

M(4) – 26 APRIL 2023

Ordinary Council Meeting

Minutes

The **Ordinary Meeting** of the **Alpine Shire Council** was held in the Auditorium@Mount Beauty, 26 Bogong High Plains Road, Mount Beauty on **26 April 2023** and commenced at **5:00pm**.

PRESENT

COUNCILLORS

Cr John Forsyth - Mayor

Cr Tony Keeble - Deputy Mayor

Cr Ron Janas

Cr Simon Kelley

Cr Kelli Prime

OFFICERS

Will Jeremy - Chief Executive Officer

Alan Rees - Director Assets

Helen Havercroft - Director Customer and Community

APOLOGIES

Cr Sarah Nicholas

Cr Katarina Hughes

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

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

All to stand, the Mayor read the following statement:

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

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

3. Confirmation of minutes

3.1 ORDINARY COUNCIL MEETING – M(3) – 28 MARCH 2023

Cr Nicholas

Cr Janas

That the minutes of Ordinary Council Meeting M(3) held on 28 March 2023 as circulated be confirmed.

Carried

4. Apologies

Cr Prime

Cr Hughes

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**

Director Customer and Community Helen Havercroft declared a conflict of interest with respect to Planning Application P.2022.31 - 29 & 31 Ashwood Avenue, Bright and was not part of the decision making process.

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.

5:35pm Director Customer and Community Helen Havercroft vacated the Auditorium@Mt Beauty meeting room.

8. Presentation of reports by officers

8.1 CHIEF EXECUTIVE OFFICER – WILL JEREMY

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

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



Figure 2: Plan of Subdivision

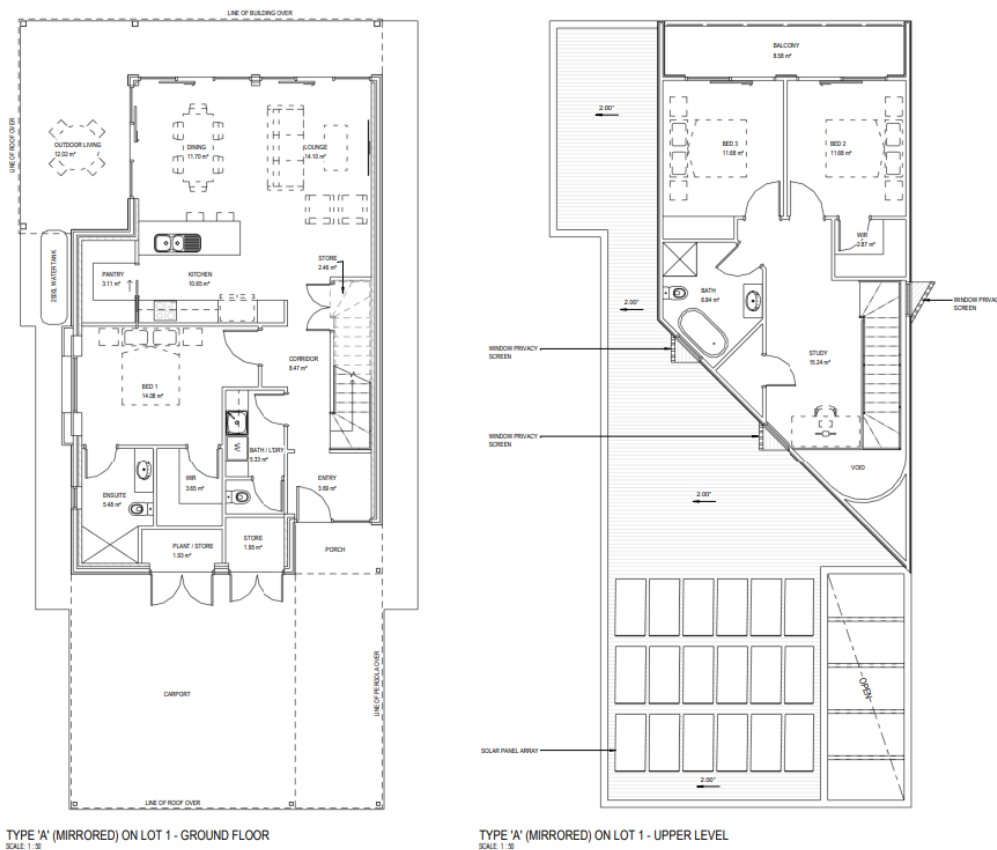


Figure 3: Floor Plan (Dwelling One)



Figure 4: Elevation (Dwelling One)

SUBJECT LAND AND SURROUNDS

The subject land comprises two parcels (Lots 10 and 11 PS219240A) commonly known as 29 and 31 Ashwood Avenue, Bright. The subject site has a combined area of 6,095sqm and a frontage of 68.02m to Ashwood Avenue. The site is relatively regular in shape with slightly skewed northern boundary. The site is generally undulating with topography changes of up to 3.8m across the site. An existing dwelling and ancillary structures are located at 29 Ashwood Avenue with 31 Ashwood Avenue being largely vacant. Each existing lot contains an existing access point to Ashwood Avenue. Reticulated services including electricity, water, sewer, stormwater and telecommunications are available. The site contains existing mature planted vegetation, typical of an established residential setting. The site is within an area of Cultural Heritage Sensitivities but otherwise is not subject to any heritage restrictions. The site is prone to bushfire and the northern portion is within the proposed LSIO. A number of easements traverse the site.

The subject site is situated within an established residential area of Bright, approximately 1.6kms to the north west of the commercial centre. Despite being within the General Residential Zone, existing allotments within 150m of the site range in size from 2000sqm to 6052sqm. Smaller allotments between 630sqm and 1200sqm are observed towards the entrance to Ashwood Avenue from Great Alpine Road. Existing dwellings are typically single storey with common ancillary structures such as swimming pools and sheds set within landscaped gardens. The Murray to Mountains Rail Trail runs along the western boundary of the site and the Ovens River and surrounding environs is situated to the north.

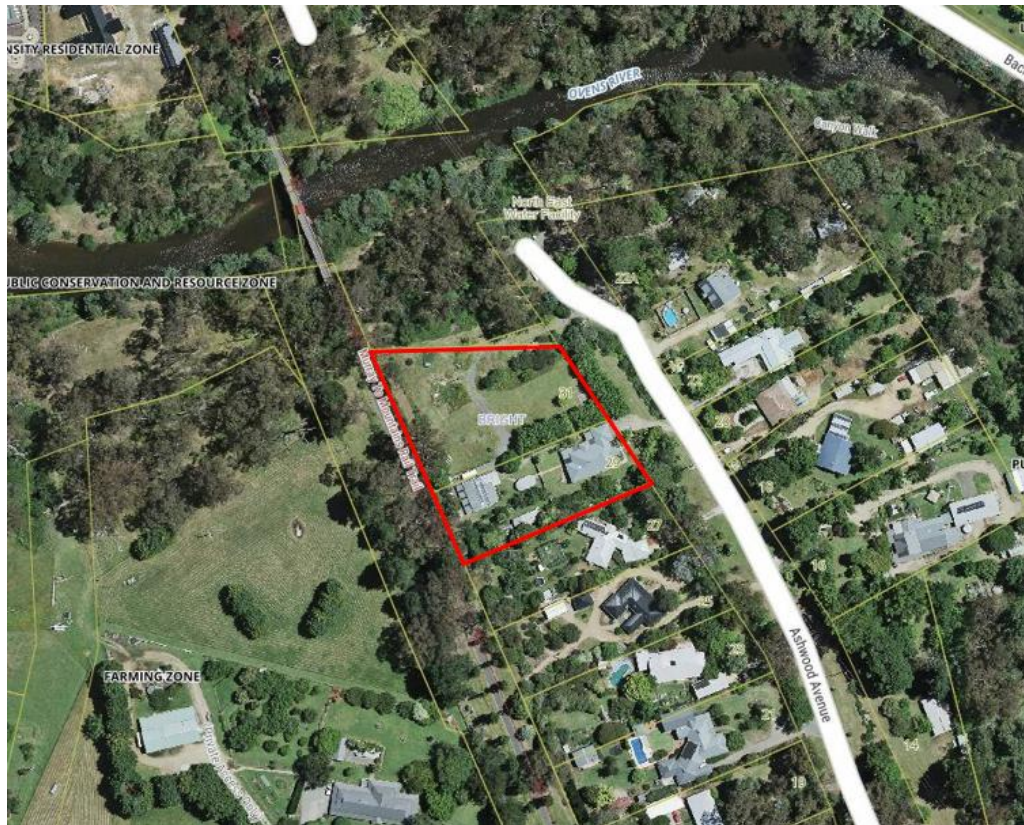


Figure 5: Aerial Image of the Subject Site

Dwellings

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

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

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

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

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

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

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

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

PUBLIC NOTIFICATION

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

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

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

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

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

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

REFERRALS

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

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

PLANNING ASSESSMENT

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

Municipal Planning Strategy and Planning Policy Framework

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

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

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

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

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

General Residential Zone

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

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

Bushfire Management Overlay

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

Particular Provisions

Clause 52.06 - Car Parking

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

Clause 53.01 – Public Open Space Contribution and Subdivision

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

Clause 53.02 - Bushfire Planning

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

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

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

Clause 56 – Residential Subdivision

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

General Provisions

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

Other matters – Breach of Covenant

- a. Covenant W849570H applies to Lot 10 and contains the following restrictions:
- b. The erection of any building externally lined with materials other than brick veneer, masonry, mud brick, stone or new timber.
- c. The erection of any buildings or garage externally clad in iron or other commonly used materials unless such external cladding is in a colour that is not visually distracting from the amenity of the subdivision.
- d. The erection of a dwelling having an area less than 130sqm, excluding any built-in garage or carport.
- e. The erection of a dwelling with a roof of any material other than tiles, slate or colorbond iron.
- f. The erection or relocation onto the said land any transportable home.

- g. Notwithstanding point a., the erection of any dwelling manufactured or constructed from timber logs other than whole timber logs.

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

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

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

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

CONCLUSION

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

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

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Consultant Planner

APPENDICIES

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

Appendix 8.1.1.a. CONDITIONS

DEVELOPMENT CONDITIONS

Plans required for endorsement

1. Before the endorsement of any plans, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be generally in accordance with the plans submitted with the application but modified to show:

- a. External materials and colours to comply with covenants contained in Instrument of Transfer W849570H and V252112Y in the Register of Titles.
- b. Landscaping details as per Condition 5.
- c. Location of all mailboxes.
- d. All boundary fencing details on one site plan for the entire development. Fencing along the northern, eastern (for the length of proposed lot 1) and western boundaries must be rural style post and wire with a maximum height of 1.4m.
- e. Location of areas to be utilised for kerbside collection, ensuring that it is of a sufficient area to accommodate all bins on collection day.
- f. Construction and drainage details as per Conditions 7 and 8.

Amended Landscape Plan required

2. Concurrent with the submission of plans required by Condition 1, the Landscape Plan by Horizon Studio Landscape Architecture must be amended to the satisfaction of the Responsible Authority to show:

- a. a survey (including botanical names) of all existing vegetation to be retained and/or removed;
- b. a survey, including botanical names, of all existing trees on neighbouring properties where their Tree Protection Zones (calculated in accordance with AS4970-2009) encroach into the subject site;
- c. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must achieve a suitable balance between achieving the landscape outcomes sought by consistent with existing vegetation within the surrounding area and adhering to the vegetation management requirements under Table 6 to Clause 53.02-5;
- d. landscaping and planting within all open areas of the site (including each lot);
- e. details of all proposed hard surface materials including pathways, patio or decked areas.

Endorsed Plans

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

Mandatory Bushfire Management Overlay Condition

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

Completion and maintenance of landscaping

5. Within 3 months of the occupation of the dwelling hereby approved or within the next planting season, whichever is the earlier; the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

6. The landscaping must thereafter be maintained to the satisfaction of The Responsible Authority, including that any dead, diseased or damaged plants are to be replaced within 3 months or within the next planting season.

Alpine Shire Council Engineering Team Conditions

Detailed Construction and Drainage Plans Required

7. Concurrent with the plans required by Condition 1, detailed construction plans must be submitted to and approved by the Alpine Shire Council. Construction detail shall be generally in accordance with Council's Infrastructure Design Manual (www.designmanual.com.au). When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, and shall include proposed construction detail, further information or modifications to:

- a. Common property pavement and proposed seal treatment including vehicle crossing and footpath.
- b. Underground drainage system, with supporting computations

8. Concurrent with the plans required by Condition 1, a properly prepared drainage discharge plan with computations must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The information submitted must show the details listed in Council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual. The information and plan must include:

- a. Details of how the works on the land are to be drained and retarded.
- b. a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council to predevelopment flow rate
- c. connection points for drainage for each lot
- d. underground pipe drains conveying stormwater to the legal point of discharge for each allotment
- e. Detention system including approval from all relevant authorities.
- f. Incorporation of water sensitive urban design in accordance with Clause 20 of the Infrastructure Design Manual, to enhance stormwater discharge quality from the site and protect downstream waterways, including the expected discharge quality emanating from the development and design calculation summaries of the treatment elements; or as otherwise approved in writing by the Responsible Authority;
- g. Maintenance schedules for treatment elements.

Defect Identification – Council’s Assets

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

Tree Protection during Construction

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

No Vegetation Removal

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

Urban Drainage Works

12. Prior to issue of Statement of Compliance, or occupation of any new building, all stormwater and surface water discharging from the site, buildings and works must be

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

Vehicle Crossings

13. Prior to issue of Statement of Compliance, or occupation of any new building, vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Alpine Shire Council, and shall comply with the following:
- a. standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways, and any existing redundant crossing shall be removed and replaced with concrete kerb and channel to match into the surrounding profile.
 - b. Any proposed vehicular crossing shall have satisfactory clearance to any side entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;
 - c. crossings may be concrete or have a bituminous seal applied over an appropriately constructed pavement. Dimensions and roadside drainage treatments are to be generally in accordance with IDM drawing SD260.

Prior to Commencement of Construction

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

Driveway Construction Requirements

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

Construction Management Plan

17. Prior to commencement of construction, a construction management plan shall be submitted to and approved by the Alpine Shire Council. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management, "Doing It Right On Subdivisions" Publication 960, September 2004.

18. The approved Construction Management Plan must be adhered to at all times during the construction stage of the development to the satisfaction of the Alpine Shire Council.

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

- SUBDIVISION CONDITIONS –

Telecommunications

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

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

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

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

–

Public Open Space Contribution

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

Development to be Completed

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

Mandatory BMO Condition

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

- a. State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Alpine Planning Scheme.
- b. Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
- c. State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

25. The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

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

Ausnet Electricity Services Pty Ltd

26. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

27. The applicant must:

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

Country Fire Authority

Bushfire Management Plan Required

28. Prior to certification under the Subdivision Act 1988, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.

29. The plan must be generally in accordance with the plan submitted by Oxley and Co, dated 1/8/22, version 3 but amended to include or replace the conditions for Water Supply with:

- a. Water supply (Lots 1 & 2 and 4 - 6)
- b. Lots 1 & 2 - 5,000 litres and Lots 4 - 6 - 2,500 litres of effective water supply for firefighting purposes must be provided within all lots which meets the following requirements:
 - i. Is stored in an above ground water tank constructed of concrete or metal.
 - ii. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
 - iii. Include a separate outlet for occupant use.

Hydrants

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

a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

b. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Construction of vehicle access

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

Goulburn Murray Water

32. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.

33. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

34. All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).

35. No buildings are to be constructed within 50m of the Ovens River.

North East Catchment Management Authority

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

North East Water

37. The owner of the subject land (or applicant in anticipation of becoming the owner) is required to enter into a legal agreement with North East Water detailing the works to be constructed, and other requirements to be met, necessary for the provision of reticulated water supply to each of the lots and proposed dwellings, within the development, at the owners cost, to the satisfaction of North East Water, provided:

- a. where the development is staged, a number of agreements may be required for separate stages; and
- b. each agreement must be in accordance with North East Water policy and requirements applying at the time of entry into the relevant agreement.

38. The owner of the subject land (or applicant in anticipation of becoming the owner) is required to enter into a legal agreement with North East Water detailing the works to be constructed and other requirements to be met, necessary for the provision of reticulated sewerage services to each of the lots and proposed dwellings, within the development, at the owners cost, to the satisfaction of North East Water, provided:

- a. where the development is staged, a number of agreements may be required for separate stages; and
- b. each agreement must be in accordance with North East Water policy and requirements applying at the time of entry into the relevant agreement.

39. Where the development (including any subdivision) occurs in stages the availability of water supply and sewerage services may be delayed having regard to NEW system capacity, conditions in relation to which shall be detailed in the relevant agreement for water supply and/or sewerage services.

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

48. Where the subject land is developed in stages, the North East Water conditions will apply to any subsequent stage of the subdivision.

49. Where an easement created in favour of North East Water is located within a proposed road reserve in a future stage, prior to the certification of the plan of subdivision for that stage, the applicant must formally remove the easement from the title to the land.

50. North East Water's consent to the issue of a Statement of Compliance under the Subdivision Act 1988 is conditional upon completion of all works, and meeting all requirements set out in this permit and any relevant agreement with, North East Water.

51. The plan of subdivision for certification must be referred to North East Water in accordance with Section 8 of the Subdivision Act 1988.

Permit Expiry

52. The above-mentioned planning permit as it relates to development will expire if either of the following circumstances arise:

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

53. The above-mentioned planning permit as it relates to subdivision will expire if either of the following circumstances arise:

- a. The plan of subdivision is not certified within two (2) years of the date of this permit; or
- b. The subdivision is not completed within five (5) years of the date of certification.

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

- End of Conditions -

Planning Notes:

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

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

Appendix 8.1.1.b. POLICY AND DECISION GUIDELINES

Municipal Planning Strategy and Planning Policy Framework

Clause 02.03-1, Clause 11.01-1S & Clause 11.01-1L-01 – Settlement
Clause 11.01-1L-02 – Bright
Clause 11.02-1S – Supply of Urban Land
Clause 02.03-2 – Environmental and Landscape Values
Clause 12.05-1L – Public and Private Land Interfaces
Clause 02.03-3 - Environmental Risks and Amenity
Clause 13.02-1S & Clause 13.02-1L - Bushfire Planning
Clause 13.03-1S & Clause 13.03-1L – Floodplain Management
Clause 14.02-1S & Clause 14.02-1S – Catchment Planning and Management
Clause 14.02-2S & Clause 14.02-2S – Water Quality
Clause 02.03-5 – Built Environment and Heritage
Clause 15.01-1S & Clause 15.01-1L-01 – Urban Design
Clause 15.01-2S – Building Design
Clause 15.01-3S – Subdivision Design
Clause 15.01-3L – Battle-Axe Development
Clause 15.01-5S - Neighbourhood Character
Clause 15.03-2S – Aboriginal Cultural Heritage
Clause 02.03-6 – Housing
Clause 16.01-1S – Housing Supply
Clause 16.01-2S – Housing Affordability
Clause 02.03-9 – Infrastructure
Clause 19.03-3S & Clause 19.03-3L – Integrated Water Management

Zone

Clause 32.08 - General Residential Zone

Overlays

Clause 44.06 – Bushfire Management Overlay

Particular Provisions

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

General Provisions

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

Director Customer and Community Helen Havercroft re-entered the Auditorium@Mt Beauty meeting room at 5.43pm.

8.2 DIRECTOR ASSETS – ALAN REES

8.2.1 Dinner Plain TV Service

INTRODUCTION

This report relates to the Dinner Plain TV service.

Cr Keeble

Cr Nicholas

That Council:

- 1. Notes that the Dinner Plain cable television network infrastructure is at the end of its useful life;*
- 2. Notes that reliable alternative commercial technologies and products are available to residents;*
- 3. Discontinues the delivery of this service at the end of the 2023 winter season and decommissions the infrastructure; and*
- 4. Communicates these changes to enable residents to make the transition with adequate notice.*

Carried

BACKGROUND

Council provides and maintains the cable TV infrastructure to parts of Dinner Plain. Over the last few years, the number of breakdowns and customer complaints has risen. This has been due to the aging infrastructure and an increasing susceptibility to weather events. The cost to maintain the system is increasing due to the number of repairs required. In addition, the equipment and technology are obsolete, with the hardware no longer commercially available.

ISSUES

Hardware Availability

Hardware components are no longer available through the supplier network. They can only be procured upon special request and then manufactured individually. This has resulted in a 300% increase in hardware costs.

Failing Infrastructure

The infrastructure is failing with underground cables cracked, making fault detection and rectification unviable.

Customer Experience

The customer experience is deteriorating with the number of customer complaints increasing each year as follows:

2021 – 14

2022 – 25

2023 Year to Date – 15

Inequitable Service

The cable TV service is an inequitable service providing connection to the older parts of Dinner Plain, but not to the newer developments and buildings.

Alternative Options

There are 2 private TV service options available to the community as follows:

- Mobile NBN connection via Telstra

All residents have access to this service option via signing a Telstra contract, which provides access to TV and Foxtel channels through mobile streaming via the internet.

- VAST TV satellite connection

All residents have access to connect to this network through a contract with VAST and at an approximate cost of \$900 to connect. Some trees may impede this service's signal and currently approximately 10% of houses have installed this service.

POLICY IMPLICATIONS

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

- 2.3 Access to technology that meets our evolving needs

FINANCIAL AND RESOURCE IMPLICATIONS

Council has sufficient existing operational budget to maintain the service through to 30 June 2023, and through the draft budget is seeking additional budget to maintain the service through to 30 September 2023, following which the service will be switched off and the infrastructure decommissioned.

Cable Television Maintenance was stated as a Dinner Plain Special Rate service in the 'Declaration of the Dinner Plain Special Rate (2022/23)' adopted by Council at the June 2022 Council Meeting.

Cable Television Maintenance is not included as a Dinner Plain Special Rate Service in the recommendations for the 'Dinner Plain Special Rate (2023/24) Public Notice of Proposed Declaration' to be considered later in this meeting.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Reputation	Almost certain	Minor	<ul style="list-style-type: none"> • Provide adequate notice to enable a transition to an alternative private TV service provider and product • Implement a communication program to raise awareness and educate the community on the viable new technology options
Poor Customer Experience	Almost Certain	Minor	<ul style="list-style-type: none"> • Decommission the Dinner Plain TV service. • Provide adequate notice to enable the community to make alternative arrangements for TV services

CONSULTATION

A comprehensive communication plan will be implemented to inform the Dinner Plain community and provide sufficient notice of the decision and to provide guidance and support to enable a smooth transition to the new superior private TV services.

CONCLUSION

The Dinner Plain TV service technology and infrastructure has reached the end of its useful life and will be decommissioned at the end of the 2023 winter season. Superior alternative TV technology, service providers and products are available to the Dinner Plain community. Adequate notice will enable the community to make a smooth transition to connecting to one of these services, which will deliver a reliable and consistent customer experience.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets

ATTACHMENT(S)

Nil

8.2.2 Alpine Planning Scheme Review 2023

INTRODUCTION

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

Cr Nicholas
Cr Kelley

That Council:

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

Carried

BACKGROUND

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

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

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

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

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

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

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

ISSUES

High level findings

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

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

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

Planning scheme amendment

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

- Incorporate the policy neutral changes identified in Chapter 5 to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes:
- Include new policy to implement the:
 - Affordable Housing Research and Analysis Paper 2022;
 - Affordable Housing Action Plan 2022;
 - Rural Land Strategy 2015;
 - Community Vision and Council Plan including the Municipal Health and Wellbeing Plan 2022-2026;
 - Myrtleford Resilience Plan;
 - Economic Development Strategy;
 - Alpine Shire Events Strategy; and
 - Sport and Active Recreation Plan 2022-2023.

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

Further strategic work

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

- Finalise the Land Development Strategy and implement into the planning scheme.
- Prepare the Rural Land Strategy Stage 2 to:
 - clarify the policy directions for each precinct in the Shire focused on supporting agricultural uses and minimising land use conflicts through separation of activities;
 - review the appropriate zoning for small lots in the Farming Zone (for example, Freeburgh, Ovens, Wandiligong, etc.); and
 - mitigate the impacts of climate change on rural land.
- Prepare structure plans for Porepunkah, Bright, Mount Beauty – Tawonga South and Myrtleford to:
 - direct land uses to appropriate locations;
 - develop a residential development framework that identifies the appropriate housing mix to provide a diversity of housing and achieve preferred neighbourhood character;
 - identify active transport linkages and routes;

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

Advocacy and process improvements

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

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

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

POLICY IMPLICATIONS

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS

Adoption of the review

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

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

RISK MANAGEMENT

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

CONSULTATION

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

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

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

CONCLUSION

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

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

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

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

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Strategic Planning Coordinator

ATTACHMENT(S)

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

8.2.3 Collaborative Waste Tender

INTRODUCTION

The purpose of this report is to update Council on Item 8.1.1 Collaborative Waste Tender from the February Ordinary Council Meeting and provide details for noting of a variation to the estimated financial value for the supply and delivery of Mobile Garbage Bins (MGBs) and the delivery of kitchen caddies and biodegradable caddy liners.

Cr Keeble

Cr Janas

That Council notes the variation in cost for Contract CQ23008, from \$416,792 as identified in the February Council Report to \$453,696 Ex GST.

Carried

BACKGROUND

To enhance buying power and achieve best value for money for ratepayers, Council joined the Resource Recovery Collective Hume (RRCH) for the Collaborative Waste and Recycling Services Tender with eleven other councils and Alpine Resort Management Boards across the Hume region. At the February Council meeting the following recommendations were adopted:

That Council:

- 3. Awards Contract CQ23008 to Cleanaway Pty Ltd for the supply and delivery to residences of approximately 6,574 green-lidded 240L SULO mobile garbage bins (MGB's) and delivery of kitchen caddies. The estimated one-off cost is \$416,792 Ex GST; and*
- 4. Delegates authority to Council's Chief Executive Officer to enter negotiations and execute a contract with the preferred tenderers.*

A risk identified in the February Council report was that Cleanaway would charge more for an accelerated bin and kitchen caddy rollout for FOGO Introduction by 1 July 2023, as the contracted notice period for a mass rollout is six (6) months.

In addition to this, the delivery of the biodegradable kitchen caddy liners was included in the February Council meeting as an item delegated to the CEO to negotiate but the cost was not included in the estimated amount.

A quotation for the increased cost of the accelerated roll out, as well as the delivery of the kitchen caddy liner bags, has been negotiated with Cleanaway. The estimated cost in the February Council report was noted as being \$416,792. The negotiated final cost is \$453,696, a total increase of \$36,904. Breakdown of these costs is detailed in the Financial and Resource Implications section.

ISSUES

Due to the timing of the Resource Recovery Collective Hume (RRCH) for the Collaborative Waste and Recycling Services Tender evaluation and recommendations, a clarification was requested from Cleanaway during the contract negotiations to determine the ability to achieve a mass roll out of MGBs in less than the tendered 6 month notice period. The response received from Cleanaway in January identified that all delivery contractors were fully booked up to 30 June 2023; however, given the relatively small size of the job for the Alpine Shire Council the shorter delivery schedule could be met, albeit requiring some extra resources and thus be more expensive.

The cost for the delivery of biodegradable caddy liners was not included in the RRCH tender, however, was identified in the February Council meeting as an item to be negotiated as part of the Cleanaway contract.

POLICY IMPLICATIONS

The design of the regional collaborative tender has considered that there has been significant policy, regulatory and industry change within the waste and resource recovery sector. The project has been informed through careful consideration of these changes to ensure progression towards administering kerbside reform and meeting the targets of the Victorian Government's circular economy policy. It is critical that this can be achieved in a cost effective and compliant way and that the resilience of the sector is enhanced.

Key regulatory and current state changes that have been considered include:

- China National Sword
- Government Intervention
- *Environment Protection Act 2017* (Vic)
- *Circular Economy Act 2021* (Vic)
- *Local Government Act 2020* (Vic)

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 tendered cost for supply and delivery of MGBs was \$59.80 per bin. The negotiated revised cost for the accelerated roll out is \$65.79 per bin, an increase of \$5.99 per bin.

The tendered cost for the delivery of kitchen caddies with the MGBs was \$3.60 per caddy. This cost is unchanged with the accelerated roll out.

The negotiated cost for the delivery of kitchen caddy biodegradable liners was \$1.50 per caddy.

The estimated number of bins for the estimate in the February Council report was 6,574. This has been revised down to 6,400 as engagement to date has identified that not all commercial properties will opt-in to the service. The exact number will be clarified prior

to the delivery of the bins to residents and any excess bins will be kept as spares at Council's depots. Council will only be charged per resident receiving the service.

This results in a total increase of \$36,904 over the initial estimated \$416,792. There are sufficient Council funds in the waste reserve and associated Recycling Victoria grant funding to award and deliver the revised value of this contract.

RISK MANAGEMENT

Risks have been addressed through the robust RRCH tender process and the contract negotiations with Cleanaway in the weeks since they were identified as the preferred tenderer.

CONSULTATION

An early market announcement occurred in March 2022, well prior to the release of the Request for Tender, and there was significant promotion of the opportunity during the tender open period.

Australian Competition and Consumer Commission (ACCC) approval was sought early in the process. This process required consultation with industry and approval was provided late in September 2022 to allow the Participants to collaboratively procure waste and resource recovery services until October 2042.

Alpine Shire Council has committed to introducing a kerbside FOGO service from 1 July 2023. A separate glass service will be introduced via either kerbside collection or drop off points prior to 2030. This tender supports the implementation of these new services.

CONCLUSION

The variation to the estimated figure in February's Council report is in line with the risk and expectations associated with the accelerated timeframe required and the local market. Cleanaway's buying power offers Council the ability to deliver the infrastructure in the accelerated timeframe at a competitive price.

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)

Nil

8.2.4 Airport Services Leases for Aircraft Hangar at Porepunkah Aerodrome

INTRODUCTION

This report relates to new leases at the Porepunkah Aerodrome on Site 9 and Site 12 contained in Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road Porepunkah. A lease has been prepared for a hangar on these sites for a 10-year term with an option for an additional 10 years.

Cr Kelley
Cr Nicholas

That Council:

- 1. Approves and executes a lease for Site 9 and Site 12 of Lot1 PS612929, 266 Buckland Valley Road Porepunkah for an aircraft hangar; and***
- 2. Signs and seals the lease documents at the appropriate stage of the Council meeting.***

Carried

BACKGROUND

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

At the Ordinary Council Meeting in July 2007, Council delegated authority to the CEO to proceed with the acquisition of an adjoining strip of land at the Porepunkah Aerodrome.

The land was acquired in 2008 and is Site 9 and Site 12 contained in Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road Porepunkah. A new entrance to the airfield was created on this land with the remaining land set aside for hangars and taxi way.

Lease documentation has been developed for the purpose of entering into long term hangar leases on this land. The length of each lease is 10 years, plus an option for a further 10 years. Commencement rent for each of the attached leases will be \$1,224 Ex GST per annum calculated based on the square meterage of the sites.

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

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

ISSUES

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

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

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

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

POLICY IMPLICATIONS

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

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

- 4.5 Assets for our current and future needs

FINANCIAL AND RESOURCE IMPLICATIONS

The commencement annual lease income for a lease will be \$1,153.80 Ex GST. Forward lease charges are indexed to CPI annually and subject to a market review after the first 10 years of the lease. Income collected from hangar rentals at the airfield is paid to the

Porepunkah Aerodrome Association to assist it in fulfilling its responsibilities to operations and day to day maintenance of the airfield.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Non-Compliance of Lease requirements	Unlikely	Minor	<ul style="list-style-type: none"> Termination of Lease

CONSULTATION

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

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

The Porepunkah Airfield Association has been consulted and is supportive of the issuing of the leases.

CONCLUSION

In conclusion, Council has previously met its obligations under the *Local Government Act 1989* in relation to issuing leases at the airfield and therefore the leases subject to this report do not require further Community Engagement. It is recommended that they are executed by Council under the terms of section 115 of the *Local Government Act 2020*.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Property and Contracts Coordinator

ATTACHMENT(S)

Nil

8.3 DIRECTOR CUSTOMER AND COMMUNITY – HELEN HAVERCROFT

8.3.1 Instruments of Delegation

File Number: Delegations Register

INTRODUCTION

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

Cr Nicholas

Cr Kelley

That Council:

- 1. Exercises the powers conferred by section 11(1)(b) of the Local Government Act 2020, so that:***
 - a. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in attachment 8.3.1.a "S5 - Instrument of Delegation from Council to the Chief Executive Officer" (instrument S5), subject to the conditions and limitations specified in that instrument;***
 - b. Instrument S5 be signed and sealed at the appropriate stage of this meeting;***
 - c. Instrument S5 comes into force immediately the common seal of Council is affixed to the instrument;***
 - d. On the coming into force of instrument S5, all previous delegations to the Chief Executive Officer are revoked;***
 - e. The duties and functions set out in instrument S5 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***
- 2. Exercises the powers conferred by the legislation referred to in attachment 8.3.1.b "S6 - Instrument of Delegation from Council to Members of Council Staff - April 2023"(instrument S6), so that:***
 - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in instrument S6a, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;***
 - b. Instrument S6 be signed and sealed at the appropriate stage of this meeting;***
 - c. Instrument S6 comes into force immediately the common seal of Council is affixed to the instrument;***

- d. On the coming into force of instrument S6, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and*
 - e. The duties and functions set out in instrument S6 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*
- 3. Exercises the powers conferred by the legislation referred to in attachment 8.3.1.c. "S18 - Instrument of Sub-Delegation from Council to Members of Council Staff (EPA 2017)"(instrument S18), so that:**
- a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in instrument S18, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument*
 - b. Instrument S18 be signed and sealed at the appropriate stage of this meeting*
 - c. Instrument S18 comes into force immediately the common seal of Council is affixed to the Instrument*
 - d. On the coming into force of instrument S18, the previous version of instrument S18 dated 13 December 2022 be revoked; and*
 - e. The duties and functions set out in instrument S18 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

Carried

BACKGROUND

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

Council's S5 Instrument of Delegation to the CEO passes on Council's powers directly to the CEO. For instances where decisions are required that are not within the CEO's delegation, these must be presented directly to Council - for example, where a purchase exceeds the CEO's financial delegation.

Where legislation allows it, the CEO then sub-delegates specific legislative duties to staff, via a separate Instrument. Some legislation does not allow sub-delegation via the CEO, so Council must delegate these powers directly to staff using the S6 Instrument of Delegation to Council Staff.

The Environment Protection Authority delegates several of its powers to Council, which must then be sub-delegated to Council staff. The S18 Instrument of Sub-Delegation to Members of Council Staff ensures this occurs.

The S5 Instrument of Delegation to the CEO was most recently updated in August 2022, while the S6 and S18 Instruments were most recently updated in December 2022, which came into operation on 9 January 2023 to coincide with a recent restructure of the organisation.

ISSUES

Legislative updates

There have been no changes made to the S5 Instrument of Delegation or the S18 Instrument of Delegation, however both are being updated as part of due process to ensure that all the legislative powers available at the time of this meeting are passed on to the CEO and Council staff.

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

Staff members with delegated duties

Minor updates have been made to reflect the position titles of some staff with delegated duties.

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

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

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Delegations are not in place or are out of date	Possible	Moderate	Ensure that all Council approved delegations are up-to-date to ensure that staff can undertake their statutory duties.

CONSULTATION

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

CONCLUSION

A review and update of the S5 Instrument of Delegation to the CEO, S6 Instrument of Delegation to Members of Council Staff, and S18 Instrument of Sub-Delegation to Members of Council Staff (EPA 2017), will ensure that the CEO and Council officers can undertake the powers, duties and functions relating to their role.

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)

- 8.3.1.a S5 - Instrument of Delegation from Council to the Chief Executive Officer - April 2023
- 8.3.1.b S6 - Instrument of Delegation from Council to Members of Council Staff - April 2023.
- 8.3.1.c S18 - Instrument of Sub-Delegation from Council to Members of Council Staff (EPA 2017) - April 2023

8.3.2 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 Statutory Planning department.

Cr Nicholas
Cr Kelley

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 8.3.7 "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the instrument) be appointed and authorised as set out in the instrument;***
 - a. Compliance 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. On the coming into force of the instrument, the previous "S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987" for the following member of Council staff, as dated, be revoked;***
 - a. Compliance Coordinator, dated 4 May 2021***
- 4. 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 new Compliance Coordinator, requiring a new Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*. The Instrument of Appointment and Authorisation being revoked relates to Council's previous Compliance Coordinator.

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
- Governance Officer

ATTACHMENT(S)

8.3.2 S11A – Instrument of Appointment and Authorisation – *Planning & Environment Act 1987* – Compliance Coordinator

8.3.3 Audit and Risk Committee Meeting Minutes

INTRODUCTION

The purpose of the report is to present the minutes of the Audit and Risk Committee meeting No.2022/23-4 held on 24 February 2023.

The key item presented to and considered by the Audit and Risk Committee (Committee) at this meeting related to the Victorian Local Government Inspectorate Report *Checking Compliance: A Review of Local Government Policies*.

Council's regular quarterly reports were also presented to the Committee.

Cr Janas

Cr Kelley

That Council receives and notes the unconfirmed minutes of the Audit and Risk Committee meeting No.2022/23-04 held on Friday 24 February 2023.

Carried

REPORT

Local Government Inspectorate Report - A review of Council Policies

The Committee received a report on the Victorian Local Government Inspectorate Report *Checking Compliance: A Review of Local Government Policies*. This review measured the success of each of the 79 Victorian councils in meeting the requirements of the *Local Government Act 2020* to develop or adopt a suite of new policies and update or amend existing policies within set time frames.

The Committee noted that Council is compliant with the Act requirements and acknowledged that Council's policy format was presented in the review as an example of good practice.

POLICY IMPLICATIONS

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

- 5.2 A responsible, transparent and responsive organisation

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to meet reporting requirements of <i>Local Government Act 2020</i> and Committee Charter	Unlikely	Minor	<ul style="list-style-type: none"> • Standing items on Committee agenda • Documented annual Committee meeting program

CONCLUSION

The Committee, being satisfied with the detail provided in its agenda and the officer reports, submits the unconfirmed minutes of its meeting No.2022/23-04 held on 24 February 2023 to Council 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
- Manager Corporate
- Health, Safety and Risk Officer

ATTACHMENT(S)

- 8.3.3 Minutes (unconfirmed) of Audit and Risk Committee Meeting No.2022/23-04, 24 February 2023

8.3.4 Community Budget Submissions

File Number: 2022/23 Budget

INTRODUCTION

The purpose of this report is to respond to the submissions received as part of the Community Budget submission process conducted by Council prior to the development of the draft Budget 2023/24.

Cr Nicholas

Cr Keeble

That Council:

1. **Considers written and verbal submissions received on the Community Budget process in accordance with Council's Community Engagement Policy, in relation to the Alpine Shire Council draft 2023/24 Budget.**
2. **Includes the following submissions as part of the Alpine Shire Council draft Budget 2023/24:**

Submission	Value proposed in draft budget 2023/24
Mount Beauty - Pebble Beach public toilet	\$80,000
Bright - Bright Skate Park Upgrade	\$35,000
Bright - Cobden Street upgrade.	\$25,000
Mount Beauty - Big Hill Trail Head Power Upgrade	\$10,000

3. **Notes the following submissions are either currently being progressed, or will be progressed in 2023/24 financial year without the allocation of a specific budget amount:**

Submission	Proposed Activity in 2023/24
RV Dump	Council has confirmed public access to the dump point at the Tawonga Caravan Park (free for guests, and a \$5 fee for visitors). Council will engage North East Water to explore flexibility in their required operating model for public dump points.

<i>Submission</i>	<i>Proposed Activity in 2023/24</i>
<i>Mount Beauty Scout Hall restumping</i>	<i>Council to implement the recommendations of the building condition assessment completed in 2022/23.</i>
<i>Reopen Myrtleford Toy Library</i>	<i>Council Officers are supporting the CWA in their ambitions to reopen the toy library.</i>
<i>Myrtleford Showground lights</i>	<i>Council will conduct an Expression of Interest process for the McNamara Reserve redundant lighting poles.</i>
<i>Myrtleford Bowls Club - Bowling Green Canopy and conversion of natural grass to synthetic surface</i>	<i>Council will direct the proponent towards grant writing support services.</i>
<i>Annual hard rubbish collection</i>	<i>Council is seeking funding to trial a tip shop.</i>
<i>Full kangaroo proof fencing of Mount Beauty Airfield</i>	<i>Council is seeking to address a gap in the provisions to manage direct access from adjacent properties onto the airport.</i>
<i>Purchase of the Alpine Shire tractor and bat wing slasher for Mount Beauty Airport</i>	<i>Council to make available its redundant tractor for use at the Mount Beauty Airport, and to support the Mount Beauty Airport Management Association (MBAMA) in the purchase of an appropriate slasher using MBAMA funds.</i>
<i>Renewal and upgrade of Delany Avenue, Bright</i>	<i>Council will progress the Tree Avenue Management and Replacement Plan.</i>
<i>Improved management of weeds across the Shire</i>	<i>Council will explore options to deliver an update to the weed guide.</i>
<i>Public toilet upgrade for Dederang</i>	<i>Council will assess suitability of the existing toilet facilities and identify any work required to bring either facility to a standard appropriate for 24/7 public access.</i>

<i>Submission</i>	<i>Proposed Activity in 2023/24</i>
<i>Multi-user trail connection between Damms Road and the Rockpool Road entrance to Alpine National Park</i>	<i>Council is exploring options to import material to improve drainage issues along the unformed section of Fredas Lane.</i>
<i>Installation of toilet facilities in Tawonga South commercial strip</i>	<i>Council will continue to pursue the opportunity to deliver amenities in Tawonga South.</i>
<i>Extension of Kiewa River trail to Damms Road</i>	<i>Council will continue to pursue opportunities for external funding.</i>

4. ***Notes the following submissions do not result in funding in the Alpine Shire Council draft 2023/24 Budget and are not being progressed by Council in the 2023/24 financial year:***

<i>Submission</i>	<i>Proposed response to Proponent to Community Budget Submission</i>
<i>Bright CBD gardens & footpath upgrades</i>	<i>These submissions covers multiple topics. Council to provide a written response to the proponents' questions.</i>
<i>Tawonga South - various infrastructure issues</i>	
<i>Upgrade of storage area and display of 1924 Halford truck - Kiewa Valley Historical Society</i>	<i>Council to demolish the derelict toilet block located outside the Visitor Information Centre at the same time as the Tawonga Scout Hall is demolished.</i>
<i>Bright to Harrietville shared path - reroute</i>	<i>Add to Tracks and Trails Masterplan scope and add to Project Pipeline.</i>
<i>Tawonga to Mount Beauty shared trail</i>	
<i>Mystic Lane precinct, Bright pedestrian safety upgrade including footpaths</i>	<i>Add to Footpath Register for prioritisation.</i> <i>Include in Pioneer Park master planning considerations.</i>
<i>Bright outdoor basketball court</i>	<i>Capture in the Pioneer Park Masterplan.</i>
<i>Asphalt Pump Track - Bright</i>	

<i>Submission</i>	<i>Proposed response to Proponent to Community Budget Submission</i>
<i>Footpaths in Tawonga - Cooper and Charles Street, and Hore's Lane</i>	<i>Add to Footpath Register for prioritisation.</i>
<i>Connecting Buffalo Creek walking track</i>	<i>Capture in the Tracks and Trails Masterplan.</i>
<i>Myrtleford Recreation Reserve - upgrade Judges Box/Grandstand</i>	<i>Capture in the Sport and Active Recreation Masterplan. Direct the proponents towards DEECA funding sources.</i>
<i>Construction/ Replacement of the Grandstand at the Myrtleford Recreation Reserve</i>	
<i>Myrtleford Recreation Reserve - major drainage upgrade</i>	
<i>Myrtleford Recreation Reserve - upgrade internal road infrastructure</i>	
<i>Bright Playgrounds - refresh</i>	<i>Continue to maintain the existing playground facilities in a safe condition for users. Capture playground replacement in future master planning for riverside precinct.</i>
<i>Myrtleford Bowls Club - additional parking</i>	<i>Council will assess parking provision following completion of the Myrtleford Splash Park project.</i>
<i>Dome roof on Mount Beauty swimming pool</i>	<i>Capture in future aquatics strategy.</i>
<i>Improve sound quality in the hall at the Myrtleford Senior Citizens Centre</i>	<i>Add to Project Pipeline.</i>
<i>Bee belts for beautification and biodiversity</i>	<i>This is not a priority for Council's operational teams at this time.</i>
<i>Harrietville Hall upgrade</i>	<i>No commitment of Council funds to this project.</i>
<i>Business case for Gundowring Hall & Reserve upgrade</i>	<i>Direct proponent back to DEECA</i>
<i>Mini Golf Myrtleford</i>	<i>Not a priority for Council at this time. This activity is better delivered through private enterprise.</i>

5. *Notifies in writing each person or persons who made a Community Budget submission of the outcome of their submission.*

Carried

BACKGROUND

Section 96(1) of the *Local Government Act 2020* provides for Council to develop the budget in accordance with financial management principles and Council's Community Engagement Policy.

In December 2022, Council commenced a Community Budget submissions process, asking the local community what they would like to see in the next Council Budget. This was a different approach to previous years, where Council had sought the views of the community on a prepared draft Budget. This year Council sought the community's views to help shape the Budget before the draft stage. This was to ensure that funded proposals were identified and incorporated into the draft Budget early, and the community's voice heard during the preparation of this important document.

CONSULTATION

With the commencement of the *Local Government Act 2020* each Council is required to conduct consultation of the Budget in accordance with its Community Engagement Policy. This enables Councils to create innovative ways to encourage community input into the development of the draft Budget.

Council opened the Community Budget process on 12 December 2022, with submissions closing on 12 February 2023. Community pop-up sessions were held at community markets in Harrietteville, Bright, Myrtleford, and Mount Beauty during January and February 2023, to provide the community with the opportunity to speak with Councillors and staff about their ideas.

The application process was via an online platform, with a staff member available to provide extra advice or assistance. Submitters could request to be heard before a panel of Councillors in support of their submission.

Council had received a total of 41 Community Budget submissions, with 21 submitters presenting their submissions in person before a panel of Councillors on 7 and 14 March 2023.

The 41 Community Budget submissions received this year is more than double the previous year (15 submissions received in 2022/23), suggesting the engagement approach taken has achieved its purpose, in seeking ideas from the community prior to the draft Budget preparation.

The community will have a further opportunity to comment on the Alpine Shire draft 2023/24 Budget once it is released for public exhibition.

POLICY IMPLICATIONS

The Budget is prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*. Submissions have been sought in accordance with Council's Community Engagement Policy.

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 undertook the consultation on the Community Budget submissions utilising current staff and software packages available and prepares its draft Budget with the objective of balancing long term financial sustainability and prioritised delivery against the adopted Council Plan 2021-2025.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Community Budget submission process does not result in meaningful opportunities in the draft Budget	Possible	Moderate	<ul style="list-style-type: none"> • Ensure that the opportunity to participate in Community Budget submissions are advertised widely. • Ensure that submissions are assessed and prioritised into Council's Budget or future Project Pipeline where appropriate. • Ensure submitters are advised of the result of their submission.

CONCLUSION

Council commenced a Community Budget consultation process on the Alpine Shire draft 2023/24 Budget in December 2022.

All submissions received have been considered by Council. This report reflects the Officers' recommendations to Council following a review of the cost and scope of each submission, and overall deliverability of the full scope of 2023/24 work.

A further period of public consultation will commence once the Alpine Shire draft 2023/24 Budget is placed on public exhibition.

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)

Nil

8.3.5 Dinner Plain Special Rate (2023/2024) Public Notice of Proposed Declaration

INTRODUCTION

The purpose of this report is to recommend that public notice be given of a proposed declaration of a Special Rate for the Dinner Plain village applicable to Commercial / Industrial land in the 2023/2024 financial year.

Cr Kelley

Cr Janas

That Council:

- 1. Gives public notice in accordance with s163 of the Local Government Act 1989 of the intention to declare a special rate for the period 1 July 2023 to 30 June 2024 as follows:***
 - a. a special rate (the Dinner Plain Special Rate) be declared for the purpose of defraying any expenses in relation to the provision of services of special benefit to the owners of Commercial / Industrial land within the Dinner Plain village;***
 - b. the Dinner Plain Special Rate will apply to Commercial / Industrial land within the Dinner Plain village as defined in attachment 8.3.3;***
 - c. the definition of Commercial / Industrial land is the definition provided in the Alpine Shire Council Revenue and Rating Plan;***
 - d. the amount of the Dinner Plain Special Rate to be levied is determined as 43% of the general rate as provided in the Alpine Shire Council draft Budget Report for the financial year 2023/2024;***
 - e. the amount of the Dinner Plain Special Rate to be levied for the period 1 July 2023 to 30 June 2024 is estimated to be \$172,000, or such other amount as is lawfully raised as a consequence of this Resolution;***
 - f. the amount of the Special Rate will be the amount shown as due and payable in any notice sent to a person required to pay the Dinner Plain Special Rate;***
 - g. each person liable to pay the Dinner Plain Special Rate is to pay by instalments in line with Council's general rate payment requirements each year; and***
 - h. the total cost of the performance of this function is estimated to be \$290,000 over one year, and based on inclusion of the following services:***
 - i. The Dinner Plain to Hotham winter bus service \$140,000 or transport subsidies to an equivalent value;***
 - ii. Marketing for Dinner Plain \$90,000; and***
 - iii. Events support to Dinner Plain \$60,000.***

- 2. Invites written submissions from the public in relation to the proposed declaration of the Dinner Plain Special Rate in accordance with s163A and s223 of the Local Government Act 1989, with submissions closing at 5pm on Wednesday 31 May 2023;**
- 3. Forms a committee according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the proposed declaration of the Dinner Plain Special Rate; and**
- 4. Considers the Dinner Plain Special Rate for 2023/2024 declaration at an Ordinary Council Meeting on 27 June 2023.**

Carried

BACKGROUND

A Council may declare a special rate for the purpose of defraying the expenses of performing a function that is of special benefit to the persons required to pay the special rate. The declaration of a special rate is a requirement of the Local Government Act 1989, Section 163.

The Dinner Plain village has for some time been subject to a Special Rate to defray the expenses associated with services of special benefit to Dinner Plain Commercial / Industrial ratepayers.

A declared Special Rate for Dinner Plain reduced to 43% in 2017/18. In 2018/19, the Special Rate was aligned to the differential rate for Commercial / Industrial Land in the rest of the shire and was only paid by ratepayers who own Commercial / Industrial land in the Dinner Plain village (including holiday lets).

This approach has continued since 2018/2019. In 2023/2024 it is proposed that it be maintained for the declaration of a Special Rate to be made.

In the Alpine Shire Council's draft Council Budget 2023/2024, it is expected that income of an estimated \$172,000 will be received and this will be allocated to defray the following expenses:

- the Dinner Plain to Hotham winter bus service or transport subsidies to an equivalent value (\$140,000);
- marketing for Dinner Plain (\$90,000); and
- events support to Dinner Plain (\$60,000).

ISSUES

The Dinner Plain village operates on a total cost recovery basis. If there is a deficit or surplus based on the difference between:

- a. all general and Special income attributable to Dinner Plain and
- b. all general and Special costs attributable to Dinner Plain,

this is allocated to a reserve, namely the 'Dinner Plain Reserve'.

Therefore, the Dinner Plain Special Rate and the expenses it is raised to meet are all placed in the Dinner Plain Reserve.

This is inclusive of all relevant income and costs, including, for example, the general rates paid by Dinner Plain ratepayers; an apportionment of general Council grants; Council services relevant to Dinner Plain (including roadways snow clearing and cross-country snow grooming); an apportionment of Council overheads; all Special Rate costs; and all capital works expenditure in Dinner Plain.

Based on current forecasts, Dinner Plain expenditure will continue to exceed income in 2023/2024.

On 30 June 2024, the Dinner Plain Reserve is estimated to be \$574k.

It is noted that in the 2019/20 Dinner Plain Special Rate declaration, Council committed to delivery of \$1.5m new and upgrade capital works within Dinner Plain by 2027. It is estimated that by 30 June 2023 this commitment will be met. However, significant capital works will continue to be delivered in Dinner Plain over the financial year 2023/2024.

POLICY IMPLICATIONS

The preparation of the Dinner Plain Special Rate 2023/2024 is on accordance with the:

- Special Rate and Charges, Ministerial Guidelines, September 2004,
- *Local Government Act 1989*, and
- Alpine Shire Council Revenue and Rating Plan.

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

Based on current property valuations across the Alpine Shire, the Dinner Plain Special Rate for 2023/2024 is estimated to raise \$172,000 over the 12-month period.

This is significantly less revenue than the cost of the Special Rate services which are estimated to cost \$290,000 over the same period.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
The Dinner Plain Special Rate declaration is not undertaken in accordance with the Act, invalidating the Rate charge	Unlikely	Moderate	<ul style="list-style-type: none"> Each stage of the declaration process is checked to ensure it meets the requirements of the Act, Revenue and Ratings plan and Ministerial Guidelines.

CONSULTATION

Under Section 163 of the *Local Government Act 1989*, a Council must give public notice of its intention to make a special rate declaration at least 28 days before making the declaration and that notice must contain information detailed in the Act.

Under Section 223 of the *Local Government Act 1989* a person has a right to make a submission on the proposed Dinner Plain Special Rate for 2023/2024 and any submission must be considered before adoption of the budget by Council. Council must allow a minimum 28 days after the public notice to receive submissions. A person has the right to have their submission heard at a committee formed according to Section 223 (1)(b) of the *Local Government Act 1989*, if required, consisting of Councillors for the purpose of hearing submissions.

CONCLUSION

Public notice of the intention to declare a special rate is a requirement of the *Local Government Act 1989*.

Council is giving public notice of the intent to declare a Dinner Plain Special Rate. It is proposed to declare the Dinner Plain Special Rate at an Ordinary Council Meeting on 27 June 2023.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Corporate
- Rates Coordinator

ATTACHMENT(S)

8.3.5 Dinner Plain Village Special Rate Map

8.3.6 Draft 2023/24 Budget Report

INTRODUCTION

The purpose of this report is to receive the draft 2023/2024 Budget for the Alpine Shire Council.

Cr Nicholas

Cr Keeble

That Council:

- 1. Prepares the draft Alpine Shire Council 2023/2024 Budget annexed to this resolution and featuring a 3.5% rate increase, for the purposes of section 94(1) of the Local Government Act 2020;***
- 2. Authorises the Chief Executive Officer to:***
 - a. give public notice of the preparation of the draft Alpine Shire Council 2023/2024 Budget in accordance with Council's Community Engagement Policy;***
 - b. make available for public inspection the information required in accordance with the Local Government (Planning and Reporting) Regulations 2020;***
- 3. Invites written submissions from the public on any proposal contained in the budget, with submissions closing at 5pm, Wednesday 31 May 2023, noting that any submitter may request to be heard in person in support of their submission;***
- 4. Forms a committee, if required, consisting of Councillors for the purpose of hearing submissions in relation to the draft Alpine Shire Council 2023/2024 Budget; and***
- 5. Considers a recommendation to adopt the 2023/2024 Budget at an Ordinary Council Meeting on 27 June 2023.***

Carried

ISSUES

Council has prepared the draft Alpine Shire 2023/2024 Budget. It is aligned to the Community Vision 2040 in the Alpine Shire Council Plan 2021-2025.

Through continued strong cost management, the draft Budget provides a prudent financial position which enables Council to continue to deliver critical services and projects as conditions evolve.

This draft Budget projects a surplus of \$4.33m which is influenced by:

- a. A Rate increase of 3.5%, in line with the Fair Go Rates System which caps Victorian Council rate increases in line with inflation;
- b. Capital works expenditure totalling \$12.6m, a significant Capital Works Program reflecting a steady pipeline of asset renewal and increased development activity from successful grant applications totalling \$6.6m;

- c. An increased material and services budget reflecting inflationary impact on costs and the costs of the new FOGO kerbside waste service; and
- d. A modest increase in staff numbers resulting from an organisational restructure implemented in January 2023.

Council is intending to introduce a new kerbside collection service from July 2023. Council has entered long-term contracts following a collaborative procurement process to provide waste service for the community. All kerbside services are being charged to ratepayers on a cost recovery basis in conjunction with a Waste Management Charge covering investment in waste infrastructure and remediation of the closed landfill sites.

In addition, a review of Council fees and charges has been conducted. Fees have been increased in line with movements in the actual costs to provide various services.

Further detail on the operating result, strategic objectives, services, cash position and investments, capital works, financial sustainability, and rates, charges and fees can be viewed in the attachment 8.3.5 draft Alpine Shire 2023/2024 Budget.

BUDGET HIGHLIGHTS

As part of the draft 2023/24 Budget, Council plans to deliver another significant capital expenditure program totalling \$12.6 million, supported by Government grant funding of \$6.6 million.

- Major projects include:
- Annual Road Renewal Program (\$2m)
- Dinner Plain Activation (\$1.1m)
- Dinner Plain Snowmaking (\$1m)
- Myrtleford Splashpark (\$0.86m)
- Myrtleford Savoy Soccer Club Upgrade (\$0.76m)
- Nimmo Pedestrian Bridge (\$0.75m)
- Ablett Pavilion Upgrade (\$0.72m)
- Myrtleford Memorial Hall (\$0.51m)
- Tawonga Memorial Hall Upgrade (\$0.2m)
- Tronoh Dredge Hole Precinct design (\$0.17m)
- East Ovens Pedestrian Bridge (\$0.18m)

Further supporting Council's commitment to climate change mitigation and reduction of greenhouse gas emissions, a number of key projects will be delivered to improve the efficiency and environmental impacts of Council infrastructure.

These vital projects include:

- Energy efficient projects (\$0.2m)
- Vehicle renewal including \$0.128m of EV upgrades (\$0.280m)
- Mount Beauty Landfill Rehabilitation Design (\$0.150m); and
- the roll out of the kerbside collection service for Food Organics, Green Organics (FOGO).

POLICY IMPLICATIONS

The draft Alpine Shire Council 2023/2024 Budget is prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The draft Budget covers a four-year period, including the budget year 2023/2024, and the subsequent three financial years.

Rating provisions remain in the *Local Government Act 1989*. The Victorian government has released the final report and government response on the Local Government Rating System Review, however, this has not yet translated to legislative change.

The draft Budget is aligned to the Strategic Objectives identified in the Alpine Shire Council Plan 2021-2025. Major Initiatives are identified that will contribute to the delivery of the Strategic Objective. Council's progress in the delivery of these major initiatives will be reported in the corresponding Annual Report.

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 prepares its draft Budget with the objective of balancing long term financial sustainability and prioritised delivery against community needs. The draft Alpine Shire Council 2023/2024 Budget forecasts an operating surplus of \$4.33 million and a working capital ratio of 3.49.

Materials and services expenditure has increased reflecting inflationary impact on costs and the costs of the new FOGO kerbside waste service. Departmental budgets have largely been managed to remain flat or have increased with the Consumer Price Index.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Poor financial prudence	Unlikely	Major	<ul style="list-style-type: none"> • Each budget account is scrutinised for its validity and reported against quarterly. • Council routinely updates its operational long term financial plan to test whether spending is sustainable over the medium to long term.

CONSULTATION

Section 96(1) of the *Local Government Act 2020* provides for Council to develop the budget in accordance with the financial management principles and Council's Community Engagement Policy.

Special Rates remain governed by the requirements of the *Local Government Act 1989* and must include a statutory public consultation process, including the ability for a submitter to request to be heard in person. It is considered prudent that Council mirrors this process for public consultation and submissions regarding the draft 2023/2024 Budget, as the draft 2023/2024 Budget contains assumptions based on the inclusion of a Dinner Plain Special Rate.

Council commenced a Community Budget consultation process on the budget for 2023/2024 in December 2022. Full details regarding the Community Budget submissions are detailed in a report earlier in this agenda.

A further period of public consultation will commence once a draft Budget 2023/2024 is placed on public exhibition.

The final step is for Council to adopt the budget after receiving and considering all submissions from interested parties. The budget is required to be adopted by 30 June 2023.

CONCLUSION

The draft Alpine Shire Council 2023/2024 Budget has been prepared in accordance with the Alpine Shire Council Plan 2021-2025 Strategic Objectives and the *Local Government Act 2020*. The draft Budget Report is presented for Council's consideration and public exhibition.

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
- Director Assets
- Manager Corporate
- Financial Accountant

ATTACHMENT(S)

8.3.6 Alpine Shire Council Draft 2023/2024 Budget

9. Informal meetings of Councillors

Introduction

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

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting, or Community Asset Committee meeting;

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting, and are recorded in the minutes of that Council meeting.

Cr Nicholas

Cr Keeble

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

Carried

Background

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

Date	Meeting
28th March	Briefing Session
29th March	Planning Forums x 3
11th April	Briefing Session
18th April	Briefing Session

Attachment(s)

- 9.0 Informal meetings of Councillors – March / April 2023

10. Presentation of reports by delegates

Nil

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. Instrument of Appointment and Authorisation (Planning and Environment Act 1987) Compliance Coordinator - Luke Gillam April 2023*
- 2. Instrument of Delegation. Council to Chief Executive Officer. April 2023*
- 3. Lease of Real Estate - Porepukah Hangar to McGillivray.*
- 4. Lease of Real Estate - Porepukah Hangar to Duvoisin.*

Carried

There being no further business the Chairperson declared the meeting closed at 6:57 p.m.

.....

Chairperson

COUNCIL POLICY

Waste Services Policy

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DOCUMENT UNCONTROLLED WHEN PRINTED

Document Control		
Policy number Waste Services Policy No. CLL-ID2	Status Draft	Approved by Council
Date approved	Next review date April 2029	Comes into operation on 1 July 2023
Directorate Assets	Department Operations	Internal / External External

REVISION RECORD

Date	Version	Revision description
<i>30 May 2023</i>	<i>1.0</i>	<i>Draft for adoption version effective 1 July 2023</i>

1. Purpose

The purpose of this policy is to detail the arrangements for the provision of waste and recycling services within the Alpine Shire Council (Council) municipality.

2. Scope

This policy outlines the waste management services that Council provides to residents, businesses and other groups within the community. It covers the kerbside collection service provided to all entitled properties within the Alpine Shire Council municipality, the collection service provided to all properties at Dinner Plain, the provision of Waste and Recycling Transfer Stations and the public place and event bin services across the municipality.

3. Policy details

3.1 WASTE SERVICES CHARGES

Council is entitled to charge Service Rates and Charges for the collection and disposal of waste under the *Local Government act 1989*, and apply relevant charges to all rateable properties.

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

Each property within the Shire's kerbside collection areas (as determined by Council) has an associated payment of 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 rateable property has an associated payment of 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.

3.2 KERBSIDE COLLECTION SERVICE

3.2.1 Provision of Service

Council provides standard kerbside recycling, Food Organics and Garden Organics (FOGO) and waste collection services which are compulsory for all premises within the Shire's kerbside collection areas (as determined by Council).

3.2.2 Exceptions and Exemptions

Additional bins, or changes to the standard kerbside collection service bin sizes within the available alternative options, can be provided subject to approval. Additional or reduced fees may apply depending on the bin size and services chosen.

There is no option for residential properties within the defined kerbside collection area to opt out of any kerbside collection service.

Non-residential properties may apply for an exemption to a kerbside waste and/or recycling collection service if any of the following recognised grounds are met:

- The type of waste generated by a non-residential premise is not permitted to be placed in the mobile kerbside waste, comingled recycling or FOGO bins.
- The volume of waste, recyclables or FOGO generated by a non-residential premises is such that the mobile kerbside bins provided by the Council are inadequate, and a Waste Management Plan for the premises has been approved by Council. In this case the non-residential premises must prove that there is a current arrangement with a waste collection contractor to collect waste, recyclables and FOGO generated.

For non-residential premises within the kerbside collection areas, Council's kerbside FOGO collection service is offered as an opt-in service.

Any amendment to service allocations can only be made by the property owner or person legally responsible for payment of rates.

3.2.3 Occupiers Responsibilities

The occupier of every premises provided with Council's waste, comingled recycling and / or FOGO kerbside collection service must:

- Use only the bins supplied by Council.
- Place the appropriate bin(s) out for collection prior to 6.00am on the designated day of collection, in the designated location with the lids in the fully closed position and spaced at least 500mm apart.
- Not place the bins out for collection more than one day before collection and bring the bin/s in within one day after collection.
- Only put items in the comingled recycling bin that are acceptable in the kerbside mixed recycling stream.
- Only put items in the FOGO bin that are acceptable in the kerbside FOGO stream.
- Only put items in the waste bin that are acceptable domestic waste.
- Not remove any bin from the premises to which they have been allocated, except when being taken to and returned from a municipal waste facility.
- Maintain all bins in a clean, sanitary and tidy condition.
- Notify Council as soon as possible if a bin is damaged, develops a defect, or is stolen or missing. In the case of a stolen or missing bin a statutory declaration must be submitted to Council prior to a new mobile kerbside bin being issued by Council.
- Council provided compostable bags are only to be used for the disposal of organics and only Council provided bags are to be placed in FOGO bins.

A person must not:

- Deposit waste in a bin at a property, without the occupier's consent
- Remove waste from any bin at a property, without the occupier's consent

3.2.4 Contamination of Kerbside Bins

Contamination of any of the collection services brings financial penalties to Council and thus the broader community. If a bin is found to hold contaminated or inappropriate material, an education process will progress through a minimum of 4 warnings to the ultimate removal of the bin from the property. Should a bin be removed, the waste management and waste service charges will continue to accrue..

3.3 DINNER PLAIN COLLECTION SERVICE

Residential and Commercial properties in Dinner Plain are charged an annual Waste Management Charge for waste management services across Dinner Plain, as well as a residential or commercial Waste Charge for the collection, processing and disposal of waste and recycling generated at the property. These charges are reviewed annually.

All properties in Dinner Plain must have a waste and recycling hutch along the roadside to house the waste and recycling generated on the property. These hutches must be easily accessible by the waste collection contractor. All waste and recycling must be sorted into the bags provided, ensuring that the bags are tied off securely before placing into the hutch and closing the door.

Hutch contents, once in the hutch, become Council's property. Hutch audits may be undertaken by Council or the waste collection contractor at any time to contribute to Council's understanding of the users' waste and resource recovery practices.

3.4 WASTE AND RECYCLING TRANSFER STATIONS SERVICE

Council provides three Waste and Recycling Transfer Stations (Transfer Stations) across the municipality at Porepunkah, Mount Beauty and Myrtleford. Materials received at the Transfer Stations are recycled to the greatest degree possible to minimise waste to landfill.

The Transfer Stations operate on a user pays model, with fees contributing to the operational costs of the Transfer Stations. Fees are set each financial year to encourage reuse, separation, recycling and waste reduction.

Disposal of waste must comply with Council's safety and environmental requirements, and all loads must be below two cubic meters with all waste separated by type.

Council's three Transfer Stations are all designated for domestic waste only.

Porepunkah Transfer Station is the only waste facility in the Alpine Shire where asbestos waste from a domestic source can be accepted. To dispose of asbestos at Porepunkah Transfer Station a booking must be made with Council, an Asbestos Waste Disposal Form completed and the waste must be packaged and labelled appropriately.

Residents may be eligible for a waste fee exemption if affected by a natural or local disaster. Depending on the severity of the situation, fees may be waived at the discretion of Council's Chief Executive Officer (CEO).

3.5 PUBLIC PLACE BINS

Council services public place bins across the municipality.

Public place bins are not to be used to dispose of waste, recyclables, organics or other materials generated from domestic, commercial or industrial properties.

3.6 ILLEGAL DUMPING

Any person caught dumping waste illegally on Council-managed land will be subjected to Environmental Protection Authority fines and penalties per the *Environmental Protection Act 2017 [Vic] Division 3 – Offences in relation to littering and other waste*. Council Local Laws Officers are authorised by the Environmental Protection Act 2017 [Vic] as litter enforcement officers.

3.7 COLLECTION SERVICES FOR SPECIAL EVENTS

Organisers of events within the Shire can apply to Council for the provision of waste, organics, and recycling services for their event. Application must be made to Council via Council's event permit application process, as per the Events Strategy.

4. Roles and responsibilities

The following positions are responsible for

Responsibility	Role / Position
Management of Kerbside Collection Routes	Waste Operations Officer
Kerbside Exception or Exemption applications	Waste Operations Officer
<i>Environmental Protection Act 2017</i> Authorised Officer for illegal dumping	Local Laws Officer
Emergency Waste Fee Exemption	Waste Operations Officer

5. Breaches

Compliance with this Waste Services Policy is a requirement under Council's Community Local Law 2019:

3.12 Waste Collection

3.13 Restriction of use of public place bins

3.14 Municipal Waste Facilities

3.15 Scavenging at Municipal Waste Facilities

6. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

7. Supporting documents

This policy should be read in conjunction with all other relevant, Council policies and procedures, as well as relevant legislative requirements.

Related Legislation

- *Local Government Act 1989 [Vic]*
- *Local Government Act 2020 [Vic]*
- *Environment Protection Act 2017 [Vic]*

Related Guidelines, Operational Directives or Policies

- Alpine Shire Council Community Local Law 2019

Related Procedures

- Alpine Shire Council Waste Services Procedure CLL-ID2-P1

8. Definitions and abbreviations

Term	Meaning
FOGO	Food Organics and Garden Organics
Kerbside Collection Area	The area serviced by the kerbside collection route as defined by the latest data on Council's website
Non-residential property	Any property that is not a residential property. Including non-residential businesses, public buildings, churches, sporting facilities, airfields etc.
Residential Property	Any property containing a household or residence in which people can live or reside either permanently or temporarily. This includes short term rental and holiday accommodation
Transfer Station	Waste and Recycling Transfer Station

9. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 30 day of May 2023
in the presence of:

.....
COUNCILLOR

.....
SIGNATURE

.....
COUNCILLOR

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER

.....
SIGNATURE

DRAFT

Quarterly Performance Report

Ending 31 March 2023

Strategic Driver 1. For those who live and visit

Vision: *To be connected, supported, and welcomed throughout all stages of life*

2022/23 Actions	Q3 - progress report January - March 2023
Strategic Objective 1.1 A community that is active, connected and supported	
Ongoing engagement with community groups	Engagement with the local community continued this quarter, with the Executive team present at four Community Pop-Ups at key local events over January and February. These pop-ups encourage community submissions to the 2023/24 budget in the first budget engagement campaign of its kind for Council. The campaign yielded a very positive response from community groups and individuals, with more than 40 submissions received.
Deliver the annual Community Grants program	The 2022/23 Community Grants program was awarded at the August 2022 Ordinary Council Meeting. By 31 March 2023 only three projects remain uncompleted. Planning has commenced for 2023/24 Community Grants Program which will open 12 May 2023.
Strategic Objective 1.2 Services and resources that enhance health and wellbeing	
Provide contemporary library services	The summer holiday period kicked off with each library showcasing art and craft activities provided by National Gallery of Victoria's Kids on Tour program. The activities were set up to be drop-in and self-led which increased availability to families who could craft at a time that suited them. Other highlights include the following: * Mount Beauty Library has signed up two more Book Clubs. * Bright Library hosted Doncaster Probus group as part of their North East Tour. * Myrtleford Library hosted a free meditation talk, with an external facilitator.
Implement Library Services Plan	Discretionary budget has been allocated to BorrowBox audio and e-books. Borrowing statistics are indicating the need for these items is growing. In response to Inter-Library Loans being temporarily unavailable, some discretionary budget has been allocated to fulfilling patron requests.
Provide services for critical life stages, including Maternal and Child Health, Immunisations, Supported Playgroups, Seniors Week, and Youth services	Delivery of the MCH service is ongoing which includes Sleep Settling groups and breastfeeding support and continued delivery of First Time Parents Groups and regular meetings with Alpine Health.
Implement the Alpine Shire Council Access and Inclusion Plan	Continue to monitor actions against Access and Inclusion Plan.
INDICATOR: Active library borrowers in municipality	13.3% of the Alpine Shire population were active library borrowers at the end of March 2023 (<i>note: Q2 data contained a typographical error in calculations, resulting in an over-reporting of active library members</i>).
INDICATOR: Cost of library service per population	Calculated at End of Financial Year.

2022/23 Actions	Q3 - progress report January - March 2023
INDICATOR: Participation in the Maternal Child Health Service	80.7% of enrolled children had participated in the MCH service by the end of March 2023.
INDICATOR: Aboriginal participation in the MCH service	79% of enrolled First Nations children had participated in the MCH service by the end of March 2023.
INDICATOR: Participation in supported playgroups	Supported Playgroups are active in Mount Beauty and Myrtleford; additional funding for the financial year has seen the successful introduction of Supported Playgroup in Bright.
Strategic Objective 1.3 A caring community	
Adoption of Reflect Reconciliation Action Plan	Council's Reflect Reconciliation Action Plan (RRAP) was noted by Council at its January 2023 Council meeting. Planning for delivery of outcomes of RRAP.
Deliver Youth services including FreeZa, Youth Awards and Engage!	Council's supported learner driver mentor program (L2P) is meeting its funded targets; Youth Advisory Group (Resilient Action Youth Squad) has been established; and a number of youth events have delivered and more planned for future.
Completion of the Key Worker Housing Pilot Program, and development of the Affordable Housing Analysis Action Plan	Consultant engaged to develop business case and feasibility assessment for installing key worker housing (5 cabins) in caravan parks for which Council is the Committee of Management i.e. Bright, Myrtleford, Porepunkah and Tawonga
Deliver the 16 Days of Activism program	The 16 Days of Activism campaign was delivered in Q2.
Strategic Objective 1.4 Increasing healthy eating and active living	
Review Council's aquatic facilities	The season wound down as anticipated. A review of the season is scheduled for May including visitation compared to previous years and future opportunities for growth at the outdoor pools. Events such as cinema days proved successful this season.
INDICATOR: Number of visits to aquatic facilities per head of population	Data not available at time of reporting.
Strategic Objective 1.5 Improving mental wellbeing	
Investigate feasibility for hybrid Council Meetings utilising appropriate and reliable technology	Council is currently working with AV professionals to enhance the Council meeting experience for those physically attending as well as virtual participants across all Council meeting locations.
Strategic Objective 1.6 Preventing all forms of violence	
No actions in 2022/23	No actions in 2022/23

Strategic Driver 2. For a thriving economy

Vision: Ideas and industry thrive through a climate sensitive and diverse economy

2022/23 Actions	Q3 - progress report January - March 2023
Strategic Objective 2.1 Diverse reasons to visit	
Facilitate events on Council land over the year, and support the annual Event Funding Program	Council facilitated numerous events on Council land including: * Signature event Alpine Valley Vibes * Brighter Days. The Events Team provided extra support to hold events in Mount Beauty following the Bogong High Plains Road landslip. However, some events were adversely affected by the landslip including: * The Peaks Challenge cycling event.
Implement the Alpine Shire Council Events Strategy	No reporting available.
INDICATOR: Number of permitted festivals and events in the Shire	Council issued 30 permits for festivals and events between 1 January and 31 March 2023, with 2 additional events held that had permits issued in the previous quarter. Regular monthly markets are in addition to the number of permits mentioned here.
INDICATOR: Number of overnight and day trip visitors	Visitation statistics from Tourism Research Australia for the 2022 calendar year showed that: - Alpine Shire received 716,000 domestic visitors - an increase of 9.3% compared to 2021. - Domestic visitors spent over 1.8 million nights in the Alpine Shire - down by 2.0% on 2021. - In total, domestic visitors spent \$481 million on travel to the Alpine Shire, an increase of 37.2% on 2021.
Strategic Objective 2.2 Innovative and sustainable business development that supports year-round benefit	
Implement the Alpine Shire Council Economic Development Strategy	The following Economic Development Strategy actions were implemented prior to 31 March 2023: • Delivery of an extensive advertising campaign to activate the Kiewa Valley following the economic impact of the Bogong Highs Road landslip. • Concepts and planning continued for the Murray to Mountains Enhancement project. • Partnered with TNE's snow campaign for Dinner Plain's 2023 winter season. • Delivery of annual tourism visitation statistics.
INDICATOR: Number of small businesses and light industry in the Shire	No reporting available.
Strategic Objective 2.3 Access to technology that meets our evolving needs	
Develop a Telecommunications Strategy	No activity in Q3.

Strategic Driver 3. For the bold protection of our future

Vision: Our natural environment is protected and preserved

2022/23 Actions	Q3 - progress report January - March 2023
Strategic Objective 3.1 Decisive leadership to address the impacts and causes of climate change	
Commence Community Climate Action Plan	Council's consultant completed a desktop analysis for the road map. Community Engagement sessions are scheduled for Q4.
Explore Environmentally Sustainable Design options	Procurement of installation services was finalised in March 2023. Environmentally Sustainable Design (ESD) was incorporated into the design for Ablett Pavilion and Savoy Soccer Club upgrade works.
INDICATOR: Net Zero Greenhouse Gas Emissions - 2023	No reporting available.
Strategic Objective 3.2 Stewardship and care of our natural environment	
Utilise Water Sensitive Urban Design	Council is evaluating two pilot 'no / low maintenance' gardens in Mount Beauty and Bright. Plants are nearing maturity and soon viability assessments for this methodology at scale will be undertaken. Trials utilising a wetting-agent to reduce water usage is underway on the Pioneer Park football field.
Strategic Objective 3.3 Responsible management of waste	
Prepare for the implementation of a Food Organics Garden Organics (FOGO) collection service	Council has prepared FOGO collateral and commenced Community Engagement through Pop-Ups at community markets. Council awarded its new waste contract including kerbside FOGO collection service.
Identify sites for Container Deposit Scheme (CDS) across the Alpine Shire	Discussions with CDS service provider have commenced to identify sites for CDS units across the Alpine Shire.
Implementation of the Event Waste Management Plan	Bright's Make It Bake It and Rotary markets in March used the Dish Pig. Review of Waste Wise questions underway to be ready for Events Funding round 2023/24.
Develop Council Waste Management Plan	Waste Services Policy review has been completed to compliment the rollout of FOGO.
Participation in regional procurement of municipal glass collection and processing services	Waste Services Contract finalised and awarded at February Council meeting to include commingled recycling, general waste and FOGO across kerbside services, transfer station services and bulk haulage of waste.
Implement recommendations from Closed Landfill Risk Assessment	Porepukah Landfill Capping works continue with scheduled construction finish for June 2023. Myrtleford Landfill capping works have reached final approval stage for design sign off; anticipated May 2023.
INDICATOR: Community satisfaction with waste management performance - Target 70	Index score of 70 in 2022. Surveying for 2023 results has been completed, with results expected by end of financial year.
INDICATOR: Kerbside collection waste diverted from landfill	40.1% of kerbside collection waste was diverted from landfill between July 2022 and March 2023.

2022/23 Actions		Q3 - progress report January - March 2023	
Strategic Objective 3.4 A community that is prepared for, can respond to, and recover from emergencies			
Implement Resilience Month activities		Alpine Resilience Partnership meets approximately every three months. Planning commenced for Resilience month activities including REAP (Resilience Emergency Action Plan) Day.	
Strategic Objective 3.5 Reducing the impact of climate change on health			
Implement Alpine Active Plan		Regular meetings and implementation of RESPOND Program. Support installation of Outdoor Fitness Equipment in Myrtleford.	
Support local and regional initiatives relating to Climate Change		The Sustainable Subdivisions framework checklist will be applied to a major subdivision project in Bright.	

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

Vision: The connection between people and place is strengthened

2022/23 Actions	Q3 - progress report January - March 2023
Strategic Objective 4.1 Conservation and promotion of the distinct character across the Shire	
No actions in 2022/23	
Strategic Objective 4.2 Planning and development that reflects the aspirations of the community	
Develop the Alpine Shire Council Land Development Strategy	Draft strategy compiled by consultant and released to Council for finalisation. This includes the further work and Implementation Plan which reflects key actions required ahead of supporting proponent lead rezonings. Further engagement with key stakeholders including AgVic, CFA, DTP and DEECA to confirm pathway on a number of conflicting policy outcomes.
Develop the Alpine Shire Council Housing Affordability Strategy	The Affordable Housing Strategy and Analysis was adopted in December 2022.
INDICATOR: Time taken to decide planning applications - Target 60 days	Data not available at time of reporting.
INDICATOR: Council planning decisions upheld at VCAT	0% of Council planning decisions appealed to VCAT were upheld by the end of March 2023. One planning decision was appealed, with the decision set aside and an amended permit directed to be issued.
Strategic Objective 4.3 Accessible parks that promote active and passive recreation	
Implement the Alpine Shire Council Sports and Active Recreation Plan	Community engagement is now complete for the key precincts. The qualitative and quantitative data analysis has begun.
Strategic Objective 4.4 Diverse arts and cultural experience	
No actions in 2022/23	
Strategic Objective 4.5 Assets for our current and future needs	
Dargo High Plains Road upgrade	The Dargo High Plains work was 80% complete by the end of March and the final stages of upgrade works are due to be completed by the end of May.
Dinner Plain activation	Trail upgrade works completed, scrubbers hut upgrade works began, bore installation tender packages completed.
Mount Beauty Airport upgrade	Airfield is open and in operation. Defects are nearly completed. Practical completion (PC) of the project expected May 2023. Final claim for Regional Airports Program to be made in May after issue of PC.
INDICATOR: Community satisfaction with sealed local roads - Target 60	Index score of 61 in 2022. Surveying for 2023 results has been completed, with results expected by end of financial year.
INDICATOR: Sealed local roads maintained to condition standards	98.8% of Council's sealed local road network was maintained to condition standards. A condition assessment has recently been completed across the sealed local road network, with results expected to be available by end of financial year.

Strategic Driver 5. For strong and informed leadership

Vision: Collaborative, bold and evidence-based decision making

2022/23 Actions	Q3 - progress report January - March 2023
Strategic Objective 5.1 Effective communication and engagement	
Improve community engagement participation and access	Significant community engagement took place for the following: * Sports and Active Recreation Master Plans - community survey. * FOGO services - community survey. * Land Development Strategy - community survey results * Bright Valley Development, Bright - dedicated website pages and Chief Executive Officer video series.
Deliberative engagement panel involvement in key strategic projects	Council has moved to deliberative engagement through Community Market Pop-Ups to reach a number of community members on key specific topics.
Implementation of online Customer Service and engagement application	Positive uptake of MyAlpine continues within the community. The addition of the Events portal as part of MyAlpine functionality provides event organisers with an online platform to apply for their local event. This has helped create a better user experience, streamline processes for staff and continue to build MyAlpine's capacity as a strong online customer experience tool. In Quarter 3, 217 tickets were raised via the portal, with 332 users registered.
INDICATOR: Community satisfaction with Council's community consultation and engagement performance - Target 60	Index score of 55 in 2022. Surveying for 2023 results has been completed, with results expected by end of financial year.
Strategic Objective 5.2 A responsible, transparent and responsive organisation	
Maintain transparent decision making	Council meetings conducted from Bright are live streamed. Council is currently working with AV professionals to determine if this is possible from Myrtleford and or Mount Beauty.
Refresh Risk Policy, Framework and Register	Risk Register has been reworked to reflect new organisational structure.
Gender Equality Action Plan implementation	Gender Impact Assessments register established.
Explore alternative income stream opportunities	Council undertook detailed reworking of the waste reserve and charging structure as part of the North East Collaborative Procurement of waste services. This work means our waste charges are changing to more accurately reflect the cost of services being delivered to each resident.
Implement Workforce Plan	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 the Executive / Management teams. The organisational focus is on delivering a positive customer experience, a positive employee experience and a sustainable future for the Shire.
INDICATOR: Council decisions made at meetings closed to the public	2.8% of Council decisions have been made at meetings closed to the public between July 2022 - March 2023.

2022/23 Actions	Q3 - progress report January - March 2023
INDICATOR: Councillor attendance at council meetings	Councillor attendance at Council meetings was 93.5% between July 2022 - March 2023.
INDICATOR: Satisfaction with Council decisions	Index score of 56 in 2022. Surveying for 2023 results has been completed, with results expected by end of financial year.
INDICATOR: Community satisfaction with Council's overall performance - Target 70	Index score of 59 in 2022. Surveying for 2023 results has been completed, with results expected by end of financial year.
INDICATOR: Working capital (current assets as percentage of current liabilities)	Calculated at End of Financial Year.
Strategic Objective 5.3 Bold leadership, strong partnerships and effective advocacy	
Participate in regional partnerships and groups	Ongoing participation and advocacy by the CEO, Mayor and Councillors as delegated representatives on committees and groups.
Engage with State and Federal Governments	Engagement with local members of parliament is ongoing, ensuring that opportunities for the Alpine Shire are advocated for and funding pursued.

Budget Report Quarterly Review

For the period ending 31 March 2023

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1. Introduction

Preparation of report

The purpose of this report is to provide Council with an overview of quarterly results and an update on the forecast financial position for the year against budget, and it includes:

- Income Statement
- Departmental Summary
- Capital Works Summary
- Balance Sheet
- Dinner Plain Reserve
- Cash and Investments

Explanations are provided for variances greater than \$100,000.

The report has been prepared as required under section 97 of the *Local Government Act 2020* and has not been audited.

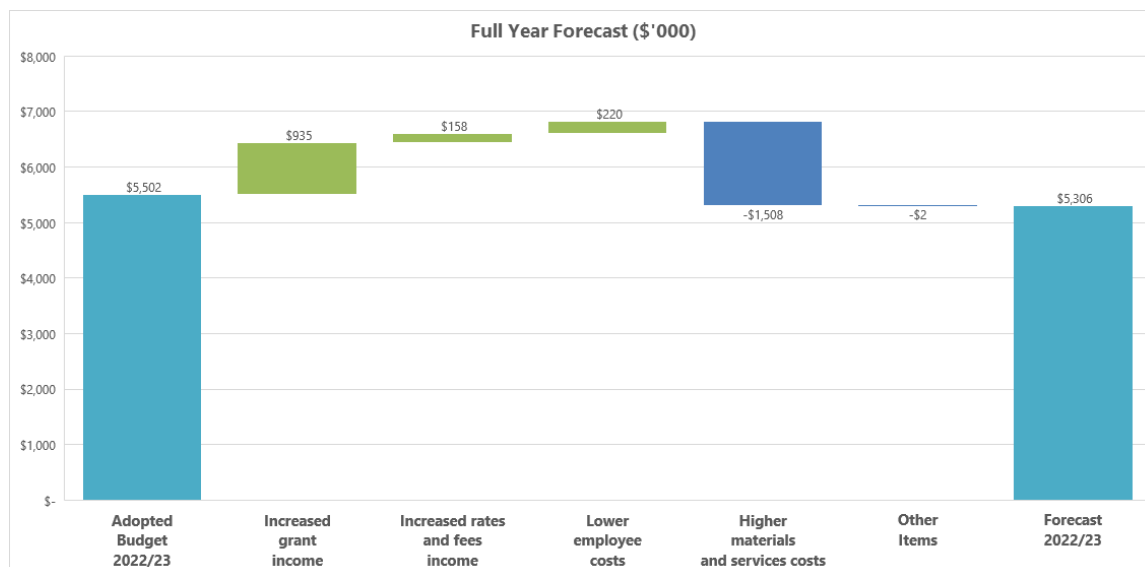
Explanations for budgets and variances have been provided by each department and reviewed by the Finance department.

It has been determined that Council is not required to complete a revised budget.

The report is presented to the Finance Committee, and to the Audit and Risk Committee and Council for noting.

2. Full Year Summary

At the end of Quarter 3 (Q3) 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 budgeted result is the result of a mix of drivers. There is forecast additional Grant income (\$0.9m), additional Rates & Charges income (\$0.2m), there is also forecast Other income (\$1.2m), Employee costs are also forecast to be under budget (\$0.2m) as well as an underspend in Other Expenses (\$0.1m). These positive variances are offset by forecast increased Materials & Services expenditure (\$1.5m) and Depreciation (\$1.5m). The increase in Materials & Services results from the expensing of the Bogong High Plains Road project being handed over to DEECA and the depreciation increase derives from the asset revaluation at 30 June 2022. The cumulative total of the Fire Services Levy billed is \$2.6m and we have remitted \$2.2m to the SRO.

Overall forecast increased grant income (\$0.9m) relates mainly to:

- extra funding for Supported Playgroups service delivery (\$0.1m)
- an unbudgeted grant for YACVic Future Proof program (\$0.3m)
- unbudgeted income for the Porepunkah Caravan Park (\$0.2m)
- unbudgeted income for the Tawonga Holiday Park (\$0.1m)
- funding for the Rural Councils Transformation project (\$0.3m) and;
- unbudgeted Bushfire Recovery income (\$1.0m)
- Council flood support funding (\$0.5m)
- Great Valley Trail (\$1.1m)

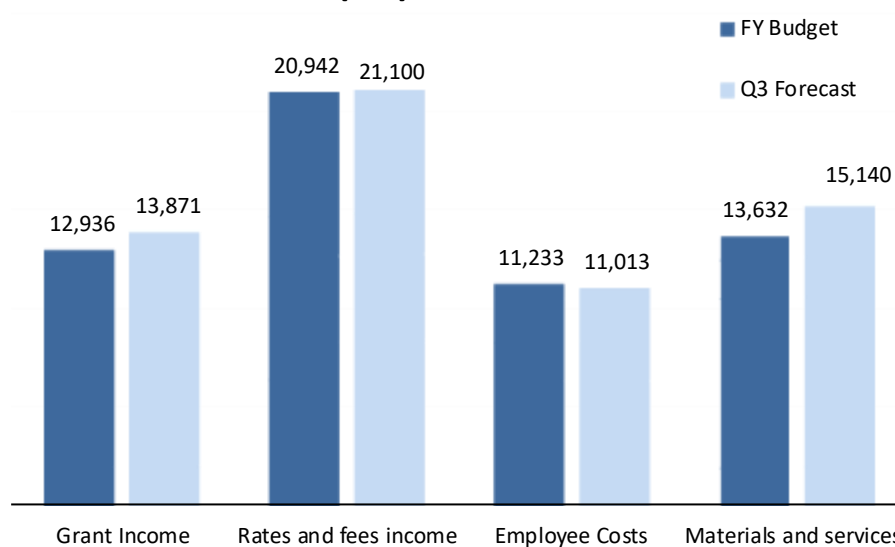
but these are offset by reduced forecast non-recurrent capital grant income mainly from

- Nimmo Pedestrian Bridge (\$0.5m)
- Ablett Pavilion Upgrade (\$0.2m)
- Myrtleford Savoy Soccer Club (\$0.2m)
- Myrtleford Sport & Active Recreation Plan (\$0.1m)

- Dinner Plain Activation (\$1.0m)
- Dinner Plain Snowmaking (\$0.4m)
- Tawonga Community Memorial Hall Upgrade (\$0.4m)

3. Comparison to adopted budget 2022/23

Q3 Forecast - Key Variances (\$k)



The Q3 forecast surplus has decreased from the adopted budget by \$0.2m primarily due to a forecast increase in Materials and Services expenses (\$1.5m) plus increased Depreciation expense (\$1.5). Offsetting this is a net increase in forecasted Grant Income (\$0.9m), reduced Employee Costs (\$0.2m), increased Rates and Charges income (\$0.2m) and Other income (\$1.2m) plus a reduction in Other Expenses (\$0.1m).

4. Income Statement

Year-end forecast against budget is as follows:

	Actual YTD	Budget YTD	Variance	Budget Full	Forecast Full	Variance		Ref
	March	March		Year	Year	\$'000	%	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%	
Income								
Rates and charges	15,675	15,293	383	20,390	20,543	153	1%	1
Statutory fees and fines	434	414	20	552	557	5	1%	
User fees	923	724	199	965	1,057	92	10%	
Contributions - cash	764	537	227	716	769	53	7%	
Contributions - non-monetary assets	-	329	(329)	438	438	-	0%	
Grants - Operating (recurrent)	1,489	2,876	(1,387)	3,835	3,934	99	3%	
Grants - Operating (non-recurrent)	2,108	239	1,869	319	2,498	2,179	683%	2
Grants - Capital (recurrent)	75	533	(458)	710	698	(12)	-2%	
Grants - Capital (non-recurrent)	3,413	6,054	(2,641)	8,072	6,741	(1,331)	-16%	3
Other income	1,714	795	919	868	2,078	1,210	139%	4
Total income	26,595	27,793	(1,198)	36,865	39,314	2,448	7%	
Expenses								
Employee costs	7,881	8,425	(544)	11,233	11,013	(220)	-2%	5
Materials and services	9,175	10,224	(1,049)	13,632	15,140	1,508	11%	6
Depreciation	5,073	4,162	911	5,549	7,030	1,481	27%	7
Amortisation	-	21	(21)	28	28	-	0%	
Landfill Rehabilitation	-	59	(59)	78	78	-	0%	
Other expenses	443	626	(183)	835	719	(116)	-14%	8
Net gain on disposal of property, infrastructure, plant and equipment	-	6	(6)	8	-	(8)	-100%	
Total expenses	22,572	23,522	(950)	31,363	34,008	2,645	8%	
Surplus (deficit) for the year	4,023	4,271	(248)	5,502	5,306	(196)	-4%	

Income Statement – Explanations of Full Year Variances

Ref	Item	Explanation
1	Rates and Charges	An increase in Income in Lieu of Rates from AGL (\$100k) and a supplementary valuations including one for Ausnet (\$325k) have offset the previously reported error in budgeted waste management charges from Q1 (\$298k).
2	Grants – Operating (Non Recurrent)	<p>Increased funds for Supported Playgroups to increase service delivery were received (\$75k).</p> <p>Unbudgeted grant towards Rural Councils Transformation Program (\$250k).</p> <p>Unbudgeted Bushfire Recovery funding (\$947k) for resilience and recovery activities.</p> <p>An unbudgeted project for YACVic (\$275k)</p> <p>NE Floods Council Support funding (\$500K)</p>
3	Grants – Capital (Non Recurrent)	<p>DELWP grant for Tawonga Caravan Park Upgrade (\$128k)</p> <p>Grant received for Great Valley Trail project finalised in 2021/22 (\$1.1m)</p> <p>Reduced income recognition:</p> <p>Dinner Plain Activation (\$1.0m)</p> <p>Nimmo Pedestrian Bridge (\$0.5m)</p> <p>Tawonga Community Memorial Hall Upgrade (\$0.4m)</p> <p>Dinner Plain Snowmaking (\$0.4m)</p> <p>Ablett Pavilion Upgrade (\$0.2m)</p> <p>Myrtleford Savoy Soccer Club Upgrade (\$0.2m)</p> <p>Myrtleford Sport &Active Recreation Masterplan (\$0.1m)</p> <p>Porepunkah Landfill Rehabilitation Stage 2 (\$1.2m)</p>
4	Other income	<p>Forecast increased return on invested funds due to rising interest rates and increased term deposit deferred expenditure (\$609k)</p> <p>Unbudgeted income from unexpended funds from Committee of Management for Tawonga and Porepunkah Bridge Caravan Parks (\$320k)</p>

Ref	Item	Explanation
5	Employee Costs	Budget assumed full staffing profile for financial year but ongoing staff vacancies across many areas of council has resulted in a significant underspend (\$220k) for 2022/23.
6	Materials and Services	<p>Various operational activities, the most significant of which include:</p> <ul style="list-style-type: none"> • Expensing the Bogong High Plains Road Blackspot project (\$1.4m) as this is a Victorian government asset • Increased asset maintenance due to the October floods (\$100k) • Unbudgeted Community Development programs that are either fully or partly funded by state/federal governments (\$142k) • Increased insurance premiums (\$88k) • Fully funded Bushfire Recovery activities (\$230k)
7	Depreciation	Higher than budgeted due to 2021/22 \$23m net asset revaluation increment (\$1.5m)
8	Other Expenses	Reduced expenditure on Events (\$120k)

5. Departmental Summary

	Actual YTD March \$'000	Budget YTD March \$'000	Variance \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	Ref
Income							
Community Development	2,380	433	1,947	577	2,449	1,872	1
Corporate	15,126	15,460	(334)	20,613	21,992	1,379	2
Customer Experience	427	281	146	375	494	119	3
Engineering & Assets	3,510	7,328	(3,818)	9,771	7,917	(1,854)	4
Executive	26		26		26	26	
Growth & Future	73	94	(21)	125	102	(23)	
Operations	4,301	3,986	315	5,315	5,505	190	5
Statutory Planning & Amenity	756	605	151	807	828	21	
Grand Total	26,599	28,187	(1,588)	37,583	39,313	1,730	
Expenditure							
Community Development	637	552	85	736	1,005	269	6
Corporate	6,578	6,104	474	8,139	9,242	1,103	7
Customer Experience	417	599	(182)	798	709	(89)	
Engineering & Assets	8,849	13,372	(4,523)	17,829	13,743	(4,086)	8
Executive	8,263	9,691	(1,428)	12,921	11,574	(1,347)	9
Growth & Future	901	1,416	(515)	1,888	2,123	235	10
Operations	5,595	6,118	(523)	8,157	8,705	548	11
Statutory Planning & Amenity	238	273	(35)	364	374	10	
Expenditure Total	31,478	38,124	(6,646)	50,832	47,475	(3,357)	

Department Summary – Explanations of Full Year Variances

Ref	Item	Explanation
1	Community Development Income	Unbudgeted grant income for resilience and recovery activity programs (\$947k), support playgroups (\$75k) and for YACVic programs (\$275k), NE Floods Council Support Funding (\$500k)
2	Corporate Income	Higher than anticipated interest income from managed investments due to interest rate rises (\$609k), increased rates and charges income from supplementary rates valuations (\$325k) and reduction in discount for AGL rates (\$110k), grant for Rural Councils Transformation Program (\$250k)
3	Customer Experience Income	Higher than budgeted income for all Visitor Information Centres (\$47k) and unbudgeted grant income for The GOAT Events (\$55k)

Ref	Item	Explanation
4	Engineering & Assets Income	Grant funding received for Great Valley Trail project finalised in 2021/22 (\$1,064k), funds to be received from previous Committee of Management for Tawonga Caravan Park upgrade (\$128k), additional grant funding to be provided from Bushfire Relief & Business Tourism for Dinner Plain Activation (\$250k). These additional forecast funds are offset by anticipated reductions in forecast income for Myrtleford Sport & Active Recreation Plan (\$120k), Dinner Plain Activation (\$959k) and Dinner Plain Snowmaking (\$300k), Nimmo Pedestrian Bridge (\$472k), Ablett Pavilion Upgrade (\$210k), Myrtleford Savoy Soccer Club Upgrade (\$190k), Dinner Plain Snowmaking (\$415k) & Tawonga Community Memorial Hall Upgrade (\$440k)
5	Operations Income	Grant funding for & funds received from previous Committee of Management for Porepunkah Bridge Caravan Park (\$208k), grant funding for Tawonga Caravan Park Upgrade (\$113k), offset by error in budgeted waste management charges income (\$292k)
6	Community Development Expenditure	Mainly unbudgeted but fully funded programs centred around Recovery & Resilience initiatives (\$206k) and YACVic Future Proof program (\$25k)
7	Corporate Expenditure	Higher than budgeted forecast expenditure for the following items <ul style="list-style-type: none"> • Increased insurance premiums (\$88k), • Corporate Business Systems (\$34k), • Corporate Technology Infrastructure (\$18k) • Server Infrastructure Renewal (\$24k) • Bad Debts expense (\$10k) • Depreciation (\$1,453k) due to prior year net asset revaluation increment of \$23m

Ref	Item	Explanation
8	Engineering & Assets Expenditure	<p>Lower than budgeted forecast expenditure for the following items</p> <ul style="list-style-type: none"> • Myrtleford Landfill Rehabilitation (\$320k), • Dinner Plain Snowmaking (\$415k), • Dinner Plain Activation (\$864k), • Nimmo Pedestrian Bridge (\$472k), • Porepunkah Landfill Rehabilitation Stage 2 (\$1,189k), • Tronoh Dredgehole Precinct (\$175k), • Tawonga Community Memorial Hall Upgrade (\$44k), • Mount Beauty Landfill Rehabilitation Design (\$100k), • Myrtleford Savoy Soccer Club Upgrade (\$160k), • Ablett Pavilion Upgrade (\$110k), • Tawonga Fishermans Walk Public Toilet (\$140k), • Mount Beauty Depot Concept Design (\$100k), • Myrtleford Sport & Active Recreation Masterplan (\$120k), • Myrtleford Splash Park (\$200k). <p>Higher than budgeted forecast expenditure for the following</p> <ul style="list-style-type: none"> • Mount Beauty Airport Upgrade (\$630k), • Tawonga Caravan Park Upgrade (\$100k), • Alpine View Childrens Centre Expansion (\$150k), • Energy Efficient Street Lighting (\$377k), • Bakers Gully Drainage Renewal (\$145k), • Outdoor Dining Program (\$155k).
9	Executive Expenditure	Lower than budgeted overall Workforce costs (\$220k)
10	Growth & Future Expenditure	Unbudgeted fully funded Kerbside Transition Plan for FOGO scheme (\$62k) and Community Power Feasibility project (\$100k) funded through Resilience & Recovery grant funding

Ref	Item	Explanation
11	Operations Expenditure	Due to recent floods the forecast expenditure to repair affected roads (both sealed and unsealed) has increased (\$131k). Additionally, Council is now required to pay all water invoices for Council properties with Committees (\$47k) but these will be recouped by on-charging the Committee

6. Capital Works Summary

The following table summarises all capital works projects with commentary where the forecast full year income or expenditure varies from the budgeted amount by \$100,000 or more.

	Actual YTD March \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	%	Ref
Income						
Mountain View Childrens Centre Upgrade	-	150	150	-	0%	
Dargo High Plains Road Upgrade	1,000	2,250	2,250	-	0%	
Dinner Plain Activation	100	1,250	491	(759)	-61%	1
Dinner Plain Snowmaking	100	200	200	-	0%	
Alpine View Childcare Centre	440	400	440	40	10%	
Nimmo Pedestrian Bridge	239	487	15	(472)	-97%	2
Tawonga Caravan Park Upgrade	-	700	500	(200)	-29%	3
Myrtleford Savoy Soccer Club Upgrade	-	250	60	(190)	-76%	4
Ablett Pavilion Myrtleford Upgrade	-	300	90	(210)	-70%	5
Mount Beauty Stadium Renewable Energy Upgrade	-	200	200	-	0%	
Myrtleford Splash Park	-	200	200	-	0%	
Expenses						
Mountain View Childrens Centre Upgrade	0	150	55	(95)	-63%	
Dargo High Plains Road Upgrade	1,680	2,250	2,250	-	0%	
Dinner Plain Activation	59	1,450	450	(1,000)	-222%	1
Alpine View Childrens Centre Expansion	292	400	550	150	100%	6
Nimmo Pedestrian Bridge	11	487	15	(472)	100%	2
Myrtleford Savoy Soccer Club Upgrade	39	250	90	(160)	100%	4
Dinner Plain Snowmaking	71	500	85	(415)	-488%	7
Mount Beauty Airport Upgrade	901	370	1,000	630	170%	8
Tawonga Caravan Park Upgrade	766	700	800	100	14%	3
Energy Efficient Street Lighting	763	500	877	377	75%	9
Ablett Pavilion Myrtleford Upgrade	44	300	190	(110)	-37%	5
Mount Beauty Stadium Renewable Energy Upgrade	10	200	170	(30)	-15%	10
Myrtleford Splash Park	-	200	-	(200)	-100%	11
Myrtleford Sport and Active Recreation Master Plan	18	160	40	(120)	-75%	12
Myrtleford Landfill Rehabilitation	41	980	60	(920)	-94%	13
Mount Beauty Education and Sport Precinct Masterplan	26	120	40	(80)	-67%	

Capital Works Summary – Explanation of Full Year Variances

Ref	Item	Explanation
1.	Dinner Plain Activation income & expenditure	Current reduced income and expenditure levels commensurate with funding agreement delivery milestones.
2.	Nimmo Pedestrian Bridge income & expenditure	Project delayed until 2023/24 with funding extension available to June 2025

Ref	Item	Explanation
3.	Tawonga Caravan Park Upgrade income & expenditure	Additional works are required as a variation to the original contract budget (\$100k). Income recognition deferred till project finalisation
4.	Myrtleford Savoy Soccer Club Upgrade expenditure	Design work to be completed this year with construction to commence in 2023/24 due to current use of club facilities (\$160k).
5.	Ablett Pavilion Upgrade income & expenditure	Income recognition is deferred in line with same timeline as expenditure because design work is to be completed this year with construction to commence in 2023/24 due to current use of club facilities
6.	Alpine View Children's Centre expenditure	Additional works are required as a variation to the original contract budget
7.	Dinner Plain Snowmaking expenditure	Snowmaking equipment to be manufactured and delivered in 2023/24 (\$150k).
8.	Mount Beauty Airport Upgrade expenditure	Delay in works in 2021/22 has caused increased forecast expenditure that is still within total project budget (\$630k).
9.	Energy Efficient Street Lighting expenditure	Forecast expenditure includes carryover budget from 2021/22 (\$427k).
10.	Mount Beauty Stadium Renewable Energy Upgrade expenditure	Finalisation of project expected in Q1 23/24 FY
11.	Myrtleford Splash Park income & expenditure	Works delayed into 23/24 FY therefore income recognition deferral is commensurate with expenditure timeline
12.	Myrtleford Sport and Active Recreation Masterplan expenditure	Project delayed into 23/24 FY due to extended community engagement (\$120k)

Ref	Item	Explanation
13.	Myrtleford Landfill Rehabilitation expenditure	Design component currently awaiting EPA approval which has led to a delay in appointing a contractor to carry out the works (\$920k).

7. Balance Sheet

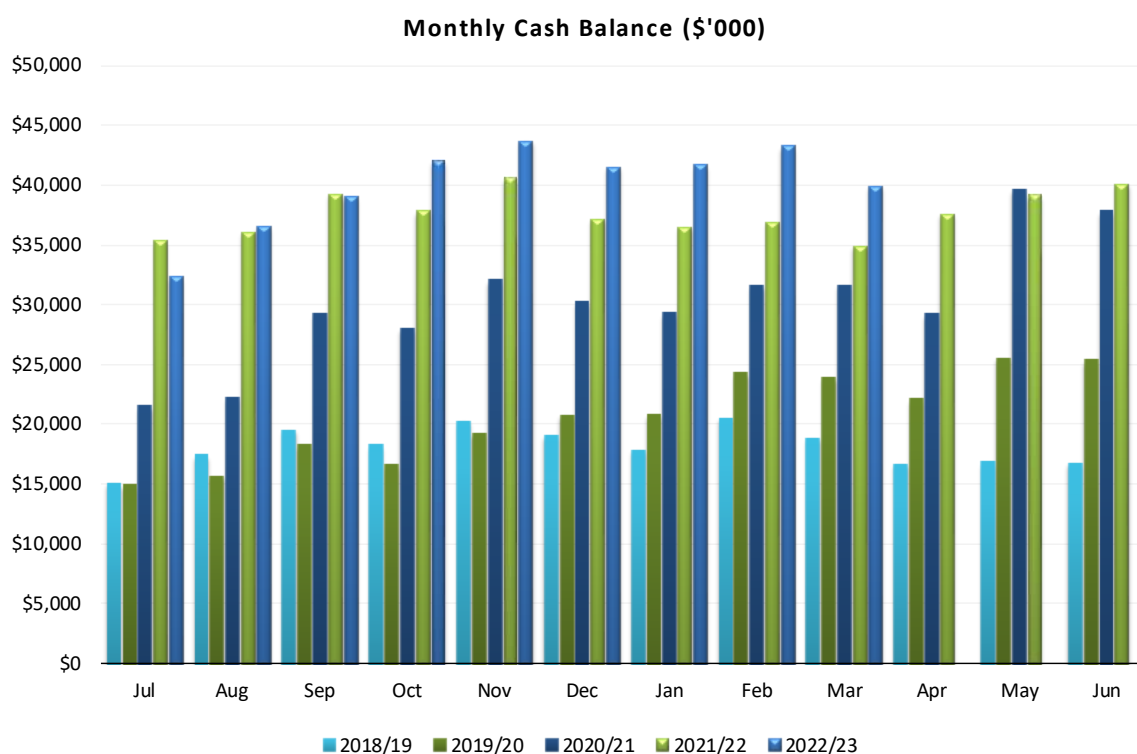
	Actual YTD March \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	%
Assets					
Current assets					
Cash and cash equivalents	155	2,529	3,439	910	36%
Trade and other receivables	5,273	2,001	1,785	(216)	-11%
Financial assets	39,933	22,000	36,000	14,000	64%
Inventories	102	103	72	(31)	-30%
Other assets	585	326	158	(168)	-52%
Total current assets	46,048	26,959	41,454	14,495	54%
Non-current assets					
Investment properties	3,775	3,775	4,153	378	
Investment in shared services	-	123	-	(123)	-100%
Property, infrastructure, plant & equipment	250,712	248,242	263,308	15,066	6%
Intangible assets	188	193	134	(59)	-31%
Inventories	-	-	-	-	0
Total non-current assets	254,675	252,333	267,595	15,262	6%
Total assets	300,723	279,292	309,049	29,757	11%
Liabilities					
Current liabilities					
Trade and other payables	2,395	2,378	2,711	333	14%
Trust funds and deposits	650	318	225	(93)	-29%
Provisions	8,216	2,971	4,255	1,284	43%
Income received in advance	9,978	33	7,172	7,139	21633%
Interest-bearing loans and borrowings	-	-	-	-	-
Total current liabilities	21,239	5,700	14,363	8,663	152%
Non-current liabilities					
Provisions	2,110	2,426	2,726	300	12%
Income received in advance	385	6,901	4,201	(2,700)	-39%
Interest-bearing loans and borrowings	-	-	-	-	-
Total non-current liabilities	2,495	9,327	6,927	(2,400)	-26%
Total liabilities	23,734	15,027	21,290	3,863	26%
Net assets	276,989	264,265	287,759	23,494	9%
Equity					
Accumulated surplus	123,626	133,916	128,127	(5,789)	-4%
Reserves	153,363	130,349	159,632	29,283	22%
Total equity	276,989	264,265	287,759	23,494	9%

8. Dinner Plain Reserve

	Actual YTD March \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance	
				\$'000	%
Balance as at 1 July 2022	846	846	846	-	
Income	812	1,320	1,366	46	3%
Expenditure	675	1,609	1,459	(150)	-10%
Net Movement	137	(288)	(93)	(104)	112%
Balance	983	558	753	(104)	-14%

The Dinner Plain Reserve is forecast to be \$753k at 30 June 2023. This is \$195k higher than budgeted primarily as a result of forecasted higher than budgeted income and lower than expected expenditure.

9. Cash and Investments



The cash balance was \$39.9m at 31 March 2023, of which \$31.5m was invested in term deposits. This was \$0.1m lower than the 2021/22 end of year cash balance of \$40.0m.

The main contributing factor to the increased cash balance, was reduced capital works supplier payments made during the period.



Alpine Resilience Partnership

Terms of Reference (ToR)

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1. INTRODUCTION

Community resilience is the capacity of communities to respond positively to crises. It is the ability of a community to adapt to pressures and transform itself in a way which makes it more sustainable in the future.

Key features of resilient communities are social learning, adaptiveness, and flexibility.

The Alpine Shire is vulnerable to a variety of shocks and natural hazards, including floods, storms, drought, bushfires, and other events, which can influence agriculture, the local economy, health, and wellbeing.

The severity of a disaster is determined by both the scale of the disaster and the level of community preparedness. Community resilience is critical in minimising the effect of these disasters and contributes to a quicker, more effective response.

Community resilience it is best strengthened continuously, not just in times of crisis. It involves people working together to create sustainable links and solutions within their community.

2. SCOPE

- The Alpine Resilience Partnership (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.
- 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.
- ARP will support communities to understand the nature of shocks and disasters and to actively prepare, plan for and mitigate against the impacts of emergencies.
- ARP is the conduit between community, resilience groups and the Municipal Emergency Management Planning Committee (MEMPC). 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.
- ARP maintains an awareness of existing municipal capability and capacity to support the effective conduct of mitigation, response, and recovery activities. Where appropriate the Committee may facilitate or assist with activities that support capability and capacity uplift. This may include, but is not limited to, community engagement activities or multi-agency exercises and training that provide for continuous learning and improvement.
- ARP may establish ongoing sub-committees or time-limited working groups, consisting of appropriate agencies or other members, to investigate or address specific issues or undertake key tasks.

- The Alpine Community Recovery Committee (ACRC) has been formed under the direction of Bushfire Recovery Victoria to enable long-term recovery for the community following the serious and widespread impacts of the 2019/2020 bushfires. ACRC and ARP will work together to develop implementation pathways to achieve goals identified in the Alpine Community Recovery Plan, based on the needs and priorities of the community.

3. MEMBERSHIP

- ARP seeks to be representative of communities across the Alpine Shire communities and adjoining alpine resort communities and is made up of authorised representatives from local and regional emergency and support agencies and community groups.
- Each member shall have one vote.
- The following agencies, organisations and community groups will be invited to be represented on the committee:

Agency	
Albury Wodonga Health	Agency
Alpine Community Recovery Committee	Community
Alpine Resorts Victoria	Agency
Alpine Shire Council (Councillor)	Community
Alpine Shire Council (MRM)	Agency
Alpine Shire Council (Officer)	Agency
Alpine Health	Agency
Ambulance Victoria	Agency
Anglicare	Agency
Australian Red Cross	Agency / Community
Authorised representatives from community groups	Community
Bushfire Recovery Victoria / Emergency Recovery Victoria	Agency
Community Connectors Network	Community
Country Fire Authority	Agency / Community
Department of Families, Fairness and Housing	Agency
Department of Environment, Land, Water and Planning / Forest Fire Management Victoria	Agency

Agency	
Local Community Resilience Planning Groups	Community
Mount Beauty Neighbourhood Centre	Community
Myrtleford Neighbourhood Centre	Community
National Emergency Management Agency (NEMA)	Agency (Federal Government)
North East Multicultural Association	Agency
Parks Victoria	Agency
Rapid Response Team	Agency
Salvation Army	Agency
Victorian Council of Churches	Agency / Community
Victoria Police	Agency
Victoria State Emergency Service	Agency / Community
Women’s Health Goulburn North East	Agency

- ARP may invite or recruit additional people with key skills or knowledge to join the Partnership as necessary. Community groups including members of the Alpine Community Recovery Committee or individuals who represent community are encouraged to apply to be included in the Partnership.
- When deciding whether to invite new members to ARP, consideration should be given to the reason for the invitation; for example, a potential member may be needed to add subject matter expertise to a specific project or body of work and therefore an invitation to participate in a sub-committee or working group may be a more appropriate strategy.
- ARP will review its membership on a yearly basis, or more frequently if needed.

3.1 Change of Representative

The relevant agency, organisation, or community group will advise ARP Chair in writing of any formal changes to their nominated representative. This relates to a permanent change of membership and does not relate to attendance as a proxy (refer to section 7.8).

3.2 Quorum

- The Quorum will be made up of at least 6 partners of the Partnership comprising of at least 2 community representatives and the Chair or Deputy Chair.
- Partnership activities may be conducted without a quorum present; however, a quorum must be present for the purpose of decision making.

- Where an agency will have responsibility or accountabilities as a result of a motion/resolution, that agency must be part of the quorum for that item.
- In the event that a matter arises requiring a decision to be made outside of the meeting schedule, the Chair may initiate an 'out of session' process whereby the matter is considered by e-mail, phone and other communication processes as pre-determined by the Partnership. All members will be provided the opportunity to participate. Out of session decision-making will have the same quorum and other requirements as face to face meetings. A record of the out of session decision will be documented and formally presented to the next face to face meeting for endorsement and inclusion in the minutes.

4. ROLES AND RESPONSIBILITIES

Chair

ARP membership will elect a Chair at the March meeting for a term of one year.

The Chair has the following responsibilities:

- Chairing ARP meetings
- Facilitating ARP to perform its functions and operates in accordance with the requirements of these Terms of Reference
- On behalf of ARP provide information and recommendations to the MEMPC
- Confirm the agenda for each meeting
- Manage acceptance/advice of last-minute papers or agenda items prior to ARP meetings.
- Ensure that ARP meets according to its schedule
- Ensure that ARP meetings are efficient and effective
- Provide leadership to the Partnership in its deliberations
- Facilitate frank and open discussion
- Ensure that all members can participate equally
- Refer issues or matters of concern identified by ARP, or members of ARP, to the MEMPC
- Sign correspondence on behalf of ARP
- Represent ARP in other forums where appropriate
- Coordinate out of session matters

Deputy Chair

ARP membership will elect a Deputy Chair at the March meeting for a term of one year.

The Deputy Chair has the following responsibilities:

- Undertake the role of the Chair if the elected Chair is absent
- Receive delegated responsibilities of the Chair as agreed with the Chair

Member

- The representatives prescribed in Section 3 above and additional invited Partnership members will provide representation at the appropriate level and with the authority to commit resources and make decisions on behalf of their organisation or community.

- Members are asked to participate in ARP as a partnership and provide advice or make decisions in the best interest of Alpine Shire communities. ARP acknowledges and respects members' existing responsibilities, accountabilities, and associated levels of resourcing.

Responsibilities of ARP members

- Seek to understand the needs of each Alpine community
- Share knowledge, advice or advocate to support communities to achieve their resiliency goals
- Prepare for, prioritise, and attend scheduled meetings
- Collaborate to seek solutions and proactively contribute to the work of ARP
- Provide meeting papers to the Chair at least one week prior to a meeting
- Respect confidential and privileged information
- Represent all areas of their agency, organisation or community
- Report on recent relevant agency, organisation or community activity relating to emergency management mitigation, response, recovery or resilience activities, with a focus on emerging risks or opportunities
- Where a decision or action is outside the authority of the member, engage with relevant personnel within their agency to obtain approval to commit resources and undertake tasks
- Identify and liaise with subject matter experts or key representatives from within their agencies, organisation or community to participate in ARP, its sub-committees or working groups
- Advocate for and report back to their agencies or communities on ARP outcomes and decisions.

MEMPC Representative

ARP Chair will represent ARP on the MEMPC.

Responsibilities MEMPC representative:

- Attend MEMPC Meetings as scheduled
- Represent the views and activities of ARP to the MEMPC
- Report the actions and activities of MEMPC to ARP
- Respect confidential and privileged information

MEMPC Representative Proxy

The Deputy Chair will be the designated MEMPC Representative Proxy.

The MEMPC Representative Proxy will undertake the role of the MEMPC Representative if the elected representative is unavailable to attend MEMPC meetings or activities.

4.1 Conflict of Interest

If an ARP member or their proxy has a direct or indirect interest in a matter to be decided by the Partnership, they must declare their conflict or perceived conflict and must not vote on the issue. ARP will determine if the member should be excluded from all or part of the proceedings related to the matter.

4.2 Proxies

- Members should prioritise ARP meetings wherever possible. In the event a member is unable to personally attend a specific meeting, they are encouraged to identify a suitably skilled and authorised proxy. The proxy is considered to have the same voting rights as the substantive ARP member unless the Chair is advised otherwise.
- Members may choose to identify a standing proxy who is empowered to represent the member at any time. The member will notify the Chair of the details of this person and the duration of the appointment as a standing proxy.
- Where a standing proxy is not recorded, or is unavailable, a member will advise the Chair of the name, role, and contact details of their nominated proxy, as early as possible before a meeting. This advice should be in writing for the purpose of record keeping and will include any limitations to the voting rights of the proxy for that meeting.
- If the Partnership member is unable to provide advice to the Chair of the details of a proxy and their voting rights before the meeting, the attendee will be considered an observer for the meeting.

4.3 Observers

- An observer may attend a meeting for any number of reasons. ARP members will advise the Chair of the attendance of an observer before a meeting, where possible.
- Observers must respect all confidentiality and operating protocols of ARP, and must not:
 - Propose or vote on motions
 - Intrude on the procedures of ARP
 - Take part in the meeting proceedings without the invitation of the Chair.

4.4 Non-voting members

- If deemed necessary for transparency and equity, the Partnership can invite additional standing members who may not have voting rights. Where this is the case, the membership list will reflect the voting status.
- Members of sub-committees or working groups do not have voting rights unless they are also members of ARP.

5. MEETINGS

- The Partnership will meet as a group, either in person, by videoconference, teleconference, or other means with consideration of seasonal requirements and considering operational constraints of members on the first Wednesday in March, May, July, September, and November.

- The Chair may schedule additional meetings as required.
- Two meetings will be held in Bright. One meeting annually will be held in Myrtleford at a location to be confirmed, one meeting annually will be held in Mount Beauty at a venue to be confirmed and one meeting to be held at either Mount Hotham, Dinner Plain or Falls Creek at a venue to be confirmed and/or via video link.

5.1 Meeting Principles

- Meetings will be conducted on a formal basis, with proceedings recorded and action items documented in formal minutes which will be distributed to all members.
- Any member can submit items to be included on the agenda. The Chair will confirm the agenda prior to each meeting.
- Members are to receive meeting agendas and information at least 7 days prior to an upcoming meeting.
- All efforts will be made to ensure meeting technology runs efficiently and smoothly.
- Meeting Minutes will clearly articulate action items follow-up, response times and will contain a 'Parking Lot' to capture topics not related to the Agenda for later discussion.
- All proceedings and documentation of ARP are confidential until ARP agrees otherwise, or where the provider of the information advises that it is publicly available, and no restrictions apply to its release. Noting this, ARP records remain discoverable under the Freedom of Information Act 1982.

5.2 Decision making processes

- In general, the Partnership will adopt a consensus approach to decision-making, where a majority of members agree, with the remainder content to give way. The Chair will seek further advice from the members and attendees or through external subject matter experts to support decision making.
- Where consensus cannot be achieved, decisions will be made by majority vote. In the event of a tie the Chair will cast the deciding vote.
- The Chair will ensure that all members are provided with the opportunity to participate in discussions and decision making.
- Each ARP member has one (1) vote on any matter decided by the Partnership unless that member is identified as a non-voting member. To vote, an ARP member must be present at the meeting or represented by a proxy.
- Where ARP must reach a decision between Partnership meetings, this can be undertaken via circular resolution. All members will be notified of the proposed resolution, with a collective decision reached where the majority of respondents vote in the affirmative. Decisions made by circular resolution will be confirmed by the Partnership at the next ARP meeting.

6. WORKING GROUPS

- ARP will determine the need to establish / working groups to investigate and report on specific issues that will assist ARP in meeting its goals.

- ARP will determine the Terms of Reference and reporting timeframes for the sub-committees and/or working groups. ARP can delegate this task to the sub-committee or working group but will endorse or accept them at an ARP meeting.
- The membership of any sub-committee and/or working group may consist of agencies and organisations represented on ARP, and other representatives deemed necessary.
- The established sub-committees will report to ARP for any actions to be undertaken and recommendations which need to be escalated to MEMPC or other organisation as appropriate.
- Minutes will be taken at all sub-committee / working party meetings and will be distributed in accordance with ARP meeting minutes and agendas.
- If the function of a sub-committee is completed, the sub-committee can be disbanded at a meeting of ARP. Sub-committees may continue with a watching brief for their area of responsibility and not be required to meet until necessitated by a review or change in circumstances. A currency and accuracy review of sub-plans should occur every 12 months, with full reviews every three years, unless otherwise stated.

6.1 Recovery Committee

In the event of a serious emergency after ACRC has dissolved, ARP will form the Community Recovery sub-committee and invite membership from ARP community members and other members of the community for the purpose of planning a community led recovery.

7. SECRETARIAT

Administrative support will be provided by Alpine Shire Council and may include:

- Scheduling meetings
- Providing Partnership members with the meeting agenda
- Recording minutes of meetings
- Distributing minutes of meetings to members
- Inducting new Partnership members
- Preparing and sending correspondence for and on behalf of ARP
- Plan and deliver resilience or preparedness activities and events as agreed by the partners

8. ISSUE ESCALATION

- The Chair may escalate any matters of significance to the MEMPC or relevant authority for advice or consideration.
- Issues requiring escalation should be well documented and include:
 - o A description of the issue or advice sought and the consequences if it remains unresolved.
 - o Actions taken to resolve the issue.
 - o Recommended actions or options that may assist resolution.

9. FINANCIAL MANAGEMENT

- Alpine Shire Council has committed funds and resources for activities and coordination of ARP.
- From time to time ARP may seek funding opportunities from external sources or from partners to deliver agreed outcomes.
- Member agencies may agree to commit funds to an ARP activity or event, in which instance the expenditure is considered expenditure of the agency and not ARP. The member agency is responsible for all aspects of financial management within their existing governance arrangements. ARP does not accept liability for any agency-led initiatives.
- ARP may, from time to time, apply for grants to deliver specific projects as agreed by partners.
- In the case ARP is successful in receiving grants for projects, the grant applicant will be responsible for ensuring the project is delivered and acquitted in accordance with the funding guidelines and agreement.

10. DOCUMENT INFORMATION

Criteria	Details
Document ID	Version 2
Document title:	Terms of Reference
Document owner:	Alpine Resilience Partnership

COUNCIL POLICY

Financial Investments

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DOCUMENT UNCONTROLLED WHEN PRINTED

Document Control		
Policy number 073	Status Draft	Approved by Council
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REVISION RECORD

Date	Version	Revision description
09/12/2008	1.0	Adopted by Council
12/06/2012	1.1	Reviewed in accordance with WHK Albury audit recommendations
05/07/2016	2.0	Adopted by Council
22/05/2020	3.0	Adopted by Council
26/04/2023	3.1	Draft post review considered by Finance and Audit and Risk Committees Changes to roles and responsibilities and clarification of treatment of breaches
30/05/2023	4.0	Draft for Council adoption

1. Purpose

The purpose of this policy is to ensure that Council's funds are managed, invested, and redeemed to:

- Balance investment returns with tolerable investment risk
- Meet liquidity requirements
- Comply with the current in-force *Local Government Act*.

2. Scope

This policy applies to any investment of Council funds.

This policy does not cover asset investments such as property.

3. Policy details

3.1 PRINCIPLES

Investments shall be made with good judgement and care, with due consideration to the probable safety of the capital as well as the probable income derived.

Council funds shall not be deployed towards investments of a speculative nature.

3.2 ALLOWABLE INVESTMENTS

Investments are to be limited to cash deposits with Australian authorised deposit taking institutions (ADIs) such as banks, building societies and credit unions regulated by, and subject to the prudential standards of the Australian Prudential Regulation Authority (APRA).

Term deposits are permitted up to a term of 36 months.

3.3 AUTHORISED OFFICERS

The Manager Corporate and the Financial Accountant have the authority to invest surplus funds under the supervision of the Director Customer and Community and the Chief Executive Officer.

3.4 LIQUIDITY

The investment portfolio is to remain sufficiently liquid to enable to Council to meet all operating requirements as may be reasonably anticipated.

Investment maturities are scheduled to coincide with projected cash flow needs.

3.5 RISK MANAGEMENT GUIDELINES

Council manages its investments in line with Standard and Poor's (S&P) Credit Ratings framework describing the creditworthiness of entities.

3.5.1 Portfolio Credit Framework

Council's investments are to comply with the following limits in order to control the credit quality of the overall portfolio.

Long-Term S&P Credit Ratings	Short-Term S&P Credit Ratings	Maximum
A Category or higher	A-2	100% max
BBB Category	A-3	60% max

3.5.2 Individual Institution Credit Framework

Council's investments are to comply with the following limits in order to control exposure to individual entities.

Long-Term S&P Credit Ratings	Short-Term S&P Credit Ratings	Maximum
A Category or higher	A-2	50% max
BBB Category	A-3	20% max

3.5.3 Term to Maturity Framework

Council's investments are to comply with the following limits in order to manage portfolio liquidity and manage interest rate risk.

Investment Term	Maximum
12 months or less	100%
10 months – 36 months	20%

3.6 RESPONSIBLE INVESTING

Council prefers investments with ADIs that demonstrate socially and environmentally responsible practises and may refer to independent third-party accreditations to assist in assessing investments against this criterion.

Where two or more investments offer the same return, the investment with responsible investing accreditation will be given preference.

3.7 REPORTING

Accounting for investments will comply with the Australian Accounting Standards (AAS), Urgent Issues Group (UIG) Consensus views, and the current in-force version of the *Local Government Act*.

A quarterly portfolio report detailing the current investment portfolio will be provided to the Finance Committee, as well as to the Audit and Risk Committee and the Council for noting.

For audit purposes, bank confirmations must be obtained from banks / fund managers confirming the amounts of investment held on Council's behalf at 30 June each year.

4. Roles and responsibilities

The following positions are responsible for

Role / Position	Responsibility
Finance Committee	<ul style="list-style-type: none"> Review quarterly investment reports. Review this policy prior to Council approval.
Chief Executive Officer and Director Customer and Community	<ul style="list-style-type: none"> Oversee compliant implementation of this policy. Approve exemptions to this policy
Manager Corporate	<ul style="list-style-type: none"> Maintain this policy. Oversee compliant implementation of this policy.
Financial Accountant	<ul style="list-style-type: none"> Manage investments in compliance to this policy. Maintain awareness of the investment environment in order to recommend changes to this policy. Provide quarterly investment reporting.

5. Breaches

Breaches due to unanticipated events such as a) reductions in credit ratings or b) the requirement to liquidate additional funds to support cashflow requirements will be reviewed between the Financial Accountant and the Manager Corporate and an appropriate action plan will be determined to remediate portfolio limits or otherwise seek an exemption from the Chief Executive Officer. Breaches will be reported to the Finance Committee and the Audit and Risk Committee.

Deliberate or negligent breaches will be subject to investigation which may lead to disciplinary action.

6. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

7. Supporting documents

This policy should be read in conjunction with all other relevant, Council policies and procedures, as well as relevant legislative requirements.

Related Legislation

- *Local Government Act 1989 [Vic]*
- *Local Government Act 2020 [Vic]*

Related Guidelines, Operational Directives or Policies

- S&P Global Ratings Definitions

8. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 30th day of
May 2023 in the presence of:

.....
COUNCILLOR

.....
SIGNATURE

.....
COUNCILLOR

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER

.....
SIGNATURE

INSTRUMENT OF APPOINTMENT AND
AUTHORISATION

*(PLANNING AND ENVIRONMENT
ACT 1987)*

**Manager Statutory
Planning, Compliance
and Local Laws**

Kirsten McDonald – May 2023

Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

OFFICER	TITLE	NAME
MSPCL	Manager Statutory Planning, Compliance, and Local Laws	Kirsten McDONALD

By this Instrument of Appointment and Authorisation, Alpine Shire Council –

1. Under s147(4) of the *Planning and Environment Act 1987* – appoints the **MSPCL** to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under s313 of the *Local Government Act 2020* authorises the **MSPCL** either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Alpine Shire Council made on **30 May 2023**.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed 30th day of May
2023 in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

INSTRUMENT OF APPOINTMENT AND
AUTHORISATION
*(PLANNING AND ENVIRONMENT
ACT 1987)*

**Senior Statutory
Planning Coordinator**

Rachael O'Neill – May 2023

Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

OFFICER	TITLE	NAME
POS	Senior Statutory Planning Officer	Rachael O'NEILL

By this Instrument of Appointment and Authorisation, Alpine Shire Council –

1. Under s147(4) of the *Planning and Environment Act 1987* – appoints the **POS** to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

It is declared that this Instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Alpine Shire Council made on **30 May 2023**.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed 30^h day of May
2023 in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

INSTRUMENT OF APPOINTMENT AND
AUTHORISATION
*(PLANNING AND ENVIRONMENT
ACT 1987)*

Compliance Coordinator

Darrell Gascoyne – May 2023

Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

OFFICER	TITLE	NAME
CPC	Compliance Coordinator	Darrell GASCOYNE

By this Instrument of Appointment and Authorisation, Alpine Shire Council –

1. Under s147(4) of the *Planning and Environment Act 1987* – appoints the **CPC** to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. Under s313 of the *Local Government Act 2020* authorises the **CPC** either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This Instrument is authorised by a resolution of the Alpine Shire Council made on **30 May 2023**.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 30th day of
May 2023 in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

- Meeting Title:** Briefing Session
- Date:** Wednesday 26 April 2023
- Location:** Briefing Session –The Auditorium, Bogong High Plains Road, Mount Beauty.
- Start Time:** 2.00pm
- Finish Time:** 4.50pm
- Chairperson:** Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Helen Havercroft	Director Customer & Community
Cr Simon Kelley	Councillor	Alan Rees	Director Assets
Cr Sarah Nicholas	Councillor		
Cr Ron Janas	Councillor		

Councillor and staff apologies:

Name	Position
Cr Katarina Hughes	Councillor
Cr Kelli Prime	Councillor

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items

Item
Acknowledgement of Traditional Owners
Mount Beauty and District Chamber of Commerce – Mount Beauty Development
Councillor and Staff Interaction Policy
Long Term Financial Plan
Planning Team Updates
Community Interest Planning Applications
General Business



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Briefing Session
Date: Tuesday 9th May 2023
Location: Briefing Session – Bright Committee Room
Start Time: 2.30pm
Finish Time: 5.00pm
Chairperson: Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Helen Havercroft	Director Customer & Community
Cr Simon Kelley	Councillor	Alan Rees	Director Assets
Cr Kelli Prime	Councillor		
Cr Sarah Nicholas	Councillor		
Cr Ron Janas	Councillor		
Cr Katarina Hughes	Councillor		

Councillor and staff apologies:

Name	Position

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items

Item
Acknowledgement of Traditional Owners
Land Development Strategy Update
Workflow for Councillor Service Requests
Bright Valley Development Update.
General Business



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's Governance Rules, the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Planning Objectors Forum for Planning Application P.2021.195
228-230 Kiewa Valley Highway, Tawonga South VIC 3698

Date: Wednesday 10 May 2023

Location: Bright Council Office and Online – Teams

Start Time: 10.00am

Finish Time: 11:00noon

Chairperson: Elke Cummins

Councillor and staff attendees:

Name	Position	Name	Position
Cr Forsyth	Councillor	Cr Prime	Councillor
Elke Cummins	Planning Coordinator		

Councillor and staff apologies:

Name	Position	Name	Position
Helen Havercroft	Director Customer and Community		

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's Governance Rules, and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items discussed

A list of items discussed at the meeting must be included here.

Item
Planning Objectors Forum, to discuss submissions received on a planning application for Use and development of a market, development of seven (7) dwellings, two food and drink premises (restaurant and bar) and two shops, licenced premises, alteration of access to a road in a Transport Zone 2 and reduction of car parking requirements



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Briefing Session
Date: Tuesday 16th May 2023
Location: Briefing Session – Bright Committee Room
Start Time: 2.00pm
Finish Time: 5.00pm
Chairperson: Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Helen Havercroft	Director Customer & Community
Cr Simon Kelley	Councillor	Alan Rees	Director Assets
Cr Kelli Prime	Councillor		
Cr Sarah Nicholas	Councillor		
Cr Ron Janas	Councillor		
Cr Katarina Hughes	Councillor		

Councillor and staff apologies:

Name	Position

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items

Item
Acknowledgement of Traditional Owners
Offsets for Net Zero
Tawonga and Myrtleford Memorial Hall Updates
Planning Process Improvements
Planning Applications x 2
Events and Community Grant Funding
Youth Update
Resilient Alpine Youth Squad (RAYS) - Council Chambers
General Business



Informal Meeting of Councillors

In accordance with Chapter 8, section A1 of Council's [Governance Rules](#), the Chief Executive Officer must ensure that a summary of the matters discussed at an Informal meeting of Councillors is tabled at the next convenient Council meeting, and recorded in the minutes of that Council meeting.

Meeting Title: Briefing Session
Date: Tuesday 23 May 2023
Location: Briefing Session – Bright Committee Room
Start Time: 1.30pm
Finish Time: 5.30pm
Chairperson: Will Jeremy, Chief Executive Officer

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Helen Havercroft	Director Customer & Community
Cr Simon Kelley	Councillor	Alan Rees	Director Assets
Cr Katarina Hughes	Councillor		
Cr Sarah Nicholas	Councillor		
Cr Ron Janas	Councillor		

Councillor and staff apologies:

Name	Position
Cr Kelli Prime	Councillor

1. Conflict of interest disclosures

Disclosures of Conflicts of Interests must be made in accordance with Chapter 7, sections A3-A5 of Council's [Governance Rules](#), and recorded here.

N/A

2. Record of Councillors that have disclosed a conflict of interest leaving the meeting

N/A

3. Items

Item
Acknowledgement of Traditional Owners
Community Climate Action Roadmap
Waste Services Policy
Land Development Strategy
End of Season Pools Update
Capital Projects Portfolio Review
Rating and Revenue Strategy Review - Scoping
Risk Update
Agenda Review
General Business