan parks in Bright, Myrtleford and Tawonga.
- Once project cost has been determined, seek funding opportunities for the design, construction and installation of the units.

### ***Advocacy***

- Advocate to The Victorian Government to explore and introduce controls to manage the use of dwellings for short-term accommodation through a permitting system.
- Collaborate with regional partners to establish an affordable housing specific advocacy program.
- Advocate to other councils in the north-east, statutory service agencies and Victorian Government to collaborate and develop a regional settlements and infrastructure plan.

### ***Local Law***

- Develop a Short Stay Rental Accommodation Local Law with the following objectives:
  - To ensure an appropriate standard of management of Short Stay Rental Accommodation to preserve neighbourhood amenity;
  - To minimise the risk of Short Stay Rental Accommodation affecting the peace and quiet enjoyment of neighbours;

- To implement a registration and renewal system for Short Stay Rental Accommodation;
- To ensure that any waste generated at Short Stay Rental Accommodation is appropriately managed to protect the environment that visitors come to enjoy.

## **ISSUES**

Primary responsibility for housing policy lies with federal and state governments. It is unusual for Councils to directly deliver housing or manage housing stock levels.

## **POLICY IMPLICATIONS**

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

- 4.2 Planning and development that reflects the aspirations of the community

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Progressing the recommended actions will require additional resourcing. These actions will be incorporated into the annual budget cycle for 2023/24 financial year.

## **CONSULTATION**

Stakeholders were engaged across both projects, including:

Key Worker Housing Pilot Program - Project Steering Group membership:

- Regional Development Victoria
- Alpine Shire Council

Affordable Housing Analysis and Action Plan - Project Steering Group membership:

- Department of Environment, Land, Water and Planning (Regional Planning Hub)
- Alpine Shire Council

Alpine Housing Alliance membership:

- Regional Development Victoria
- Beyond Housing
- North East Local Learning and Employment Network
- Alpine Health
- Alpine Shire Council

Community consultation occurred through the development of the Affordable Housing Analysis and Action Plan. This included consultation with identified key industry stakeholders, business owners and key workers.

## **CONCLUSION**

The Affordable Housing Analysis paper outlines the key challenges associated with housing affordability and availability. The Affordable Housing Action Plan identifies the opportunities and action that Council can take.

## **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 Economic and Community Development

## **ATTACHMENT(S)**

8.2.1a Affordable Housing Analysis and Research Paper

8.2.1b Affordable Housing Action Plan

## 8.2.2 Bushfire Recovery Grant Funding 2022/23

### INTRODUCTION

This report relates to the allocation of bushfire recovery funding for the 2022/23 financial year under the Community Recovery Committee (CRC) Support Package for Local Government Authorities (LGAs) Program.

### **RECOMMENDATION**

***That Council notes the allocation of \$110,000 (does not attract GST) of the Community Recovery Committee Support Package (LGAs) Program received in the 2022/23 financial year to continue to support community-led recovery initiatives and priority projects or activities to address unmet needs and benefit the broader community.***

### BACKGROUND

The Community Recovery and Resilience Grants Initiative (CRRGI) is a Commonwealth-State funding arrangement launched in 2022 through the Disaster Recovery Funding Arrangements (DRFA), designed to provide financial support to locally led and responsive programs that support recovery of communities in Victoria's bushfire affected regions.

Within the CRRGI, \$110,000 has been allocated to Alpine Shire Council to support the delivery of the Community Recovery Committee Support Package (LGAs) Program to support local recovery after the 2019/20 Victorian Bushfire.

The primary purpose of the funding is for Alpine Shire Council to support the Alpine CRC as it moves to the next phase in recovery.

Specific activities Alpine Shire Council have been funded to deliver include:

- The Alpine CRC potential transition into the Alpine Community Communications Network,
- The Alpine Resilience Committee to adopt and deliver the Community Recovery Plan Framework, and
- Further develop and deliver some of the goals identified in the Community Recovery Plan review of progress in March 2022 as outstanding priorities for future action.

Funding is to be utilised across six key delivery areas outlined in the CRC-LGA Program Guidelines including:

- costs associated with CRC transition,
- community events,
- community leadership,
- CRC operating expenses,
- professional services for delivering recovery priorities, and
- engagement of recovery resources.

The key activities tabled below were developed in collaboration with the Community Recovery Committee, the Alpine Resilience Committee, and Emergency Recovery Victoria to align to the key delivery areas and purpose of the funding. They will help to progress outstanding priorities of the CRC that were identified through the review of the Community Recovery Plan.

#### CRC Support Package (LGAs) Program - Delivery Plan

Key Activity	Activity Description	Grant Funds Allocated
Community events	Events administered by Alpine Shire Council and/or by community groups	\$20,000
Community leadership	Community participation in community leadership programs and/or recognised skills training programs	\$25,000
Operating expenses	Costs associated with administration, communications, and meeting coordination for the CRC	\$5,000
Professional services for delivering recovery priority projects	Professional services that support the progression of priority recovery projects identified by community	\$60,000

### POLICY IMPLICATIONS

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

- 3.4 A community that is prepared for, can respond to, and recover from emergencies

### FINANCIAL AND RESOURCE IMPLICATIONS

The grant agreement for the CRC Support Package (LGAs) program was executed on 4 October 2022 and as such is not budgeted in the 2022/23 financial year.

The grant agreement requires all activities to be completed and funds expended by 30 June 2023.

No additional funding is required from Council to deliver this Program.

### CONSULTATION

The recommended allocation of funding has been established with input from the Chair of both the Alpine Community Recovery Committee and Alpine Resilience Committee, and engagement with Council officers representing different areas of Council's activities.

## **CONCLUSION**

It is recommended that Council note the allocation of funding through the CRC Support Package (LGAs) Program.

## **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 Bushfire Recovery

## **ATTACHMENT(S)**

Nil

## 8.2.3 Telecommunications (Mobile and Internet) Strategy

### INTRODUCTION

This report relates to the Telecommunications (Mobile and Internet) Strategy.

### **RECOMMENDATION**

***That Council notes the Telecommunications (Mobile and Internet) Strategy as a technical document that informs advocacy.***

### BACKGROUND

As we become more digitised, the need for connectivity to advanced digital services increases, particularly when it comes to emergency events like the Black Summer Bushfires 2019-20. With increased reliance on technology, our issues across the Alpine Shire become more evident and include lack of basic coverage across Alpine areas, insufficient infrastructure to accommodate capacity requirements, and facilities that lack basic infrastructure hardening to increase the resilience of facilities to emergency events.

The development of a Telecommunications Strategy is a major initiative under the Alpine Shire Community Vision 2040 and Council Plan 2021-2025.

The Alpine Community Recovery Committee (CRC) also identified 'Adequate communication infrastructure is required to support communication during events and in recovery phase' as a key priority in their Community Recovery Plan (CRP) which was developed in response to the Black Summer Bushfires. In March 2022, the Alpine CRC undertook a review of their recovery plan where communications issues were again highlighted as a goal that requires ongoing priority.

Council is supporting this priority by developing a Telecommunications (Mobile and Internet) Strategy that has been funded through the Commonwealth Government Disaster Recovery Funding Arrangements, and State government funding provided as part of the Victorian Government's response to the Black Summer Bushfires.

The Telecommunications (Mobile and Internet) Strategy provides Council with an:

- understanding of industry structure
- understanding of Council's role and what we can achieve
- audit of existing infrastructure, resiliency, coverage and capacity capabilities across the Alpine Shire
- gap analysis
- understanding of future state of telecommunications and funding opportunities
- recommended actions for Council to improve telecommunications

Due to the nature of the telecommunications industry and Council's limited role in telecommunications, the actions identified in the strategy that would provide significant improvements to telecommunications are primarily focused on advocacy.



The Telecommunications (Mobile and Internet) Strategy is intended as an advocacy document with actions being captured in a broader Council advocacy plan.

## **ISSUES**

Council's capacity to influence change for improvements in telecommunications is relatively low, with power vested in Commonwealth Government. Council's role is primarily focused on advocacy.

## **POLICY IMPLICATIONS**

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2021-25:

- 2.3 Access to technology that meets our evolving needs

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Council received Commonwealth and State bushfire recovery funding to support recovery priorities, including the Telecommunications (Mobile and Internet) Strategy.

No additional Council funds are required to develop the Telecommunications (Mobile and Internet) Strategy.

## **CONSULTATION**

Community engagement and consultation was undertaken to develop the strategy, including:

- community survey, open for three weeks with 146 total responses
- workshops with the Alpine community engagement panel (over two sessions)
- engagement and workshop with the Alpine Community Recovery Committee
- desktop analysis and Mobile Network field testing

## **CONCLUSION**

It is recommended that Council notes the Telecommunications (Mobile and Internet) Strategy.

## **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 Bushfire Recovery

## **ATTACHMENT(S)**

8.2.3 Alpine Shire Telecommunications (Mobile and Internet) Strategy

## 8.2.4 Bright Strategic Traffic Assessment

### **INTRODUCTION**

This report relates the Bright Strategic Traffic Assessment and the creation of the Bright Strategic Road and Movement Safety Action Plan.

### **RECOMMENDATION**

***That Council:***

- 1. Notes the findings and recommendations from the Bright Strategic Traffic Assessment and;***
- 2. Adopts the Bright Strategic Road and Movement Safety Action Plan.***

### **BACKGROUND**

An increase in tourism and residential and commercial growth has increased pressure on the existing road network and parking supply in Bright.

Visitation to the region has increased steadily over the last five years, with the region experiencing 15% year-on-year growth in tourism.

Previous studies involving Bright township traffic and movement have included:

#### ***Bright Car Parking Plan***

In 2018, a study was conducted to develop a car parking plan that identified issues and needs and outlined objectives and a prioritised plan for the effective management of current and future parking demands in Bright township.

#### ***Alpine Shire Cycle Safety Strategy***

In 2019, a project was undertaken to develop an Alpine Shire Cycle Safety Strategy to identify key issues facing road and path users, recommend infrastructure improvements and outline educational approaches to both cyclists and drivers to improve safety outcomes.

#### ***Bright Strategic Traffic Assessment***

In 2022, the Bright Strategic Traffic Assessment was conducted to investigate the effects of traffic and car parking demands on the town with respect to amenity, safety, and operation and to inform further actions, if required.

The study area for the Bright Strategic Traffic Assessment comprised the central portions of Bright township between Station Street in the west and Churchill Avenue in the east.

The survey was conducted during school holidays and included the Australia Day long weekend in January 2022.

### ***Summary of Findings***

Traffic volumes and movement, parking, and intersections are all operating within industry benchmark parameters. Traffic volumes do not exceed capacity and through traffic is dispersed well throughout the township.

Improvements could be made to cycling facilities and connections as well as car parking wayfinding.

Modelling of possible future traffic volumes, incorporating a 2% annual growth rate, suggest that traffic volumes on Gavan Street may exceed the road's capacity in 11 years' time

Future surveying is recommended to be undertaken every 12-18 months to monitor the impacts of expected population growth in the area and the effect this may have on traffic volumes, parking and intersections.

### ***Bright Strategic Road and Movement Action Plan***

The Bright Strategic Road and Movement Safety Action Plan has been created to consolidate all the actions from the Bright Strategic Traffic Assessment as well as all outstanding actions from the Bright Car Parking Plan and Alpine Cycle Safety Strategy into a single action plan for efficiency.

### **ISSUES**

Community perception surrounding traffic issues is different to the results of the technical research. Episodic increases in traffic volumes related to events creates additional complexity

### **POLICY IMPLICATIONS**

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

- 1.1 A community that is active, connected and supported

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The development of the Bright Strategic Traffic Assessment was fully funded by Council.

There are no financial or resource implications associated with the adoption of the Bright Strategic Road and Movement Safety Action Plan.

Actions arising from the Plan will be prioritised and budget submissions made for each project in accordance with their priority in the action plan as part of the annual budget process. Where applicable, funding will be sourced when opportunities are identified.

### **CONSULTATION**

Extensive stakeholder consultation has been undertaken with:

- Country Fire Authority (CFA)

- State Emergency Service (SES)
- HVP Plantations
- Alpine Cycling Club
- Chamber of Commerce
- Ambulance Victoria

Internal consultation was also undertaken with the relevant departments.

Council Officers will continue to liaise with key stakeholders throughout the development and implementation of the Plan.

The Bright Strategic Traffic Assessment Report will be made available online as a technical resource for stakeholders and the community and an education campaign will be undertaken to raise community awareness.

## **CONCLUSION**

Council has consulted extensively with internal and external stakeholders in the creation of the Bright Strategic Traffic Assessment report. The amalgamation of the three key traffic and movement related reports into one prioritised action plan will enable the regular review and progression of all outstanding actions.

It is recommended that Council adopts the Bright Strategic Road and Movement Safety Action Plan.

## **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 Assets
- Project Officer

## **ATTACHMENT(S)**

8.2.4a Bright Strategic Traffic Assessment

8.2.4b Bright Strategic Road and Movement Safety Action Plan 2022.

## 8.2.5 Asset Management System

File Number: CT22086

### **INTRODUCTION**

This report relates to the award of a contract for the supply, implementation and commissioning of an Asset Management System.

### **RECOMMENDATION**

***That Council awards Contract No 220861 for the "Supply, implementation and commissioning of an Asset Management System" to Univerus for the lump sum price of \$191,899 (GST Exclusive).***

### **BACKGROUND**

Council currently uses a suite of excel spreadsheets to record asset condition for each asset class. Management of asset condition data in spreadsheets:

- increases the risk of out of date and duplicated information
- makes reporting inefficient
- gives Council limited visibility for forward planning on assets over the long-term.

An Asset Management System will improve the approach to managing Council's assets, resulting in higher quality decision-making around investment into maintenance and renewal of Council's assets and therefore better use of Council resources.

The Tender was advertised in the Herald Sun on 5 October 2022, as well as on tenders.net and Council's website.

The Tender documents were downloaded by 31 prospective tenderers and ten responses were received by the closing date.

### **EVALUATION**

The evaluation panel consisted of the Acting Manager Asset Maintenance, Asset Management Coordinator, Integrations Officer and Project Officer.

The tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Social
- Environmental

Following the assessment of the tenders, it was determined that the tender from Univerus best met all the requirements of the selection criteria.

## **ISSUES**

None.

## **POLICY IMPLICATIONS**

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

- 2.3 Access to technology that meets our evolving needs

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The total costs of the Asset Management System which includes supply, implementation and ongoing subscription fees for a three year period is \$191,899 (GST Exclusive).

The allocated budget for the Asset Management System in 2022/23 capital works program is \$95,000. Award of this contract commits Council to further expenditure of \$48,450 in 2023/24 and 2024/25 financial years for the ongoing annual subscription fees.

## **CONSULTATION**

Extensive consultation has been undertaken within all levels of the organisation to ensure this system will deliver the best solution for Council's needs, taking into consideration Council's size, budget, and resourcing.

## **CONCLUSION**

Following a comprehensive assessment, the Tender from Univerus is considered to present the best value option for Council.

## **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
- Acting Manager Asset Maintenance
- Asset Management Coordinator
- Integrations Officer
- Project Officer

## **ATTACHMENT(S)**

Nil



## 8.2.6 Mountain View Children's Centre - Lead Design Consultant

File Number: CQ22077

### **INTRODUCTION**

This report relates to the award of Contract No. CQ22077 for the appointment of a lead design consultant to manage the production of construction tender documentation for the proposed redevelopment of the Mountain View Children's Centre in Myrtleford.

### ***RECOMMENDATION***

***That Council awards Contract No. 220771 for "Mountain View Children's Centre - Lead Design Consultant" to Spaces Pty Ltd for the lump sum price of \$178,300 (GST Exclusive).***

### **BACKGROUND**

As part of the Victorian State Government and the Victorian School Building Authority (VSBA) grants and funding programs, Council has received a "planning" grant to progress the redevelopment of the Mountain View Children's Centre in Myrtleford. This funding stream provides grants for planning and pre-construction work on kindergarten building projects that support the roll-out of three-year-old kindergartens across Victoria.

This funding agreement provides \$150,000 towards the appointment of design consultants to develop and document tender documentation for the future expansion of the facility, specifically the funding agreement requires the following deliverables to be achieved:

1. Construction Tender Documentation
2. Structural Engineering
3. Building Services Engineering
4. Quantity Surveyor prepared construction cost plans/estimates

The award of Contract No. CQ22077 responds to the obligations of the funding agreement and to the current needs of the centre. Additionally, meeting these obligations will qualify Council to apply for a VSBA Building Blocks – Capacity Building grant once the planning stage is complete.

The future expansion of the centre is proposed to yield a further 50 - 60 childcare places and take the maximum capacity of the centre from its current 90 places to 150 places.

### **EVALUATION**

The invitation to tender was advertised in the Herald Sun on 21 September 2022, Tenders.net and the Alpine Shire Council website. The tender documents were downloaded by 54 prospective tenderers with seven conforming and one non-conforming tender responses being received.

The key selection criteria listed in the Invitation to Tender were:

- Price
- Qualifications and previous performance
- Delivery
- Social
- Environmental Sustainability

The evaluation panel consisted of the Acting Manager Asset Development and two Project Officers.

Following the initial assessment, one tenderer was shortlisted for further evaluation.

The shortlisted tenderer was then reassessed by a second project officer not directly related to the project and in accordance with the selection criteria. Following the further assessment of the shortlisted offer by the evaluation panel it was determined that the tender response from Spaces Pty Ltd best met the selection criteria.

## **ISSUES**

The process to develop the coordinated user requirements for this project and to conduct the tender process has taken much longer than originally forecasted.

The funding agreement from the VSBA defines that the design and documentation deliverables required, be completed by 31 December 2022. This timeline is currently not achievable as the delivery of the project is forecast to take approximately six months.

Council is in the process of seeking a variation to the funding agreement to extend the completion date to 30 June 2023. The tenderer, Spaces Pty Ltd has confirmed that the works required can be completed within this timeframe.

## **POLICY IMPLICATIONS**

The tender was advertised and evaluated according to council's procurement policy.

The recommendation is 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**

There is sufficient budget allocation to deliver the scope of this contract.

## **CONSULTATION**

Engagement has been carried out with the following stakeholders:

- The State of Victoria - Victorian School Building Authority (VSBA)
- Alpine Children's Services (tenant)

## **CONCLUSION**

Following a comprehensive tender evaluation assessment and reference checks, the tender from Spaces Pty Ltd is considered to represent the best value for the project and Council.

## **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 Asset Development
- Project Officer

## **ATTACHMENT(S)**

Nil

## 8.2.7 Gravel Road Reconstruction and Re-sheeting 2022/23

File Number: CT22056

### **INTRODUCTION**

This report relates to the award of the Gravel Road Reconstruction and Re-sheeting contract.

### **RECOMMENDATION**

***That Council awards Contract No. 220561 for "Gravel Road Reconstruction and Re-sheeting 2022/23" to Roche Excavations Pty Ltd based on the tendered lump sum price and schedule of rates and subject to an agreed maximum cost of \$519,785 (GST Exclusive).***

### **BACKGROUND**

The 2022/23 Gravel Road Reconstruction and Re-sheeting program will be carried out in the Upper Ovens region.

Council undertakes drainage, road formation and gravel re-sheeting works each year on roads identified by the condition inspections program.

The Tender was advertised in the Border Mail on 19 October 2022, as well as tenders.net and Alpine Shire websites.

The tender documents were downloaded by 12 prospective tenderers and four responses were received by the closing date.

### **EVALUATION**

The evaluation panel consisted of the Acting Manager Asset Development and the Project Officer.

The Tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Social
- Environmental

Through this evaluation process it was determined that the tender from Roche Excavations best met the selection criteria.

### **ISSUES**

Continued weather conditions and supply issues may cause some delays.

## **POLICY IMPLICATIONS**

The recommendation is 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 total budget for the Gravel Road Reconstruction and Re-sheeting program is \$560,000.

There is sufficient allocation within the project budget to deliver the works through award of this Contract.

## **CONSULTATION**

Extensive consultation has been undertaken with Council's asset maintenance team to finalise the scope of the contract. The contractor will inform impacted residents and businesses prior to the works commencing as part of the terms and conditions of the contract.

## **CONCLUSION**

Following a comprehensive assessment, the tender from Roche Excavations is considered to present the best value option for Council.

## **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
- Acting Manager Asset Development
- Project Officer

## **ATTACHMENT(S)**

Nil

## 8.2.8 Capital Projects Update

### INTRODUCTION

This report relates to an update on the capital works budget.

### **RECOMMENDATIONS**

***That Council notes that eight (8) capital works projects will be deferred for delivery in a future financial year, as follows:***

- ***Mount Beauty Depot Concept Design***
- ***Tawonga Fisherman's Walk Public Toilet***
- ***Mount Beauty Airport Bowser Design***
- ***Myrtleford Landfill Rehabilitation***
- ***Mount Beauty Landfill Rehabilitation Design***
- ***Nimmo Pedestrian Bridge***
- ***Bright Office Renewal Stage 3 Design***
- ***Tawonga Hall Demolition***

### BACKGROUND

The adopted 2022/23 Budget included capital expenditure totalling \$18.8 million.

The global impacts of COVID on supply chains, supplier capability and capacity and the availability of human resources has impacted our project delivery timelines. A critical assessment of the capital works program was undertaken, and eight capital works projects were identified for deferral, in order for project resources to be concentrated on the successful delivery of the balance of the capital works program.

### ISSUES

These eight projects represent just under \$2m of the large capital works program. Deferring these projects may result in cost increases in future years due to market and price fluctuations.

Council is not aware of any other issues resulting from the deferral of these projects

## **POLICY IMPLICATIONS**

The recommendation is 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 deferral of these eight projects will result in a \$2 million under-delivery against the 2022/23 adopted Budget.

## **CONCLUSION**

Since 1 July 2022, Council has worked hard to resource the adopted 2022/23 capital works program. As Council reports its Quarter 1 performance against the 2022/23 Budget it is appropriate to now recognise that it has not been possible to secure the required resources to deliver the full capital works program and make the necessary adjustments to the anticipated works program.

Eight projects have been impacted and it is recommended that Council notes that these projects are deferred with the resulting reduction to the capital works budget.

## **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

## **ATTACHMENT(S)**

Nil

## 8.2.9 Alpine Better Places Tawonga

### INTRODUCTION

The purpose of this report is to update Council on the Alpine Better Places Tawonga final concept designs.

### **RECOMMENDATIONS**

#### ***That Council:***

- 1. Notes the community engagement undertaken on the project to date;***
- 2. Notes the methodology and results of the survey;***
- 3. Acknowledges the community's feedback for incorporation into the concept design; and***
- 4. Adopts the Alpine Better Places - Tawonga Final Concept Design Plans.***

### BACKGROUND

The Alpine Better Places Tawonga concept design project commenced in March 2020.

The key items in the design brief included:

- Improved streetscape treatment of the Kiewa Valley Highway, including a safer pedestrian connection to Tawonga Pioneer Memorial Park, pedestrian pathways extending along the highway and integrated landscape treatments to give the Tawonga township an improved sense of destination.
- Improvements to Tawonga Pioneer Memorial Park, including upgraded and additional facilities and infrastructure.

The Tawonga Draft Concept Design Plans were developed to focus on the following two key areas identified and prioritised by the community in the phase one consultation:

- a. Create a centralised 'focus' or heart to the township in Pioneer Park; and
- b. Improve the circulation and safety for pedestrians.

Following the inception of the project, the next steps were as follows:

- July 2020 – community consultation session 1
- August 2020 - community consultation session 2
- February 2021 – community consultation session 3
- July 2021 – community consultation session 4
- August 2021 – project paused pending outcome of Scout Hall sale
- January 2022 – Scout Hall acquired by Council
- February 2022 – Scout Hall building assessment undertaken and determined it would not be cost effective to renew the Scout Hall building
- March 2022 - project restarted and four draft concept designs created for the Scout Hall site based on community feedback from prior engagement sessions
- April 2022 - update to community on the purchase of the Scout Hall and land to be included in Alpine Better Places Tawonga. Community consultation session 4
- May 2022 - community consultation session 5



- July 2022 - survey results show a strong preference for a pump track on the Scout Hall site
- July 2022 - alignment with Team Mount Beauty to ensure a pump track at Tawonga would provide for different ability levels and ages compared with the track being constructed in Mount Beauty.
- July 2022 - Further concept designs created, presenting various options for the location of a pump track within the park
- August 2022 - concept designs finalised resulting in a shortened pump track adjacent to the playground with a suitable gradient for beginner levels and younger children
- September 2022 - Council endorses the Draft Alpine Better Places Tawonga Concept Plans for Public Exhibition
- September/October 2022 - Public Exhibition period and survey

### ***Survey Methodology***

The survey was open for six weeks and each resident was allowed one vote, either online or written. There was a total of 132 responses (101 online and 31 written) and the percentage of support for each topic was calculated against the total number of responses to each question.

### ***Communication Program***

During the six-week exhibition period the following communication activities were undertaken to ensure the survey and designs reached as many Tawonga residents as possible:

- Plans and survey made available online
- Hard copies placed in Tawonga General Store
- Website content updated (major project page)
- Four Facebook posts and additional reminders of survey closing date
- Radio and newspaper coverage
- Media release to news outlets and published on ASC News website feed
- Road signage to encourage participation
- VMS board in Pioneer Park

The survey results are as follows:

Topic	Survey Responses (132 total)	Supportive	Non-supportive	Supportive %
Proposed location of the crossing	130	36	94	28%
Proposed location of the pump track	128	122	6	95%

Topic	Survey Responses (132 total)	Supportive	Non-supportive	Supportive %
Proposed use of the Scout Hall as an open space	126	68	58	54%
Proposed number and location of car parks	128	119	9	93%

2021 Census Population = 568

## ISSUES

Feedback indicates that the community is generally in support of the location of the pump track and the number and location of car parks. The community were divided on the use of the Scout Hall land as an open space and most respondents did not want the proposed pedestrian crossing located in front of the Tawonga General Store.

### *Key Issues:*

Item	Feedback	Design Response
Proposed location of crossing	<ul style="list-style-type: none"> <li>• Strong desire to move the pedestrian crossing north of Tawonga Store</li> <li>• Suggestion to move park entrance to the northern end of the park</li> <li>• Suggestion to relook at the need for the crossing</li> </ul>	<ul style="list-style-type: none"> <li>• Moving the proposed crossing and entrance north would:</li> <li>• require significant redesign of the concept plans to consider ramp levels, major services and landscaping due to the increased height of the northern end of the park compared to the roadside</li> <li>• impact the potential future use of the Scout Hall land area for redevelopment</li> <li>• The crossing has been removed from concept designs to be considered during a later stage of development</li> <li>• Investigate other road safety opportunities, such as line marking or speed reduction as a separate exercise if required</li> </ul>

Item	Feedback	Design Response
Proposed location of pump track	<ul style="list-style-type: none"> <li>Additional seating required</li> <li>Shade or shelter desired</li> </ul>	<ul style="list-style-type: none"> <li>One extra bench seat added to concept design</li> <li>Shelter deemed not aesthetically desirable for this area of the park; however, large tree canopies will provide required shelter</li> </ul>
Proposed number and location of car parks	<ul style="list-style-type: none"> <li>Parking plans should be moved from Stage 3 to Stage 1</li> </ul>	<ul style="list-style-type: none"> <li>Parking plans have updated to take place during Stage 1</li> </ul>
Proposed use of the Scout Hall area as an open space	<ul style="list-style-type: none"> <li>Desire to use the space to showcase the history of Tawonga</li> </ul>	<ul style="list-style-type: none"> <li>Retain open area space for potential future development of a historical museum</li> <li>Explore opportunities to present the history of Tawonga through open air displays, interpretive signage, sculpture</li> </ul>

## POLICY IMPLICATIONS

The recommendation is 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

There are no financial implications for adopting the final concept designs. Council will seek funding opportunities to enable the project to move to detailed design.

## CONSULTATION

Extensive community consultation has occurred throughout the development of the final concept plans, involving ratepayers, residents, community organisations, business, and internal stakeholders.

### *Community Engagement Process*

Date	Engagement Process
March 2020	Alpine Better Places Concept Design project commences.
July 2020	Webinars to seek community input. The community provided feedback on the preliminary plans and areas of focus.
August 2020	Webinars to present draft concept plans

Date	Engagement Process
February 2021	Tawonga Memorial Hall lunch and evening community information sessions to provide feedback on the revision of the concept plans. The community was invited to provide comment on the draft concept designs and proposed project priority list. The presentation and plans were made available online and the feedback period was open for two weeks. A further third round of consultation was supported by the community
July 2021	Tawonga Memorial Hall lunch and evening sessions. The community was invited to view and provide feedback on the third revision of the plans. The presentation and plans were made available online. The feedback period was open for five weeks
April 2022	Update to community: Scout Hall purchased by Alpine Shire Council and land to be included in Alpine Better Places Tawonga. Tawonga Memorial Hall, evening information session displaying four options of designs for the park and inviting the community to identify a preferred option
May 2022	In person community engagement session held on 19 May to establish the communities preferred option for the Scout Hall. An online survey seeking feedback from residents was conducted between 9-26 May and the survey results showed strong support for a pump track. 260 responses to the survey
September-October 2022	Public Exhibition. Concept plans available online and survey open for 6 weeks. Survey sought feedback on the proposed location of the pump track, use of the Scout Hall as an open space, proposed number and location of car parks and proposed location of a road crossing. 132 responses to the survey.

## CONCLUSION

Council has consulted extensively with the community on the development of the Alpine Better Places Tawonga concept designs.

Based on feedback received during Public Exhibition, the final concept design plans were updated to:

1. Remove the crossing in front of Tawonga General Store,
2. Include additional seating at the pump track, and
3. Stage 3 parking plans were moved to Stage 1.

It is recommended that the Alpine Better Places - Tawonga Final Concept Design Plans are adopted by Council.

## **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
- Acting Manager Asset Development
- Project Officer

## **ATTACHMENT(S)**

8.2.9 Alpine Better Places Tawonga Final Concept Design Plans - November 2022

## 8.3 DIRECTOR CORPORATE PERFORMANCE – HELEN HAVERCROFT

### 8.3.1 Budget Report - Quarterly Review

#### **INTRODUCTION**

The purpose of this report is to note the Budget Report - Quarterly Review for the period ending 30 September 2022.

#### **RECOMMENDATION**

***That Council receives and notes the Budget Report - Quarterly Review for the period ending 30 September 2022.***

#### **BACKGROUND**

The purpose of the Budget Report - Quarterly Review (the "Report") is to provide Council with an overview of the quarter's results and an update on the forecast financial position against the full year budget. Explanations are provided for variances to budget greater than \$100,000.

#### **ISSUES**

Council is forecasting a full year surplus of \$5.7m, which is \$0.2m higher than the budgeted surplus of \$5.5m.

A key driver of the increase in the budgeted surplus is the forecast additional grant income (\$1.2m). Employee costs are also forecast to be under budget (\$0.7m). These positive variances are offset by the expensing (\$1.4m in Materials & Services expenditure) of the fully funded Bogong High Plains Road Blackspot project, which will occur when the road is handed over to DELWP later in the financial year. In addition, a below budget forecast of Rate & Charges income (\$0.3m) relates to an error in the budget for waste management service charges.

Forecast increased grant income (\$1.2m) relates mainly to:

- extra funding for Supported Playgroups service delivery (\$75k)
- an unbudgeted grant for YACVic Future Proof program (\$275k)
- unbudgeted income for the Porepunkah Caravan Park (\$228k)
- funding for the Rural Councils Transformation project (\$250k) and;
- unbudgeted Bushfire Recovery income (\$272k)

Capacity constraints have led to project officer resources being allocated to the following time critical projects – leading to a reduction in expenditure (\$390k):

- Mount Beauty Landfill Rehabilitation
- Tawonga Fisherman's Walk Public Toilet
- Mount Beauty Airport Bowser Design
- Mount Beauty Depot Concept Design

- Bright Carparking Stage 3

Additionally, the Myrtleford Landfill Rehabilitation has also seen a forecast reduction in expenditure (\$960k) as the EPA approval process is expected to take up to four (4) months, after which a contractor for the works will be appointed.

These expense reductions have been offset by forecast expenditure increases against the following projects:

- Mount Beauty Airport Upgrade (\$630k)
- Bogong High Plains Road Blackspot (\$60k)
- Energy Efficient Street Lighting (\$427k)
- Bakers Gully Road Drainage Renewal (\$130k).

Commensurately due to the above the workforce capitalisation expenditure is forecasted to drop (\$292k).

### ***Revised budget***

The *Local Government Act 2020* (LGA 2020) requires that an assessment be made as to whether a revised budget is required after the quarterly finance report is completed.

A revised budget is required under the LGA 2020 before any of the following can occur:

- a variation to the declared rates or charges
- undertake any borrowings that have not been approved in the budget
- a change to the budget that the Council considers should be the subject of community engagement.

As none of these three items is forecast to occur Council is not required to complete a revised budget for 2022/23.

## **POLICY IMPLICATIONS**

The Report has been prepared in line with the requirements of the *Local Government Act 2020* (LGA 2020).

*Section 97(1) of the LGA 2020* (Quarterly budget report) commenced on 24 October 2020 and states that, "As soon as practicable after the end of each quarter of the financial year, the CEO must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public".

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**

Financial performance to date indicates a full year surplus of \$5.7m, which is \$0.2m higher than the budgeted surplus of \$5.5m.

## **CONSULTATION**

The Report has been prepared through a rigorous process which includes each department reviewing their budget and providing explanations for variances at the master account level.

The Report has been presented to the Finance Committee and the Audit Committee for noting.

## **CONCLUSION**

The Finance Report - Quarterly Review for the period ending 30 September 2022 is presented for noting.

## **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
- Manager Corporate
- Accountant

## **ATTACHMENT(S)**

8.3.1 Budget Report - Quarterly Review for the period ending 30 September 2022



## 8.3.2 Quarterly Performance Report – Council Plan

File Number: SU600.03

### INTRODUCTION

The purpose of this report is to note the Quarterly Performance Report - ending 30 September 2022.

### **RECOMMENDATION**

***That Council receives and notes the Quarterly Performance Report ending 30 September 2022.***

### BACKGROUND

The purpose of the Quarterly Performance Report - ending 30 September 2022 (the "Report") is to provide Council with an overview of the quarter's performance against the Council Plan.

### HIGHLIGHTS

Where quarterly reporting against the Council Plan does not generate meaningful results, these are reported at end of financial year as part of the annual report.

The Council Plan 2021-2025 is split into five strategic directives. Within each of these directives, there are strategic objectives, strategies, and major initiatives that provide the means to report on Council's progress against the Council Plan. Council Plan indicators are also included in the report.

High level highlights are summarised on the following pages – refer the attachment for detailed information.

#### ***Strategic Driver 1: For those who live and visit***

- Council awarded Community Grants to 21 applicants, totalling \$71,275, enabling community projects valued at \$222,000 to go ahead during 2022/23.
- The draft Reflect Reconciliation Action Plan has incorporated feedback from First Nations Peoples and returned to Reconciliation Australia for final approval.
- The annual Youth Awards were delivered in September, acknowledging ten young people and one community group for their contributions across the Alpine Shire.

#### ***Strategic Driver 2: For a thriving economy***

- Council awarded Festival and Event Funding to 32 applicants, totalling \$132,000 in sponsorship and logistics support, with a further \$102,350 to support events that were unable to proceed in previous years due to COVID-19 restrictions.
- A draft Telecommunications Strategy has been developed. It is intended that the final document will be presented for endorsement at the December Council meeting.

***Strategic Driver 3: For the bold protection of our future***

- Community engagement has commenced ahead of the introduction of a Food Organics Garden Organics (FOGO) service, including an information leaflet included with the 2022/23 rates notices.
- Events Waste Management Plan in place.

***Strategic Driver 4: For the enjoyment and opportunities of our lifestyle***

- Engagement for the Land Development Strategy has commenced and will include community pop-up events in Quarter 2. A community reference group will also be set up and utilised to assist with deliberative engagement on the Strategy.

***Strategic Driver 5: For strong and informed leadership***

- Following the appointment of the new Chief Executive Officer in July 2022, a review of the workforce is being undertaken, including a review of the current organisational structure.
- Engagement with local members of parliament is ongoing, ensuring that opportunities for the Alpine Shire are advocated for and funding opportunities pursued.

**POLICY IMPLICATIONS**

The development of a Council Plan is a requirement of the *Local Government Act 2020* and is a guiding document for Council until 30 June 2025.

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**

The Council Plan is a key document informing the financial and human resources required to achieve Council's objectives. Resources to support the Council Plan are detailed in the long-term Financial Plan, and Annual Budget.

**CONSULTATION**

The Council Plan was subject to public exhibition prior to being adopted by Council. Annual actions are detailed in Council's Budget, which is also subject to public exhibition prior to adoption.

Many of the individual initiatives and activities included in the Council Plan are subject to their own community participation and consultation processes.

**CONCLUSION**

This quarterly report shows that progress is being made on the delivery of key Council Plan actions.

## **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:

- Directors
- Managers
- Governance Officer

## **ATTACHMENT(S)**

8.3.2.a Quarterly Performance Report – ending 30 September 2022

### 8.3.3 Appointment of Councillors to represent Council on Committees and Boards

#### INTRODUCTION

Council operates and participates on a range of special, advisory and external committees and groups. Appointment of councillors to the various committees and groups will enable good governance and decision making for the 2023 year.

#### **RECOMMENDATIONS**

***That:***

- Councillors be appointed as Council's delegate on the following groups and committees (non-executive):***

<b><i>Committee</i></b>	<b><i>Councillor representative to December 2022</i></b>	<b><i>Councillor representative to December 2023</i></b>
<b><i>Municipal Association of Victoria</i></b>	<b><i>Cr John Forsyth Mayor Sarah Nicholas</i></b>	
<b><i>Hume Region Local Government Network</i></b>	<b><i>Mayor Sarah Nicholas</i></b>	
<b><i>Rural Councils Victoria (RCV)</i></b>	<b><i>Mayor Sarah Nicholas</i></b>	
<b><i>Alpine Shire Council - Finance Committee</i></b>	<b><i>Mayor Sarah Nicholas Cr Simon Kelley</i></b>	
<b><i>Alpine Shire Council – Audit and Risk Committee</i></b>	<b><i>Cr Simon Kelley Cr Sarah Nicholas</i></b>	
<b><i>Alpine Resilience Committee (previously known as Community Resilience Committee)</i></b>	<b><i>Cr Katarina Chalwell Cr Ron Janas</i></b>	
<b><i>Alpine Children's Services Inc.</i></b>	<b><i>Cr Katarina Chalwell</i></b>	
<b><i>Goulburn Murray Climate Alliance</i></b>	<b><i>Cr John Forsyth Cr Sarah Nicholas</i></b>	
<b><i>Reconciliation Action Plan working group</i></b>	<b><i>Mayor Sarah Nicholas Cr John Forsyth</i></b>	
<b><i>L2P Program</i></b>	<b><i>Cr Ron Janas</i></b>	

- 2. Notes that a new Waste Authority took effect on 1 July 2022 to support a transition to a circular economy and Council is not yet aware if representation on this group will be required.**

## **BACKGROUND**

### **Council Representation**

Councillor representation on committees is required for Council's own committees / groups, as well as other external committees.

In addition to discretionary appointments, Council's Mayor holds executive positions on committees / boards / groups as the regional representative. These are non-discretionary appointments.

### ***Appointments***

Delegate and committee appointments are focussed on councillors' experience and areas of interest and in some cases, appointments may be made on the basis of maintaining consistency.

### ***Committees no longer requiring Councillor representation***

#### *Alpine Alliance between Alpine Heath and Alpine Shire*

By mutual agreement between Alpine Health and Alpine Shire Chief Executive Officers (CEOs), the Alpine Alliance will continue between the CEOs without the requirement for Councillor representation.

### ***Waste and Resource Recovery Group***

The Victorian Government has established a new Waste Authority (Recycling Victoria) to support the transition to the circular economy, underpinned by strong statutory powers and functions. As part of the proposed change the seven Waste and Resource Recovery Groups (WRGG's) have been formally dissolved. Council is not yet aware if there will be a new group formed as part of the new Waste Authority that will require representation from the Mayor or Councillors.

### ***Roles and Responsibilities***

The roles and responsibilities of councillors will vary depending on the position they are appointed to, and it is important that this is understood.

### ***External Legal Entities***

Where a councillor or an officer is nominated to the board or executive of a separate legal entity, the nominee may take on fiduciary responsibilities in accordance with the *Corporations (Victoria) Act 1990*, and they are required to act in the best interests of that company or entity.

### ***Council Advisory Committees***

There is no formal decision making that can be made in an advisory capacity on behalf of Council, but rather, recommendations arising from the deliberations of the committee may be presented to Council for consideration, deliberation and final adoption.

### ***Responsibilities***

Regardless of the type of appointment, councillors are bound by their Code of Conduct and must comply with requirements relating to:

- Declaring conflicts of interest.
- Maintaining confidentiality of information.
- Recognising and abiding by their extent of authority i.e. not making decisions on behalf of Council.

<b>Council appointed delegates to non-executive groups and committees</b>	
<b>Committee</b>	<b>Overview</b>
Municipal Association of Victoria (MAV)	Each member council of the MAV must appoint a representative to attend State Council meetings, exercise their council's vote and provide regular reports to their council on MAV activities. Appointments for MAV representatives are made annually by each council.
Hume Region Local Government Network (HRLGN)	Non-discretionary appointment HRLGN is comprised of 12 member Councils in the Hume Region. It represents a shared regional perspective on local government issues and can provide advocacy and submissions on issues of joint interest. The CEO and Mayor from each Council participate in the HRLGN.
Rural Councils Victoria (RCV)	Rural Councils Victoria represents Victoria 38 rural councils, supporting and promoting sustainable, liveable, prosperous rural communities.
Alpine Shire Council – Audit and Risk Committee	An advisory committee of council responsible for: Monitoring compliance of Council policies and procedures with the LGA 2020, regulations, governance principles and Ministerial directions. Monitoring Council financial and performance reporting. Monitoring and providing advice on risk management and fraud prevention systems and controls. Overseeing internal and external audit functions.

<b>Council appointed delegates to non-executive groups and committees</b>	
<b>Committee</b>	<b>Overview</b>
Alpine Shire Council – Finance Committee	An advisory committee of Council that provides advice on the prudent, fair and transparent management of Council's finances.
Alpine Shire Council – Alpine Resilience Committee	The Alpine Resilience Committee identifies community needs and resource requirements and makes recommendations to recovery agencies, council and recovery managers on strategies and plans regarding community preparedness, recovery and resilience. In July 2021 Council endorsed a change of name from Community Resilience Committee to Alpine Resilience Committee
Alpine Children's Services Inc.	A not-for-profit organisation that provides early childhood services to families throughout the Alpine Shire.
Goulburn Murray Climate Alliance	The Goulburn Murray Climate Alliance was established in 2007 to promote regional action on climate change and consists of representatives from regional Catchment Management Authorities, DELWP and twelve local government municipalities.
Reconciliation Action Plan Working Group	Council is developing a Reconciliation Action Plan (RAP) in accordance Reconciliation Australia RAP Framework. Council has been strengthening its relationship with First Nation communities that have an interest in Alpine Shire under Bushfire Recovery Victoria's Cultural Healing Pillar, and developing RAP is the natural next step. The RAP development is funded by Bushfire Recovery Victoria.
L2P Program	L2P Program is an Advisory Group and is a requirement of the funding agreement to provide oversight to this program. The Advisory Group consists of state government, local government, and key youth agency stakeholder groups. Meetings are held on a quarterly basis.

<b>Other committees not appointed by Council</b>	
<b>Committee</b>	<b>Overview</b>
Municipal Association of Victoria – Board	The MAV is a membership association and the legislated peak body for local government in Victoria. Election of board members is by regional election.
MAV Emergency Management Committee	MAV convenes committees to help inform MAV's work and build capacity within the sector. For more information: <a href="https://www.mav.asn.au/who-we-are/networks/board-advisory-committees">https://www.mav.asn.au/who-we-are/networks/board-advisory-committees</a>
MAV Environment Committee	
MAV Professional Development Reference Group	Membership is made of elected Councillors and determined by the Board.

## **POLICY IMPLICATIONS**

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

- 5.3 Bold leadership, strong partnerships and effective advocacy

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Councillors are paid an annual allowance and do not receive additional payments for their involvement on council-appointed committees, with the exception of the MAV Board. Resourcing of councillors attending meetings and participating in the activities of these committees is supported by Council's annual budget.

## **CONSULTATION**

Once Council has appointed its representatives, appropriate communication actions will be undertaken.

## **CONCLUSION**

Appointment of councillors as Council's representative on its own advisory committees and project / working groups as well as external entities, associations, advisory and advocacy groups committees must now be made.



## **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
- Governance Officer
- Executive Assistant to CEO

## **ATTACHMENT(S)**

Nil

## 8.3.4 Instruments of Delegation

File Number: Delegations Register

### INTRODUCTION

Instruments of Delegation are an important means of Council ensuring its officers hold the appropriate legislative powers for the various Acts and Regulations that Council administers. This report refreshes delegations to members of Council staff.

### **RECOMMENDATIONS**

#### ***That Council:***

1. ***Exercise the powers conferred by the legislation referred to in attachment (8.3.4.a. "S6a - Instrument of Delegation from Council to Members of Council Staff - effective 13 December 2022"(instrument S6a), so that:***
  - a. ***There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in instrument S6a, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;***
  - b. ***Instrument S6a be signed and sealed at the appropriate stage of this meeting;***
  - c. ***Instrument S6a comes into force immediately the common seal of Council is affixed to the instrument;***
  - d. ***On the coming into force of instrument S6a, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and***
  - e. ***The duties and functions set out in instrument S6a must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***
2. ***Exercise the powers conferred by the legislation referred to in attachment (8.3.4.b. "S6b - Instrument of Delegation from Council to Members of Council Staff - effective 9 January 2023"(instrument S6b), so that:***
  - a. ***There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in instrument S6b, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;***
  - b. ***Instrument S6b be signed and sealed at the appropriate stage of this meeting;***
  - c. ***Instrument S6b comes into force on 9 January 2023;***
  - d. ***On the coming into force of instrument S6b, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and***

- e. The duties and functions set out in instrument S6b must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*
- 3. Exercise the powers conferred by the legislation referred to in attachment 8.3.4.c. "S18 - Instrument of Sub-Delegation under the EPA 2017"(instrument S18), so that:**
- a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in instrument S18, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;*
  - b. Instrument S18 be signed and sealed at the appropriate stage of this meeting;*
  - c. Instrument S18 comes into force on 9 January 2023;*
  - d. On the coming into force of instrument S18, the previous version of instrument S18 dated 4 July 2021 be revoked; and*
  - e. The duties and functions set out in instrument S18 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

## **BACKGROUND**

Many legislative Acts and Regulations provide Council with specific powers, duties or functions. To enable Council as an organisation to run smoothly, many of these powers, duties and functions are delegated to the Chief Executive Officer (CEO), who can then further sub-delegate these duties to Staff. This ensures that decisions are made on a timely basis, without the need for every legislative decision being presented to a Council meeting.

Some legislation does not allow sub-delegation via the CEO, so Council must delegate these powers directly to staff using the S6 Instrument of Delegation to Council Staff.

The S6 Instrument of Delegation to Members of Council Staff was most recently updated in June 2022.

## **ISSUES**

### ***Legislative updates***

There have minor updates to the legislative powers, duties, and function in the S6 Instrument of Delegation since it was last adopted in June 2022. These have been included in the document, with the appropriate members of Council staff delegated to those legislative provisions.

### ***New staff members with delegated duties - effective December 2022***

New staff members have commenced working with the planning team, and require delegated powers, duties, and functions as soon as possible. These new titles have been

assigned in the S6a Instrument of Delegation to Members of Council Staff, and will take effect as of the date of this Council meeting.

### ***Organisational restructure - effective January 2023***

Council will be undergoing an organisational restructure to take effect from 9 January 2023. As part of this restructure, some existing positions will become redundant, while newly introduced positions have been created. Other positions have had slight changes in role or are reporting to a new position. These changes need to be recognised in the S6b and S18 Instruments of Delegation, so that the officers have been delegated the appropriate powers, duties, and functions as soon as the new organisational structure commences on 9 January 2023.

### ***Change to signatory on s173 agreements***

Council has elected to delegate the power to enter into Section 173 agreements under the *Planning and Environment Act 1987* to the Chief Executive Officer and Director Corporate Performance. Previously the Section 173 agreements were presented to a Council meeting to enable the Council seal to be applied. However, by delegating the power to enter into these agreements, the delegated officers can 'sign seal and deliver' the documents on behalf of Council. This will expedite the endorsement of s173 agreements, removing the need to wait for the monthly cycle of Council meetings.

## **POLICY IMPLICATIONS**

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 for Maddocks delegations and authorisations service that is allowed for in Council's annual budget. Appropriate delegations and authorisations allow Council and Council staff to operate effectively within legislative frameworks.

## **CONSULTATION**

No external consultation is required. Council to CEO delegations have been discussed with the relevant Manager, Director and CEO.

## **CONCLUSION**

A review and update of the S6 Instruments of Delegation to Members of Council Staff will ensure that Council officers can undertake the powers, duties and functions relating to their role both immediately, and once the organisational structure takes place on 9 January 2023.

## **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
- Manager Corporate
- Governance Officer

## **ATTACHMENT(S)**

- 8.3.4.a. S6a - Instrument of Delegation from Council to Members of Council Staff - effective 13 December 2022.
- 8.3.4.b. S6b - Instrument of Delegation from Council to Members of Council Staff - effective 9 January 2022.
- 8.3.4.c. Instrument of Sub-Delegation under the EPA 2017

### 8.3.5 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.

#### **RECOMMENDATIONS**

***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 8.3.5.a and 8.3.5.b "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the instruments) be appointed and authorised as set out in the instrument;***
  - a. Planning Officer***
  - b. Health, Safety and Risk Officer***
- 2. The instruments come into force immediately after 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. Manager Planning and Amenity, dated 1 June 2021***
  - b. Interim Manager Planning and Amenity, dated 5 July 2022***
  - c. Senior Statutory Planning Officer, dated 5 July 2022***
- 4. The instruments be signed and sealed at the appropriate stage of this meeting.***

#### **BACKGROUND**

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. Council has appointed a new Planning Officer, and seconded assistance from the Health, Safety and Risk Officer to assist in the statutory planning team during a period of low resourcing. Both of these roles require a new Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*. Council's Manager Planning and Amenity, and Senior Statutory Planning Officer, have recently resigned from Council and the Interim Manager Planning and Amenity was a short-term backfill role. These Instruments of Appointment and Authorisation must be revoked.

## 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.

## **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 Corporate Performance
- Manager Corporate
- Governance Officer

## **ATTACHMENT(S)**

- 8.3.5.a S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Planning Officer
- 8.3.5.b S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Health, Safety and Risk Officer



## 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 matters discussed at the meeting are tabled at the next convenient Council meeting, and are recorded in the minutes of that Council meeting.

### **RECOMMENDATION**

***That the summary of informal meetings of Councillors for November / December 2022 be received.***

### Background

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

Date	Meeting
8 November	Briefing Session
16 November	Planning Forum(s) x 3
22 November	Briefing Session
29 November	Briefing Session
6 December	Briefing Session

### Attachment(s)

- 9.0 Informal meetings of Councillors – November / December 2022.

**10. General business**

**11. Motions for which notice has previously been given**

**12. Reception and reading of petitions**

## 13. Documents for sealing

### **RECOMMENDATIONS**

*That the following documents be signed and sealed.*

- 1. Contract No. 22073 in favour of Midson Construction (VIC) Pty Ltd for the Dinner Plain Activation Building Works.**
- 2. S6a - Instrument of Delegation from Council to Members of Council Staff - effective 13 December 2022.**
- 3. S6b - Instrument of Delegation from Council to Members of Council Staff - effective 9 January 2023.**
- 4. Instrument of Sub-Delegation under the EPA 2017.**
- 5. S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987” - Planning Officer; and**
- 6. S11A - Instrument of Appointment and Authorisation - Planning & Environment Act 1989” - Health, Safety and Risk Officer.**

There being no further business the Chairperson declared the meeting closed at \_\_\_\_\_p.m.

.....

Chairperson