



Alpine Shire

ORDINARY COUNCIL MEETING

MINUTES

M4 – 7 May 2019

The Pavilion at Pioneer Park, Bright

7:00pm



Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held at The Pavilion at Pioneer Park, Bright on **7 May 2019** commencing at **7:00pm**.

AGENDA

1	RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS.....	3
2	ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, and RECOGNITION OF ALL PEOPLE.....	3
3	CONFIRMATION OF MINUTES.....	3
3.1	ORDINARY COUNCIL MEETING – M3 – 2 April 2019.....	3
4	APOLOGIES.....	3
5	OBITUARIES / CONGRATULATIONS.....	3
6	DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST.....	4
7	PUBLIC QUESTIONS	4
8	PRESENTATION OF REPORTS BY OFFICERS.....	5
8.1	CHIEF EXECUTIVE OFFICER – CHARLIE BIRD.....	5
8.1.1	Contracts approved by the CEO.....	5
8.2	DIRECTOR ASSETS – WILLIAM JEREMY.....	6
8.2.1	Ranch Road Drainage Upgrade.....	6
8.3	DIRECTOR CORPORATE – NATHALIE COOKE.....	8
8.3.1	Audit Committee Meeting No. 2018/19-4, 22 March 2019.....	8
8.3.2	Instruments of Delegation.....	12
8.3.3	Revocation of Employee Leave Policies	16
8.3.4	Proposed Installation of a Memorial Stone in Apex Park, Bright	18
8.3.5	Planning Application 5.2018.210.1 - 68 Delany Avenue	22
8.3.6	Planning Application 5.2018.150.1 - Use and Development of Land for Stone Extraction	47
8.3.7	Planning Application 5.2018.206.1 - Use and Development of the land as an outdoor recreation facility.....	68
9	ASSEMBLY OF COUNCILLORS.....	95
10	GENERAL BUSINESS	96
11	MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN.....	96
12	RECEPTION AND READING OF PETITIONS	96
13	DOCUMENTS FOR SEALING.....	97



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 – M3 – 2 APRIL 2019

Cr Nicholas

Cr Keeble

That the minutes of Ordinary Council Meeting M3 – 2 April 2019 as circulated be confirmed

Carried

4 APOLOGIES

Nil

5 OBITUARIES / CONGRATULATIONS

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



6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST

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; 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 Forsyth
Cr Nicholas*

That the Contracts approved by the CEO be noted.

Contract No:	CQ19009	Process:	Request for Quotation
Title:	Porepunkah Airfield Drainage Works		
Tenderer:	Stadelmann Enterprises		
\$ (excl. GST):	\$84,921.00		

Contract No:	CQ19001	Process:	Request for Quotation
Title:	Alpine Events Park – Pump Track		
Tenderer:	Bright Trails		
\$ (excl. GST):	\$48,255.00		

Contract No:	CQ18055	Process:	Request for Quotation
Title:	Supply of 40mm crushed rock for annual gravel re-sheet program		
Tenderer:	Indigo Shire Council		
\$ (excl. GST):	\$86,400		

Contract No:	CQ18056	Process:	Request for Quotation
Title:	Hire of Truck, Trailer and Operator to cart gravel for annual gravel re-sheet program		
Tenderer:	Contracts awarded based on schedule of rates to various contractors		
\$ (excl. GST):	\$70,000		

Carried



8.2 DIRECTOR ASSETS – WILLIAM JEREMY

8.2.1 Ranch Road Drainage Upgrade

File Number: CT18078

INTRODUCTION

This report relates to the award of a contract for the upgrade of drainage infrastructure on Ranch Road and the Kiewa Valley Highway in Tawonga South. The scope of work involves the replacement of the existing table drain on the northern side of Ranch Road with a system of underground drainage pipe and pits and the removal of open corrugated pipe on the Kiewa Valley Highway.

Cr Keeble

Cr Pearce

That Council awards Contract No. 1807801 for "Ranch Road Drainage Upgrade" to Hutchinson Civil for the lump sum price of \$148,668 + GST.

Carried

BACKGROUND

The lower portion of Ranch Road in Tawonga South is situated within a steep catchment fed by a number of stormwater sources. Most of the existing drainage infrastructure servicing Ranch Road is open table drain and during periods of heavy rain, two private properties receive a significant volume of overland flow through an existing open drain running through the two properties.

A drainage design was completed in 2017 which formed the basis of this tender.

The tender was advertised in January 2019. However, only one response was received which significantly exceeded the allocated budget.

The tender was subsequently readvertised in the local newspapers on 23 February and appeared on the Alpine Shire Council website and tenders.net from 22 February to 8 March 2019.

The tender was downloaded by eight companies and two conforming responses were received by the closing date.

EVALUATION

The evaluation panel consisted of the Project Manager and Manager Asset Development.

The tenders were evaluated according to the key selection criteria contained in the Invitation to Tender as follows:

- Price
- Qualifications & Previous Experience
- Delivery
- Social



The preferred tenderer was invited to clarify aspects of their tender and provide further detail on their proposed methodology, program and the experience of the nominated personnel proposed to undertake the works. Through this evaluation process it was determined that the tender from Hutchinson Civil best met the selection criteria.

ISSUES

The need for additional drainage works not included in the Request for Tender was identified following a storm event in March 2019. The most cost-effective way for Council to deliver these additional works is for them to be included into the scope of the contract. Inclusion of the relatively minor additional works does not impact on the outcome of the tender evaluation process.

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

The total budget for the project is \$110,000. The project is partially funded by VicRoads' Kiewa Valley Highway Road Safety Program (\$40,000) and the balance is funded by Council.

Acceptance of the tender from Hutchinson Civil will result in a budget overspend of \$38,668.

CONSULTATION

The two major stakeholders affected by the project are the owners of two properties which take a significant proportion of the current stormwater flow through to the Kiewa Valley Highway. Council will continue to liaise with these affected residents, as well as the surrounding properties throughout the implementation of the works.

CONCLUSION

Following a comprehensive tender evaluation assessment, the Tender from Hutchinson Civil 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
- Project Manager



8.3 DIRECTOR CORPORATE – NATHALIE COOKE

8.3.1 Audit Committee Meeting No. 2018/19-4, 22 March 2019

File Number: 0900.06

INTRODUCTION

The purpose of the report is to present the minutes and recommendations of the Audit Committee meeting held on 22 March 2019.

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

- VAGO report on delivering local government services
- Business systems review
- Financial systems migration audit
- Audit Committee Charter review
- Health and safety report

The Committee also received updates on a number of ongoing action items as well as the 2019/20 budget process and timeframe.

Cr Forsyth

Cr Knapstein

That Council:

- 1. Receive and note the minutes of the 22 March 2019 Audit Committee Meeting No.2018/19-4;*
- 2. Revoke Audit Committee Charter, Version 2.0, 2017;*
- 3. Adopt the updated Audit Committee Charter, Version 3.0, 2019 and sign and seal the Charter at the appropriate stage of the meeting; and*
- 4. Adopt the confidential 2018/19 Quarter 2 Health and Safety Report.*

Carried

BACKGROUND

Council's Audit Committee is established 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. 2018/19-4 held on 22 March 2019.

ISSUES

VAGO report on delivering local government services

The Victorian Auditor General (VAGO) report on Delivering Local Government Services examined whether councils effectively plan for and deliver cost-efficient services that meet community needs. It also benchmarks councils' expenditure on



corporate services and examines how councils look for and achieve efficiencies in corporate services.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council's approach to ensuring the efficient and effective delivery of services that meet community needs is sound and fit-for-purpose.

Business systems review

Council engaged Corporate Strategic Systems consultancy to undertake a review of its business systems needs including broader considerations such as strategic direction and systems architecture. This review responds to the identification by VAGO in its 2018 Final Management Letter, that Council has no formal ICT strategy, and no ICT steering committee directing ICT actions as well as providing a holistic approach to the implementation of improved systems to support the efficient and effective operation of Council's functions.

Council's current business systems comprise an enterprise system and a number of dedicated systems handling specialist functions.

The Committee noted that the review delivers a roadmap of systems initiatives with key objectives of reducing manual effort and risk, and improving customer and community outcomes. The implementation of recommended initiatives, prioritised on the basis of cost, benefit and risk, will be monitored by the Committee.

Financial systems migration audit

During FY17/18, Council conducted a financial systems migration to enhance the efficiency, accuracy and compliance of payment processes, including the use of cloud based systems, Xero for accounting and accounts payable functions, and ApprovalMax for digitising purchase orders and goods receipting.

Council engaged Crowe Horwath to undertake an internal audit of this systems migration to review the efficiency and effectiveness of risk controls and payment processes.

The Committee noted that the audit found that Council's accounts payable process is functioning adequately. The implementation of the identified risks and associated recommendations will be monitored by the Committee.

Audit Committee Charter Review

The current Audit Committee Charter was reviewed in March 2017 and updated then to generally improve the structure and wording and provide greater clarity in sections relating to authority, recruitment, appointment, remuneration and meetings. The current 2017 and revised 2019 Charter are aligned with Local Government Victoria's Audit Committees: A Guide to Good Practice Guide for Local Government, January 2011.



The Health, Safety and Risk Officer has reviewed the charter ensuring continued alignment with Local Government Victoria's guidelines and benchmarking against recently reviewed charters from eight other councils. The review also considered the recommendations of the Victorian Auditor-General's report Audit Committee Governance August 2016 which made recommendations for state government department audit committees on committee governance and operations (composition, capability, induction, effective operational support and performance evaluation), overseeing risk management and internal audit, and monitoring implementation of audit actions.

The Charter has been updated by making minor modifications to most sections of the Charter to provide improved clarity without changing the intent including the use of new section or sub-section headings.

More significant changes proposed are the inclusion of new sections relating to:

- Liability indemnity;
- Induction;
- Resignation, retirement or termination of appointment;
- Voting rights;
- Closed meetings; and
- Fraud, corruption and misconduct.

The Committee endorsed the updated Charter for Council adoption.

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

The Committee reviewed the confidential 2018/19 Quarter 2 Health and Safety Report. The 2018/19 Quarter 2 Health and Safety Report highlights that: employee hazard, incident, injury and near-miss reporting was down on the previous quarter and all 2017/18 reporting; the one injury during the quarter was superficial and did not progress 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, the officer reports, and the revised Charter, 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.

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

ATTACHMENT(S)

- 8.3.1 (a) Audit Committee Meeting No. 2018/19-4 Minutes 22 March 2019;
- 8.3.1 (b) Audit Committee Charter, Version 3.0, 2019; and
- 8.3.1 (c) 2018/2019 Quarter 2 Health and Safety Report (CONFIDENTIAL).



8.3.2 Instruments of Delegation

File Number: Delegations Register

INTRODUCTION

Instruments of delegation and authorisation are an important means of Council delegating its powers duties and functions under the *Local Government Act 1989* and other legislation, to the Chief Executive Officer (CEO), and to members of staff.

Previous instruments of delegation were approved by Council in October 2017.

Cr Keeble

Cr Roper

1. *Council exercise the powers conferred by section 98(1) of the Local Government Act 1989, and the other legislation referred to in the attached instrument of delegation, so that:*
 - a. *There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in attachment 8.3.2(a) "S5 - Instrument of Delegation to the Chief Executive Officer" (instrument S5), subject to the conditions and limitations specified in that instrument;*
 - b. *Instrument S5 be signed and sealed at the appropriate stage of this meeting;*
 - c. *Instrument S5 comes into force immediately the common seal of Council is affixed to the instrument;*
 - d. *On the coming into force of instrument S5 the previous delegation "S5 – Instrument to the Chief Executive Officer" signed on 3 October 2017 be revoked;*
 - e. *It is noted that instrument S5 includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act; and*
 - f. *The duties and functions set out in instrument S5 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*
2. *Council exercise the powers conferred by section 98(1) of the Local Government Act 1989 and the other legislation referred to in the attached instrument of delegation, so that:*
 - a. *There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in attachment 8.3.2 (b) "S6 - Instrument of Delegation to members of Council staff" (instrument S6), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument;*



- b. Instrument S6 be signed and sealed at the appropriate stage of this meeting;*
- c. Instrument S6 comes into force immediately the common seal of Council is affixed to the instrument;*
- d. On the coming into force of instrument S6 the previous "S6 - Instrument of Delegation to members of Council staff" signed on 3 October 2017 be revoked; and*
- e. The duties and functions set out in instrument S6 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

Carried

BACKGROUND

Section 98 of the *Local Government Act 1989* provides for Council to delegate to a member of its staff any power, duty or function of a Council. Council can delegate the majority of its powers to the CEO via the "S5 - Instrument of Delegation to the Chief Executive Officer". This allows the CEO to further sub-delegate duties and authorise staff for the vast majority of Acts that Council operates under. However, some Acts do not allow for sub-delegation, requiring Council to delegate duties directly to staff via the "S6 – Instrument of Delegation to members of Council staff".

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

ISSUES

Council's CEO and staff require current and accurate delegations and authorisations to fulfil their duties. Keeping up to date with legislative changes as well as changes in roles within the organisation is essential to ensuring that staff are appropriately delegated and authorised.

Once the "S5 – Instrument of Delegation to the Chief Executive Officer" is approved by Council, all other delegations and authorisations will be presented to the CEO for approval. Therefore, Council's entire suite of delegations and authorisations will be up to date.

Council to Chief Executive Officer Delegation

There have been no changes to the content of the "S5 – Instrument of Delegation to the Chief Executive Officer" however the re-signing of the instrument is part of best practice to coincide with updated delegations to staff, as recommended by Maddocks.



Council to Staff Delegation

The addition or removal of provisions in the “S6 – Instrument of Delegation to members of Council Staff” has been made in line with advice from Maddocks. It is important to note that some new provisions are not yet in operation and will commence at a later date. These situations have been noted in the instrument of delegation, so that once the provisions are in place, there are staff delegated to undertake those duties.

POLICY IMPLICATIONS

Section 98(6) of the *Local Government Act 1989* (the Act) requires councils to review all delegations in force within 12 months of a Council election. This review of delegations is part of a best practice review to ensure that Council staff have appropriate delegations in order to fulfil their duties.

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

- A high performing organisation.

FINANCIAL AND RESOURCE IMPLICATIONS

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

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

CONSULTATION

The relevant directors and managers have been consulted throughout the review of the instruments of delegation, and clarification has been sought from specific staff where required. No additional consultation is required.

There is no requirement to involve the community in the preparation of the instruments of delegation.

CONCLUSION

The instruments of delegation to the CEO and members of Council staff allow staff to fulfil their duties, and should therefore be supported. The instruments come into force immediately the common seal of Council is affixed to the instrument, and will remain in force until Council determines to vary or revoke them.



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
- Director Assets
- Manager Asset Development
- Manager Asset Maintenance
- Manager Economic and Community Development
- Manager Facilities
- Manager Building and Amenity
- Governance Officer

ATTACHMENT(S)

- 8.3.2 (a) S5 - Instrument of Delegation to the Chief Executive Officer
- 8.3.2 (b) S6 - Instrument of Delegation to members of Council staff



8.3.3 Revocation of Employee Leave Policies

File Number: Policy Register

INTRODUCTION

Council is in the process of undertaking a holistic review of its policies. A review of employee leave policies has been completed and a new Leave Management Policy has been developed which will be the key instrument in the management of employee leave balances.

The Leave Management Policy incorporates the provisions of several other Council policies that now need to be revoked before the new policy can be approved.

Cr Roper

Cr Nicholas

That Council:

- 1. Revoke Alpine Shire Council Staff Absences to Attend Emergency Call Outs by Response Agencies Policy No. 34, amended 4 April 2006.*
- 2. Revoke Alpine Shire Council Annual Leave Policy No. 37, amended 4 April 2006.*
- 3. Revoke Alpine Shire Council Defence Force Reserve Leave Policy No. 59, 4 October 2005.*

Carried

BACKGROUND

Over time Council has developed a number of policies governing the management of employee leave entitlements and balances including:

- Staff Absences to Attend Emergency Call Outs by Response Agencies Policy No. 34;
- Annual Leave Policy No. 37;
- Defence Force Reserve Leave Policy No. 59;
- Rostered Day Off Policy No. 69; and
- Flexible Working Time and Leave Arrangement Policy No. 78.

ISSUES

The content of these policies has been reviewed taking into account the provisions of the Alpine Shire Council Enterprise Agreement 2016, Victorian Local Authorities Award 2001 and Nurses (ANMF Victorian Local Government) Award 2015 and for compliance with relevant legislation.

It is proposed that the various policies governing the management of employee leave are combined into the Leave Management Policy.



As the CEO is responsible for the management of staff under s94A(3) of the *Local Government Act 1989* the Leave Management Policy is deemed an operational policy and will be approved by the CEO.

Before the CEO can approve the Leave Management Policy, the policies it supersedes must be revoked. In this instance the CEO will revoke the Rostered Day Off Policy No. 69 and Flexible Working Time and Leave Arrangement Policy No. 78 as these were CEO approved. Council must revoke the previous policies it has adopted being the Staff Absences to Attend Emergency Call Outs by Response Agencies Policy No. 34, Annual Leave Policy No. 37 and Defence Force Reserve Leave Policy No. 59.

POLICY IMPLICATIONS

The policies have been reviewed in accordance with the *Local Government Act 1989*.

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

- A responsible and sustainable organisation.

CONSULTATION

The proposed new operational Leave Management Policy and the revocation of existing policies have been consulted with the relevant Council officers and the Staff Consultative Committee.

CONCLUSION

The review of employee leave policies and the development of the proposed Leave Management Policy is complete. To facilitate the approval of the Leave Management Policy by the CEO, the superseded policies must now be revoked.

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.

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

ATTACHMENT(S)

- Nil



8.3.4 Proposed Installation of a Memorial Stone in Apex Park, Bright

File Number: 220:15

INTRODUCTION

The purpose of this report is to recommend that Council approve a request to install a memorial stone in Apex Park, Bright.

Under Policy 57: Place, Road and Memorial Naming Policy 2005 any request for a memorial bench or stone must go to Council for approval.

Cr Nicholas

Cr Pearce

That Council approve the installation of the Memorial Stone for Stuart Hargreaves in Apex Park, Bright.

A vote was taken.

Motion lost.

Cr Roper moved an alternate motion:

Cr Roper

Cr Forsyth

That Council:

- 1. Approves the installation of the Memorial Stone for Stuart Hargreaves in Apex Park, Bright, for a period of ten years, following which it will be returned to the Hargreaves family.*
- 2. Revises the relevant policy to incorporate a time limit of ten years following which memorials are to be removed and returned to the custodian.*

A vote was taken.

Motion lost.

Cr Pearce abstained.

Cr Roper moved a further alternate motion:

Cr Roper

Cr Nicholas

That Council defers the item.

Carried

BACKGROUND

Council received a request from the Rotary Club of Bright for a memorial stone and plaque for Stuart Hargreaves. Stuart Hargreaves was a member of the Bright community his entire life and made a significant contribution to the community



through his involvement with service clubs, volunteer organisations and various other entities. This work included:

- Fundraising for the purchase of an ambulance for Bright and as a voluntary driver of the ambulance, responsible for garaging and maintenance of the vehicle.
- Member of the Bright Fire Brigade. Captain on two occasions. Country Fire Authority Honorary Life Member 1992 and a 60 Year Long Service Award 2014.
- Foundation member of the Apex Club of Bright. President; Board member; Life member 1976; Major contribution to the securing of the Youth Club Hall (Bright Community Entertainment Centre) and its relocation from Mount Beauty to its current location in Bright. Establishment of Apex Park; Formalisation of the river pools at Centenary Park, and Riverside Park, Porepunkah and the annual car races.
- Shire Councillor - Shire of Bright; Shire President; Member of the Bright Water and Sewerage Board.
- Member of various advisory and management committees including, Pioneer Park; Bright Youth Club Hall; Murray to the Mountain Rail Trail;
- Member of the Rotary Club of Bright; President; Board member; Project involvements include Bright Community Centre, Rotary Park; Information shelter; Rail Trail; Waterslide. Awarded as a Paul Harris Fellow in 1989 and a Sapphire Pin in 2012.
- Foundation member of the Alpine Probus Club.
- Chairman of the organising committee for the Bendigo Bank, Bright. Director of the Bank since its inception.
- Was also a member of the Bright Autumn Festival Committee, Bright and District Car Club and Bright Cricket Club.
- Stuart built the Bright Sports Centre and Swimming Pool.

Letters of support have been provided from Rotary, Apex and the CFA.

Rotary and Stuart's family have requested that a stone be placed in Apex Park, adjacent to a young tree that Stuart hand watered until his death in 2017.



Figure 1: Apex Park, Gavan Street, Bright - Proposed location of Memorial Stone.

The plaque is included as attachment 8.3.4 and will read:

Rotary Club of Bright

We commemorate Stuart Hargreaves for his contribution to the Bright and District Community.

His inspiring legacy of service has been a source of pride to many.

1935 - 2017

ISSUES

Council is asked to make a decision based on information presented by the Rotary Club, Stuart's family and those of supporting organisations within the community.

The Memorial Policy does not require Council to advertise memorial requests.

The policy supports the memorial for Stuart as the necessary supporting letters have been obtained. The stone will be placed in such a manner that it does not interfere with the regular mowing and other maintenance within the park.



POLICY IMPLICATIONS

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

- A well planned and safe community.

This request is also consistent with Policy 57: Place, Road and Memorial Naming Policy 2005.

FINANCIAL AND RESOURCE IMPLICATIONS

The stone and plaque will be purchased by the Rotary Club of Bright. The installation of the stone will be carried out by Council staff or contractors and will come from existing maintenance budgets.

CONSULTATION

Consultation has taken place with select family members. Letters of support have been provided from Rotary, Apex and the CFA (noting that only the Rotary logo will be used on the plaque).

CONCLUSION

Rotary's request to install a memorial stone and plaque in memory of the late Stuart Hargreaves is supported based on the information received.

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 Building and Amenity

ATTACHMENT(S)

- 8.3.4 Rotary Club of Bright – proposed wording of plaque.



8.3.5 Planning Application 5.2018.210.1 - 68 Delany Avenue

Application number:	5.2018.210.1
Proposal:	Construction of fifteen dwellings for the purpose of group accommodation
Applicant's name:	Mountain Planning
Owner's name:	Gedamy Pty Ltd
Address:	68 Delany Avenue
Land size:	7976.9 square meters
Current use and development:	9 Dwellings
Site features:	Site is used as a short term holiday rental establishment with the 9 dwellings already existing onsite, 8 of which sit in the South-Western pocket of the site. Site is also occupied by a large open lawn area and swimming pool.
Why is a permit required?	Pursuant to Clause 32.08 of the Alpine Shire Planning Scheme a planning permit is required to construct a building or carry out works in relation to a Section 2 Use of the land. Group accommodation is a Section 2 use in the General Residential Zone - Schedule 1 (GRZ1). Pursuant to Clause 44.06 of the Alpine Shire Planning Scheme a planning permit is required to construct a building or carry out works for the purpose of accommodation in the Bushfire Management Overlay (BMO).
Zoning:	General Residential Zone - Schedule 1 (GRZ1)
Overlays:	The Bushfire Management Overlay - Schedule 2 (BMO2) covers the site whilst the adjoining road reserve land contains a Heritage Overlay (Delany Avenue Street trees)
Restrictive covenants on the title?	Section 173 Agreement AL371233L - Exemption from a planning permit against the BMO associated with a lapsed permit of subdivision.
Date received:	11-12-2018
Statutory days:	147 (27 Days from receiving Further Information response)
Planner:	Rob Wallis/Sam Porter



Cr Keeble

Cr Pearce

That a Notice of Decision to grant a planning permit be issued for Short Term Accommodation 15 detached dwellings in accordance with the conditions outlined in Appendix A and for the following reasons:

- 1. The proposal complies with the applicable requirements of the Alpine Planning Scheme;*
- 2. The proposal is consistent with Planning Policy Framework, and the Municipal Strategic Statement;*
- 3. The proposal is consistent with the provisions of the GRZ1 The Group Accommodation facility is a suitable use in the GRZ1 where social and physical infrastructure is available;*
- 4. The land has existing suitable access to Delany Avenue;*
- 5. The land has sufficient defensible space to classifiable vegetation to minimise bushfire risk; and*
- 6. The proposal is consistent with Council's local policy on Tourist Use and Development.*

Carried

PROPOSAL

The proposal relates to the use and development of the land for the purpose of Group Accommodation. Buildings and works comprise of:

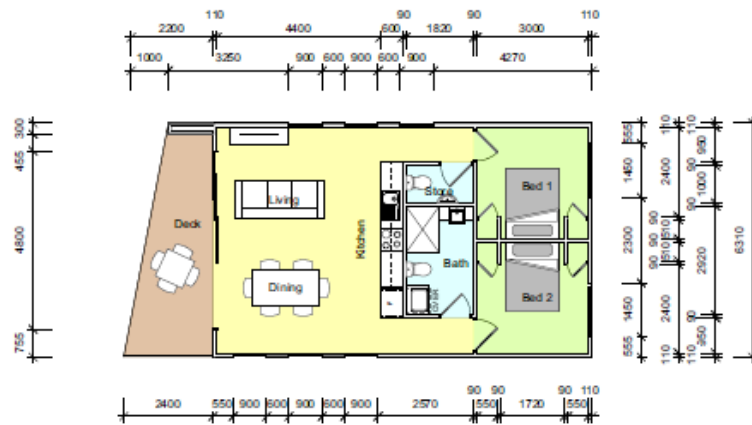
- Construction of fifteen cabins to be arranged in the available lawn area on the land. The cabins are proposed to be approximately 76 square meters in size, with a roof height of approximately 3.2m. Each cabin is to be a self-contained dwelling with two bedrooms, a bathroom and an internal kitchen space.
- The proposal also includes two additional BBQ areas which are commonly accessible by all users of the site.
- Each cabin has two car spaces attached, for a total of 30 spaces.
- The development is only required to provide 18 spaces - one space for each two-bedroom dwelling, and three visitor spaces.

The cabins are generally located along the boundaries of the site, with additional driveways provided internally to allow convenient access to each cabin. The image below shows the proposed configuration of the subject land, specifically focussing on the areas where buildings and works are proposed.

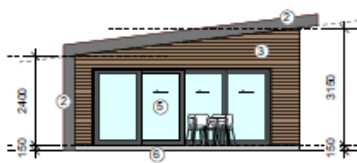
The development is further described in the Figures 1 and 2 below.



Figure 1: Development layout



1 Proposed Floor Plan
Scale: 1:100



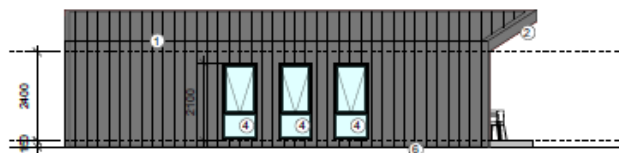
2 Front Elevation
Scale: 1:100



3 Rear Elevation
Scale: 1:100



4 Side Elevation
Scale: 1:100



5 Side Elevation
Scale: 1:100

Figure 2: Internal layout and elevation of the proposed buildings



SUBJECT LAND AND SURROUNDS

Details of subject land and surrounds can be seen in the aerial image provided in Figure 2 below:



Figure 3: Subject land

The subject land comprises of two title lots commonly known as 68 Delany Avenue and more formally described as:-

- Lot 1 on LP14621;
- Lot 1 in TP232546; and
- Lot 1 on TP 160071.

The subject land is located on the southern side of Delany Avenue approximately 1km east of the Bright town centre. The land is irregular in shape and has an area of 7,976m². The land has direct formal access from Delany Street and comprises of features:

- Motel style accommodation buildings (x2) made up of a total of eight attached dwellings. The buildings are of circa 1960's construction and are currently used for short term accommodation;
- Detached single storey dwelling with frontage to Delany Avenue;
- A BBQ shelter;
- Swimming Pool and detached change rooms;
- Detached storage shed; and
- Established landscape features.



The land surrounding the site is made up of the following features:

- North of site: Delany Avenue. To the north of Delany Avenue are detached single dwelling houses, some of which are used for short term accommodation purposes.
- South of the site: Detached single dwelling houses with separate and direct frontage and access to Alrima Court.
- East of the site: Single and multi-dwellings with separate and independent access and frontage to Delany Avenue.
- West of the site - Short term accommodation comprising multiple attached and detached holiday style accommodation options.

The sites topography is described and generally flat having only a gentle fall from the rear to the street front of less than three percent.

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 21 surrounding landholders and occupiers. A sign was displayed on the subject land. Five public submissions were received objecting to the development based on the below listed and summarised reasons:

- The construction of fifteen cabins represents an overdevelopment of the site.
- The additional cabins will increase the level of detrimental noise that affects the surrounding residential properties.
- The height of the cabins has visual detriment to the adjoining landowners.
- The increased traffic entering and exiting the site poses a risk to the safety of pedestrians and road users.
- The use of Alternative Measure 3.3 of Clause 53.02 will impact upon adjoining land owners maintenance of their private property.
- The development will affect the resale value of adjoining properties.
- The implementation of a fire safety management plan would be a more suitable alternative means of addressing the requirements of the Bushfire Management Overlay.
- A potential amendment to the permit to be constructed at a later date for the construction of an additional five cabins.

With regard to the matters raised in the objections received, the following responses are provided below:

- With regard to the increased traffic risk on-site, the driveway onto Delany Avenue has clear sightlines to both the East and West to allow for safe entry and exit of the site. The fence at the front of the site is approximately 1200mm in height, which does not unreasonably obstruct sightline or the vision of vehicles.



The application has also been referred to VicRoads, who provided correspondence outlined below.

- Concerns were raised regarding Alternate Measure (AltM) 3.3 in that residents showed concern this would require co-operative management of adjacent properties to maintain the required defensible space. AltM 3.3 is recognition of the surrounding land as a residential area, which in itself is a guarantee that the land will be managed in some capacity. Additionally, this aspect of concern will be addressed by the CFA, as outlined in their correspondence below.
- Concerns raised regarding the resale value of land are unable to be considered by a planning application. Case law findings from VCAT over an extended period has continually found that the subjective nature of valuation means change in property valuation is unable to be considered in the context of a planning application.
- Concerns raised regarding the amenity impact of noise generated from the use of the development. An acoustic fence along the Southern and Eastern boundaries of the site can be conditioned to better mitigate the amount of noise emanating from the site. Additional landscaping can also be used to assist in screening the buildings and works from adjoining properties.
- Additional cabins have been verbally confirmed to replace existing cabins in the future. An amendment to the planning permit in future would be required to facilitate this and it is suggested that the 9 existing dwelling would need removing to facilitate this and that a decrease in overall cabin numbers may be the net outcome of this future work. In any case this work is not proposed as part of this application, so the application is only assessing the construction of 15 cabins.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
VicRoads - Section 55:	VicRoads requested further information in the form of a Traffic impact Assessment (TIAR). This information was provided to VicRoads on 10 April 2019 and VicRoads have subsequently responded with conditional consent.
Country Fire Authority - Section 55:	The CFA have consented to the development. The use of AltM 3.3 is considered appropriate in the residential setting of Bright. As a condition of permit approval, the applicant will be required to prepare an Emergency Management Plan for the site, which dictates means of operation in high fire-danger periods.



PLANNING ASSESSMENT

All applicable policy and decision guidelines can be found in Appendix B.

Planning Policy Framework (PPF)

The proposed The following Planning Policy Framework lend support to the proposal:

- Clause 11.01-1S - Settlement: Increased density within a defined settlement should be prioritised to preserve the surrounding landscape and land uses.
- Clause 13.02-1S - Bushfire Planning: The objective for Bushfire Planning under Alpine Planning Scheme is: 'To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life'.

The proposal integrates bushfire protection measures to increase the overall community resilience against Bushfire attack. The development is proposed on a site that is located in and established urban area with suitable defensible spaces. The development site has existing and suitable access to existing urban infrastructure including reticulated water and sealed road access and accordingly is considered to be a low risk location.

The application was supported by a satisfactory Bushfire Management Statement and Plan in accordance with Clause 44.06-1.

- Clause 17.01-1S - Diversified Economy: The objective of this clause, under the Alpine Planning Scheme, is 'to strengthen and diversify the economy'. Increased tourism growth in the region will have flow-on effects for the local sector and allow for greater investment within the Alpine Shire.
- Clause 17.04-1S - Facilitating Tourism: The objective of this clause, under the Alpine Planning Scheme, is 'to encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination'. Increased development of short-term accommodation allows for additional capacity in peak travel seasons to encourage economic growth and investment that meets demand and supports growth in tourism. The development facilitates tourism through the provision of accommodation on land that is located close to the Bright township centre and access to applicable facilities and transport.

The development encourages investment in the local economy and supports sustainable tourism and economic growth.

- Clause 18.02-4S - Car-Parking: The objective of this clause, under the Alpine Planning Scheme, is 'to ensure an adequate supply of car parking that is appropriately designed and located'. The proposal provides an oversupply of car parking entirely within the subject land ensuring that car parking does not overspill and adversely impact the surrounding street network.



In essence the application proposes an extension of the existing short term accommodation offering already occurring onsite. Short accommodation in Bright plays a significant role in local and regional tourism. Continued growth in local and regional tourism has seen fluctuating supply and shortages in accommodation at peak times. The expansion of the accommodation facility will help support continued growth in tourism and ultimately encourage growth in retail, commercial, entertainment and cultural development in the region.

Local Planning Policy Framework (LPPF)

The following Local Planning Policy Framework policies are considered relevant:

- Clause 22.03-1 – Economic Activity: Tourism use and Development

According to the Alpine Planning Scheme, tourism is a major contributor to the Shire's economy. Due to the Alpine Shire's popularity as a tourist destination it is important to protect the values that attract people to the Shire both in the townships and the rural areas. The Planning Schemes objectives for Tourist use and development are:

- Support quality tourist development in association with the environmental, landscape, and the heritage values of rural and urban areas.
- Maintain existing character of towns by ensuring that township boundaries are not compromised and that linear development along major traffic routes is avoided.
- Ensure tourist facilities provide infrastructure appropriate with the scale and function of the development.
- Encourage tourist facilities to locate in areas with an adequate level of support services and facilities.
- Encourage tourism development related to agricultural and other rural based industries, while minimising the loss of rural land and potential for land use conflicts with current or potential agricultural production.
- Ensure tourist facilities are designed to complement the surrounding environment in terms of character and amenity.
- Support nature based tourism in appropriate locations across the Shire.
- Discourage linear development of tourist facilities along the major traffic routes including the Great Alpine Road, the Kiewa Valley Highway and the alpine approaches.

The proposed Short term accommodation is consistent with the above relevant objectives. Specifically the development has been designed to complement surrounding land uses, with particular regard to the proximity of the Bright town centre and the surrounding residential land uses and compatible built form.

- Clause 21.07-1 - Bright: The objectives for the Bright Local Area under this clause are:



Recognise Bright as a hub for tourist activities in the region and a vibrant place to live. Maintain and enhance the character of Bright as a vibrant tourist town in a rural setting that is well served by parklands and waterways surrounding the town centre and is predominantly pedestrian in scale.

The proposed development satisfies the objectives of Bright's Local Area strategy. The following key issues and influences are also identified as being supportive of the proposed development:

- Bright has evolved from the influences of gold mining, forestry and agriculture to that of a tourism oriented town attracting almost all sectors of the tourism market and employing around 30% of the town's population in the industry.
- Recognise Bright as a hub for tourist activities in the region and a vibrant place to live.
- Maintain and enhance the character of Bright as a vibrant tourist town in a rural setting that is well served by parklands and waterways surrounding the town centre and is predominantly pedestrian in scale.
- Ensure commercial development, including motels and tourist accommodation, is of high quality design and does not dominate the streetscape.
- Ensure future development takes into account risk of bushfire and provides reasonable levels of safety through the accessibility to roads, water, telecommunications and other reasonable infrastructure.

When assessing how the application responds to the applicable Planning Policy Frameworks, there are clear positive outcomes that result from commercial development, the facilitation of tourism and the over-supply of car parking facilities to guarantee the streets are not adversely impacted by additional parked vehicles.

The proposal does not take into consideration the impact of an intensified use on the surrounding residential land, and has directly addressed policy relating to noise abatement and mitigating potential land use conflicts. It is however acknowledged that the design response provides suitable opportunities to implement measures to mitigate potential impacts relating to noise and visual obtrusion. In response to this, and in order to address concerns raised in submissions from adjoining land owners, conditions around noise attenuation and measures aimed at minimising the impact of increased density activity on the surrounding properties are considered appropriate.



Zoning and land use

General Residential Zone (GRZ1)

The subject land is within the GR1Z. An assessment is required for both the use of the land for Group Accommodation, and the associated buildings and works.

The Purpose of the GRZ1 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The proposal is judged to be generally consistent and compatible with other styles and densities of development in the locality. The developments design response includes features that minimise adverse amenity impacts upon the surrounding neighbourhood, including: onsite car parking provision that exceeds the minimum requirements, boundary setbacks and single storey build form that respect the character and built form in the surrounding neighbourhood and architectural interest and diversity in the build design of the dwellings.

The proposal is considered to be consistent with the desired character and development trends in Bright. The development facilitates increased and diverse accommodation choices and economic benefits to the region, which in-turn will foster increased rates of growth and positive social outcomes.

Traffic management

The application was been referred to VicRoads based upon the additional traffic movements through the site, and how this is expected to impact upon the existing crossover. VicRoads subsequently required the applicant to have prepared a Traffic Impact Assessment Report (TIAR) for further consideration. A TIAR was prepared and concludes:

1. The provision of 28 car spaces is considered satisfactory to accommodates [sic] the parking demands from 15 x two-bedroom holiday units.
2. The site layout plan is subject to design and detail and is to be consistent with the dimensional requirements as set out in the Alpine Shire Planning Scheme and/or Australian/New Zealand Standards for Off Street Car Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009) as per the recommendations in this report.
3. The site is expected to generate an additional 6 staff [sic] movements in any peak hour and up to 45 movements over an entire day.



4. There is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development.

The TIAR was submitted to VicRoads on 10 April 2019 who subsequently granted condition consent; see VicRoads Condition in Appendix A.

Noise pollution

Concerns have been raised from objectors in regards to the amount of additional noise that will be generated as a result of the additional cabins.

The application proposes nine (9) dwellings adjacent to the southern and eastern perimeter of the site. The southern and eastern boundaries of the site are currently bound by an existing 1.8m high colorbond fence. The fence is in fair to good condition and is proposed to be retained. It is acknowledged that the fence is not a complete barrier to all noise and visual aspects of the proposed development however it does provide a physical barrier that positively contributes to mitigating any visual and acoustic impacts generated by the development.

The accommodation units are proposed to be setback 2.4m from the colorbond boundary fences. This setback provides physical separation to the boundary fence, and the adjoining properties to the south and the east. This separation also affords the development opportunity to provide additional landscaping to further offset any visual or acoustic impacts.

Similarly, this setback is considered to be 'back of house' where no direct access is proposed from the dwellings. The setback area does not create a space that is considered to be of a size that is encouraging of designated and functional private open space areas where people are likely to congregate and generate noise.

All of the dwellings are orientated internally to the subject site where the sole access and entrance is located. In this regard the use of the dwellings will direct most noise generating activities internally to the site and away from the dwellings to the south and the east. Furthermore the dwellings themselves will act as a physical barrier to the noise projecting to the adjoin properties to the south and the east.

These measures combined with the orientation of the dwellings, and the central siting of the communal areas, all combine to increase the acoustic qualities of the development and mitigate noise to a level that will not be inconsistent with the existing residential amenity and desired future character of the areas.

Subsequently, the following conditions will be included on any Planning Permit issued to suitably mitigate and manage any noise impacts as follows:

- Revised Landscaping Plan proposing a higher density of landscaping adjacent to the southern and eastern boundaries; and
- Preparation of a Site Management Plan that addresses noise management, security and hours in which noise levels must be kept at a minimum and management by site management according. The Plan submitted to Alpine Shire Council for approval.



Accommodation in a Residential Area

Bright is made up of many and varied tourism uses and accommodation options which nestle in amongst surrounding residential areas and uses. The provisions of the planning scheme give some weight to the suitability of a short term residential uses in a residential area, and this is exemplified by many other properties along Delany Avenue, including the adjoining property to this proposal at 64-66 Delany Avenue. It should also be noted that 64-66 has objected to the proposal based on increased tourism development in the area.

Overlays

The following Overlays are applicable to the subject site:

Bushfire Management Overlay

The subject site is located on land that is shown on the Planning Scheme Map as Bushfire Management Overlay 2 (BMO2).

The Purpose of the BMO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

The developments design response and minimise the vulnerability to bushfire attached and is consistent with the purpose of the BMO.

The application has satisfactorily addressed the objectives of the BMO and Clause 53.02 Planning for Bushfire. The application submitted:

- A bushfire hazard landscape assessment;
- A bushfire hazard site assessment;
- A bushfire management statement; and
- A bushfire management plan.

The application was referred to CFA who had no objection to the proposal subject to planning permit conditions.

- In summary the development satisfies the BMO in the following ways:
- The proposal satisfies the Landscape siting and design objectives and Approved Measures (AM) 2.1, 2.2 and 2.3. The bushfire risk to the proposed development will also be mitigated through the BAL 12.5 construction standard for the cabins and maintenance of vegetation to the property boundary;
- Access is obtained directly from Delany Avenue;



- The development is located in and established urban area;
- Surrounding vegetation is predominantly upslope of the development;
- Satisfactory defensible space is provided using AltM3.3 which means the surrounding properties and their managed yards are able to be relied upon for the defensible space distance calculation (Note: no vegetation management is required to be undertaken offsite as a result of this permit application should it be granted); and
- Satisfactory provision of a dedicated water supply is to be provided.

Overall the proposal satisfies the applicable provisions of the MPS and the PPF and is therefore consistent with the decision guidelines of the Clause 44.06.

The application was referred to the CFA under Section 55 of the *Planning and Environment Act 1987*. The CFA have consented to the grant of a permit subject to the standard mandatory conditions of the Planning Scheme are included in the permit.

Particular Provisions

The following Particular Provisions are applicable to the subject site:

Car Parking

According to the Alpine Planning Scheme the purpose Clause 52.06 for car parking is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The application complies with the car parking requirements under this clause. Overall the layout and accessibility of the car parking spaces is efficient and safe and does not adversely impact the amenity of the area.

Table 1 in Clause 52.06 of the Alpine Planning Scheme calculates the car parking requirements applicable to the development. In this regard, the most appropriate land use definition for the purpose of determining the multiplier and the calculation of car parking spaces is a 'Motel'.

A motel requires the following number of car parking spaces:

- 1 space per unit; and



- 1 space for each Managers Residence.

It is noted that there are no ancillary uses on the site.

The existing development currently requires, and provides 9 car spaces with 8 existing motel-style accommodation units and one manager's residence. The addition of the proposed units requires additional 15 spaces equating to a total demand of 24 spaces.

According to the application the proposed development has provision for 37 car spaces.

The provision of these spaces exceeds the minimum requirements and satisfies Clause 52.06-5.

The car parking spaces and access way comply with the applicable dimension and construction standards.

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 General Residential Zone Schedule 1 and Bushfire Management Overlay 2. The application is considered to be consistent with the Alpine Planning Scheme and should be approved for the following reasons:

- The development of accommodation services is appropriate with regard to the constraints of the site.
- The fifteen units are appropriately designed as self-contained dwellings
- Sufficient car parking has been included on site
- The relevant referral authorities have consented to the proposed development
- Conditions can be added to the planning permit to suitably address objectors' concerns.

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
- Acting Director Corporate
- Senior Planning Officer

APPENDICE(S)

- 8.3.5 (A) - Conditions 5.2018.210.1.
- 8.3.5 (B) – Policy and decision guidelines.



APPENDIX A – Conditions

GENERAL CONDITIONS

1. Before the use and/or development start(s), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. Details of the proposed waiting bay/check in area included any associated office buildings.
2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land;
 - b. appearance of any building, works or materials;
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
 - d. presence of vermin.
4. Occupants of the group accommodation buildings must only use the premise on a short term basis. Any occupant of the approved premise must not reside onsite for any more than 60 days in a calendar year unless without the written permission of the responsible authority.
5. Each of the approved accommodation facilities must be let as one individual unit as opposed to being let by individual beds/rooms.
6. No less than twenty four (24) car spaces must be provided on the land for the use and development
7. All car parking spaces and driveways must be designed to allow all vehicles to drive forwards both when entering and leaving the property.
8. A sign / signs to the satisfaction of the responsible authority must be provided directing drivers to the area(s) set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres.



9. Any metal cladding proposed to be used in the construction of the building/s hereby approved, must be:
 - a. Galvanised or natural colour bonded metal cladding (not zincalume); and/or
 - b. Treated metal cladding painted in muted tones, provided such painting is completed prior to the occupation of any building/s hereby approved, to the satisfaction of the Responsible Authority.
10. Construction must be in accordance with sediment control principles as outlined in "Construction Techniques for Sediment Pollution Control" EPA 1991.
11. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
12. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the responsible authority.
13. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the responsible authority.
14. The land manager must provide a regular private waste collection including a regular collection of recyclable materials for the land to the satisfaction of the Responsible Authority. Council's waste collection contractor will not service this property. This condition must be brought to the attention of all prospective purchasers of buildings to be constructed on the land by inclusion of a copy of the planning permit in the Vendors Statement affecting the land.
15. Prior to the occupation of any of the buildings hereby approved, a waste management plan must be submitted to the Responsible Authority for approval. Such plan must provide details of regular garbage collection service to each of the dwellings and shops on the subject land, including information regarding the type of refuse bins, type and size of trucks, means of accessing bins and frequency of refuse collection, to the satisfaction of the Responsible Authority.
16. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
17. Before the issue of a building permit, a landscape plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b. Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
 - c. Details of surface finishes of pathways and driveways.



- d. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- e. Landscaping and planting within all open areas of the site.
- f. 8 canopy trees (minimum two metres tall when planted).
- g. The means of watering/irrigation proposed to be used.
- h. Higher density of planting of suitable screen plants along the southern and eastern boundary.

All species selected must be to the satisfaction of the responsible authority.

18. Before the use/occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
19. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.
20. A solid fence no less than 1.8m in height must be constructed along the sections of the eastern and southern boundaries to the satisfaction of the responsible authority
21. Before the use starts, a noise and amenity plan/patron management plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan. The plan must include:
 - a. staffing and other measures which are designed to ensure the orderly arrival and departure of patrons
 - b. signage to be used to encourage responsible off-site patron behaviour
 - c. the training of staff in the management of patron behaviour
 - d. staff communication arrangements
 - e. measures to control noise emissions from the premises
22. Before the development starts, a tree protection fence must be erected around the two street trees either side of the access to define a 'Tree Protection Zone'. The fence must be constructed to the satisfaction of the responsible authority. The tree protection fence must remain in place until construction is completed.
23. The existing street tree(s) must not be removed or damaged.
24. Prior to the commencement of works, the applicant must submit a Construction Site Management Plan (CSMP) to the Responsible Authority for approval. Once endorsed by the Responsible Authority the CSMP will form a part of this permit.



The CSMP must be implemented prior to any construction works commencing and a copy of the endorsed plan must be kept on site and available for inspection by any person working at the site at all times. The CSMP must include the following information:

Vehicle access and car parking areas

- a. Vehicle access to the site must be clearly delineated to ensure the potential for soils disturbance is minimised. Areas for car parking must be clearly displayed on the site or the adjacent roadway. Vehicle access to the site via adjacent properties including public reserves is not permitted without the prior consent of the land owner. Vehicle access and car parking areas must be clearly displayed on the CSMP.

Materials storage areas

- b. Suitable areas for the storage of building materials and equipment are to be clearly delineated on site. Materials must not be placed on areas of vegetation to be retained.

Waste storage area

- c. A suitable area must be clearly delineated on site for the placement of all building debris including, packaging and all other waste generated by the development. Waste must be appropriately contained by bunting or bin or other means approved by the responsible authority. Waste storage area must be clearly described on the CSMP.

Sediment controls

- d. Sediment controls must be placed sufficiently around the disturbed area of the site to reduce the potential for impacts on and adjacent to the site generated by polluted stormwater or run off. Suitable controls include silt fencing or certified weed free straw or any other means approved by the responsible authority. Sediment controls must be clearly displayed on the CSMP.

Construction Methods

- e. Provision of the construction methods to be employed for the approved works. If offsite construction (modular) methods are to be employed, details shall be provided which include the transportation methods to site, unit storage on site (modules, cranes and transportation vehicles), site assembly and location of any associated lifting machinery.



ENGINEERING CONDITIONS

25. Prior to issue of a building permit, detailed construction plans must be submitted to and approved by the Alpine Shire Council. Construction detail shall be generally in accordance with Council's Infrastructure Design Manual (www.designmanual.com.au). When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, and shall include proposed construction detail, further information or modifications to:
- a. vehicular crossings detail to Delany Ave;
 - b. all access and parking areas; and
 - c. appropriate traffic calming measure throughout the internal roadway and prior entering and exiting the property.
26. Prior to issue of a Building Permit, a properly prepared drainage discharge plan with computations must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The information submitted must show the details listed in Council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.
- The information and plan must include:
- a. details of how the works on the land are to be drained and/or retarded;
 - b. Underground drainage system, with supporting computations;
 - c. underground pipe drains conveying stormwater to the legal point of discharge for the property;
 - d. stormwater retention; and
 - e. a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.

Prior to the commence of the approved use, all works constructed or carried out must be in accordance with those plans - to the satisfaction of Alpine Shire Council.

COUNTRY FIRE AUTHORITY CONDITIONS

Bushfire Management Plan endorsed

27. The Bushfire Management Plan (prepared by Mountain Planning, Ref" 68 Delany Ave, Bright BMP. VO, dated 11/12/2018) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Bushfire Emergency Management Plan Required

28. Given the proposed use of the development (Group Accommodation) in an extreme bushfire risk landscape a Bushfire Emergency Management Plan will need to be developed and address the following:



- a. Premises details
 - o Describe property and business details.
 - o Identify the purpose of the BEP stating that the plan outlines procedures for:
 - i. *Closure of premises on any day with a Fire Danger Rating of Extreme and Code Red.*
 - ii. *Evacuation (evacuation from the site to a designated safer off-site location).*
 - iii. *Shelter-in-place (remaining on-site in a designated building).*
- b. Review of the BEP
 - o Outline that the plan must be reviewed and updated annually prior to the
 - o commencement of the declared Fire Danger Period.
 - o Include a Version Control Table.
- c. Roles & Responsibilities
 - o Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire.
- d. Emergency contact details
 - o Outline organisation/position/contact details for emergency services personnel
- e. Bushfire monitoring procedures
 - o Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.
 - o Describe and show (include a map) the area to be monitored for potential bushfire activity.
- f. Action Statements - trigger points for action
 - i. Prior to the Fire Danger Period
 - o Describe on-site training sessions and fire equipment checks.
 - o Identify maintenance of bushfire protection measures such as vegetation management (including implementation of protection measures required by any endorsed Bushfire Management Plan).
 - ii. Closure of premise during forecast Fire Danger Rating of Extreme and Code Red days.
 - o Outline guest notification procedures and details of premises closure (including timing of closure).



iii. Evacuation

- Identify triggers for evacuation from site. For example, when evacuation is recommended by emergency services.
- Details of the location/s of the offsite emergency assembly location.
- Transport arrangements for staff and guests including details such as:
 - Number of vehicles required
 - Name of company providing transportation
 - Contact phone number for transport company
 - Time required before transportation is likely to be available
 - Estimated travelling time to destination
- Actions after the bushfire emergency event.

iv. Shelter-in-place

- Show the location and describe the type of shelter-in-place.
- Triggers for commencing the shelter-in-place option.
- Procedures for emergency assembly in the shelter-in-place building.

VICROADS CONDITIONS

29. Prior to the commencement of hereby approved, the existing crossover must be removed, and a new crossover and driveway are to be constructed to the satisfaction of the Roads Corporation and/or the Responsible Authority and at no cost to the Roads Corporation.
30. Prior to the endorsement of plans to form part of the permit, a functional layout plan showing the proposed access points to Delany Avenue, including features such as pavement, kerb / shoulders, line marking, power poles, trees and other road furniture within 20 metres of the proposed access. The functional layout plan must also demonstrate how all the proposed accesses fits into, operates and interacts with Delany Ave including:
 - a. any required turning movements into or out of the proposed entry road.
 - b. The suitability of the proposed crossover in relation to any existing significant street trees.
 - c. Distance of the proposed reception area to Delany Ave to cater for queuing of vehicles entering the site which could impact on the safe operation of Delany Avenue as a Main Road.
 - d. Alignment of the existing crossover in Delany Ave with the entry road.
 - e. The length of passing facility at the entry to cater for check in parking, vehicles entering and vehicles exiting at the same time.



31. The Functional Layout Plan required by condition 2 must be submitted to and approved by the Roads Corporation. When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided.

EXPIRY CONDITION

32. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.
 - c. The use has not commenced within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards if the development has not lawfully commenced prior to the expiry of the permit, or within 12 months afterwards if the development has lawfully commenced prior to the expiry of the permit.



APPENDIX B

Planning Policy Framework

Applicable planning policy can be found in the Planning Policy Framework (PPF) section, the relevant clauses to this application are listed below:

Clause 11.01-1S Settlement

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/11_01-01S.pdf

Clause 13.02-1S Bushfire planning

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/13_02-1S.pdf

Clause 17.01-1S Diversified economy

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/17_01-01S.pdf

Clause 17.04-1S Facilitating tourism

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/17_04-01S.pdf

Clause 18.02-4S Car parking

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/18_02-4S.pdf

Local Planning Policy Framework

Applicable local planning policy can be found in the Local Planning Policy Framework (LPPF) section, the relevant clauses to this application are listed below:

Clause 22.03-1

http://planning-schemes.delwp.vic.gov.au/schemes/alpine/ordinance/22_lpp03_alpi.pdf

Clause 21.07-1 Bright

http://planning-schemes.delwp.vic.gov.au/schemes/alpine/ordinance/21_mss07_alpi.pdf

Zone

The subject land is zoned GRZ1 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/32_08.pdf

Overlays

The planning permit application must address the BMO, the relevant provisions can be found at the following links:

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/44_06.pdf

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/53_02.pdf



General Provisions

Clause 65 of the Alpine Planning Scheme provides the decision guidelines please see the following link:

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/65_01.pdf



8.3.6 Planning Application 5.2018.150.1 - Use and Development of Land for Stone Extraction

Application number:	5.2018.150.1
Proposal:	Use and development of the land for stone extraction
Applicant's name:	Mountain Planning
Owner's name:	J Bentley
Address:	Lots: 1, 2 & 4 TP: 902516 Great Alpine Road, Freeburgh CA 35A, CA 35B & CA 35C Parish of Freeburgh Great Alpine Road, Freeburgh
Land size:	7.201 ha
Current use and development:	Vacant
Site features:	The land is extremely undulating and contains plantation debris, stones and weeds. The land is unfenced and currently not used for any purpose due to its degraded state.
Why is a permit required?	A planning permit is required: - to use and develop the land for stone extraction pursuant to Clause 35.07-1 and Clause 35.07-4 respectively of the Farming Zone - to use and develop land for earth and energy resources industry pursuant to Clause 52.08-1 of Clause 52.08 Earth and Energy Resources Industry
Zoning:	Farming Zone
Overlays:	Bushfire Management Overlay
Restrictive covenants on the title?	No
Date received:	30 April 2018
Statutory days:	123
Planner:	Sam Porter

Cr Pearce

Cr Keeble

That a Notice of Decision to grant a planning permit be issued for the use and development of the land for stone extraction in accordance with the conditions outlined in Attachment (a) and for the following reasons:

- 1. The proposed use and development is consistent with the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework.*
- 2. The proposal is consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone as the proposed use and development would not adversely affect the use of the land and nearby land for agriculture, and would result in the land being rehabilitated and returned to agriculture.*



3. *The proposal has adequately addressed the purpose of Clause 52.08 Earth and Energy Resources Industry.*
4. *With appropriate conditions imposed, the amenity of the rural residential settlement of Freeburgh will be able to be managed and protected.*
5. *The application is generally consistent with the general decision guidelines Carried*

Cr Roper called for a division:

For: Cr Keeble, Cr Roper, Cr Forsyth, Cr Nicholas and Cr Pearce

Against: Cr Janas and Cr Knappstein

PROPOSAL

It is proposed to use and develop the land for stone extraction. The main points of the proposal are as follows:

- The work area is proposed to encompass 4.95 hectares of the overall 7.2 hectares of the site with the northern end of the site to provide a buffer between the works area and the dwellings to the north.
- Approximately 77,000 cubic metres of material would be extracted from the site. Of this it is expected that 50,000 cubic metres would be stone with the remaining being soils and sand which would be stockpiled on the site and redistributed across the land to facilitate pasture production.
- The average cut depth across the land would be 0.62 metres. When extraction is completed it is proposed that the finished surface levels of the site would match the existing surface levels to the south, north and east.
- Stone would be extracted from the site using a front end loader.
- Stone would be sorted on the land using a screen. It is anticipated that the screen would be operational for a period of 4 to 8 weeks per year. The applicant has advised that the use of the screen would be undertaken on days suitable to minimise dust and noise impacts on surrounding residents, with screening not undertaken during holiday periods, on hot days or long dry periods.
- A sedimentation pond would be constructed in the centre of the land along the north eastern boundary with all drainage from the site directed here.
- The stone would be stockpiled on the site and would be placed to form acoustic bunds approximately 4 metres high to minimise noise impacts to the north and south.
- Planting along the north-western boundary is proposed in order to screen the site from adjoining dwellings to the north.
- Initial proposal was an average of two (2) to six (6) truck movements per day, a revised proposal on the overall timeframe of the development could see the number increase to 12 per day. Typical trucks would be a Class 3 heavy vehicle 19 metre truck and dog trailer combination.



- A crossover from Great Alpine Road permitted by Planning Permit 5.2016.91.1 would provide access to the site.
- The stone extraction would occur for 45 weeks per year.
- The operating hours at the site would be 8:00am to 6:00pm Monday to Friday and 9:00am to 1:00pm Saturdays.
- At the completion of the approved level of stone extraction, soil would be redistributed across the site, seeded for pasture, and fenced to create paddocks for a future agricultural use.
- The stone extraction and rehabilitation of the site are proposed to be completed within two years.

See Figure 1 below of a site plan showing the layout of the proposed use and development.

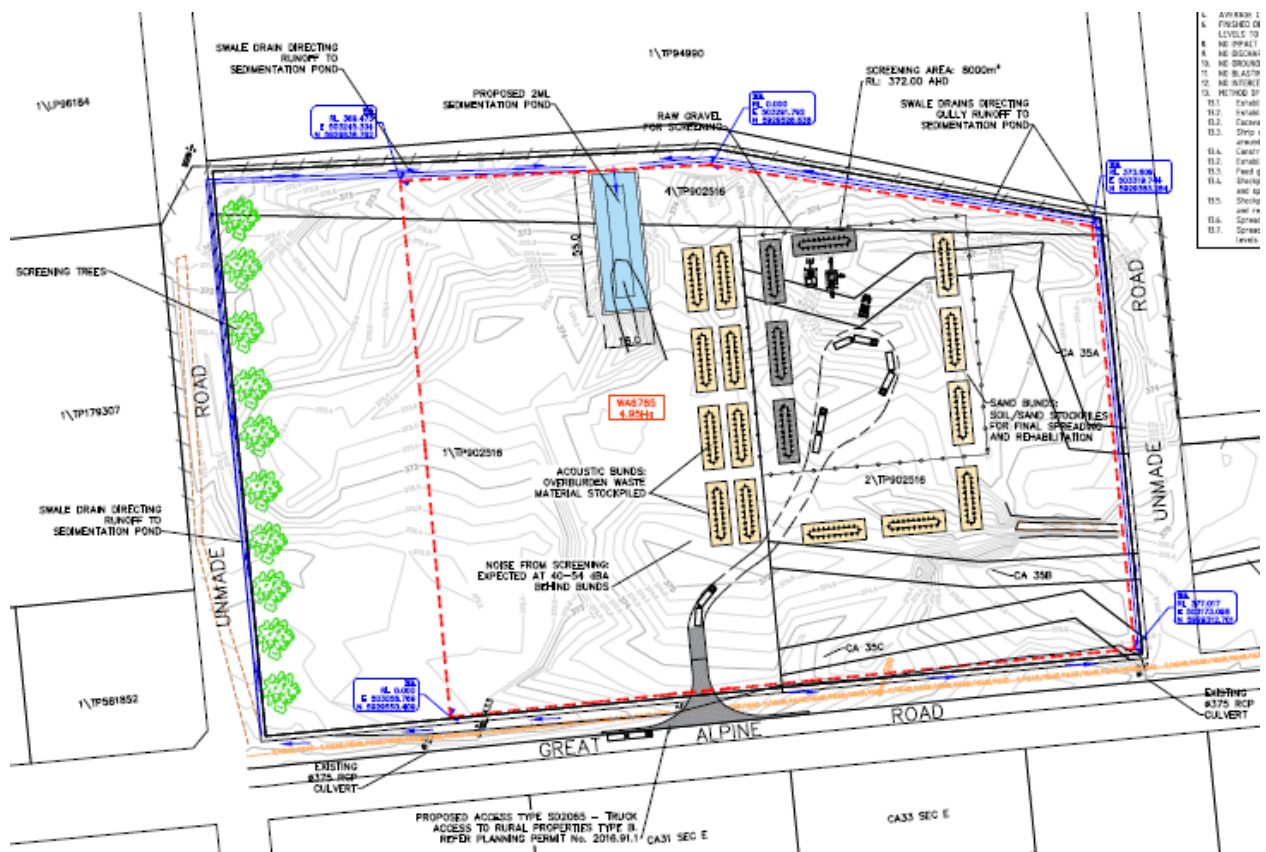


Figure 3: Development layout

SUBJECT LAND AND SURROUNDS

The subject land is located on the eastern side of the Great Alpine Road in Freeburgh. It has a frontage of approximately 342 metres, a depth of approximately 175 metres and a total area of 7.201 hectares. It is made up of six (6) titles.

The land is extremely undulating and contains plantation debris, stones and weeds. It recently contained a softwood pine plantation and historically has been dredged.



The land is unfenced and currently not used for any purpose due to its degraded state.

The site is located to the south of the rural residential settlement of Freeburgh with dwellings in the settlement located directly to the north of the site. To the south of the site is a further row of dwellings on rural residential sized lots which front Great Alpine Road. To the east is grazing land which abuts the Ovens River and to the west is vacant Farming Zone land and heavily treed Crown land.

The landscape is defined by a narrow, open and cleared valley, with steep forested hills on either side.

Great Alpine Road is a Road Zone Category 1 and is managed by VicRoads.



Figure 4: 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 33 surrounding landholders and occupiers. A sign was displayed on the subject land and a notice was published in the local newspaper (Alpine Observer). Eleven objections and a petition containing 40 signatories were received. The reasons for objecting are as follows:

- Support the site being rehabilitated but by other means not involving a quarry.
- Will set a precedent for Freeburgh
- Traffic



- Noise
- Dust - in and around homes, crop loss
- Impact on tourism
- Visual impact
- Hours of operation
- Enforcement
- Spread of weeds from the site due to soil disturbance
- Stone extraction is not a farming activity
- Property values

Two submissions of support were received.

SUBMISSION OF FURTHER INFORMATION

Following completion of the notification period and an objection to the application from EPA based on a lack of information around noise impacts on sensitive land uses, Council sought advice from an acoustic engineer which included a site visit. This investigation determined that further documentation was required from the applicant which addressed the potential noise impacts on surrounding residential uses based on the EPA guideline "Noise from Industry in Regional Victoria" (NIRV) 2011.

The applicant was also requested to review the amount of material proposed to be removed from the site and consequently the length of time needed for the proposed use and development.

In response, the applicant submitted "Lot 1 to 3, TP902516 Great Alpine Road, Freeburgh Acoustic Engineering Report" prepared by Cogent Acoustics Pty Ltd (Dec 2018)(Applicant Acoustic Report), and an amendment to the quantity of materials to be processed and period of time to process those materials.

A summary of the recommendations from the Applicant Acoustic Report is as follows:

- 4m high noise control bunds required around northern and southern edge of screening/processing area. Bunds should remain in place until screening works are completed and the bunds are required to be removed for final site levelling / rehabilitation.
- Processed product stockpiles should be located within the bounds of the noise control bunds to avoid mobile plant movements in areas that are not acoustically screened from nearby residences by the noise control bunds.
- Broadband movement warning alarms should be used in lieu of tonal reversing / movement beepers on mobile plant on site.
- Selection of plant and equipment to comply with specified maximum sound power levels.
- Operation during only the 'Day' period defined by NIRV - 7am-6pm Mon-Fri and 7am-1pm Saturday.



- General work practices to keep noise to a minimum should be implemented e.g. trucks not to stand idling when not in use.
- The name and mobile phone number of the contact person for the site should be publicly displayed on signage at the site entrance.
- Prior to commencing works, residents within 500 metres of the project site should be informed of the nature of the activities, the work stages and duration, and the noise reduction measures being put in place .

With respect to the quantity of material required to be processed, the applicant advised that around 70,000 cubic metres of material is required to be screened to produce 17,500 cubic metres of topsoil need to rehabilitate the site.

The project would be able to be completed within two (2) years with six (6) truck movements per day, and within one year with 12 truck movements per day.

The Applicant Acoustic Report was peer reviewed by an acoustic engineer engaged by Council and a report was submitted by Harwood Acoustics in association with Ray Walsh Acoustics, Noise and Sound titled "Technical Peer Review of an Acoustic Engineering Report For Proposed Extraction Works At Lot 1 to 3, TP902516, Great Alpine Road Freeburgh, VIC 3741" (February 2019) (Peer Review).

The Peer Review concluded that "providing that the noise control recommendations made by Cogent Acoustics can be implemented and adhered to then the site should be able to be approved and operate in such a way that the acoustical requirements of EPA Victoria's NIRV guidelines are satisfied" (p. 7). The Peer Review also made some recommendations with regard to planning permit conditions.

Both the Applicant Acoustic Report and the Peer Review were circulated to all submission makers and to EPA. EPA has consequently written a letter of response which does not object to the proposal based on the acoustic recommendations.

PLANNING FORUM

A planning forum was held to discuss the application on 20 March 2019 in the Pavilion meeting room at Pioneer Park Recreation Reserve, Bright. The applicant, 15 objectors, three Councillors and Council officers attended. The application was discussed at length which ensured a more complete understanding of the proposal was established. Whilst no agreement was reached between the parties an emphasis on making the duration of the use as short as feasible provided some improved comfort amongst the objectors.



REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	Goulburn Murray Water - no objection subject to conditions VicRoads - no objection and no planning permit conditions required Department of Economic Development, Jobs, Transport and Resources - no objection and no planning permit conditions required
Internal / external referrals:	EPA - no objection subject to conditions Department of Environment Land Water and Planning - no objection and no planning permit conditions required North East Catchment Management Authority - no objection subject to conditions Country Fire Authority - no objection and no planning permit conditions required

PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION

All applicable policy and decision guidelines can be found in Appendix B.

Planning Policy Framework and Local Planning Policy Framework

The Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) give support to the proposal. Clause 14.03-1S Resource Exploration and Extraction and Clause 14.03-1R Resource Exploration and Extraction - Hume encourage the exploration and extraction of natural resources in accordance with acceptable environmental standards. With regard to quarrying, clearly defined buffers between extractive activities and sensitive land uses must be established and maintained.

Clause 13.05-1S Noise seeks to "*[e]nsure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area*". EPA guideline NIRV should be considered in the assessment of an application where noise from industry may affect sensitive land uses.

Clause 13.06-1S Air Quality Management seeks to "*[e]nsure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses*". State Environment Protection Policy (Air Quality Management) and Recommended Buffer Distances for Industrial Residual Air Emissions (Environment Protection Authority, 1990) should be considered in decision making.

Clause 14.01-1S Protection of Agricultural Land aims to preserve and protect productive farmland, and Clause 17.03-2S Industrial Development Siting requires "adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards".



The proposed use and development of the land for stone extraction is considered to be an appropriate use of the site taking into account the above policy considerations. The site contains a resource that is able to be extracted relatively easily and efficiently over a short time frame with the end result being the rehabilitation of the land so that it is suitable for agriculture. In doing so, the amenity of the surrounding area is able to be reasonably protected through the use of physical buffers by way of bunding around the work area as well as the use of operational tools to ensure noise from the site is kept to a minimum. These have been outlined in the Applicant Acoustic Report as discussed and can be made conditions of any approval issued.

With respect to air quality, the Recommended Buffer Distances for Industrial Residual Air Emissions (Environment Protection Authority, 1990) sets out that a quarry with the activities of quarrying, crushing, screening, stockpiling and the conveying of rock with no blasting activity should have a recommended separation distance from sensitive land uses of 250 metres. The proposal does not comply with this distance as the closest dwelling to the site to the south-east is 230 metres away from the works area. However it is noted that this distance is 'recommended' and that EPA has not objected to the proposal. EPA has requested a condition of any approval issued that the permit holder must ensure that nuisance dust/airborne particles are not discharged or emitted beyond the boundaries of the premises. To this end, the applicant has advised that the screen would not be used on hot days or during long periods of dry weather. During dry conditions, a water cart will be present onsite and will distribute water across the works area and internal roads to minimise dust. These undertakings can be made conditions of any approval issued in the form of a dust mitigation plan and should ensure the discharge of dust from the site is kept to a minimum.

In addition, the operator of the use will be required to appoint a contact person to handle any community queries, with their contact details publicly displayed on signage at the site entrance. The applicant will also be required to keep a complaints register which must be made available to Council upon request.

It is noted that the proposed use and development is proposed to operate over a short time frame of a maximum of 24 months after which the site will be rehabilitated and returned to agriculture.

The LPPF seeks to protect agricultural land, preserve landscapes along Great Alpine Road and promote tourism. It is largely silent on stone extraction activities in the Shire. The proposed use and development would result in the rehabilitation of Farming Zone land which will enable it to be returned to agriculture. The rehabilitation would also improve the appearance of the site as viewed from Great Alpine Road which in turn will have a positive impact on Freeburgh and tourism.

Overall it is considered that the proposed use and development of the site has both State and local planning policy support.



Zoning

The subject land is located in the Farming Zone. A planning permit is required for the use and development of the land for stone extraction. The use and development is consistent with the Farming Zone purpose and decision guidelines as:

- with emissions of noise and dust from the site kept at levels as recommended by EPA guidelines, the extraction of stone from the site should not impact on the operations of nearby agricultural uses. In addition, the applicant will be required to submit a dust mitigation plan and a weed suppression plan as conditions of permit. As such, the Farming Zone is considered to be an acceptable location for the proposal.
- the development of land with bunding and a sedimentation pond would be temporary in nature as the stone extraction use is proposed to operate for 18 months. A condition of any approval issued will permit the use for up to 18 months with one extension of 6 months if required. Therefore the use must cease and the land remediated within a maximum 24 month timeframe following the commencement of the use and development. The land will then be returned to agriculture as per the zone purpose.
- the number of vehicle movements, the amount of material to be removed from the site, and the timeframe within which to undertake the works are interrelated, with the shorter timeframe of 18 to 24 months to complete the stone extraction requiring vehicle movements of 10 per day (20 in total per day). This level of vehicle movements is considered to be acceptable within the Farming Zone.
- the proposal is considered to be in the interests of sustainable land management as the outcome will be a rehabilitated site suitable for agriculture.
- no vegetation removal is proposed therefore the proposal will not have an impact on the biodiversity of the area.
- the Freeburgh residential settlement is an anomaly in the Farming Zone. The purpose and decision guidelines of the zone aim to protect agriculture from non-agricultural uses and the protection of the amenity of rural residential uses in the zone is not contemplated. However, as discussed, the amenity of these sensitive land uses has been taken into consideration in the assessment of this proposal with regard in particular to the off-site impacts of noise and dust from the use. With the imposition of rigorous planning permit conditions regarding, among other things, noise levels, dust suppression, hours of operation, vehicle movements, weed suppression and permit expiry, it is considered that the amenity of the surrounding quasi rural living area will be adequately protected.

Overlay

The site is subject to the Bushfire Management Overlay however there is no permit requirement for the use and development under the overlay provisions.



Clause 52.06 Car Parking

Where a use of land is not specified in Table 1 to Clause 52.06-5, car parking spaces must be provided to the satisfaction of the responsible authority before a new use commences. Stone extraction is not listed in Table 1 therefore car parking must be provided to Council's satisfaction. As no car parking has been shown on the submitted plan, a condition of any approval issued will require the applicant to submit an amended plan showing three car parking spaces on site.

Clause 52.08 Earth and Energy Resources Industry

A planning permit is required to use and develop land for the earth and energy resources industry under this clause. Stone extraction is a use associated with this industry. The clause has a purpose but no decision guidelines for stone extraction. The proposal is considered to be consistent with the relevant clause purpose as:

- the land would be used and developed for the extraction of earth and energy resources in accordance with acceptable environmental standards.
- the proposal would be consistent with other legislation governing stone extraction. In this instance the Code of Practice for Small Quarries (Code) is applicable.

Code of Practice for Small Quarries

The Code applies to small-scale quarries that are less than five hectares in area and less than five metres in depth where no blasting or no native vegetation clearance is proposed. A small quarry meeting these requirements is exempt from the Work Plan requirements of the Mineral Resources (Sustainable Development) Act 1990 (MRSD Act) and must comply with the Code.

A small quarry operator must hold a Work Authority under the MRSD Act. The Work Authority will specify that the operator is bound by the requirements of the Code.

The Code sets out objectives, requirements and recommended practice for issues such as control of noxious weeds, drainage and erosion control, noise, dust control, visual management, rehabilitation, and community relations.

A condition of any approval issued will require the permit operator to comply with the Code.

Response to Grounds of Objection

Support the site being rehabilitated but by other means not involving a quarry

Council must assess what has been applied for which in this instance is a quarry.

Will set a precedent for Freeburgh

Freeburgh is located in the Farming Zone where stone extraction is a permit required use and development. Any further applications for stone extraction will be assessed on their merits.



Traffic

The proposal would result in 10 trucks per day totalling 20 vehicle movements per day. These would be conducted during the hours of operation of 8:00 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm Saturdays over an 18 to 24 month time frame. The site has direct access to Great Alpine Road which is a Road Zone Category 1 which would be capable of handling the proposed movements and types of vehicles. Traffic would be marginally increased on this road during these hours as a result of the proposal.

Noise

Appropriate noise mitigation methods will be required to be undertaken by the applicant in order to minimise noise emissions from the site. A condition of any approval issued will require the applicant to comply with the recommendations of the Applicant Acoustic Report.

Dust - in and around homes, crop loss

A dust mitigation plan will be required to be submitted to Council for approval which outlines measures that will be undertaken to ensure that dust is not being discharged or emitted beyond the boundaries of the premises.

Impact on tourism

The proposal may have a short term impact on tourism but will benefit it in the long term as the site will be rehabilitated and returned to agriculture.

Visual impact

The visual qualities of the subject site are currently poor and the outcome of the proposal will be a rehabilitated site that will be returned to farmland. It is considered that whilst the visual appearance of the stone extraction works may not be ideal, this will be for a period of up to 24 months with the end result being an overall improvement of the visual qualities of the site.

It is also noted that the applicant proposes to plant screening vegetation along the north-western boundary of the site to screen the proposal from adjoining properties.

Hours of operation

The hours of operation are considered to be reasonable and are less than the 'day' hours of the EPA NIRV requirements. The quarry would commence operations at 8:00 am Monday to Friday and 9:00 am on Saturday whilst NIRV allows operations to commence at 7:00 am Monday to Saturday.

Enforcement

Council will be responsible for the enforcement of planning permit conditions and the Department of Jobs, Precincts and Regions - Earth Resources Regulation will monitor and audit compliance with the MRSD Act including the Code.



Spread of weeds from the site due to soil disturbance

A dust mitigation plan and a weed suppression plan will be made conditions of any approval issued and will aim to ensure that weeds from the site will not spread as a result of the proposal.

Stone extraction is not a farming activity

Whilst stone extraction is not defined as an agricultural activity in the Alpine Planning Scheme, it is a use within the Farming Zone that is permitted with a planning permit.

Property values

Property values are not considered to be a valid ground of objection for a planning permit application and cannot be considered as part of the assessment of the application.

CONCLUSION

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

- The proposed development is generally consistent with the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework.
- The proposal is consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone as the proposed use and development would not adversely affect the use of the land and nearby land for agriculture, and would result in the land being rehabilitated and returned to agriculture.
- The proposal has adequately addressed the purpose of Clause 52.08 Earth and Energy Resources Industry.
- With appropriate conditions imposed, the amenity of the rural residential settlement of Freeburgh will be able to be managed and protected.

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
- Acting Director Corporate
- Senior Planning Officer

APPENDICE(S)

- 8.3.6 (A) - Conditions
- 8.3.6 (B) - Policy and decision guidelines



APPENDIX A

AMENDED PLANS CONDITION

1. Before the use and development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. the location of acoustic bunds as per Figure 4 of "Lot 1 to 3, TP902516 Great Alpine Road, Freeburgh Acoustic Engineering Report" prepared by Cogent Acoustics Pty Ltd (Dec 2018) (the Acoustic Report).
 - b. Location of site amenities for workers and how waste water is to be handled.
 - c. Provision of car parking for the use (3 spaces).

GENERAL CONDITIONS

2. The layout of the site and the size of the proposed use and buildings and works must be generally in accordance with the endorsed plans which form part of this permit. The endorsed plans must not be altered or modified (whether or not to comply with any statute statutory rule or local law or for any other reason) without the consent of the responsible authority.
3. The use and development of the subject land must not commence until the Work Authority is issued pursuant to the Mineral Resources (Sustainable Development) Act 1990 unless with the written consent of the Responsible Authority and the Department of Jobs Precincts and Regions.
4. The use and development must not commence until the access approved under planning permit 5.2016.91.1 is constructed to the satisfaction of VicRoads.

CODE OF PRACTICE CONDITION

5. The use and development hereby approved must be undertaken in accordance with the Code of Practice for Small Quarries (2010).

OUTPUT CONDITION

6. Output from the quarry must not exceed 70,000 cubic metres of material to the satisfaction of the Responsible Authority.

NOISE MANAGEMENT CONDITIONS

7. Noise management of the use and development must be in accordance with the recommendations of the Acoustic Report to the satisfaction of the Responsible Authority.
8. The 4m high bund on the northern and southern side of the extraction area must be constructed to the satisfaction of the Responsible Authority prior to the processing and removal of any material from the site.



9. All vehicle loading and stockpiling of extracted material must be undertaken within the extraction area.
10. Prior to the commencement of any activity on site, a noise verification report must be prepared and submitted to the Responsible Authority to demonstrate that every item of plant and equipment to be used at the site achieves the recommended maximum allowable noise levels contained in the Acoustic Report. The noise verification report shall:
 - a. be prepared by a suitably qualified acoustical consultant (for example, a member of the Australian Acoustical Society or member firm of the Association of Australasian Acoustical Consultants);
 - b. be approved by Council prior to the commencement of any works;
 - c. demonstrate that the location, design and operation of all plant and equipment can achieve the recommendations made in the Acoustic Report;
 - d. if necessary, recommend additional measures to improve noise controls on-site to ensure the NIRV noise limits will be met at all receptor locations; and
 - e. Include a detailed copy of the proposed Noise Management Plan including community relations management as recommended in the Acoustic Report for approval by Council prior to commencement of any works.
11. Within two months of the use commencing a noise validation assessment must be prepared and submitted to the responsible authority demonstrating that the approved use is consistent with the recommendations and requirements of the Acoustic Report.
12. In the event of non-compliance with the specified acoustic requirements of Conditions 10 and 11 of this permit the approved use must cease.

ENVIRONMENTAL MANAGEMENT PLAN CONDITION

13. Unless otherwise approved in writing by the Responsible Authority, prior to the use and development commencing, an Environmental Management Plan (EMP) must be prepared by a suitably qualified person and submitted to the Responsible Authority for approval. The EMP must be to the satisfaction of the Responsible Authority. The EMP must provide for, but not be limited to:
 - a. Water balance calculations including water sources, storage, internal drainage lines and sediment repositories;
 - b. Measures to be undertaken to control sediment-laden water being discharged from the site;
 - c. Emergency response procedures to be implemented and other measures required to control the discharge of sediment-laden water in flood events;
 - d. Management of grey water and sewage generated on site; and



- e. Management of storage of fuels and other materials to prevent interaction with surface waters.

When approved, the EMP will be endorsed and will then form part of this permit.

14. The use and development must be undertaken in accordance with the approved EMP to the satisfaction of the Responsible Authority.

DUST MITIGATION PLAN CONDITION

15. Prior to the use and development commencing, a Dust Mitigation Plan (DMP) must be prepared by a suitably qualified person and submitted to the Responsible Authority for approval. The DMP must detail, but not be limited to, a risk management strategy addressing measures to reduce air emissions to acceptable levels at nearby sensitive locations and to address the potential for nuisance dust off-site including details of the following:
 - a. a baseline monitoring program of nuisance dust which must be completed prior to the commencement of the use;
 - b. how activities which generate dust on site will be managed to minimise dust emissions;
 - c. the circumstances in which quarrying activities will cease on site due to weather conditions that will result in visible dust being discharged beyond the boundaries of the premises;
 - d. how dust will be monitored, such monitoring to be in compliance with the State Environmental Protection Policy (Air Quality Management) 2001 and to include use of dust deposition gauges following the receipt of complaints at locations to be determined in consultation with the Responsible Authority.
 - e. contingency measures to deal with any elevated dust conditions or upset conditions.

Once approved, the DMP will be endorsed and will form part of this permit.

16. The use and development must at all times be conducted in accordance with the DMP to the satisfaction of the Responsible Authority.

WEED MANAGEMENT PLAN

17. Unless otherwise approved in writing by the Responsible Authority, prior to commencement of works, a Weed Management Plan (WMP) for the entire site must be submitted to the Responsible Authority for approval. The WMP must be to the satisfaction of the Responsible Authority. The WMP must include, but not be limited to:
 - a. list of plant species applicable to site;
 - b. species targeted for control;
 - c. management techniques including regular weed management along the bunds and perimeter landscaping; and
 - d. monitoring and reporting.



Once approved, the WMP will be endorsed and will form part of this permit.

18. The use and development must be undertaken in accordance with the approved WMP to the satisfaction of the Responsible Authority.

HOURS OF OPERATION

19. The use must only occur between the following hours:

- Monday to Friday 8:00am to 6:00pm
- Saturday 9:00am to 1:00pm

COMPLAINTS REGISTER

20. The operator must keep a register of any complaints by the public concerning the operations and the register must be made available to the Responsible Authority on request.

TRUCK MOVEMENTS

21. The number of trucks accessing the site is limited to 10 per day (20 movement's total) day unless otherwise agreed to in writing by the Responsible Authority.
22. All trucks must be covered to minimise dust generation from the load, prior to leaving the site.
23. No truck movements may occur to or from the subject site between hours 8:00am - 9:00am and 3:30 pm - 4:30pm on any school day.

REHABILITATION CONDITIONS

24. Prior to commencement of works, a Rehabilitation Plan for the entire site must be submitted to the Responsible Authority for approval. The Rehabilitation Plan must include, but not be limited to:
 - a. existing conditions and vegetation (e.g. windrows and road plantings);
 - b. objective of the end use (i.e. agricultural);
 - c. progressive rehabilitation methodology of disturbed areas;
 - d. staging and timing of rehabilitation (must all be done within permit expiration timeframe); and
 - e. species and planting densities.

When approved, the Rehabilitation Plan will be endorsed as evidence of its approval.

25. The use and development must be undertaken in accordance with the approved Rehabilitation Plan to the satisfaction of the Responsible Authority.
26. Grazing on the property shall not be undertaken until the excavated area is fully restored, to the satisfaction of the Responsible Authority.



LANDSCAPING CONDITIONS

27. Before the development starts, a landscape plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - c. Landscaping and planting along the north-western boundary of the site.
 - d. The means of watering/irrigation proposed to be used.All species selected must be to the satisfaction of the responsible authority.
28. Before the use starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
29. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.

GOULBURN-MURRAY WATER CONDITIONS

30. All works associated with the stone extraction activities must be undertaken in accordance with DEDJTR, Code of Practice Small Quarries (2010).
31. Sediment control principles outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (May 1991) must be implemented on the site to ensure that no sediment laden run-off is able to leave the site or be discharged to waterways or drainage lines. Sediment traps must be maintained to ensure their effectiveness.
32. All drainage/stormwater run-off from within the work area and any stockpile areas must be directed towards a sedimentation basin. Inlet and outlet structures must be appropriately beached to ensure that no erosion occurs and the basin must be periodically cleaned of sediment to ensure it maintains capacity and functions appropriately.
33. The sedimentation basin must have the capacity to capture run-off and drainage from the work site in a one in ten-year storm event.
34. Stormwater unaffected by the work site operations must be diverted around the site of operations as unconcentrated overland flow so as not to cause any erosion, channelling or discharge of sediment off-site.
35. Stockpiles of extracted material must be either revegetated or stored in a manner whereby any run-off containing sediment is directed towards the sedimentation basin.



36. At the completion of all extraction activities, the site must be rehabilitated to prevent erosion and sediment transport off-site.
37. All wastewater from portable toilets or handwashing facilities must be transported off-site to the satisfaction of council's Environmental Health Department.

NORTH EAST CATCHMENT MANAGEMENT AUTHORITY CONDITIONS

38. That the small quarry complies with the requirements of the Department of Primary Industries' Code of Practice for Small Quarries 2010 (as amended).
39. Prior to the commencement of works, appropriate silt control measures (swale drain) must be installed to prevent sediment laden runoff from the site. The silt control measures must be maintained at all times.

EPA CONDITIONS

40. Surface water discharge from the premises must not be contaminated with waste.
41. The permit holder must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.
42. Effective noise levels from the use of the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.

EXPIRY CONDITION

43. This permit will expire if one of the following circumstances applies:
 - a. the development and use are not started within two years of the date of this permit. The applicant must advise the Responsible Authority in writing of the date of the commencement of the development and use.
 - b. the use and development must cease eighteen months (18) after the commencement date. The Responsible Authority may extend the permit for a further six (6) months upon receipt of a request from the applicant prior to the expiry date.

The Responsible Authority may extend the period referred to in (a) if a request is made in writing before the permit expires or within six months afterwards if the development has not lawfully commenced.



NOTES

NORTH EAST CATCHMENT MANAGEMENT AUTHORITY NOTE

Along the southern boundary of the site is a tributary waterway of the Ovens River, gazetted by the North East Catchment Management Authority to be a designated waterway under the Water Act 1989. Any works in, on or over designated waterways (such as access crossings, storm water outlets, etc.) will require a Works on Waterway Permit under By-Law No 2014/01 Waterways Protection from the North East Catchment Management Authority prior to commencing any works. Further information and an application form can be obtained from North East Catchment Management Authority at: <http://www.necma.vic.gov.au/About-Us/Programs-Initiatives/Undertake-Works-on-Waterways>.



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 13.05 Noise

Clause 13.06 Air Quality

Clause 13.07 Amenity and Safety

Clause 14.01 Agriculture

Clause 14.03-1S Resource Exploration and Extraction

Clause 14.03-1R Resource Exploration and Extraction - Hume

Clause 17.01 Employment

Clause 17.04 Tourism

Clause 18 Transport

Local Planning Policy Framework

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

Clause 21.03-2 Rural residential living

Clause 21.05-1 Tourism

Clause 21.05-3 Agriculture

Clause 21.07-11 Rural Precincts

Clause 22.03-1 Tourist use and development

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



Overlays

The site is subject to the Bushfire Management Overlay however the proposed used and development does not trigger the need for a planning permit under the overlay provisions.

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 Car Parking

Clause 52.08 Earth and Energy Resources Industry

General Provisions

Clause 65 Decision Guidelines



8.3.7 Planning Application 5.2018.206.1 - Use and Development of the land as an outdoor recreation facility

Application number:	5.2018.206.1
Proposal:	Use and development of the land as an outdoor recreation facility
Applicant's name:	Mountain Planning
Owner's name:	Victorian Plantations Corporation
Address:	CA S23F, Parish of Bright CA 7 and 7A, Section K, Parish of Bright
Land size:	Approximately 1,200 hectares is the subject land however the area of use is around 500ha.
Current use and development:	Timber production and informal outdoor recreation
Site features:	Pine plantations within which is an extensive network of trails used for mountain biking, trail running and hiking. The land is mountainous and contains a number of waterways.
Why is a permit required?	A planning permit is required: - to use and develop the land as an outdoor recreation facility pursuant to Clause 35.07-1 and Clause 35.07-4 respectively of the Farming Zone - to construct a building and carry out works associated with leisure and recreation pursuant to Clause 44.06-2 of the Bushfire Management Overlay.
Zoning:	Farming Zone
Overlays:	Bushfire Management Overlay
Restrictive covenants on the title?	No
Date received:	27 November 2018
Statutory days:	161
Planner:	Sam Porter

Cr Roper
Cr Keeble

That a Notice of Decision to grant a planning permit be issued for use and development of the land as an outdoor recreation facility in accordance with the conditions outlined in Appendix (a) and for the following reasons:

- 1. The proposed development is generally consistent with the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework.*
- 2. The proposal is consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone as the proposed use and development would not adversely affect the use of the land and nearby land for agriculture, and would provide a use that is able to operate concurrently with agriculture.*



3. *The proposal has adequately addressed the purpose and decision guidelines of Clause 44.06 Bushfire Management Overlay and Clause 53.02 Bushfire Planning.*
4. *The proposal would formalise a current land use which in turn will ensure the use is able to be more effectively managed.*
5. *With appropriate conditions imposed, the amenity of the nearby residential area will be able to be managed and protected.*
6. *The proposed planning use of an outdoor recreation facility implemented and managed under the guidance of a planning permit is an improved land use outcome than that of the currently 'as of right use' of an informal outdoor recreation land use.*

Carried

PROPOSAL

It is proposed to use and develop the site as an outdoor recreation facility. The main points of the proposal are as follows:

- the proposal seeks to formalise the existing use of the land for recreational purposes so that users of the site can be required to pay to use the site. This will include payment for events such as mountain bike racing, trail running racing, obstacle course racing, horse riding events, and mountain bike shuttles, as well as payment by casual users of the site.
- the primary use of the land for timber production by HVP Plantations will continue.
- the management of the outdoor recreation facility will be undertaken by Alpine Community Plantation (ACP) and revenue from the recreational use of the land will be used for the ongoing management and development of the land.
- the applicant has advised that prior to each formal event at the site, an event management plan will be required to be submitted to Council for approval.
- a masterplan has been submitted which shows all existing infrastructure, proposed trails, the area of the land that is the subject of this application; and proposed gates - see Figure 1 below.
- other than the construction of tracks and trails the only other physical works proposed include the construction of two shelters within plantation at appropriate intersection points. Plans showing the Master Plan for Rotary Pines area of Pioneer Park (Figure 2) have also been submitted as this area has an integral association with proposal.

It is noted that the proposed land use of 'outdoor recreation facility' is defined in the Alpine Planning Scheme (Scheme) as "Land used for outdoor leisure, recreation, or sport". The current land use of the site is 'informal outdoor recreation' which is defined by the Scheme as "Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, picnic or barbecue area, playground, and walking or jogging track".

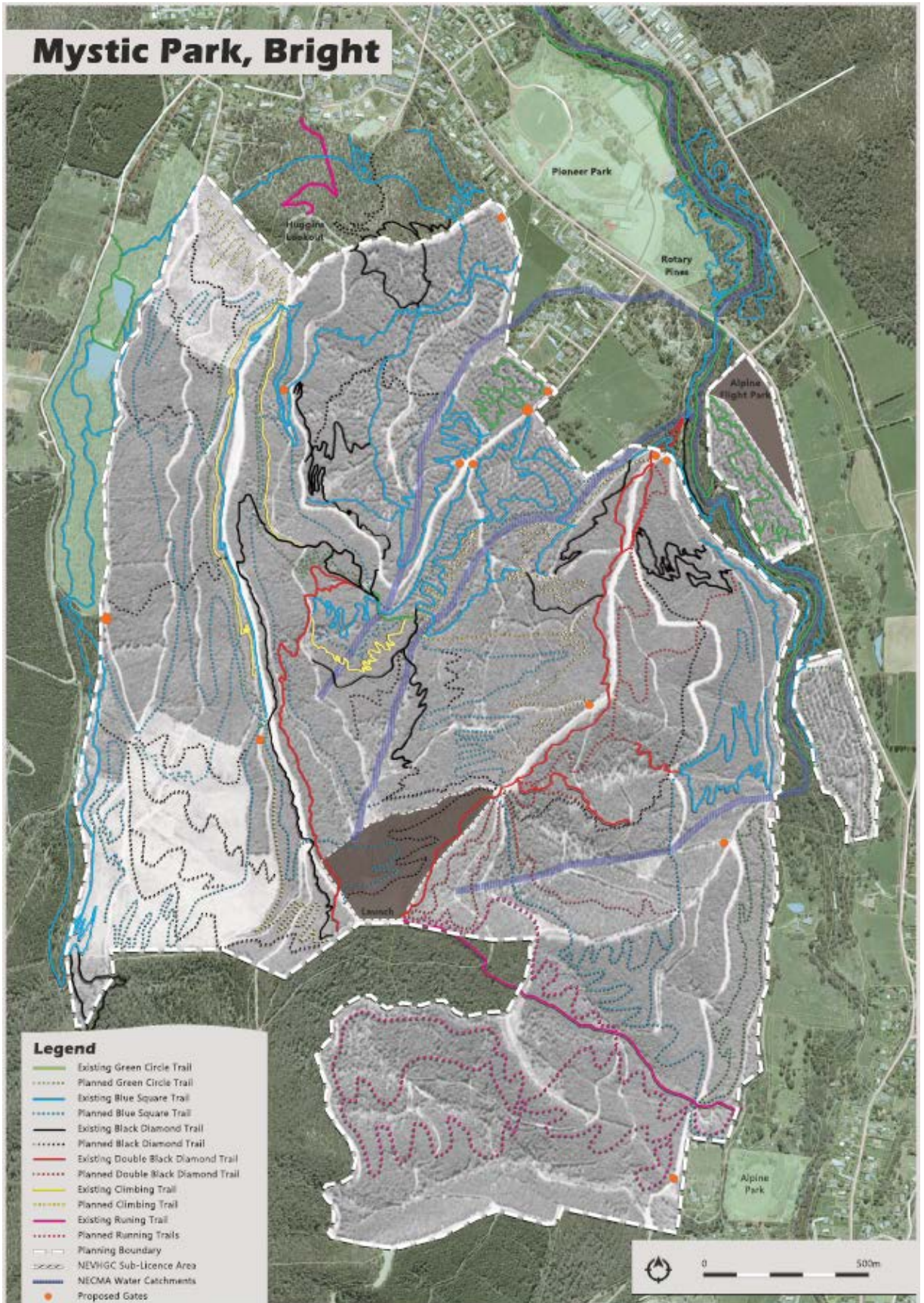


Figure 1: Master Plan



Figure 2: Rotary Pines Master Plan

SUBJECT LAND AND SURROUNDS

The subject site is comprised of three titles:

- Crown Allotment S23F, Parish of Bright - an irregularly shaped lot of 1180 hectares located to the south of the Bright township extending most of the way south along the Morses Creek valley and is therefore accessed from a number of locations by the licence holder most notably for this application Mystic Lane and McFadyens Lane. The lot is currently used for timber production (pine plantations) and is managed by Hancock Victorian Plantations (HVP) under a perpetual licence from the State government.
- Crown Allotment 7, Section K, Parish of Bright - an irregularly shaped lot of 10.5 hectares located on the western side of Morses Creek Road. Morses Creek runs adjacent to the western boundary of the lot. The western half of the lot contains vegetation while the eastern side contains a carpark, toilet and BBQ. Vehicle access is from Morses Creek Road. This lot is known as the Alpine Flight Park or the 'Landing Paddock'.
- Crown Allotment 7A, Section K, Parish of Bright - an irregularly shaped lot of 8.4 hectares also located on the western side of Morses Creek Road to the south of CA 7. Morses Creek also runs adjacent to the western boundary of the lot. The lot contains a pine plantation.

The subject site is also used for informal outdoor recreation and contains an extensive network of trails used for mountain biking, trail running and hiking. These



trails are open to the public and are managed by Alpine Community Plantation (ACP). There is currently no fee charged for the use of the land for informal outdoor recreation by individuals.

The land is also used for fee-paying commercial events such as the Mountain Bike National Championships, local mountain bike races, the Spartan obstacle course race, Bright 24 hour mountain bike race, Bright fun run and the Buffalo Stampede. There is also a commercially conducted shuttle service which transports mountain bikers from the base of the mountain to the top of the mountain.

The subject land also contains infrastructure to support the ongoing recreational uses of the land, this includes:

- A carpark, toilet and BBQ in the Landing Paddock (as discussed above).
- A carpark, toilet and hang glider/paraglider launch pad on top of Mystic Hill, the "Launching Area".
- Signage.
- Entrance gates on Mystic Lane and McFadyens Lane.

Figure 3 below shows the subject land and given its vast size a white box has been added to assist in understanding the area where the proposed use will extend.



Figure 3: 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 75 surrounding landholders and occupiers. A sign was displayed on the subject land and a notice was published in the local newspaper (*Alpine Observer*). Three objections were received. The reasons for objecting are as follows:

- Safety on Mystic Lane
- Traffic Volume
- Traffic Noise
- Dust
- Bike Users on Mystic Lane
- Park Users Behaviour



Three submission of support were received. One submission discussing the heritage values of the site was also received.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	CFA - no objection subject to conditions Goulburn Murray Water - no objection subject to a permit note
Internal / external referrals:	North East Catchment Management Authority - no objection subject to conditions Department of Environment, Land Water and Planning - unconditional consent Engineering - no objection subject to conditions Environmental Health - no objection subject to conditions

PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION

All applicable policy and decision guidelines can be found in Attachment b.

Planning Policy Framework and Local Planning Policy Framework

The Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) give support to the proposal on a range of tourism and agriculture related policy directions.

The application is consistent with relevant tourism policies by providing events that will serve to promote the Shire as a sporting destination in Victoria, providing economic and social benefits to the local and broader community. By changing the current informal recreation use to a formal outdoor recreation facility where users of the site will be required to pay will improve the overall operation of the site as more formal management arrangements will be required to be in place. These arrangements will include, but are not limited to, traffic management, dust suppression, hours of operation, a code of conduct for users, and provision of car parking.

The application is consistent with State and local policy aiming to protect the ongoing use of the land for agriculture. The ability for the use and development to coexist with the current agricultural use of the land (timber production) ensures that this Farming Zone land will remain a part of the Shire's agricultural base while providing for an alternative concurrent use.

The site is located in the Ovens River Special Water Supply Catchment. The application was referred North East Catchment Management Authority (NECMA) who did not object to the proposal subject to planning permit conditions including requiring the applicant to submit a Maintenance and Management Plan for all trails to ensure that there is a formal plan for how the trails are maintained. This approach is supported and will assist in the protection of the catchment.



The NECMA requested that their conditions to be included on any permit issued contain a condition reading:

'that the planning permit is issued for existing trails only'.

It is recommended that this condition be set aside for the following reasons:

- Such a condition would result in each new or amended track require either an amended planning permit or a fresh planning permit application.
- The submitted master plan has outlined approximate locations of all future tracks and trails, therefore, an appropriate set of conditions can be included on any permit issued requiring specific information to be submitted and approved prior to additional works.
- Approving amended plans that fall within the set bounds of conditions specifically put in place for that future purpose represents best planning practice in this instance.
- A track and trail construction code will be a condition of approval that will provide acceptable environmental considerations to all future works.

Cultural Heritage

The site is located in an area of Aboriginal Cultural Heritage Sensitivity and the proposed use and development is classified as a high impact activity. The applicant has provided sufficient evidence of significant ground disturbance to conclude that a Cultural Heritage Management Plan is not required for the proposal in accordance with the Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2018.

Overall it is considered that the proposal is in accordance with the relevant policy objectives and strategies in the Scheme as it will support a tourism use that is nature based and compatible with the agricultural use of the site. Any approval issued will ensure that the use has appropriate management tools to provide relevant infrastructure and amenity management plans for events and casual users of the site.

Zoning

The subject land is located in the Farming Zone. A planning permit is required for the use and development of the land for an outdoor recreation facility. The use and development is consistent with the Farming Zone purpose and decision guidelines as it will allow for the continued overarching use of the land for agricultural production. It also would not impact on the operation of adjoining and nearby agricultural uses and would create employment opportunities which will support a rural community. The proposal would be based on comprehensive and sustainable land management practices and infrastructure provision as it seeks to formalise an existing informal use through the management of matters such as patrons, traffic and dust. These issues will be discussed later in this report in the response to objections to the proposal.

Overlays

The site is subject to the Bushfire Management Overlay. A planning permit is required for buildings and works associated with the proposed use of the land. The application was referred to CFA who had no objection to the proposal subject to



conditions including that the proposed shelters be constructed from non-combustible material, all future buildings on the land to be submitted to and approved by Council, and the applicant to submit a Bushfire Emergency Management Plan due to the site being in an extreme bushfire landscape. With the inclusion of CFA conditions on any approval issued it is considered that the proposal satisfactorily addresses the purpose and decision guidelines of the overlay and of Clause 53.02 Bushfire Planning.

Clause 52.06 Car Parking

Where a use of land is not specified in Table 1 to Clause 52.06-5, car parking spaces must be provided to the satisfaction of the responsible authority before a new use commences. Outdoor recreation facility is not listed in Table 1 therefore car parking must be provided to Council's satisfaction.

Previously car parking took place in part along Mystic Lane that was within the Alpine Community Plantation, however, this trail head area is now relocated to offsite.

Currently car parking for events occurs in many areas

- Within the Landing Paddock - approximately 800 spaces
- At the summit of Mystic Hill
- Pioneer Park Reserve and surrounding roads

The Alpine Shire Council is currently working to develop additional car parking within the Rotary Pines area within Pioneer Park. It is envisaged that this area will serve as a new trail head location. The broader Pioneer Park Reserve area is able to cater for more event based car parking whilst the Alpine Flight Park (The Landing Paddock) if need be can cater for additional event parking if needed.

Conditions to be included on any permit issued will include and ensure that Pioneer Park is used for all parking in the first instance via Traffic Management Plans to be submitted. The Alpine Shire Council is the Public Land Manager for this area and is agreeable this parking outcome as a land manager.

Response to Grounds of Objection

Safety on Mystic Lane

Council's Development Engineer has reviewed the existing sealed section of Mystic Lane along with traffic volume data and any associated incident history. Following this review changes to Mystic Lane will be required via an upgrade condition. The upgrade condition will request centreline and edgeline marking along with threshold pavement marking as a minimum. A further condition will require that during event and school holiday periods a radar boards is also present along Mystic lane.

Increases in traffic volume on a public road is commonly a reasons for Traffic Impact Assessment Report (TIAR) to be supplied. In this instance it is Council's opinion that a combination of works to Mystic Lane combined with the land manager's ambition to reduce traffic via additional controls such as a pay per use scheme warrants a deferral of such a request. Therefore, in the event that traffic usage of Mystic Lane doesn't improve as a result of the requirements of this permit being issued a further



condition still requiring a TIAR in two years' time should Council determine it is still necessary will be included.

Traffic Volume

Traffic figures taking in peak period usage (Summer School Holiday Period) show an approximate usage of 800 vehicles per day. Mystic Lane is an urban Access Street and therefore has the ability to cater for between 1000-2500 vehicles per day. Therefore, the current usage doesn't warrant a discontinuation of Mystic Lane being used as subject land access.

What is important to acknowledge is that the land manager has its own desire to minimise wear and deterioration on its own roadway, therefore, with the issuing of a planning permit they would be entitled to start charging admission for vehicles and / or establish other controls and subsequently see a reduction in overall numbers. The progression of this park moving from a publically open area into a pay for usage space will ultimately be the basis for improving the traffic management in the area.

Traffic Noise

Noise emission from a pre-existing roadway in a road reserve that is being used well within its designed capacity can't be directly addressed through this planning application, however, improved management into the park will provide an opportunity to influence Mystic Lane users behaviour. Further to this the traffic calming measures to be implemented on Mystic Lane should be designed to deliver a constant speed used rather than a variable speed that requires additional engine revving and braking. In addition to the changes to the roadway design, the most appropriate condition to have in place is to ensure the larger commercial vehicles proposing to offer a shuttle service within the park are only in use between 7am and 8pm.

Dust

The migration of dust from the Park area downslope towards residential areas was known to be an issue with the road usage in this area prior to receiving a planning application. The application acknowledges that receipt of a planning permit would allow the land use to become more commercial, therefore, providing more opportunity to address road maintenance.

Evidence gathered by Council indicates that the dust issue is present in surrounding residential streets namely Colonial Court and the upper section of Mystic Lane. However, the dust issue dissipates before the residential area fronting Coronation Ave. Whilst conditions will be placed on the permit to ensure short term dust management, these measures are temporary and a further condition will require the sealing within two years of the internal Mystic Lane/Huggins Road up to the first westerly bend. The seal standard would be for 6m width allowing for two way traffic, meaning that around 200m of an already sealed section would need widening before a further fresh 600m section, totalling 800m of works.

A dust management and monitoring plan will be required to be submitted to Council for approval which outlines measures that will be undertaken to ensure that dust is not being discharged or emitted so as to become a nuisance offsite. In addition the



dust mitigation plan will require some measuring and monitoring. The EPA has advised that the necessary hardware to measure dust emissions is available for loan. Therefore, the permit conditions proposed will require that measuring occurs both prior and post the sealing upgrade to Mystic and Huggins Road. Structuring the conditions in this way will ensure there is clear evidence as to the changes in any dust impacts as a result of proposed road works. In the event that the additional sealing of Mystic Lane and Huggins Road is unable to deliver satisfactory dust emission results the permit if approved will further recognise the additional sealing to Huggins Road is required.

Park Users Behaviour and Bike Users on Mystic Lane

A condition is proposed to be included on any permit issued requiring a code of conduct to be developed. This code of conduct would be similar to those seen in use in nearby ski fields. Once developed and approved the permit condition would specify that it must be circulated with all paying users of the park. The code would allow for much self-regulation amongst users making them aware of the surrounding residential housing and any will further outline that users of Mystic Lane in the residential area are to modify their speeds both on bikes in cars.

Proposed Park Access

A further common theme from the submissions received was that the access to the park should be relocated away from Mystic Lane and away from existing residents. Considerable investigation was undertaken in reviewing two other potential access alignments, however, it was found that Mystic Lane remains the most appropriate choice and that there are insufficient planning grounds to request an alteration. Indeed, as the alternate alignments traverse third party land and would require stakeholder approvals, they are not able to be conditioned as part of a planning permit process. Nonetheless, for transparency, two alternate options were investigated at a high level through the assessment process. As can be seen from the figures below each alternative simply moves the matter from one residential area to another future residential area. A summary of each proposal is below:

White Star Road – Figure 4

- 900m of Residential Zone interface
- Dust Issues
- Noise Issues
- Slope/Topography
- Crown Land Tenure
- Cultural Heritage
- Waterway proximity constraints
- Waterway crossing 2-3
- Likely reluctance of HVP to further burden forestry operations.
- Very high construction costs



- End outcome puts traffic back on Mystic Lane only 320m from existing residential land
- Dust issue likely to remain unresolved due to gravel road still in existence from Mystic intersection point continuing uphill



Figure 4: Potential White Star Road Alignments



Coronation Ave – Figure 5



Figure 5: Potential Coronation Ave Road Alignment

- 950m of Residential Zone interface
- Dust Issues
- Noise Issues
- Slope/Topography
- Crown Land Tenure
- Cultural Heritage
- Waterway crossing
- High construction costs
- Intersection grade issues with Coronation Ave
- End outcome puts traffic back on Mystic Lane only 240m from existing residential land
- Dust issues remain unresolved due to likely gravel road still in existence from Mystic intersection point continuing uphill



Mystic Lane – Figure 6

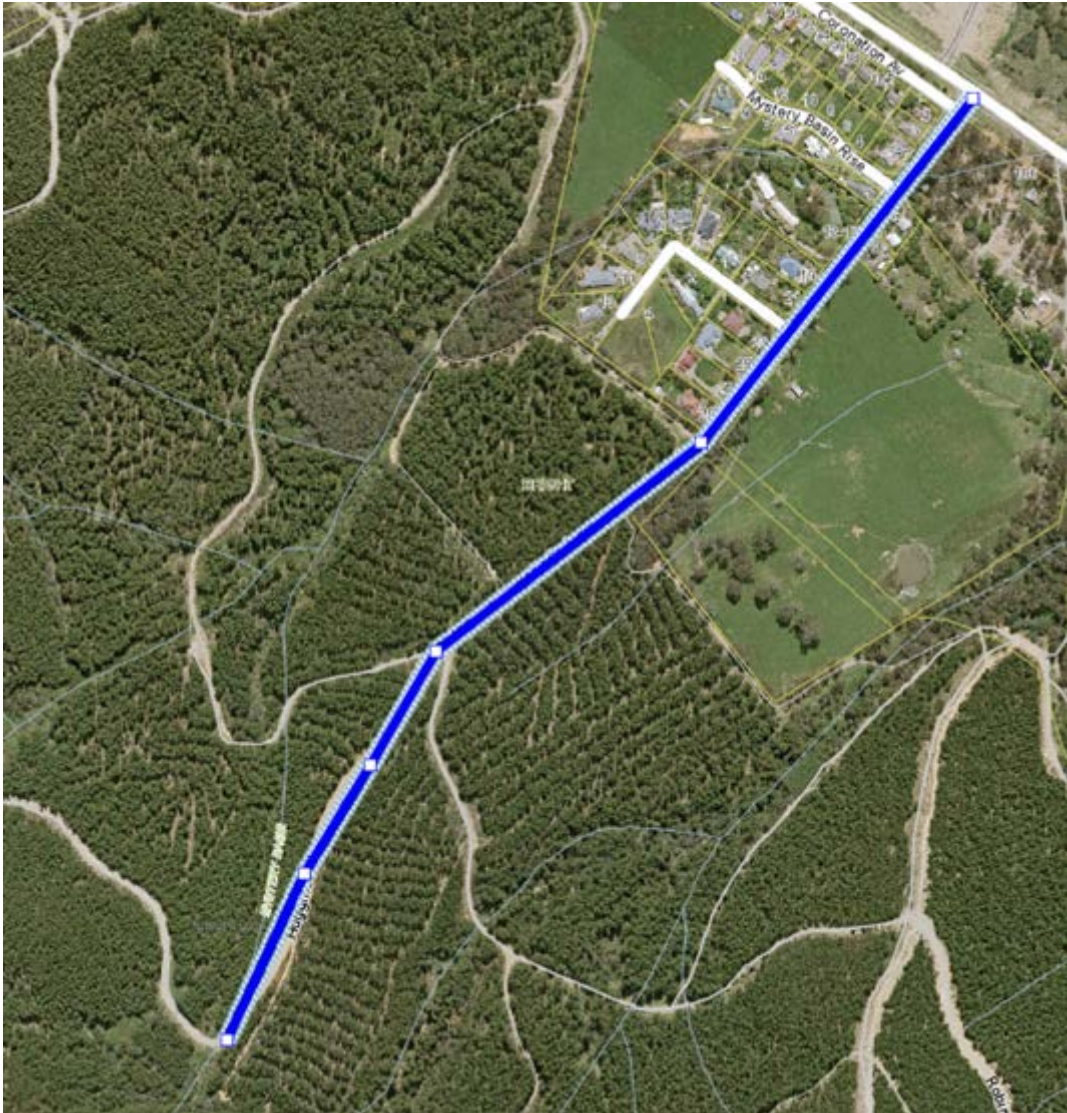


Figure 6: Existing Mystic Lane/Huggins Road Access alignment proposed to be upgraded

- 900m of Residential Zone interface
- Dust Issues are able to be resolved via achievable planning permit conditions
- Noise Issues are able to be resolved via achievable planning permit conditions
- 600m of new seal plus 200m of seal widening to upgrade road is likely resolve dust issue creates 800m+ separation from residential area
- Improved Safety outcomes able to be focused on via achievable planning permit conditions.



CONCLUSION

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

- The proposed development is generally consistent with the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework.
- The proposal is consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone as the proposed use and development would not adversely affect the use of the land and nearby land for agriculture, and would provide a use that is able to operate concurrently with agriculture.
- The proposal has adequately addressed the purpose and decision guidelines of Clause 44.06 Bushfire Management Overlay and Clause 53.02 Bushfire Planning.
- The proposal would formalise a current land use. In turn the use will be able to be more effectively managed.
- With appropriate conditions imposed, the amenity of the nearby residential area will be able to be managed and protected and significantly improved upon from what is currently experienced.

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
- Acting Director Corporate
- Senior Planning Officer

APPENDICE(S)

- 8.3.7 (A) – Conditions
- 8.3.7 (B) – Policy and decision guidelines



APPENDIX (A)

GENERAL CONDITIONS

1. Prior to commencement of use, amended Master plans must be submitted to and approved by the Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. Such plan must be generally in accordance with the plans submitted but modified to include further information or modifications to:
 - The information as required by Conditions: 20, 29, 33, 40 and 42
2. The layout of the site and the size of the proposed buildings and works must be generally in accordance with the endorsed plans which form part of this permit. The endorsed plans must not be altered or modified (whether or not to comply with any statute statutory rule or local law or for any other reason) without the consent of the responsible authority.
3. The layout of the activities and uses on the endorsed plans must not be altered without the written consent of the responsible authority.

TRAIL HEAD

4. No permanent Trail Head or General Information Signage Boards are to be located on the subject land.

APPROVAL OF TRAILS

5. Prior to the construction of any trails within the subject land, drawn to scale and dimensioned plans must be received and approved under this condition. The plans must include the following information:
 - Trail type
 - Trail Access
 - Construction plan detail including overall sections
 - Construction Management Plan and any specific Maintenance Plan
 - Water course management detail including any required approvals
 - Any offsite amenity reducing measures to be implemented
 - Adherence to a developed track and trail construction code
6. Prior to the construction of a buildings to be erected onsite (shelters or similar) that required separate building approval drawn to scale and dimensioned plans must be received and approved under this condition. The plans must include the following information:
 - Full description of use
 - Site Plan
 - Floor plan
 - All elevations
 - Proposed finishes and materials



TEMPORARY STRUCTURES

7. All temporary structures must be installed onsite no earlier than fourteen days prior to an event commencing and be removed from the subject site within 7 days after the event unless otherwise approved by the responsible authority.

NOTIFICATION OF EVENT TO EMERGENCY SERVICES

8. Seven days prior to the commencement of any events the permit holder shall provide written confirmation to Emergency Services (CFA – North East Region, Bright Police, Rural Ambulance Victoria, Alpine Health and SES –North East Region) and Alpine Shire Council that the event shall be proceeding as planned.

Dates and times for the event and the name of the person or association that will supervise the event and their contact details must also be provided.

ACCESS AND PARKING

9. The area set aside for parking and access as shown on the endorsed plans must only be used for the parking and movement of vehicles and for no other purpose during the event and must be maintained at all times to the satisfaction of the Responsible Authority.
10. No camping or overnight accommodation activities are approved under this permit.

SIGNAGE

11. Prior to the commencement of any events, suitable signage directing traffic to the car park must be installed to the satisfaction of the Responsible Authority.
12. Advertising signs shall not be erected or displayed on the site except with the further written approval of the Responsible Authority.
13. Within two days of any event finishing, any temporary directional signage associated with the event or function must be removed.
14. Any proposed signage to be displayed on the subject land unless otherwise approved must conform to the exemption provided in Clause 52.05-10 of the Alpine Planning Scheme. The siting, design and advertising message of the signage shall be to the satisfaction of the responsible authority.

NATIVE VEGETATION

15. No native vegetation shall be removed without prior written approval. A proposal to remove native vegetation must be submitted to the Alpine Shire Council as a separate application.



GENERAL AMENITY

16. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - a. Transport of materials, goods or commodities to or from the land.
 - b. Appearance of any buildings, works or materials.
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d. Presence of vermin.
 - e. Hours of operation.
17. Public address systems or the like shall only be operated during the hours of operation as approved under this permit.
18. Noise levels generated by approved use shall comply with all relevant EPA requirements relating to noise emissions from the premises to the satisfaction of the Responsible Authority and the Environment Protection Authority.
19. Appropriate garbage collection bins must be provided on the site for the duration of any events for the collection of rubbish, with the bins to be emptied at the end of the event, and part way through the event if required so as to ensure that the property is maintained and left in a neat and tidy condition, all to the satisfaction of the Responsible Authority.

DEGRADATION OF LAND

20. Prior to the commencement of use a track and trail construction code must be developed and submitted for approval. The code must detail the standards all tracks and trails are to be constructed to and how best environmental practices will be followed.
21. Mud from any vehicles must not be deposited on any public road. Should mud be deposited on any public road then the road must be cleaned immediately by the owner of the land subject to this permit.
22. Care shall be taken to ensure that the use of the land hereby approved does not cause erosion or degradation of the subject or surrounding land to the satisfaction of the Responsible Authority.
23. All disturbed surfaces on the land resulting from the approved use must be revegetated and stabilised to the satisfaction of the Responsible Authority.
24. All works must be undertaken in a manner that minimises soil erosion and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the Responsible Authority.
25. If any erosion or degradation of the land occurs as a result of the use hereby permitted, the owner of the land must submit to the Responsible Authority in writing, within 14 days of the event, a report describing the extent and location of the degradation to the land that has occurred, and the works that will be undertaken to rectify any degradation, including the timing of these works.



This report must be to the satisfaction of the Responsible Authority, and all works detailed in the report and any others required by the Responsible Authority in writing must be completed to the satisfaction of the Responsible Authority and in a timely manner.

26. Appropriate measures must be implemented throughout the event stage to rectify and/or minimise mud and material being carried onto public roads from the subject land, to the satisfaction of the responsible authority.

ENGINEERING CONDITIONS

Traffic Management Works

27. Prior to commencement of an event the applicant or owner must implement any traffic management works identified by Council Officers, including provision of "Radar boards" advising drivers of vehicle speed and indicating feedback on Mystic Lane at the residential area, or contained within relevant Traffic Impact Assessment Reports, to the satisfaction of Alpine Shire Council. The cost of such works shall be fully met by the applicant.

Non-Council Managed Road

28. The Alpine Shire Council does not perform any routine maintenance and has no plans to upgrade Mystic Lane beyond the residential area. The future maintenance of the internal road is the responsibility of the ACP. Before the use begins a Management Plan detailing ongoing maintenance arrangements to the satisfaction of the Alpine Shire Council must be submitted and approved by Alpine Shire Council.

Mystic Lane Upgrading

29. Prior to the use, the developer must implement traffic calming on Mystic Lane from Coronation Ave to the south boundary of No.29 Mystic Lane to the standards outlined in the Infrastructure Design Manual for Public Roads. The works shall include but not limited to:
 - a. Centreline and Edge line marking
 - b. Threshold pavement marking
 - c. All approved works must be completed to the satisfaction of the Responsible Authority.

Traffic Impact Assessment Report

30. Unless otherwise approved within two years of the date of this permit the applicant shall provide a Traffic Impact Assessment Report (TIAR) in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of Alpine Shire Council. The TIAR must assess if the traffic calming measures implemented under the requirements of Condition 30 and car parking egress onto Coronation Avenue are satisfactory.



31. Within two years of the date of the permit dust reduction measures on Mystic Lane/Huggins Road to the standards outlined in the Infrastructure Design Manual for Public Roads must be implemented. The work must include:
- a. 6m width seal from southern edge of No.29 Mystic Lane to west bend (approx. 800m) of Mystic/Huggins Road.
- Road widths must be in accordance with the requirements of the Infrastructure Design Manual.

Maintenance and Management Plan

32. Within 12 months of the permit being issued, a Maintenance and Management Plan for all tracks, trails and roadways must be submitted to and approved by the Alpine Shire Council. When approved, the plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed plan.

Carparking

33. Prior to commencement of use, the areas set aside for parking of vehicles offsite (Pioneer Park Reserve) and access lanes as shown on the endorsed plans must be:
- a. Surfaced with an appropriate all-weather surface.
 - b. drained in accordance with an approved drainage plan;
 - c. measures taken to prevent damage to assets like but not limited to fences or landscaped areas, street trees, adjoining properties and to prevent informal vehicle access occurring from adjoining roads other than via the formal vehicle crossing;
 - d. Provision of traffic control signage and or structures as required;
 - e. Provision of signage directing drivers to the area(s) set aside for car parking. Such signs are to be located and maintained to the satisfaction of the Alpine Shire Council. This sign must not exceed 0.3 square metres.
34. All car parking must for the approved use must be located off site and generally within the Pioneer Park Reserve and it's surrounds to the satisfaction of the public land manager. CA 7 SEC K Parish of Bright (The Landing Paddock) is permitted to be used for car parking providing a traffic and parking management plan is submitted and approved by the responsible authority prior to each use.
- The plan must include:
- a. car parking areas proposed in accordance with IDM standards and how they will be delineated/marked
 - b. specification of staff numbers adequate to enable efficient operation of car parking areas on-site



- c. the means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled on-site and off-site
- d. measures to discourage patron car parking in (within 15 metres of access road)
- e. staffing and other measures to ensure the orderly departure and arrival of park users
- f. the number and location of all on-site security staff

Shuttle vehicle Pickup/Dropoff Areas

35. Shuttle vehicles must operate in the nominated Pickup/Dropoff areas at all times. Vehicles under the control of the shuttle operators or the operator's staff must not be parked on Mystic Lane.

Security Gate

36. The use of any security gate, barrier or similar device controlling vehicle access to the subject land must be located within the boundary of the subject land to the satisfaction of the responsible authority.

Construction Management Plan

37. Soil erosion control measures must be employed throughout any construction stage of the development to the satisfaction of the Alpine Shire Council. Management measures are to be in accordance with EPA guidelines for Environment Management, "Doing It Right On Subdivisions" Publication 960, September 2004.

No Mud on Roads

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

Generation of Dust

39. The applicant must ensure that dust suppression is undertaken in the form of water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the access roads and/or within the site/car park areas do not cause a nuisance to surrounding properties to the satisfaction of the Alpine Shire Council.

Dust Management and Monitoring

40. Prior to the commencement of use a dust monitoring plan must be prepared and approved by the Responsible Authority. The plan must include:
 - The recording of dust emission levels offsite in nearby residential areas prior to and after the sealing of Mystic Lane / Huggins Road between the existing sealed area and the 'western bend'.



Should the dust monitoring levels not be to that satisfaction of the Responsible authority and the Environment Protection Authority additional road upgrade requirements may be necessary.

41. Access to and from the site for all commercial vehicles associated with the approved use, including shuttle vehicles, must only take place between 7am and 8pm unless otherwise approved by the responsible authority.

Code of Conduct

42. Prior to commencement of use, a Code of Conduct to the satisfaction of the Responsible Authority must be submitted to and approved. When approved, the plan/document will be endorsed and will then form part of the permit.

The plan must include but not limited to the following:

- a. Signage to be used to encourage responsible off-site patron behaviour
 - b. Vehicles accessing the park to obey a 40km/h speed limit along Mystic Lane road reserve
 - c. Vehicles accessing the park to obey a 40km/h speed limit along Huggins Road where not sealed until the Huggins Lookout intersection
 - d. Commercial vehicles (buses, mini vans, people movers towing bike trailers) travelling along Mystic Lane road reserve and must obey a 30km/h speed limit
 - e. Riders to observe a 40km/h speed limit when riding along Mystic Lane road reserve.
43. All paying users/user members of the approved use must be provided with a copy of the Park's approved Code of Conduct at the time of becoming a paying user of the park or financial member.

ENVIRONMENTAL HEALTH DEPARTMENT CONDITIONS

44. All food and drink facilities must be of a temporary or mobile type and must not dispose of wastewater onsite.
45. All temporary sanitary amenities must be supplied off site and generally within the Pioneer Park Reserve and its surrounds to the satisfaction of the public land manager. CA 7 SEC K Parish of Bright (The Landing Paddock) is permitted to be used for additional amenities for events but must meet the following requirements:
 - a. Be supplied in amount (when combined with other offsite amenities) able to cater adequately for the number of patrons attending the event. The Building Code of Australia 2005, Volume one, Victoria Appendix, Section Vic H102.4 – Sanitary and amenity facilities in places of public entertainment must be adhered to.
 - b. No waste and/or wastewater is to be disposed of onsite and must be removed from the site by a suitably qualified professional.



- c. Holding tanks servicing any temporary amenities need to be pumped out at a frequency that minimises odour production and ensures waste in the tank is unlikely to exceed 50 per cent of the tank's useable capacity before the next scheduled service.
 - d. Not be located within 50m of a waterway whenever reasonably practicable.
 - e. Have appropriate bunding and/or a spillage control management mechanism when located within 100m of a waterway.
46. The existing effluent disposal field for the Mystic Flight Park landing pad toilet block must be adequately fenced with a minimum setback of one metre from the edges of trench lines, distribution pits, and the septic tank and/or treatment plant when likely to be impacted by activities covered within this permit including, but not limited to the following:
- The landing pad site being used for car parking
 - The landing pad site being used for temporary or mobile amenities and/or event structures

COUNTRY FIRE AUTHORITY CONDITIONS

47. The proposed Moran and Hazeldine Shelter mentioned in the Masterplan for the site must be constructed of non-combustible material and plans for these need to be submitted to Council for approval.
48. CFA does not support a broad approvals process at this point in time for any additional future buildings other than shelters mentioned above. All future buildings must be submitted and approved by Council.
49. Given the proposed use of the development (Outdoor Recreation Facility) in an extreme bushfire risk landscape a Bushfire Emergency Management Plan (BEP) will need to be developed and address the following:
 - a. Premises details
 - o Describe property and business details.
 - o Identify the purpose of the BEP stating that the plan outlines procedures for:
 - i. Closure of premises on any day with a Fire Danger Rating of Extreme and Code Red.*
 - ii. Evacuation (evacuation from the site to a designated safer off-site location).*
 - iii. Shelter-in-place (remaining on-site in a designated building).*



- b. Review of the BEP
 - o Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.
 - o Include a Version Control Table.
- c. Roles and Responsibilities
 - o Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire.
- d. Emergency contact details
 - o Outline organisation/position/contact details for emergency services personnel
- e. Bushfire monitoring procedures
 - o Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.
 - o Describe and show (include a map) the area to be monitored for potential bushfire activity.
- f. Action Statements - trigger points for action
 - i. Prior to the Fire Danger Period
 - o Describe on-site training sessions and fire equipment checks.
 - o Identify maintenance of bushfire protection measures such as vegetation management (including implementation of protection measures required by any endorsed Bushfire Management Plan).
 - ii. Closure of premise during forecast Fire Danger Rating of Code Red and Extreme days
 - o Outline visitor notification procedures and details of premises closure (including timing of closure).
 - iii. Evacuation
 - o Identify triggers for evacuation from site. For example, when evacuation is recommended by emergency services.
 - o Details of the location/s of the offsite emergency assembly location.
 - o Transport arrangements for staff and guests including details such as:
 - Number of vehicles required
 - Name of company providing transportation
 - Contact phone number for transport company
 - Time required before transportation is likely to be available
 - Estimated travelling time to destination
 - Actions after the bushfire emergency event.



iv. Shelter-in-place

- o Show the location and describe the type of shelter-in-place.
- o Triggers for commencing the shelter-in-place option.
- o Procedures for emergency assembly in the shelter-in-place building.

NORTH EAST CATCHMENT MANAGEMENT AUTHORITY CONDITIONS

50. The Master Plan should be updated to
 - a. remove reference to NECMA Water Catchments;
 - b. show all waterways in the Master Plan area, and be endorsed as part of the permit issued.
51. That a formal review is undertaken of all trails within 12 months of the permit being issued, to document the location and specific details of each trail, its condition, its use, and any drainage or other assets.
52. That a Maintenance and Management Plan is developed for all trails within twelve months of the permit being issued and that the Plan is endorsed as part of the permit issued.

EXPIRY CONDITION

53. This permit will expire if one of the following circumstances applies:
 - a. the development and use is/are not started within two years of the date of this permit.
 - b. the development is not completed within four years of the date of this permit.
 - c. the use is discontinued for a period of two (2) years.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

NOTES:

- Any alterations to the Mystic Flight Park landing pad toilet block will likely require connection to the town reticulated sewer system to adequately manage environmental risks.
- All food businesses that operate on the site for public sales must be registered under the *Food Act 1984* and have current statements of trade (as applicable).



APPENDIX (B)

Planning Policy Framework

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

Clause 11.01 Settlement

Clause 11.01-1R Settlement - Hume

Clause 13.02 Bushfire Planning

Clause 13.05 Noise

Clause 13.06 Air Quality

Clause 13.07 Amenity and Safety

Clause 14.01 Agriculture

Clause 14.02-1S Catchment planning and management

Clause 15.03-2S Aboriginal Cultural Heritage

Clause 17.01 Employment

Clause 17.04 Tourism

Clause 18 Transport

Local Planning Policy Framework

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

Clause 21.04-4 Environmental risk

Clause 21.04-6 Catchments and waterways

Clause 21.05-1 Tourism

Clause 21.05-3 Agriculture

Clause 21.05-4 Timber Production

Clause 21.07-1 Bright

Clause 22.03-1 Tourist use and development

Clause 22.03-2 Agriculture

Zoning

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



Overlay

The site is subject to the Bushfire Management Overlay. The purpose of the overlay and applicable decision guidelines can be found at the following link:
http://planning-schemes.delwp.vic.gov.au/schemes/vpps/44_06.pdf

Provisions that Require, Enable or Exempt a Permit

Clause 52.06 Car Parking

General Requirements and Performance Standards

Clause 53.02 Bushfire Planning

General Provisions

Clause 65 Decision Guidelines



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 Roper

Cr Keeble

That the summary of the Assemblies of Councillor for March / April 2019 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.

Date	Meeting
26 March	Briefing Session
2 April	Briefing Session
16 April	Briefing Session

ATTACHMENT(S)

- 9.0 Assemblies of Councillors – March / April 2019



10 GENERAL BUSINESS

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

11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil

12 RECEPTION AND READING OF PETITIONS

Nil



13 DOCUMENTS FOR SEALING

Cr Nicholas

Cr Pearce

That the following documents be signed and sealed.

1. *Section 173 Agreement – Stephen John Grogan and Frances Mary Bentley and Goulburn Murray Rural Water Corporation. Lot 2 on Plan of Subdivision 608685. Volume 11460 Folio 546*

Conditions 8 and 18 of Planning Permit 2017.100.1 for a Two Lot Subdivision at 9 Howmans Lane, Harrierville.

The Agreement is prepared for the purpose of an exemption from a planning permit for Bushfire Management Overlay purposes.

The Agreement ensures that any future development adheres to the building and wastewater requirements, including the design, installation and maintenance of the wastewater management system and location of the wastewater disposal field and buildings.

2. *Section 173 Agreement – Cas-Bak Building Supplies Pty Ltd Lot 36 on Plan of Subdivision 616760 Volume 11365 Folio 265.*

Condition 11 of Planning Permit 2019.14.1 for the Construction of Two Dwellings and Two Lot Subdivision at 17 Mountain Mist Drive, Bright.

The Agreement provides for the exemption from a planning permit if the dwelling is constructed in accordance with the bushfire protection measures set out in the endorsed Bushfire Management Plan.

3. *Section 173 Agreement – Latteria Holdings Pty Ltd.*

Lot: 3 PS: 432423, Lot: 4 PS: 432423, CA2 SEC 8 Parish of Mullindolingong and Lot: 5 LP: 51101.

Volume 11362 Folios 815 and 816, Volume 8341 Folio 225 and Volume 5675 Folio 868.

Conditions 19, 20, 21 and 24 of Planning Permit 2018.38.1 for the Four Lot Re-Subdivision of land down to Three Lots, Modification of Access to Road Zone Category 1, and Removal of Native Vegetation at 6848 Kiewa Valley Highway, Tawonga.

The Agreement provides for the exemption from a planning permit if the dwelling is constructed in accordance with the bushfire protection measures set out in the endorsed Bushfire Management Plan. Lot 2 is excluded from the Bushfire Management Overlay exemption. No Dwelling or building with a human habitation component is permitted to be constructed on Lot 3, nor can Lot 3 be further subdivided.



- 4. Audit Committee Charter, Version 3.0, 2019.*
- 5. S5 – Instrument of Delegation Council to the Chief Executive Officer.*
- 6. S6 – Instrument of Delegation Council to Members of Council Staff.*
- 7. Contract No 180772 in favour of Pensar Structures Pty Ltd for Victoria Bridge Load Limit Upgrade.*
- 8. Contract No 1900501 in favour of James Civil Group for Myrtleford Fire Hydrant Services.*

Carried

There being no further business the Chairperson declared the meeting closed at 8.16p.m.

.....
Chairperson

COUNCIL POLICY

Health and Safety

DOCUMENT UNCONTROLLED WHEN PRINTED

DOCUMENT CONTROL

Policy number 052	Status Draft	Approved by Council
Date approved	Next review date June 2022	
Directorate Corporate	Department Corporate	Internal / External Internal

Contents

1. Purpose	3
2. Scope.....	3
3. Policy details	3
3.1 Council’s vision and goal for safety	3
3.2 Health and safety culture	3
3.3 Health and safety management system	4
3.4 Monitoring and reporting.....	5
3.5 Training and awareness.....	5
4. Roles and responsibilities	5
5. Breaches.....	6
6. Human Rights Charter compatibility.....	6
7. Supporting documents	6
8. Definitions and abbreviations	7
9. Approval	8

REVISION RECORD

Date	Version	Revision description
26/10/2004	1.0	Adopted Version 1.0
01/04/2008	1.1	Amendments to Version 1.0
23/11/2009	2.0	Adopted Version 2.0
07/05/2014	2.1	Draft Amendments to Version 2.0 NOT circulated or proceeded with.
29/10/2014	2.2	Draft Amendments to Version 2.0 circulated to OHS Committee and Executive for discussion
13/11/2014	2.3	Draft Amendments to Version 2.02 for discussion
08/04/2015	3.0	Approved Version 3.00
24/10/2017	3.1	Draft Amendments to Version 3.0 for HSC Consideration
17/11/2017	3.2	Draft Amendments to Version 3.01 for Management Consideration
05/12/2017	4.0	Version 4.0 Adopted by Council
17/04/2019	4.1	Review of Version 4.0 including minor structural changes and rebranding
04/06/2019	5.0	Version 5.0 for adoption by Council

1. Purpose

Alpine Shire Council (Council) is committed, so far as is reasonably practical, to:

- ensuring the health, safety and wellbeing of all its employees, volunteers and contractors while they are performing their duties and conducting business on Council's behalf;
- ensuring that community members and persons other than Council employees are not exposed to risks to their health or safety that may arise from the conduct or undertakings of Council; and
- achieving compliance with the *Occupational Health and Safety Act 2004*, the *Occupational Health and Safety Regulations 2017* and all other legal requirements which affect the health, safety and wellbeing of its employees, volunteers, contractors and members of the public.

This policy establishes the framework to:

- create a culture within the organisation that embraces health and safety;
- equip the organisation with the skills and tools to identify, assess and mitigate health and safety risks to an acceptable level; and
- improve compliance with health and safety legislative requirements.

2. Scope

This policy applies to all Council employees, volunteers and third party contractors performing or undertaking work for or on behalf of Council.

3. Policy details

3.1 Council's vision and goal for safety

Council's vision for safety is: **Safety for All**

Council's goal for safety is: **NO Injuries : NO Incidents**

3.2 Health and safety culture

Council is committed to developing a culture:

- that embeds effective health and safety management in all its services, activities, and projects; and
- where health and safety is proactively managed and where issues are reported and managed transparently.

In this culture, blame is not attributed to genuine error, however is identified and used as an opportunity to strengthen controls and training.

To achieve this, it is necessary for the organisation to be open to identifying and discussing health and safety matters, as well as understanding the potential consequences of ineffective health and safety management.

3.3 Health and safety management system

A health and safety management system must be developed and implemented.

The health and safety management system must:

- be consistent with the occupational health and safety management systems standards AS/NZS 4801:2001 and ASNZS 4804:2001;
- clearly assign responsibilities and accountability for health and safety outcomes;
- provide for the identification and monitoring of hazards and the collection and analysis of data to assist in creating a safer working environment;
- ensure consultation with employees as part of any change that affects their health, safety and wellbeing; and
- provide a continuing mechanism for health and safety monitoring and evaluation.

The key elements of the health and safety management system will include:

Policy

- Health and safety policy.
- Documented procedures including safe operating procedures; safe work method statements and job safety analysis.

Planning

- Allocation of responsibility and accountability for health and safety outcomes.

Implementation

- Reporting and investigation of incidents.
- Workplace inspections.
- Health monitoring and first aid.
- Emergency management and response procedures.
- Mandatory and targeted training.
- Employee consultative arrangements.
- Employee health and safety representatives and the Health and Safety Committee.

Measurement and evaluation

- Audits.
- Reviews.
- Registers, data and records.

Management review

- Evaluation of Council Plan health and safety performance indicators.
- Development of new and review of existing policies and procedures for continuous improvement.

3.4 Monitoring and reporting

Health and safety management must be monitored and reported at least every six months to:

- Alpine Management Team;
- Health and Safety Committee;
- Audit Committee; and
- Council.

3.5 Training and awareness

The value of training in and awareness of health and safety is recognised and relevant managers, supervisors; health and safety representatives and employees will be afforded the opportunity to undertake training in a range of health and safety topics. Training will be scheduled through the Human Resource Officer.

In addition to formal training, the Health, Safety and Risk Officer provides advice to Council officers on health and safety matters including the identification and assessment of hazards, the development, implementation and monitoring of control measures and procedures.

4. Roles and responsibilities

The following positions are responsible for:

Responsibility	Role / Position
Councillors CEO	Act in accordance with the duties of employers as required by the OHS Act. Ensure own safety. Comply with all relevant health and safety legislation, policies, guidelines and procedures.
CEO Directors Managers Coordinators Team Leaders Supervisors	Act in a manner that is safe and without risk to health and safety of self and others in accordance with OHS Act. Follow organisational health and safety policies, guidelines and procedures. Induct new employees in health and safety policies, guidelines and procedures and their obligations. Provide adequate supervision and training for employees, volunteers and contractors. Provide support to DWG representatives and the HSC. Embed health and safety obligations within all business processes and systems. Identify, investigate and monitor hazards, risks, incidents and injuries.

Responsibility	Role / Position
Employees Volunteers Contractors	<p>Act in a manner that is safe and without risk to health and safety of self and others in accordance with OHS Act.</p> <p>Follow organisational health and safety policies, guidelines and procedures.</p> <p>Participate in training.</p> <p>Use appropriate personal protective clothing and equipment.</p> <p>Immediately take appropriate action to remove or control any hazard observed.</p> <p>Report immediately any injury, near-miss or hazard encountered or observed.</p>
HSR's HSC	<p>Represent members of DWG's concerning health and safety.</p> <p>Bring issues to the attention of the employer.</p> <p>Exercise powers established under OHS Act and Regulations.</p>

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

- *Occupational Health and Safety Act 2004 [Vic]*
- *Occupational Health and Safety Regulations 2017 [Vic]*

Related standards

- AS/NZS 4801:2001 Occupational Health and Safety Management Systems
- AS/NZS 4804:2001 Occupational Health and Safety Management Systems – General guidelines on principles, systems and supporting techniques

Related procedures

- Safe operating procedures
- Safe work method statements

8. Definitions and abbreviations

Term	Meaning
AMT	Alpine management team comprising the CEO, directors and managers of Council
ASC	Alpine Shire Council
CEO	Chief Executive Officer of Council
Contractor	
Council	Alpine Shire Council
DWG	Designated work group
Employee	A person employed by the employer
Employer	Person who employs one or more other persons under contracts of employment or contracts of training
Hazard	A source or a situation with a potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these
HSC	Health and Safety Committee
HSR	Health and safety representative
Incident	Any unplanned event resulting in, or having a potential for injury, ill-health, damage or other loss
Near miss	An unplanned event that had the potential to cause injury, ill-health, damage, harm or other loss but didn't due to a fortunate and timely break or intervention in the chain of events
OHS Act	<i>Occupational Health and Safety Act 2004</i>
Organisation	Council
Risk	In relation to any potential injury or harm: the likelihood and consequence of that injury or harm occurring
Supervisor	Person who supervises others work. Includes, CEO, Directors, Managers, Coordinators, Team Leaders, and Supervisors
Volunteer	A person who is acting on a voluntary basis for or on behalf of the employer

9. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this day of
.....20XX in the
presence of:

.....
COUNCILLOR

.....
COUNCILLOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL POLICY

Councillor reimbursement of expenses

DOCUMENT UNCONTROLLED WHEN PRINTED

DOCUMENT CONTROL

Policy number 076	Status Draft	Approved by Council
Date approved	Next review date June 2022	
Directorate Corporate	Department Corporate	Internal / External External

Contents

1. Purpose	4
2. Scope	4
3. Policy details	4
3.1 Official Council Duties	4
3.2 Communication Equipment	4
3.3 Child and Family Care Expenses	5
3.4 Professional Development, Conferences and Functions.....	6
3.4.1 Authorisation and expenses.....	6
3.4.2 Accompanying partners/guests.....	6
3.4.3 Reporting requirements.....	6
3.4.4 Accommodation/meals/refreshments.....	6
3.5 Transport.....	7
3.5.1 Mayoral and councillor vehicles.....	7
3.5.2 Use of private vehicles.....	7
3.5.3 Car parking fees.....	7
3.5.4 Public transport tickets and E-Tags.....	7
3.5.5 Use of taxis.....	8
3.6 Accommodation and Incidentals.....	8
3.7 Travel Expenses	8
3.7.1 Reconciliation of travel expenses	8
3.7.2 Receipts	8
3.7.3 Other expenses.....	8
3.7.4 Travel expense reporting requirements.....	8
3.8 Exclusions.....	8
4. Roles and responsibilities	9
5. Breaches.....	9
6. Human Rights Charter compatibility.....	9
7. Supporting documents	10
8. Definitions and abbreviations.....	10
9. Approval	11

REVISION RECORD

Date	Version	Revision description
02/06/2009	0.01	Draft Version
01/09/2009	1.00	Adopted Version 1
06/08/2013	2.00	Version2 Reviewed and revised after Council general election 27/10/2012 Tabled and adopted with amendments at Ordinary Council Meeting M10 06/08/13
03/09/2013	2.01	Adopted Version 2.01 Includes amendments made by Council on 06/08/2013 Signed and sealed by councillors 03/09/13
05/06/2018	3.0	Adopted Version 3.0 Included amendments to mayor and councillor vehicles and reporting requirements Signed and sealed by council 05/06/2018
4/6/2019	4.0	Adopted Version 4.0 Typographical amendments. Amended requirement to review individual councillor expenses from quarterly to annually in line with legislation.

1. Purpose

The purpose of this policy is to define the parameters for the reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor as provided for by section 75 of the *Local Government Act 1989*.

2. Scope

This policy applies to all councillors. It does not apply to members of Council committees.

3. Policy details

3.1 Official Council Duties

In this policy, official Council duties are defined as:

- Meetings of the Council or its committees.
- Meetings, briefing sessions and civic or ceremonial functions convened by the Mayor or the Council.
- Meetings of community groups, organisations and statutory authorities to which a councillor has been appointed as a Council representative.
- A meeting, function or other official role as a representative of the Mayor or the Council.
- Meetings, inspections or events attended by a councillor in an official capacity.
- Meetings with Council officers on any matter relating to the Council, including committee responsibilities or the general duties of a councillor.
- Conferences, training sessions and functions in capacity as councillor.
- Meetings where the councillor is a regional or state representative.
- Meetings, conferences and functions with other councillors, councils, officers and relevant stakeholder groups outside the municipality.

3.2 Communication Equipment

Each councillor will be provided with the following home/workplace facilities:

- Mobile computer device with standard ASC applications and data allowance^{1 & 2}
- @alpineshire.vic.gov.au e-mail address
- Mobile phone (a non-smartphone).³

Personal use of a mobile device is allowed subject to all additional and personal purchases being made through the individual councillor's personal iTunes account.

The costs of any consumables used by a councillor (stationery, printer cartridges etc) are to be paid for by the individual councillor.

¹ Data allowance should be utilised for conducting Council related duties only.

² Council will pay an allowance of \$30/month if councillors have a home Wi-Fi internet connection and mobile devices are connected to it.

³ Council will pay an allowance of \$60/month if councillors use their personal mobile phone instead of a Council provided mobile phone.

3.3 Child and Family Care Expenses

The Council will reimburse the cost of child and/or family care expenses necessarily incurred by councillors for their immediate family when performing official Council duties as outlined in section 6.1.

Reimbursement of child and/or family care expenses is subject to the following conditions:

1. The maximum amount per month that an individual councillor will be reimbursed for child and/or family care expenses is \$100.
2. The amount referred to in condition 1 will be calculated on a pro-rata basis in the event of a term of a councillor only coinciding with a part of a month (eg. date of election to the end of the month).
3. Each child and/or family care expense claimed shall be substantiated by a receipt from the caregiver showing the dates and times care was provided and accompanied by a written statement from the councillor explaining why the care was needed on each occasion.
4. Child and/or family care costs are not eligible for reimbursement if the care is provided by a person who is immediate family (eg. partner, mother/father, grandparent, sister/brother or sister in law/brother in law) or normally or regularly resides with the councillor.
5. Claims for reimbursement of child and/or family care expenses must be submitted within three months of the date from which they are incurred.

Reimbursement for the care of adults may be provided in accordance with the above where the councillor is the carer of an adult and the Council has determined that special circumstances exists.

3.4 Professional Development, Conferences and Functions

This policy acknowledges the obligation on councillors to be properly informed on all matters pertaining to Council services and the issues of importance to the community.

To assist in this education process, the policy encourages councillors to avail themselves of opportunities to undertake appropriate professional development (conferences, seminars, workshops and training sessions) that may be of benefit to the individual councillor and Council as a whole.

3.4.1 Authorisation and expenses

Councillors undertaking professional development shall have expenses for transport, accommodation, registration fees, meals and refreshments relating to their attendance paid by Council within the parameters of this Policy.

Prior to any booking or confirmation the following authorisation must be obtained:

	Within Victoria	Interstate	International
Approval required by	Mayor and CEO	Mayor and CEO	Resolution at Council meeting

Any councillor wishing to attend an international event must submit a business case to Council for approval. The business case must include the benefits to be gained from attendance; total costs and Council funds required.

Expenditure per individual councillor will be reported in Council's annual report, as required by the *Local Government (Planning and Reporting) Regulations 2014*.

3.4.2 Accompanying partners/guests

Attendance at seminars, conferences and civic functions with a spouse/partner is subject to prior approval, where all additional costs incurred for the attendance of a spouse/partner will be at the expense of the individual councillor (unless otherwise authorised by the Mayor and CEO).

3.4.3 Reporting requirements

Attendance at any professional development event will be conditional upon the councillor communicating key findings to other councillors on their return.

3.4.4 Accommodation/meals/refreshments

Accommodation will be organised at:

- the hotel used for the conference/workshop/training session; OR
- where a package of hotels is provided, any one of those hotels having regard to cost and standard; OR
- if both of the above are not applicable or available, a hotel/motel close to the conference/workshop/training venue at a similar rate and standard.

Councillors wishing to make alternative accommodation arrangements shall incur/bear all costs over and above the costs that would have been incurred by Council.

Councillors attending conferences/professional development workshops/training sessions, where overnight accommodation is required, will be reimbursed for expenses for meals and refreshments.

Reimbursement of accommodation, meals and refreshments expenses is subject to the following conditions:

1. Receipts must be provided.
2. Reimbursement will be as set out in the *Income Tax Assessment Act 1997* and the ATO Taxation Ruling TR2004/6 Income tax: substantiation exception for reasonable travel and overtime meal allowance expenses, and Table 2 of any subsequent ATO Taxation Determination for the financial year.
3. Reimbursement will not be provided for meals and refreshments where meals are included as part of conferences/professional development workshops/training session package.

3.5 Transport

3.5.1 Mayoral and councillor vehicles

Council will provide the Mayor with a fully maintained vehicle to the standard specified by the Council at the time and in accordance with Council Policy No. 48 Motor Vehicle Policy as updated from time to time. The Mayor will have access to the vehicle for official use and full private use during the Mayoral term.

The Deputy Mayor and councillors will have access to the fleet vehicles located at the Bright office, which may be accessed via the fleet booking system (and booked by individual councillors). Fleet vehicles can only be used for legitimate Council business purposes and when the travel is in excess of 50kms return.

3.5.2 Use of private vehicles

Councillors must utilise allocated fleet vehicles for Council business in the first instance before utilising private vehicles.

Costs relating to private vehicle use will be reimbursed where there are no vehicles available in the fleet booking system at the time of use, and it is a necessary Council expense incurred while performing duties as a councillor. The maximum allowance travel rate will be as set by the ATO.

3.5.3 Car parking fees

Car parking fees incurred while conducting Council business will be reimbursed on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function.

Claims must be made using the Councillors' Expenses Claim Form.

3.5.4 Public transport tickets and E-Tags

Councillors will be reimbursed costs associated with the purchase of public transport tickets or E-Tag type tolls expended in conducting Council business.

Reimbursement will be on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function.

Claims must be made using the Councillors' Expenses Claim Form.

3.5.5 Use of taxis

Councillors will be reimbursed costs associated with taxi services where it is not possible to use public transport or a Council vehicle for travel required in conducting Council business. Travel of a private nature will not be reimbursed.

Reimbursement will be on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function.

Claims must be made using the Councillors' Expenses Claim Form.

3.6 Accommodation and Incidentals

When travelling on Council business throughout Victoria, councillors may require accommodation. Councillors may stay in reasonable accommodation appropriate to the area travelled to and the nature of the visit.

Reimbursement of accommodation, meals and refreshments will be as set out in the *Income Tax Assessment Act 1997* and the ATO Taxation Ruling TR2004/6 Income tax: substantiation exception for reasonable travel and overtime meal allowance expenses, and Table 2 of any subsequent ATO Taxation Determination for the financial year.

3.7 Travel Expenses

3.7.1 Reconciliation of travel expenses

Councillors must submit any claims for reimbursement within 30 days of return.

All claims must be supported by tax invoices and receipts.

3.7.2 Receipts

Although receipts cannot always be obtained, every effort should be made to do so in order that claims for reimbursement can be assessed.

A statutory declaration by a councillor is required where receipts have been lost or were not issued.

3.7.3 Other expenses

All other expenses incurred as a result of attending conferences/professional development workshops/training sessions shall be met from the councillor allowance.

3.7.4 Travel expense reporting requirements

The *Local Government (General) Regulations 2015* require the maintenance of a travel register containing details of overseas or interstate travel undertaken in an official capacity by councillors or any member of Council staff in the previous 12 months. The register must include names, the date, destination, purpose and total cost of the overseas or interstate travel.

3.8 Exclusions

Any expenses incurred by an individual councillor resulting from the breach of road, traffic parking or other regulations or laws will not be reimbursed by Council.

4. Roles and responsibilities

The following positions are responsible for approving, implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy and procedures:

Responsibility	Role / Position
Implementation	<ul style="list-style-type: none"> • Councillors • CEO
Compliance	<ul style="list-style-type: none"> • Mayor • CEO
Development/Review	<ul style="list-style-type: none"> • Director Corporate • Manager Corporate • Governance Officer
Interpretation/Advice	<ul style="list-style-type: none"> • CEO • Director Corporate • Manager Corporate

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

- Local Government Act 1989 [Vic]
- Local *Government (General) Regulations 2015* [Vic]
- Local *Government (Planning and Reporting) Regulations 2014* [Vic]

Related Guidelines, Operational Directives or Policies

- Councillor Code of Conduct Policy No.080
- Digital Information Security Policy No.111
- Fraud and Corruption Control Policy No.091
- Gifts, Benefits and Hospitality Policy No.065
- Mobile Phone Policy No.066
- Motor Vehicle Policy No.048
- Procurement Policy No.089
- Protected Disclosure Policy No.092

8. Definitions and abbreviations

Term	Meaning
Act	<i>Local Government Act 1989</i>
ASC	Alpine Shire Council
ATO	Australian Taxation Office
Carer	Means a councillor in receipt of a Commonwealth Carers Allowance
CEO	Chief Executive Officer
Child	Up to, but not including, 16 years of age
Disability	Must meet the definition as used by the Commonwealth Government on the 'recognised disabilities list'

9. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this 4th day of
June 2019 in the
presence of:

.....
COUNCILLOR

.....
COUNCILLOR

.....
CHIEF EXECUTIVE OFFICER



1 JANUARY - 31 MARCH 2019

Q3 - Quarterly Report

Presented to Ordinary Council Meeting
2 June 2019

Contents

Strategic Objective 1: A high performing organisation	3
Strategic Objective 2: A responsible and sustainable organisation.....	4
Strategic Objective 3: Incredible places for our community and visitors	6
Strategic Objective 4: Infrastructure and open space that our community is proud of.....	7
Strategic Objective 5: Highly utilised and well managed community facilities	8
Strategic Objective 6: A well planned and safe community.....	10
Strategic Objective 7: A thriving and connected community	12

Strategic Objective 1: A high performing organisation

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
Strategy: Advocate for the community on key issues		
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.
Strategy: Build a skilled organisation with a positive culture		
Provide mandatory and targeted training to staff	No	13 training opportunities were provided to staff during the third quarter of 2018/19, which included 1 group training session, and 12 individual sessions. A total of 104 staff received training in Q3.
Staff turnover as a percentage of permanent staff numbers*	Indicator	Reported at end of financial year.
Strategy: Communicate and engage with stakeholders		
Council website refresh	Yes	Resources identified and appointed to assist with new website design and delivery. Stage 1 (website design and launch) to be delivered by end of July 2019; Stage 2 (systems integration) to be delivered by December 2019.
Community satisfaction with community consultation and engagement	Indicator	62 (2018 result). 2019 results will be available in June.
Strategy: Lead and govern with integrity		
Improved performance data transparency	Yes	A Balanced Scorecard has been implemented to track progress across critical organisational and departmental KPIs. Q2 results were presented to the March Audit Committee meeting.
Percentage of Council decisions made at meetings closed to the public*	Indicator	Q3 = 1.49% YTD.
Percentage of councillors in attendance at ordinary and special Council meetings*	Indicator	Q3 = 93.65%.

Strategic Objective 2: A responsible and sustainable organisation

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
Strategy: Balance financial, economic and community outcomes		
Review of Council's policies and procedures	No	8 policies have been updated or revoked. An additional 23 are under CEO final review for sign-off or revocation, and 22 are otherwise work-in-progress.
Review of Council's business technology strategy	No	Draft strategy documents reviewed by management and draft project budgets for 2019/20 submitted to Council's budget process. RFQ's issued for all major 2018/19 projects. Final strategy documents to be signed off in Q4.
Strategy: Identify and manage Council's risk		
Disaster recovery review	Yes	New solution partially implemented; to be completed by the end of the financial year.
Lost time injury frequency rate	Indicator	Q3 = 67.39 YTD = 23.65
Overall financial sustainability risk rating	Indicator	Reported at end of financial year.
Percentage of planned hazard inspections undertaken	Indicator	Q3 = 6 inspections YTD = 10 inspections (56% undertaken) (Target = 18 inspections for full year)
Strategy: Manage our financial resources sustainably		
Procurement policy and procedures update	No	The procurement policy will be updated in Q4.
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.
Strategy: Provide an excellent customer experience		
Customer request management improvement	Yes	Requirements finalised and RFQ for new customer request management system issued in conjunction with nearby councils Towong and Indigo. Vendor evaluation to be completed and project resourcing to be appointed in Q4.

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
Customer excellence policy	No	Each department is progressing and reporting back on customer service initiatives on a regular basis.
Community satisfaction with customer service provided	Indicator	70 (2018 result). 2019 results will be available in June.

Draft Budget Released

Council's Draft Budget for 2019/20 was completed, the culmination of a number of months of work involving many contributors across Council's departments. Highlights include funding for the Great Valley Trail between Bright and Harrietville, Alpine Better Places works in Tawonga and Harrietville, and the Mount Beauty Skate Park Upgrade. The draft Budget was presented to the April Council meeting, and released for public submissions.

Business Systems Review

Council has been conducting a review of its business systems strategy with a view to putting in place systems that better enable staff to deliver excellent customer service. The strategy is nearly complete with a three year roadmap now in place. Immediate priorities include procurement of a Customer Request Management System, a Planning, Building and Local Laws System, an Events, Grants Management and Facilities Booking System, and refreshing Council's Website.

Customer Service

Customer Service was successfully relocated to the Bright Library while the Bright Office was being refurbished.

Customer service experienced monthly averages of 1,849 phone calls, 771 emails and 407 receipts in Q3. Volumes were very consistent on a month-by-month basis, with a spike in activity on 10 April due to animal registrations falling due. The top four query types in March were Rates, Asset Maintenance, Animal Registrations and Planning.

An initiative has been put in place between Customer Service and Planning to better enable Customer Service to provide status updates to customers.

Strategic Objective 3: Incredible places for our community and visitors

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
<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 are almost complete as at the end of Q3, and will be largely in place prior to Easter 2019.
Myrtleford Indoor Sports Stadium expansion	Yes	Construction works are well underway with completion of the project anticipated to be in mid-August 2019.
Myrtleford Library upgrade	Yes	Construction is well underway and the library will be reopened on Monday, 29 April 2019.
McNamara Reserve netball and tennis facilities	Yes	Construction works are almost complete and the building will be opened for use in early April.
Alpine Events Park	Yes	The majority of the Alpine Events Park project works are complete. Only minor works such as signage and landscaping remain to be completed. An official opening will be held on 30 April and all project works will be completed in the 2018/19 FY.
Refurbishment of Bright Council office	No	Construction is well underway and the Apex Wing will be reopened on Monday, 20 May 2019.
Deliver renewal programs for Council assets	No	All renewal projects have been resourced with project managers and are being prepared for procurement of the works prior to the end of 2018/19 financial year.
Ratio of capital works program actually delivered compared to budgeted	Indicator	It is currently forecast that in excess of 100% of capital works will be delivered this 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.

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

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
<i>Strategy: Maintain Council's parks, trees and reserves</i>		
Elm Leaf Beetle treatment	Yes	Treatments have now been completed.
<i>Strategy: Manage and maintain Council infrastructure</i>		
Deliver maintenance programs for civil infrastructure	No	Bridge, footpath and building inspections have been completed and maintenance works undertaken.
Undertake activities in accordance with Road Management Plan (RMP)	No	Submission has been approved and works procured with works now completed.
Community satisfaction with sealed local roads*	Indicator	60 (2018 result). 2019 results will be available in June.
<i>Strategy: Prepare for and assist in the response to emergency events</i>		
Undertake activities in accordance with Municipal Emergency Management Plan (MEMP)	No	Draft MEMFP (Fire Plan) developed with consultation undertaken with relevant parties to meet audit requirements. Final sign off scheduled for later this year prior to summer.
Audit of the Municipal Emergency Management Plan	Indicator	0
<i>Strategy: Understand and plan for Council's asset renewal requirements</i>		
Asset management system implementation	Yes	The new asset management system requires some key changes to enable its effective use. Council is working with the vendor towards a deadline of 1 July 2019 to implement these changes.

Strategic Objective 5: Highly utilised and well managed community facilities

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
<i>Strategy: Align services with community expectations</i>		
Kerbside organic service customer survey	Yes	Kerbside organic service customer survey process will be undertaken in May and June 2019.
Trial of free green waste disposal weekends	Yes	Dates for two free green waste disposal days were set for 30 March 2019 and 7 April 2019. Both occurred with good participation rates.
<i>Strategy: Deliver quality services for our community</i>		
Deliver municipal waste and recycling services	No	Ongoing
Kerbside collection bins missed per 10,000 households*	Indicator	Q3 = 1.41 YTD.
Kerbside collection waste diverted from landfill*	Indicator	Reported at end of financial year.
<i>Strategy: Soundly operate and manage community facilities</i>		
Review membership programs at Bright Sports Centre	No	The after-hours access system at Bright Sports Centre is operational.
Deliver visitor information centres, seasonal pools and sports centre services	No	Delivery of these facilities is ongoing. The pool season ends on 7 April 2019.
Libraries website update	Yes	The approach has been identified and a roadmap is being confirmed. This project requires coordination across the four member Councils of the High Country Library Network and is being led by Benalla.
Deliver library services including specialist programs and activities	No	Ongoing programs continue to be delivered. The libraries have been successful in obtaining funding for the Be Connected program, supporting learning for library patrons in relation to digital literacy.
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	Q4 = 1.99 YTD.
Cost of library services per visit*	Indicator	Reported at end of financial year.
Percentage of the population that are active library members*	Indicator	Q3 = 16.82% YTD.

Libraries

Myrtleford Library refurbishment commenced with the relocation to the temporary EMPAC site in January. Part of the library collection was also stored at Memorial Hall.

During the January school holidays, interactive native animal workshops provided by Wildlife Xposure proved very popular. Three workshops were held, one at each library. Attendance was high and many positive comments were received in the days to follow.

Council received "Be Connected" activation grant funding of \$2,000 for the Bright Library to deliver digital literacy. The grant will be used to fund a digital mentor to support older Australians to thrive in a digital world. Information sessions commence early April at the Bright Library.

Strategic Objective 6: A well planned and safe community

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
<i>Strategy: Enforce local laws, regulations and codes</i>		
Undertake a review of Local Laws	Yes	Q3: Community Local Law revised and being presented to April Council meeting for adoption. Q4: Community Local Law adopted by Council on 2 April 2019, with the Law to come into force on 1 July 2019.
Implement Domestic Animal Management Plan (DAMP) initiatives	Yes	No action during Q3. Planning to implement Desex Your Pet month again in July 2019, and an education campaign for cat owners regarding their responsibilities for keeping cats contained, particularly at night.
Issue permits and enforce compliance for building, local laws, and environmental health	No	Council adopted its Domestic Wastewater Management Plan (DWMP) at its March meeting. This document provides a framework and action plan for managing on site wastewater systems in the Shire, to ensure that they do not pose a risk to human health or the environment. Council will now start the implementation of preliminary actions, with full roll out of the plan to commence in July 2019.
Percentage of required food safety assessments undertaken*	Indicator	Food safety assessments are reported per calendar year. Assessments of Class 2 premises were identified as a priority for the first quarter of the 2019 calendar year. This is due to only 37.5% of premises being assessed during 2018, as Council was focussing on quality of inspections, targeting food premises, and ensuring follow-up of non-compliances.
<i>Strategy: Plan for and manage development to enhance liveability</i>		
Land Development Strategy	Yes	A temporary Strategic Planner has been appointed at 0.5 FTE. The first data on the NECMA Upper Ovens Flood Study has been delivered. An assessment of current strategic documentation and planning constraints is being undertaken to enable VPA grant application.
Issue permits and enforce compliance for statutory planning	No	Council received 201 planning permit applications between July 2018 and March 2019, consisting of 150 new permit applications, and 51 amended permit applications. Council issued 194 outcomes, which included 135 new permits issued, and 49 amended permits issued.

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
Undertake planning amendments	No	A temporary Strategic Planner has been appointed at 0.5 FTE. A review of the status of required and outstanding planning amendments is underway. Procurement is being undertaken for consultancy assistance in undertaking a 12B planning scheme review in conjunction with Indigo and Towong Shire Councils.
Percentage of planning applications processed within 60 statutory days*	Indicator	Q3 = 77% YTD within 60 days. 79% within statutory timeframes (including VicSmart applications).
Time taken to decide planning applications*	Indicator	Q3 = 30 days YTD (median processing days to responsible authority determination).

Strategic Objective 7: A thriving and connected community

Initiative / Indicator	Major initiative?	Progress to 31 March 2019
<i>Strategy: Create socially connected and supported communities</i>		
Deliver Maternal Child Health services	No	Ongoing. Preparation for extension of Enhanced MCH services required to commence at 1 July 2019 are underway. Recruitment of Nurses is a challenge.
Introduce Supported playgroups	Yes	Ongoing. Engaging new vulnerable families into the playgroup is a challenge. The Supported Playgroup Facilitator is seeking to commence a play group in Mount Beauty.
Participation in the Maternal Child Health service*	Indicator	Q3 = 104.69% YTD.
Percentage of people who volunteer in the community	Indicator	Reported at end of financial year.
<i>Strategies:</i> <i>Improve healthy eating and physical activity</i> <i>Stop family violence against women and children</i> <i>Reduce the incidence of alcohol and other drug related harm</i>		
Provide community programs from youth to seniors	No	Community Grant projects are on track to be completed by 30 June. In Q3 a cinema night was held in Mount Beauty and the Alpine Colour Run held in Myrtleford. Both events were well attended.
<i>Strategy: Strengthen visitor attraction and experience</i>		
Provide support for tourism including events and destination marketing	No	Quarter 3 events were delivered as planned. Council has prepared and submitted an application to the Regional Event Funding program after the successful EOI submission for the 2019 Spartan event. Outcomes will be announced in May 2019. In this quarter, well attended destination marketing networking sessions were held in Bright, Myrtleford, Mount Beauty and Harrietville. These sessions involve Council's Destination Marketing team sharing what marketing activities have been undertaken, what the outcomes were and what activities are soon to be delivered.
Implement an Events Management system	No	In Q3 a tender process was undertaken to identify appropriate systems able to cover three major functional areas. Submissions were received covering two of three of the three areas outlined. Shortlisting, demonstration and implementation of systems will occur in Q4.
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 March 2019
<i>Strategy: Support and encourage investment and enterprise</i>		
Mount Buffalo business case and activation assessment	Yes	The Task Force has continued to focus 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 Parks Vic 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.

Alpine Colour Run

Over 200 residents of the Alpine Shire participated in this year's colour run event held in Myrtleford. The event was delivered with the assistance of funding achieved through Youth Week grants. The FReeZA youth crew were responsible for the planning and delivery of this event with Council's Development Officer (Youth Events).

Hume Economic Development Network Meeting

The Hume Economic Development Network meets quarterly annually and is an opportunity to network with others in Economic Development roles across the region. Approximately 30 officers attended as well as representatives from Regional Development Victoria. The forum welcomed various presenters and speakers, including Small Business Victoria (Better Approvals Project), Goulburn Broken Greenhouse Alliance and Department of Agriculture (Northern Dry Seasonal Conditions Initiatives).

Flickerfest – Dinner Plain

For the 3rd year the Flickerfest movie festival occurred in Dinner Plain over the Australia Day holiday period. This year, Flickerfest ran over two days, the first night featuring the Best of Australian Short Films and the second night featuring Short Laughs Comedy films. Dinner Plain is one of the first venues to screen the movies on the annual tour program.

Events

A number of events are delivered throughout the "green" season. March is the second largest month of the year for event delivery. This year the following events occurred throughout March, on top of regular monthly farmers markets events: High Country Charity Ride; The Myrtleford Festival; Peaks Challenge; Brighter Days; Dederang Picnic Races; Great Alpine Classic Golf Tournament; Veteran Car Club Rally and High Country Women's Cycling Festival. It is estimated that these events contributed \$6.6million into the local economy.

Maternal Child Health

Recruitment into vacant positions in the Maternal Child Health Service continues to be a challenge, particularly with new requirements of the State Early Childhood Reform Plan for additional services to be added to current servicing for vulnerable families. Council were awarded funding through the Department of Education, under the "Hard to Staff" funding program to undertake a number of activities as recommended by the recent Maternal Child Health Service Review. This included benchmarking of pay rates as well as exploration opportunities to develop a model for shared services with other local councils. This project is underway and will be completed by 30 June 2019.

Central Enrolment Kindergarten Scheme

This project is funded by Department of Education and is another initiative of the Early Childhood Reform Plan. The project has not commenced as engaging a Contractor to deliver the work has not yet occurred. Department of Education have agreed to extend project delivery timelines and a process to engage a Contractor will occur in Q4.

Finance Report Quarterly Review



For the period ending 31 December 2018



Contents

Introduction	3
Income Statement	5
Departmental Summary	7
Capital Works Summary	9
Balance Sheet.....	10
Cash and Investments.....	12
Debtors	13

Introduction

Preparation of report

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

- Income Statement
- Departmental Summary
- Capital Works Summary
- Balance Sheet
- Cash and Investments
- Debtors

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

The report has been prepared as required under section 138 of the *Local Government Act 1989* and has not been audited. Explanations for budgets and variances have been provided by each department and reviewed by the Finance department.

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

Summary

Council is forecasting a full year surplus of \$4.9m, which is \$1.1m higher than budgeted surplus of \$3.8m.

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 \$1.1m, due primarily to additional grant funding for a) unbudgeted capital works (\$0.7m), b) unbudgeted community services (\$0.2m) and c) reimbursement for rates valuations costs incurred in FY17/18 (\$0.15m).

These favourable items were partially offset by other items including:

- Lower than expected rates and charges (\$0.2m), primarily due to an unexpected 25% capacity factor discount on the Rates in Lieu budgeted from AGL;
- Higher than expected materials and services expenses (\$0.5m) due to a number of variances including:
 - a) Expenditure on grant funded unbudgeted community projects (\$202k);
 - b) Workforce support against vacant positions (\$123k);
 - c) An omission in the budget relating to the cost of library books (\$76k);
 - d) Unbudgeted cost of running Myrtleford Holiday Park until September (\$73k).

Q2 Forecast to FY18/19 Budget Surplus (\$k)



Comparison to Q2 Forecast

The Q2 forecast represents a surplus \$0.8m higher than the Q1 forecast. This is primarily due to the receipt of additional unbudgeted grant funding (\$1.0m), offset by additional expenditure related to those grants (\$0.2m) and additional workforce support requirements (\$0.1m).

Balance Sheet Health

The forecast Working Capital Ratio for the end of financial year is 3.0 representing the ratio of current assets (funds accessible within a short timeframe) to current liabilities (short term debt). This is slightly lower than the average for Victorian Councils of 3.2 (based on 2018-18 Know Your Council Performance Reports), however is still well in excess of a prudent minimum of 1.2.

Finance Report – Quarterly Review

Income Statement

Year-end forecast against budget

	Actual YTD	Budget	Forecast	Variance		Ref
	December	Full year	Full year	\$'000	%	
	\$'000	\$'000	\$'000	\$'000	%	
Income						
Rates and charges	17,855	18,117	17,933	(184)	-1%	1
Statutory fees and fines	288	571	625	54	9%	
User fees	505	1,043	1,048	5	0%	
Contributions - cash	420	772	775	3	0%	
Contributions - non-monetary assets	-	205	205	-	0%	
Grants - Operating (recurrent)	1,429	2,229	2,501	272	11%	2
Grants - Operating (non-recurrent)	561	845	987	142	14%	3
Grants - Capital (recurrent)	449	450	450	-	0%	
Grants - Capital (non-recurrent)	1,892	3,025	3,684	659	18%	4
Other income	476	806	875	69	8%	
Total income	23,875	28,063	29,083	1,020	4%	
Expenses						
Employee costs	3,610	8,151	7,488	(663)	-9%	5
Materials and services	5,279	10,390	10,909	519	5%	6
Depreciation and amortisation	2,325	4,719	4,650	(69)	-1%	
Landfill rehabilitation	-	185	185	-	0%	
Other expenses	291	754	754	-	0%	
Net gain on disposal of property, infrastructure, plant and equipment	(352)	100	196	96	100%	
Total expenses	11,153	24,299	24,182	(117)	0%	
Surplus (deficit) for the year	12,722	3,764	4,901	1,137	23%	

Income Statement – explanations of variances

Ref	Item	Explanation
1.	Rates and charges	Primarily due to unexpected 25% capacity factor discount on AGL Rates in Lieu 17/18 and 18/19.
2.	Grants – Operating (recurrent)	Late receipt of rates valuation funding for FY17/18 (\$147k); additional funding for the Enhanced Maternal Child Health Service (\$60k); Victorian Grants Commission funding higher than expected (\$34k); higher than expected libraries funding (\$31k).
3.	Grants - Operating (non-recurrent)	Additional grant funding for a variety of community projects, including MTBA Nationals (\$50k); Central Enrolment Scheme (\$45k); Free from Violence (\$33k); Bushfire Commemoration (\$33k); MCH Hard to Staff (\$25k); Cycle Safety Strategy (\$25k). Partially offset by lower than budgeted Dec 17 Flood Remediation Income (\$61k).
4.	Grants - Capital (non-recurrent)	Additional funding for unbudgeted projects – Road

Finance Report – Quarterly Review

- Reconstruction (2018/19) (\$0.6m), Station Street Upgrade (\$0.5m); offset by timing variances for Alpine Better Places Myrtleford Stage 2 (\$0.4m) and Myrtleford Indoor Sports Stadium Expansion (\$0.1m). Refer to Capital Works Summary for detail.
- 5. Employee Costs** Lower than budgeted due to the ongoing impact of vacancies. Will monitor backfill via Workforce Support budget, which is forecast at \$123k (captured in Materials and Services).
- 6. Materials and Services** Higher than expected with significant variances including:
- a) Expenditure on grant funded unbudgeted community projects (\$202k);
 - b) Workforce support against vacant positions (\$123k);
 - c) An omission in the budget relating to the cost of library books (\$76k);
 - d) Unbudgeted cost of running Myrtleford Holiday Park until September (\$73k);
 - e) Delayed Alpine Resorts valuation charges for FY17/18 (\$64k, which is grant funded);
 - f) Carry forward of spend on the Mount Buffalo Business Case Assessment and Activation project (\$58k, which is grant funded);
 - g) Higher than expected usage of the Dinner Plain Bus leading to extra park entry fees (\$40k).
- Partially offset by savings including:
- a) Postponement of the Land Development Strategy pending the release of the Upper Ovens Flood Study (\$50k);
 - b) Supported Playgroups saving where a 0.5 FTE resource has been appointed instead of a contractor (\$46k);
 - c) Disaster Recovery replacement project less than expected due to identification of a more cost effective solution (\$45k);
 - d) Lower than expected lifeguard costs due to late opening of the Mount Beauty Pool (\$30k).

Finance Report – Quarterly Review

Departmental Summary

	Actual YTD December \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	Ref
Income					
Asset Development	2,555	3,911	4,577	666	1
Asset Maintenance	93	193	194	1	
Corporate Services	16,664	18,315	18,381	66	
Councillors and Executive	3	5	5		
Economic and Community Development	608	736	1,021	285	2
Facilities	4,118	4,384	4,711	327	3
Planning Services	161	255	264	9	
Building and Amenity	231	551	552	1	
Grand Total	24,433	28,350	29,705	1,355	
Expenditure					
Asset Development	4,178	11,924	14,085	2,161	4
Asset Maintenance	1,153	2,699	2,694	(5)	
Corporate Services	1,379	2,600	2,728	128	5
Councillors and Executive	3,858	8,677	8,142	(535)	6
Economic and Community Development	1,071	1,594	1,768	174	7
Facilities	1,670	3,625	3,662	37	
Planning Services	37	263	223	(40)	
Building and Amenity	50	182	199	17	
Expenditure Total	13,396	31,564	33,501	1,920	

Departmental summary – explanations of variances

Ref	Item	Explanation
1.	Asset Development Income	Additional funding for unbudgeted projects offset by some timing differences. Refer to the Capital Works Summary for detail.
2.	Economic and Community Development Income	Additional grant funding for a variety of initiatives, including the Enhanced Maternal Childcare Service (\$60k); MTBA Nationals (\$50k); Central Enrolment Scheme (\$45k); Free from Violence (\$33k); Bushfire Commemoration (\$33k); MCH Hard to Staff (\$25k); Building Inclusive Communities (\$22k); Graffiti Prevention Project (\$15k).
3.	Facilities income	Primarily due to unbudgeted proceeds from Myrtleford Holiday Park Lease (\$290k).
4.	Asset Development Expenditure	Additional budget required for Alpine Events Park (\$636k) and unbudgeted projects, including Road Reconstruction (\$583k), Station Street upgrade (\$529k), Myrtleford Showgrounds Water Supply Upgrade (\$250k) and Dinner Plain Mountain Bike Trails Stage 2 (\$151k). Refer to the Capital Works Summary for detail.

Finance Report – Quarterly Review

Ref	Item	Explanation
5.	Corporate Services Expenditure	Budget omission relating to library books (\$76k); delayed Alpine Resorts valuation charges for FY17/18 (\$64k, which is grant funded). Partially offset by savings on Disaster Recovery project (\$45k) due to identification of a more cost effective solution.
6.	Councillors and Executive Expenditure	Employee costs are expected to be lower than budget due to the ongoing impact of vacancies (\$663k). Partially offset by Workforce Support expenditure forecast at (\$123k).
7.	Economic and Community Development Expenditure	<p>Expenditure related to unbudgeted grant funded projects (\$120k); carry forward of Mount Buffalo Business Case Assessment and Activation (\$58k, grant funded); higher than expected patronage of the Dinner Plain bus (\$40k).</p> <p>Somewhat offset by Supported Playgroups savings where a 0.5 FTE resource has been appointed instead of a contractor (\$46k).</p>

Finance Report – Quarterly Review

Capital Works Summary

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

	Actual YTD December \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	%	Ref
Income						
Myrtleford Indoor Sports Stadium Expansion Inc	325,000	455,000	325,000	(130,000)	-40%	1
Road Reconstruction (2018/19) Income	233,860	-	584,651	584,651	100%	2
Station Street Upgrade Income	207,831	-	519,578	519,578	100%	3
Alpine Better Places Myrtleford Stage 2	-	714,000	367,500	(346,500)	-94%	4
Expenses						
Alpine Events Park	676,484	350,000	986,484	636,484	65%	5
Myrtleford Indoor Sports Stadium Expansion	39,512	2,450,000	2,000,000	(450,000)	-23%	6
McNamara Reserve Netball And Tennis Facilities	207,725	450,000	675,000	225,000	33%	7
Dinner Plain Mountain Bike Trails Stage 2	2,575	-	150,765	150,765	100%	8
Myrtleford Showgrounds Water Supply Upgrade	1,091	-	250,000	250,000	100%	9
Road Reconstruction (2018/19)	587	295,000	877,854	582,854	66%	10
Station Street Upgrade	-	-	529,397	529,397	100%	11

Capital works summary – explanation of variances

Ref	Item	Explanation
1.	Myrtleford Indoor Sports Stadium Expansion Income	Program delay will push the final payment into next year.
2.	Road Reconstruction (2018/19) Income	Unbudgeted project. Regional Roads Vic Funding Agreement income.
3.	Station Street Upgrade Income	Unbudgeted project. Regional Roads Vic Funding Agreement income.
4.	Alpine Better Places Myrtleford Stage 2	\$346,500 of National Stronger Regions Funding received in FY17/18, reducing the \$714,000 originally budgeted to \$367,500.
5.	Alpine Events Park	Additional anticipated budget expenditure required.
6.	Myrtleford Indoor Sports Stadium Expansion	Delay will push the final construction contract payment into next FY.
7.	McNamara Reserve Netball And Tennis Facilities	Tenders came in higher than anticipated.
8.	Dinner Plain Mountain Bike Trails Stage 2	Unbudgeted project. \$130k additional funding will be received in 19/20.
9.	Myrtleford Showgrounds Water Supply Upgrade	Unbudgeted project.
10.	Road Reconstruction (2018/19)	Unbudgeted project. Additional funding from Regional Roads Vic.
11.	Station Street Upgrade	Unbudgeted project. Additional funding from Regional Roads Vic.

Finance Report – Quarterly Review

Balance Sheet

	Actual YTD December \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	%	Ref
Assets						
Current assets						
Cash and cash equivalents	2,457	1,475	1,424	(51)	-3%	
Trade and other receivables	9,845	1,633	1,723	90	6%	
Financial assets	16,500	12,000	12,000	-	0%	
Inventories	54	53	49	(4)	-8%	
Other assets	676	260	264	4	2%	
Total current assets	29,532	15,421	15,460	39	0%	
Non-current assets						
Investment properties	3,260	-	3,260	3,260		1
Other assets	57	21	79	58	276%	
Property, infrastructure, plant & equipment	213,606	228,512	221,463	(7,049)	-3%	2
Inventories	117	147	113	(34)	-23%	
Total non-current assets	217,040	228,680	224,915	(3,765)	-2%	
Total assets	246,572	244,101	240,375	(3,726)	-2%	
Liabilities						
Current liabilities						
Trade and other payables	1,260	1,832	1,917	85	5%	
Trust funds and deposits	489	566	386	(180)	-32%	3
Provisions	2,134	2,868	2,822	(46)	-2%	
Income received in advance	70	30	30	-	0%	
Total current liabilities	3,953	5,296	5,155	(141)	-3%	
Non-current liabilities						
Provisions	3,053	2,523	2,224	(299)	-12%	4
Income received in advance	388	357	398	41	11%	
Total non-current liabilities	3,441	2,880	2,622	(258)	-9%	
Total liabilities	7,394	8,176	7,777	(399)	-5%	
Net assets	239,178	235,925	232,598	(3,327)	-1%	
Equity						
Accumulated surplus	119,282	109,993	112,156	2,163	2%	
Reserves	119,896	125,932	120,442	(5,490)	-4%	
Total equity	239,178	235,925	232,598	(3,327)	-1%	

Finance Report – Quarterly Review

Balance Sheet – explanations of variances

Ref	Item	Explanation
1.	Investment properties	This represents caravan park properties that have been reclassified from “Property, infrastructure, plant & equipment” to “Investment properties” in line with accounting standards.
2.	Property, infrastructure, plant & equipment	\$3.3m due to reclassification of caravan park properties as investment properties; lower than budgeted revaluations of land, bridges and recreational assets in 2017/18.
3.	Trust funds and deposits	Lower than budgeted as the balance held on behalf of the State Revenue Office for the Fire Services Levy is expected to be less.
4.	Provisions (Non- Current)	Lower than budgeted following a recalculation of the landfill rehabilitation liability.

Dinner Plain Reserve

	Actual YTD December \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	%
Balance as at 1 July 2018	1025	1041	1025	(16)	
Income	1,227	1,331	1,300	(30)	-2%
Expenditure	710	1,520	1,491	(30)	-2%
Net	517	(190)	(190)	(1)	0%
Balance	1,542	851	835	(17)	-2%

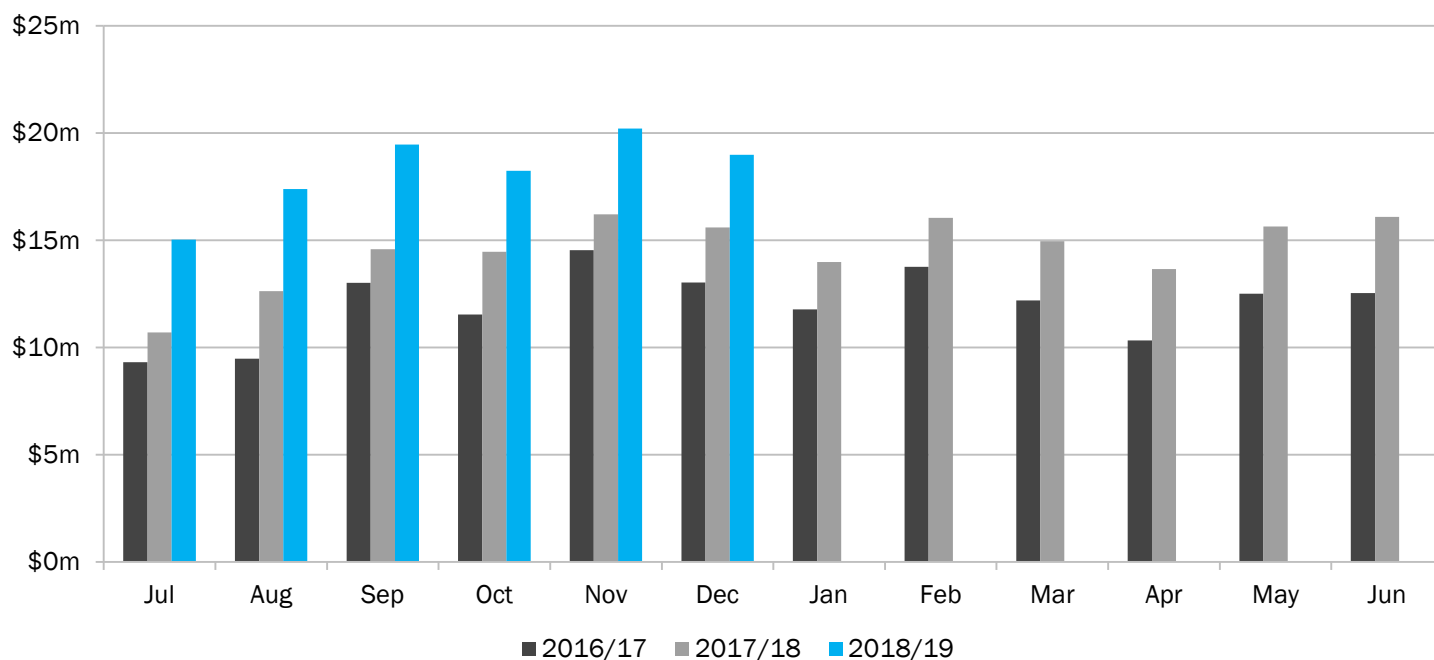
The Dinner Plain Reserve is forecast to be \$835k by the end of FY18/19. This is \$17k lower than budgeted, with significant variances including:

- The starting balance of the Reserve at 1 July being lower than budgeted due to a number of variances occurring between when the budget was set, and the end of financial year (\$16k);
- Rates somewhat lower than expected due to redistribution of rates between Dinner Plain and other ratepayers following property revaluations (\$22k);
- Forecast expenditure on the Toboggan and Ski Run Safety Improvements project lower than expected (\$75k) due to earthworks not likely being undertaken prior to winter;
- Higher than expected patronage of the Hotham to Dinner Plain bus service leading to extra park entry fees (\$40k).

Finance Report – Quarterly Review

Cash and Investments

Monthly Cash Balance



The cash balance was \$19.0 million at the end of Q2, of which \$16.5m was term deposits. This was \$3.4m higher than the 2017/18 Q2 cash balance of \$15.6 million, with contributing factors including:

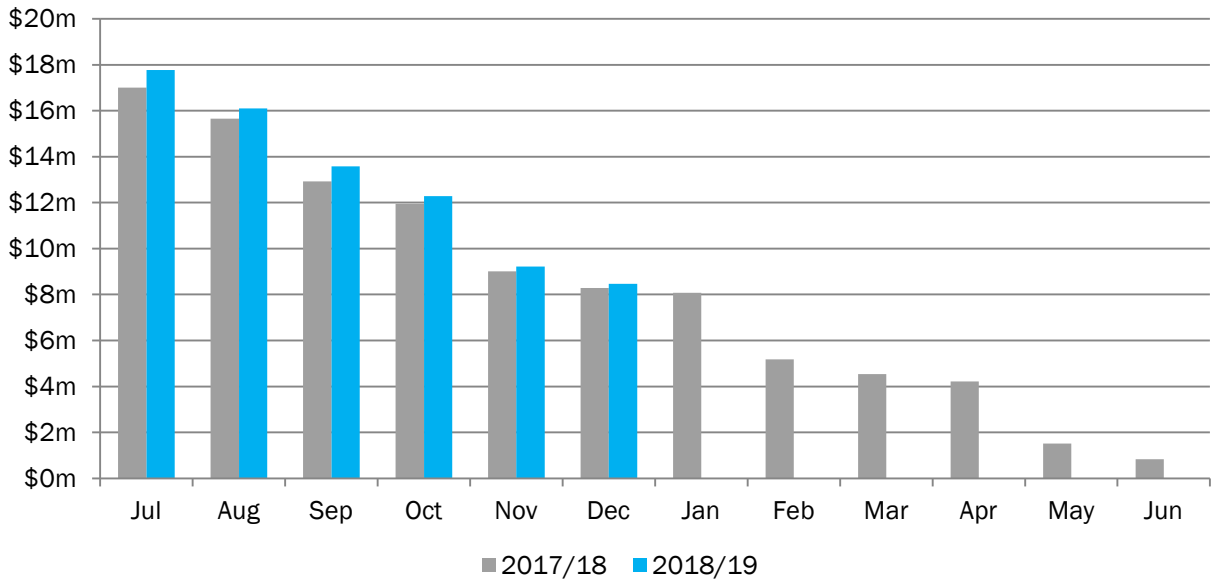
- A lower capital expenditure in 2017/18 than 2016/17 (\$1.5m)
- Lower employee expenses in 2017/18 than 2016/17 (\$1.4m)
- Higher rates and charges in 2017/18 than 2016/17 (\$0.5m)
- Lower materials and services in 2017/18 than 2016/17 (\$0.2m)

This cash balance is expected to reduce by circa \$5m over the course of the year due to Council's large capital works program (\$14.8m).

Finance Report – Quarterly Review

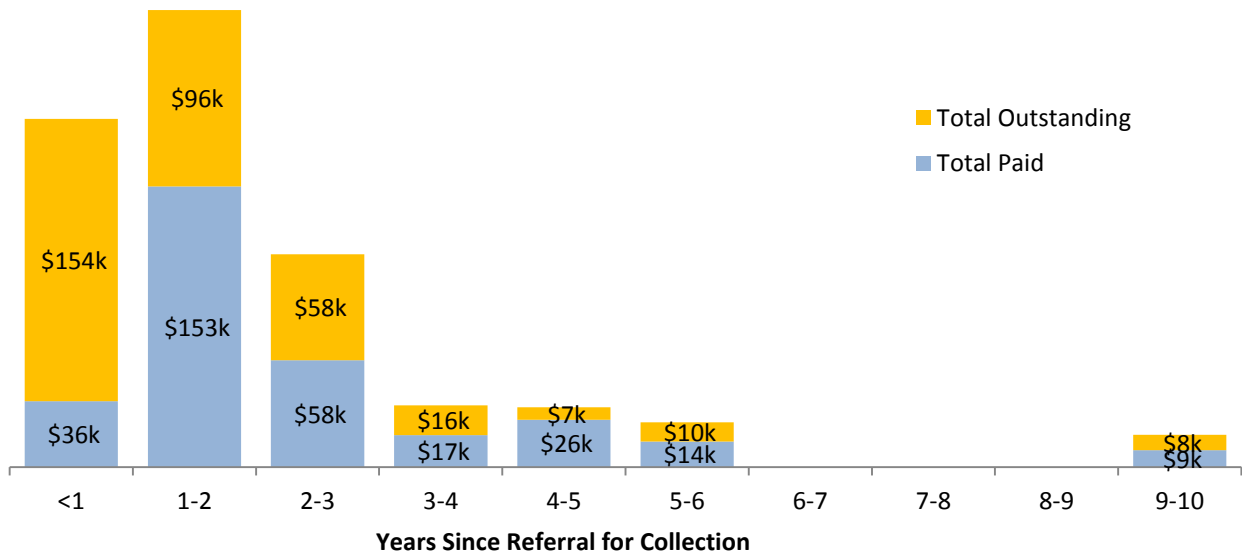
Debtors

Rates Debtors - Monthly Balance



The rates debtor balance was \$8.5 million at the end of Q2, which was 48% of the July balance. The monthly balance typically reduces over the course of the year as instalments are paid.

**Rates Debt Referred for Collection:
 Outstanding and Paid by Age of Debt**

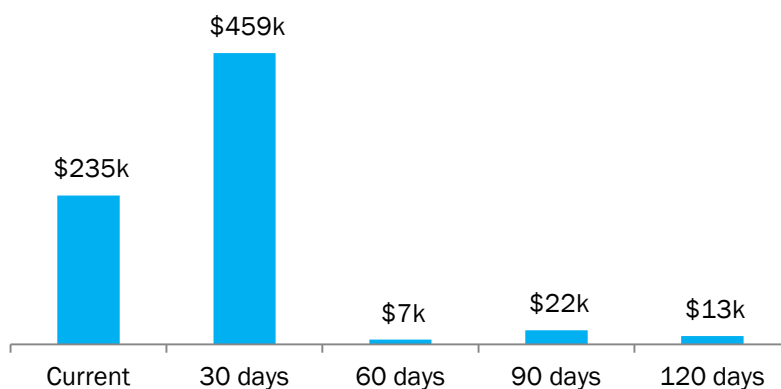


Note: Total outstanding includes outstanding debt, interest and costs.

There are currently 125 files in debt collection, representing approximately 1.5% of Council’s total ratepayers. 50% of the debt is being actively paid under payment plans. Approximately 49% of the total referred debt for outstanding debtors has been repaid.

Some of this debt has been outstanding for some time and it is noted that short term debtors typically experience higher collection rates.

Sundry Debtors - as at December 2018



Current sundry debtors are predominately comprised of outstanding library hub contributions and property rental charges. 30 day debtors is predominately comprised of grant income for capital works which was been paid in January. Longer term debtors are largely related to fire prevention charges on properties which are collected as part of the rate debtor collection process.

Finance Report Quarterly Review



For the period ending 31 March 2019

Finance Report – Quarterly Review

Contents

Introduction	3
Income Statement	5
Departmental Summary	7
Capital Works Summary	9
Balance Sheet.....	11
Dinner Plain Reserve	12
Cash and Investments.....	14
Debtors	15

Introduction

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

The report has been prepared as required under section 138 of the *Local Government Act 1989* and has not been audited. Explanations for budgets and variances have been provided by each department and reviewed by the Finance department.

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

Summary

Council is forecasting a full year surplus of \$7.2m, which is \$3.4m higher than budgeted surplus of \$3.8m.

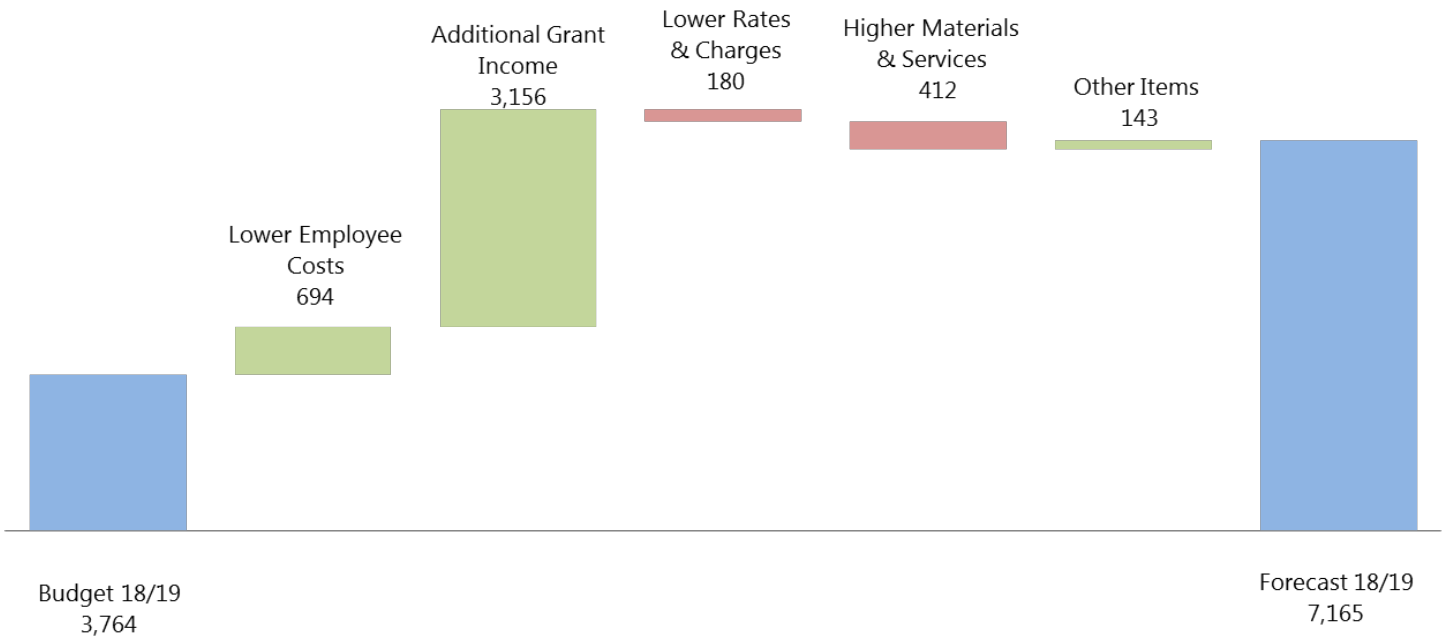
The primary drivers of this increase include:

- Lower than expected employee costs by \$0.7m, largely due to the impact of vacant positions;
- Higher than expected grant income by \$3.2m, including a) early receipt of 50% of the 19/20 Victorian Grants Commission funding (\$1.9m) and b) unbudgeted capital works grants (\$1.3m).

These favourable items were partially offset by other items including:

- Lower than expected rates and charges (\$0.2m), primarily due to an unexpected 25% capacity factor discount on the Rates in Lieu budgeted from AGL;
- Higher than expected materials and services expenses (\$0.4m) due to a number of variances including:
 - a) December 2018 Flood Damage Remediation works (\$150k, grant funded);
 - b) Workforce support against vacant positions (\$123k);
 - c) Expenditure on grant funded unbudgeted community projects (\$120k);
 - d) Carry forward and additional expenditure relating to the Mount Buffalo Business Case Assessment and Activation (\$78k, grant funded).

Q3 Forecast to FY18/19 Budget Surplus (\$000)



Comparison to Q2 Forecast

The Q3 forecast represents a surplus \$2.3m higher than the Q2 forecast. This is primarily due to the receipt of additional unbudgeted grant funding by \$2.1m of which the expected early receipt of 50% of the 19/20 Victorian Grants Commission funding is \$1.9m.

Balance Sheet Health

The forecast Working Capital Ratio for the end of financial year is 3.6 representing the ratio of current assets (funds accessible within a short timeframe) to current liabilities (short term debt). This compares to the average for Victorian Councils of 3.2 (based on 2018-18 Know Your Council Performance Reports).

Finance Report – Quarterly Review

Income Statement

Year-end forecast against budget

	Actual YTD	Budget	Forecast	Variance		Ref
	March	Full year	Full year	\$'000	%	
	\$'000	\$'000	\$'000	\$'000	%	
Income						
Rates and charges	17,917	18,117	17,937	(180)	-1%	1
Statutory fees and fines	456	571	594	23	4%	
User fees	840	1,043	1,066	23	2%	
Contributions - cash	585	772	784	12	2%	
Contributions - non-monetary assets	-	205	205	-	0%	
Grants - Operating (recurrent)	2,006	2,229	4,385	2,156	49%	2
Grants - Operating (non-recurrent)	742	845	1,079	234	22%	3
Grants - Capital (recurrent)	449	450	449	(1)	0%	
Grants - Capital (non-recurrent)	2,203	3,025	3,792	767	20%	4
Other income	725	806	958	152	16%	5
Total income	25,923	28,063	31,249	3,186	10%	
Expenses						
Employee costs	5,787	8,151	7,457	(694)	-9%	6
Materials and services	7,321	10,390	10,802	412	4%	7
Depreciation and amortisation	3,487	4,719	4,650	(69)	-1%	
Landfill rehabilitation	-	185	185	-	0%	
Other expenses	483	754	757	3	0%	
Net loss on disposal of property, infrastructure, plant and equipment	-	100	233	133	57%	8
Total expenses	17,078	24,299	24,084	(215)	-1%	
Surplus (deficit) for the year	8,845	3,764	7,165	3,401	47%	

Income Statement – explanations of variances

Ref	Item	Explanation
1.	Rates and charges	Primarily due to unexpected 25% capacity factor discount on AGL Rates in Lieu 17/18 and 18/19.
2.	Grants – Operating (recurrent)	Expected early receipt of 50% of the 19/20 Victorian Grants Commission funding (\$1.9m); late receipt of rates valuation funding for FY17/18 (\$0.15m); additional funding for the Enhanced Maternal Child Health Service (\$60k).
3.	Grants - Operating (non-recurrent)	Additional grant funding for a variety of community projects, including MTBA Nationals (\$50k); Central Enrolment Scheme (\$45k); Free from Violence (\$33k); Bushfire Commemoration (\$33k); MCH Hard to Staff (\$25k); Cycle Safety Strategy (\$25k). Partially offset by lower than budgeted Dec 17 Flood Remediation Income (\$61k).

Finance Report – Quarterly Review

Ref	Item	Explanation
4.	Grants - Capital (non-recurrent)	Additional funding for unbudgeted projects – Road Reconstruction (2018/19) (\$0.5m); Station Street Upgrade (\$0.5m); Alpine better Places Myrtle Street (\$0.25m). Offset by timing variances for Alpine Better Places Myrtleford Stage 2 (\$0.2m), Myrtleford Indoor Sports Stadium Expansion (\$0.1m), Alpine Better Places Porepunkah (\$0.1m), and Roberts Creek Bridge 3 Renewal (\$0.1m). Refer to Capital Works Summary for more details.
5.	Other Income	Higher than expected investment income (\$98k) due to higher than expected cash balances; higher rental income (\$21k) due to delays in the sale of the Lyndhurst building.
6.	Employee Costs	Lower than budgeted due to the ongoing impact of vacancies. Monitoring backfill via Workforce Support budget, which is forecast at \$123k (captured in Materials and Services).
7.	Materials and Services	<p>Higher than expected with significant variances including:</p> <ul style="list-style-type: none"> a) December 2018 Flood Damage Remediation works (\$150k, grant funded); b) Workforce support against vacant positions (\$123k); c) Expenditure on grant funded unbudgeted community projects (\$120k); d) Carry forward and additional spend on the Mount Buffalo Business Case Assessment and Activation project (\$78k, grant funded); e) Higher than expected usage of the Dinner Plain Bus leading to extra park entry fees (\$40k); f) Unbudgeted cost of running Myrtleford Holiday Park until September (\$39k). <p>This is partially offset by anticipated savings including:</p> <ul style="list-style-type: none"> a) A reduction in the need to fund external drainage work due to increased capacity to complete using internal resources (\$55k); b) Postponement of the Land Development Strategy pending release of the Upper Ovens Flood Study (\$50k); c) Lower than expected lifeguard costs due to late opening of the Mount Beauty Pool (\$50k); d) Lower kerbside collection operating costs than expected (\$47k); e) Supported Playgroups saving where a 0.5 FTE resource has been appointed instead of a contractor (\$46k); f) Disaster Recovery replacement project less than expected due to identification of a more cost effective solution (\$45k).
8.	Net loss on disposal of property, infrastructure, plant and equipment	Higher than expected due to loss on sale of waste compactus plant.

Finance Report – Quarterly Review

Departmental Summary

	Actual YTD March \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	Ref
Income					
Asset Development	2,912	3,911	4,646	735	1
Asset Maintenance	105	193	192	(1)	
Corporate Services	17,619	18,315	20,315	2,000	2
Councillors and Executive	29	5	31	26	
Economic and Community Development	810	736	1,067	331	3
Facilities	4,524	4,384	4,745	361	4
Planning Services	280	255	317	62	
Building and Amenity	382	551	518	(33)	
Grand Total	26,661	28,350	31,831	3,481	
Expenditure					
Asset Development	7,378	11,924	13,584	1,660	5
Asset Maintenance	1,656	2,699	2,604	(95)	
Corporate Services	1,838	2,600	2,616	16	6
Councillors and Executive	6,150	8,677	8,068	(609)	7
Economic and Community Development	1,311	1,594	1,831	237	8
Facilities	2,601	3,625	3,752	127	9
Planning Services	57	263	184	(79)	
Building and Amenity	56	182	91	(91)	
Expenditure Total	21,047	31,564	32,730	1,257	

Departmental summary – explanations of variances

Ref	Item	Explanation
1.	Asset Development Income	Additional funding for unbudgeted projects offset by some timing differences. Refer to the Capital Works Summary for detail.
2.	Corporate Services Income	Early receipt of 50% of the 19/20 Victorian Grants Commission funding (\$1.9m); late receipt of rates valuation funding for FY17/18 (\$0.15m).
3.	Economic and Community Development Income	Additional grant funding for a variety of initiatives, including the Enhanced Maternal Childcare Service (\$60k); MTBA Nationals (\$50k); Central Enrolment Scheme (\$45k); Free from Violence (\$33k); Bushfire Commemoration (\$33k); MCH Hard to Staff (\$25k); Free from Violence (\$33k); Resilient Myrtleford (\$24k); Building Inclusive Communities (\$21k).
4.	Facilities Income	Unbudgeted proceeds from Myrtleford Holiday Park Lease (\$290k); higher than expected Visitor Information Centre income (\$25k); increase in new kerbside collection services (\$22k).
5.	Asset Development	Additional budget required for Alpine Events Park (\$675k) and

Finance Report – Quarterly Review

Ref	Item	Explanation
	Expenditure	unbudgeted projects. Refer to the Capital Works Summary for detail.
6.	Corporate Services Expenditure	Delayed Alpine Resorts valuation charges for FY17/18 (\$64k, which is grant funded). Partially offset by savings on Disaster Recovery project (\$45k) due to identification of a more cost effective solution.
7.	Councillors and Executive Expenditure	Employee costs are expected to be lower than budget due to the ongoing impact of vacancies (\$694k). Partially offset by Workforce Support expenditure forecast at (\$123k).
8.	Economic and Community Development Expenditure	Expenditure related to unbudgeted grant funded projects (\$120k); carry forward and additional expenditure for Mount Buffalo Business Case Assessment and Activation (\$78k, grant funded); higher than expected patronage of the Dinner Plain bus (\$40k). Somewhat offset by Supported Playgroups savings where a 0.5 FTE resource has been appointed instead of a contractor (\$46k).
9.	Facilities	Higher than budget due to unbudgeted cost of running Myrtleford Holiday Park until September (\$39k); additional operating contract costs and higher materials disposal volumes at Porepunkah Transfer Station (\$38k).

Finance Report – Quarterly Review

Capital Works Summary

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

	Actual YTD \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance		Ref
				\$'000	%	
Income						
Alpine Better Places Porepunkah Income	0	128	0	-128		1
Alpine Better Places Myrtle Street Income	248		248	248	100%	2
Station Street Upgrade Income	208		500	500	100%	3
Road Reconstruction (2018/19) Income	234		495	495	100%	4
Roberts Creek Bridge 3 Renewal	0	110	0	-110		5
Myrtleford Indoor Sports Stadium Expansion Income	325	455	325	-130	-40%	6
Alpine Better Places Myrtleford Stage 2	0	714	495	-219	-44%	7
Expenses						
Alpine Events Park	875	350	1,025	675	66%	8
Porepunkah Landfill Rehabilitation Stage 2	12	350	25	-325	-1300%	9
Myrtleford Indoor Sports Stadium Expansion	517	2,450	1,900	-550	-29%	10
McNamara Reserve Netball And Tennis Facilities	572	450	685	235	34%	11
Roberts Creek Bridge 3 Renewal	30	219	30	-189	-626%	12
Road Reconstruction (2018/19)	276	295	742	447	60%	13
Dinner Plain Mountain Bike Trails Stage 2	156		156	156	100%	14
Station Street Upgrade	108		500	500	100%	15
December 2018 Flood Damage Remediation	93		150	150	100%	16

Capital works summary – explanation of variances

Ref	Item	Explanation
1.	Alpine Better Places Porepunkah Income	\$128k of project funding was received in FY17/18.
2.	Alpine Better Places Myrtle Street Income	Timing of funding.
3.	Station Street Upgrade Income	Unbudgeted Regional Roads Vic Funding Agreement income.
4.	Road Reconstruction (2018/19) Income	Unbudgeted Regional Roads Vic Funding Agreement income.
5.	Roberts Creek Bridge 3 Renewal	Proposed carried forward project into 2019/20.
6.	Myrtleford Indoor Sports Stadium Expansion Income	Program delay will push the final payment into next year.
7.	Alpine Better Places Myrtleford Stage 2	\$219k of project funding was received in FY17/18.
8.	Alpine Events Park	Additional anticipated budget expenditure required.

Finance Report – Quarterly Review

Ref	Item	Explanation
9.	Porepunkah Landfill Rehabilitation Stage 2	Delay in sourcing clay material to progress construction works.
10.	Myrtleford Indoor Sports Stadium Expansion	Program delay will push the final construction contract payment into next FY.
11.	McNamara Reserve Netball And Tennis Facilities	Tenders received were higher than anticipated.
12.	Roberts Creek Bridge 3 Renewal	Tenders for bridges 1 and 3 higher than estimated. Additional funding being sought. Proposed project carried forward into 2019/20.
13.	Road Reconstruction (2018/19)	Unbudgeted project. Additional funding from Regional Roads Vic.
14.	Dinner Plain Mountain Bike Trails Stage 2	Unbudgeted project. \$130k additional funding will be received in 19/20.
15.	Station Street Upgrade	Unbudgeted project. Additional funding from Regional Roads Vic.
16.	December 2018 Flood Damage Remediation	Unbudgeted project. Flood damage estimate has now been completed.

Finance Report – Quarterly Review

Balance Sheet

	Actual YTD March	Budget Full year	Forecast Full year	Variance		Ref
	\$'000	\$'000	\$'000	\$'000	%	
Assets						
Current assets						
Cash and cash equivalents	1,239	1,475	1,325	(150)	-10%	1
Trade and other receivables	5,297	1,633	1,701	68	4%	
Financial assets	17,500	12,000	15,000	3,000	25%	1
Inventories	54	53	49	(4)	-8%	
Other assets	676	260	264	4	2%	
Total current assets	24,766	15,421	18,339	2,918	19%	
Non-current assets						
Investment properties	3,260	-	3,260	3,260		2
Other assets	57	21	79	58	276%	
Property, infrastructure, plant & equipment	215,579	228,512	221,139	(7,373)	-3%	3
Inventories	117	147	113	(34)	-23%	
Total non-current assets	219,013	228,680	224,591	(4,089)	-2%	
Total assets	243,779	244,101	242,930	(1,171)	0%	
Liabilities						
Current liabilities						
Trade and other payables	1,858	1,832	1,900	68	4%	
Trust funds and deposits	505	566	386	(180)	-32%	4
Provisions	2,190	2,868	2,816	(52)	-2%	
Income received in advance	70	30	30	-	0%	
Total current liabilities	4,623	5,296	5,132	(164)	-3%	
Non-current liabilities						
Provisions	3,053	2,523	2,538	15	1%	
Income received in advance	388	357	398	41	11%	
Total non-current liabilities	3,441	2,880	2,936	56	2%	
Total liabilities	8,064	8,176	8,068	(108)	-1%	
Net assets	235,715	235,925	234,862	(1,063)	0%	
Equity						
Accumulated surplus	115,819	109,993	114,420	4,427	4%	
Reserves	119,896	125,932	120,442	(5,490)	-4%	
Total equity	235,715	235,925	234,862	(1,063)	0%	

Balance Sheet – explanations of variances

Ref	Item	Explanation
1.	Cash and Financial Assets	Early receipt of 50% of the 19/20 Victorian Grants Commission funding (\$1.9m).
2.	Investment properties	Caravan park properties have been reclassified from “Property, infrastructure, plant & equipment” to “Investment properties” in line with accounting standards.
3.	Property, infrastructure, plant & equipment	\$3.3m due to reclassification of caravan park properties as investment properties; lower than budgeted revaluations of land, bridges and recreational assets in 2017/18.
4.	Trust funds and deposits	Lower than budgeted due to timing variations in respect to remittance of Fire Services Levy balances to the State Revenue Office.

Dinner Plain Reserve

	Actual YTD	Budget	Forecast	Variance	
	March	Full Year	Full Year	\$'000	%
	\$'000	\$'000	\$'000	\$'000	%
Balance as at 1 July 2018	1025	1041	1025	(16)	
Income	1,253	1,331	1,298	(33)	-3%
Expenditure	1,111	1,520	1,649	129	8%
Net	142	(190)	(352)	(162)	46%
Balance	1,167	851	673	(178)	-26%

The Dinner Plain Reserve is forecast to be \$673k by the end of FY18/19. This is \$178k lower than budgeted, with significant variances including:

- Unbudgeted expenditure on Dinner Plain Mountain Bike Trails Stage 2 (\$156k), noting that \$130k in funding is expected to be received against this, which will raise the reserve correspondingly. The timing of this funding between FY18/19 and FY19/20 is yet to be determined;
- The starting balance of the Reserve at 1 July being lower than budgeted due to a number of variances occurring between when the budget was set, and the end of financial year (\$16k);
- Rates somewhat lower than expected due to redistribution of rates between Dinner Plain and other ratepayers following property revaluations (\$22k);
- Forecast expenditure on the Toboggan and Ski Run Safety Improvements project lower than expected (\$75k) due to earthworks not likely being undertaken prior to winter;
- Higher than expected patronage of the Hotham to Dinner Plain bus service leading to extra park entry fees (\$40k).

Finance Report – Quarterly Review

In addition Council has committed to deliver a pipeline of \$1.5m in new and upgrade capital works within Dinner Plain by 2027, net of funding. It is anticipated that by the end of 2018/19, \$398k of this pipeline will have been delivered net of grant funding, including:

2017/18 Works

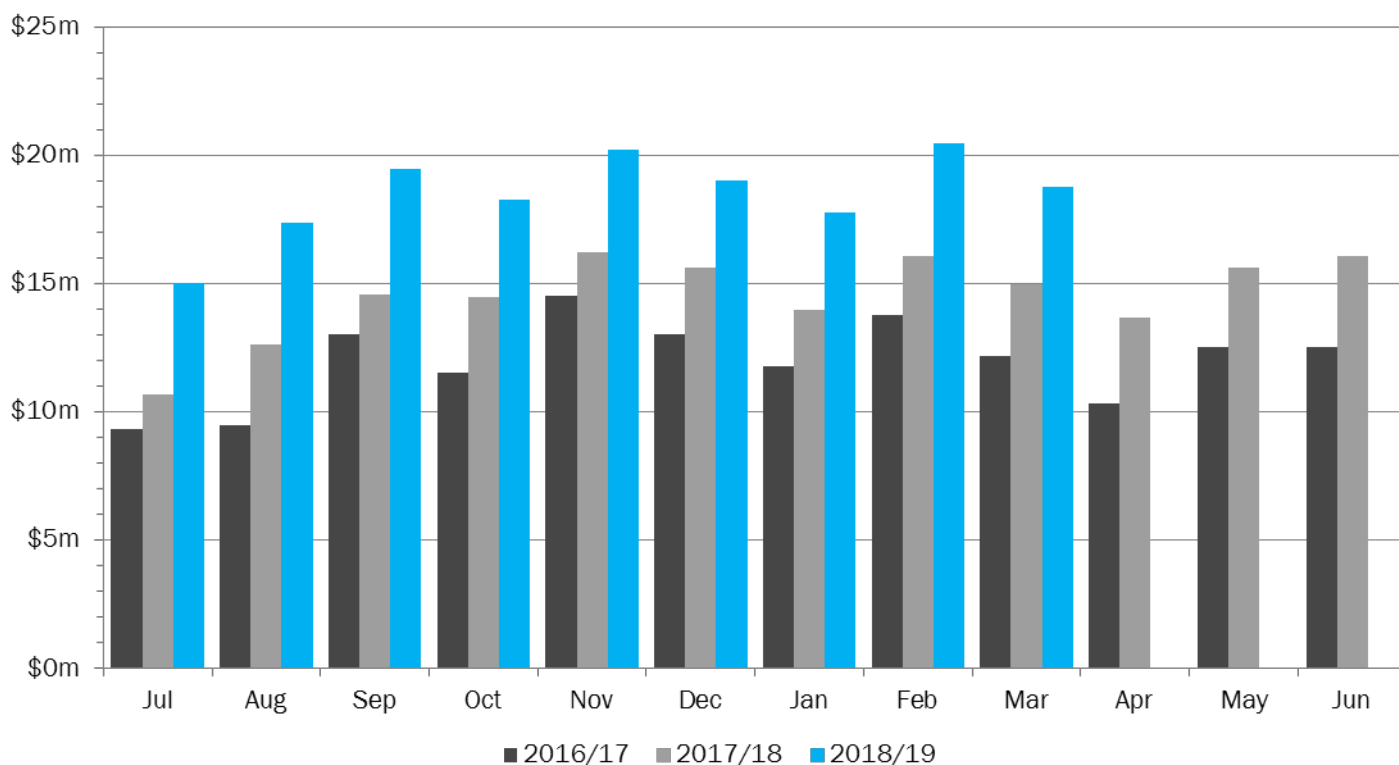
- Toboggan Run Access Improvements - \$19k
- Dinner Plain Mountain Bike Trails - \$187k
- Dinner Plain Village Green - \$32k (concept design and scoping)

2018/19 Works

- Toboggan and Ski Run Safety Improvements - \$50k (design and approval)
- Dinner Plain Mountain Bike Trails Stage 2 - \$156k, of which \$130k is grant funded
- Dinner Plain Tracks and Trails Signage - \$38k
- Dinner Plain Village Detailed Designs - \$46k.

Cash and Investments

Monthly Cash Balance



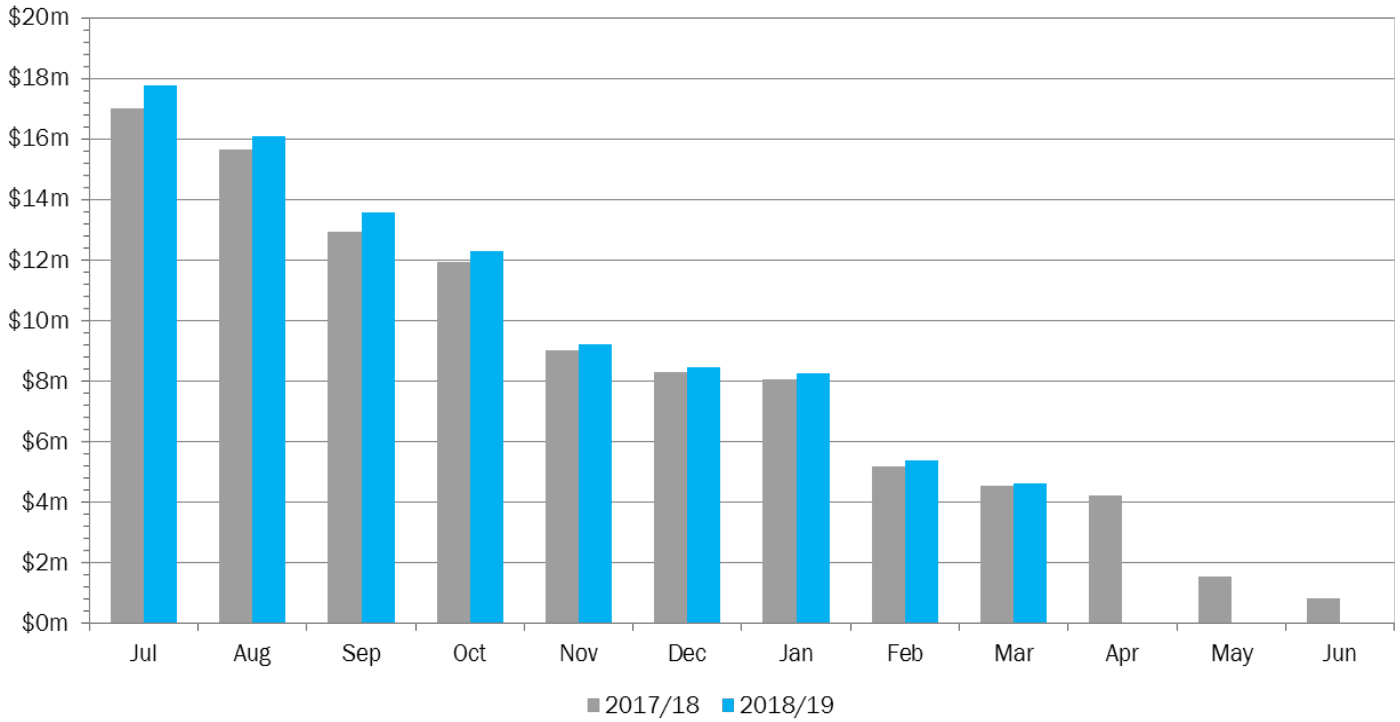
The cash balance was \$18.7 million at the end of Q3, of which \$16.5m was term deposits. This was \$3.8m higher than the 2017/18 Q3 cash balance of \$14.9 million, with contributing factors including:

- A lower capital expenditure in 2017/18 than 2016/17 (\$1.5m)
- Lower employee expenses in 2017/18 than 2016/17 (\$1.4m)
- Higher rates and charges in 2017/18 than 2016/17 (\$0.5m)
- Lower materials and services in 2017/18 than 2016/17 (\$0.2m)

This cash balance is expected to reduce to circa \$18.3m by the end of the financial year, and under Council's Long Term Financial Plan is forecast to average circa \$17m in the longer term, in order to keep a steady, healthy working capital ratio of between 3 and 4.

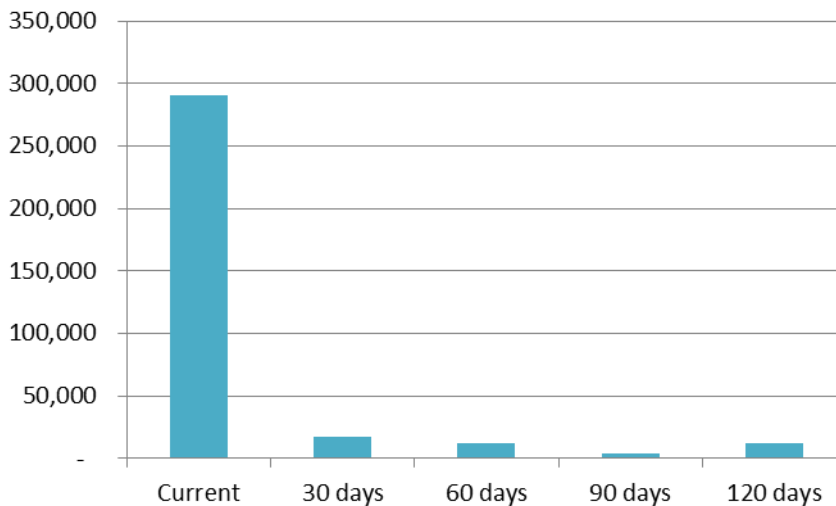
Debtors

Monthly Rates Debtor Balance



The rates debtor balance was \$4.6 million at the end of Q3, which was 26% of the July 2018 balance. The monthly balance typically reduces over the course of the year as instalments are paid.

Sundry Debtors as at March 2019



Current sundry debtors are predominately comprised of outstanding library hub contributions and property rental charges. Longer term debtors are largely related to fire prevention charges on properties which are collected as part of the rate debtor collection process.



9.3.4 Dinner Plain Design Guidelines

File Number: 1468.53

INTRODUCTION

The purpose of this report is to:

1. Advise Council of proposed Amendment C53 which updates the planning controls at Dinner Plain to reflect the Dinner Plain Masterplan 2015.
2. Recommend that Council seek authorisation from the Minister for Planning to prepare Amendment C53, and when authorised, exhibit the amendment.

RECOMMENDATION

That Council:

1. *Request under Section 8A (2) and (3) of the Planning and Environment Act 1987 that the Minister for Planning authorise Alpine Shire Council to prepare Amendment C53 to the Alpine Planning Scheme;*
2. *Notify the Minister for Planning that when it exhibits Amendment C53, Alpine Shire Council intends to give full notification of the amendment under Section 19 of the Planning and Environment Act 1987 for the minimum statutory exhibition period of one month; and*
3. *When authorised by the Minister for Planning exhibit Amendment C53 to the Alpine Planning Scheme under Section 19 of the Planning and Environment Act 1987.*

BACKGROUND

Council commissioned improved design guidelines as part of the preparation of the Dinner Plain Masterplan 2015 to improve compliance with the original design vision for Dinner Plain Village.

To incorporate the new design guidelines in the planning scheme, schedule 1 to the Special Use Zone, which sets out the planning controls for Dinner Plain Village, has been amended.

This process has provided an opportunity to review schedule 1 to the Special Use Zone to:

- expand the planning scheme controls to support a broader range of commercial and recreational uses to improve economic viability and assist in developing a year round destination;
- simplify the planning scheme controls to make it easier to interpret.



ISSUES

What's proposed to change?

- Inclusion of images showing design guidelines for Dinner Plain such as the ones below.
- Expansion of the uses that are allowed in Dinner Plain Village to encourage more commercial and recreational uses; and
- Removal of planning controls that are set out elsewhere in the planning scheme to avoid repetition and ensure the planning control remains up to date over time.



Figure 9.1.4 – Traditional Dinner Plain style dwelling

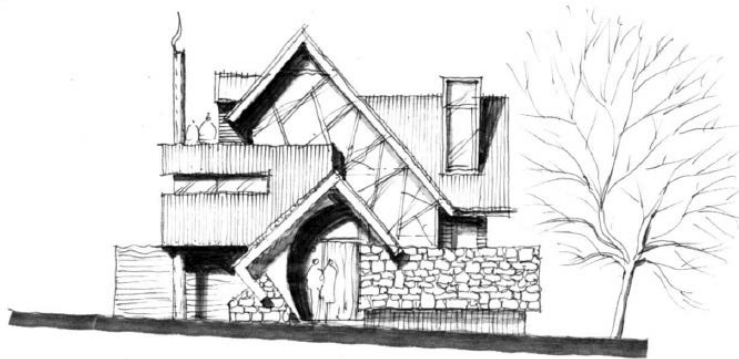


Figure 9.1.5 – Modern interpretation of Dinner Plain style dwelling

Figure 1: Example of images showing preferred design outcomes at Dinner Plain Village

What's not changing?

The proposed amendments to schedule 1 to the Special Use Zone are not intended to change the strategic intent or detailed policy already included. They are designed to strengthen the planning controls and make it clearer to developers and applicants



how to achieve the desired design outcome in Dinner Plain Village. Planning controls that are maintained include:

- Ensuring scale, intensity, bulk and character of all development is sympathetic and complimentary to the alpine environment and village neighbourhood character;
- Retain the natural character of the space including the snow gums;
- Maintain an average lot size of 220 sqm;
- Street scape characteristics including features of varying roof pitches and non-aligned sidewalls creating an informal and clustered image;
- Architectural characteristics including: varying roof profiles, mixed use of wall materials such as timber, stone and glass;
- The use of subdued colour schemes which blend in with the snow gums;
- Setbacks from the Great Alpine Road which is 120 metres for buildings other than utility type buildings, 100 metres for buildings on the western side of the village entrance, and a minimum setback from significant environment areas of 20 metres; and
- The built form which should be articulated and appear fragmented to break up the mass of the buildings.

POLICY IMPLICATIONS

The amendment will amend some of the strategic directions for land use related to land use and development in Alpine Shire, including amending policy directions for development at Dinner Plain.

This complements Council's own policies and strategies namely the Alpine Shire Council Plan incorporating the Health and Wellbeing Plan 2017 - 2021.

The amendment links to and implements the Council Plan, in particular the themes:

- A well planned and safe community

The amendment links to and implements the whole of the Alpine Shire 2030 Community Vision that is the vision of *'the Alpine Shire providing outstanding opportunities for its residents and visitors through sustainable growth in balance with the natural environment'*.

The amendment also meets Council's obligations under the *Local Government Act 1989* Sections 126(2A and 2B) relating to the four-year Strategic Resource Plan.

FINANCIAL AND RESOURCE IMPLICATIONS

The cost to council is for the planning scheme amendment which will be funded out of the 2017/2018 budget allocation for Strategic Planning. Planning fees are set out by the Victorian State Government. The costs of a planning scheme amendment will be dependent on how many submissions are received and if a Panel Hearing is necessary.



At this stage it is not anticipated that there will be many submissions to the amendment. This is because the intent of the planning controls has not changed; rather the policy has been clarified and strengthened to better achieve the preferred outcomes at Dinner Plain Village.

CONSULTATION

Full notice of the proposed amendment will be provided to all Dinner Plain residents and business through letters to those owners and occupiers affected by the amendment. The notice will also go out to architects, draftspeople and developers servicing Dinner Plain. Notices will also be placed in the newspapers, government gazette and on Councils and DELWPs websites as required by the Planning and Environment Act 1987.

In the event of unresolved submissions being received, submissions will be referred to an independent panel for consideration.

CONCLUSION

Proposed Amendment C53 will update the planning scheme controls for Dinner Plains, set out schedule 1 to the Special Use Zone to:

- improve compliance with the original design vision for Dinner Plain Village;
- expand the planning controls to support a broader range of commercial and recreational uses to improve economic viability and assist in developing a year round destination; and
- simplify the planning controls to make it easier to interpret.

This will assist in providing understanding and clarity of the expectations of development in Dinner Plain Village.

This report recommends that Council seek authorisation from the Minister for Planning to prepare the amendment, and when authorised, exhibit the amendment to provide for community and agency input.

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
- Acting Manager Planning and Amenity
- Strategic Planner

ATTACHMENT(S)

- 9.3.4 Amended schedule 1 to the Special Use Zone.



9.3.4 Dinner Plain Design Guidelines

File Number: 1468.53

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Cr Pearce

Cr Keeble

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Carried

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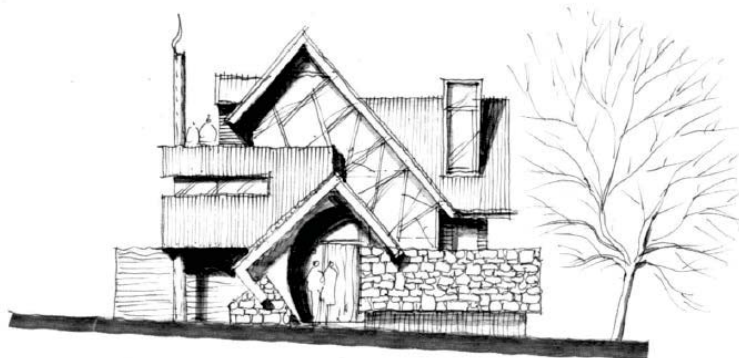


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- Street scape characteristics including features of varying roof pitches and non-aligned sidewalls creating an informal and clustered image;
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ATTACHMENT(S)

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SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

25/01/2007
Proposed

Shown on the planning scheme map as **SUZ1**.

DINNER PLAIN – VILLAGE AREA

Purpose

To provide for the use and development of a quality integrated alpine tourist village which includes a range of residential, tourist and recreation facilities supported by appropriate ancillary services.

To ensure that the scale, intensity, bulk and character of all development is sympathetic and complimentary to the alpine environment and the village neighbourhood character.

To ensure that further subdivision does not adversely affect the existing character and amenity of the village.

1.0

Table of uses

19/01/2006
Proposed

Section 1 - Permit not required

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997
Dwelling (except caretaker's house)	Must be in Precinct B
Informal outdoor recreation	
Any other use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

USE	CONDITION
Accommodation (except dwelling)	Must not be in Precinct D or E
Caretaker's house	Must not be in Precinct E
Industry (except Research and Development and Transfer Station)	Must be in Precinct D
Leisure and recreation (except informal outdoor recreation and motor racing track)	Must not be in Precinct E
Retail	Must not be in Precinct E
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE

- Abattoir**
- Agriculture (except apiculture)**
- Cemetery**
- Crematorium**
- Motor track racing**
- Saleyard**

2.0 Use of land

25/01/2007
Proposed

The use of land must generally be in accordance with the precincts identified and described in Figure 1 and Table 1.

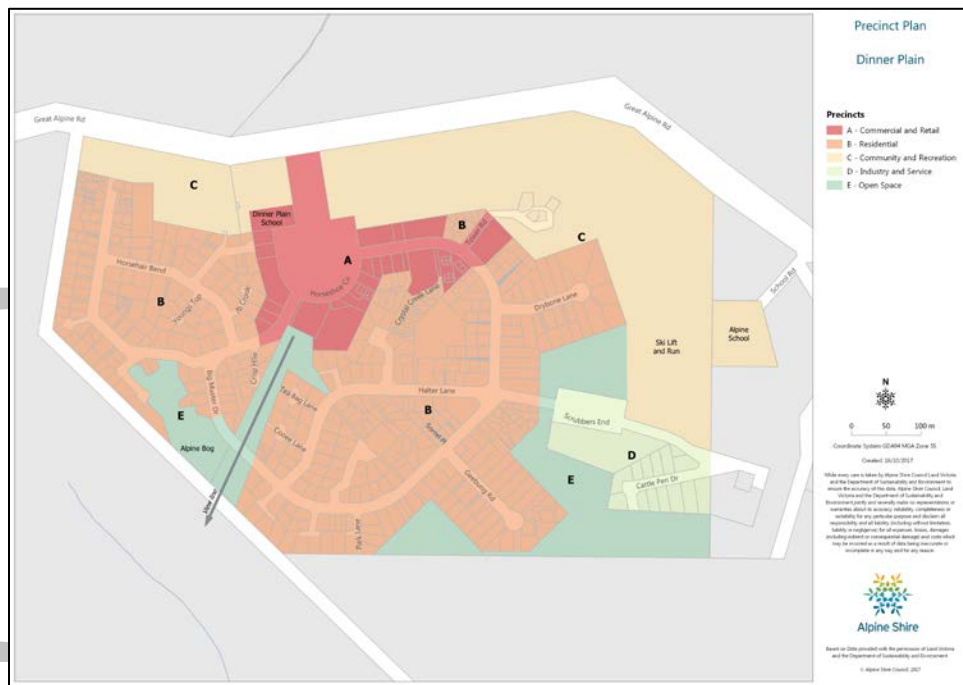


Figure 1: Dinner Plain Precinct Plan

Precinct	Name	Description
A	Commercial and retail	This precinct is the heart of commercial activity in Dinner Plain and the location of core commercial and retail uses, and ancillary group accommodation. Uses should operate during the summer and the winter to facilitate a year round alpine destination. Development should provide space for people to interact and socialise.
B	Residential	The Residential Precinct is the location of residential and accommodation uses. Future development is encouraged to adopt the 'clustered' arrangement as seen in the original section of Dinner Plain.

C	Community and recreation	The Community and Recreation precinct contains community, tourism and recreational uses including playgrounds, historic huts, educational facilities and emergency services and is the recreational hub for sporting and active uses. Further use and development should retain the natural character of the space, including snowgums.
D	Industry and service	The Service and Industry precinct contains the existing depot, East Gippsland treatment plant and other related service uses. There is opportunity for the development of rural industry in this precinct.
E	Open space	The Open Space precinct contains pockets of fragile Alpine Bog ecosystems, significant view lines, and open space that acts as a buffer between Dinner Plain Village and the broader Dinner Plain Area.

Table 1: Description of precincts**Application requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The use and the type of activities that will be carried out.
- The months and hours of operation of the use.
- The nature of traffic that is likely to be generated by the use and the impact on the road network.
- Any potential interaction between the use and sensitive Alpine environmental features.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the use on other uses and development in the immediately surrounding area.
- The impact of the use on sensitive significant Alpine environmental features within Dinner Plain Village.
- The ability of the road network to accommodate traffic movements that may be associated with the use.
- Whether the use contributes to the development of Dinner Plain village as a year round tourist destination.

3.0

25/01/2007
Proposed

Subdivision**Permit requirement**

A permit is required to subdivide land.

Residential subdivision must meet the objectives, standards and requirements of Clause 56. Each lot within Precinct B must be at least 220 square metres in area.

A permit may be granted to create lots less than 220 square metres in Precinct B in a Residential Hotel or Motel. There must be sufficient common area available for occupants to use for passive and active recreational purposes.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

A plan which shows:

- How the subdivision will maintain views and identified view corridors
- Solar access provision.
- Compatibility with the existing neighbourhood scale.
- The development of a diverse range of lot sizes ensures a varying array of building forms and sizes, maintaining a lot average of 220 square metres.
- How the natural environment and character of the area will be protected including the retention of vegetation along waterways, gullies and property boundaries.

In addition, an application for residential subdivision:

- Must be accompanied by a site and context report and a design response
- Must meet all of the objectives specified in Clause 56
- Should meet all of the standards specified in Clause 56

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- For a residential development the objectives, standards and decision guidelines of Clause 56.
- The protection and enhancement of the natural environment and character of the area including the retention of vegetation along waterways, gullies and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Whether the average lot size of at least 220 square metres is maintained.

4.0

19/01/2006
Proposed

Buildings and works

Permit requirement

A permit is required to construct a building or construct and carry out works including:

- A fence.
- A domestic swimming pool or spa and associated mechanical and safety equipment associated with one dwelling on a lot.
- An open sided pergola or verandah to a building with a finished floor level not more than 800mm above the ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor height not more than 80mm above ground level.
- Domestic services normal to a dwelling if the services are visible from a street or public park.
- A solar energy facility attached to a building unless exempted below.
- Externally painting an unpainted surface.

A permit is required to:

- Remove any indigenous vegetation other than vegetation shown on an approved development plan.

- Plant any vegetation other than species indigenous to the Dinner Plain area.

A development must meet the standards, objectives and requirements of Clause 54 for single dwellings on a lot and Clause 55 for two or more dwellings on a lot and residential buildings unless a variation is specified in this Clause.

No permit required

No permit is required to construct a building or construct or carry out works for the following:

- A solar energy facility where the solar panels are located flush with the roof line of the building in which case a permit is not required.

4.1 Building and works requirements

The following requirements apply to construct a building or to construct and carry out works.

Siting and design of buildings and works

- Minimise soil disturbance by taking advantage of the natural topography of the site.
- Maximise the retention of existing snow gums on the site.
- Ensure that snow deposition from the building and adjoining buildings will not affect any existing or proposed pedestrian or vehicle access ways.
- Buildings should be designed in the content of the alpine climatic demands and conditions to ensure buildings function well when subjected to the rigours of that climate.

4.1-1 Neighbourhood character

19/01/2006
v4.32-1.1

Neighbourhood character

In addition to the requirements of Clause 54.02-1 (Standard A1) for single dwellings on a lot and Clause 55.02-1 (Standard B1) for all other buildings:

- Buildings must be designed and constructed in a way that is consistent and complementary to the neighbourhood character elements identified in Table 1.
- Building design should strongly relate to the unique natural climatic environment.
- Buildings should use materials, finishes and colours that complement the colours and materials of the alpine environment. Acceptable building materials include local stone and earth, and stained timber, Colorbond® roofs and elements of Colorbond® walls.

Neighbourhood character element	Characteristics
Streetscape	<ul style="list-style-type: none"> • Varying roof pitches and non-aligned sidewalls, create an informal and clustered image. • Predominantly double storey buildings which incorporate single storey elements to present a human scale to the street. • The winding nature of the street reveals the sides and corners of houses, emphasising the cluttered and informal characteristic of the village. • The street network intermixes pedestrians with cars. • Meandering access ways create a “level of intrigue” in traversing the village and reinforces intimacy of scale. • The subtle use of various materials and colours, the proximity to trees and retention of surrounding natural landscape assists integration of buildings with the landscape.

Neighbourhood character element	Characteristics
	<ul style="list-style-type: none"> • Large snowgums de-emphasise the scale of houses. • Loosely scattered houses, no formal property boundaries, undefined front gardens, no fencing and the proximity of adjoining houses enhances the communal character. • Elements of varying heights, such as towers, add to visual diversity and create visual landmarks. • Considered and restrained use of colour and natural materials enables harmony between the architecture and natural environment and creates a cohesive image.
Architecture	<ul style="list-style-type: none"> • Human scale entry spaces with single porticos framed by low roofs. • Buildings have varying roof profiles. • Overall height and length of walls reduced with stone entry porticos supported by timber columns and projecting rooms create a sense of depth and relief. • Irregular placement of windows and lofts creates nooks and crannies that add charm and variety. • The retention of the trees in most developments allows buildings to merge into the landscape. • Small-scale windows and irregular windows enhances the character and visual intrigue of buildings. • Rooflines dropping down to almost ground level, with no gutters or downpipes to facilitate snow shedding. • Use of a mix of wall materials including timber, stone and small elements of Colorbond® and glass. • Detail to gable roof ends, intimate entry porches, stone walling, irregular timber columns, intricate timber fretwork detail around the eave line. • Subdued colour schemes throughout each house in the walls, roof and trim details so as to blend with the snow gums. • Front elevations have an intimate scale, assisted by sweeping rooflines, chimney articulation, highlight windows and small window openings. • External balconies are built around existing trees which extends the interior of the house outside and integrates the architecture with the natural environment. • Recessed, single entry garage doors.
Dwelling diversity	<ul style="list-style-type: none"> • A range of dwelling sizes and types in the resort development as a whole.

Table 1: Description of neighbourhood character elements at Dinner Plain Village.

4.1-1.2

Integration with the street

19/01/2006
VC37

In addition to the standard of Clause 54.02-2 (Standard A2) for single dwellings on a lot and Clause 55.02-5 (Standard B5) for all other buildings:

- Fencing is not permitted unless required by a statutory authority or a service yard. Fencing must be of an appropriate design.

4.1-2 Site layout and building massing

4.1-2.1 Site layout

19/01/2006
VC37

Site layout should achieve a coherent layout that provides a pleasant and energy efficient living environment as follows:

- The design and layout of buildings should enhance existing streets, maintain amenity for adjacent properties and provide a sense of address and identity.
- In larger scale developments, varied building types and forms should be integrated throughout the development to provide an interesting sense of mix and contrast.
- Siting of buildings should capitalise on views from the site including views to existing vegetation.
- Significant stands of native vegetation, in particular snow gums or other viable native vegetation, should be retained on the site.

4.1-2.2 Street setbacks

25/01/2007
C18

The objectives and standards of Clause 54.03-1 (Standard A3) for single dwellings on a lot and Clause 55.03-1 (Standard B6) for all other buildings do not apply. They are varied as follows:

Development should be setback a minimum from the Great Alpine Road to protect the visual and environmental amenity of the resort as follows:

- 120 metres for buildings other than tennis courts, information centres, gatehouses, service utility installations and community use facilities
- 100 metres for commercial and residential development on the western side of the village entrance to the water bore reserve, as shown on Figure 1 - Dinner Plain Precinct Plan. 50 metres for community use buildings and car parking areas on the western side of the village entrance road.
- 50 metres for residential development on the western side of the water bore reserve as shown on Figure 1 - Dinner Plain Precinct Plan.
- 25 metres for community use buildings and car parking areas on the eastern side of the village entrance road.

Front setbacks may be varied to enhance the existing informal character of buildings.

Setback of buildings from streets should be in accordance with Table 2 and:

- Align with the existing tree line where possible.
- Align with specified viewlines.

Table 2 Street setbacks

DEVELOPMENT CONTEXT	MINIMUM SETBACK FROM FRONT STREET (METRES)	MINIMUM SETBACK FROM A SIDE STREET (METRES)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 4 metres, whichever is the lesser.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front	The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.

DEVELOPMENT CONTEXT	MINIMUM SETBACK FROM FRONT STREET (METRES)	MINIMUM SETBACK FROM A SIDE STREET (METRES)
	street or 4 metres, whichever is the lesser. If there is no building on the abutting allotment, 4 metres minimum.	

Development should be set back a minimum of 20 metres from significant environmental areas as identified on the Dinner Plain Precinct Plan.

- Development must be setback from the village’s water supply bore a minimum of 250 metres unless a Section 173 Agreement incorporating a management plan to control use and development within the 250 metre buffer is entered into with the land owner(s), the responsible authority and the water supply authority.

4.1-2.3 Building height

19/01/2006
VC37

The objectives, standards and requirements of Clause 54.03-2 (Standard A4) for single dwellings on a lot and Clause 55.03-2 (Standard B7) for all other buildings do not apply. They are varied as follows:

- The maximum height of any building must not exceed 11 metres.
- Changes of building height between existing buildings and new buildings should be graduated.
- The built form should be articulated and appear fragmented to break up the mass of the building.
- Buildings should include multiple roof pitches of varying heights.

4.1-2.4 Site coverage

25/01/2007
C18

In addition to the objectives, standards and requirements of Clause 54.03-3 (Standard A5) for single dwellings on a lot and Clause 55.03-3 (Standard B8) for all other buildings:

- Site coverage should not exceed 50% in Precinct 2 (Residential precinct)
- Site coverage should not exceed 60% in Precinct 1 (Commercial and retail precinct)

4.1-2.5 Permeability and snowshed

19/01/2006
VC37

In addition to the objectives, standards and requirements of Clause 54.03-4 (Standard A6) for single dwellings on a lot and Clause 55.03-4 (Standard B9) for all other buildings the following requirements apply:

- A minimum of 40% of the site should be permeable to control the snowshed from roof so it does not spill or have impact on neighbouring properties and protects vehicular and pedestrian access ways.
- In environmental setback areas, ensure stormwater runoff from buildings and roadways does not detrimentally increase the discharge into protected and sensitive areas.

4.1-2.6 Energy efficiency

19/01/2006
VC37

In addition to the objectives, standards and requirements of Clause 54.03-5 (Standard A7) for single dwellings on a lot and Clause 55.03-5 (Standard B10) for all other buildings, buildings should:

- Be designed to minimise fossil fuel energy use and to maximise use of natural ventilation, daylight and solar energy.
- Have layouts and orientation that minimise winter heat loss and make use of solar energy where practical.

- Have living areas and larger wall openings and windows on the northern side where solar access is available, and double-glazing on all windows and glazed doors.

4.1-2.7 **Open space**

19/01/2006
VC37

The objectives and standards of Clause 54 for single dwellings on a lot and Clause 55.03-26 (Standard B11) for all other buildings do not apply. They are varied as follows:

- Private open space associated with accommodation and dwellings is not required.
- Communal open space, where provided, should be capable of effective maintenance and management considering the alpine conditions.

4.1-2.8 **Landscaping**

25/01/2007
C18

In addition to the objectives, standards and requirements of Clause 54.03-6 (Standard A8) for single dwellings on a lot and Clause 55.03-8 (Standard B13):

- Development should respect the landscape character of the Dinner Plain alpine environment.
- Development should provide for the retention and planting of indigenous trees (snow gums) and other indigenous alpine vegetation.
- Landscaping should bring together the design of the buildings, a sense of space and maintenance of the existing landscape character of the locality.
- Landscaping should contribute to a pleasant, safe and attractive alpine village environment.
- Development should blend into the existing landscape.
- Compensatory planting will be required in alternative locations if it cannot be contained on site. Priority given to retention of existing native vegetation. Only native species can be re-established.
- A 10 metre planted buffer is required between Precinct B (Residential) and Precinct D (Industry and service area).

4.1-3 **Amenity impacts**

4.1-3.1 **Walls on boundaries**

19/01/2006
VC37

The objectives and standards of Clause 54.04-1 (Standard A10) for single dwellings on a lot and Clause 55.04-2 (Standard B18) for all other buildings apply with the following variation:

- Setback provisions apply for new buildings not on or within 150mm of a boundary.

4.1-4 **On site amenity and facilities**

4.1-4.1 **Building Entries**

19/01/2006
VC37

In addition to the objectives and standards of Clause 54 for single dwellings on a lot and Clause 55.05-2 (Standard B26) for all other buildings the following requirements apply:

- Building entries should be clearly visible and easily identified from public areas. Access should be convenient, direct and free from the possibility of falling snow.
- Entries should be designed to give each building an individual identity.
- Entries should incorporate a transition space from the front protected porch area to warm interior dry areas.
- Entries should include a ski room/drying room as a practical transition from wet areas.
- For larger public buildings, access for the disabled should also be provided where practicable by minimising changes of level for steps being replaced by ramps.
- Access to buildings should be all weather.

4.1-5 Detailed design

4.1-5.1 Front fences

The objectives and standards of Clause 54.06-2 (Standard A20) for single dwellings on a lot and Clause 55.06-2 (Standard B32) for all other buildings do not apply. They are varied as follows:

- Fencing is not permitted unless required by a statutory authority or a service yard. Fencing must be of an appropriate design.

4.1-5.2 Site services

In addition to the objectives and standards of Clause 54 for single dwellings on a lot and Clause 55.06-4 (Standard B34) for all other buildings the following requirements apply:

19/01/2006
VC37

- Design and layout of dwellings and buildings must respond to the particular requirements of an alpine village environment.
- Services, including garbage bin enclosures, electricity and gas metres, service yards, letter boxes and clotheslines may be grouped and shared amongst leaseholders.
- Adequate provision should be made of storage and collection of garbage and other solid wastes and service yards and for the appropriate screening or fencing of areas and equipment used for such purposes from public view.
- Garbage bin enclosures, mailboxes, service yards and clothesline areas must be adequate in size and location and appropriate in design, with adequate screening or fencing.
- No water or waste should be discharged from the site other than means of an underground pipe or drain connected to an approved outlet or to an underground drain to the satisfaction of the responsible authority.

4.2

Car parking

19/01/2006
VC37

In addition to the requirements of Clause 52.06, the following carparking requirements apply:

- One car space should be provided per dwelling under 100 square metres. One space must be at least 6 metres long and 3.5 metres wide.
- Two car spaces should be provided per dwelling up to 200 square metres. If the space is provided in a garage, the use of double doors should be ideally avoided by tandem parking.
- Buildings in excess of 200 square metres to provide parking based on generated demand (demonstrated to the responsible authority- taking account of bed capacity for residential buildings, or customer demand generated by commercial land uses).
- A building may project into a car space if it is at least 2.1 metres above the space.
- Car parking facilities including access ways, garages and car storage areas should not dominate the view of the building from the road and should be visually compatible with the building.

4.3 Exemption from notice and review

An application to:

- construct or extend one dwelling on a lot (and construct related outbuildings and site facilities)
- construct a fence, domestic swimming pool, pergola, verandah, deck, solar energy facility and domestic services normal to a dwelling
- externally paint an unpainted surface
- remove indigenous vegetation
- plant non indigenous vegetation

is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

4.4 Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Neighbourhood and Site Description and Design Response as set out in Clause 54.01 for single dwellings on a lot and Clause 55.01 for two or more dwellings on a lot and residential buildings.
- Details of the present use of land.
- Boundaries and dimensions of the site.
- The existing landform and topographic features of the site including drainage lines and existing vegetation.
- Details of any indigenous vegetation proposed to be removed.
- Proposals for landscaping and rehabilitation of any disturbed areas.
- Proposed access to the site and provisions for car parking on the lot.
- Details of the exterior treatment and finish of walls and roofs.
- The plan, elevation and section views of the proposed building.
- Snow management proposals such as roof snow shedding design, and impact on pedestrian areas, car parks and adjoining properties. Details of the manner in which snow is to be cleared from pedestrian and vehicle access ways and car parking areas.
- Details of site servicing including water and sewerage connections and installations, drainage provisions, and the location of a garbage collection point.
- Details of sediment pollution control works.

4.5 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the use is consistent with the Dinner Plain Precinct Plan at Figure 1.
- Whether the proposal is consistent and compatible with the Neighbourhood Character elements identified at 4.1-1.1 Neighbourhood Character, Table 1.
- For more than 2 dwellings on a lot and other accommodation, whether the development provides a variety of accommodation.
- How the layout of the proposal responds to the site including:
 - The size and shape of the site.
 - Location, function and management of public or shared open spaces.
 - The effects of adjoining structures and vegetation.
 - Energy efficiency, solar orientation and predominating winds.
 - Ground conditions and site drainage.
 - Snow shedding, personal safety, and access.
 - Traffic flows around and through the site and its connectivity to the village.
- Whether site-specific constraints such as steep or undulating topography, vegetation retention or recognised view protection areas, or major physical limitations or servicing inadequacies can be satisfactorily overcome.
- The practicality of achieving at least 40 per cent site coverage of permeable surfaces particularly on lots of less than 300 square metres.

- The distance from environmentally sensitive features such as water bores, alpine bog and likely water infiltration impacts and requirements of responsible authorities.
- The site slope, adequacy of roof pitch, building setback and distance of roof eaves from neighbouring properties, vehicular and pedestrian access ways and walkways and likely impact of snow shedding.
- The likely effects on the surrounding area, including noise levels, air borne emissions, emissions to land or water, traffic, hours of operation and light spill.
- Provisions for the storage of trade wastes and garbage receptacles, and for the screening of these areas from public view.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- The reduction of on-street car parking spaces resulting from the provision of car parking on the site, particularly for lots of less than 300 square metres.

5.0 Advertising signs

19/01/2006
VC37

Advertising sign requirements are at Clause 52.05. This schedule is in Category 4.

Exempt Signs

In addition to the exemptions in Clause 52.05-4, a permit is not required to display:

- skier and pedestrian control signs
- direction signs
- identification signs erected or constructed for the safety of users of the resort.

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Appendix A: Examples of preferred development at Dinner Plain Village

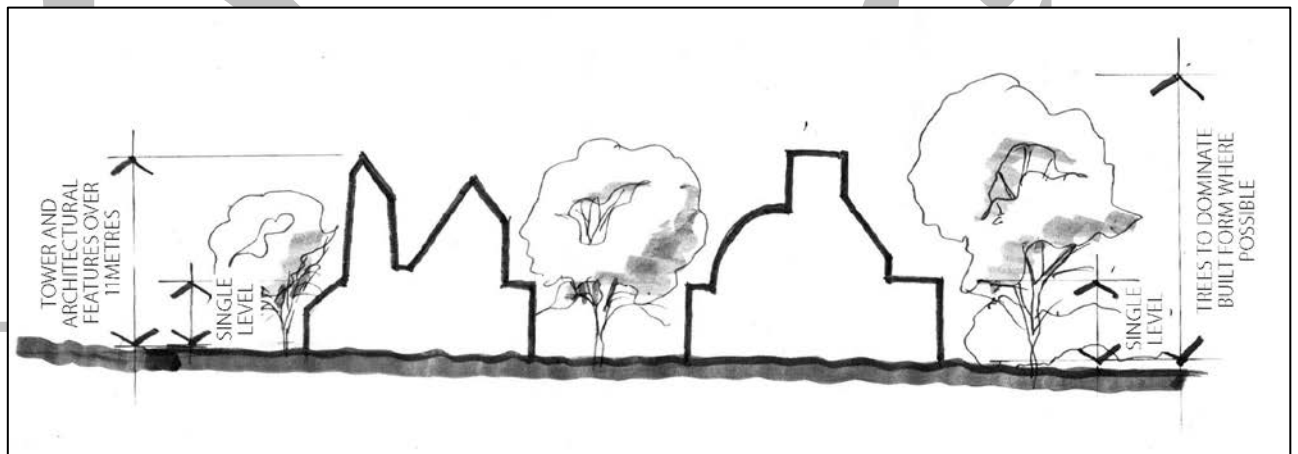
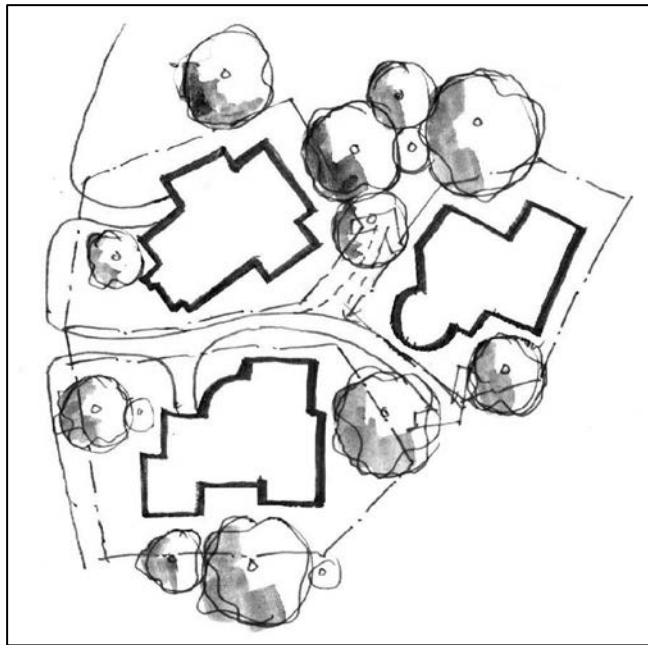




Figure X: Traditional Dinner Plain style dwelling

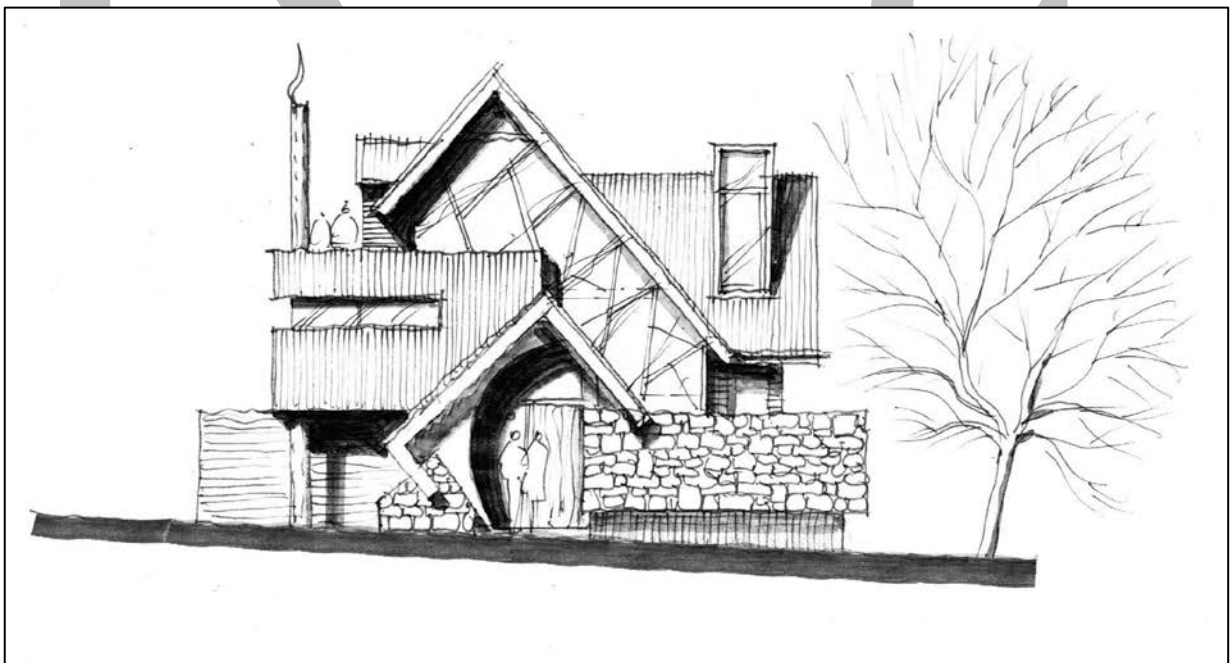
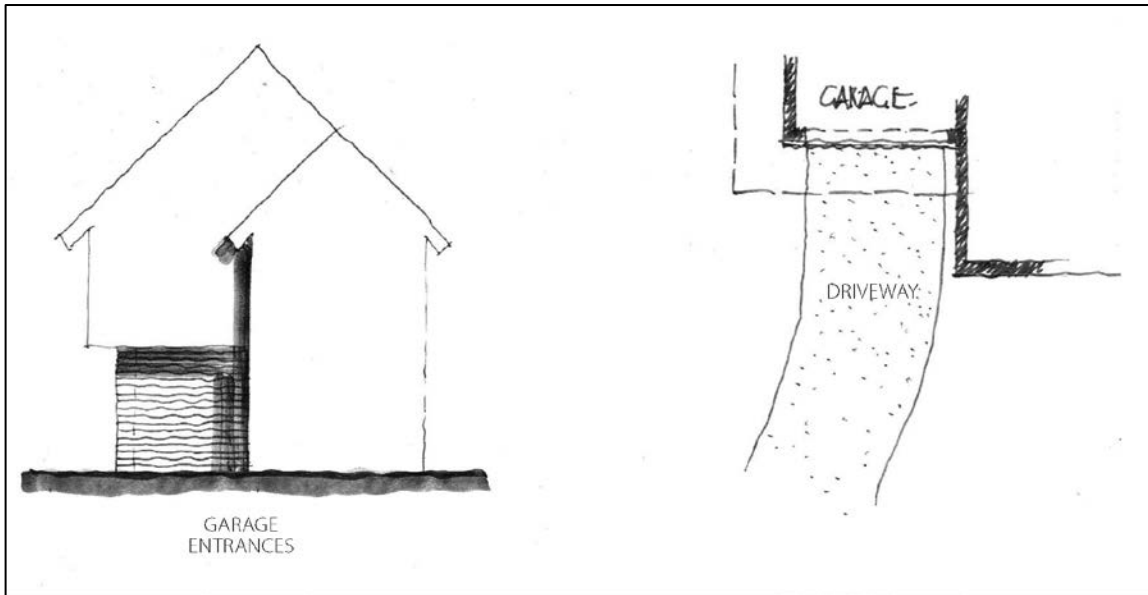


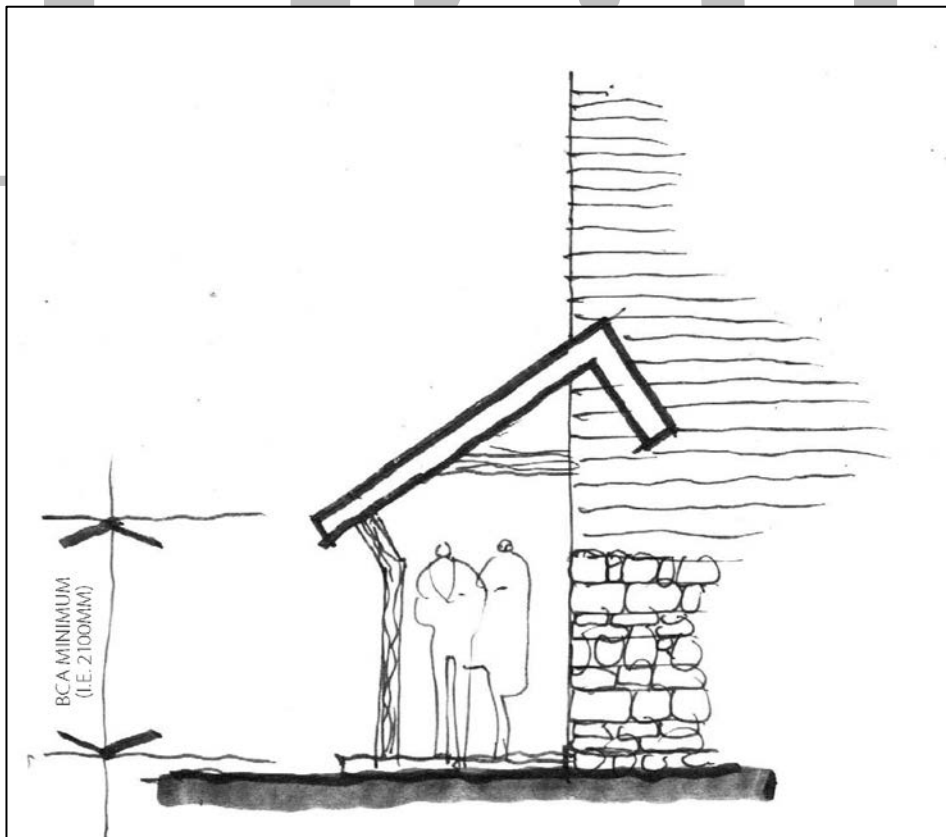
Figure X: Modern interpretation of Dinner Plain style dwelling

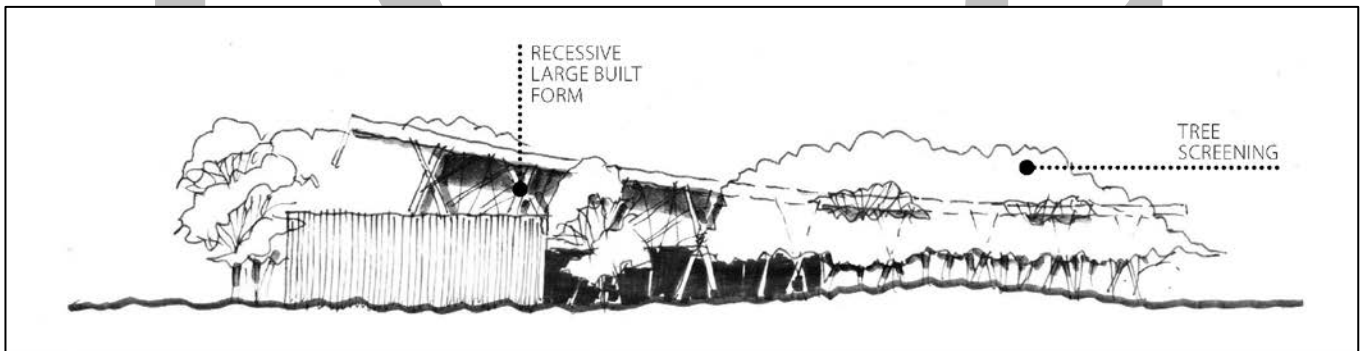


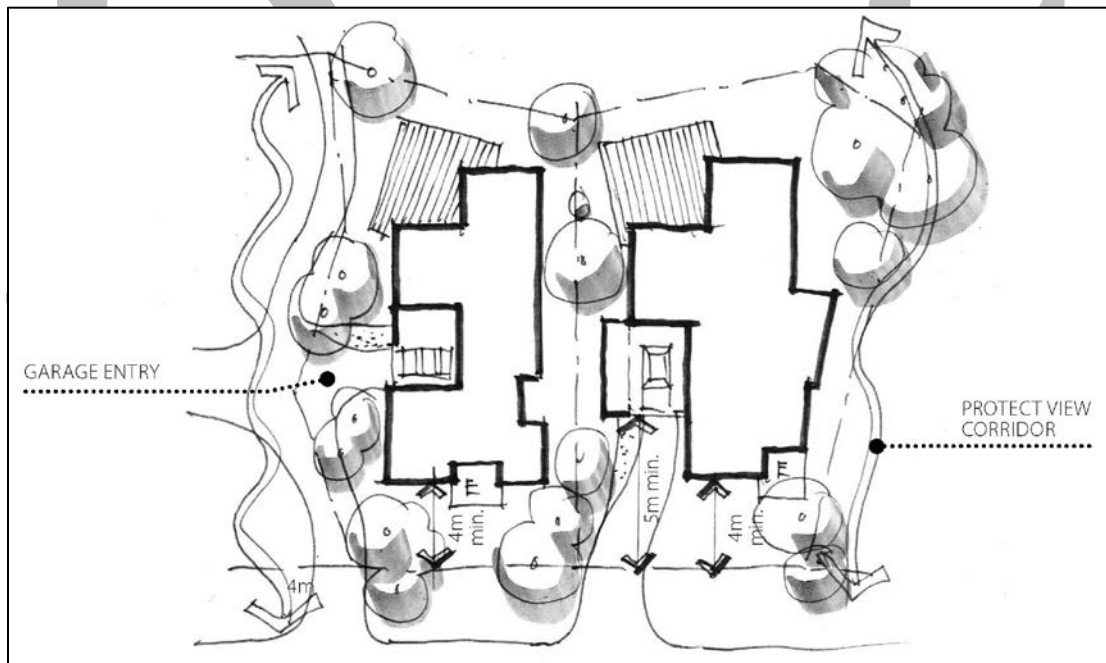
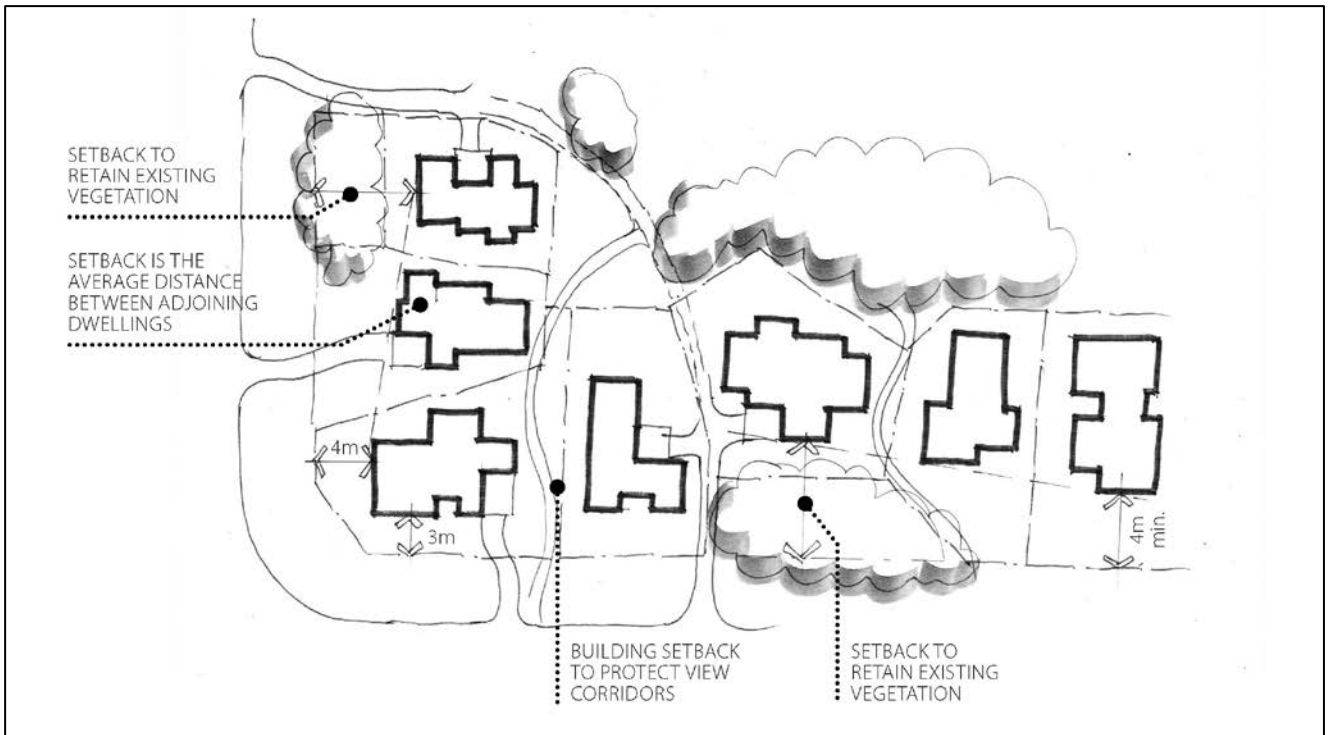
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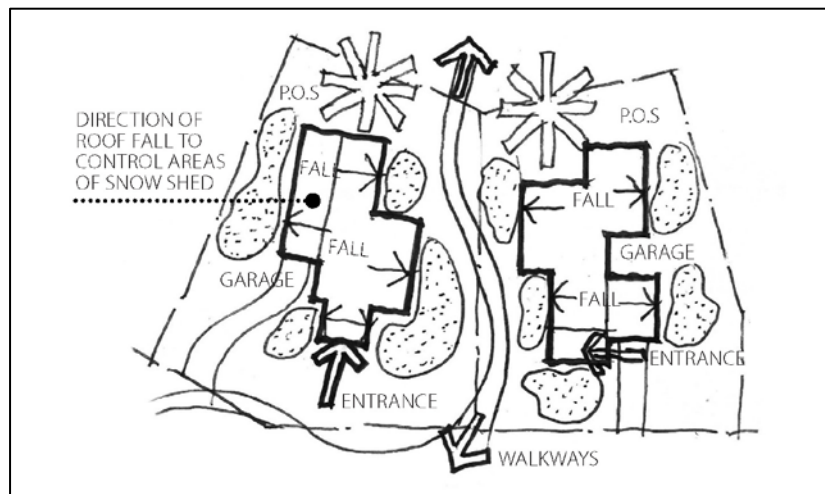
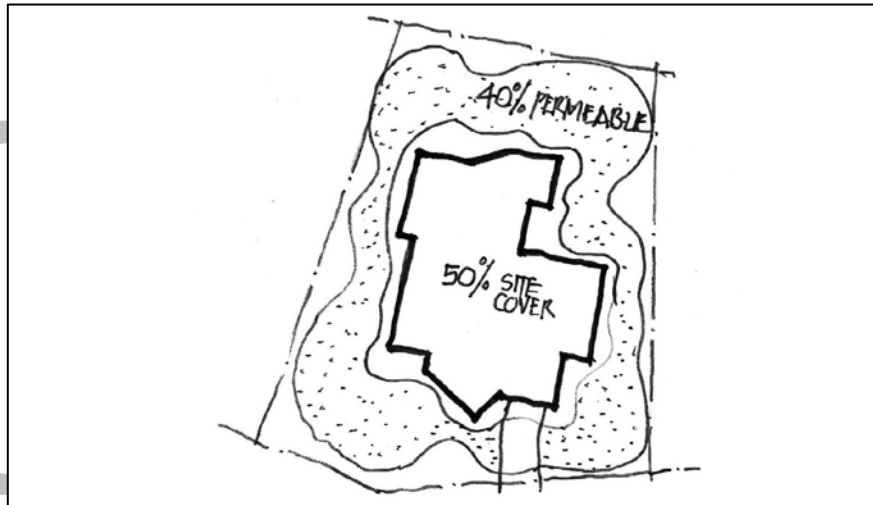
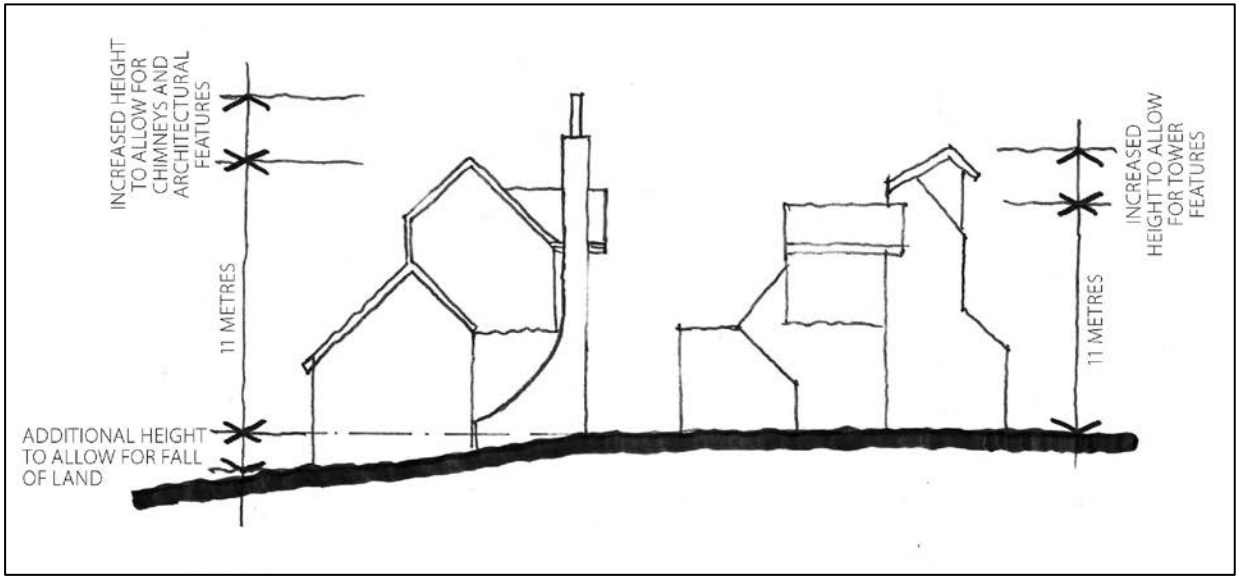


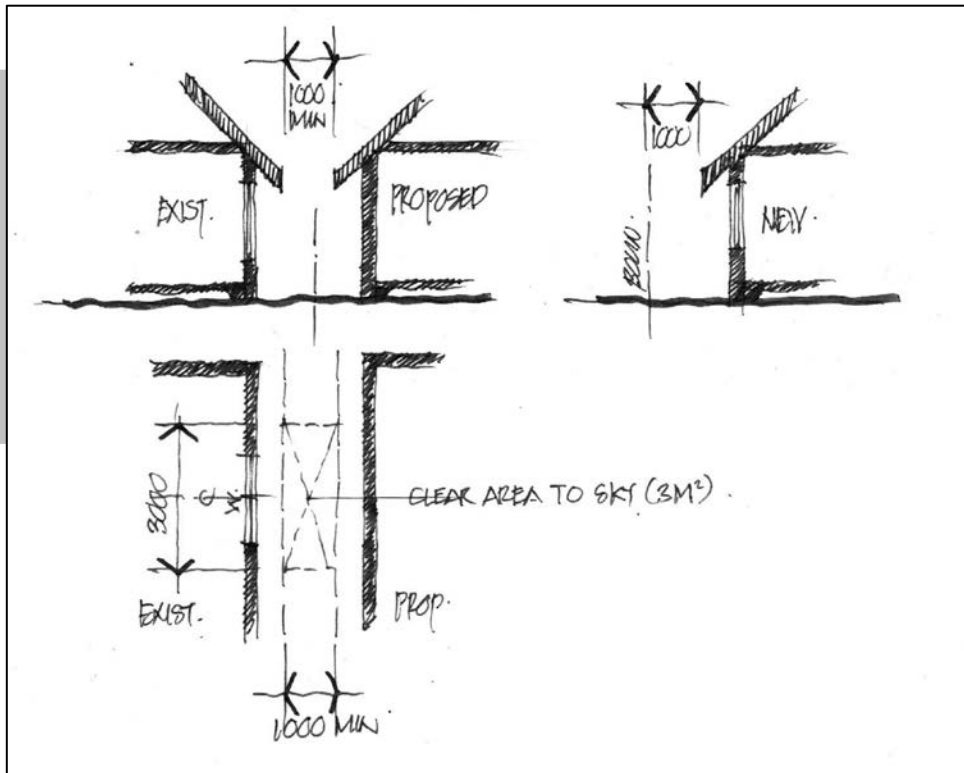
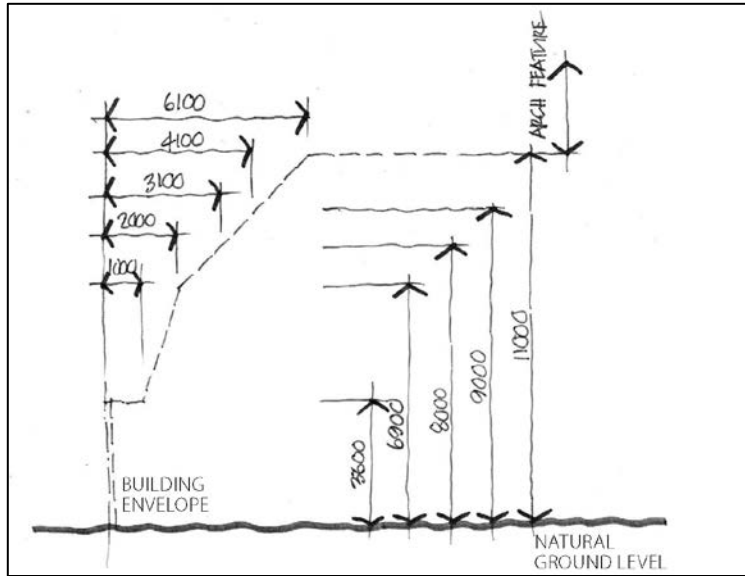
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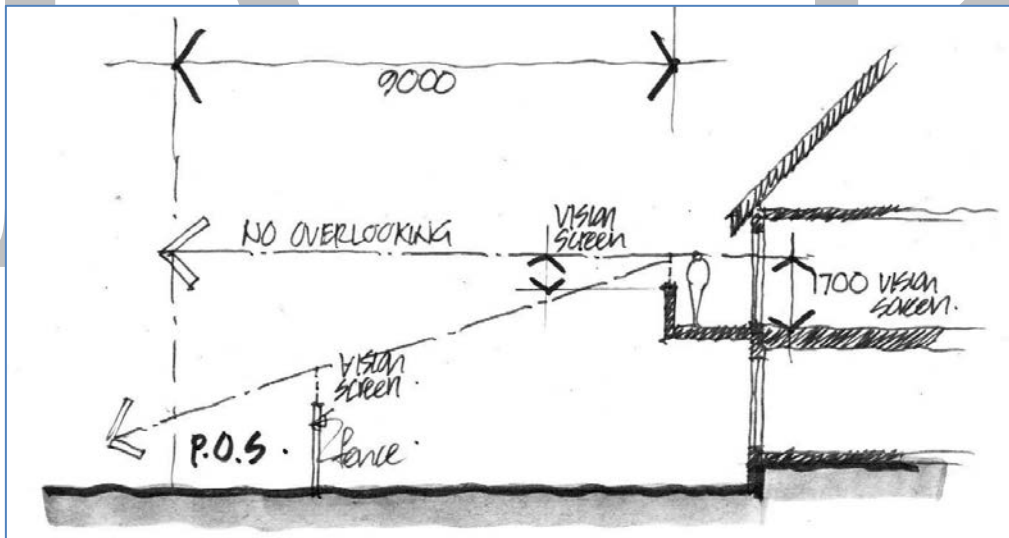
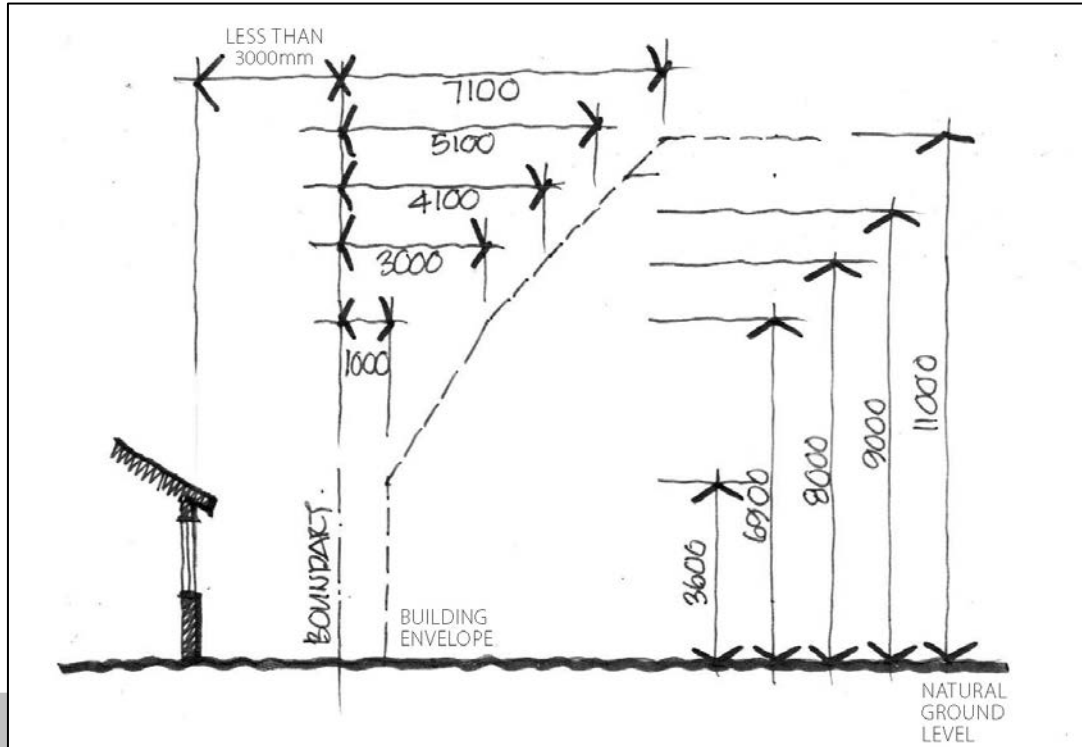


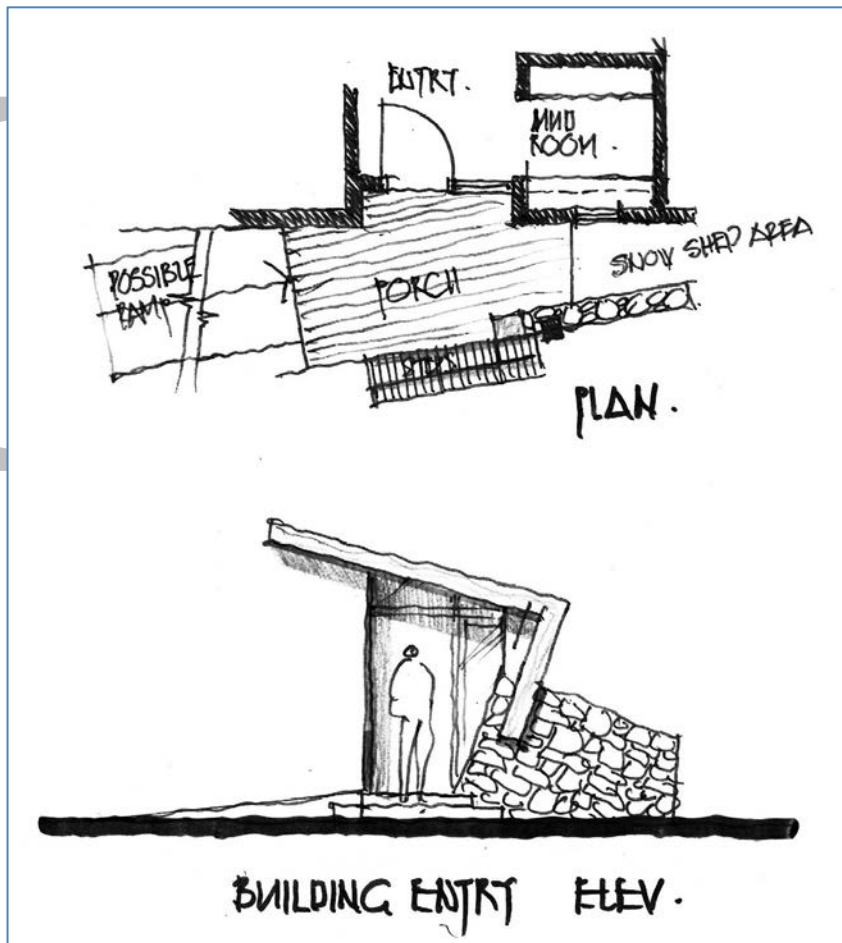
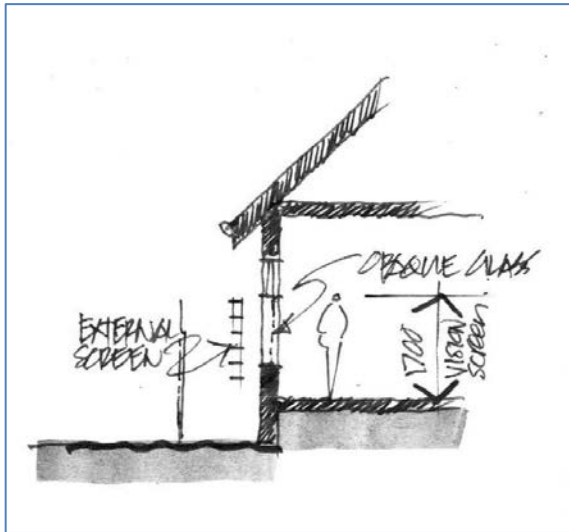


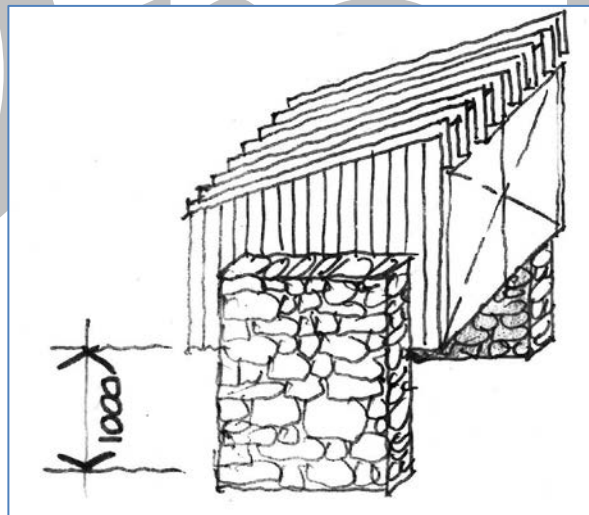












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RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: 7 May 2019
Location: Committee Room, Bright Office
Start Time: 5.00pm
Chairperson: Cr Ron Janas, Mayor

Councillor and staff attendees:

Name	Position	Name	Position
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:

Name	Position

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
- Website refresh
- Alpine Events Strategy
- Ordinary Council meeting agenda review

RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: 21 May 2019
Location: Committee Room, Bright Office
Start Time: 3.00pm
Chairperson: Cr Ron Janas, Mayor

Councillor and staff attendees:

Name	Position	Name	Position
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Will Jeremy	Director Assets
Cr Daryl Pearce	Councillor	Nathalie Cooke	Director Corporate
Cr Kitty Knappstein	Councillor		

Councillor and staff apologies:

Name	Position
Cr John Forsyth	Councillor
Cr Tony Keeble	Councillor
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
- Brief on budget submission received
- Finance
- Food Organics Greet Organics (FOGO) Survey
- Alpine Community Plantation update
- Tawonga South Amenities update
- Ireland Street Elms
- Memorials