



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**MINUTES**

**M12 – 4 December 2018**

**Bright Council Chambers**

**7:00pm**



The next **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **4 December 2018** and commenced at **7:00pm**.

## **PRESENT**

### **COUNCILLORS**

Cr Ron Janas - Mayor

Cr Sarah Nicholas - Deputy Mayor

Cr John Forsyth - Councillor

Cr Kitty Knappstein - Councillor

Cr Tony Keeble - Councillor

Cr Daryl Pearce - Councillor

Cr Peter Roper - Councillor

### **OFFICERS**

Mr Charlie Bird - Chief Executive Officer

Ms Nathalie Cooke - Director Corporate

Mr William Jeremy - Director Assets



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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.

By speaking during question time, or at any time during the meeting, you consent to your voice and any comments you make being recorded.

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

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

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

## **2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE**

*The CEO read the following statement:*

The Alpine Shire Council acknowledges the traditional owners of the land we are now on.

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 – M11 – 13 NOVEMBER 2018**

*Cr Knappstein*

*Cr Keeble*

*That the minutes of Ordinary Council Meeting M11 held on 13 November 2018 as circulated be confirmed.*

*Carried*

## **4 APOLOGIES**

Nil

## **5 OBITUARIES / CONGRATULATIONS**

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



## **6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST**

Nil

## **7 PUBLIC QUESTIONS**

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

Questions on Notice can be written or from the floor.

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



## 8 PRESENTATION OF REPORTS BY OFFICERS

### 8.1 CHIEF EXECUTIVE OFFICER – CHARLIE BIRD

#### 8.1.1 Contracts approved by the CEO

*Cr Pearce*

*Cr Nicholas*

*That the Contracts approved by the CEO be noted.*

<i>Contract No:</i>	<i>CT 1804201</i>	<i>Process: Public Tender</i>
<i>Title:</i>	<i>Mount Beauty Pool - Part A New Splash Pad</i>	
<i>Tenderer:</i>	<i>Water Features By Design Pty Ltd</i>	
<i>\$ (excl. GST):</i>	<i>\$70,290</i>	

<i>Contract No:</i>	<i>CT1802901</i>	<i>Process: Public Tender</i>
<i>Title:</i>	<i>Stony Creek Rail Trail Bridge Repair</i>	
<i>Tenderer:</i>	<i>Waratah Constructions Pty Ltd (VIC)</i>	
<i>\$ (excl. GST):</i>	<i>\$43,500</i>	

<i>Contract No:</i>	<i>CQ1806701</i>	<i>Process: Quotation</i>
<i>Title:</i>	<i>Dinner Plain Village detailed design consultancy</i>	
<i>Tenderer:</i>	<i>Bush Projects</i>	
<i>\$ (excl. GST):</i>	<i>\$45,980</i>	

*Carried*



## 8.1.2 Alpine Shire Council 2019 Schedule of Ordinary Council Meetings

File Number: 662.01

### INTRODUCTION

This report seeks Council's endorsement of the proposed ordinary meeting schedule of Council for the 2019 calendar year. The time and location of the meetings will remain unchanged.

*Cr Forsyth*

*Cr Nicholas*

*That:*

1. *the ordinary meeting of Council be held in the Council Chambers in Bright (or by request of community groups at an alternative location), on the first Tuesday of each month in 2019 except January, November and December according to the following schedule:*

<i>DATE</i>	<i>TIME</i>	<i>LOCATION</i>
<i>January, NO MEETING</i>	<i>N/A</i>	<i>N/A</i>
<i>5 February 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>5 March 2019</i>	<i>7pm</i>	<i>Mount Beauty</i>
<i>2 April 2019</i>	<i>7pm</i>	<i>Myrtleford</i>
<i>7 May 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>4 June 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>2 July 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>6 August 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>3 September 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>1 October 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>12 November 2019</i>	<i>7pm</i>	<i>Bright</i>
<i>17 December 2019</i>	<i>7pm</i>	<i>Bright</i>

2. *notice of Council's 2019 ordinary meeting schedule; be published on Council's website; and*
3. *notice of any changes required to the 2019 ordinary meeting schedule be given at least two weeks prior to the revised date and published on Council's website and in a locally circulating newspaper.*

*Carried*



## **BACKGROUND**

Section 83 of the *Local Government Act 1989* (the Act) provides for Council to hold 'ordinary meetings at which general business of the Council may be transacted'.

Council historically holds its ordinary meetings on the first Tuesday of the month (except public holidays) commencing at 7pm. Meetings are held at the Council Chambers, Bright.

## **ISSUES**

### **January meeting**

Council has historically only scheduled and held 11 ordinary meetings throughout any given year with no ordinary meeting scheduled in January. It is proposed that this arrangement be continued in 2019 in order to accommodate councillor and staff leave over the Christmas, New Year and school holiday period.

### **Timing of November meeting**

Council's regular ordinary meeting cycle is the first Tuesday of the month at 7pm.

This schedule clashes with the Melbourne Cup public holiday, which falls on the first Tuesday of November. Since 2014, council has held the November meeting on the second Tuesday of November. It is proposed that the second Tuesday of the month be continued for the 2019 November ordinary meeting of Council.

This arrangement provides consistency for councillors and executive who traditionally meet on a Tuesday and it also provides for the many staff, and councillors, who take the opportunity of the shorter week, due to the Melbourne Cup Day public holiday, to take leave.

### **Timing of December meeting**

Council will hold its ordinary council meeting on the third Tuesday of the month prior to the office closure for 2019. This alleviates the need for a Special Council Meeting to be held in December.

### **Alternative locations**

Council has received a request from the Upper Kiewa Valley Community Association to host its meeting on an annual basis in Kiewa Valley. Council is happy to comply with the request to hold its meetings in alternative locations if this is what the community requires and provided that sufficient notice is given for Council to comply with its statutory requirements.

### **Special meetings of Council**

Section 84 of the *Local Government Act 1989* provides for either:

- the Mayor or at least three councillors by written notice; or
- the Council by resolution to call a special meeting of Council.

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



**POLICY IMPLICATION**

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2017-2021:

- A high performing organisation.

**CONCLUSION**

Councillors and the community are familiar with the proposed meeting schedule and its adoption is recommended.

**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Executive Assistant to CEO

**ATTACHMENT(S)**

- Nil



## 8.2 DIRECTOR ASSETS – WILLIAM JEREMY

### 8.2.1 Dinner Plain Mountain Bike Trail Construction Stage 2

File Number: 111.14

#### INTRODUCTION

This report relates to the award of the Dinner Plain Mountain Bike Trail Construction Stage 2 contract. The work includes the construction of 3.8km of new mountain bike trail including two elevated structures, and the rehabilitation of 590m of redundant trail.

*Cr Keeble*

*Cr Roper*

*That Council awards Contract No. 1807501 for 'Dinner Plain Mountain Bike Trail Construction Stage 2' to Bright Trails for the lump sum price of \$150,765 + GST.*

*Carried*

#### BACKGROUND

Planning for the development of new mountain bike trails in Dinner Plain commenced in 2015, and the necessary approvals to construct 7.1km of new trail were secured in 2017.

Stage 1, consisting of 3.3km of new trail, was successfully delivered in early 2018. Stage 2 will add a further 3.8km of new trail, providing riders of all abilities with access to over 18km of mountain bike trail at Dinner Plain.

The Invitation to Tender was advertised in the Border Mail on 27 October 2018, the Herald Sun on 31 October 2018, and on tenders.net and the Alpine Shire Council websites. Tenders closed on Monday 12 November 2018.

The Tender documents were downloaded by 20 prospective tenderers with two submissions being received.

#### EVALUATION

The evaluation panel consisted of the Project Officer, Manager Asset Development and Director Assets.

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

- Price
- Qualifications and Previous Performance
- Delivery
- Social

Following the initial assessment of the offers, both tenderers were invited to adjust their price taking into account an adjustment in the length of the elevated structures.



Following assessment of the revised submissions, the Tender from Bright Trails was determined to provide the best value.

### **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There is sufficient budget to award this contract and complete the project.

The project was not budgeted for delivery in 2018/19, as the outcome of a funding application was awaited at the time of budget adoption. Subsequent to adoption of the 2018/19 budget by Council, grant funding of \$130,000 was announced by Sport and Recreation Victoria.

### **CONSULTATION**

The Dinner Plain community has been engaged throughout the planning of the new mountain bike trails, from the development of a trail masterplan through to implementation. The local mountain bike club, DP Riders, has played an active role throughout the project and continues to support the implementation and maintenance of the trail network.

The Dinner Plain community has been kept informed of the project via regular updates on social media as well as through regular meetings with key Dinner Plain stakeholders.

### **CONCLUSION**

Following a comprehensive assessment, the Tender from Bright Trails for Dinner Plain Mountain Bike Trail Construction Stage 2 was deemed to present the best value for Council.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Project Officer
- Manager Asset Development
- Director Assets

### **ATTACHMENT(S)**

- Nil



### 8.3 DIRECTOR CORPORATE – NATHALIE COOKE

#### 8.3.1 Appointment of Councillors to represent Council on Groups and Committees

File Number: 615.00

#### INTRODUCTION

Council participates in a range of special and advisory groups and committees, including those directly operated by Council and others operated by external parties as relevant. Participation in these groups helps to enable good governance and decision making.

The purpose of this report is to recommend councillor representation on key groups and committees for the year ahead.

*Cr Nicholas*

*Cr Pearce*

*That:*

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

<i>Committee</i>	<i>2017/18 representative</i>	<i>2018/19 representative</i>
<i>Municipal Association of Victoria</i>	<i>Mayor (Deputy Mayor as substitute)</i>	<i>Cr Janas</i>
<i>Hume Region Local Government Network</i>	<i>Mayor (Deputy Mayor as substitute)</i>	<i>Cr Janas</i>
<i>Alpine Shire Council – Audit Committee</i>	<i>Cr Nicholas and Cr Knappstein</i>	<i>Cr Forsyth Cr Knappstein</i>
<i>Alpine Shire Council – Finance Committee</i>	<i>Cr Nicholas and Cr Knappstein</i>	<i>Cr Forsyth Cr Knappstein</i>
<i>Alpine Shire Council – Municipal Emergency Management Planning Committee</i>	<i>Cr Knappstein</i>	<i>Cr Knappstein Cr Janas</i>
<i>Alpine Shire Council – Community Resilience Committee</i>	<i>Cr Knappstein</i>	<i>Cr Knappstein</i>
<i>Alpine Children's Services Inc.</i>	<i>Cr Keeble</i>	<i>Cr Keeble</i>
<i>Alpine Alliance (between Council and Alpine Health)</i>	<i>Cr Knappstein</i>	<i>Cr Knappstein</i>



2. Council consider whether to appoint a Council delegate to the following groups (non-executive):

<i>Committee</i>	<i>2017/18 representative</i>	<i>2018/19 representative</i>
<i>North East Waste and Resource Recovery Group (Forum)</i>	<i>Cr Nicholas</i>	<i>Cr Nicholas Cr Pearce to be nominated as Cr Nicholas' proxy</i>
<i>Lake Buffalo Land and On Water Management Plan Implementation Group</i>	<i>Cr Nicholas</i>	<i>Nil</i>
<i>National Timber Councils Association</i>	<i>Cr Pearce</i>	<i>Cr Pearce</i>

3. Council note the following Councillor appointments made by external organisations

<i>Committee</i>	<i>Appointee</i>
<i>Municipal Association of Victoria – Board</i>	<i>Cr Janas (term expires March 2019) – elected by NE Victorian Councils</i>
<i>Mount Buffalo Destination Advisory Group</i>	<i>Cr Janas</i>
<i>Mount Buffalo Business Case Assessment and Activation Taskforce</i>	<i>Cr Janas</i>
<i>MAV Emergency Management Reference Group</i>	<i>Cr Janas, Cr Knappstein</i>
<i>MAV Environment Committee</i>	<i>Cr Nicholas</i>

*Carried*

## **BACKGROUND**

### **Appointments**

Appointments to groups and committees are typically based on councillors' experience and areas of interest and in some cases appointments may be made on the basis of maintaining consistency.

The Mayor is the Council's representative on the Municipal Association of Victoria (MAV) and the Hume Region Local Government Network. These appointments are not discretionary and the tenure is dependent on the length of term of Mayor.



## **ISSUES**

### **Roles and Responsibilities**

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

#### *External Legal Entities*

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

#### *Council Advisory Committees*

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

#### *General Responsibilities*

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

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

## **POLICY IMPLICATIONS**

The proposed councillor committee representation is consistent with the following Strategic Objective in the Council Plan 2017-2021:

- A high performing organisation.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Councillors are paid an annual allowance, as supported by Council's annual budget, and do not receive additional payments for their involvement on council-appointed committees, with the exception of the MAV Board.

## **CONSULTATION**

Once Council has appointed its representatives, the outcomes will be communicated with the relevant groups as appropriate.

## **CONCLUSION**

Council confirms appointment of councillors as Council's representative on its own relevant groups and committees as well as those operated by external parties on an annual basis.

**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Governance Officer

**ATTACHMENT(S)**

- Nil



### 8.3.2 Quarterly Report - Council Plan

File Number: SU600.03

#### **INTRODUCTION**

This report provides the first quarterly report for 2018 against the Alpine Shire Council Plan 2017-2021 (review 2018).

*Cr Nicholas*

*Cr Keeble*

*That the Alpine Shire Council Plan Quarterly Report ending 30 September 2018 be received and noted.*

*Carried*

#### **BACKGROUND**

##### **Council Plan development**

The Council Plan outlines the strategic objectives, strategies and indicators that will be used to achieve Council's direction for the four year term of the plan. The document is reviewed by Council annually to ensure that it continues to provide Council's intended direction for their term.

##### **Quarterly reporting**

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

By reporting quarterly, Council ensures that progress against the Council Plan and LGPRF is on schedule, and ensures that actions and indicators are maintained as priorities throughout the year.

Some of the LGPRF indicators form part of the Council Plan indicators, ensuring they are reported as per best practice. Where quarterly or half-yearly reporting of indicators does not generate meaningful results, these will be reported at end of financial year as part of the annual report.

#### **ISSUES**

Council's 2018/19 Budget outlines the annual Major Initiatives to be delivered, as well as other key activities in line with the Alpine Shire Council Plan 2017-2021 (review 2018). This quarterly report provides a progress report against those initiatives and activities, and also on the indicators that show progress against the strategic objectives in the Council Plan.





## **HIGHLIGHTS**

### **A high performing organisation**

- Council continued its commitment to building a skilled organisation, by providing training opportunities to 81 staff during Q1.
- Balanced scorecard measures will commence in Q2 to track organisational and departmental KPIs.

### **A responsible and sustainable organisation**

- A new telephony system has been rolled out across the Bright Council office, VICs and depots, and a trial of functionality of an improved customer request system is underway. Both aim to improve the customer experience when contacting Council.

### **Incredible places for our community and visitors**

- The Alpine Events Park Multipurpose Facility was completed in September 2018. The first event was held in the facility in late September, with bookings already scheduled in coming months.

### **Infrastructure and open space that our community is proud of**

- Council's Municipal Emergency Management Plan was adopted in August 2018, and was audited in September 2018. Council received positive feedback from the audit, with a certificate of compliance received.

### **Highly utilised and well managed community facilities**

- After an extensive process, Council has entered into a long term lease for the operation and management of the Myrtleford Holiday Park.

### **A well planned and safe community**

- Council has reviewed Local Laws and prepared the Domestic Wastewater Management Plan, ahead of release of the draft local laws for public submissions during Q2.

### **A thriving and connected community**

- Festival and event funding was awarded in Q1 ahead of the busy event season.
- The annual youth awards were also held, recognising the achievements from youth across the Shire.

## **POLICY IMPLICATIONS**

The Council Plan is a specific requirement of the *Local Government Act 1989*, and is a guiding document for Council. The Council Plan and Budget identify and commit Council to the completion of specific initiatives each year.

Quarterly reporting aligns with the Alpine Shire Council Plan 2017-2021 (review 2018) Strategic Objective 1: A high performing organisation.



## **FINANCIAL AND RESOURCE IMPLICATIONS**

The Strategic Resource Plan and annual Budget are developed and adopted to provide the financial and human resources required to achieve the commitments in the Council Plan.

## **CONSULTATION**

The Council Plan is subject to public exhibition prior to being adopted by Council. As part of an annual review of the Council Plan, any proposed changes to the strategic objectives, strategies or initiatives would also be subject to public exhibition.

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

Council's annual Budget is also publicly exhibited and submissions called for prior to its consideration and adoption by Council.

## **CONCLUSION**

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

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Directors
- Managers
- Governance Officer

## **ATTACHMENT(S)**

- 8.3.2 Alpine Shire Council Quarterly Report - ending 30 September 2018.



### 8.3.3 Finance Committee Charter

File Number: 615.00

#### INTRODUCTION

Council holds a quarterly Finance Committee to advise on good financial governance. The Finance Committee Charter was adopted by Council in July 2016 and is now due for review.

*Cr Nicholas*

*Cr Keeble*

*That Council:*

- 1. Adopt the revised Finance Committee Charter; and*
- 2. Sign and seal the charter at the appropriate stage of the Council meeting.*

*Carried*

#### BACKGROUND

Council has two Committees, namely the Finance Committee and the Audit Committee, which jointly help to ensure that Council adheres to the principles of sound financial management as outlined in the *Local Government Act 1989*. These principles require councils to:

- Manage financial risks prudently, having regard to economic circumstances
- Pursue spending and rating policies that are consistent with a reasonable degree of stability in the level of the rate burden
- Ensure that decisions and actions have regard to the financial effects on future generations
- Ensure full, accurate and timely disclosure of financial information relating to the council.

The Finance Committee Charter is an essential document that outlines the purpose and responsibilities of the Finance Committee.

#### ISSUES

The current Finance Committee Charter is somewhat task-based and a review has been undertaken to shift to an outcomes-based approach. This provides greater clarity over objectives, and greater flexibility to vary the activities of the Committee to meet desired objectives.

The Charter has also been reviewed to ensure that the objectives of the Finance Committee are complementary to those of the Audit Committee.

Finally the roles in attendance at the Audit Committee have been revised to include the Council's Accountant.



## **POLICY IMPLICATIONS**

The Finance Committee aids Council in complying with Section 136 of the *Local Government Act 1989*, requiring Council to implement the principles of sound financial management.

The proposed Finance Committee Charter is consistent with the following Strategic Objective in the Council Plan 2017-2021:

- A high performing organisation.

## **CONSULTATION**

The reviewed Finance Committee Charter has been endorsed by the Finance Committee and noted by the Audit Committee.

## **CONCLUSION**

The reviewed Finance Committee Charter proposes a move from a task-based to an outcomes-based approach to provide greater clarity over objectives and greater flexibility to vary Committee activities to meet desired objectives.

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate

## **ATTACHMENT(S)**

- 8.3.3 Finance Committee Charter



### 8.3.4 Finance Report - Quarterly Review

#### INTRODUCTION

The purpose of this report is to note the Finance Report - Quarterly Review for the period ending 30 September 2018.

*Cr Knappstein*

*Cr Forsyth*

*That the Finance Report - Quarterly Review for the period ending 30 September 2018 is received and noted.*

*Carried*

#### ISSUES

##### Background

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

##### Highlights

Council is forecasting a full year surplus of \$4.1m, which is \$0.4m higher than the budgeted surplus of \$3.7m. The primary drivers of this increase include:

- Lower than expected employee costs by \$0.7m, largely due to the impact of vacant positions; and
- Higher than expected grant income by \$0.1m, due primarily to higher than expected Victorian Grants Commission funding (\$0.03m) and additional funding obtained for the delivery of an Enhanced Maternal Child Care Service (\$0.06m).

These favourable items are partially offset by other items including:

- Lower than expected rates and charges, due to a projected 25% capacity factor discount on the Rates in Lieu budgeted from AGL (\$0.2m);
- An omission in the budget relating to the cost of library books (\$0.08m);
- The carry forward of spend on the Mount Buffalo Business Case Assessment and Activation project (\$0.06m, which is grant funded);
- Higher than expected usage of the Dinner Plain Bus resulting in extra park entry fees (\$0.04m).

Major forecast variances to capital works expenditures are as follows:

- Alpine Events Park – additional \$0.3m spend compared to budget, due to additional costs incurred in addressing rebuild of the lower level change rooms, and other costs;



- McNamara Reserve Netball and Tennis Facilities – additional \$0.2m spend compared to budget, due to scope omissions during concept design, and due to market rates exceeding forecast; and
- Myrtleford Pool Plant – potential \$0.1m saving compared to budget, as repair of the existing pool plant may make full replacement unnecessary.

### **POLICY IMPLICATIONS**

The Report has been prepared in line with the requirements of the *Local Government Act 1989*:

- Section 137 (Budgeting and reporting framework) - Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.
- Section 138 (Quarterly statements) – At least every three (3) months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public.

The recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Financial performance to date indicates a full year surplus of \$4.1m, which is \$0.4m higher than the budgeted surplus of \$3.7m.

### **CONSULTATION**

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

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

**CONCLUSION**

The Finance Report - Quarterly Review for the period ending 30 September 2018 is presented for noting.

**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Chief Executive Officer
- Director Corporate
- Manager Corporate
- Accountant

**ATTACHMENT(S)**

- 8.3.4 The Finance Report - Quarterly Review for the period ending 30 September 2018.



### **8.3.5 Audit Committee Meeting No. 2018/19-3, 26 October 2018**

File Number: 0900.06

#### **INTRODUCTION**

The purpose of this report is to present the minutes and recommendations of the Audit Committee meeting held on 26 October 2018.

Key items presented to and considered by the Committee at this meeting included:

- Victorian Auditor General's Office (VAGO) Final Management Letter, year ending 30 June 2018;
- Critical functions review;
- Risk register review;
- Balanced scorecard; and
- Health and safety report.

*Cr Nicholas*

*Cr Knappstein*

*That Council:*

- 1. Receive and note the minutes of the 26 October 2018 Audit Committee Meeting No.2018/19-3; and*
- 2. Adopt the confidential 2018/19 Quarter 1 Health and Safety Report.*

*Carried*

#### **BACKGROUND**

Council must establish an Audit Committee under section 139 of the *Local Government Act 1989*. The Committee's charter requires it to report to Council its activities, issues and related recommendations. This report relates to Audit Committee Meeting No. 2018/19-3 held on 26 October 2018.

#### **REPORT**

##### **VAGO Final Management Letter**

The Committee considered the Victorian Auditor General's Office (VAGO) Final Management Letter for the year ending 30 June 2018.

In addition to reviewing previous years findings the 2018 Final Management Letter identified a further four matters for Council to consider and address including:

1. IT general controls;
2. Returns and credits review;
3. Payroll audit trail; and
4. WC5 Kerbside Collection Waste Diverted from Landfill.





### **Critical Functions Review**

Council has been in the process of identifying and reviewing its critical functions as part of a larger project to review and develop its business continuity plans. An initial list of critical functions was considered by the Audit Committee at its June 2018 meeting and subsequently each function was reviewed for its maximum tolerable period of disruption. The Committee noted the outcomes of that review.

### **Risk Register Review**

Council's risk register is aligned with the Council Plan 2017-2021 and captures key risk events that may impact Council achieving its strategic objectives or delivering its key services. The register also provides for the assessment of those risks and the identification and monitoring of measures to mitigate or reduce the risks.

The Committee considered the October 2018 review of the risk register which included a reassessment of each risk, including the nature of the risk; its likelihood and impact; and current controls.

### **Balanced Scorecard**

At a prior meeting the Committee requested that Council develop an internal performance scorecard providing a balanced snapshot view of progress against targeted objectives. The intent of such a scorecard is to improve management information and to assist in monitoring and driving the execution of strategic objectives.

A draft balanced scorecard was presented to the Committee focusing on five key performance outcomes: safety; customer; financial; business processes; and business enablers. The scorecard will be cascaded to departmental management level.

The Committee noted the draft balanced scorecard and requested quarterly scorecard reports to be presented to the Committee.

### **2018/19 Quarter 1 Health and Safety Report (Confidential)**

The Committee reviewed the confidential 2018/19 Quarter 1 Health and Safety Report, which highlighted that employee hazard, incident, injury and near-miss reporting was relatively consistent with 2017/18 reporting; none of the three injuries during the quarter progressed to a WorkCover claim; and a broad range of mandatory and discretionary health and safety training was undertaken during the quarter.

The Committee endorsed the 2018/19 Quarter 1 Health and Safety Report for Council adoption.

### **POLICY IMPLICATIONS**

Council complies with the following sections of the *Local Government Act 1989*:

- Section 136: Requires Council to implement the principles of sound financial management.
- Section 139: Requires Council to have an Audit Committee and act within the guidelines made by the Minister for Audit Committees.



This report is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation.

### **CONCLUSION**

The Audit Committee, being satisfied with the detail provided in its agenda and the officer reports, recommends Council adopt the detailed resolutions.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Health, Safety and Risk Officer

### **ATTACHMENT(S)**

- 8.3.5(a) Audit Committee Meeting No. 2018/19-3 Minutes, 26 October 2018
- 8.3.5 (b) 2018/2019 Quarter 1 Health and Safety Report (CONFIDENTIAL)



### 8.3.6 Airport Services Lease for Hangar Mount Beauty Aerodrome

File Number: 1500.02

#### **INTRODUCTION**

This report relates to the leasing of land at the Mount Beauty Aerodrome for the purpose of erecting a hangar.

*Cr Keeble*

*Cr Pearce*

*That Council:*

- 1. Approve and execute the a Lease of Real Estate forming part of Lot 2 PS705744, Embankment Drive, Mount Beauty for aircraft hangars; and*
- 2. Sign and seal the lease document at the appropriate stage of the Council meeting.*

*Carried*

#### **BACKGROUND**

At the Ordinary Council Meeting December 2008 Council approved the leasing of hangar sites at the Mount Beauty Aerodrome. The land is contained in Lot 2 Plan of Subdivision PS705744, Embankment Drive, Mount Beauty.

Lease documentation has been developed for the purpose of entering into long term hangar leases on this land. The length of the lease is 10 years, plus a 10 year option, lease charges for the attached lease is approximately \$1,485 (plus GST) per annum calculated based on the square meterage of the site.

#### **ISSUES**

Under Section 5(2)(d) of the Act, Council is able to acquire, hold, deal with or dispose of the property (including land) for the purpose of performing its functions and exercising its powers.

Prior to entering into a Lease of 10 years or more, Section 190 of the Act requires Council to:

- At least four (4) weeks before the lease is made, publish a public notice of the proposed lease (Section 190(3b)).
- Allow interested persons to make submissions under Section 223 on the proposed sale or exchange (Section 190(4)).

Council has met the requirements under Section 190 and Section 223 of the Act.

#### **POLICY IMPLICATIONS**

This process is 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.



This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Highly utilised and well managed community facilities.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The commencement annual lease income for the hangar will be charged at \$6.11/m<sup>2</sup> (excl. 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 Aerodrome is paid to the Mount Beauty Airport Management Association Inc. to assist it in fulfilling its responsibilities to operations and day to day maintenance of the Aerodrome.

### **CONSULTATION**

Public notice has been given on 2 May, 2018 where interested persons were invited to make submissions under Section 223 of the Act on the proposed lease (Section 190(3b) & (4)). No submissions were received.

### **CONCLUSION**

Having met its obligations under Section 190 and Section 223 of the Act, Council may enter into the lease through executing the lease document at the appropriate stage of the Council Meeting.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

### **ATTACHMENT(S)**

- Nil



### **8.3.7 Harrieville Community Green Waste Facility Lease**

File Number: 1801.08.00

#### **INTRODUCTION**

This report relates to the leasing of land off Newmans Lane in Harrieville for the purpose of the operation of a community green waste facility for land contained in Lot D Plan of Subdivision PS200281Q, off Newmans Lane, Harrieville.

It is proposed to enter into a lease with the Harrieville Community Forum (HCF) for the purposes of the provision of land for a community green waste facility off Newmans Lane, Harrieville.

A lease has been prepared for a period of two (2) years. There are no further terms provided under the lease. The terms under the lease have been agreed by HCF. A review of the operations of the facility under the terms of the lease will be undertaken in February 2019 and February 2020 to determine if a longer term lease will be proposed into the future.

*Cr Keeble*

*Cr Nicholas*

*That Council:*

- 1. Approve and execute the lease of Real Estate forming part of Lot D PS200281Q located off Newmans Lane Harrieville for a community green waste facility; and*
- 2. Sign and seal the lease documents at the appropriate stage of the Council meeting.*

*Carried*

#### **BACKGROUND**

In October 2010 Council entered into a memorandum of understanding (MoU) with the Harrieville Community Building Initiative Committee for the provision of land and mulching support for a community green waste facility off Newmans Lane Harrieville. The objective of the MoU was to provide a secure and environmentally acceptable point for mulching and recycling of hard tree waste composed of garden pruning, tree cuttings, clippings and branches.

The MoU called for a formal review after three (3) years and could be terminated by mutual agreement by one month's written notice by either party. Necessary approval from the Environmental Protection Agency and a Planning Permit was obtained in 2011. The infrastructure was built in 2012 as a community project using funding from the MacPherson Smith Community Alliance Trust obtained by the Harrieville Community Building Initiative.

Council has undertaken an operational review of material management on site. The effective mulching of the green waste being collected at the site has been operationally difficult, with Council's equipment not being suitable for the required



work given the nature of the material on site. Stated key objectives for the facility included a reduction in green waste dumping and a reduction to burning in the local community; however given material processing issues the waste stockpiles have on occasion been burnt.

Alternate methods of processing have been explored, these included sourcing external contractors to undertake the work, extending green waste processing methods from the transfer stations to the site, and transporting the green waste to the transfer stations to include in bulk processing. However, these explored options have proved not practical to manage or cost effective.

Given strong community support for the continuance of the facility an alternate management option has been proposed. HCF has sourced a local contractor who is able to mulch the material that will be received at the site and therefore has provided Council with confidence that the facility will work to achieve its stated objectives. Council is proposing to enter into a lease arrangement to replace the expired MoU.

Key terms under the lease are:

- Term: 2 years
- Rent: \$1 p.a.
- Council contribution: \$3,000 p.a. for the term of the lease (in lieu of undertaking mulching functions)
- Insurance: Lessee to hold Public Liability cover of \$20,000,000.
- The Lessee to establish an effective management group to take responsibility for the operation and administration of the Premises.
- The lessees to develop membership documents including a Members Agreement and User Guide including confirmation of induction for members to the site
- The lessee to provide Safe Working Method documents for the activities being undertaken at the site
- Any mulching on the site to be undertaken by a licensed operator who has provided evidence of current public liability insurance
- Mulching is not to be undertaken while any members of the public are on site
- HCF is responsible for all costs associated with the operations of the facility
- HCF is responsible for successful conduct of the mulching service, including advertising and promotion, membership, security, maintenance, monitoring, disposal of foreign material and beautification

Under Section 5(2)(d) of the *Local Government Act 1989* (the Act), Council is able to acquire, hold deal with or dispose of the property (including land) for the purposes of performing its functions and exercising its powers.

Section 190 of the Act notes restrictions on Council's power to lease land. These being:

1. A Council's power to lease any land to any person is limited to leases for a term of 50 years of less.



2. Subject to any other Act, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.
3. If the lease is to be –
  - a. for 1 year or more and –
    - i. the rent for any period of the lease is \$50,000 or more a year; or
    - ii. the current market rental value of the land is \$50,000 or more a year; or
  - b. for ten years or more; or
  - c. a building or improving lease –

the Council must at least four (4) weeks before the lease is made, publish a public notice of the proposed lease.
4. A person has the right to make a submission under section 223 of the act on the proposed lease.

As this lease is for a period of two (2) years and the rent set at \$1 p.a. there is no requirement to invite submissions under section 223 of the Act.

Lease documentation has been developed for the purpose of entering into a short term lease of this land.

Having met its obligations under Section 190 of the Act, Council may enter into the lease through executing the lease documents attached.

### **ISSUES**

Council received legal advice that a MoU was not a suitable instrument for an agreement relating to occupation of land for the purpose of a community green waste facility. Advice received indicates that a lease agreement is the appropriate governance mechanism. The proposed lease will replace the expired MoU.

Under Section 5(2)(d) of the Act, Council is able to acquire, hold, deal with or dispose of the property (including land) for the purpose of performing its functions and exercising its powers.

Council has met the requirements under Section 190 of the Act.

### **POLICY IMPLICATIONS**

This process is in accordance with obligations under the *Local Government Act 1989*, the Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017 - 2021:

- Highly utilised and well managed community facilities.



## **FINANCIAL AND RESOURCE IMPLICATIONS**

Under the lease Council has a commitment to pay \$3000 per annum to the tenant for the purposes of undertaking the operations of the site. There is provision of \$3000 in the 2018/19 budget for this purpose. The annual lease income is \$1.

## **CONSULTATION**

Consultation has been undertaken with the Harrietville Community Forum regarding the operation of the site and the proposed lease of the land. Legal advice has been received by Council regarding lease and insurance considerations.

## **CONCLUSION**

The proposed lease will allow the Harrietville Community Forum to operate a community green waste facility on the site for use by the Harrietville community.

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

## **ATTACHMENT(S)**

- Nil





### 8.3.8 Planning Application 5.2018.50.1 - Three Lot Re-Subdivision

Application number:	5.2018.50.1
Proposal:	Three lot re-subdivision
Applicant's name:	North East Survey Design
Owner's name:	Naynad Investments Pty Ltd
Address:	Lot: 1 TP: 84368, 4 Sangsters Lane, Wandiligong Lot 1 TP 384856, Centenary Ave, Wandiligong CA1 SEC A, Township of Wandiligong, Centenary Ave, Wandiligong
Land size:	3.83 hectares
Current use and development:	Developed with a dwelling and outbuildings. Remainder of the site used for agriculture
Site features:	The site is used for agricultural purposes which includes stock grazing and a small orchard. There are a number of fenced paddocks, and irrigation infrastructure which draws water from Morses Creek to irrigate chestnut trees in the southern part of the site. There is scattered native and exotic vegetation across the site. The site slopes gently eastwards towards Morses Creek reserve.
Why is a permit required?	A planning permit is required for subdivision pursuant to Clause 35.07-3 (Farming Zone), Clause 43.01-1 (Heritage Overlay) and Clause 44.06-2 (Bushfire Management Overlay)
Zoning:	Farming Zone
Overlays:	Significant Landscape Overlay Schedule 3 Heritage Overlay HO83 Bushfire Management Overlay
Restrictive covenants on the title?	No
Date received:	4 April 2018
Statutory days:	71
Planner:	Scott Taylor

*Cr Pearce moved the following alternative motion:*

*Cr Pearce*

*Cr Keeble*

*That a Notice of Decision to Grant a Permit be issued for a three lot re-subdivision at Lot: 1 TP: 84368, 4 Sangsters Lane, Lot 1 TP 384856, Centenary Ave, and CA1 SEC A, Township of Wandiligong, Centenary Avenue, Wandiligong in accordance with the following conditions:*



1. *The layout of the 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.*
2. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.*
3. *All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.*
4. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.*
5. *Prior to issue of Statement of Compliance, the owner must enter into an agreement with the responsible authority made pursuant to section 173 of the Planning and Environment Act 1987 to provide for the following:*
  - a. *That the subject land not be further subdivided so as to create an additional lot under the current zoning.*

*The owner must pay the reasonable costs of the preparation, including execution and registration of the section 173 agreement.*

#### **ENGINEERING CONDITIONS**

6. *Prior to issue of Statement of Compliance all stormwater and surface water discharging from the site, buildings and works must be retained and treated on site to the satisfaction of the relevant authority. No effluent or polluted water of any type will be allowed to enter the stormwater drainage system.*
7. *Prior to issue of Statement of Compliance, 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*
  - 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;*



*crossings are to be concrete (darkened in colour) or have a bituminous seal applied over a suitably constructed base where they abut a sealed road. Dimensions, construction standards and roadside drainage treatments are to be generally in accordance with IDM drawing SD55.*

#### **GOULBURN-MURRAY WATER CONDITIONS**

- 8. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.**
- 9. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).**
- 10. No buildings are to be constructed within 30 metres of any waterways or on any drainage lines.**
- 11. Prior to the issue of statement of compliance earthworks must be carried out on proposed Lot 2 to ensure that the localised drainage depression formed by mechanical excavation is returned to its natural topography.**
- 12. The existing on-site wastewater treatment and disposal systems for proposed Lot 1 must be wholly contained within the boundaries of the new lot created by subdivision.**
- 13. Prior to Statement of Compliance being issued, the owner shall enter into an Agreement with the Responsible Authority and Goulburn Murray Water under Section 173 of the Planning and Environment Act, on Lots 2 and 3, ensuring that:**
  - a. If a community effluent disposal system or reticulated sewerage system becomes available, all wastewater from the dwelling must be disposed of via this system and the on-site wastewater treatment and disposal system must be decommissioned.**
  - b. Any future dwelling on Lot 2 must not contain any greater than 2 bedrooms; including rooms that could be closed off and used as bedrooms, e.g. study, sunroom, etc, without further approval from GMW and the Responsible Authority.**
  - c. Any future dwelling on Lot 3 must not contain any greater than 4 bedrooms; including rooms that could be closed off and used as bedrooms, e.g. study, sunroom, etc, without further approval from GMW and the Responsible Authority.**
  - d. Any future dwelling on lot 2 adheres to the wastewater management requirements outlined within the Land Capability Assessment LCA-ROSS-03 prepared by Nick Malkin – Foresight Engineering Services dated 2 August 2018 unless further approval is obtained from GMW and the Responsible Authority. This includes the design, installation and maintenance of the wastewater management system, and the size and location of the wastewater disposal field.**



- e. Any future dwelling on lot 3 adheres to the wastewater management requirements outlined within the Land Capability Assessment LCA-ROSS-02 prepared by Nick Malkin – Foresight Engineering Services dated 21 September 2018 unless further approval is obtained from GMW and the Responsible Authority. This includes the design, installation and maintenance of the wastewater management system, and the size and location of the wastewater disposal field.*
- f. All upslope runoff must be diverted away from the wastewater disposal areas. Stormwater must be diverted away through the installation of a shallow cut off drain, which is to be placed upslope of the disposal areas.*
- g. No buildings are to be constructed within 30 metres of any waterways or on any drainage lines.*
- h. The owner shall meet the cost of the registration of the agreement on the title*
- i. This agreement is cancelled if (a) above is satisfied.*

#### **EXPIRY CONDITION**

#### **14. This permit will expire if:**

- a. the plan of subdivision is not certified within two years of the date of this permit; or*
- b. the registration of the subdivision is not completed within five years of the certification of the plan of subdivision.*

*The responsible authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.*

*Carried*



## BACKGROUND

This report was considered by Council at its November Meeting. At that meeting, Council made a decision to not refuse the application, however Council did not make a decision grant the permit and therefore the application is being presented to Council again.

## PROPOSAL

It is proposed to re-subdivide three existing lots to create three lots as follows:

Lot 1 – would be 8523 square metres and contain the existing dwelling, shedding, wastewater disposal system and domestic infrastructure. Vehicle access would be via an existing crossover from Sangsters Lane. The lot would also have frontage to Centenary Ave.

Lot 2 – would be 2.434 hectares and contain a small chestnut orchard, fencing and irrigation infrastructure. It would have frontage to Centenary Ave.

Lot 3 – would be 5271 square metres and have frontage to Centenary Ave. The applicant has stated that this lot is proposed as a future house lot.



**Figure 1:** Shows the subdivision layout on site.





## SUBJECT LAND AND SURROUNDS

The subject site is comprised of three allotments:

CA 1 Sec A has an area of 0.725 ha, is irregularly shaped and does not contain any structures. It appears to be landlocked and has frontage to Morses Creek on its eastern boundary.

Lot 1 TP 384856 has an area of 1.543 ha and is regular in shape. It does not contain any structures and is used for agricultural purposes. It has a frontage to and access from Centenary Ave on its western boundary.

Lot 1 TP 84368 has an area of 1.545 ha and is irregularly shaped. It is located on the south-eastern corner of Centenary Ave and Sangsters Lane and has vehicle access from Sangsters Lane.

The site is located to the west of the Wandiligong Township in an area that is zoned for farming but is highly fragmented. Many of the lots surrounding the site are used for rural lifestyle purposes.



**Figure 2: Subject land.**



## PUBLIC NOTIFICATION

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice of the application was sent to 12 surrounding landholders and occupiers, and two signs were displayed on the subject land. Eight objections were received; the reasons for objecting are as follows:

- The application is in violation of the Farming Zone purpose.
- The proposed subdivision will destroy the natural and historical landscape setting, values, integrity and character of the Wandiligong valley.
- The proposal does not maintain the historical density of the site.
- The land is not lost to agricultural production.
- The land does not form part of the Wandiligong Township and should not be treated as if it were.
- The land is currently used for domestic farming activities which should not be discounted.
- The disposal of effluent from the site may have a detrimental impact on the environment due to the presence of a number of natural springs close to the surface which have not been identified.
- The south-eastern boundary of proposed Lot 3 is very close to a bore on the adjoining property.
- The Land Capability Assessment has not been undertaken for the entire site.
- Any future residential development would be detrimental to the intrinsic character and integrity of Centenary Ave and more widely to the Wandiligong Township.
- A planning forum was held to discuss the application on 24 September 2018 at the Council offices. The applicant, one objector, four Councillors and Council officers attended. The application was discussed at length however no agreement was reached between the parties.

## REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	CFA - no objection and no planning permit conditions required Goulburn-Murray Water - no objection subject to conditions
Internal / external referrals:	NECMA - no objection and no planning permit conditions required DELWP - no objection and no planning permit conditions required Engineering - no objection subject to planning permit conditions Environmental Health - no objection subject to planning permit conditions



## **PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION**

All applicable policy and decision guidelines can be found in Appendix (b).

### **Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)**

The site is located in the Wandiligong Valley as identified in Clause 21.07-11 of the Scheme. The clause requires applications for this area to be guided by the recommendations in the Alpine Shire Rural Land Strategy (2015) (Strategy). The Strategy was adopted by Council in 2015 and is a reference document in the Scheme.

The Strategy locates the subject site in Precinct 3 – Wandiligong Valley. The Strategy states “There is an opportunity to expand nature based tourism, creating synergies with agri-tourism in Centenary Avenue, an area that is fragmented from agriculture.” (p. 33) the precinct map also includes the site in an area where rezoning should be investigated. The recommendations chapter of the Strategy contains implementation measures for the Strategy and includes, among other things, “Undertake a rural living strategy to determine supply, demand and the need for additional rural living zones and suitable locations.” (p. 52) the rural living strategy has not commenced to date.

The Strategy identifies the site as being in a location that is fragmented from agriculture. This is evidenced by the smaller lot sizes in the vicinity of the site and the high incidence of rural residential living although some lots contain small scale agricultural uses. The site is subject to the BMO, SLO3 and HO83 and is located in a Special Water Supply Catchment. There is no reticulated sewerage. Given these constraints it is considered that the most likely future zoning of the land would be more in line with the Rural Living Zone than the Low Density Residential Zone. However this remains to be determined via further strategic work.

The Scheme states at Clause 21.03-2 Rural Residential Living that in the Rural Living Zone, lot sizes in the range of 2.0 hectares should be encouraged. The proposed lot sizes are 0.8 ha, 0.5 ha and 2.4 ha therefore two of the proposed lots are not in line with the preferred lot size for the Rural Living Zone.

By comparison, the Low Density Residential Zone requires lots to be at least 0.4 ha where reticulated sewerage is not connected. All of the proposed lots would satisfy this requirement.

Given the existing subdivision layout in the immediate area and in the absence of a Rural Living Strategy and further strategic work that identifies the most acceptable future zoning of Centenary Ave, the subdivision of the site into small lots is considered to be premature.

The proposal is also inconsistent with the current zoning of the land. The proposed lot sizes would not support the continuation of agriculture and have the ability to create land use conflicts between agricultural uses and rural residential uses. The applicant has not provided any evidence that the creation of smaller lot sizes will improve farm economics or viability, or create lots that would be capable of holding sustainable agricultural uses.

It is considered that the applicant has not provided adequate strategic justification in relation to the future rural residential zoning of the area or the benefit to agriculture under the current zoning. The proposal is therefore considered to be at odds with





the future strategic direction of the area and the current zoning of the land. The proposal is considered to be premature for this area as strategic work has not been undertaken to transition the zoning of the area to one that is more reflective of its future strategic direction.

### **Special Water Supply Catchment**

The site is located in the Ovens River Special Water Supply Catchment Area. Pursuant to Clause 66.02-5, an application to subdivide land in a Special Water Supply Catchment Area must be referred to the relevant water board or water supply authority who is a determining referral authority. In this instance the application was referred to Goulburn-Murray Water (G-MW) who initially objected to the proposal but is prepared to reconsider their position should additional information be received. Following receipt of an amended Land Capability Assessment (LCA) for proposed Lot 3 and its increase in size from 2300m<sup>2</sup> to 5271m<sup>2</sup>, an LCA for proposed Lot 2 and also an increase in size to Lot 1 G-MW has now granted conditional consent.

### **Zoning**

The subject land is located in the Farming Zone. As discussed, the proposed subdivision is considered to be inconsistent with purpose and decision guidelines of the zone as the proposal would further fragment agricultural land into 3 small lots that would all have the potential to be used for dwellings. It would create lot sizes that would not be suitable for agriculture with respect to the two smaller lots with the potential for the larger lot to be either used for a larger residential lot and/or small scale agriculture that would have the potential to create a land use conflict with adjoining lots. As a result part of the land would be permanently lost to agriculture (the smaller lots), and the balance of the land, (the larger lot) could also be lost to agriculture if used as a lifestyle lot.

The applicant has not provided any evidence to demonstrate that a viable agricultural use could be carried out on proposed Lots 1 and 3 in particular. The creation of rural lifestyle lots has the capacity to impact on the operations on adjoining and nearby agricultural uses as farming practices can create amenity impacts which may not be tolerated by rural lifestyle residents. Overall the proposed subdivision does not provide for the use of the land for agriculture as required by the zone.

### **Clause 42.03 Significant Landscape Overlay Schedule 3 – Wandiligong Valley Significant Landscape Area**

No planning permit is required for subdivision under the overlay requirements.

### **Clause 43.01 Heritage Overlay – HO83 Wandiligong**

The Wandiligong Heritage Guidelines (2016) have been considered in the assessment of the application under the overlay.

The guidelines state the following with regard to subdivision and siting:

The existing irregular pattern of subdivision and building siting in Wandiligong Heritage Area illustrates the early and rapid growth of the township and contributes to Wandiligong's landscape character.



## Guidelines

Potential subdivisions and building siting must reinforce the existing irregular nature of subdivision and avoid modern, suburban development patterns;

The proposed subdivision would reinforce the existing irregular nature of Wandiligong as per the guidelines however, as discussed; the proposed lot sizes are not large enough for this part of the township. In particular, proposed Lot 3 does not respond to its context as it would create a lot of 0.5 ha in an area that generally accommodates larger rural living style lots. As such it is considered that the proposed subdivision would adversely affect the heritage significance of Wandiligong.

### **Clause 44.06 Bushfire Management Overlay (BMO) and Clause 53.02 Bushfire Planning**

The application has satisfactorily addressed the objectives of the BMO and Clause 53.02. The application was referred to CFA who had no objection to the proposal and did not require any planning permit conditions.

### **Clause 65.02 Decision Guidelines**

The following is an assessment against the relevant decision guidelines of Clause 65.02 of the Scheme:

The suitability of the land for subdivision

The land is not considered to be suitably zoned for the proposed subdivision as it is located in the Farming Zone and the proposal seeks to create rural residential lots. Strategic work is required to be undertaken to determine the appropriate zoning of the land. The proposal is therefore premature in this regard.

The existing use and possible future development of the land and nearby land.

The site is developed with a dwelling with the remainder of the site used for agriculture. The proposed subdivision would remove land from agriculture and would create at least two rural residential allotments. This is contrary to the current zoning of the land.

The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

The proposed subdivision pattern is based on creating two residential sized lots and a larger lot that would be used for either agriculture or a dwelling or both. It is reasonably consistent with the variable "legacy" pattern of lot sizes in the locality in this respect but does not respect the potential for land use conflicts or the primary purpose of the zone.

The density of the proposed development.

The density of the proposed development is at odds with the Farming Zone provisions as well as the future Rural Living Zone provisions as the proposed lot sizes are not compatible with these zones. The density would be compatible with a Low Density Residential Zone however strategic work has not commenced at this stage to determine the best zoning for the site and surrounding area.



The area and dimensions of each lot in the subdivision.

As above.

The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

The site has water, electricity and telecommunications available to it.

### **Response to Grounds of Objection**

- The application is in violation of the Farming Zone purpose.

The proposal does not accord with the Farming Zone requirements as it will create lots that would be too small for agriculture.

- The proposed subdivision will destroy the natural and historical landscape setting, values, integrity and character of the Wandiligong valley.

The proposal does not maintain the historical density of the site.

- The land is not lost to agricultural production.

- The land does not form part of the Wandiligong Township and should not be treated as if it were.

- The land is currently used for domestic farming activities which should not be discounted.

- Any future residential development would be detrimental to the intrinsic character and integrity of Centenary Ave and more widely to the Wandiligong Township.

As discussed, this part of the Wandiligong Valley has been identified in the Rural Land Strategy for rezoning as it is considered to be highly fragmented farmland which is a challenge to be used for commercial agricultural uses. Many lots are already developed for rural residential purposes, some with small scale agricultural uses. A Rural Living Strategy is proposed to be undertaken to determine the most appropriate zoning of the land which in turn will guide future use, development and subdivision of this area.

- The disposal of effluent from the site may have a detrimental impact the environment due to the presence of a number of natural springs close to the surface which have not been identified.

- The south-eastern boundary of proposed Lot 3 is very close to a bore on the adjoining property.

- The Land Capability Assessment has not been undertaken for the entire site.

Goulburn-Murray Water had initially objected to the proposal on the basis that the hydrology of the site has not been taken into consideration and that proposed Lots 2 and 3 in particular would not be capable of effectively disposing of waste water should each be further developed. However, as discussed above G-MW conducted a waterway determination for the subject land and are now satisfied for the provided LCA's and their ability to ensure no surface or groundwater impact.



## **CONCLUSION**

The proposal has been assessed against the relevant provisions of the Alpine Planning Scheme, including the Planning Policy Framework, the Local Planning Policy Framework, the Farming Zone, Heritage Overlay and Bushfire Management Overlay. It has been determined that the proposed subdivision is inappropriate for the site as it does not accord with the current zoning of the land or the future strategic direction of the surrounding area. The proposal is therefore recommended for refusal.

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Planning

## **APPENDIX**

- 9.3.6 (A) – Grounds of Refusal
- 9.3.6 (B) – Policy and decision guidelines



### **9.3.6 APPENDIX (B)**

#### **Planning Policy Framework**

The Planning Policy Framework (PPF) provides relevant direction to the proposal at the following clauses:

Clause 11.01 Settlement

Clause 11.01-1R Settlement - Hume

Clause 12.05 Significant Environments and Landscapes

Clause 13.02 Bushfire

Clause 14.01 Agriculture

Clause 14.02 Water

Clause 15.03 Heritage

Clause 19.03 Development Infrastructure

#### **Local Planning Policy Framework**

Applicable local planning policy can be found in the Local Planning Policy Framework (LPPF) section as follows:

Clause 21.03 Settlement, Built Form and Heritage

Clause 21.04-3 Landscapes

Clause 21.04-4 Environmental Risk

Clause 21.04-6 Catchments and Waterways

Clause 21.05-3 Agriculture

Clause 21.07-11 Rural Precincts

Clause 22.03-2 Agriculture

#### **Zone**

The subject land is zoned Farming Zone pursuant to the Alpine Planning Scheme. The purpose of the zone and applicable decision guidelines can be found at the following link: [http://planning-schemes.delwp.vic.gov.au/schemes/vpps/35\\_07.pdf](http://planning-schemes.delwp.vic.gov.au/schemes/vpps/35_07.pdf)

#### **Overlays**

The planning permit application must address Clause 44.06 Bushfire Management Overlay.

#### **General Provisions**

Clause 65.02 of the Alpine Planning Scheme provides the decision guidelines for subdivision.

**Referral and Notice Provisions**

Clause 66.02-5 Special Water Supply Catchment Area - an application to use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply. An application must be referred to the relevant water board or water supply authority as a determining referral authority.

Clause 66.03 - an application to subdivide land subject the BMO must be referred to the relevant fire authority as a recommending referral authority.

**Operational Provisions**

Clause 71.02-3 Integrated Decision Making



## 9 ASSEMBLY OF COUNCILLORS

### INTRODUCTION

Section 80A of the *Local Government Act 1989* requires a written record of Assemblies of Councillors to be reported at an ordinary meeting of the Council and to be incorporated in the minutes of the Council meeting.

*Cr Knappstein*

*Cr Nicholas*

*That the summary of the Assemblies of Councillors for October / November 2018 be received.*

*Carried*

### BACKGROUND

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

<b>Date</b>	<b>Meeting</b>
30 October	Briefing Session
13 November	Briefing Session

### ATTACHMENT(S)

- 9.0 Assemblies of Councillors – October / November 2018



**10 GENERAL BUSINESS**

**11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

**12 RECEPTION AND READING OF PETITIONS**





### 13 DOCUMENTS FOR SEALING

*Cr Knappstein*

*Cr Keeble*

*That the following documents be signed and sealed.*

1. *Alpine Shire Council lease of Lot 2 PS705744 being the land contained in Certificate of Title Volume 11402 Folio 500 for the private aircraft hangar located at Mount Beauty Airfield in favour of David Gemmell.*
2. *CT1804101 in favour of Barton Street Developments Pty Ltd for the McNamara Reserve Netball and Tennis Facilities.*
3. *CT1804801 in favour of Stadelmann Enterprises Pty Ltd for the Construction of Eurobin Flood Bypass Road.*
4. *CT1804701 in favour of Joss Construction for the Myrtleford Indoor Sports Stadium Expansion.*
5. *Section 173 Agreement – Gregory Philip Hertz and Christel Francisca Hertz. Lot 1 on Plan of Subdivision 713449. Condition 20(d) of the Planning Permit 2018.1.1 for the Construction of two dwellings, two lot subdivision and Boundary Realignment at 1/14 Gavan Street, Bright. The Agreement explicitly excludes Lots 1 to 5 inclusive from the exemption under Clause 44.06-1 of the Alpine Planning Scheme.*
6. *Lease of real estate forming part of Lot D on PS200281Q located off Newmans Lane Harrietville for the Harrietville Community Green Waste Facility.*
7. *CT1802401 in favour of Cr8tve Waste Management Pty Ltd for the Operation and Management of Myrtleford, Porepunkah and Mount Beauty Transfer Stations.*
8. *Finance Committee Charter.*

*Carried*

There being no further business the Chairperson declared the meeting closed at 7.48p.m

.....

Chairperson



# Alpine Shire

**SPECIAL COUNCIL MEETING  
MINUTES**

**SPM13 – 19 December 2018**

**Bright Council Chambers**

**5:00pm**



The **Special Meeting** of the **Alpine Shire Council** was held in Council Chambers, Great Alpine Road, Bright on **19 December 2018** commenced at **5:00pm**.

## **PRESENT**

### **COUNCILLORS**

Cr Ron Janas - Mayor  
Cr Sarah Nicholas - Deputy Mayor  
Cr John Forsyth - Councillor  
Cr Kitty Knappstein - Councillor  
Cr Tony Keeble - Councillor  
Cr Daryl Pearce - Councillor  
Cr Peter Roper - Councillor

### **OFFICERS**

Mr Charlie Bird - Chief Executive Officer  
Ms Nathalie Cooke - Director Corporate  
Mr William Jeremy - Director Assets



**AGENDA**

1 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS ..... 4

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, and RECOGNITION OF ALL  
PEOPLE ..... 4

3 APOLOGIES ..... 4

4 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST ..... 4

    4.1 DIRECTOR ASSETS – WILL JEREMY ..... 5

        4.1.1 Contract 1809401 Porepukah - Station Street Upgrade ..... 5

        4.1.2 Contract 1809501 Road Reconstruction 2018-19 ..... 7

5 DOCUMENTS FOR SEALING ..... 9



## **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.

By speaking during question time, or at any time during the meeting, you consent to your voice and any comments you make being recorded.

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

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

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

## **2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE**

*The CEO read the following statement:*

The Alpine Shire Council acknowledges the traditional owners of the land we are now on.

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 APOLOGIES**

Nil

## **4 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST**

Nil



## 4.1 DIRECTOR ASSETS – WILL JEREMY

### 4.1.1 Contract 1809401 Porepunkah - Station Street Upgrade

File Number: CT18094

#### INTRODUCTION

This report relates to the award of a contract for the completion of a continuous footpath along the length of Station Street in Porepunkah, from the Station/Service Street roundabout through to the Great Alpine Road where it will connect to the Murray to Mountains Rail Trail. The scope of work also includes new kerb and channel and construction of road pavement along sections of Station Street to provide a consistent traffic lane width with parallel parking bays on each side.

*Cr Keeble*

*Cr Pearce*

*That Council awards Contract No. 1809401 for "Porepunkah - Station Street Upgrade" to McPherson's Earthmoving Contractors for the lump sum price of \$452,482+GST.*

*Carried*

#### BACKGROUND

In October 2018 Council was awarded grant funding of \$519,578 under the Victorian Government's Fixing Country Roads Program for the upgrading of Station Street, Porepunkah. These works will construct the missing sections of footpath and kerb, while increasing the pavement width to provide for a consistent traffic lane width, with parallel parking bays on each side.

The Tender was advertised in the Herald Sun on 7 November 2018, as well as on tenders.net and Alpine Shire Council websites.

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

#### EVALUATION

The evaluation panel consisted of the Director Assets, Manager Asset Development and the Senior Project Engineer.

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

- Price
- Qualification & Previous Performance
- Delivery
- Social



The preferred tenderer was invited to clarify aspects of their tender and provide further detail on their proposed methodology, subcontractors and program including their ability to meet the required timeframes. Through this evaluation process it was determined that the tender from McPherson's Earthmoving best met the selection criteria.

### **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors

### **FINANCIAL AND RESOURCE IMPLICATIONS**

This contract is fully funded under the grant received from the Victorian Government's Fixing Country Roads Program and there is sufficient budget to award the contract.

### **CONSULTATION**

The completion of a footpath along the length of Station Street is recognised to be a high priority for the local community. Council frequently receives queries in relation to the timing for these works to be delivered, and this project is a high priority on Council's Project Pipeline.

### **CONCLUSION**

Following a comprehensive tender evaluation assessment, the Tender from McPherson's Earthmoving is considered to present the best value option for Council.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the Local Government Act 1989, the following officers declare that they have no interests to disclose in providing this report:

- Director Assets
- Manager Asset Development
- Senior Project Engineer

### **ATTACHMENT(S)**

- Nil



#### 4.1.2 Contract 1809501 Road Reconstruction 2018-19

File Number: CT18095

##### **INTRODUCTION**

This report relates to the award of a contract for road reconstruction works at three locations throughout the Alpine Shire. The works include road stabilisation, pavement construction, sealing and drainage works.

The Invitation to Tender comprised three separable portions:

- Portion A: Myrtleford – Buffalo Creek Road
- Portion B: Bright – Churchill Avenue
- Portion C: Upper Gundowring – Keegans Lane

*Cr Forsyth*

*Cr Keeble*

*That Council awards Contract No. 1809501 for "Road Reconstruction 2018-19" (including Portions A, B & C) to Stadelmann Enterprises for the lump sum price of \$562,776.25 + GST.*

*Carried*

##### **BACKGROUND**

In October 2018 Council was awarded grant funding of \$584,651 under the State Government's Fixing Country Roads Program for the reconstruction and upgrading of sections of Buffalo Creek Road, Churchill Avenue and Keegans Lane. These works will reconstruct failed sections of pavement, while increasing the pavement width and improving road side drainage.

The Tender was advertised in the Herald Sun on 14 November 2018, as well as on tenders.net and the Alpine Shire Council websites.

The Tender documents were downloaded by 19 prospective tenderers and four responses were received by the closing date.

##### **EVALUATION**

The evaluation panel consisted of the Director Assets, Manager Asset Development and the Senior Project Engineer.

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

- Price
- Qualifications and Previous Performance
- Delivery
- Social





The preferred tenderer was invited to clarify aspects of their tender and provide further detail on their proposed methodology, subcontractors and program including their ability to meet the required timeframes. Through this evaluation process it was determined that the tender from Stadelmann Enterprises best met the selection criteria.

### **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Between the grant funding allocation and the existing project budget, there is sufficient allocation to deliver the road reconstruction works through award of this Contract.

### **CONCLUSION**

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

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Development
- Senior Project Engineer

### **ATTACHMENT(S)**

- Nil



**5 DOCUMENTS FOR SEALING**

*Cr Roper*

*Cr Nicholas*

*That the following documents be signed and sealed.*

- 1. Contract No: CT 1807501 in favour of Dinner Plain MTB Trails Construction Stage 2.*
- 2. Contract No: CT1805001 in favour of Szabolics Construction Pty Ltd for Road Stabilisation and Patching (2018-19).*

*Carried*

There being no further business the Chairperson declared the meeting closed at 5.13p.m.

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Chairperson



1 OCTOBER - 31 DECEMBER 2018

# Q2 - Quarterly Report

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Presented to Ordinary Council Meeting  
5 February 2019

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## Strategic Objective 1: A high performing organisation

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<b>Strategy: Advocate for the community on key issues</b>		
Conduct advocacy to all levels of government, and to key groups within the North East and Hume region.	No	Council continues to advocate to all levels of government, and key organisations within the North East.
<b>Strategy: Build a skilled organisation with a positive culture</b>		
Provide mandatory and targeted training to staff	No	20 training opportunities were provided to staff during the second quarter of 2018/19, which included 3 group training sessions, and 17 individual sessions. A total of 171 staff received training in Q2. In addition to training, one "Learn from within" session was held, with 16 attendees.
Staff turnover as a percentage of permanent staff numbers*	Indicator	Reported at end of financial year.
<b>Strategy: Communicate and engage with stakeholders</b>		
Council website refresh	Yes	Scheduled to commence in Q3.
Community satisfaction with community consultation and engagement	Indicator	62 (2018 result).
<b>Strategy: Lead and govern with integrity</b>		
Improved performance data transparency	Yes	Q2 reporting is on track, and will be presented to the March Audit Committee.
Percentage of Council decisions made at meetings closed to the public*	Indicator	Q2 = 1.84% YTD
Percentage of councillors in attendance at ordinary and special Council meetings*	Indicator	Q2 = 95.92% YTD

### Mount Buffalo

An assessment of seven key concepts to reinvigorate Mount Buffalo identified a food and beverage option as the most attractive.

The findings of the Mount Buffalo Business Case Assessment, carried out by PricewaterhouseCoopers (PwC), were adopted at the November 2018 Council Meeting, and made available to the public on Council's website.

Led by the Mount Buffalo Activation Taskforce, the report provided an assessment of seven concepts for their potential commercial and broader economic benefit.

The assessment recommends a \$2 million café in the front rooms of the Mount Buffalo Chalet as the first step to reconnect people to the Chalet, and build confidence with the community, business operators and potential investors.

Council has advocated strongly for investment in this concept.

## Strategic Objective 2: A responsible and sustainable organisation

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<b><i>Strategy: Balance financial, economic and community outcomes</i></b>		
Review of Council's policies and procedures	No	36 policy reviews now underway, estimated over half of these are near ready for sign-off or revocation.
Review of Council's business technology strategy	No	Consultant appointed, initial workshops held with Council staff. Strategy to be completed in Q3 and RFQ's issued for major technology projects scheduled for FY18/19.
<b><i>Strategy: Identify and manage Council's risk</i></b>		
Disaster recovery review	Yes	Audit completed, significant savings (almost \$50,000) may be achieved due to identification of a highly cost effective solution. To be implemented Q3.
Lost time injury frequency rate	Indicator	Q2 = 0 YTD
Overall financial sustainability risk rating	Indicator	Reported at end of financial year.
Percentage of planned hazard inspections undertaken	Indicator	Q2 = 4 YTD
<b><i>Strategy: Manage our financial resources sustainably</i></b>		
Procurement policy and procedures update	No	No further update.
Ability to pay debts: Non-current liabilities as a percentage of own source revenue*	Indicator	Reported at end of financial year.
Available revenue: Adjusted underlying surplus (or deficit) as a percentage of underlying revenue*	Indicator	Reported at end of financial year.
Working capital: Current assets as a percentage of own source revenue*	Indicator	Reported at end of financial year.
<b><i>Strategy: Provide an excellent customer experience</i></b>		
Customer request management improvement	Yes	Workshops held to discuss customer request management requirements in Q2, RFQ to be issued in Q3.
Customer excellence policy	No	Discussions held with management group to plan actions that move organisation towards customer promise aspirations.
Community satisfaction with customer service provided	Indicator	70 (2018 result).

## Disaster Recovery Strategy

Council's strategy for disaster recovery was reviewed during Q2. A highly cost effective solution was identified saving almost \$50,000 or half of the replacement budget. The solution will be implemented in Q3.

## Health and Safety Representative Training

Council's freshly appointed Health and Safety Representatives completed their five days of training in Q2 and are well equipped to aid Council in the identification of ongoing health and safety improvements across our workplaces.

## Customer Service Statistics

Council's Customer Service team commenced internal quarterly reporting on key statistics. In Q2, the team:

- Answered 5,805 phone calls
- Processed 2,523 emails (excluding 'spam')
- Banked 1,237 receipts

A peak in receipts processing was experienced in the first few days of December due to 2nd instalment rates notices being due 30th November. Volumes dropped from approximately 90 calls and 40 emails a day to 20-30 calls and 10-15 emails a day over the Christmas closure period, during which time customers received the message that the Council Offices were closed and to call After Hours for urgent requests. No complaints were received regarding the closure. The team will be able to start quarterly trend reporting from the next quarter.

## Strategic Objective 3: Incredible places for our community and visitors

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<i>Strategy: Deliver Council's capital works program on time, to budget, and to the satisfaction of stakeholders</i>		
Alpine Better Places - Myrtleford	Yes	Construction of the Stage 1 - Standish Street Roundabout was completed in 2017/18. The first phase of Stage 2 construction was completed prior to Christmas 2018. Works completed included the Jubilee Park upgrade, as well as the south side of Myrtle Street. The remaining works on the north side of Myrtle Street will be completed prior to Easter (mid-April) 2019.
Myrtleford Indoor Sports Stadium expansion	Yes	Construction works have commenced with completion of the project anticipated to be in August 2019.
Myrtleford Library upgrade	Yes	Construction is due to commence in February 2019 for completion in April 2019.
McNamara Reserve netball and tennis facilities	Yes	Construction works have commenced with completion of the project anticipated to be in March 2019.
Alpine Events Park	Yes	The majority of the Alpine Events Park project works are complete. The major components which remain outstanding are the pump track and landscaping around the new pavilion. These works are anticipated to be completed by the end of March 2019.
Refurbishment of Bright Council office	No	A contract has been awarded and construction is anticipated to commence in January 2019 for completion in April 2019.
Deliver renewal programs for Council assets	No	All renewal projects have been resourced with project managers and are being prepared for implementation of the works prior to the end of 2018/19 financial year.
Ratio of capital works program actually delivered compared to budgeted	Indicator	Reported at end of financial year.
<i>Strategy: Identify our community's infrastructure expectations</i>		
Community access to our project pipeline	Indicator	The community was provided access to Council's Project Dashboard in late 2017/18. The Project Pipeline was released to the community in December 2018.



## Partial completion of the Myrtleford Alpine Better Places project

The majority of the Myrtle Street streetscape and Jubilee Park upgrade works were completed on time and budget just prior to Christmas 2018.

These works have transformed Jubilee Park with new paths, lighting and park furniture, a new barbeque shelter, a viewing platform over Happy Valley Creek, a bus shelter and totally renovated public amenities.



The south side of Myrtle Street has also been completed with the footpath paving widened and upgraded, street trees planted and new street furniture added along the street. The road width has been reduced to one lane, parking has been retained and a bicycle lane has also been included. The centre median has been renewed with new street trees, turf and garden beds.



The \$2,283,000 Alpine Better Places Myrtleford Stage 2 project is now 80% complete. The remaining works on the north side of Myrtle Street will be completed between February and April 2019.

## Installation of shade umbrellas at two Council facilities

Just in time for summer, shade umbrellas were installed at both the Mount Beauty Library and the Myrtleford Swimming Pool.

A single 3 metre wide umbrella was installed on the north facing deck at the Mount Beauty Library. This will allow staff and library patrons to make better use of the deck which overlooks Mount Beauty's pondage during the warm summer months.



Two 4 metre wide cantilevered umbrellas were also installed on the north side of the Myrtleford Swimming Pool. These retractable and adjustable umbrellas now provide shade to pool users on this very exposed side of the pool.



## Project pipeline

Council's Project Pipeline was released to the public in December 2018. It displays indicative timing for delivery of future projects, and is a useful tool for communities to see where a project may be sitting in the mid to long term.

Some of the longer-term projects are aspirational and would need large amounts of external funding to go ahead. Council will carry out the appropriate community engagement in investigating these options in the future.

The pipeline can be viewed here: <http://maps.alpineshire.vic.gov.au/pipeline>

## Completion of the 2014-19 Roads to Recovery program

Council received the final payment of the \$4.85 million income for the life of the 2014-2019 R2R program. Key projects delivered under the program include the following:

- Buffalo Creek Road Reconstruction - \$134,000
- Mount Beauty CBD Roads Upgrade - \$512,000 (Delivered under Mount Beauty Progressing Place)
- Morses Creek Road Reconstruction - \$145,000
- Merriang South Bridge Upgrade - \$160,000
- Freeburgh Bridge Replacement - \$282,000
- Harris Lane Bridge Upgrade - \$357,000
- Mafeking Square Precinct, Bright Road Upgrade - \$475,000 (Delivered under Alpine Better Places)
- Nicholson Street, Porepunkah Road Upgrade - \$592,000 (Delivered under Alpine Better Places)
- Standish Street Roundabout, Myrtleford - \$326,000 (Delivered under Alpine Better Places)
- Myrtle Street Upgrade - \$449,000 (Delivered under Alpine Better Places)

## Strategic Objective 4: Infrastructure and open space that our community is proud of

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<b>Strategy: Maintain Council's parks, trees and reserves</b>		
Elm Leaf Beetle treatment	Yes	Additional significant elms that are located on land under a Committee of Management have been mapped and treated. The treatment program is now complete.
<b>Strategy: Manage and maintain Council infrastructure</b>		
Deliver maintenance programs for civil infrastructure	No	New playground audit inspections to commence in early January. Maintenance of open space infrastructure has been undertaken in Mount Beauty and Myrtleford.
Undertake activities in accordance with Road Management Plan (RMP)	No	Scheduled inspections have been completed. Flood damage from the December 2018 event has been assessed.
Community satisfaction with sealed local roads*	Indicator	60 (2018 result).
<b>Strategy: Prepare for and assist in the response to emergency events</b>		
Undertake activities in accordance with Municipal Emergency Management Plan (MEMP)	No	Ongoing.
Audit of the Municipal Emergency Management Plan	Indicator	The audit is complete, and actions raised through the audit are being addressed.
<b>Strategy: Understand and plan for Council's asset renewal requirements</b>		
Asset management system implementation	Yes	Key functionality changes to asset management software are due to be completed before Q3. These changes will enable the rollout of the asset management system to be completed.

### Road stabilisation

Council's annual road stabilisation and patching program commenced in December 2018. The project involves rehabilitation of a range of identified road pavement defects throughout the Shire.

Works were mostly completed during December, with a small number due for completion in January 2019. A full list of roads affected by the patching and stabilisation was made available on Council's website. Thirteen roads across the Shire were identified for the program.

## Strategic Objective 5: Highly utilised and well managed community facilities

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<b>Strategy: Align services with community expectations</b>		
Kerbside organic service customer survey	Yes	Not yet commenced – forecast for Q3 2018/19
Trial of free green waste disposal weekends	Yes	Dates yet to be confirmed
<b>Strategy: Deliver quality services for our community</b>		
Deliver municipal waste and recycling services	No	Ongoing
Kerbside collection bins missed per 10,000 households*	Indicator	Q2 = 1.20 YTD.
Kerbside collection waste diverted from landfill*	Indicator	Reported at end of financial year
<b>Strategy: Soundly operate and manage community facilities</b>		
Review membership programs at Bright Sports Centre	No	Have introduced member after-hours access system to the facility.
Deliver visitor information centres, seasonal pools and sports centre services	No	Ongoing – additional hours of operation at Myrtleford pool and across both pools to accommodate recent heat wave conditions. Myrtleford pool opening hours for morning lap swimmers also increased, bringing the operating hours in line with Mount Beauty pool.
Libraries website update	Yes	Not yet commenced.
Deliver library services including specialist programs and activities	No	Ongoing programs continue to be delivered, with summer school holiday programs commencing early in Q3.
Cost of indoor aquatic facilities per visit*	Indicator	Reported at end of financial year.
Cost of outdoor aquatic facilities per visit*	Indicator	Reported at end of financial year.
Number of visits to aquatic facilities per head of municipal population*	Indicator	Q2 = 0.88 visits YTD (note that the opening of Mount Beauty pool was delayed by four weeks).
Cost of library services per visit*	Indicator	Reported at end of financial year.
Percentage of the population that are active library members*	Indicator	Q2 = 14.97% YTD.

## Libraries satisfaction survey

A satisfaction survey was conducted across Alpine's library patrons with strong positive results. 95.4% of respondents were satisfied with their library service (including 60% that were very satisfied), 95.4% of respondents felt that library staff were approachable and helpful, and 90.2% said that the library has the type of books they want to read. Key feedback was a desire for more digital literacy education for older patrons, and relevant short programs are now being investigated.

## Teddy Bear's picnic

The teddy bears of the Shire had a lovely time at Bright Library's teddy bear sleepover in October. Children were able to drop off their teddy bears in the afternoon and receive photos from the sleepover the next day.

## Library funding

The High Country Library Network was once again successful in securing Premier's Reading Challenge funding to support regular reading from an early age. The funding will enable reading resources to the value of approximately \$26,000 to be purchased for libraries across Alpine, Wangaratta, Benalla and Mansfield council areas.

## Harrietville green waste facility

Council entered into a lease of land with the Harrietville Community Forum for the purpose of operating a community green waste facility. The intent is for participating residents to dispose of green waste at the facility for processing and collection as mulched material. The community objective is to provide a local solution to disposal of green waste, to provide a recycling solution for locally generated green waste and to decrease dumping and or burning of green waste in the community.

## Alpine Events Centre Pioneer Park, Bright

Council's Facilities team received handover of the Alpine Events Centre at Pioneer Park during Q2. The Alpine Events Centre has received a number of bookings for both the function space and meeting room, and was used at key events such as Rod Run and Spring Festival. The Alpine Events Centre provides the community with a modern function space including kitchen / bar and separate meeting room with kitchenette and indoor / outdoor areas. The lower level of the Centre includes four new change rooms, first aid room, umpire rooms, additional toilets and storage room.

## Transfer stations

A tender for the Operation and Management of Council's three waste transfer stations was run with a contract being awarded at the November 2018 Council meeting. One of the key objectives of the contract is to provide for improved consistent levels of service and site management. This is to be achieved by having an experienced waste facility officer working within the team across all three sites. The initial contract was awarded for 3 years with one x 3 year option commencing 1 January 2019.

## Detox your home

A "Detox Your Home" day was held in conjunction with Sustainability Victoria (SV) in December 2018. The session provided free disposal of a range of household chemicals and cleaning products for the community. This was the first Detox Your Home drop off day offered to Alpine Shire since June 2013. Council has been lobbying SV for a number of years for this to occur.

## Waste

As a result of increasing levels of waste being generated in and around Bright, in particular public place waste during the Spring event season and summer school holidays, measures have been put in place to ensure there is sufficient space for both public place waste and community waste brought to the Porepunkah Transfer Station. These have included adding a third 35m<sup>3</sup> bin for waste disposal at the transfer station, setting aside one bin specifically for public place waste and also diverting public place waste from Porepunkah Transfer Station to Myrtleford Transfer station as required.

## Mount Beauty pool

Opening of the Mount Beauty pool was delayed until mid-December due to delays in capital works being undertaken on the pool. A number of associated operational issues arose or were identified upon commissioning of the pool. Due to the delay, Council offered the community a discount on the Early Bird Family Pass with the price reduced to \$42.50 for this season. Access to use of the Myrtleford pool was provided free of charge for schools who would usually use the Mount Beauty pool in November and December. Issues with the pool plant have been assessed and operating procedures have been put in place to ensure the system operates effectively until required replacement of parts occurs.

## Strategic Objective 6: A well planned and safe community

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<b>Strategy: Enforce local laws, regulations and codes</b>		
Undertake a review of Local Laws	Yes	Draft Community Local Law complete. Community consultation program commenced with draft Local Law exhibited for public submissions. Submissions and draft review on target for review first quarter 2019.
Implement Domestic Animal Management Plan (DAMP) initiatives	Yes	DAMP implemented. The Desex Your Pet month was very successful.
Issue permits and enforce compliance for building, local laws, and environmental health	No	Council continues to deal with a large workload associated with compliance and issuing permits. Annual renewal of Environmental Health premises was commenced in October. A detailed bulk food safety communication was issued with the food renewals to encourage an improvement in compliance with the <i>Food Act 1984</i> .
Percentage of required food safety assessments undertaken*	Indicator	37.5% of required food safety assessments were completed during the 2018 calendar year. Council has been focusing on quality of inspections, targeting food processes, and ensuring follow up of non-compliance. This has resulted in less assessments being undertaken of Class 2 premises but improved food safety outcomes for inspected premises. Non-assessed premises will be assessed as first priority in 2019.
<b>Strategy: Plan for and manage development to enhance liveability</b>		
Land Development Strategy	Yes	Resourcing constraints and, waiting for the NECMA delivery of the Upper Ovens Flood Study have delayed project start. Project being assessed for suitability to apply for VPA grant funding in April 2019.
Issue permits and enforce compliance for statutory planning	No	Council received 148 planning permit applications in the first half of 2018/19, consisting of 111 new permit applications, and 37 amended permit applications. Council issued 147 outcomes, which included 106 new permits issued, and 34 amended permits issued.
Undertake planning amendments	No	No planning amendments undertaken in Q2 due to resourcing constraints in strategic planning.
Percentage of planning applications processed within 60 statutory days*	Indicator	Q2 = 82.31% YTD (includes all decisions made within statutory timeframes).
Time taken to decide planning applications*	Indicator	Q2 = 28 days YTD.

## **Strategic documents on public exhibition**

The draft Domestic Wastewater Management Plan and draft Community Local Law were completed and released for public submissions at the November 2018 Council meeting. Public information sessions were held during December regarding both plans.

These documents are due for presentation to Council in Quarter 3.

## **River pool monitoring**

The river pool water quality monitoring program commenced in December 2018 to ensure the supervised river pools in Bright and Porepunkah and the toddler's pool in Porepunkah are safe for the community over the Summer peak period. This program will run until the end of January 2019.

## **Food sampling**

Mandatory food sampling was undertaken in October and November 2018. This sampling is required as part of Council's obligations under the *Food Act 1984*.



## Strategic Objective 7: A thriving and connected community

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<b><i>Strategy: Create socially connected and supported communities</i></b>		
Deliver Maternal Child Health services	No	Ongoing. Delivery of additional requirements of the Enhanced MCH program as funded are underway.
Introduce Supported playgroups	Yes	Playgroup facilitation commenced in Myrtleford in Q2. Myrtleford P12 College is working in partnership with Council's facilitator to deliver the program from the school. Home visits with enrolled playgroup families have commenced.
Participation in the Maternal Child Health service*	Indicator	Q2 = 94.74% YTD
Percentage of people who volunteer in the community	Indicator	0
<b><i>Strategies:</i></b> <b><i>Improve healthy eating and physical activity</i></b> <b><i>Stop family violence against women and children</i></b> <b><i>Reduce the incidence of alcohol and other drug related harm</i></b>		
Provide community programs from youth to seniors	No	Community Grant projects are well underway with 60% of projects complete at the end of Q2. Youth programs delivered over Q2 include: FReeZA events (cinema night in Myrtleford), skate park event in Bright) and Halogen Young Leadership Conference attended by 50 secondary students from across the Shire.
<b><i>Strategy: Strengthen visitor attraction and experience</i></b>		
Provide support for tourism including events and destination marketing	No	Quarter 2 events were delivered as planned. November continues to be the busiest month of the year for number and scale of events delivered with the assistance of Council. It is estimated that the events delivered in November alone contributed approximately \$13million into the local economy. Spartan has delivered the third event of a three year agreement and is currently working with Council to continue to hold the Trifecta event for a further 3 years. Destination marketing activity continues to be delivered as budgeted and planned.
Implement an Events Management system	No	Stage 2 of the Event Delivery Review project is almost complete with recommendations being presented to Council officers and Councillors planned for Q3.
Number of permitted festivals and events in the Alpine Shire	Indicator	Reported at end of financial year.
Visitor numbers	Indicator	Reported at end of financial year.

Initiative / Indicator	Major initiative?	Progress to 31 December 2018
<i>Strategy: Support and encourage investment and enterprise</i>		
Mount Buffalo business case and activation assessment	Yes	The Task Force has focussed efforts in the following two areas over the reporting period: 1. Advocating for funding to be allocated to enable the 'Café in the Chalet' proposal to be implemented; and 2. Engaging with planning specialists in Council, DELWP and ParksVic in relation to the current planning scheme applicable to development across Mount Buffalo.
Provide economic development advice for businesses	No	Ongoing.
Increase small business and light industry in the Shire	Indicator	Reported at end of financial year.

## Events

Quarter 2 continues to be the busiest quarter of the calendar year for event delivery across the Shire. A number of large scale events are delivered annually throughout November, including the Bright Spring Festival (which includes a number of sub-events as well as the festival fireworks display delivered on Melbourne Cup Weekend); Four Peaks; Bright's Iconic Rod Run; Spartan Trifecta Weekend, Great Victorian Bike Ride and Tour of Bright. This year, Bright's Iconic Rod Run and the Spartan Trifecta events experienced high participation growth compared to previous years. It is estimated that the total economic benefit of events delivered throughout November is \$13 million across the Shire.



## Celebration of Business

The inaugural 'celebration of business' event was held in this quarter. The celebration of business event celebrates the hard work of our business community, while encouraging collaboration, networking and communication. This event replaces the traditional Business and Tourism Awards. Operators have been able to take part in development of short promotional videos for their businesses which they can use to promote their businesses through their marketing platforms as well as the Shire tourism websites (regional digital platform). 60+ businesses participated in the event.

## Halogen

Fifty students from across the Shire attended the Halogen Young Leadership conference in Melbourne. This initiative is an annual event that Council offers as a result of the Engage! funded program of the Victorian Government. During the day young leaders hear from others who are leaders in their chosen career fields. This year's program of speakers included Leisel Jones (Olympic swimmer), Cosentino (Illusionist), and Holly Ferling (Australian Women's Cricket).

COUNCIL POLICY

# Revenue and Debtor Management

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DOCUMENT UNCONTROLLED WHEN PRINTED

## DOCUMENT CONTROL

<b>Policy number</b> 102	<b>Status</b> Draft	<b>Approved by</b> Council
<b>Date approved</b>	<b>Next review date</b> February 2022	
<b>Directorate</b> Corporate	<b>Department</b> Corporate	<b>Internal / External</b> External

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## REVISION RECORD

<b>Date</b>	<b>Version</b>	<b>Revision description</b>
07/06/2016	1.0	Endorsed by Finance Committee
23/01/2019	2.0	Updated to incorporate the Application for Financial Hardship Policy, the Debt Write Off Policy and the Sale of Occupied Land for Unpaid Rates and Charges Policy

## 1. Purpose

Alpine Shire Council (Council) relies on income from rates, grants, leases, fees and charges to fund its operations. Good revenue and debtor management practises are essential in enabling Council's income to be collected effectively.

Policy objectives include ensuring that the collection of debts is undertaken equitably (that is, fairly and impartially), consistently, efficiently, effectively and in accordance with good governance.

## 2. Scope

This policy applies to Council employees and contractors who have responsibility to collect payments due to Council.

Council may engage a debt collection agency to assist with collection of outstanding rates and charges. Council staff responsible for overseeing the activities of debt collection agencies ensure that practises are applied in line with this policy.

This policy does not apply to transactions where the payment is received prior to the receipt of works, services or permits by the customer. Receipt of these payments is governed by the Cash Handling Policy.

## 3. Policy details

### 3.1 Invoicing

Invoices are to be raised whenever goods or services are provided by Council prior to payment being made by the recipient of those goods or services. For example invoices may be raised for grant income, lease and license income, and provision of services such as waste collection or use of sporting facilities.

It is the responsibility of the officer that provides the good or service to ensure that the invoice is raised, and also to raise any credit notes where required. Invoice and credit note requests are to be lodged with Finance who will record the associated revenue in the general ledger.

Regular accounts may be established for credit worthy debtors where there is a genuine business need that has been approved by the relevant Manager. Where there is any doubt, Finance should be contacted to assist with obtaining a credit check.

All invoices are to be charged as per the fees and charges schedule in the current Council budget or as per the relevant legislation.

### 3.2 General Management of Outstanding Debt

#### Aging Debtor Management

The following actions are to be undertaken for debts that are outstanding beyond Council's standard terms of 30 days:

- 31 - 60 days: debtor statement to be sent including a reminder of payment being overdue.
- 61 - 90 days: a second debtor statement to be sent including a reminder of payment being overdue.

- 91 - 120 days: contact to be made with the debtor to remind them of payment being overdue and to organise a payment arrangement if necessary. Debtor may also be advised that legal action may be commenced if payments are not received within the stipulated timeframe.
- 120+ days overdue: amounts 120 days and over require direction from the relevant manager (or the responsible officer in their team) in relation to:
  - a. Whether debt collection proceedings are to commence for pursuit of legal recovery of the debt at the expense of the relevant area;
  - b. Whether there are any special circumstances relating to the debt that justify the recovery action to be held for any reason; or
  - c. Whether the debt is recoverable and if the debt should be recommended to be written off. This may have budgetary implications.

#### Payment Arrangements

Any person, organisation or company who is having difficulty in paying their debt is encouraged to contact Council. The responsible officer may raise a request with Finance to establish a personal payment arrangement with the debtor to pay off the debt in a reasonable and manageable timeframe. For example, the plan may involve making a weekly payment of an agreed amount until the debt is paid in full.

#### Provision for Doubtful Debts

An annual review shall be undertaken of long outstanding debts for the purposes of maintaining a provision for doubtful debts based on the following factors:

- All debts known to be doubtful shall be included in the provision, for example if a debtor is known to have gone into liquidation; and
- Debts aged over 90 days will be reviewed and a proportion of these debts maybe included in the provision, as deemed appropriate.

#### Write-Off of Bad Debts

All cost effective actions to recover debt should be taken by Council officers. Debts may be written-off either when Council is unable to collect the debt or when Council chooses not to collect a debt for compassionate reasons.

The reason for proposing the debt write-off must be clearly documented, and authorised by either the Manager Corporate and the Director Corporate (up to \$30,000) or the Director Corporate and the Chief Executive Officer (up to \$50,000). Write-offs over \$50,000 must be authorised by Council.

### 3.3 Outstanding Rates and Charges

Council will enforce the legislative powers available under the *Local Government Act 1989* ('the Act') in the pursuit of outstanding rates and charges.

#### Interest

In line with Section 172 of the Act, Council may require debtors to pay interest on outstanding rates and charges. The interest is calculated at the rate fixed under section 2 of the Penalty Interest Rates Act 1983.

Council may choose to reduce or waive interest if there are extenuating circumstances, for example due to Council error in processing the applicant's correct mailing address, or in the case of hardship. Interest waivers must be authorised by the Rates Coordinator or a higher officer based on the amount being waived being within the relevant officer's financial delegation.

#### Payment Plans

The Rates Coordinator or responsible Customer Service Officer may arrange a personal payment arrangement with the debtor to pay off the debt in a reasonable and manageable timeframe.

Terms of payment plans may be renegotiated on amount payable, incidence or length. Any interest will continue to accrue according to the renegotiated terms.

#### Financial Hardship Assistance

Financial hardship assistance may be granted to individuals experiencing hardship with regard to the rates on their primary residence. Applications for assistance for residential investment, commercial or industrial properties will not be granted.

A debtor seeking hardship assistance must request assistance from Council and provide complete details of the circumstances preventing them from meeting their financial obligation to Council. Following a review of this information, approval of hardship assistance must be authorised by the Director Corporate up to their financial delegation, or otherwise by the Chief Executive Officer. Any information provided for this assessment will be treated as strictly confidential.

Council may offer the following forms of financial hardship assistance:

**Deferral of Payment:** Section 170 of the Act allows Council to defer, in whole or in part, the payment of rates for a specified period. Rates and interest continue to accrue throughout the period, unless interest is otherwise reduced or waived.

**Waiver of Rates:** Section 171A of the Act allows Council to waive, in whole or in part, any rate or charge, or any interest imposed for late payment. This provision is generally only used in extenuating circumstances involving serious illness or death or severe financial hardship, where the ratepayer is seeking professional financial assistance from a recognised financial counsellor or similarly qualified person. Council does not waive rates as a general rule. This is to ensure that financial hardship assistance approved for one ratepayer does not have a re-distributional effect on the rate base.

All waivers must be authorised by either the Manager Corporate and the Director Corporate (up to \$30,000) or the Director Corporate and the Chief Executive Officer (up to \$50,000).

Waivers over \$50,000 must be authorised by Council.



Hardship assistance may be terminated if Council deems that the debtor's circumstances have changed so that the payment of the outstanding debt would no longer cause hardship to the person, or if the debtor no longer owns or occupies the land to which the rate or charge was levied.

#### Sale Of Land For Unpaid Rates and Charges

In line with Section 181 of the Act, Council may sell occupied and unoccupied land for the recovery of outstanding rates and charges where a) rates are more than three years overdue, b) no current payment arrangement exists, and c) Council has a court order requiring payment.

Council may sell the land or have it transferred to itself for a value equal to or more than the estimated value of the land as set out by a valuer not more than 6 months before the date of sale or transfer.

Council may recover from the proceeds all expenses incurred in connection with the sale or transfer, any enforcement expenses and interest, and any other amount due in respect of rates and charges. Any remaining amount must be used to discharge any other charges in respect of the land, and then any further remaining amount must be paid to each person who appears to have an interest or estate in the land.

## 4. Roles and responsibilities

The following positions are responsible for implementing, reviewing and advising on this policy:

<b>Responsibility</b>	<b>Role / Position</b>
Overseeing general outstanding debts	<ul style="list-style-type: none"> <li>Finance team</li> </ul>
Overseeing outstanding rates and charges, approving applications for financial hardship payment plans and approving applications for payment deferrals	<ul style="list-style-type: none"> <li>Rates Coordinator</li> </ul>
Assisting with determination of appropriate debt collection actions	<ul style="list-style-type: none"> <li>Manager and / or officer responsible for providing relevant goods and services</li> </ul>
Approving all write-offs and rate waivers	<ul style="list-style-type: none"> <li>Manager Corporate and Director Corporate (up to \$30,000)</li> <li>Director Corporate and Chief Executive Officer (up to \$50,000)</li> <li>Council (over \$50,000)</li> </ul>
Approving this policy	<ul style="list-style-type: none"> <li>Council</li> </ul>

## 5. Breaches

Failure to comply with Council policy, supporting procedures or guidelines, 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

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Local Government Act 1989*

### Related Guidelines, Operational Directives or Policies

- *Cash Handling Policy*
- *Annual Budget: Rating Policy and Fee Schedule*

## 8. Definitions and abbreviations

Term	Meaning
Bad Debts	A bad debt expense is incurred when Council abandons its claim to the amount owing where there is no reasonable prospect of collection or the costs of collection are expected to be greater than the amount owed.
Credit	Credit refers to the purchase and provision of goods and / or services from Council by debtors on the basis of a promise to pay at a future time.
Debt (Goods and/or Services)	Debt is the amount (of money) owed by a debtor as a result of a credit transaction with Council.
Debt (Rates and Charges)	Overdue amounts of rates, charges and/or interest, in accordance with Part 8 of the Local Government Act 1989.
Financial Hardship	Financial hardship applies where a ratepayer demonstrates a severely diminished ability to fulfil their financial obligations to Council and where hardship assistance through alternative payment plans and/or deferral of payments may be of assistance.

## 9. Approval

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed this 5th day of  
February 2019 in the  
presence of:

.....

COUNCILLOR

.....

COUNCILLOR

.....

CHIEF EXECUTIVE OFFICER

**RECORD OF ASSEMBLY OF COUNCILORS**

**Meeting Title:** Briefing Session  
**Date:** 27 November 2018  
**Location:** Committee Room, Bright Office  
**Start Time:** 3.00pm  
**Chairperson:** Cr Ron Janas, Mayor

**Councillor and staff attendees:**

<b>Name</b>	<b>Position</b>	<b>Name</b>	<b>Position</b>
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Will Jeremy	Director Assets
Cr Tony Keeble	Councillor	Nathalie Cooke	Director Corporate
Cr John Forsyth	Councillor		
Cr Daryl Pearce	Councillor		
Cr Peter Roper	Councillor		
Cr Kitty Knappstein	Councillor		

**Councillor and staff apologies:**

<b>Name</b>	<b>Position</b>

**1. Conflict of interest disclosures**

Nil

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

Nil

**3. Matters considered**

- Councillor only time
- External presentation – Spartan
- Alpine Community Plantation
- Myrtleford Library Upgrade Tender
- Buckland Bridge Update
- Dinner Plain Mountain Bike Trails
- Appointment of Councillors to Committees
- Planning Application discussion
- Council meeting procedures
- Ordinary Council Meeting Agenda Review

**RECORD OF ASSEMBLY OF COUNCILORS**

**Meeting Title:** Briefing Session  
**Date:** 4 December 2018  
**Location:** Committee Room, Bright Office  
**Start Time:** 5.00pm  
**Chairperson:** Cr Ron Janas, Mayor

**Councillor and staff attendees:**

<b>Name</b>	<b>Position</b>	<b>Name</b>	<b>Position</b>
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Will Jeremy	Director Assets
Cr Tony Keeble	Councillor	Nathalie Cooke	Director Corporate
Cr John Forsyth	Councillor		
Cr Daryl Pearce	Councillor		
Cr Peter Roper	Councillor		
Cr Kitty Knappstein	Councillor		

**Councillor and staff apologies:**

<b>Name</b>	<b>Position</b>

**1. Conflict of interest disclosures**

Nil

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

Nil

**3. Matters considered**

- Councillor only time
- Ordinary Council Meeting Agenda review

**RECORD OF ASSEMBLY OF COUNCILLORS**

**Meeting Title:** Briefing Session  
**Date:** 19 December 2018  
**Location:** Committee Room, Bright Office  
**Start Time:** 5.00pm  
**Chairperson:** Cr Ron Janas, Mayor

**Councillor and staff attendees:**

<b>Name</b>	<b>Position</b>	<b>Name</b>	<b>Position</b>
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Will Jeremy	Director Assets
Cr Tony Keeble	Councillor	Nathalie Cooke	Director Corporate
Cr John Forsyth	Councillor		
Cr Daryl Pearce	Councillor		
Cr Peter Roper	Councillor		
Cr Kitty Knappstein	Councillor		

**Councillor and staff apologies:**

<b>Name</b>	<b>Position</b>

**1. Conflict of interest disclosures**

Nil

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

Nil

**3. Matters considered**

- Councillor only time
- Special Council Meeting Agenda review

**RECORD OF ASSEMBLY OF COUNCILORS**

**Meeting Title:** Briefing Session  
**Date:** 22 January 2019  
**Location:** Pavilion at Alpine Events Park Bright  
**Start Time:** 3.00pm  
**Chairperson:** Cr Ron Janas, Mayor

**Councillor and staff attendees:**

<b>Name</b>	<b>Position</b>	<b>Name</b>	<b>Position</b>
Cr Ron Janas	Mayor	Will Jeremy	Acting CEO
Cr Kitty Knappstein	Councillor	Nathalie Cooke	Director Corporate
Cr Tony Keeble	Councillor		
Cr John Forsyth	Councillor		
Cr Daryl Pearce	Councillor		

**Councillor and staff apologies:**

<b>Name</b>	<b>Position</b>		
Cr Sarah Nicholas	Deputy Mayor	Charlie Bird	Chief Executive Officer
Cr Peter Roper	Councillor		

**1. Conflict of interest disclosures**

Nil

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

Nil

**3. Matters considered**

- Councillor only time
- Budget timetable
- Banking tender recommendation
- Porepunkah Bridge Caravan Park and Tawonga Caravan Park Business Case
- Bright United Football and Netball Club Licence
- Planning application : Dunstans Track
- Ordinary Returns and Third Party related forms
- Nil Gully Flood Remediation update