

M(2) – 27 FEBRUARY 2024

Ordinary Council Meeting

Minutes

The **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **27 February 2024** and commenced at **5:00pm**.

PRESENT

COUNCILLORS

Cr John Forsyth - Mayor

Cr Simon Kelley – Deputy Mayor

Cr Ron Janas

Cr Katarina Hughes (attendance via electronic means)

Cr Tony Keeble

Cr Sarah Nicholas

Cr Kelli Prime (attendance via electronic means)*

**Cr Prime attended the meeting via virtual means however during various stages of the Ordinary Council Meeting, experienced connectivity difficulties including items 8.3.3, 8.3.4, 8.3.5 and item 9 on the agenda in accordance with Council's Governance Rules G2.12.*

This is noted in the minutes by all those being present using the words carried as opposed to carried unanimously.

OFFICERS

Will Jeremy - Chief Executive Officer

Helen Havercroft - Director Customer and Community

Alan Rees - Director Assets

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.

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

All to stand, the Mayor read the following statement:

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

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

3. Confirmation of minutes

3.1 ORDINARY COUNCIL MEETING – M(1) – 30 JANUARY 2024

Cr Janas

Cr Kelley

That the minutes of Ordinary Council Meeting M(1) held on 30 January 2024 as circulated be confirmed.

Carried Unanimously

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.

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

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

Cr Prime attended the meeting via virtual means however during various stages of the Ordinary Council Meeting, experienced connectivity difficulties including items 8.3.3, 8.3.4, 8.3.5 and item 9 on the agenda.

This is noted in the minutes by all those being present using the words carried as opposed to carried unanimously.

8. Presentation of reports by officers

8.1 CHIEF EXECUTIVE OFFICER – WILL JEREMY

8.1.1 Contracts approved under delegation by CEO

Cr Janas

Cr Kelley

That the Capital Project Contracts approved under delegation by the CEO be noted.

Contract No:	<i>Resealing and Asphalt Program 2023/24</i>	<i>Process: Public Tender</i>
Title:	<i>Myrtle Street Service Lane Reconstruction</i>	
Tenderer:	<i>Stadelmann Group Pty Ltd</i>	
\$ (excl. GST):	<i>\$99,083.10</i>	

Contract No:	<i>Kerb and Channel Renewal 2023/24</i>	<i>Process: Public Tender</i>
Title:	<i>Kerb and Channel Renewal</i>	
Tenderer:	<i>LM - Landscaping & Irrigation Pty Ltd</i>	
\$ (excl. GST):	<i>\$141,251</i>	

Contract No:	<i>Resealing and Asphalt Program</i>	<i>Process: Public Tender</i>
Title:	<i>Standish Street Roundabout Asphalt Overlay</i>	
Tenderer:	<i>Bitu-Mill Pty Ltd</i>	
\$ (excl. GST):	<i>\$129,547.96</i>	

Carried Unanimously

8.1.2 1-3 Anderson Street, Bright

INTRODUCTION

This report relates to an opportunity for Council to purchase the freehold site and the fuel service station business located at 1-3 Anderson Street, Bright, for the purpose of facilitating a future redevelopment of the site to enable an upgrade of the intersections between Star Road, Gavan Street and Anderson Street.

Cr Keeble
Cr Nicholas

That Council:

- 1. Notes that a non-binding Expression of Interest has been submitted on behalf of Council for the purchase of the freehold site and fuel service station business located at 1-3 Anderson Street, Bright, and notes the conditions associated with the Expression of Interest as stated in this report;*
- 2. Notes that community engagement will be carried out in relation to the potential purchase over a three-week period from 28 February to 19 March 2024 in order to inform Council's decision making; and*
- 3. Considers a recommendation following community engagement and due diligence in relation to 1-3 Anderson Street, Bright at a future Council meeting.*

Carried Unanimously

BACKGROUND

In late November 2023, 1-3 Anderson Street, Bright (the 'Shell Service Station') was offered for sale through an Expression of Interest process. It is understood that a fuel service station has operated from this site since 1962, and the site has been in the same ownership since 1992.

This site has previously been identified by Council officers as having potential strategic value for the community given its location. A traffic assessment carried out in 2022 determined that key road intersections in the Bright Central Business District (CBD) were operating at the time under 'excellent' conditions and the road network performing with a 'high level of service'. However, it was noted that based on high-level modelling, the capacity of Gavan Street to accommodate vehicular traffic during peak periods might be exceeded in as little as eleven years. Emergency Services stakeholders surveyed as part of the traffic assessment were noted as consistently identifying difficulties in travelling through central Bright during peak periods due to congestion. Right turn movements in the vicinity of the Star Road/Gavan Street intersection were observed to impede traffic movement and result in delays, albeit moderate.

Whilst an upgrade of the Star Road/Gavan Street/Anderson Street intersection is not considered a high priority today, given the knowledge that traffic movements within the Bright CBD may become increasingly constrained in the medium term based on current modelling of increasing traffic volumes, it is considered incumbent on Council to

evaluate the unique opportunity that the acquisition the Shell Service Station site might present for addressing the shortcomings of the existing intersection design. It cannot be foreseen when this site might next become available for purchase.

The Confidential Information Memorandum was acquired, and a preliminary assessment was carried out, which included commissioning an independent valuation of the freehold site and fuel service station business and a high-level technical assessment of the opportunity that acquisition of the site would present for an upgrade of the Star Road/Gavan Street /Anderson Street intersections.

On the basis of this preliminary assessment, an Expression of Interest was submitted on behalf of Council on 19 January 2024. Conditions associated with this Expression of Interest are:

1. A clean environmental report
2. A formal decision to purchase made by Council in accordance with the requirements of the Local Government Act
3. Appropriate due diligence leading to Contract of Sale

Council officers are currently working through a due diligence process to support a recommendation to Council for a decision at a future Council meeting.

ISSUES

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.

Bright Strategic Traffic Assessment - Summary of Key Conclusions

Traffic volumes across the network do not exceed capacity having regard to the function and cross-section of each road. Daily volumes are all less than 70% of typical daily capacity, even during peak holiday periods.

Peak-hour intersection modelling suggests that all intersections are operating under 'excellent' conditions, with only modest queueing and delays, and no upgrades or interventions are warranted on a capacity basis. Even accounting for the busiest periods during a week-long survey, the road network was performing with a high level of service.

Origin-destination data suggests that traffic entering Bright is relatively evenly distributed across multiple destinations, indicating that through-traffic is not a contributor to perceived traffic issues. Noting that daily and peak-hour traffic remains comfortably within capacity, there is little justification as a result for establishing an Alternative Route or Bypass at this stage. Should traffic volumes increase from that surveyed during the summer peak (e.g., due to ongoing residential development or tourism increases) then it would require growth of approximately 50% on central Gavan

Street until traffic volumes exceed capacity, and an Alternative Route or Bypass may be warranted. High-level modelling undertaken for the Bright Western Gateway suggests residential development in this area may contribute approximately 1,350 additional vehicle movements into central Bright. Allowing for a further 2% annual growth rate, the nominal 12,000 vehicle-per-day capacity on central Gavan Street may be exceeded in 11 years.

Emergency Services stakeholders consistently identified difficulties in travelling through central Bright during peak periods due to congestion. Traffic analysis suggests intersection performance is within acceptable bounds for general traffic use, however this modest level of traffic congestion may not be appropriate in an emergency context.

Bright Strategic Traffic Assessment - Qualitative observations

Gavan Street/Star Road:

- *Right turn into service station blocks through traffic on Gavan Street*
- *Modest delays for drivers exiting Star Road*
- *Right-out movement is critical and can briefly generate queues up to five vehicles, but tends to clear quickly*

Gavan Street/Anderson Street

- *Typically free flowing traffic*
- *Minimal queueing*
- *Driver delays are generally only a few seconds*
- *Pedestrian facilities could be improved, but do not cause significant pedestrian delay*

Additional Potential Benefits

The following additional benefits might be realised for the community in the event that the site was acquired and redeveloped by Council:

- Improved pedestrian and cyclist safety at the key Star Road/Gavan Street/Anderson Street intersections
- Improved amenity including additional of high-value public open space at a key entry point to the Bright CBD
- Improved vehicular evacuation route from the north side of the Ovens in the event of bushfire.

POLICY IMPLICATIONS

The potential purchase of 1-3 Anderson Street and the associated fuel service station business triggers the requirement for Council to engage with the community in accordance with Council's Community Engagement 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

An independent valuation of the site and the fuel service station business and a high-level assessment of the liability associated with the underground infrastructure were commissioned on behalf of Council as part of the preliminary assessment, and this information was used to inform the Expression of Interest submitted on behalf of Council.

Independent advice has subsequently been sought as part of the ongoing due diligence process to validate the information acquired during the preliminary assessment and establish confidence in the assessment of market value for both the freehold site and the fuel service station business.

The implications on Council's Financial Plan of a potential purchase and future redevelopment of the site are being assessed.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Poor quality decision-making.	Possible	Major	<ul style="list-style-type: none"> • Thorough due diligence process to ensure Council is fully informed at the point where a recommendation is presented for consideration and a decision. • Engagement of specialist consultant advice where this knowledge does not sit within the Council administration team. • Community engagement carried out in accordance with Council's Community Engagement Policy.

CONSULTATION

Council officers will engage with the community to obtain public feedback on the opportunity under consideration and to hear about potential alternative options.

The level of engagement which will be carried out is 'consult' as described in section 3.2.5 of Council's Community Engagement Policy.

Information relating to this opportunity will be shared with the public through Council's online engagement platform 'Engage Alpine', through Council's website and also made available on request at the Bright Office, Myrtleford and Mount Beauty Libraries. Very limited information is available, and this information does not include concept/detailed designs or artistic impressions showing how a redevelopment of the site might look in the future.

The community will be given with the opportunity to provide feedback preferably through Council's online engagement platform 'Engage Alpine', but also in writing submitted via email or in hard copy delivered to Council's Bright Office.

However, neither the Expression of Interest nor the independent valuation of the freehold site and the business will be shared with the public ahead of Council making a decision in relation to the potential purchase, because these documents contain Confidential Information, being information that would prejudice Council's position in commercial negotiations if prematurely released.

CONCLUSION

Council has a unique opportunity to purchase the freehold property 1-3 Anderson Street, Bright, together with the fuel service station business to facilitate a future redevelopment of the site for the purpose of facilitating road intersection upgrades.

A non-binding Expression of Interest has been submitted on behalf of Council and a comprehensive due diligence process is underway.

A community engagement process is planned in accordance with Council's Community Engagement Policy.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer

ATTACHMENT(S)

Nil

8.2 DIRECTOR ASSETS – ALAN REES

8.2.1 Funding Applications Update

INTRODUCTION

This report relates to recent applications made by Council to available grant funding opportunities to support infrastructure projects.

Cr Janas

Cr Keeble

That Council:

1. *Notes the recent application made to the Australian Government's Bridges Renewal Program Fund for the Star Road Bridge Upgrade with a maximum Council co-contribution of \$130,000;*
2. *Notes the recent application made to the Victorian Government's Local Sports Infrastructure Fund with a maximum co-contribution of \$173,518 for the following projects; and*
 - a. *Dinner Plain Pump Track Construction*
 - b. *Mount Beauty Recreation Reserve Oval Lighting Upgrade*
 - c. *Les Pert Oval Facility Concept Design*
3. *Approves expenditure up to the maximum Council co-contribution for each project in the event that one or more funding applications is successful.*

Carried Unanimously

BACKGROUND

Recently Alpine Shire Council has had the opportunity to apply for funding to the Australian and Victorian Governments for infrastructure grants. Following an assessment of Council's Project Pipeline, it was determined that specific infrastructure projects met the criteria of the Australian Government's Bridges Renewal Upgrade Fund and the Victorian Government's Local Sports Infrastructure Fund (LSIF).

Bridges Renewal Upgrade Fund

The Australian Government established the Bridges Renewal Upgrade Fund which has been providing at least \$85 million per year to fund the upgrade and replacement of bridges to enhance access for local communities and facilitate higher productivity vehicle access.

Council assessed potential projects against the Fund selection criteria, and it was determined that the Star Road Bridge Upgrade best met the criteria. An application was made in December 2023 for the upgrade and widening of the bridge, and the replacement of the guardrail and pedestrian walkway.

Local Sports Infrastructure Fund

The Victorian Government's Local Sports Infrastructure Fund is a state-wide competitive program that provides a range of grant opportunities across three funding streams; Community Facilities, Community Sports Lighting, and Planning.

The fund is underpinned by the Department of Jobs, Skills, Industry and Regions' priorities to create more opportunities for people through skills and jobs, help businesses and industries to thrive and build vibrant communities and regions.

Following an assessment of Council's Project Pipeline, it was determined that the following projects best met the grant criteria across each funding stream and are sufficiently well developed to be deliverable within the nominated grant timeframes:

Fund Stream	Project	Funding Request	Council's Contribution
Community Facilities	Dinner Plain Pump Track	\$230,476	\$76,852
Community Sports Lighting	Mount Beauty Recreation Reserve Lighting Upgrade	\$250,000	\$83,333
Planning	Les Pert Oval Facility Concept Design	\$40,000	\$13,333
Total		\$520,476	\$173,518

ISSUES

The need to work within the constraints of any applicable heritage controls is recognised and acknowledged for the Star Bridge in Bright.

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

If Council is successful in its application to the Australian Government's Bridges Renewal Upgrade Fund and for all three applications to the Victorian Government's Local Sports Infrastructure Fund, a maximum co-contribution of \$130,000 and \$173,518, respectively, will be required.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Grant announcements are made after the 2024/25 Budget has been adopted, and expenditure is not captured in the 2024/25 budget.	Possible	Minor	<ul style="list-style-type: none"> Council will be notified in the event of a successful funding application occurring after the budget is adopted. The projects for which funding is secured will be delivered as unbudgeted projects.

CONSULTATION

The projects that have been nominated are identified as high priorities on Council's Project Pipeline. Consultation has been undertaken to ensure that the community and referral agencies are supportive of the projects which have been nominated. The projects that have been nominated have been selected based on their alignment with the funding eligibility and evaluation criteria.

CONCLUSION

Council has recently submitted applications aiming to secure significant grant funding for infrastructure projects. These opportunities exist across the Australian Government's Bridges Renewal Upgrade Fund and the Victorian Government's Local Sports Infrastructure Fund.

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 Engineering and Assets

ATTACHMENT(S)

Nil

8.2.2 Myrtleford Transfer Station Office Construction and Fit Out

File Number: CT23086

INTRODUCTION

This report relates to the award of a contract for the Myrtleford Transfer Station Office Construction and fit out.

Cr Keeble

Cr Nicholas

That Council:

- 1. Approves total unbudgeted capital expenditure of \$213,333 (GST exclusive) as a co-contribution towards the Myrtleford Transfer Station Office Reconstruction and Tip-Shop project, of which a lump sum amount of \$199,856 (GST Exclusive) is awarded under Contract No. CT23086 to Colin Joss and Co Pty Ltd T/A Joss Facility Management for the Myrtleford Transfer Station Office Construction and Fitout.*
- 2. Delegates authority to the Chief Executive Officer to sign and seal the contract at an appropriate time.*

Carried Unanimously

BACKGROUND

In March 2023 Alpine Shire Council applied for funding under Sustainable Victoria's Circular Economy Councils Fund Round 3, to implement a Tip Shop at Myrtleford Transfer Station. The Circular Economy Councils Fund supports Victorian local governments to implement projects that will focus on reducing the volume of waste going to landfill; increasing the volume of materials reused, repaired, repurposed, or recycled; boosting local circular economy activity and jobs.

Council's funding application for the construction and implementation of a Tip Shop at the Myrtleford Transfer Station was successful and the Funding Agreement for Circular Economy Councils Fund Round 3 commenced 27 September 2023.

The project includes fit out of a Tip Shop, construction and fit out of the Transfer Station office and road/carpark upgrades for public access.

An upgrade of the Myrtleford Transfer Station office was incorporated into the Tip Shop implementation project and included in the grant application. Upgrading the transfer station office will ensure transfer station staff will be equipped with the appropriate facilities to be able to operate a tip shop alongside their existing transfer station duties.

An outcome of adding the Transfer Station Office to the project is that the transfer station office upgrade is partially funded under Sustainable Victoria's Circular Economy Councils Fund Round 3 grant.

EVALUATION

The tender was advertised in the Herald Sun on the 20 December 2023, as well as on Tenders.net and the Alpine Shire Council website.

A total of 12 prospective tenders downloaded the document and one (1) submission was received.

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

1. Price
2. Qualifications and previous performance
3. Delivery
4. Social
5. Environmental Sustainability

Following the assessment of the tenders, it was determined that the tender from Colin Joss & Co Pty Ltd T/A Joss Facility Management met all the requirements of the selection criteria and provided best value for Council.

ISSUES

The Sustainable Victoria grant required Council to commit to cash and an in-kind co contribution of \$213,333 (GST exclusive) and \$11,666, respectively. Total funding contributed by Sustainability Victoria for this project is \$106,666.

Notification of a successful grant application was received after the 2023/24 Budget had been adopted by Council, and the project has been progressed to date as unbudgeted expenditure. Award of the tender is contingent on approval by Council of the unbudgeted capital expenditure.

POLICY IMPLICATIONS

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

- 3.3 Responsible management of waste

FINANCIAL AND RESOURCE IMPLICATIONS

The total cost of this project is \$320,000 (GST exclusive) which is partly funded to the value of \$106,666 (GST exclusive) through Sustainability Victoria's Circular Economy Fund Round 3. Council's co-contribution to the project is \$213,333 (GST exclusive), which is unbudgeted.

RISK MANAGEMENT

Key risks of the project are as follows:

Risk	Likelihood	Impact	Mitigation Action / Control
Timing constraints imposed by the funding body - completion by 30 June 2024 - not able to be met.	Probable	High	<ul style="list-style-type: none"> Tip shop and office construction and fitout separated to allow progression of tip shop fitout while office construction ITT approvals process occurs.
Delayed building permit approvals	Possible	High	<ul style="list-style-type: none"> Included building permit in contractors' scope for Transfer Station office

CONSULTATION

Sustainability Victoria and all relevant Council staff have been consulted.

CONCLUSION

In September 2023, Council was awarded a grant from Sustainable Victoria for the construction and implementation of a Council Tip Shop at the Myrtleford Transfer Station. The grant agreement requires Council to co-contribute \$213,333 (GST exclusive) to a \$320,000 (GST exclusive) project. Council was not awarded this grant until after the adoption of the 2023/2024 Capital Works budget and as a result Council's co-contribution is unbudgeted.

A significant portion of the project is the construction and fit out of the Transfer Station Office will ensure appropriate facilities to be able to operate a tip shop. Council tendered this portion of the works in December 2023.

Following a tender evaluation assessment, site visits and reference checks, the tender from Colin Joss & Co Pty Ltd T/A Joss Facility Management is considered the best option due to price, references, delivery method and local construction experience.

For award of this tender and completion of the Tip Shop project, Council is required to approve an unbudgeted capital expenditure of \$213,333 (GST exclusive).

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 Engineering and Assets
- Project Manager

ATTACHMENT(S)

Nil

8.2.3 January 2024 Storm Event - Update

INTRODUCTION

The purpose of the report is to update Council on the impact caused during a storm on 3 January 2024 and seek approval for unforeseen expenditure related to reinstatement works.

Cr Keeble

Cr Kelley

That Council:

- 1. Notes that expenditure of \$167,227 (GST Exclusive) has been committed to date for contracted services related to the January storm event;*
- 2. Notes the contracts which have been awarded under an exemption to Council's Procurement Policy 'because of genuine emergency or disaster';*
- 3. Approves total unbudgeted expenditure related to works resulting from the storm event up to \$250,000 (GST Exclusive), being the revised estimate of the total cost impact of reinstatement works; and*
- 4. Notes that Council officers will seek to recoup funds to the greatest extent possible from all available means.*

Carried Unanimously

BACKGROUND

On Wednesday 3 January 2024 a significant storm event occurred in the Alpine Shire. The areas that incurred the greatest damage are primarily located in the Kiewa Valley, Germantown and Freeburgh areas with minor damage sustained in surrounding areas including Porepunkah, Bright and Myrtleford. The storm caused widespread damage to Council infrastructure across the Shire, impacting particularly significantly on our trees.

In the Upper Kiewa Valley, the areas that were most heavily impacted include Mountain Creek Road, Tawonga Tourist Park, Damms Road and the Freda's Lane area through to the Mount Beauty Transfer Station.

ISSUES

Available Support

It was important for Council to act quickly to reinstate infrastructure damaged by the storm event. Delay in progressing reinstatement works would have presented a risk to public safety and further infrastructure damage, as the infrastructure cannot function as intended.

Protracted road closures have an impact on the community being able to carry on normal business and swift reinstatement means economic recovery and community resilience is supported.

Council officers moved rapidly to secure contractor resources to support the recovery, recognising the high demand on contractor resources post-emergency event.

Commonwealth State Disaster Recovery Funding Arrangements (DRFA)

It was announced on 11 January 2024 that the jointly funded disaster assistance had been activated for communities impacted by the Victorian Floods and Storms that commenced on 24 December 2023, under the Commonwealth-State Disaster Recovery Funding Arrangements (DRFA).

POLICY IMPLICATIONS

Section 4.3 of Council's Procurement Policy states:

Under specific circumstances exemption from the methods of this policy may be sought. These include a contract made because of genuine emergency or disaster.

Three contracts were awarded within 48 hours of the storm event which have relied on this Procurement Policy exemption as follows:

1. A contract was awarded to Tru Tree Care to a value of \$31,319 (GST Exclusive) for works carried out in the Tawonga Caravan Park, including assessment of tree canopies and removal of hanging branches from the canopies of approximately 35 trees.
2. A contract was awarded to Tru Tree Care to a value of \$12,511.50 (GST Exclusive) for clearing fallen trees on Mountain Creek Road.
3. A contract was awarded to Keath Excavation to the value of \$27,290 (GST Exclusive) to assist with the removal of bulk debris with specialist machinery.

The recommendations are 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 January 2024 storm event was unforeseen, and therefore not considered at the time the 2024/25 Budget was adopted by Council.

During the event the initial costs were principally associated with staff costs.

The recovery phase of the event commenced immediately with tree assessments being undertaken and recovery activity remaining ongoing.

An initial assessment of damaged infrastructure indicated that the total cost of reinstatement works as a direct result of the storm could reach \$350,000.

17 separate contracts have been entered into to date with cumulative value totalling \$167,227 (GST Exclusive).

Significant outstanding works to be contracted include hazardous tree removal along Fieldings Lane, Fredas Lane and Maddisons Lane, and the processing of 300+ trees into firewood. These works are estimated to cost between \$50,000 and \$65,000.

Based on works committed to date and known works which remain outstanding, the latest estimate of the total cost of reinstatement works has been revised down to \$250,000 (GST Exclusive).

Council officers are seeking to recoup the expenditure to the greatest extent possible, however there will be a cost to Council that will not be covered from external funding or insurance sources that will be funded by Council funds.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Council's Insurance claim is not fully covered	Possible	Minor	<ul style="list-style-type: none"> Council engages with insurer to ensure information needs are met

CONSULTATION

Council has been in contact with directly affected community members, relevant agencies and the State Government Department of Treasury and Finance.

CONCLUSION

A significant storm event impacted on the Alpine Shire on 3 January 2024. Council's team supported the community through the emergency response on the night of the emergency and continues to support the recovery. An initial assessment of damaged infrastructure indicated that the total cost of reinstatement works as a direct result of the storm could reach \$350,000. The current estimate of the total cost of reinstatement works is \$250,000 (GST Exclusive).

Council officers will seek to recoup these costs to the greatest extent possible through disaster funding and insurance.

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
- Director Assets
- Manager Operations

ATTACHMENT(S)

Nil

8.2.4 Bright Senior Citizens Centre Community Asset Committee

INTRODUCTION

The purpose of this report is to present to Council an amended Instrument of Delegation for endorsement due to the Bright Senior Citizens Club ceasing to operate.

Cr Nicholas

Cr Janas

That Council:

1. *Exercises the power conferred by s65 of the Local Government Act 2020, so that:*
 - a. *The Bright Senior Citizens Centre Community Asset Committee (BSCC CAC) membership be amended to reflect current community needs for the management of the Bright Senior Citizens Centre;*
 - b. *Membership of the BSCC CAC shall consist of:*

<i>Alpine Shire Council</i>	<i>1 Representative</i>
<i>U3A Bright District</i>	<i>2 Representatives</i>
<i>General Public</i>	<i>2 Representatives</i>

- a. *A quorum of the Committee is a whole number that is an absolute majority, which is greater than half the total number of members of the BSCC CAC; and*
 - b. *All members of the BSCC CAC have voting rights on the committee.*
2. *Notes that in accordance with s47(1)(b) of the Local Government Act 2020, the Instrument of Delegation to the BSCC CAC will be updated by the Chief Executive Officer, following the endorsement of membership structure of the Committee by Council.*

Carried Unanimously

BACKGROUND

The Bright Senior Citizens Centre Community Asset Committee (BSCC CAC) was formally established by Council in August 2020, for the purpose of managing the Bright Senior Citizens Centre, in accordance with section 65 of the *Local Government Act 2020*.

In 2022 Council was approached by U3A Bright to relocate to the Bright Senior Citizens Centre as its membership had outgrown their current space at the Bright Community Centre. The membership of the Committee was subsequently amended and approved at the November 2022 Ordinary Council Meeting with the following representation.

- Two representatives from Bright Senior Citizens
- Two Representatives from U3A Bright
- One Representative from ASC
- One Representative from the general public

In December 2023, Council received notification from Bright Senior Citizens that they would cease to operate, and it would no longer have representation on the Committee requiring a change to the membership structure.

ISSUES

Without an approved Committee, responsibility for management of the Bright Senior Citizens Centre will be returned to Council.

Community Asset Committees are established by Council under section 65 of *the Local Government Act 2020*. Council may consider the membership of the Committee and allocate as many members as it considers necessary to achieve the purpose of managing the community asset.

Once the BSCC CAC membership structure is endorsed by Council, the Instrument of Delegation to members of the Committee can be approved by the Chief Executive Officer, in accordance with section n47(1)(b) of the *Local Government Act 2020*.

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

Preparation of the Instrument of Delegation is complete with the only change being the makeup of the membership. If approved by Council, there will be no changes to the way the Bright Senior Citizens Centre currently operates.

The financial impact to Council does not change.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action/Control
No nominations are received for committee	Low	Moderate	Bright Senior Citizens Centre returns to Council for management.

CONSULTATION

Council’s Property and Contracts Coordinator has been in consultation with Bright U3A and the current Committee to determine their preferred management structure going forward.

CONCLUSION

The proposed delegation ensures the Bright Senior Citizens Centre can continue to be managed on behalf of Council into the future.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Operations
- Property and Contracts Coordinator
- Facilities Officer
- Governance Officer

ATTACHMENT(S)

Nil

8.3 DIRECTOR CUSTOMER AND COMMUNITY – HELEN HAVERCROFT

8.3.1 Quarterly Performance Report – Council Plan

File Number: SU600.03

INTRODUCTION

The Alpine Shire Council Plan 2021-2025 was adopted by Council in October 2021, and set out Council's direction for the next four years. This Quarterly Performance Report is the first update on progress in 2023/24.

Cr Keeble

Cr Nicholas

That the Quarterly Performance Report ending 31 December 2023 be received and noted.

Carried Unanimously

BACKGROUND

The Council Plan was adopted in October 2021, with the plan having 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.

The Governance and Management Checklist that forms part of the Local Government Performance Reporting Framework (LGPRF) suggests that it is best practice to report on Council Plan progress at least on a six-monthly basis.

Where interim progress reporting of indicators does not generate meaningful results, these are reported at end of financial year as part of the annual report.

HIGHLIGHTS

Strategic Driver 1: For those who live and visit

- Community Grants were awarded to 19 community groups in the 2023/24 financial year, including five that increased participation in physical activity.
- Alpine Shire Youth Awards celebrated local youth in September 2023, from more than 50 nominations.
- Council's Sport and Recreation Masterplan is underway, with user groups consulted and draft plans in place. The next step will be wider community consultation.

Strategic Driver 2: For a thriving economy

- Festival and Event Funding was awarded support to 19 events in July 2023, with a further four events in Dinner Plain supported.
- Council's Event Team processed permits for a total of 56 events with an estimated total attendance figure of 41,000 between July and December 2023.

Strategic Driver 3: For the bold protection of our future

- The Community Climate Action Plan Roadmap 2023 was endorsed by Council in October 2023. Public lighting to low energy LED has been completed, and recommendations have been made for retrofitting Council buildings for Environmentally Sustainable Design have been made.
- The Food Organics Garden Organics (FOGO) kerbside collection service was introduced and operational from 1 July 2023.

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

- The draft Alpine Shire Land Development Strategy was endorsed by Council in October 2023, for the purposes of public exhibition, with a final strategy due for presentation in mid-2024.

Strategic Driver 5: For strong and informed leadership

- The 'Engage Alpine' online portal was launched in mid-October 2023. Between October – December 2023, the site received 4,517 visits, 434 contributions, and 293 project follows, with 549 total members. Projects that were open for community feedback included: Short Stay Rental Accommodation Local Law, Draft Land Development Strategy, Bright Skate Park Concept Design, Community Budget Submissions, and Alpine Shire Community Awards.

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.

Progress reporting aligns with the 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 the Council Plan are detailed in the Financial Plan, and annual Budget.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to deliver annual Council Plan commitments	Possible	Minor	<ul style="list-style-type: none"> Progress reporting ensures that the annual Council Plan commitments are regularly raised as priorities during the year, ensuring that their delivery is prioritised.

CONSULTATION

The Council Plan was established through deliberative engagement with the community and then 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 progress 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)

8.3.1 Quarterly Performance Report – ending 31 December 2023

8.3.2 Budget Report - Quarterly Review - period ending 31 December 2023

INTRODUCTION

The purpose of the Budget Report - Quarterly Review (the 'Report') is to provide Council with an overview of the financial position of Council for the period ending 31 December 2023.

*Cr Janas
Cr Keeble*

That Council receives and notes the Budget Report - Quarterly Review for the period ending 31 December 2023.

Carried Unanimously

BACKGROUND

The report and accompanying attachment provides 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 \$4.2m, which is \$1.5m higher than the budgeted surplus of \$2.7m.

The forecasted variance to budget is the result of a mix of drivers. There is forecast additional income as well as increased expenditure in some areas and reduced expenditure elsewhere. Full details can be viewed in the attachment.

The forecast variance to budgeted result is the result of a mix of drivers such as:

- additional other income (\$0.9m) - related largely to the increase in return on Council's investments.
- reduction in recognising (capital) grants income (\$1.22m).
- reduction in materials and services expenditure of (\$0.6m).
- employee costs are also forecast to be under budget (\$0.9m).

Council continues to experience cost pressures and a lack of resources to deliver the Capital Works program. This has led to the income for grants not yet being recognised in our accounts.

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.

At the end of Q2 financial reporting none of these three items is forecast to occur and Council is not required to complete a revised budget for 2023/24.

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 \$4.2m, which is \$1.5m higher than the budgeted surplus of \$2.7m.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Financial Sustainability	Rare	Major	Quarterly reporting provides a snap shot of performance for Council. Maintaining rigour in financial reporting supports Council to make financially sustainable decisions.

CONSULTATION

Appropriate consultation has been carried out with Council Officers across the organisation in order to compile this report.

CONCLUSION

The Budget Report - Quarterly Review for the period ending 31 December 2023 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 Customer and Community
- Financial Accountant

ATTACHMENT(S)

8.3.2 Budget Report - Quarterly Review for the period ending 31 December 2023.

Cr Prime attended the meeting via virtual means however during various stages of the Ordinary Council Meeting, experienced connectivity difficulties including items 8.3.3, 8.3.4, 8.3.5 and item 9 on the agenda in accordance with Council's Governance Rules G2.12.

This is noted in the minutes by all those being present using the words carried as opposed to carried unanimously.

8.3.3 Draft Borrowing Policy

INTRODUCTION

A draft Borrowing Policy has been developed for consideration and approval for release to the community for consultation.

*Cr Keeble
Cr Kelley*

That Council:

- 1. Approves the draft Borrowing Policy be made available for community consultation in accordance with its Community Engagement Policy for a period of no less than 28 days;*
- 2. Invites written submissions from the public on the draft Borrowing Policy;*
- 3. Considers written submissions; and*
- 4. Considers a recommendation to adopt the Borrowing Policy at a future Ordinary Council meeting.*

Carried

BACKGROUND

An analysis of Council's financial policies identified a gap in that Council does not have a Borrowing Policy (Policy).

Council paid out its last borrowing in July 2015 and has not borrowed funds since. Council does not intend to borrow funds in 2023/24 or during the following three years, as per the adopted Budget 2023/24.

ISSUES

The proposed Borrowing Policy was developed by reviewing other councils Borrowing Policies (or like named policies), to develop a policy that reflected the needs of Council.

The Policy sets out the circumstances in which Council will undertake borrowing and manage its loan portfolio. The purpose of the Policy is to provide clear direction on the authority of Council or Council officers to make borrowing decisions.

The draft Policy was provided to the Audit and Risk Committee at their November meeting seeking feedback. This feedback was considered and incorporated into the draft Borrowing Policy before Council.

POLICY IMPLICATIONS

The recommendations are 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

There are no financial or resource implications related to consulting with the community on this Policy.

This report is not proposing that Council secure any loans but provides a framework if such a facility was required.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Not having a policy in place regarding borrowing could lead to uncontrolled borrowing - liabilities	Unlikely	Major	<ul style="list-style-type: none"> Implement a robust policy to establish controls if Council decides to borrow funds

CONSULTATION

The Audit and Risk Committee provided feedback during the development of the draft Policy.

CONCLUSION

Council approves the release of the draft Borrowing Policy for community consultation for the period of not less than 28 days.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Corporate

ATTACHMENT(S)

8.3.3 Draft Borrowing Policy

Cr Prime attended the meeting via virtual means however during various stages of the Ordinary Council Meeting, experienced connectivity difficulties including items 8.3.3, 8.3.4, 8.3.5 and item 9 on the agenda in accordance with Council's Governance Rules G2.12.

This is noted in the minutes by all those being present using the words carried as opposed to carried unanimously.

8.3.4 2024 Council General Elections - Victorian Election Commission Costs

INTRODUCTION

The next general election for Alpine Shire Council (Council) is scheduled to occur in October 2024. In accordance with the *Local Government Act 2020*, the election must be conducted by the Victorian Electoral Commission (VEC), with the costs borne by the relevant Council. The purpose of this report is to share with Council the cost estimates associated with undertaking the Alpine Shire Council general election in October 2024.

Cr Keeble

Cr Kelley

That Council notes the cost estimate provided by the Victorian Electoral Commission (VEC) for the conduct of the next general election for the Alpine Shire Council, which will be conducted by the VEC in October 2024 in accordance with sections 257 and 263 of the Local Government Act 2020.

Carried

BACKGROUND

The Victorian Electoral Commission (VEC) has provided estimated costs that Council is likely to incur in the operation of the 2024 Council general election.

The VEC manages the operation of the Council general elections every four years, with the next election scheduled to occur in October 2024.

ISSUES

Each Council is expected to pay the costs associated with their 2024 Council general election.

Council has the chance to review the costs and request some changes, but they are at the lower end of the financial impact. For instance, Council could identify a suitable location for the Returning Officer to work from for the election period which may be cheaper than has been estimated by the VEC. But Council does not have the ability to reduce the costs of the Returning Officer.

In addition to the significant expenditure to the VEC a team of internal staff has been convened to manage, coordinate and support the operation of the 2024 Council general election.

There have been some changes to the establishment of the electoral roll which mean Council have additional tasks such as contacting all owners not enrolled on the State Roll to inform them, they will need to enrol separately if someone eligible wishes to vote.

POLICY IMPLICATIONS

The *Local Government Act 2020* section 257 determines that a general council election must be held on the fourth Sunday of October every four years after 2020.

The *Local Government Act 2020* section 263 determines that a general council election must be conducted by the VEC.

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

Cost estimates provided by the VEC for the 2024 Council general election total \$193,313 (GST inclusive), an increase of nearly 36% compared to the previous election held in 2020. The principal increases are being seen in staff costs, postage and mail processing, central services and general administration. Council is not able to influence these costs. These costs will fall into the 2024/25 financial year and form part of the Budget to be presented at a forthcoming Ordinary Council meeting for consideration.

Cost	2024 Quotation
Conduct of the Election	\$ 176,512
Compulsory Voting Enforcement	\$ 16,801
Total	\$ 193,313

Council is required to provide signed approval to VEC of the 2024 quotation by 31 March 2024.

In addition to these external costs, Council will be exposed to resourcing pressure in ensuring that Council is delivering all duties aligned with general elections, including roll preparation, key documentation and preparation for the arrival of a new Councillor cohort. No estimate can yet be provided for the cost of this support.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Not having sufficient funds to support the VEC costs	Unlikely	Minor	<ul style="list-style-type: none"> • Include the proposed funding required in the draft 2024/25 Budget.

CONSULTATION

None has been undertaken or is considered necessary for preparing this report. However, the VEC will undertake sessions and provide education in relation to the Council general election as the year progresses. These are centrally directed rather than Council initiated.

CONCLUSION

Council notes the information related to the costs to Council for the operation of the 2024 Alpine Shire Council general election.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Corporate

ATTACHMENT(S)

Nil

Cr Prime attended the meeting via virtual means however during various stages of the Ordinary Council Meeting, experienced connectivity difficulties including items 8.3.3, 8.3.4, 8.3.5 and item 9 on the agenda in accordance with Council's Governance Rules G2.12.

This is noted in the minutes by all those being present using the words carried as opposed to carried unanimously.

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.

Cr Nicholas

Cr Hughes

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

- 1. The following member of Council staff referred to in attachment 8.3.5 "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the instrument) be appointed and authorised as set out in the instrument;*
 - a. Statutory Planning Coordinator*
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it;*
- 3. The instrument be signed and sealed at the appropriate stage of this meeting.*

Carried

BACKGROUND

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. Council has appointed a Statutory Planning Coordinator, who requires authorisation under the *Planning and Environment Act 1987*.

ISSUES

Authorised Officers

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

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

Planning and Environment Act 1987

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

Maddocks Delegations and Authorisations Service

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

POLICY IMPLICATIONS

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

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

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

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

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

RISK MANAGEMENT

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

CONSULTATION

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

CONCLUSION

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

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

- 8.3.5 S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Statutory Planning Coordinator

Cr Prime attended the meeting via virtual means however during various stages of the Ordinary Council Meeting, experienced connectivity difficulties including items 8.3.3, 8.3.4, 8.3.5 and item 9 on the agenda in accordance with Council's Governance Rules G2.12.

This is noted in the minutes by all those being present using the words carried as opposed to carried unanimously.

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 Janas

Cr Keeble

That the summary of informal meetings of Councillors for January / February 2024 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
30 January	Briefing Session
13 February	Briefing Session
20 February	Briefing Session

Attachment(s)

- 9.0 Informal meetings of Councillors – January / February 2024

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 Nicholas

Cr Kelley

That the following documents be signed and sealed.

1. *S173 Agreement – AR & LR Nixon and Goulburn Murray Rural Water Corporation*
This Section 173 Agreement is required by conditions 17 and 18 of Planning Permit P.2021.175 for construction of a dwelling and outbuilding at 7 Growlers Creek Road, Wandiligong being the land referred to in Certificate of Title Volume 12148 Folio 199 and described as plan of consolidation PC378915B.
The Agreement provides for wastewater management measures, including a requirement to connect to a community effluent disposal or reticulated sewerage system if one becomes available and limiting the number of bedrooms in the dwelling and preventing the outbuilding from containing bedrooms and facilities that may produce wastewater.
The Agreement is a requirement of Goulburn Murray Water as a referral authority under the Alpine Planning Scheme.

2. *S173 Agreement – MA Riches*
This Section 173 Agreement is required by condition five (5) of Planning Permit P.2021.247 for a two (2) lot subdivision and native vegetation removal at 3 Houghs Lane, Bright being the land referred to in Certificate of Title Volume 9197 Folio 987 and described as Lot 4 on plan of subdivision LP118528.
The Agreement provides for bushfire management protection measures, including incorporating a Bushfire Management Plan, and an exemption from the planning permit requirement of clause 44.06-2 of the Alpine Planning Scheme.
The Agreement is a mandatory requirement of the Bushfire Management Overlay of the Alpine Planning Scheme.

3. *S173 Agreements – C & S Price*
This Section 173 Agreement and Deeds of Variation are required by conditions one (1) and two (2) of amended Planning Permit P.2022.048 for a two (2) lot subdivision, access to a road in Transport Zone 2 and native vegetation removal at 22 Tempo Crescent, Bright being the land referred to in Certificate of Title Volume 11650 Folio 803 and described as Lot 7 on plan of subdivision PS733761.
The Agreement provides for bushfire management protection measures, including incorporating a Bushfire Management Plan, and an exemption from the planning permit requirement of clause 44.06-2 of the Alpine Planning Scheme.
The Agreement is a mandatory requirement of the Bushfire Management Overlay of the Alpine Planning Scheme.
The Deeds of Variation are required to ensure that the proposal as approved does not breach an existing Covenant and Section 173 Agreement that apply to the land.

4. S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987 – Statutory Planning Coordinator

Carried Unanimously

The Chairperson closed the meeting to the public to deal with a confidential matter at 6.53p.m.

15. Confidential Report

That Council in accordance with the provisions of s66(2)(a) of the Local Government Act 2020, to consider a confidential report defined by s3 of the Local Government Act 2020, as:

- a. Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

There being no further business the Chairperson declared the meeting closed at 7.22p.m.

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Chairperson