



Alpine Shire

ORDINARY COUNCIL MEETING

MINUTES

M9 – 10 September 2019

Bright Council Chambers

7:00pm



The next **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **10 September 2019** and commenced at **7:00pm**.

PRESENT

COUNCILLORS

Cr Ron Janas - Mayor

Cr Sarah Nicholas - Deputy Mayor

Cr Kitty Knappstein - Councillor

Cr Daryl Pearce - Councillor

Cr Peter Roper - Councillor

Cr John Forsyth - Councillor

OFFICERS

Mr Charlie Bird - Chief Executive Officer

Ms Nathalie Cooke - Director Corporate

Mr William Jeremy - Director Assets

APOLOGIES

Cr Tony Keeble – Councillor



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1 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS

The CEO read the following statement:

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

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

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

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

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

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

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE

The CEO read the following statement:

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

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

3 CONFIRMATION OF MINUTES

3.1 ORDINARY COUNCIL MEETING – M8 – 6 AUGUST 2019

Cr Knappstein

Cr Roper

That the minutes of Ordinary Council Meeting M8 held on 6 August 2019 as circulated be confirmed.

Carried

4 APOLOGIES

Cr Tony Keeble

5 OBITUARIES / CONGRATULATIONS

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



6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST

Nil

7 PUBLIC QUESTIONS

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

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

Nil



8.2 DIRECTOR ASSETS – WILLIAM JEREMY

8.2.1 E-Waste Infrastructure Upgrades

File Number: CT19033/34

INTRODUCTION

The report relates to the award of two contracts for the upgrade of infrastructure to manage electronic waste (E-waste) received at the three transfer stations in the Alpine Shire.

Cr Pearce

Cr Nicholas

That Council:

- 1. Awards Contract Number 1903301 - 'E-Waste Infrastructure Upgrades - Storage Facilities' to FNG Group for the lump sum price of \$229,500+GST; and*
- 2. Awards Contract Number 1903401 - 'E-Waste Infrastructure Upgrades - Civil Works' to FNG Group for the lump sum price of \$108,132.50+GST.*

Carried

BACKGROUND

The E-Waste Infrastructure Upgrades project involves the construction of a storage shed for E-waste at each of the Alpine Shire Council's three transfer stations. E-waste was banned from landfill on 1 July 2019 with the State Government introducing a new waste management policy specifying how E-waste shall be handled and stored.

\$298,880 of funding was received through Sustainability Victoria's E-Waste Infrastructure Grant program (\$100,000 for Porepunkah, \$100,000 for Myrtleford and \$98,900 for Mount Beauty) for the construction of E-waste storage sheds.

Shed layout design, geotechnical reports and concept drawings were prepared by a civil engineering consultant in April 2019.

In May 2019, a tender process was run for both the storage facilities and civil works combined. Only one tender submission was received and the tendered price significantly exceeded the available budget for the project. No contract was awarded and the scope of works was subsequently reviewed and revised.

The works were subsequently separated in the two packages; Storage Facilities and Civil Works. The Invitation to Tender for the both the packages were advertised on 27 June 2019 on Tenders.net and The Alpine Shire Council website and were also advertised also in the Border Mail, Myrtleford Times and Alpine Observer.

The Storage Facilities Tender was downloaded 10 times and two tender submissions were received, however only one submission was conforming. The Civil Works Tender was downloaded 12 times and three conforming submissions were received.



EVALUATION

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

- Price
- Qualifications and previous performance
- Delivery
- Social

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

Through the evaluation process it was determined that the tenders from FNG Group best met the selection criteria.

POLICY IMPLICATIONS

Implementation of the E-Waste Infrastructure Upgrades project will enable Council to fulfil its obligations under the State Government's *Waste Management Policy (E-Waste) - Victorian Government Gazette, No. G26 28 June 2018*.

The tender was advertised and evaluated according to Council's Procurement Policy.

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

- Incredible places for our community and visitors.

FINANCIAL AND RESOURCE IMPLICATIONS

The E-Waste Infrastructure Upgrades project is jointly funded by Sustainability Victoria (\$298,800) and the Alpine Shire Council (\$61,200). There is an allocation of \$360,000 in Council's 2019/20 capital works budget to deliver this project.

CONSULTATION

A civil engineering consultant was engaged to prepare the layout drawings, geotechnical reports and site surveys.

Council's Facilities Manager and Waste Officer were engaged to ensure that the shed locations and designs meet the regulations and satisfy the operational requirements for each site. The planning and building departments were also consulted during the design phase of the project.

CONCLUSION

Following a comprehensive tender evaluation assessment and reference checks the tenders received from FNG Group for both Storage Facilities and Civil Works were 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
- Manager Facilities
- Project Officer

ATTACHMENT(S)

- Nil



8.3 DIRECTOR CORPORATE – NATHALIE COOKE

8.3.1 Annual Financial Statements and Performance Statement - Approval in Principle

File Number: 900.01

INTRODUCTION

The purpose of this report is to present the draft Financial Statements and Performance Statement for the year ended 30 June 2019 for review and approval in principle.

Cr Pearce

Cr Forsyth

That Council:

- 1. Approve in principle the Financial Statements and the Performance Statement for the year ended 30 June 2019; and*
- 2. Authorise Cr Forsyth and Cr Knappstein to certify the Financial Statements and Performance Statement for the year ended 30 June 2019 on behalf of Council, once any amendments or changes are made as requested by the Victorian Auditor General.*

Carried

BACKGROUND

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report for each financial year that contains a report on the operations of the Council, an audited performance statement and audited financial statements.

Section 132 of the *Local Government Act* requires Council to pass a resolution giving its approval in principle to the draft Financial Statements and draft Performance Statement prior to submitting the statements to the auditor so that they may prepare their reports.

This report provides an overview of the results in Council's draft Financial Statements and draft Performance Statement which are provided in full in the attachments.

Once approval in principle has been provided and Council has incorporated any changes recommended or agreed by the auditor, the Financial Statements and Performance Statement must be certified by two Councillors authorised by the Council prior to the auditors signing their reports.

FINANCIAL STATEMENTS

The Financial Statements show Council's financial performance, financial position and cash flows against the previous year.

In summary, Council ended the 2018/19 year with a surplus of \$2.4m, which was \$1.3m less than the \$3.7m surplus projected in the 2018/19 Annual Budget (the Budget). The lower surplus result was driven by a focused asset write-down initiative which added new expenses to the income statement. As requested by VAGO, Council



conducted a focused review of its parks, open spaces, streetscapes and waste asset classes and has revised its method of capitalisation for certain asset categories.

1. Income

In a continuation of the trend from 2017/18, Council received more income than expected in 2018/19. Altogether Council received \$31.6m in income which was \$3.6m favourable to the Budget projection of \$28m. This income result can be further illustrated across the following categories:

1.1 Rates and charges

Council received total rates and charges of \$17.9m which was \$0.1m unfavourable to Budget due to a reduction in the discount applicable to AGL Rates in Lieu for 2018/19. This unfavourable result was partially offset by continuing supplementary development in the Shire.

1.2 Grant income

Council received total grant income (both operating and capital) of \$9.3m which was \$2.8m favourable to Budget. Major contributors to this result included:

- Early receipt of half of the 2019/20 Victorian Grants Commission grant, being an unbudgeted payment of \$1.9m;
- Unbudgeted grants including:
 - \$0.2m in additional rates valuation grants received due to the centralisation of valuations;
 - \$0.8m Roads Reconstruction grant.

These gains were partially offset by grants which had been budgeted for 2018/19 but which were received in late 2017/18 which included:

- \$0.5m for the Alpine Better Places Myrtle Street project.

1.3 Contributions monetary

Council received \$1.0m in monetary contributions, \$0.2m favourable to Budget due to higher than expected developer contributions.

1.4 Contributions non-monetary

Council received \$0.6m in non-monetary contributions, \$0.4m favourable to Budget due to higher than expected development activity in the Shire.

1.5 Other income

Other income was \$1.0m which was \$0.1m favourable to Budget due to higher than expected interest earned on investments as a result of cash balances that were higher than budgeted.



2. Expenses

Overall expenses were \$29.2m which was \$4.9m higher than Budget. This result was primarily due to asset write-downs of \$3.4m, higher than expected landfill rehabilitation expenses of \$1.0m, and increased materials and service expenses; but offset by savings in employee costs and materials and services. In further detail:

2.1 Assets written-off / impaired

\$0.1m was written down in relation to the revaluation of assets held for sale.

2.2 Employee costs

Employee costs of \$7.4m were lower than Budget by \$0.7m (and also slightly lower than 2017/18 costs) due to the impact of vacant positions, the majority of which are now filled or in the process of being filled.

2.3 Materials and services

Materials and services were \$1.8m greater than budgeted. Influencing this result was \$2.3m of project expenditure originally classified as capital expenditure in the Budget, but since re-classified as operating expenditure. This project expenditure included:

- \$0.3m of works to restore storm-damaged assets;
- \$1.0m of works for the Alpine Better Places Myrtle Street project that related to outdoor furniture and landscaping which are asset categories not capitalised under Council's revised asset capitalisation approach;
- \$0.3m of works for of the Alpine Events Park project that related to outdoor furniture, landscaping and demolition which are asset categories not capitalised under Council's revised asset capitalisation approach;
- \$0.2m of works for the Myrtleford Library Upgrade and McNamara Reserve Netball and Tennis Facilities projects that related to outdoor furniture and landscaping which are asset categories not capitalised under Council's revised asset capitalisation approach.

2.4 Depreciation

Depreciation was \$4.4m which was \$0.3m favourable to Budget due to the timing of certain Council assets that were fully depreciated in 17/18 but not reflected in the 18/19 Budget.

2.5 Landfill rehabilitation expense

Landfill rehabilitation expenses of \$1.0m were \$0.8m unfavourable to Budget due to an increase in the provision for future expected landfill rehabilitation and monitoring expenses for the Porepunkah and Myrtleford landfill sites. This is also due to changes in assumptions around discount factors in the net present cost assessment.



2.6 *Net loss on disposal of property, infrastructure, plant and equipment*

Council made an overall loss of \$3.3m which was \$3.2m higher than Budget, primarily due to a continuing review of the valuation of Council's waste, parks and open spaces assets classes which resulted in selected assets being written-down and reclassified as non-capital expenses.

PERFORMANCE STATEMENT

The Performance Statement provides an overview of Council progress against key performance indicators. The Local Government Performance Reporting Framework (LGPRF) provides the basis for these indicators to enable a uniform Performance Statement across all Victorian councils.

The majority of indicators were consistent with last year with only minor movements. Satisfaction with Council Decisions reduced slightly compared to the previous year down from 60 to 59, while Satisfaction with Sealed Local Roads increased from 60 to 64.

There was a significant improvement in follow-ups on critical and major non-compliance notifications in Food Safety from 33% to 83%. Food safety will continue to be a focus for the Environmental Health team during 2019.

Generally the financial indicators show that Council is financially sustainable and that services are being delivered within expected parameters.

Workforce turnover increased from 7% to 14%, which is consistent with the sector average of 15%.

ISSUES

The Financial Statements and Performance Statement are still being audited at the time of writing this report. Whilst the Victorian Auditor General can still make changes, any changes would be expected to be minor in nature.

POLICY IMPLICATIONS

Council has prepared draft Financial Statements and a draft Performance Statement for Council Approval in Principle, in line with the requirements Section 131 and Section 132 of the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

The authorised Councillors are required to certify the final Financial Statements and Performance Statement after any amendments or changes requested by the Victorian Auditor General have been made, and prior to adoption by Council.



The Annual Report must be submitted to the Minister by 30 September each year as required by Section 133 of the *Local Government Act 1989*. Public notice must then be given that the Report has been prepared and can be inspected at the Council office and on the Council's website. The Report must then be considered at a meeting of the Council as soon as practicable after the Council has sent the Annual Report to the Minister as required by Section 134 of the *Local Government Act 1989*.

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

- A responsible and sustainable organisation.

FINANCIAL AND RESOURCE IMPLICATIONS

The draft Financial Statements and Performance Statement for the year ended 30 June 2019 show that Council is financially sustainable and that Council services are being delivered within expected parameters.

CONSULTATION

The Audit Committee Charter states that the Committee is required to review the Annual Financial Report and consider whether it is complete, consistent with information known to audit committee members and reflects appropriate accounting principles. At the time of submitting this paper the key contents of the Annual Financial Report, comprising the Financial Statements and Performance Statement, have been submitted to the Audit Committee for review.

CONCLUSION

Council ended the 2018/19 year with a surplus of \$2.4 million, which is less than that predicted in the 2018/19 Annual Budget. The lower surplus result is largely attributed to a large asset write-down and revaluation initiative due to a revised asset capitalisation method.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate
- Accountant
- Governance Officer

ATTACHMENT(S)

- 8.3.1(a) 2018/19 Financial Statements (Draft)
- 8.3.1(b) 2018/19 Performance Statement (Draft)



8.3.2 Election Period Policy review

File Number: 646.10

INTRODUCTION

Local Government elections occur every four years - the next scheduled election for all Victorian councils is October 2020. Council is required to maintain the Election Period Policy, and if it requires updating, to do this no later than 12 months prior to the next general election period.

Cr Pearce

Cr Nicholas

That Council:

- 1. Note the Election Period Policy and Guidelines (version 2, 2016) have been reviewed, with no changes proposed to the content of the policy for 2019 other than updating dates for the October 2020 election;*
- 2. Note that further changes to an Election Period Policy will be required if the Local Government Bill is presented to parliament prior to the 2020 election;*
- 3. Revoke the previous Election Period Policy and Guidelines (version 2, 2016);*
- 4. Adopt the Election Period Policy (version 3, 2019);*
- 5. Sign and seal the Election Period Policy (version 3, 2019) at the appropriate time at this meeting; and*

Ensure that a copy of the Election Period Policy (version 3, 2019) is provided to each Councillor following adoption of the policy.

Carried

BACKGROUND

The next general election for all Victorian councils is scheduled to occur on the fourth Saturday in October (24 October) 2020. Section 93B of the *Local Government Act 1989* requires all councils to adopt and maintain an election period policy in relation to procedures to be applied by Councils during the election period.

Section 93B(2)(b) states that the policy must be maintained by reviewing, and if required amending the policy, not later than 12 months before the commencement of each general election period.



Section 93B(3) of the Act states:

An election period policy must include the following—

- a. procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;*
- b. limits on public consultation and the scheduling of Council events;*
- c. procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.*

ISSUES

Election Period

The 'election period' commences when candidate nominations close - which is defined by the Act as 32 days prior to election day. Hence, in 2020 the election period will be operational during the following period:

Commences: Tuesday 22 September 2020

Concludes: 6:00pm on Saturday 24 October 2020 (election day)

Therefore the election period policy must be reviewed during September 2019 to ensure that Council meets the obligations to review the policy not later than 12 months prior to the commencement of the election period.

Changes in 2019

There have been no changes to section 93B since the last election period policy was adopted in March 2016. The Act requires that if there are any amendments to be made to the policy, they must be undertaken no later than 12 months before the next general election period.

The Election Period Policy (version 2, 2016) was adopted in March 2016. At the time it was written, the dates contained within it referred to the 2016 elections. The policy needs to be updated to point these dates to the 2020 election instead. There are no other changes intended to be made to the policy in this review.

In summary, the Election Period Policy (version 3, 2019) has been updated to reflect Council's current policy template, and dates within the policy have been updated to reflect the October 2020 election.

Potential additional changes required before October 2020

It is noted that the proposed Local Government Bill 2019 has not been presented to parliament at the time of writing this report. If it is presented to parliament in the coming months and achieves royal assent, then it is likely that there will be additional changes to the Election Period Policy required before the 2020 election. Officers will ensure any changes that are required are updated and the policy re-presented to Council for adoption.



POLICY IMPLICATIONS

The development and maintenance of an election period policy is required by section 93B of the *Local Government Act 1989*.

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

- High performing organisation.

FINANCIAL AND RESOURCE IMPLICATIONS

The Election Period Policy has been reviewed by Council officers.

CONSULTATION

External consultation is not required. Councillors have been briefed on the changes made to the policy. Adoption of the policy is a legislative requirement, and must be endorsed by Council prior to 23 September 2019.

CONCLUSION

The update to the Election Period Policy is to ensure it remains current for the 2020 elections, and Council is complying with the legislative requirement to make any changes not later than 12 months before the next general election period.

Council should adopt the policy to ensure that it is being maintained in accordance with the Act. Any requirement for future changes will be closely monitored.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

- 8.3.2 Election Period Policy (version 3, 2019) - for adoption



8.3.3 Audit Committee Meeting No. 2019/209-1, 26 July 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 26 July 2019.

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

- Nomination and recommendation of Audit Committee Chair
- VAGO report on Fraud and Corruption Control - Local Government
- VAGO report on Local Government Asset Management and Compliance
- VAGO report on Reporting Local Government Performance
- Audit Committee annual performance survey

The Committee also received updates on a number of ongoing action items.

Cr Forsyth

Cr Knappstein

That Council:

1. *Receive and note the minutes of the 26 July 2019 Audit Committee Meeting No.2019/20-1.*
2. *Appoint Sue Lebish to the role of Chair of the Audit Committee for 2019/20.*

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. 2019/20-1 held on 26 July 2019.

ISSUES

Welcome of new members

The Audit Committee extended a welcome to one returning independent member, Sinead Ryan, and one new member, Craig Covich.

Nomination and recommendation of Chair

The Alpine Shire Council Audit Committee Charter 2019 sets out the requirements for the appointment of the Chair of the Audit Committee.

Section 3.4 of the Charter stipulates that:

"The chair of the Audit Committee must be an independent member.



The chair must have suitable qualifications in line with the member knowledge and skills criteria in this Charter and as required by section 139 (2A) of the Local Government Act 1989.

The Committee will nominate and recommend to Council a chair each year.

Council will formally appoint the Committee Chair”.

The Audit Committee nominated and recommends to Council independent member Sue Lebish as Chair of the Committee for the 2019/20 period.

VAGO report on Fraud and Corruption Control - Local Government

The Victorian Auditor General Office (VAGO) report on Fraud and Corruption Control - Local Government examined whether local councils' fraud and corruption controls are well designed and operating as intended. It primarily focused on expenditure and processes involving councillors and senior council staff.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council takes the internal and financial controls of Council very seriously and will continue to action all findings through to closure accordingly.

VAGO report on Local Government Asset Management and Compliance

The VAGO report on Local Government Asset Management and Compliance examined whether local councils' accurately document infrastructure assets in their information systems and use this data in their asset management and planning.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council's ongoing development of asset management plans and the implementation of an asset management system will address the findings. The Committee also noted the impact that resourcing issues in the Asset Maintenance team has had on Council's ability to progress asset management processes and documentation.

VAGO report on Local Government Performance Reporting

The VAGO report on Reporting Local Government Performance assessed whether the Local Government Performance Reporting Framework (LGPRF) communicates performance information that is relevant, timely, accurate and easy to understand for councils and the community. It also examined whether councils use the LGPRF to improve their performance and specifically examined the services in maternal child health, statutory planning and waste collection.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council is generally compliant however will continue to make improvements in detailed mapping of data sources, implementing targets for each measure and providing a link on its new website to the Know Your Council website.



Audit Committee Annual Performance Survey

The Victorian Government's *Audit Committees – A Guide to Good Practice for Local Government* and the current Audit Committee Charter require the Committee to undertake a self-assessment of its performance each year. An online survey has been made available to Committee members since 2017 and was again provided in this format for the 2018/19 survey with a 100% return rate.

Feedback this year has again been positive with members satisfied with the overall performance of the Committee. There was recognition that the Committee has matured and that there has been an improvement in, information and reporting, and a focus on identifying risks and improving internal controls. However the Committee did identify opportunities for improvement including the sophistication of information to enable a focus on high risk areas and a continued focus on asset management, IT business systems and outstanding audit actions.

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

- A responsible and sustainable organisation.

CONCLUSION

The Audit Committee, being satisfied with the detail provided in its agenda and the officer reports, submits the minutes of its 26 July 2019 Meeting No. 2019/20-1 to Council for noting and recommends to Council the appointment of independent member Sue Lebish as Chair of the Committee for 2019/20.

DECLARATION OF CONFLICT OF INTEREST

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

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

ATTACHMENT(S)

- 8.3.3 Audit Committee Meeting No. 2019/20-1 Minutes 26 July 2019



8.3.4 Review of Instrument of Delegation to Section 86 Committees

File Number: Delegations Register

INTRODUCTION

The purpose of this report is to extend the Instruments of Delegation to special committees under Section 86 of the *Local Government Act 1989*.

Section 86 of the *Local Government Act 1989* allows Councils to delegate functions, duties or powers to special committees.

The current Instruments of Delegation to these committees end 31 October 2019.

Cr Nicholas

Cr Pearce

That Council:

1. *Extend the Instruments of Delegation made under s86 of the Local Government Act 1989 until 31 October 2021 for the following Special Committees:*
 - *Bright Senior Citizens Centre Committee of Management; and*
 - *Mount Beauty Recreation Reserve Committee of Management.*
2. *Ensure that the powers, duties and functions conferred on the Committees by the Instruments of Delegation are exercised in accordance with any guidelines or policies Council may from time to time adopt;*
3. *Implement the governance and reporting obligations as detailed in the Instruments of Delegation; and*
4. *Sign and seal the Instruments of Delegation at the appropriate time of this meeting.*

Carried

BACKGROUND

Section 86(3) of the *Local Government Act 1989* (the Act) provides that a Council may, by instrument of delegation, delegate any of its functions, duties or powers under this or any other Act to a special committee.

Section 86(6) of the Act further stipulates that Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.

A review of the delegations to special committees was undertaken in 2017. Subsequent to the review Council extended the Instruments of Delegation for the Bright Senior Citizens Centre Committee of Management and the Mount Beauty Recreation Reserve Committee of Management.

The current Instruments of Delegation ends on 31 October 2019.



ISSUES

The review of Committees of Management undertaken in 2017 recommended that s86 special committee delegation was appropriate for the Bright Senior Citizens Centre, as Council is appointed as the Committee of Management of the Crown Reserve. The Committee has not been incorporated and therefore cannot be issued a licence, and the facility has multiple users thereby ruling out the establishment of a lease agreement.

These reasons still remain in force and the current best approach to ongoing management of the Bright Senior Citizens Centre is to continue to appoint a committee under s86 of the *Local Government Act 1989*.

The 2017 review recommended that s86 committee delegation was appropriate for the Mount Beauty Recreation Reserve until such time as alternate management arrangements have been reached for the management of the Reserve. Though discussions have been held with the Mount Beauty Recreation Reserve Committee of Management regarding alternate management models no agreement has been reached regarding this at this stage. Until such time as agreement is reached on alternate management arrangements for the Reserve the best approach for ongoing management of the Reserve is to continue to appoint a committee under s86 of the *Local Government Act 1989*.

In order to facilitate continuous improvement for both the Bright Senior Citizens Centre and the Mount Beauty Recreation Reserve further consultation will occur with the current committees, Council and the wider community users of the facility so that the best model for future governance of the site can be determined.

POLICY IMPLICATIONS

The review of delegations to s86 committees ensures that Council is compliant with the requirements of s86(6) of the *Local Government Act 1989*, to review the delegations to all special committees within 12 months of the election.

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

- Highly utilised and well managed community facilities.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial and resource implications identified with the recommendations of this report.

CONSULTATION

Existing members of the Bright Senior Citizens Centre Committee of Management and Mount Beauty Recreation Reserve Committee have been consulted regarding the extension of the current delegation for an additional two years.



CONCLUSION

The current best approach to the ongoing management of the Bright Senior Citizens Centre and the Mount Beauty Recreation Reserve is through delegation to them as special committees under s86 of the *Local Government Act 1989*. These delegations are being extended until 31 October 2021, unless varied or revoked earlier, and subject to the ongoing review of the performance of the Committee's in meeting their obligations under the Instruments of Delegation.

Further consultation will continue to occur with the current committees, Council and the wider community users of the facility so that the best model for future governance of the site can be determined.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Facilities
- Governance Officer

ATTACHMENT(S)

8.3. 4 (a) Instrument of Delegation – Bright Senior Citizens Centre Committee of Management

8.3.4 (b) Instrument of Delegation - Mount Beauty Recreation Reserve Committee of Management



8.3.5 Omnibus Planning Scheme Amendment C60

File Number:

INTRODUCTION

The purpose of this report is to:

1. Advise that there is opportunity to expand the scope of proposed amendment C60 to include extra land that has been found to be subject to anomalous zonings and overlay controls as detailed in this report.
2. Recommend that Council seek formal authorisation from the Minister for Planning to prepare the revised Amendment C60, and when authorised, exhibit the amendment.

Cr Nicholas

Cr Knappstein

That Council note the proposed revision of the content of Amendment C60 and reaffirm its previous resolution to:

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 C60 to the Alpine Planning Scheme;*
2. *Notify the Minister for Planning that when it exhibits Amendment C60, 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 C60 to the Alpine Planning Scheme under Section 19 of the Planning and Environment Act 1987.*

Carried

BACKGROUND

It has come to the attention of Council officers that there are several more errors in the planning scheme that warrant correction than was previously reported in relation to Amendment C60.

The additional areas are:

- An additional instance of freehold land being included in a Public Land Zone, in particular the Mount Beauty Golf Course is within a Public Conservation and Resource Zone (PCRZ) and it is only by virtue of its long term use as a golf course that it can be granted planning permission under existing use rights.
- Two instances of North East Water land in the Mount Beauty and Tawonga South area that are currently in the Farming Zone and are more appropriately included in a Public Use 1 Zone.



ISSUES

The errors that have been identified are having an unnecessary and unforeseen impact on land use and development potential and add an unnecessary risk to a heritage asset.

The additional corrections are confined to map amendments, the full set of proposed planning scheme map corrections are attached for information.

POLICY IMPLICATIONS

The proposal improves the delivery of planning policy through the planning scheme.

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

- A well planned and safe community.

FINANCIAL AND RESOURCE IMPLICATIONS

Administration of these changes will be undertaken in house with associated costs contained within the Strategic Planning operational budget.

CONSULTATION

Informal consultation has taken place with officers of Department Environment, Land, Water and Planning and stakeholders.

CONCLUSION

It is considered appropriate that Council prepare an amendment to correct various errors, omissions and anomalies in the planning scheme as detailed in attachments.

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
- Strategic Planner

ATTACHMENT(S)

- 8.3.5(a) Proposed planning scheme map corrections (4 Sheets).
- 8.3.5 (b) Copy of previous Council report.



8.3.6 Revocation of Policies

File Number: Policy Register

INTRODUCTION

Council is in the process of undertaking a holistic review of its policies. A review of Policy 62, Parking Zone Policy is complete.

The review of this policy has determined that the matters addressed by the policy are managed through alternate and current documents and/or systems.

Cr Roper

Cr Forsyth

That Council:

- 1. Revoke Alpine Shire Council Parking Zone Policy No. 62, adopted 4 July 2006.*

Carried

BACKGROUND

Council developed the Parking Zone Policy to provide a consistent approach to the use of parking restrictions across the Shire. This policy has been reviewed as part of Council's holistic policy review program.

ISSUES

Council manages the application of parking restrictions across the Shire effectively through either precinct wide parking reviews (e.g. Bright Car Parking Plan, Dinner Plain car parking review) or by working with local stakeholders to resolve localised issues. As such, the Parking Zone Policy is not used as a reference document.

POLICY IMPLICATIONS

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

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

- A well planned and safe community.

CONSULTATION

The review and revocation of the policy has been consulted with the relevant Council officers.



CONCLUSION

The review of the Parking Zone Policy has been completed and it is recommended that it 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.

- Director Corporate
- Manager Building and Amenity

ATTACHMENT(S)

- Nil



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 Pearce

Cr Knapstein

That the summary of the Assemblies of Councillor for July / August 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
30 July	Briefing Session
6 August	Briefing Session
20 August	Briefing Session

ATTACHMENT(S)

- 9.0 Assemblies of Councillors – July / August 2019



10 GENERAL BUSINESS

That the following motion be presented to the Ordinary Council Meeting in November:

That the Alpine Shire Council recognises, supports, advocates for and adopts initiatives that will help address the effects of climate change.

Cr Forsyth

Cr Knappstein

Division:

For:

All Councillors with the exception of Cr Nicholas

Against:

Cr Nicholas

11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

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

12 RECEPTION AND READING OF PETITIONS



13 DOCUMENTS FOR SEALING

Cr Knappstein

Cr Forsyth

That the following documents be signed and sealed.

- 1. Section 173 Agreement – Michael John Pearce and Shireen Joyce Pearce Lot 2 on Plan of Subdivision 142586 Volume 9512 Folio 380. Condition 13 of Planning Permit 2018.187.1 for a two lot subdivision at 62 Coronation Avenue, Bright. The Agreement states that the adjoining land is used for plantation forestry which may at times affect amenity conditions.*
- 2. Section 173 Agreement – David Joseph Hogg Lot 2 on Plan of Subdivision 212320Q Volume 9821 Folio 666 Building Notice (under Section 11 of the Building Act 1993) for illegal habitation of a shed at 21 Standish Street, Myrtleford. The Agreement provides for North East Catchment Management flood level requirements.*
- 3. Instrument of Delegation – Bright Senior Citizens Centre Committee of Management.*
- 4. Instrument of Delegation – Mount Beauty Recreation Reserve Committee of Management.*
- 5. Election Period Policy (version 3, 2019).*

Carried

There being no further business the Chairperson declared the meeting closed at 9:18p.m

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Chairperson