

M(2) – 1 MARCH 2022

Ordinary Council Meeting

Minutes

The **Ordinary Meeting** of the **Alpine Shire Council** was held on **1 March 2022** and commenced at **5:00pm**.

PRESENT

COUNCILLORS

Cr Sarah Nicholas - Mayor

Cr Katarina Hughes - Deputy Mayor

Cr John Forsyth

Cr Ron Janas

Cr Tony Keeble

Cr Simon Kelley

Cr Kelli Prime

OFFICERS

Charlie Bird - Chief Executive Officer

William Jeremy - Director Assets

Helen Havercroft - Director Corporate Performance

APOLOGIES

Nil

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1. Recording and livestreaming of Council meetings

The CEO read the following statement:

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

This meeting is being held online and audio and video is focused on Councillors and Council Officers.

Question time will still be held, however it is requested that questions be submitted in writing prior to the meeting. By submitting a question, you consent to your question being read aloud at the meeting.

In common with all narrative during council meetings verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes.

The reasoning behind recording council meetings is of course 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 be available on our YouTube channel after this meeting.

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

The Mayor read the following statement:

The Alpine Shire Council acknowledges 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(1) – 1 FEBRUARY 2022

Cr Keeble

Cr Janas

That the minutes of Ordinary Council Meeting M(1) held on 1 February 2022 as circulated be confirmed.

Carried

4. Apologies

Nil

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

Nil

7. Public questions

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

Questions on Notice must be submitted in writing prior to the meeting.

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 DIRECTOR ASSETS – WILLIAM JEREMY

8.1.1 Enabling Tourism Fund - Alpine Shire Tracks and Trails Masterplan

INTRODUCTION

An opportunity exists for Council to seek significant funding to develop detailed designs and supporting cost estimates for tracks and trails projects including associated amenities that will enable and activate tourism. This report seeks Council's financial commitment for the nominated project.

Cr Forsyth
Cr Keeble

That Council authorises an application to the Victorian Government's Enabling Tourism Fund for the Alpine Shire Tracks and Trails Masterplan with a maximum Council commitment of up to \$125,000 (GST exclusive).

Carried

BACKGROUND

The Enabling Tourism Fund (ETF) supports regional and rural Victorian tourism projects to reach investment ready status. The ETF will support activities such as feasibility studies, master planning and business case development. This fund is part of the Victorian Government's plan to accelerate tourism investment and recovery.

The objective of the ETF is to create more 'shovel ready' projects that will be able to leverage funding investment, employ more people, and attract more visitors by offering world-class experiences.

Applications will be evaluated against the following four pillars:

- Nature – experiences and products that activate regional Victoria's natural assets such as forests, parks, alpine areas, wildlife, geothermal and natural mineral springs, coastlines, rivers, lakes and oceans, and contribute to a healthy and resilient environment.
- Epicurean – culinary and gastronomic experiences and products that highlight provenance and demonstrate innovation, including agricultural and regenerative farming experiences, cellar doors, distilleries and breweries.
- Arts and culture – experiences and products that enable the visitor to engage with art and culture in new and innovative ways, such as museums, storytelling, multicultural centres, art and heritage trails, public art installations, galleries and creative venues.

- First Peoples' led experiences – prioritising the world's oldest, continuous living culture that will contribute to the future of Victorian tourism, through the creation of immersive experiences and products that are driven by Aboriginal self-determination.

Following an assessment of projects in Council's Project Pipeline which meet the grant funding criteria and discussions with the State Government Department of Jobs, Precincts and Regions, it is recommended that an application is made for funding to deliver the Alpine Shire Tracks and Trails Masterplan project.

The project encompasses the Kiewa, Lower Ovens and Upper Ovens valleys. The project will:

- Identify and prioritise for delivery the missing strategic elements in our tracks and trails offering, including missing links in the existing network, opportunities to expand the network, improved access to amenities for users of the network, and opportunities to leverage increased business activation.
- Develop the design, scope, consents required and cost estimates that will enable funding applications for the delivery of these missing components.

This project will deliver a masterplan for an integrated and connected network of tracks and trails and associated amenities. This masterplan will enable funding applications to be submitted for construction as funding opportunities are identified. This project is well timed to take advantage of the available funding, which will drive further visitation and economic stimulus.

ISSUES

Council has an incredibly popular shared trail network which attracts many visitors and is enjoyed by our local community. The popularity of Council's recently completed Great Valley Trail project has demonstrated the benefits of connecting existing shared trails. There are further economic and health benefits to be realised across the Shire by connecting gaps and enhancing Council's shared trail network.

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 ETF funding application requires Council to co-contribute to the project at a ratio of ETF \$4: Council \$1. The cost to deliver the Alpine Shire Tracks and Trails Masterplan project is estimated to be \$625,000, with \$500,000 to be sought from grant funding, and the remaining project costs of \$125,000 being met by Council. It is anticipated that the expenditure would be incurred over the 2022/23 financial year.

CONSULTATION

The project that has been nominated based on an assessment of the projects in Council's Project Pipeline against the grant funding criteria, and through engagement with the State Government. If the funding application, the community and other key stakeholders will be engaged in the development of the masterplan.

CONCLUSION

The Alpine Shire Tracks and Trails Masterplan project will result in significant benefits for the community and tourists. Council has sufficient financial resources to co-contribute to this project. This presents a great opportunity to secure significant funding from the Victorian Government's Enabling Tourism Fund. It is recommended that Council authorises the submission of this application for funding.

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

ATTACHMENT(S)

Nil

8.1.2 Sport and Active Recreation Plan 2022-2033

INTRODUCTION

This report relates to the adoption by Council of the Sport and Active Recreation Plan 2022-2033, noting the community feedback received during the 28-day public exhibition period.

Cr Janas

Cr Kelley

That Council:

- 1. Adopts the Sport and Active Recreation Plan 2022-2033;*
- 2. Develops an Action Plan addressing the focus areas, objectives and opportunities identified in the plan; and*
- 3. Prioritises projects and programs listed in the Action Plan, identifying resources and budget required to deliver each action.*

Carried

BACKGROUND

The Sport and Active Recreation Plan (the Plan) provides a strategic framework to guide Council's investment in sport and active recreation over the next 12 years and to ensure that its resources have the greatest impact in contributing to improved health and wellbeing of the community and promoting liveability and social connections.

The Plan has been developed in consultation with key internal and external stakeholders with the final draft version placed on public exhibition for a period of 28 days.

ISSUES

Six submissions were received during the public exhibition period, with the key points summarised as follows:

Feedback	Action
Poor condition of some of the Ovens Valley sporting fields (Bright Pioneer Park and Myrtleford Memorial Park) is noted for consideration.	This feedback will be considered during the delivery of the of the Myrtleford Master Planning Project and Bright Pioneer Park Master Planning Project.
Upgrade of Myrtleford Memorial Park to be considered.	This feedback will be considered during the delivery of the of the Myrtleford Master Planning Project.

Feedback	Action
Recognition of the Bright Croquet Club to be included in the Plan, together with a request for improved facilities.	The Bright Croquet Club is now acknowledged within the Plan, and the club's desire for improved facilities is also noted.
Porepunkah Panthers Baseball Club to be acknowledged in the plan, together with a request for improved club facilities.	The Porepunkah Panthers Baseball Club is now acknowledged within the Plan, and the club's desire for improved facilities is also noted.
Review the need for upgrades to existing basketball facilities at Bright P-12, with better access and management arrangements. Request for new basketball facilities	Access and management arrangements noted in the Plan. Request for new and upgraded basketball facilities will be considered in the development of the Bright Pioneer Park Master Planning Project.
Various comments, edits and suggestions received from the Active Alpine organisation.	Noted and updated in the Plan where appropriate.

Feedback has been provided to all submitters, explaining how their comments have been addressed in the Plan.

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 Sport and Active Recreation Plan has been supported with \$30,000 of State Government funding through Sport and Recreation Victoria's 2020/21 Local Sports Infrastructure Fund. Council has contributed a further \$30,000 for a total project budget of \$60,000.

There are no financial or resource implications associated with the adoption of the Sport and Active Recreation Plan.

Actions arising from the Plan will be prioritised by Council and funding sourced when opportunities are identified.

Actions for delivery will be presented to Council for consideration as part of the normal budgeting cycle and processes.

CONSULTATION

Alpine Shire communities have been engaged throughout the development of the Plan.

Engagement with residents, community organisations and services occurred through:

- 199 community survey responses
- 504 unique visits online
- 2 community sessions
- 34 responses on social media
- 42 clubs surveyed
- 11 stakeholder meetings with clubs
- 8 State Sporting Associations, schools and LGAs surveyed
- 28 Day Public Exhibition

Extensive consultation has been undertaken with the funding partner, Sport and Recreation Victoria, leveraging their significant experience in the sport and recreation funding environment and establishing and raising awareness for future funding opportunities.

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

CONCLUSION

Council has consulted extensively with the community on the development of the Sport and Active Recreation Plan, which is broadly supported by the community. It is recommended that Council adopts the Sport and Active Recreation Plan 2022-2033.

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)

8.1.2 Sport and Active Recreation Plan 2022-2033

8.1.3 Petition - Kiewa Valley Speed Limit Changes

File Number: 1872.001

INTRODUCTION

This report relates to proposals to reduce the legal speed in the Mount Beauty and Tawonga South town centres.

Cr Prime

Cr Keeble

That Council:

1. *approves the proposal to reduce the legal speed in Mount Beauty's town centre from 50 km/hr to 40 km/hr;*
2. *approves the proposal to reduce the legal speed in Tawonga South's town centre from 60km/hr to 50km/hr;*
3. *engages with the Department of Transport to formalise these changes; and*
4. *advises the proponent of the petition of Council's decision.*

Carried

BACKGROUND

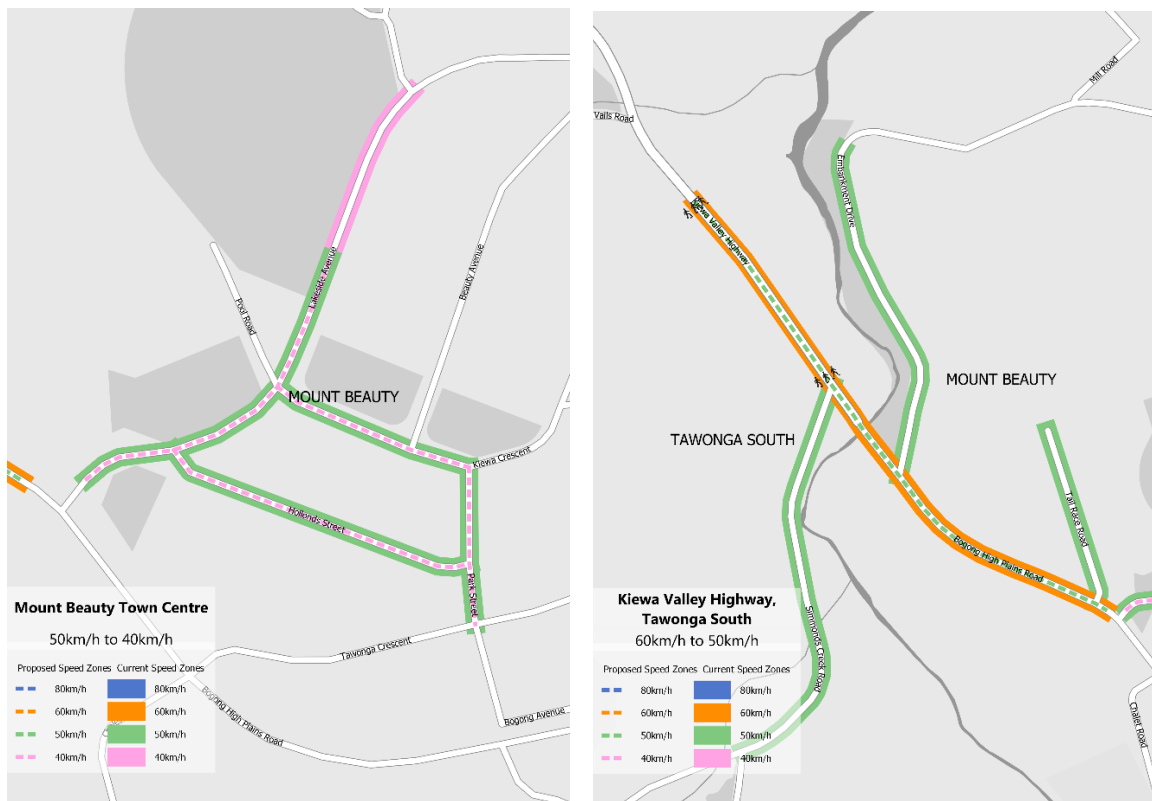
Following the May 2021 Council Meeting, a request was received from a representative of the Upper Kiewa Valley Community Association (UKVCA) for Council to consider implementing a reduction in the legal speed in the Mount Beauty and Tawonga South town centres. The request was repeated following the June 2021 Council Meeting.

On 5 January 2022 the UKVCA delivered a petition to Council, which relates specifically to the requested speed limit change in the Mount Beauty CBD.

The petition was tabled at the February 2022 Council Meeting and contains 237 signatures collected between July 2021 and January 2022, with the majority of the signatures collected on 1 January 2022. The petition states:

The Upper Kiewa Valley Community Association is proposing that the Mount Beauty CBD Speed Limit be reduced to 30/40kph. This proposal would encompass the CBD roads from the Kiewa Valley Highway roundabout onto Lakeside Ave., Hollonds Street, Park Street and Kiewa Crescent.

The proposed changes to the speed limits in the Mount Beauty and Tawonga South town centres are shown below:



ISSUES

Alpine Shire is becoming busier as a result of an increasing population and increasing visitation. This is particularly noticeable in our town centres, where both pedestrian and vehicular traffic movements have increased over recent years. It can be challenging for pedestrians to get around town safely, and the challenge increases for the elderly and families with young children.

Research conducted by Monash University Accident Research Unit has demonstrated the impact of vehicle speed on pedestrian safety. In 'Fact Sheet No. 6 - Improving Pedestrian Safety' is noted:

- At collision speeds above 35km/h the probability that a pedestrian will be fatally injured rises rapidly, with death almost certain at collision speeds of around 55km/h or higher.
- Moderation of vehicle speeds, especially to speeds not exceeding 30 or 40km/h, is critical. This can be achieved through adoption of low urban speed limits (maximum 50km/hr) with lower speeds (30-40km/h) in residential and shopping areas and school zones.

The proposed speed change in the Mount Beauty town centre is considered unlikely to noticeably impact on vehicular travel time, as the geometry and length of the streets makes it difficult to travel at 50km/hr. The requested change is supported by a petition containing 237 signatures.

The requested change in Tawonga South is not supported by a petition, and broad engagement of the community has not been carried out. The proposed speed change in Tawonga South encompasses a length of the Kiewa Valley Highway of approximately 1200m. The difference between travelling this length of road at 50km/h compared to 60km/h is an increase in travel time of approximately 14 seconds. This section of road includes the increasingly busy Tawonga South commercial strip, Visitor Information Centre and a well-used car park. It is a popular section of road with cyclists and pedestrians, and includes the narrow Tailrace Bridge, where there is limited width to safely accommodate vehicular traffic and cyclists.

POLICY IMPLICATIONS

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

Regional Roads Victoria is responsible for implementing changes in signage on the Kiewa Valley Highway.

The minor cost of signage changes in the Mount Beauty town centre can be funded from existing operational budgets.

CONSULTATION

A petition has been received from the community relating to the speed change in Mount Beauty CBD. No petition has been received which relates to the proposed change in Tawonga South, and Council Officers have not carried out broad engagement of the community.

Council Officers have engaged with Victoria Police, Regional Roads Victoria and the Department of Transport, with all three organisations indicating support for the proposed changes in speed limits. In the event that either or both of these proposals is supported by Council, it will be necessary to submit a formal request for a speed change to the Department of Transport.

CONCLUSION

Council has received requests to reduce the legal speed in Mount Beauty and Tawonga South, with the request relating to Mount Beauty supported by a petition containing 237 signatures. Council Officers have assessed these requests, including engagement with Victoria Police, Regional Roads Victoria and the Department of Transport. A reduction in the legal speeds as proposed will create an environment that is safer for residents and visitors accessing these town centres and will result in only a very minor negative impact to road users.

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 Maintenance

ATTACHMENT(S)

8.1.3 Petition - Proposal for speed limit reduction on the Mount Beauty CBD

8.2 DIRECTOR CORPORATE PERFORMANCE – HELEN HAVERCROFT

8.2.1 Budget Report - Quarterly Review

INTRODUCTION

The purpose of this report is to note the Budget Report - Quarterly Review for the period ending 31 December 2021.

Cr Keeble

Cr Prime

That Council receives and notes the Budget Report - Quarterly Review for the period ending 31 December 2021.

Carried

BACKGROUND

The purpose of the Budget Report - Quarterly Review (the "Report") is to provide Council with an overview of the quarter two 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 \$8.1m, which is \$1.5m higher than the budgeted surplus of \$6.6m.

The major driver of the forecasted increase in the surplus is additional grant income of \$2.8m. The most significant items are for:

- Additional unbudgeted funding for the Bogong High Plains Road Blackspot project \$1.3m
- Additional Bushfire Recovery Funding of \$1m
- Reduction in the Dargo High Plains Road Upgrade Phase 1 of \$0.8m
- Restatement of Capital Works Grants by an additional \$0.7m
- Great Valley Trail Income of \$0.4m
- Additional funding opportunities for community events projects of \$0.3m
- Unbudgeted funding for new employees from Apprenticeship Support Australia \$0.1m.

This increased income is partially offset by an increase in employee costs to comply with Council's recently approved Enterprise Agreement 2020 (\$0.3m) as well as higher materials and services expenditure of \$1.0m. The most significant materials and services items include increased insurance premiums, higher IT subscription services, COVID related activities, higher than anticipated level of activity for infrastructure asset

maintenance, and various unbudgeted programs that are fully or partially funded by grants.

Major forecast variances to capital works incomes and expenditures are as follows:

- Great Valley Trail – \$370k additional income and \$755k additional expenditure because of capital works being carried over from 2020/21
- Dargo High Plains Road Upgrade Phase 1 – forecast income and expenditure has been reduced by \$800k due to works being deferred until 2022/23
- Dinner Plain Activation Phase 2 – \$150k additional income and expenditure due to additional grant funding received
- Bogong High Plains Road Blackspot – \$1.3m additional grant funding income and expenditure due to additional grant funding received
- Snowy Creek Road Upgrade – forecast income has been reduced by \$110k as no further funds are expected to be received for this project
- Dinner Plain Activation Phase 1 and Dinner Plain Snowmaking – forecast expenditure has been reduced by \$720k due to the restricted availability of suitable contractors and a delayed component of the scope of the Dinner Plain projects
- Combustible waste infrastructure upgrade – additional expenditure of \$105k required to achieve compliance with EPA legislative requirements
- Buckland Valley Road Upgrade – additional expenditure of \$255k for road works that were originally planned to be delivered by DELWP.

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 quarter two 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 2021/22.

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 \$8.1m, which is \$1.5m higher than the budgeted surplus of \$6.6m.

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 31 December 2021 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)

8.2.1 Budget Report - Quarterly Review for the period ending 31 December 2021.

8.2.2 Council Plan - Quarterly Performance Report

File Number: SU600.03

INTRODUCTION

The Alpine Shire Council Plan 2021-2025 was adopted by Council in October 2021 and sets out Council's direction for the next four years. Council has committed to providing quarterly updates to the community on the progress of this plan and presents this Quarterly Performance Report as the first update on commitments in 2021/22.

Cr Forsyth

Cr Janas

That the Alpine Shire Council Plan Quarterly Performance Report ending 31 December 2021 be received and noted.

Carried

BACKGROUND

Following an extensive community and deliberative engagement process, Council adopted the Alpine Shire Council Plan 2021-2025 in October 2021, with the plan taking effect from 1 July 2021.

The Council Plan lists strategic drivers, strategic objectives, strategies, strategic indicators, major initiatives, guiding legislation, and plans, that collectively provide direction to Council's endeavours during its term.

While there is no legislative requirement to report on progress against the Council Plan, a commitment to report quarterly to the community was included as part of the document. The Governance and Management Checklist that forms part of the Local Government Performance Reporting Framework (LGPRF) also suggests that it is best practice to report on Council Plan progress at least on a six-monthly basis.

By reporting quarterly, Council ensures that progress against the Council Plan is on schedule, and that objectives and major initiatives are maintained as priorities year on year.

Where quarterly or half-yearly reporting of objectives does not generate meaningful results, these are reported at end of the financial year as part of the annual report.

HIGHLIGHTS

The Council Plan 2021-2025 includes five strategic drivers, that align with the Community Vision 2040. Within each of these drivers, there are strategic objectives, strategies, and major initiatives that provide the means to report on Council's progress against the Council Plan.

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

Strategic Driver 1: For those who live and visit

- More than \$76,000 was allocated to community groups in August 2021, as part of Council's annual Community Grants program.
- Council registered intent to develop a Reflect Reconciliation Action Plan in September 2021 and has formed a working group to develop actions and deliverables, with key focus areas being: relationships, respect, opportunities, and governance and reporting.
- Council held the annual Youth Awards in November 2021, celebrating the achievements of young people in the Shire.

Strategic Driver 2: For a thriving economy

- Council applied to the Connecting Victoria NBN Co Regional Co-Investment Fund, including a submission for technology upgrades for Alpine communities. A mobile and internet strategy will be developed to investigate current issues and infrastructure and suggest priority projects for future advocacy.

Strategic Driver 3: For the bold protection of our future

- Council's Climate Action Plan was adopted in September 2021. Implementation of the plan includes Council entering into a Power Purchase Agreement which will result in a 75% reduction in greenhouse gas emissions, with 100% of Council's electricity consumption coming from renewable energy.

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

- Alpine Planning Scheme Amendment 60 was approved and completed. A policy neutral rewrite of the Local Planning Policy Framework was submitted to the relevant Minister.
- Annual Elm Leaf Beetle work has been completed, including updates to GIS location and tree measurements.
- The Great Valley Trail between Bright and Harrietville was practically complete by the end of December 2021, with minor works and signage to be completed by the end of March 2022.
- Work commenced on the Mount Beauty Airport extension in late November 2021.

Strategic Driver 5: For strong and informed leadership

- Council adopted the Community Vision, Council Plan, and Financial Plan in October 2021, completing a key suite of strategic planning documents in accordance with the Local Government Act 2020 (LGA 2020). All other LGA 2020 requirements due by 31 December 2021 were completed by the due date.
- Council completed its first Workplace Gender Audit, submitted to the Gender Equality Commission by the due date of 1 December 2021. Workshops with staff were held with staff in December to assist in development of the Gender Equality Action Plan due for completion by 31 March 2022. Both are requirements of the *Gender Equality Act 2020*.

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.

Quarterly reporting aligns with the following Alpine Shire Council Plan 2021-2025 Strategic Objective:

- 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 implementation of 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)

8.2.2 Alpine Shire Council Quarterly Performance Report – ending 31 December 2021

8.2.3 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 the revocation of the Instrument of Appointment and Authorisation following a resignation from Council.

Cr Forsyth
Cr Keeble

That Council exercise the powers conferred by section 147(4) of the Planning and Environment Act 1987, so that the "S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987" for the following member of Council staff, as dated, be revoked;

a. Planning Officer, dated 3 August 2021.

Carried

BACKGROUND

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. Following a resignation from Council a person's Instrument of Appointment and Authorisation now needs to 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 (IoAA) 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 2017-2021:

- A well planned and safe community

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. The revocation of these appointments is also necessary when changes in staff occur.

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)

Nil

8.2.4 Appointment of Independent Chairperson to CEO Employment and Remuneration Committee

INTRODUCTION

Following the adoption of Council's CEO Employment and Remuneration Policy (Policy) at its Ordinary Meeting held 14 December 2021, Council is required to establish a CEO Employment and Remuneration Committee (Committee) in accordance with requirements of section 45 of the *Local Government Act 2020*.

Council has sought expressions of interest for an Independent Chairperson from applicants with strong experience in executive recruitment. The process is now complete. This report is to recommend the appointment of an Independent Chairperson to Council's CEO Employment and Remuneration Committee for a four-year term.

Cr Keeble

Cr Kelley

That:

1. *Council appoints David Preiss as its Independent Chairperson to the CEO Employment and Remuneration Committee,*
2. *The term of appointment be set for four years and commence no later than 21 March 2022 pending the satisfactory completion of pre-appointment paperwork: and*
3. *Remuneration be set at \$800 per meeting plus travel allowance.*

BACKGROUND

Council is required to establish a CEO Employment and Remuneration Committee (Committee) which will act as an advisory committee to Council. The Committee will comprise of an Independent Chairperson and at least three councillors, one of whom must be the Mayor.

The Independent Chairperson is responsible for providing independent professional advice in relation to the Policy in accordance with section 45(2) of the Act.

The Committee is to consider and make recommendations to Council in relation to all aspects of the CEO's Employment and Remuneration in accordance with the Policy.

Council recently completed a recruitment campaign for an Independent Chairperson with experience in executive recruitment and oversight of employment contracts as well as experience in developing and facilitation executive performance reviews. Experience and knowledge of the Local Government Section was desirable.

The recruitment process for the Independent Chairperson in accordance with the Council's Policy has now been completed.

Council has determined the term of appointment of the Independent Chairperson be set at four years and that remuneration to be paid for this position.

Sufficient allocation will be made available to cover the cost of the Independent Chairperson as part of the annual budget process.

ISSUES

None to report.

POLICY IMPLICATIONS

The Committee is in accordance with s45(2) of the *Local Government Act 2020* and any other relevant legislative requirements.

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

Council acknowledges by implementation of the Policy, the Committee and/or the Independent Chairperson will from time to time require the assistance of members of staff, including assistance in relation to governance and human resources matters.

Council, the Committee and/or the Independent Chairperson may from time to time request a member of staff to provide assistance in implementing this Policy, recognising that the position of the member of staff is made difficult because he or she is accountable to the CEO (or a person acting as CEO) and therefore acknowledging that requests for assistance need to be limited to no more than those which are reasonably necessary.

CONSULTATION

Key staff and Councillors were involved in the development of the Policy. Council's Community Engagement Policy provides guidance on when Council must consult with the community. The Policy is operational in nature, guiding the way that Council will deal with the employment and recruitment of the CEO, and as such, the community has no ability to inform the decision-making at this time. As a result, the policy has not been released for public submissions prior to being adopted.

CONCLUSION

That Council appoints David Preiss as its Independent Chairperson to the CEO Employment and Remuneration Committee for a term of four years pending the satisfactory completion of pre-appointment paperwork.

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

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 Forsyth

Cr Hughes

That the summary of informal meetings of Councillors for January / February 2022 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
25 January	Oath of Office – Cr Simon Kelley
25 January	Briefing Session
1 February	Briefing Session
15 February	Briefing Session

Attachment(s)

- 9.0 Informal meetings of Councillors – January / February 2022

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

Nil

14. Documents for sealing

Cr Janas
Cr Hughes

That the following documents be signed and sealed.

- 1. Contract No. CT21120 in favour of Enlocus for the Dinner Plain Activation Phase 2 – Design Services.*
- 2. Contract No. CT21062 in favour of Country Wide Asphalt Pty Ltd for the supply of Asphalt Overlay 2021-22.*
- 3. Contract No. CT21063 in favour of Country Wide Asphalt Pty Ltd for Resealing 2021-22.*
- 4. Contract No. CT21140-01 in favour of GlobalOne Technologies for the ICT System Host and Storage Renewal.*
- 5. Contract No CT21067 in favour of Richardson Earthworks and Maintenance for Toms Road Upgrade.*
- 6. Contract No 2113401 in favour of Downer EDI Works Pty Ltd for the Bogong High Plains Road - Supply and Lay Asphalt.*

Carried

There being no further business the Chairperson declared the meeting closed at 6.09p.m.

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Chairperson