

M(5) – 30 MAY 2023

Ordinary Council Meeting

Agenda

Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Council Chambers, Great Alpine Road, Bright on **30 May 2023** commencing at **5:00pm**.

Agenda

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1. Recording and livestreaming of Council meetings

The CEO will read the following statement:

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

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

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

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

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

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

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

Alpine Shire Council acknowledges the 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(4) – 26 APRIL 2023

RECOMMENDATION

That the minutes of Ordinary Council Meeting M(4) held on 26 April 2023 as circulated be confirmed.

4. Apologies

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

7. Public questions

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

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

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

8. Presentation of reports by officers

8.1 DIRECTOR ASSETS – ALAN REES

8.1.1 Site Office at Porepunkah Transfer Station

File Number: CQ22037

INTRODUCTION

The report relates to the award of Contract CQ22037 Demountable Site Office at Porepunkah Transfer Station.

RECOMMENDATION

That Council awards Contract No. CQ22037 Demountable Site Office at Porepunkah Transfer Station to Rendine Construction Pty Ltd for the lump sum price of \$198,177 (GST Exclusive).

BACKGROUND

The budget allocated for this project was initially planned for the installation of a demountable site office at the Myrtleford Transfer Station, however a decision was made to allocate the budget for the installation of a demountable office at the Porepunkah Transfer Station, where it is urgently required. The decision to reallocate the funds to the Porepunkah Transfer Station demountable office installation was based on two factors:

1. There is a separate section in the electronic goods shed at the Myrtleford Transfer Station that was purposely built to accommodate a site office. Although the fit out of this office space was previously tendered in 21/22 FY, the prices were deemed too expensive. Council is looking to re-tender the works as separable portions to provide better value for money. Additionally, a grant has been sought through Sustainability Victoria to part fund the office fit-out which is yet to be assessed.
2. There is an urgent requirement to install a new demountable at the Porepunkah Transfer Station as the existing office no longer meets the appropriate minimum OHS requirements and cannot achieve a building permit.

EVALUATION

The Tender was advertised in the Herald Sun and Border Mail on 18 April 2023, as well as on Tenders.net and the Alpine Shire Council website.

Nine prospective tenderers viewed the advert on Tenders.net, three tenderers downloaded the document and only one tender 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

The tender submitted by Rendine Construction Pty Ltd was assessed per the selection criteria required in the tender document. The tender submitted by Rendine Construction Pty Ltd contained all the relevant documentation as requested. Clarifying discussions during the tender evaluation process resulted in a final tender cost of \$198,177 (GST Exclusive).

ISSUES

This project was originally budgeted for delivery in FY20/21 for a total value of \$60K. Tender responses to install an office in the electronics shed at Myrtleford provided poor value for money and it was decided to review the scope and investigate alternative solutions and carry the funds forward to FY21/22. Further investigations into the overall requirements at Council’s transfer stations resulted in Porepunkah transfer station being prioritised as the highest need location. The site constraints (no electricity or water supply) at Porepunkah transfer station require a modular, self-contained office with integrated amenities. The scope was market tested through engagement with modular building suppliers and a value of \$200K was identified for the FY22/23 budget. However, during the budgeting process this item was omitted from the capital works program that was adopted by Council.

Council will explore a better solution for the use of the existing purpose-built space in the electronic shed at the Myrtleford Transfer Station through seeking grant funding to contribute to the fit out of the space and seeking separate quotes across different trades to reduce the overall cost.

POLICY IMPLICATIONS

The tender was advertised and evaluated according to Council's procurement policy. The recommendation is in accordance with the following Strategic Objective of the Council Plan 2021-2025:

- 3.3 Responsible management of waste

FINANCIAL AND RESOURCE IMPLICATIONS

There is an opportunity to deliver this project as an unbudgeted project by the end of the 22/23 financial year based on the project plan submitted by the tenderer, instead of delaying works and budgeting this item for the 23/24FY. This would enable the office installation works to be programmed to be completed by the end of the 22/23 financial year, which will coincide with the completion of the capping works.

Council has adequate financial resources and project management capacity to deliver this project.

RISK MANAGEMENT

Key risks of the project are as follows:

| Risk | Likelihood | Impact | Mitigation Action / Control |
|----------------------|------------|--------|-----------------------------|
| Delayed installation | Unlikely | Minor | Project management plan |

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--|------------|--------|--|
| Installation not completed for weekend opening | Unlikely | Minor | Planning installation sequencing with contractor Divert customers to Myrtleford if opening not possible |

CONSULTATION

Relevant Council officers have been consulted.

CONCLUSION

Following a tender evaluation assessment, site visits and reference checks, the tender from Rendine Construction Pty Ltd is considered the best option for the project and Council.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Engineering and Assets
- Project Officer

ATTACHMENT(S)

Nil

8.1.2 Residual Greenhouse Gas Offsets

INTRODUCTION

This report relates to the approach for offsetting residual Greenhouse Gas (GHG) to meet the net zero target by July 2023 set in Council's Climate Action Plan 2021-2024.

RECOMMENDATIONS

That Council:

- 1. Directly funds Australian ethical offset projects for FY23/24 residual emissions;***
- 2. Investigates a combination of initiatives for offsetting FY24/25 residual emissions including inset planting and inset community solar projects; and***
- 3. Develops an Offsets Policy.***

BACKGROUND

Council's Climate Action Plan 2021-2024 was adopted by Council on 7 September 2021. In the Climate Action Plan it is stated:

We are committed to the ambitious target of achieving net zero greenhouse gas emissions from Council operations by July 2023.

Residual emissions will be offset through purchasing of carbon credits to achieve net zero from July 2023.

Emissions abatement activities conducted to date have reduced Council's corporate emissions from the baseline year by approximately 60%, leaving in the order of 900 t CO₂-e residual emissions to be offset in the FY 23/24.

Council's carbon accounting assesses emissions each financial year and the exact total emissions for the first year from 1 July 2023 to 30 June 2024 will be confirmed once the data is collated for FY 23/24, likely by September 2023.

The emissions reduction hierarchy in the Climate Action Plan prioritises emissions abatement activities over offsetting residual emissions. The biggest residual emitters from Council operations are the closed landfill sites and heavy fleet operation. Abatement in these areas is hamstrung by available technology and prohibitive pricing. Residual emissions must therefore be offset to achieve the net zero target.

Recent media scrutiny of carbon credits and offsets have identified flaws in the industry, questioning the integrity of purchasing offsets. The projects must be measurable, permanent (for a minimum of 25 years) and additional or otherwise unclaimed for offset investment to be valid.

The recommended hierarchy for offsetting residual emissions from highest to lowest is:

- Insets - offsetting emissions through carbon reduction or removal projects within the shire boundary directly funded by Council e.g. planting indigenous vegetation locally to sequester carbon or funding community renewable energy projects.

- Directly funding projects that create offsets - offsetting emissions through participating in carbon reduction or removal projects as local as practicable.
- Australian Carbon Credit Units (ACCU) - offsetting emissions through investing in carbon reduction projects reviewed and approved by Climate Active Australia.

Investment in local planting projects generates numerous co-benefits including ecology enhancement, investment in the local economy, enjoyment for the community, reduced requirement for invasive weed removal.

Investment in local community power can benefit the community by enhancing local energy resilience and keeping money paid for electricity within the community, while also offering an ongoing return on investment for ratepayers money.

The planning and resources required to ensure these inset projects can be completed effectively, with maximised value for money, renders them unlikely for completion in FY 23/24. Planning has commenced to ensure these opportunities are thoroughly developed for offsetting residual GHG emissions for FY 24/25 and beyond.

Any insets achieved through partial completion of a plantings project in FY 23/24 can be accounted for to reduce the investment required in offsets.

Development of an offsets policy will ensure that an agreed hierarchy is followed, that offsets are measurable, permanent and additional and that adequate budget is attributed to inset projects each year.

ISSUES

The commitment made by Council through adoption of the Climate Action Plan can be interpreted in two different ways:

1. That carbon credits are purchased in order to offset the residual carbon emissions which are generated through the 2022/23 financial year; or
2. That carbon credits are purchased in order to offset the residual carbon emissions which are generated through the 2023/24 financial year.

The recommendations in this report are based on the second interpretation. The implications of assuming the first interpretation are an additional recommendation 'that Council directly funds Australian ethical offset projects for FY22/23 residual emissions'. This would require unbudgeted expenditure of approximately \$25,000 in the current financial year.

POLICY IMPLICATIONS

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

- 3.1.1 Achieve net-zero greenhouse gas emissions from Council activities by 2023

FINANCIAL AND RESOURCE IMPLICATIONS

It is anticipated that the cost to purchase residual offsets through directly funding projects that create offsets for FY23/24 will be approximately \$25,000. An internal budget submission has been made for this cost.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--|------------|----------|---|
| Residual emissions for 23/24 are higher than expected | Unlikely | Moderate | Quarterly monitoring of emissions tracking to allow early identification of budget implications |
| Cost per tonne of GHG emissions offset through project funding increases | Possible | Moderate | Consultant has been engaged with rough price advised. Council will seek to choose a project and lock in an order of magnitude contribution as early as possible |

CONSULTATION

The Climate Action Plan net zero target is a corporate commitment and community consultation has not been conducted.

CONCLUSION

It is recommended that Council directly funds projects within Australia to ensure tangible, ethical and transparent offsets for the FY23/24 residual GHG emissions. Work will continue on progressing insets planting and local community energy opportunities to prepare for FY 24/25. A policy will be drafted to ensure the ongoing validity and integrity of offset investment.

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
- Sustainability Coordinator

ATTACHMENT(S)

Nil

8.1.3 Dinner Plain Bus

INTRODUCTION

This report relates to the establishment of a Memorandum of Understanding (MOU) between Alpine Shire Council and Mount Hotham Alpine Resort (MHAR) for the delivery of the Dinner Plain Bus service for the 2023 winter season.

RECOMMENDATION

That Council notes the arrangements with have been agreed with Mount Hotham Alpine Resort for the provision of the 2023 Dinner Plain Bus Service.

BACKGROUND

The contract in place for a supplier to provide a seasonal shuttle bus service between Dinner Plain and Mount Hotham ended at the conclusion of the 2022 winter season.

Council undertook a public tender for this service for the 2023 and 2024 season in November 2022. One tender was received in this process however the tenderer later withdrew.

Figures collected in the 2022 season indicate that of a total of 8984 tickets were sold (comprising 7023 adult, 1371 child and 590 family tickets) for paying customers travelling from Dinner Plain to Hotham village. It is presumed that public customers of the Dinner Plain shuttle service are generally visitors staying in Dinner Plain who travel to and from Hotham village for snow sport. However, Council does not currently collect intention data from service customers so this cannot be verified. The other main users of the service are staff of Vail Resorts and Mount Hotham Alpine Resort (MHAR). In addition to 8984 tickets bought by paying customers, 4405 passenger trips were made by staff members of Vail Resorts.

The model for the delivery of the Dinner Plain bus service has been that Council contracts the service and pays a subsidy to the provider to enable the service to be financially viable. Council approves the fare structure and the timetable and measures the supplier against set Service Level Indicators. Council staff reconcile customer data throughout the season in order to pay a negotiated gate entry fee to MHAR based on patronage numbers. Vail Resorts offsets some of this cost by paying an amount towards the travel of their staff.

In reviewing this service, it is believed that having a single operator running the Hotham intra-village service as well as the Dinner Plain bus service managed under a single contract has the potential to deliver an improved customer experience at the same time as potentially realising operational efficiencies.

At a confidential Council meeting held on 28 February 2023, Council delegated the authority to the CEO to negotiate a subsidy payment and enter into a Contract with Alpine Resorts Victoria (trading as Mount Hotham Alpine Resort) for the provision of the Dinner Plain bus Service. Through this delegation, Council stipulated a maximum annual subsidy amount to be paid and limited the contract to a maximum of 6 years.

Council also committed that should a subsidy be successfully negotiated in line with the delegated approval, a Council report would be tabled at a subsequent meeting to note that arrangements which have been agreed [this report].

Negotiations between Council and MHAR progressed to a conclusion on 9 May 2023 when both parties committed to a Memorandum of Understanding for the provision of the Dinner Plain Bus Service 2023.

ISSUES

None to report.

POLICY IMPLICATIONS

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

- 2.2 Innovative and sustainable business development that supports year-round benefit

FINANCIAL AND RESOURCE IMPLICATIONS

Council has committed to a subsidy payment of \$140,000 to MHAR for the delivery of the 2023 Dinner Plain Bus Service. MHAR may charge reasonable passenger fares and retain all ticketing revenue to contribute towards the operating costs of the service.

MHAR will establish the bus schedule in order to provide a regular, reliable and safe service to customers.

Council will provide MHAR with a licence to accommodate 3 passenger buses at the Alpine Shire Dinner Plain Depot in return for a licence fee of \$1. Council will provide MHAR with access to a functioning fuel bowser located within the Alpine Shire Dinner Plain Depot.

The costs associated with the delivery of the 2023 Dinner Plain Bus service will be funded from the Dinner Plain Reserve. The bus service is listed as a special rate service in the Proposed Dinner Plain Special Rate Declaration 2023/24.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|--|
| The service cannot be operated in a way which is cost-neutral for Mount Hotham Alpine Resort. | Possible | Moderate | <ul style="list-style-type: none"> • Review of the service following the 2023 winter season, and renegotiation of an amended or new agreement for subsequent seasons. |

CONSULTATION

The Memorandum of Understanding was established through collaborative engagement between Mount Hotham Alpine Resort and Alpine Shire Council. It is considered to provide a fair outcome for both organisations, and importantly will result in an improved experience for customers using the service.

CONCLUSION

Under delegation from Council, the CEO has entered into an agreement with Mount Hotham Alpine Resort for the provision of the 2023 Dinner Plain bus Service.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets

ATTACHMENT(S)

Nil

8.1.4 Waste Services Policy

INTRODUCTION

This report relates to the updated Alpine Shire Council Waste Services Policy.

RECOMMENDATIONS

That Council:

- 1. Adopts the Waste Services Policy No. CLL-ID2, to come into effect on 1 July 2023;**
- 2. Provides public notice of the adopted Waste Services Policy;**
- 3. Notes that following public notice in accordance with Section 76 of the Local Government Act, the Waste Services Policy will become an Incorporated Document in the Community Local Law 2019.**
- 4. Revokes the previous Waste Services Policy (2019) on the commencement of the Waste Services Policy No. CLL-ID2; and**
- 5. Signs and seals the Waste Services Policy No. CLL-ID2 at the appropriate stage of the meeting.**

BACKGROUND

The Policy details the waste management services that Council provides to all residents, businesses and other groups within the community including kerbside collection services, collection services at Dinner Plain, provision of Transfer Stations and public place bin services.

Council's Waste Services Policy is an incorporated document in Alpine Shire Council's Community Local Law, by clause 3.12.1, that outlines the provision of waste services by Council and the general responsibilities of occupiers and the public.

Council's previous Waste Services Policy came into operation on the 1 July 2019 and has been reviewed and updated to reflect service changes, align with relevant Acts of Government and details all of Council waste provisions to the community.

ISSUES

The proposed Waste Services Policy No. CLL-ID2 has been drafted to include:

- Adjustment of Council's Waste and Recycling Service in line with the State Government's *Circular Economy (Waste Reduction and Recycling) Act 2021*, to include the kerbside Food Organics and Garden Organics (FOGO) collection service.
- Details on the particulars of each waste service that Council provides including differentiating between kerbside collection for residential properties, commercial properties as well as the Dinner Plain service, transfer stations, and public place bins.
- Relevant elements of the *Environmental Protection Act 2017*.

Under the *Local Government Act 2020* Council is required to provide a public notice informing residents of the change to the Waste Services Policy and the date of effect. The obligations for occupiers and residents are clear in the policy and will be outlined in

a summary page accessible to residents and rate payers online and in print form on adoption of the policy and prior to the effective date.

POLICY IMPLICATIONS

Local Government Act 2020

Updating the Waste Services Policy, including implementation of a kerbside FOGO collection service, ensures it aligns with requirements within the *Local Government Act 2020*.

Circular Economy (Waste Reduction and Recycling) Act 2021

Section 60 outlines the municipal residual waste and municipal recycling services, including FOGO and glass recycling, that Council is mandated to provide by 2030 and 2027 respectively. This revision of the Waste Services Policy includes the introduction of a kerbside FOGO collection service. The model used for the provision of a glass recycling service is yet to be determined and will be included in future revisions of the Waste Services Policy.

Environment Protection Act 2019

Council plays an important role under the *Environmental Protection Act 2017*; Council act as partners with the Environment Protection Authority Victoria (EPA) in regulating the *Environmental Protection Act 2017* as well as providing key services to the community that are essential in protecting the environment, such as waste collection and landfill management.

Alpine Shire Council Plan 2021-2025

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

- 3.3 Responsible management of waste

FINANCIAL AND RESOURCE IMPLICATIONS

The proposed Waste Services Policy incorporates detail on Council's entitlement to charge for the collection and disposal of waste under the *Local Government Act 1989* and apply relevant charges to all rateable properties.

The kerbside waste and recycling collection services charges and general waste charge are represented in the proposed Waste Policy as a cost recovery model, whereby ratepayers pay for the costs to Council of providing the services:

- Each property within the Shire's kerbside collection areas (as determined by Council) pay annual kerbside collection service charges per kerbside collection service provided. These charges apply regardless of whether the service is required or utilised, unless an exemption is sought and approved.

- Each property pays an annual general waste management charge to recover costs associated with public place bins, bin infrastructure, transfer station operating costs and infrastructure upgrades, closed landfill capping works and waste education. These charges apply to all rateable properties regardless of whether or not the property is permanently occupied.

Council considers the associated charges for waste services during the budget process each financial year based on the service costs to Council and considering equity and affordability for residents.

This cost recovery model for waste services is a clear and transparent way of charging for waste collection, is in line with the majority of Victorian councils and is considered best practice.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|-----------------------------------|------------|--------|--|
| Policy not adopted by 1 July 2023 | Unlikely | Major | <ul style="list-style-type: none"> • Thorough internal review process. • Presentation of Council Report at May 2023 Council Meeting. |

CONSULTATION

According to s 76(3)(a) of the *Local Government Act*, notice of an amendment must be published on Council's website; this notice of amendment will be published on adoption of the revised Waste Services Policy by Council and prior to the date the amendments come into operation on 1 July 2023.

In addition to this required notice of amendment, Council has chosen to conduct an information campaign designed to inform the community of the proposed changes and how they impact them. Feedback received from the community is informing the ongoing education, particularly in relation to the introduction of the new Food Organics and Garden Organics (FOGO) kerbside collection service.

CONCLUSION

The waste and recycling management service provided by Councils across Victoria is changing to align with the State Government's *Circular Economy (Waste Reduction and Recycling) Act 2021*. It is recommended that Council adopts the updated Waste Services Policy No. CLL-ID2.

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
- Sustainability Coordinator

ATTACHMENT(S)

8.1.4 Alpine Shire Council Waste Services Policy No. CLL-ID2

8.2 DIRECTOR CUSTOMER AND COMMUNITY – HELEN HAVERCROFT

8.2.1 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 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 third update on commitments in 2022/23.

RECOMMENDATION

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

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.

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.

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

HIGHLIGHTS

The Council Plan 2021-2025 is split into five strategic directives that mirror the Community Vision 2040. Within each of these directives, there are strategic objectives, strategies, and annual actions that provide the means to report on Council's progress against the Council Plan. Council Plan indicators are also included in the report.

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

Strategic Driver 1: For those who live and visit

- Ongoing engagement with the community saw Council's Executive team present at four Community Pop-Ups at key local events over January and February 2023. These

events were part of awareness of Council's Community Budget submissions process, which was introduced for the first time this year. The campaign yielded a very positive response from the community, with more than 40 submissions received.

Strategic Driver 2: For a thriving economy

- Council facilitated numerous events on Council land between January – March, including Alpine Valley Vibes, and Brighter Days. The Events team provided extra support to hold events in Mount Beauty following the Bogong High Plains Road landslip.
- Visitation statistics from Tourism Research Australia indicated that in the 2022 calendar year, the Alpine Shire saw a 9.3% increase in domestic visitation compared to 2021.

Strategic Driver 3: For the bold protection of our future

- Food Organics Garden Organics (FOGO) community engagement commenced, with Pop-Ups at community markets. The Waste Services contract was awarded at the February Council meeting, which will include commingled recycling, general waste, and FOGO across kerbside services, transfer station services, and bulk haulage of waste.

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

- The draft Land Development Strategy has been prepared by the consultant and provided to Council for finalisation. Further engagement with key government stakeholders will be required to confirm the pathway on a number of conflicting policy outcomes.

Strategic Driver 5: For strong and informed leadership

- The organisation has been operating under a new structure since 9 January 2023. Recruitment into vacant positions in the organisation remains ongoing and is a key focus for Executive / Management teams. There is a focus on delivering a positive customer experience, a positive employee experience, and a sustainable future for the Alpine Shire.

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 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 long-term 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"> Quarterly 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 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)

8.2.1 Quarterly Performance Report – ending 31 March 2023

8.2.2 Quarterly Review - Q3 Budget for period ending 31 March 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 March 2023.

RECOMMENDATION

That Council receives and notes the Q3 Budget Report - Quarterly Review for the period ending 31 March 2023.

BACKGROUND

This report is prepared quarterly. The report 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 \$5.3m, which is \$0.2m lower than the budgeted surplus of \$5.5m. 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 reviewed in the attachment.

To highlight some areas of change:

Additional Income from Grants (\$0.9m), and Rates & Charges (\$0.2m). Additional expenditure from Materials & Services expenditure (\$1.5m) largely resulting from expensing the Bogong High Plains Road project, and Depreciation (\$1.5m) following revaluations at the start of the financial year.

In the financial year 2022/23 the Council committed to an \$18.84m capital works program. At the 13 December 2022 Ordinary Council Meeting, Council noted that the following projects are moved to a future financial year: Mount Beauty Depot Concept Design, Tawonga Fisherman's Walk Public Toilet, Mount Beauty Airport Bowser Design, Myrtleford Landfill Rehabilitation, Mount Beauty Landfill Rehabilitation Design, Nimmo Pedestrian Bridge, Bright Office Renewal Stage 3 Design and Tawonga Hall Demolition. There are other projects detailed in the attachment that have been delayed, again for various reasons but principally supplier constraints and resourcing. The reduced expenditure on these projects results in a commensurate reduction in Grant income relating to these projects.

Increased grant income includes:

- unbudgeted Bushfire Recovery income (\$1.0m)
- Council flood support funding (\$0.5m)
- an unbudgeted grant for YACVic Future Proof program (\$0.3m)
- funding for the Rural Councils Transformation project (\$0.3m)

- unbudgeted income for the Porepunkah Caravan Park (\$0.2m)
- extra funding for Supported Playgroups service delivery (\$0.1m)
- unbudgeted income for the Tawonga Holiday Park (\$0.1m)

Revised budget

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

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

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

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

POLICY IMPLICATIONS

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

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

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

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Financial performance to date indicates a full year surplus of \$5.3m, which is \$0.2m lower than the budgeted surplus of \$5.5m.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--------------------------|------------|--------|--|
| Financial Sustainability | Rare | Major | <ul style="list-style-type: none"> 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 March 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)

8.2.2 Budget Report - Quarterly Review for the period ending 31 March 2023.

8.2.3 Alpine Resilience Groups

INTRODUCTION

The purpose of this report is to update and provide recommendations to Council on the changes to Community Resilience groups in the Alpine Shire.

RECOMMENDATIONS

That Council:

- 1. Revokes the Terms of Reference of the Alpine Resilience Committee adopted 6 July 2021;***
- 2. Notes the Terms of Reference adopted by the Alpine Resilience Partnership on 7 September 2022; and***
- 3. Continues to participate as a member of the Alpine Resilience Partnership whilst noting that this group will no longer be a formal Committee of Council.***

BACKGROUND

The Alpine Resilience Committee (ARC) is a Committee of Council.

The Community Resilience Committee was formed in the mid 2000's and was put into recess following the 2019/20 Bushfires and subsequent establishment of the Alpine Community Recovery Committee as directed by Bushfire Recovery Victoria.

Since its reinstatement, the Community Resilience Committee changed its name to Alpine Resilience Committee (ARC) and reviewed its purpose and Terms of Reference, which were adopted by Council in July 2021.

To better reflect its goals and vision, in September 2022 the ARC opted to become a partnership rather than a committee therefore the ARC has become the Alpine Resilience Partnership (ARP).

At its meeting on 7 September 2022, the ARP undertook the following:

- adopted new Terms of Reference,
- adopted the Alpine Community Recovery Committee Recovery Plan as the Alpine Community Recovery Committee transitions to operate as the Community Communications Network, and
- elected a Chair and Deputy Chair from its membership for a term to 31 December 2023 at which time a new Chair and Deputy Chair will be elected.

The ARP is a partnership of emergency management agencies, health and social welfare agencies plus community representatives that is hosted by Alpine Shire Council with a focus on planning to increase community resilience and preparedness for response and recovery.

The ARP is the forum for government and non-government agencies and community representatives to develop strategies and frameworks to support coordinated resilience planning for Alpine Shire communities and the adjoining alpine resorts.

The ARP is the conduit between community, resilience groups and the Municipal Emergency Management Planning Committee (MEMPC). The ARP will help identify community issues and concerns, and where appropriate, advocate and lobby, in conjunction with the community, government departments, other agencies and council to implement programs and initiatives to address these concerns.

ISSUES

The ARC is a Committee of Council with Terms of Reference that were adopted by Council. With the change from a Committee to a Partnership, it is recommended that the ARC Terms of Reference are revoked by resolution.

As the ARP will not be a Committee of Council, Council will not adopt the Terms of Reference but rather recognise the ongoing support from Council through the recommendations presented in this report.

POLICY IMPLICATIONS

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

Council currently holds external grant funds which support the employment of a Community Resilience Officer who provides secretariat support to ARP and plans and delivers resilience and preparedness activities. This position is funded until 31 December 2024. From 1 January 2025, Council's Community Development Coordinator will provide ongoing secretariat support to ARP.

Two Councillors will sit on the Alpine Resilience Partnership.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|---------------|--|
| Group is not clear on the roles and responsibilities of the member partners | Unlikely | Insignificant | <ul style="list-style-type: none"> • Council report notes the capacity under which Alpine Shire Council is getting involved in the ARP. |

CONSULTATION

ARP Terms of Reference have been developed by a working group of ARP and adopted by ARP on 7 September 2022.

CONCLUSION

To bring clarity to the different groups offering community resilience services it is recommended that Council revokes the Terms of Reference of the Alpine Resilience Committee, becomes a participatory member of ARP and as such, notes the Terms of Reference of the Alpine Resilience Partnership.

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 Community Development

ATTACHMENT(S)

8.2.3 Alpine Resilience Partnership Terms of Reference adopted 7 September 2022

8.2.4 Financial Investment Policy

INTRODUCTION

Council's Financial Investment Policy governs the investment of surplus Council funds with the objective of maximising returns whilst respecting Council's risk appetite and liquidity requirements.

The Investment Policy was last reviewed in 2020. The purpose of this report is to propose minor amendments and to note it has been renamed the Financial Investment Policy as this policy does not cover asset investments such as property and seek Council's adoption of the revised Policy.

RECOMMENDATIONS

That Council:

- 1. Notes that the Financial Investment Policy has been reviewed by the Finance Committee and the Audit Committee;***
- 2. Revokes Alpine Shire Council Investment Policy No. 073, Version 3;***
- 3. Adopts Alpine Shire Council Financial Investment Policy No. 073, Version 4; and***
- 4. Signs and seals Alpine Shire Council Financial Investment Policy No. 073, Version 4 at the appropriate time in the meeting.***

BACKGROUND

The *Local Government Act 2020* specifies that councils may invest any money in government securities, with Authorised Deposit Taking Institutions (ADIs), with any financial institution guaranteed by the Government of Victoria, on deposit with an eligible money market dealer within the meaning of the Corporations Act, and in any other manner approved by the Minister.

Within this legislative framework Council's Investment Policy specifies the objectives, allowable investments, authorised officers and credit rating parameters of Council's investment portfolio. Credit rating parameters are defined with reference to Standard and Poor's (S&P) Global Ratings Definitions which describe the creditworthiness of various entities.

ISSUES

Council is of the view that term deposits with Australia's four major banks remain some of the safest investments on offer given that the Australian government continues to support their balance sheets in challenging times.

Term deposits with other ADIs also remain conservative whilst offering diversification away from the four majors and providing a broader base from which to select the most attractive investment returns.

The policy will continue to require quarterly reporting on the investment portfolio. Reporting will be provided to the Finance Committee via the Quarterly Finance Report and subsequently provided to the Audit Committee and Council for noting.

It is noted that a range of minor amendments are proposed in this review to clarify wording, and to clarify roles and responsibilities. In addition, the treatment of unanticipated policy breaches beyond officer control is clarified; such breaches are to be reviewed between the Accountant and the Manager Corporate for remediation and are to be reported to the Finance Committee and Audit Committee.

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

The Investment Policy is a key instrument in ensuring that Council obtains best value outcomes for ratepayers.

RISK MANAGEMENT

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

| Risk | Likelihood | Impact | Mitigation Action / Control |
|-------------------------|------------|----------|---|
| Poor financial prudence | Unlikely | Moderate | <p>Each investment is made in compliance with the underlying objectives of the Financial Investment Policy</p> <ul style="list-style-type: none"> • Council investments are placed with appropriate authorisation and reflect operational liquidity requirements |

CONSULTATION

The proposed Policy amendments have been discussed with both Council's Finance Committee and Council's Audit and Risk Committee.

CONCLUSION

The Financial Investment Policy has been reviewed to ensure that best value is obtained for ratepayers, that the policy continues to respond to the current economic environment and that responsible investing considerations are considered. The amended Investment Policy is presented for Council's consideration and adoption.

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
- Financial Accountant

ATTACHMENT

8.2.4 - Alpine Shire Council Financial Investment Policy No. 073_V4.0

8.2.5 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, a.

RECOMMENDATIONS

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

- 1. The following members of Council staff referred to in attachments 8.2.5a, 8.2.5.b and 8.2.5c "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the instruments) be appointed and authorised as set out in the instrument;***
 - a. Manager Statutory Planning, Compliance, and Local Laws***
 - b. Senior Statutory Planning Officer***
 - c. Compliance Coordinator (2)***
- 2. The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them;***
- 3. On the coming into force of the instruments, the previous "S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987" for the following members of Council staff, as dated, be revoked;***
 - a. Senior Statutory Planning Officer, dated 28 March 2023***
 - b. Health Safety and Risk Officer, dated 13 December 2022***
 - c. Engineering Coordinator, 1 September 2020***
- 4. The instruments be signed and sealed at the appropriate stage of this meeting.***

BACKGROUND

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. Council has appointed a new Manager Statutory Planning, Compliance, and Local Laws, requiring a new Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*. The Instrument of Appointment and Authorisation relating to the Senior Statutory Planning Officer is being updated, due to a misspelling in the previous Instrument, and a second Compliance Coordinator requires authorisation. Instruments for the Health Safety and Risk Officer, and the Engineering Coordinator are being revoked as the officers either no longer require authorisation, or no longer work for Council.

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 | Minor | <ul style="list-style-type: none"> Ensure that all Council officers have up-to-date authorisations to ensure that they can undertake their duties. |

CONSULTATION

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

CONCLUSION

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

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Governance Officer

ATTACHMENT(S)

- 8.2.5.a S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Manager Statutory Planning, Compliance, and Local Laws
- 8.2.5.b S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Senior Statutory Planning Officer
- 8.2.5.c S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Compliance Coordinator (2)

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.

RECOMMENDATION

That the summary of informal meetings of Councillors for April / May 2023 be received.

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 |
|----------|------------------|
| 26 April | Briefing Session |
| 9 May | Briefing Session |
| 10 May | Planning Forum |
| 16 May | Briefing Session |
| 23 May | Briefing Session |

Attachment(s)

- 9.0 Informal meetings of Councillors – April / May 2023.

10. Presentation of reports by delegates

11. General business

12. Motions for which notice has previously been given

13. Reception and reading of petitions

14. Documents for sealing

RECOMMENDATION

That the following documents:

- 1. That S11A - Instrument(s) of Appointment - Planning and Environment Act 1987 be signed:**
 - a. Manager Statutory Planning, Compliance, and Local Laws**
 - b. Senior Statutory Planning Officer**
 - c. Compliance Coordinator**
- 2. Alpine Shire Council Financial Investment Policy No. 073, Version 4**
- 3. Alpine Shire Council Waste Service Policy CLL-1D2.**

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

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Chairperson