



M(5) – 2 JUNE 2020

Ordinary Council Meeting

Minutes

The **Ordinary Meeting** of the **Alpine Shire Council** was held in Council Chambers, Great Alpine Road, Bright on **2 June 2020** and commenced at **4:00pm**.

PRESENT

COUNCILLORS

Cr Peter Roper - Mayor

Cr Sarah Nicholas – Deputy Mayor

Cr John Forsyth

Cr Tony Keeble

Cr Kitty Knappstein

Cr Ron Janas

Cr Daryl Pearce

OFFICERS

Charlie Bird – Chief Executive Officer

Will Jeremy – Director Assets

Nathalie Cooke – Director Corporate

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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.

Question time will still be held, however questions must be submitted in writing prior to the meeting. By submitting a question, you consent to your question being read aloud and 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 – M(4) – 5 May 2020

Cr Forsyth

Cr Janas

That the minutes of Ordinary Council Meeting M(4) held on 5 May 2020 as circulated be confirmed.

Carried

4. Apologies

Nil

5. Obituaries and congratulations

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

6. Declarations by Councillors of conflict of interest

Nil

7. Public questions on Notice

Due to current social distancing requirements to address COVID-19, the meeting will be held entirely online. The gallery is closed to the public and community members are invited to view the meeting online.

Questions received by midday on the day of the Council Meeting will be responded to. Questions on Notice will be limited to two questions per person.

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 Nicholas

Cr Keeble

That the Contracts approved by the CEO be noted.

Contract No:	1908101	Process:	Public Tender
Title:	Construction of Pebble Beach Path Extension to Confluence Mount Beauty		
Tenderer:	Stadelmann Enterprises Pty Ltd		
\$ (excl. GST):	\$131,834.52		

Contract No:	CQ20017	Process:	Quotation
Title:	New concrete footpath in Tawonga Crescent and new concrete footpath in Tennis Court Avenue		
Tenderer:	McPhersons Earthmoving Contractors Pty Ltd		
\$ (excl. GST):	\$105,144.85		

Contract No:	CQ20015	Process:	Quotation
Title:	Bright Asphalt path renewal		
Tenderer:	Stadelmann Enterprises Pty Ltd		
\$ (excl. GST):	\$128,257.00		

Carried

8.2 DIRECTOR ASSETS – WILLIAM JEREMY

8.2.1 Land Exchange – 14 Riverside Avenue, Bright

File Number: Plan of Subdivision PS638662T

INTRODUCTION

A council resolution is required to exchange a small area of road land with the land owner of Lot 1 TP837927K Parish of Bright, known as 14 Riverside Avenue Bright.

Cr Nicholas

Cr Knappstein

That Council:

- 1. Advertises its intention to undertake a road deviation and exchange of land affecting part of Lot 1 TP837927K Parish of Bright (private land) as follows:***
 - a. Discontinue 9m2 of road in accordance with Schedule 10, Clause 3(a) of the Act, shown as crosshatched on the plan below (Land to be Acquired);***
 - b. Exchange the 9m2 of land discontinued as a road (Land to be Acquired) with the owner of Lot 1 TP837927K in part (b), pursuant to Section 189 of the Act, in lieu of the 9m2 of private land the road was deviated through (Land to be Transferred) in part (a) – noting that the land to be exchanged has been valued at \$3,600 for each parcel;***
 - c. Declare the 9m2 of land declared as a road (Land to be Transferred) to be open to public traffic pursuant to Section 204(2) of the Act;***
- 2. Authorise the Chief Executive Officer to place this proposal on exhibition, inviting submissions in accordance with Section 223 of the Act, as required by Section 207A of the Act;***
- 3. Forms a committee consisting of Councillors according to Section 223 (1)(b) of the Local Government Act 1989, if required, for the purpose of hearing submissions in relation to the proposed land exchange;***
- 4. Receives a final recommendation to approve and gazette the land exchange at the August 2020 Ordinary Council Meeting, subject to any submissions received.***

Carried

BACKGROUND

To facilitate the exit of vehicles from the supermarket development on Gavan Street, Bright (currently operated by Woolworths), a land transfer was agreed between Council and the property owner of 14 Riverside Avenue.

The agreement requires a portion of land (9 square metres in area) fronting Star Road to be transferred to Council as Road Reserve in exchange for the equivalent area of land from Riverside Avenue to be transferred to the title of 14 Riverside Avenue being part of Lot 1 on TP837927K Parish of Bright. The plan for the transfer of land is shown below.

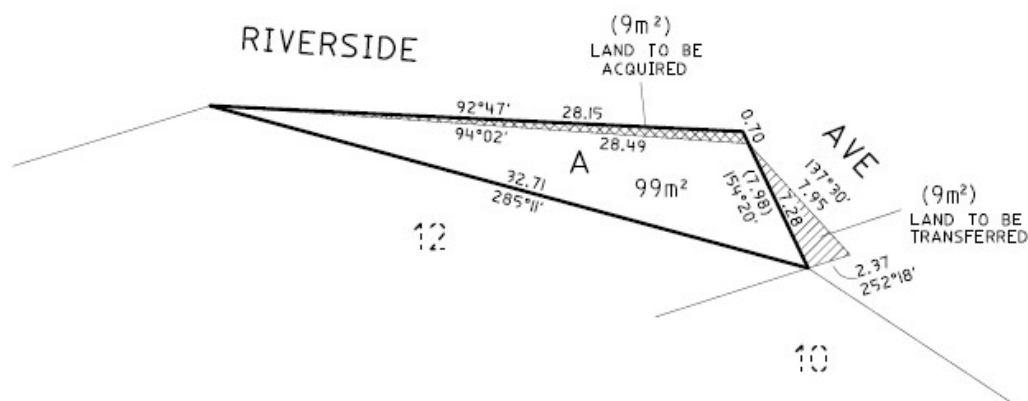


Figure 1: Proposed Land Exchange



Figure 2: Location (highlighted in red)

ISSUES

Nil.

POLICY IMPLICATIONS

Pursuant to Section 206 including Clause 2 of Schedule 10 of the *Local Government Act 1989* (the Act), Council may deviate the road as proposed.

Consent of the Minister administering the Land Act 1958 has been obtained, in accordance with Schedule 10, Clause 2(2) of the Act.

Permission from the Minister for Environment and Climate Change (2012) has been obtained for this deviation and is still valid.

A land valuation has been prepared as required in accordance with Section 189 of the Act.

To complete the process in accordance with Section 189 of the Act, Council must allow for submissions under section 223 to be made.

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

- Infrastructure and open space that our community is proud of

FINANCIAL AND RESOURCE IMPLICATIONS

There is sufficient budget allocation to cover the minor costs associated with the proposed transfer of land.

CONSULTATION

At the time of development (circa 2009) Council undertook to manage the process and Bright (Supermarket) Commercial Pty Ltd, the developer, has not subsequently been involved in this process. They have recently been notified of the status of the exchange process.

The owner of 14 Riverside Avenue has been updated on current progress.

CONCLUSION

To proceed with this Road land exchange, a Council resolution to advertise the proposal for any submissions under section 223 is required.

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 Maintenance
- Engineering Coordinator

ATTACHMENT(S)

Nil

8.2.2 Pioneer Park Bike Track Project Update

File Number: 19099

INTRODUCTION

The purpose of the report is to update Council on the proposed timeframe for delivery of the relocated bike track at Pioneer Park, Bright.

Cr Pearce

Cr Nicholas

That Council notes the revised timeframe for delivery of the bike track at Pioneer Park, Bright, with construction scheduled to commence in September 2020.

Carried

BACKGROUND

In November 2019, Council endorsed the removal of the existing BMX track to enable the establishment of the Oaks Lawn community and event space within Pioneer Park, Bright. Council also committed to deliver a new bike track within the Rotary Pines area of Pioneer Park in consultation with the community by 30 June 2020.

The existing BMX track was removed, and through a collaborative approach with local businesses and community members the Oaks Lawn development was successfully delivered in early 2019, in time to host both the Brighter Days Festival and the Katy Perry Fight On concert.

A design and construct tender was advertised in late January for the new bike track and quotations closed on 21 February 2020. Four tenders were received within the approved budget of \$80,000 from both local and interstate contractors.

ISSUES

In late February the tenders were assessed in accordance with the published selection criteria. During the finalisation of the award recommendation in March, the preferred tenderer advised Council of their unwillingness to travel interstate to deliver the works, due to the increasing COVID-19 restrictions and the uncertainty at this time of further restrictions being imposed. With a view to achieving the best outcome for the community, the contract has been awarded to the preferred tenderer accepting that this will result in a delay in the delivery of the project.

Following the recent easing of restrictions across the country, the selected contractor has advised that they are now in a position to travel to Alpine Shire to deliver the project. Bike track construction is a weather-dependent activity, and to achieve the best outcome the contractor has nominated a construction window commencing in September. Community engagement to finalise the design of the new track will be progressed over the period June to August 2020.

POLICY IMPLICATIONS

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

- Incredible places for our community and visitors

FINANCIAL AND RESOURCE IMPLICATIONS

The draft 2020/21 Capital Works Budget includes provision for these works.

CONSULTATION

In late 2019, the local community was consulted regarding the style of track to be developed. Through this engagement it was established that the preferred type of track is a 'jumps skills park' which can support skills development for all levels of rider, from very young riders on balance bikes (age 2+) up to adults.

The final design will be subject to further engagement with the community, to be carried out between June and August 2020.

CONCLUSION

Although Council initially committed to delivering the new bike track before the end June 2020, the COVID-19 restrictions have prevented the selected contractor from attending site to complete the works within this timeframe. Construction is now scheduled to commence in September 2020.

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

ATTACHMENT(S)

Nil

8.3 DIRECTOR CORPORATE – NATHALIE COOKE

8.3.1 Procurement Policy

File Number: Policy File

INTRODUCTION

The Procurement Policy is a key instrument that outlines the principles and standards for the purchase of all goods, services and works by the Council.

Under Section 186A of the *Local Government Act 1989* it must be reviewed at least once in each financial year.

The purpose of this report is to propose amendments to the Procurement Policy and seek Council's adoption of the revised Policy.

Cr Forsyth

Cr Janas

That Council:

- 1. Note that the 2020 review of the Procurement Policy No. 089 has been completed;***
- 2. Revoke Alpine Shire Council Procurement Policy No. 089, Version 6;***
- 3. Adopt Alpine Shire Council Procurement Policy No. 089, Version 7;***
- 4. Sign and seal Alpine Shire Council Procurement Policy No. 089, Version 7 at the appropriate time of the meeting.***

Carried

BACKGROUND

There is currently transition occurring between the *Local Government Act 1989* ("LGA 1989") and the *Local Government Act 2020* ("LGA 2020"), some provisions within LGA 1989 are still in effect and are yet to be repealed and replaced by LGA 2020, and some provisions within LGA 2020 have yet come into effect and the corresponding provisions in LGA 1989 have been repealed. For the remainder of the paper reference is made to the *Act* which is in effect as relevant to the given provision.

The Procurement Policy ("the Policy") is a key instrument in supporting Council in achieving best value outcomes. Each year the Policy is reviewed to ensure that it best supports Council's purchasing objectives, that it is clear and easy to understand, and that it is fit-for-purpose given the obligations it sets out for persons undertaking procurement on behalf of Council.

ISSUES

The Policy has been reviewed in conjunction with Council's senior management as well as Council's Finance Committee and Audit Committee. Two amendments are proposed to strengthen Council's procurement practises:

All purchases between \$10,000-\$75,000 to require a Request for Quotation be published on Council's tender website

A Request for Quotation must currently be prepared for all purchases between \$10,000-\$75,000. To ensure best value outcomes are achieved it is proposed that this must be published on Council's tender website in order to ensure that a thorough market scan is conducted. This practise is already commonly adhered to by a number of officers.

All supplier evaluations are to be approved by at least the officer and their direct supervisor

Currently officers may approve their own supplier evaluations up to their financial delegation and proceed to purchase without additional oversight. Only supervisor approval of the subsequent invoice is required, at which point it is too late to remediate any non-compliance to Policy requirements, or to provide advice on alternative approaches to purchasing which may achieve better value for Council.

It is proposed that all purchases requiring more than one quotation and an associated supplier evaluation are approved by the purchasing officer's supervisor before proceeding. Further approvals may be required if the purchase exceeds the supervisor's financial delegations, in line with current Policy.

POLICY IMPLICATIONS

The Policy has been reviewed in accordance with Sections 186 and Section 186A of the *Local Government Act 1989*. It is noted that the *Local Government Act 2020* introduces amended provisions in relation to Council procurement policies which come into effect on 1 July 2021.

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

- A responsible and sustainable organisation

FINANCIAL AND RESOURCE IMPLICATIONS

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

It is noted that the proposed amendments may incur some additional workload for Council officers in assessing suppliers however benefits are expected to outweigh the costs.

CONSULTATION

The proposed Policy amendments have been based on consultation with senior Council officers.

CONCLUSION

Changes are proposed to the Procurement Policy, primarily to strengthen Council's purchasing practises and to ensure that best value is obtained for ratepayers. The amended Procurement Policy is presented for Council's consideration and adoption.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate

ATTACHMENT(S)

8.3.1 Alpine Shire Council Procurement Policy No. 089, Version 7.

8.3.2 Investment Policy

File Number: Policy Review Folder

INTRODUCTION

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

The Investment Policy was last reviewed in 2016. The purpose of this report is to propose amendments to the Investment Policy and seek Council's adoption of the revised Policy.

Cr Forsyth

Cr Nicholas

That Council:

- 1. Note that the Investment Policy has been reviewed by the Finance Committee and the Audit Committee;***
- 2. Revoke Alpine Shire Council Investment Policy No. 073, Version 2;***
- 3. Adopt Alpine Shire Council Investment Policy No. 073, Version 3;***
- 4. Sign and seal Alpine Shire Council Investment Policy No. 073, Version 3 at the appropriate time in the meeting.***

Carried

BACKGROUND

There is currently transition occurring between the *Local Government Act 1989* ("LGA 1989") and the *Local Government Act 2020* ("LGA 2020"), some provisions within LGA 1989 are still in effect and are yet to be repealed and replaced by LGA 2020, and some provisions within LGA 2020 have yet come into effect and the corresponding provisions in LGA 1989 have been repealed. For the remainder of the paper reference is made to the Act which is in effect as relevant to the given provision.

Both the *Local Government Act 1989* and the *Local Government Act 2020* specify that Councils may invest any money in government securities, with Authorised Deposit-Taking Institutions (ADIs), with any financial institution guaranteed by the Government of Victoria, on deposit with an eligible money market dealer within the meaning of the Corporations Act, and in any other manner approved by the Minister.

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

ISSUES

Changes in the economic environment flowing from the impact of COVID-19 have seen Fitch, an alternative credit rating agency to S&P, downgrade Australia's four largest banking groups to A+ from AA-. The agency says that they have expectations of a significant economic shock in 2020 due to measures taken to halt the spread of the coronavirus, followed by a moderate recovery through 2021.

S&P has not downgraded the four major banks however it remains possible that this may occur in the coming months.

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

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

While both versions of the Local Government Act allow for investments in government securities, these are typically long dated (at least 2 years to maturity) compared to Council's liquidity requirements. Securities may be sold on the money market prior to maturity date however the price of securities on these markets is subject to rise and fall, putting Council at risk of losing ratepayer funds.

With these considerations in mind, the following amendments are proposed:

1. Modify the allowable credit rating exposures to reflect possible S&P credit rating downgrades to Australian's major banks, while limiting the lowest credit rating in the portfolio to BBB Category

CURRENT POLICY

Long Term S&P Credit Rating	Short Term S&P Credit Rating	Maximum Portfolio Exposure	Maximum exposure to a single institution
AA category or higher	A-1+	100% max	50%
AA category	A-1	100% max	50%
A Category or below	A-2	60% max	20%

PROPOSED AMENDMENT

Long Term S&P Credit Rating	Short Term S&P Credit Rating	Maximum Portfolio Exposure	Maximum exposure to a single institution
A category or higher	A-2 or higher	100% max	50%
BBB Category	A-3	60% max	20%

By way of example, Australian banks currently rated as A category or higher include ANZ, NAB, Macquarie, CBA and Westpac. Banks currently rated as BBB category include Bank of Queensland, Bendigo and Adelaide Bank, AMP Bank and Heritage Bank.

2. Limit investments to term deposits with Australian ADIs

The current policy allowed investments in bonds. As the typical minimum term of a bond is 2 years, and the price of bonds on the money market is subject to rise and fall, it is recommended that the policy restrict investments to term deposits with ADIs. It is noted that Council has not invested funds in bonds for a number of years.

3. Responsible investments

It is recommended that where the rates available for two investments are the same, the investment with responsible investment accreditation will be given preference. In practise Council's current investment broker Curve Securities offers a 'fossil fuel free' accreditation against qualifying investments.

4. Quarterly reporting requirements

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

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

POLICY IMPLICATIONS

The recommended changes to Council's Investment Policy are within the parameters for Council investments set by both the *Local Government Act 1989* and the *Local Government Act 2020*.

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

A responsible and sustainable organisation

FINANCIAL AND RESOURCE IMPLICATIONS

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

CONSULTATION

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

CONCLUSION

Changes are proposed to the Investment Policy to ensure that best value is obtained for ratepayers, that the policy is adapted to the current economic environment and that responsible investing considerations are considered. The amended Investment Policy is presented for Council's consideration and adoption.

DECLARATION OF CONFLICT OF INTEREST

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

ATTACHMENT(S)

8.3.2 Alpine Shire Council Investment Policy No. 073, Version 3.

8.3.3 Quarterly Report – Council Plan

File Number: SU600.03

INTRODUCTION

This report provides the third quarterly report for 2019/20 against the Alpine Shire Council Plan 2017-2021.

Cr Janas

Cr Keeble

That the Alpine Shire Council Plan Quarterly Report ending 31 March 2020 be received and noted.

Carried

BACKGROUND

There is currently transition occurring between the *Local Government Act 1989* (“LGA 1989”) and the *Local Government Act 2020* (“LGA 2020”), some provisions within LGA 1989 are still in effect and are yet to be repealed and replaced by LGA 2020, and some provisions within LGA 2020 have yet come into effect and the corresponding provisions in LGA 1989 have been repealed. For the remainder of the paper reference is made to the *Act* which is in effect as relevant to the given provision.

The Alpine Shire Council Plan 2017-2021 was developed following the election of the Council in October 2016. The Council Plan outlines the strategic objectives, strategies and indicators determining Council’s direction for the four year term of the Plan. The document is reviewed by Council annually to ensure that it continues to provide Council’s intended direction for their term.

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

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

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

HIGHLIGHTS

A high performing organisation

Council advocated strongly on behalf of the community during and following the January 2020 bushfires. Meetings were held with both State and Federal government

representatives to regularly update them with issues affecting the community and advocate for solutions.

Council appointed a Bushfire Recovery team to oversee community recovery efforts post-fire.

A responsible and sustainable organisation

Council's Business Systems Transformation program implementation has begun across the three partner councils - Alpine, Indigo and Towong Shire Councils.

Incredible places for our community and visitors

Key capital works completed during Q3 included the Standish Street road reconstruction, E-waste infrastructure sheds at three transfer stations, completion of landscaping and footpath works around the Phoenix Tree in Myrtleford, and Dinner Plain street signage renewal.

Infrastructure and open space that our community is proud of

Cyclic maintenance and inspection works are being undertaken across the Shire, in line with management plans. Summer fire prevention inspections were completed, with the focus turning to fire recovery works.

Highly utilised and well managed community facilities

Council's Food Organic Green Organic (FOGO) community service survey results in conjunction with relevant aspects of the Victorian Government's Recycling Victoria initiative was presented to Council. Further work will be undertaken to review operating model and service delivery costs.

A new High Country Library Network agreement has been finalised between member Councils, and an RFID project across the four library services is currently being implemented.

A well planned and safe community

Council's Environmental Health team provided lead roles during bushfire recovery and the COVID-19 pandemic.

An awareness program was commenced to improve the number of registered pets within the Shire.

A thriving and connected community

Following the January bushfires, event delivery in March provided a high level of exposure for the Shire including the Jayco Herald Sun Tour, MTBA National Championships, Brighter Days, Myrtleford Festival and Dederang Races. The Katy Perry concert held on 11 March saw more than 6,000 people from across bushfire affected communities attend.

POLICY IMPLICATIONS

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

Quarterly reporting aligns with the Alpine Shire Council Plan 2017-2021 (reviewed 2019):

- A high performing organisation

FINANCIAL AND RESOURCE IMPLICATIONS

The Council Plan is a key document informing the financial and human resources required to achieve Council's objectives.

CONSULTATION

The Council Plan is subject to public exhibition prior to being adopted by Council.

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

CONCLUSION

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

DECLARATION OF CONFLICT OF INTEREST

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

- Directors
- Managers
- Governance Officer

ATTACHMENT(S)

8.3.3 Alpine Shire Council Quarterly Report – ending 31 March 2020

8.3.4 Contract CT19102 Ground Water Monitoring Wells and Surface Water Field Sampling and Water Quality Testing at four Landfill Sites including Leachate and Gas Monitoring at Porepunkah and Myrtleford Landfill

File Number: CT19102

INTRODUCTION

The purpose of this report is to recommend the award of a contract for the Ground Water Monitoring Wells and Surface Water Field Sampling and Water Quality Testing at four Landfill Sites Including Leachate and Gas Monitoring at Porepunkah and Myrtleford Landfill.

A tender process commenced in February 2020 for these services and a contract has been prepared for the provision of these services from 8 June 2020, for a period of three years, with one option to extend for a further period of one year.

Cr Forsyth

Cr Keeble

That Council:

- 1. Award Contract CT19102 Ground Water Monitoring Wells and Surface Water Field Sampling and Water Quality Testing at Four Landfill Sites Including Leachate and Gas Monitoring at Porepunkah and Myrtleford Landfill to Alpine Earth Sciences for a three-year term, plus one option to extend for a further year, at an estimated contract value of \$120,000 (plus GST); and***
- 2. Contract documentation to be finalised and signed at a later Council meeting.***

Carried

BACKGROUND

There is currently transition occurring between the *Local Government Act 1989* ("LGA 1989") and the *Local Government Act 2020* ("LGA 2020"), some provisions within *LGA 1989* are still in effect and are yet to be repealed and replaced by *LGA 2020*, and some provisions within *LGA 2020* have yet come into effect and the corresponding provisions in *LGA 1989* have been repealed. For the remainder of the paper reference is made to the *Act* which is in effect as relevant to the given provision.

Council currently undertakes monitoring at four closed landfill sites. The monitoring includes field testing, laboratory analysis and reporting of ground water, surface water, leachate and gas emissions according to different configurations at the following sites:

- Myrtleford Landfill
- Old Myrtleford Landfill
- Porepunkah Landfill
- Harrierville Landfill

The current contract for delivering these services has ended and a tender has been undertaken to procure the monitoring services, as required, over the next three years.

As a result of the tender process a contract has been prepared for the monitoring services commencing 8 June 2020 for a period of three years, with one option for an additional one year.

The tender was released in January 2020 and closed 21 February 2020 and was advertised in local papers, the Border News, the Herald Sun and listed on tenders.net. Eleven parties submitted tenders.

EVALUATION

All eleven tenders received were conforming tenders and were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Environmental
- Social

Following the initial assessment of the offers, further clarification was sought from some of the tenderers regarding their proposed methodology and submitted pricing. The evaluation was undertaken by Manager Facilities and reviewed by Director Corporate.

The pricing schedules specified costs per round of sampling or per trip. The minimum required frequency of monitoring has been used to assess estimate annual costs of submitted tenders. There was a wide spread of submitted costs for the delivery of the services resulting in part due to the distance some of the submitting tenderers would have to travel to undertake field testing.

ISSUES

The monitoring being undertaken at Myrtleford and Porepunkah landfill sites is undertaken according to the EPA directions and EPA approved Environmental Monitoring Programs. Compliance to approved methodology and reporting regimes is critical and the demonstrated capacity for the submitting tenderers to meet these obligations was required through the tender submission.

Additional monitoring rounds and changes to the required monitoring program may occur during the period of the contract. Serviceability of these increased requirements is also an important consideration when evaluation submissions.

A combined weighting of 50% for experience and demonstrated methodology in the evaluation matrix was therefore used in the evaluation process.

All tenderers provided evidence of approved methodology and experience in undertaking the monitoring as required.

POLICY IMPLICATIONS

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

- Highly utilised and well managed community facilities

FINANCIAL AND RESOURCE IMPLICATIONS

The costs of services under the schedule of rates to apply in the contract reflect a saving of 15% against current comparable service costs to Council.

The required monitoring brief under the contract has been expanded over prior requirements and therefore additional provision has been made in the 2020/21 Draft Budget to allow for an increase in costs associated for these monitoring specifications.

Year 1 costs based upon the minimum prescribed monitoring frequency and specifications would be approx. \$29,800 (plus GST).

Three year, plus one year option, costs would be a minimum of approximately \$120,000 (plus GST). If there is a requirement from the EPA for greater than the current minimum prescribed monitoring frequency the total contract value may exceed \$150,000 (GST inclusive).

CONSULTATION

Decision-making should be based on appropriate consultation, / engagement. This section of the Council report should outline the engagement that has been undertaken – both internally and with the community. In terms of engagement conducted within a council, it should be demonstrated that a whole-of-government view has been taken. That is, all relevant sections of a local government have had the opportunity to contribute to the report.

CONCLUSION

That based upon the evaluation criteria, including the meeting of Council's monitoring and reporting requirement that Alpine Earth Sciences offers the best value for the tendered services and that Council enter into a contract with Alpine Earth Sciences for delivery of these services for a period of three years with a one-year option for Council to extend.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Facilities

ATTACHMENT(S)

Nil

8.3.5 Commercial Rent Relief Under the Victorian State Government Commercial Tenancy Relief Scheme

File Number: 950.00

INTRODUCTION

The purpose of this report is to recommend that Council approves rent relief for Council lessees under the terms of the Victorian State Government Tenancy Relief Scheme.

Cr Pearce

Cr Nicholas

That Council:

- 1. Provides rent relief in the form of rent waiver to lessee's meeting the criteria under the Victorian Government Tenancy Relief Scheme;***
- 2. Approves a refund of any rent already paid that would be subject to rent relief under these terms; and***
- 3. Notes the rent relief may be funded from the Victorian Government Council Assistance Fund.***

Carried

BACKGROUND

There is currently transition occurring between the *Local Government Act 1989* ("LGA 1989") and the *Local Government Act 2020* ("LGA 2020"), some provisions within LGA 1989 are still in effect and are yet to be repealed and replaced by LGA 2020, and some provisions within LGA 2020 have yet come into effect and the corresponding provisions in LGA 1989 have been repealed. For the remainder of the paper reference is made to the *Act* which is in effect as relevant to the given provision.

Council has a number of leases to commercial tenants for Council owned, or managed, property. Rents for the tenants are set according to lease terms.

The impacts of the Covid-19 State of Emergency have been widespread in the Alpine Shire. A number of Council's tenants have been required to cease or significantly modify trade resulting in the loss or all or most of their operating income. Council has received rent relief requests from these affected tenants.

A number of measures have been put in place by the federal and state government to assist businesses impacted as result of the restrictions under the State of Emergency. This includes the Victorian Government's Tenancy Relief Scheme (the Scheme).

The key requirements under the Scheme:

- a business must be able to demonstrate a 30% reduction in turnover as a result of Covid-19 and an annual turnover of less than \$50,000,000;
- there is a 6-month moratorium on commercial tenancy evictions;
- a freeze on rent increases during the moratorium;

- a rental payment waiver, or deferral, proportionate to the tenant's income reduction due to Covid-19, to be negotiated between tenant and landlord; and
- provision of a mediation service for tenants and landlords to support fair negotiations.

The scheme applies from 29 March 2020 for a period of six months.

Council has invited its commercial tenants to submit applications with support information for deferral of rent while the requirements of the scheme were better understood.

ISSUES

Process for applying for rent relief

The length and severity of the impact of the restrictions on businesses is difficult to determine and will vary from business to business.

Council's tenants will be asked to provide monthly financial data to demonstrate business loss to the corresponding month in the year previous in order for the rental relief amount to be calculated. The residual rent due can then be deferred and either paid as a single payment at the end of the 6 month period or added to the business' rental payments for the duration of their continuing lease period

POLICY IMPLICATIONS

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

- Highly utilised and well managed community facilities

FINANCIAL AND RESOURCE IMPLICATIONS

Should the total of Council's monthly rental amounts be waived then the financial impact would be \$41,000 (plus GST) per month, or \$246,000 (plus GST) for the full six-month period. The waiver amount, however, will be proportional to demonstrated financial impacts to each individual business.

Council has provided \$1.02M of rate and trading fee relief to our community in the 2019/20 financial year with the support of the Council Assistance Funding Program.

There is residual funding under the program of approximately \$197,500 and Council is seeking the approval of the Victorian Government to use part of this funding to enable a proportion of rent relief under this scheme.

CONSULTATION

Council has engaged directly with its commercial tenants. The following Council officers have been consulted in the preparation of this report:

Manager Facilities and Director Corporate.

CONCLUSION

Council is considering the current business impacts of its commercial tenants and obligations under the Victorian Government Tenancy Relief Scheme and proposing a rent waiver process to provide rent relief to lessee's meeting the criteria under the Victorian Government Tenancy Relief Scheme

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Facilities

ATTACHMENT(S)

Nil

8.3.6 Issuing of New Leases to Victorian State Emergency Services Authority in Bright and Myrtleford

File Number: Lease Register

INTRODUCTION

The purpose of this report is to recommend the surrender of existing leases and execution of new leases between Alpine Shire Council and Victorian State Emergency Services for land located at 16 Churchill Avenue Bright and 16 Jubilee Street Myrtleford.

Cr Nicholas

Cr Knappstein

That Council:

- 1. Agree to surrender existing leases held by Victorian State Emergency Service Authority for 16 Churchill Avenue Bright and 16 Jubilee Street Myrtleford and execute new leases for both sites ending 30 June 2041; and***
- 2. Signs the leases at the appropriate time at the Council meeting.***

Carried

BACKGROUND

Leasing of Council land is governed by the *Local Government Act 1989* ("LGA 1989") and the *Local Government Act 2020* ("LGA 2020"). As there is currently transition occurring between these two acts, some provisions within *LGA 1989* are still in effect and are yet to be repealed and replaced by *LGA 2020*, and some provisions within *LGA 2020* have yet come into effect and the corresponding provisions in *LGA 1989* have been repealed. For the remainder of the paper reference is made to the *Act* which is in effect as relevant to the given provision.

Under s14(1)(d) of *LGA 2020* Council is able to acquire, hold deal with or dispose of the property (including land) for the purposes of performing its functions and exercising its powers.

Section 190 of the *LGA 1989* notes restrictions on Council's power to lease land. VICSES is a public body and therefore the restrictions under Section 190 of the *LGA 1989* do not apply.

Victorian State Emergency Services Authority (VICSES) hold leases over Council owned property located at 16 Churchill Avenue Bright and 16 Jubilee Street Myrtleford. Both leases end 30 June 2041.

In July 2019 Council was contacted by SES requesting a review of the lease arrangements currently in place to enable an alignment with the objectives outlined in a Memorandum Of Understanding (MOU) between the State of Victoria, the Municipal Association of Victoria (MAV) and the Victoria State Emergency Service Authority (VICSES) in 2017. The purpose of the MOU was to establish new arrangements for the funding of, and provision of facilities to, VICSES units.

VICSES requested that new long-term leases for both units were put in place using the MAV template lease developed as a result of the undertakings in the MOU.

Council has reviewed the proposed new leases and reached agreement with VICSES on new leases to come into effect from 1 April 2020. The leases have been prepared and signed by VICSES awaiting execution by Council.

ISSUES

To enter into new leases the existing leases need to be surrendered. This can occur by agreement between both parties. The VICSES has provided a letter requesting the surrender of the leases in September 2019 and Council has agreed to the surrender of the leases, subject to new leases being agreed to and executed.

Key terms under the existing lease are not varied under the new lease, specifically end dates, annual rents, obligations for landlord and tenant improvements remain the same.

The new leases have been prepared and endorsed by MAV with the recommendations that Councils use this lease template for new leases with VICSES.

POLICY IMPLICATIONS

The process is in accordance with obligations under the *LGA 1989* and the *LGA 2020* with best endeavours made to assess each of the applicable clauses depending on their legal transitional timeline; as well as in this case the Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land.

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

- Highly utilised and well managed community facilities

FINANCIAL AND RESOURCE IMPLICATIONS

The rental under the leases is \$1 per annum. There are no other commitments under the new lease that would increase or decrease Council's costs or resources associate with the existing leases.

CONSULTATION

Consultation has been undertaken between the affected parties.

CONCLUSION

That Council enter new leases with VICSES for properties located at 16 Churchill Avenue Bright and 16 Jubilee Street Myrtleford and that the existing leases over these properties are surrendered.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Facilities

ATTACHMENT(S)

Nil

8.3.7 Planning Application 5.2019.46.1 – 714 Happy Valley Road, Rosewhite

Application number:	5.2019.46.1
Proposal:	Two lot subdivision (boundary realignment)
Applicant's name:	John and Joanna Freudenstein
Owner's name:	John and Joanna Freudenstein
Address:	714 Happy Valley Road, Rosewhite
Land size:	Total area of approximately 50 hectares (Lot 2 – 40 hectares, Crown Allotment 8B – 10 hectares)
Current use and development:	Farming (Cattle/beef (approximately 60 head), horse breeding, olive plantation approximately 0.5 hectares with 160 trees, apiculture (6 bee hives)), Tourism (Host Farm) and a Dwelling. The majority of the existing buildings and works including the dwelling are within the larger forward Lot 2. The site also has three (3) large dams which provide water supply for the activities carried out on the site.
Site features:	Irregularly dimensioned 2 lots, with the larger lot (Lot 2) having a frontage of approximately 480 metres to Happy Valley Road (Road Zone Category 1). The smaller southern lot (CA8B) does not have any direct road frontage and contains native vegetation occupying approximately 6 hectares (56.49%) of this Crown Allotment. Southern boundary of the site abuts Crown Land. Slopes down from the rear of the site to the front, by approximately 90 metres, 1:12 gradient.
Why is a permit required?	35.07-3 Subdivision (Farming Zone) 44.06-2 Subdivision (Bushfire Management Overlay)
Zoning:	Farming Zone
Overlays:	Significant Landscape Overlay – Schedule 2 Bushfire Management Overlay
Restrictive covenants on the title?	None
Date received:	20 September 2019 (Amended Plans)
Statutory days:	237 days
Planner:	James Trimble

Cr Keeble

Cr Knappstein

That a refusal be issued for the proposed 2 lot subdivision (boundary realignment) for the reasons identified in appendix 8.3.7a, and on the following summarised grounds:

- 1. The proposal does not meet the relevant planning permit framework of the Alpine Planning Scheme including State and Local Policies, and the purposes and decision guidelines of the Farming Zone; and***
- 2. The land is not suitable for subdivision.***

Carried

PROPOSAL

The proposal is to realign the boundaries of the two existing titles, to consolidate existing rural activities and potentially provide a future long-term opportunity for a dwelling and / or agricultural buildings on a proposed 40 hectare lot.

Proposed Lot 1 has an area of 10 hectares, with substantial frontage to Happy Valley Road. This lot will contain the majority of existing buildings and works on the site including an existing dwelling, farm stay accommodation building, olive plantation with approx. 160 trees, hazelnut plantation with approximately 50 trees inoculated with truffles, apiculture (bee hives), and stock horse breeding.

Proposed Lot 2 has an area of 40 hectares, with substantial frontage to Happy Valley Road. The lot is proposed to contain beef and cattle production, existing native vegetation, the production of 60 tonnes of hay/silage, and the potential for a new dwelling and/or agricultural buildings.

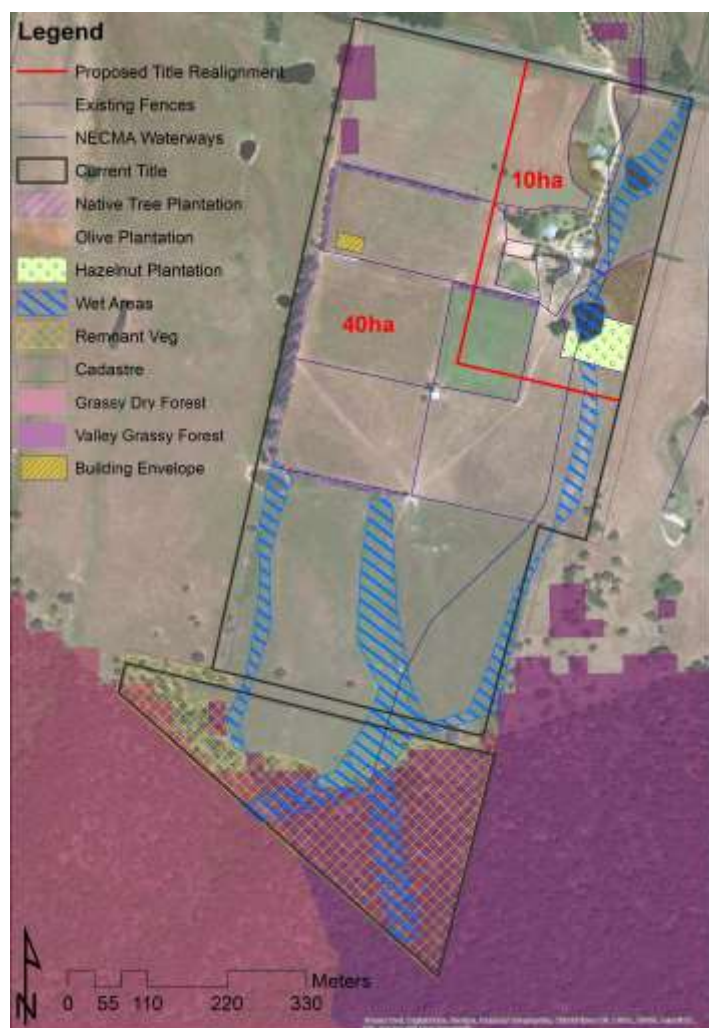


Figure 1: Shows the subdivision layout on site.

SUBJECT LAND AND SURROUNDS

The site consists of two (2) lots being Lot 2 on PS 072243, having an area of approximately 40 hectares, and Crown Allotment 8B Section B Parish of Barwidgee, having an area of approximately 10 hectares.

Crown Allotment 8B does not have direct road frontage to Happy Valley Road, and is sited entirely behind Lot 2. Crown Allotment 8B contains native vegetation occupying approximately 6 hectares (56.49%) of this allotment.

Lot 2 contains the majority of existing buildings and works on the site including a dwelling and farm stay accommodation. This lot has approximately 480 metres of frontage to Happy Valley Road which is zoned 'Road Zone -Category 1' and managed by VicRoads.

It is understood that the following farming activities are being carried out on the site - cattle/beef grazing (approximately 60 head), horse breeding, olive plantation (approximately 0.5 hectares with 160 trees), apiculture (6 bee hives). The site also has three (3) large dams which provide water supply for activities carried out on the site.

Both lots are irregularly dimensioned. The site slopes down from the rear to the front, by approximately 90 metres, 1:12 gradient.

The site is situated within a farming area of Rosewhite, with the majority of surrounding land zoned 'Farming'. Surrounding lot sizes range from approximately 11.8 hectares to 83.6 hectares. The majority of surrounding sites are considered to be used for farming purposes, with a minimal number of dwellings.

Directly to the south of the site is a large parcel of Crown land consisting of native vegetation. This land is zoned 'Public Conservation and Resource Zone'.



Figure 2: Subject land.

PUBLIC NOTIFICATION

The application was advertised for 14 days in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice of the application was sent to surrounding landholders and occupiers. No objections were received as result of public notification.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	VicRoads (now Regional Roads Vic) – No objection Country Fire Authority – No objection. Goulburn Murray Water - No objection, subject to conditions.
Internal / external referrals:	Councils Environmental Health Department – No objection subject to conditions DELWP – No objection.

PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION

All applicable policy and decision guidelines can be found in Appendix 8.3.7(b).

State Planning Policy Framework

The following State Planning Policy Framework (SPPF) does not give support to the proposal.

Clause 14.01-1S Protection of Agricultural Land as the proposal does not:

- Protect productive farmland that is of strategic significance in the local context;
- Prevent inappropriately dispersed urban activities in rural areas;
- Limit new housing in rural areas.

Clause 14.01-2S Sustainable Agricultural Land Use as it has not been suitably demonstrated that the cattle and hay enterprises on the proposed 40 hectare lot are environmentally sustainable.

Clause 16.01-5S Rural Residential Development as the proposal encourages inappropriate rural residential development.

Local Planning Policy Framework

The following Local Planning Policy Framework (LPPF) does not give support to the proposal.

Clause 21.05-3 Agriculture as the proposal does not:

- Reinforce agricultural production as the primary purpose of the Farming zone;
- Minimise the loss of broad acre commercial farming units;
- Protect strategically significant agricultural land.

Clause 22.03-2 Agriculture as the proposal does not result in a clear improvement to farm efficiency and land management. The proposal does not comply with the policy requirements of this clause as it results in the fragmentation of productive farmland. Council's Rural Land Use Capability mapping identifies the majority of Lot 2 (the current forward lot) having a high agricultural capability.

Zoning and land use

The site is zoned Farming. The proposal is inconsistent with the purpose and decision guidelines of the Farming Zone for the following reasons:

- It has not been suitably demonstrated that the cattle and hay enterprises on the 40ha are environmentally sustainable.
- The proposal does not support and enhance agricultural production on either title.
- The farm plan failed to establish a rationale justifying how the proposed boundary realignment is required to support or enhance the agricultural or rural activities on either title.

Bushfire Management Overlay

A rear portion of the site is covered by the Bushfire Management Overlay. There is a planning permit trigger for the proposal at clause 44.06-2. The application was referred to the Country Fire Association (CFA) for comment. Consent was provided. The application is considered to meet the relevant requirements of the Bushfire Management Overlay.

Particular Provisions

Clause 53.02 – Bushfire Planning

The application was referred to the Country Fire Association (CFA) for comment. Consent was provided. The application is considered to meet the relevant requirements of this clause.

General Provisions

Clause 65.02 of the Alpine Planning Scheme provides the decision guidelines that must be considered before deciding on an application. A detailed assessment of the proposal against the provisions of Clause 65.02 is contained on the planning file – reference number 5.2019.46.1. The land is not suitable for subdivision.

CONCLUSION

The application is not consistent with the Alpine Planning Scheme and should be refused for the following summarised reasons:

- The proposal does not comply with the relevant State and Local Planning Policy Framework;
- The proposal is inconsistent with the purposes and decision guidelines of the Farming Zone;
- The land is not suitable for subdivision.

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
- Planning Coordinator
- Planning Officer

APPENDIX(S)

8.3.7(a) Reasons for Refusal

8.3.7(b) Policy and decision guidelines

APPENDIX 8.3.7(a)**REASONS FOR REFUSAL**

1. The proposal does not comply the objective of Policy 14.01.1S – Protection of Agricultural Land, as it does not protect the state’s agricultural base by preserving productive farmland, as it does not:
 - a. Protect productive farmland that is of strategic significance in the local context.
 - b. Prevent inappropriately dispersed urban activities in rural areas.
 - c. Limit new housing in rural areas.
2. The proposal does not comply with the objective of Policy 14.01-2S – Sustainable Agricultural Land Use as it has not been suitably demonstrated that the cattle and hay enterprises on the 40ha are environmentally sustainable.
3. The proposal does not comply with the objective of Policy 16.01-5S – Rural Residential Development as it encourages inappropriate rural residential development.
4. The proposal does not comply with the objectives of Policy 21.05-3 – Agriculture as it does not maintain and protect strategically significant agricultural land for production, or recognise the agricultural importance of the highly productive valley floors and to protect such land from inappropriate development and land use especially residential expansion, as it does not:
 - a. Reinforce agricultural production as the primary purpose of the Farming Zone.
 - b. Minimise the loss of broad acre commercial farming units.
 - c. Protect strategically significant agricultural land.
5. The proposal does not comply with the objective of Policy 21.06-1 Infrastructure as it does not limit the need for new infrastructure and reduce the loss of agricultural land for the purposes of urban/residential development.
6. The proposal does not comply with the objective of Policy 22.03-2 – Agriculture as it does not ensure that the subdivision results in a clear improvement to farm efficiency and land management.
7. The proposal does not comply with the policy provisions of Policy 22.03-2 - Agriculture as it
 - a. Results in the fragmentation of productive farmland.
 - b. Has not been suitably demonstrated that the cattle and hay enterprises on the proposed 40 hectare lot are environmentally sustainable.

8. The proposal does not meet the purposes of the Farming Zone as it does not:
 - a. Encourage the retention of productive agricultural land.
 - b. Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

9. The proposal does not comply with the decision guidelines at Clause 35.07-6 within the Farming Zone for the following reasons:
 - a. It has not been suitably demonstrated that the cattle and hay enterprises on the proposed 40 hectare lot are environmentally sustainable.
 - b. The proposal has failed to establish a rationale justifying how the proposed boundary realignment is required to support or enhance the agricultural or rural activities on either title.
 - c. Current Lot 2 on PS072243, 714 Happy Valley Road, Rosewhite is identified in Councils Rural Land Capability Mapping as having high agricultural capability. The site is considered to have capacity to sustain agriculture, without the need for re-subdivision.

10. The land is not suitable for the proposed re-subdivision.

APPENDIX 8.3.7(b)

POLICY AND DECISION GUIDELINES

All of the below mentioned relevant planning considerations from the Alpine Planning Scheme may be viewed at the following link: <https://planning-schemes.delwp.vic.gov.au/schemes/alpine>.

State Planning Policy Framework

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

- 11.01-1 - Settlement
- 12.03-1S – River Corridors, Waterways, Lakes and Wetlands
- 12.05-2S – Landscapes
- 13.02-1S - Bushfire Planning
- 14.01.1S – Protection of Agricultural Land
- 14.01-2S - Sustainable Agricultural Land Use
- 15.01-6S – Design for Rural Areas
- 16.01-5S – Rural Residential Development

Local Planning Policy Framework

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

- 21.03-3 - Rural Lifestyle, Subdivisions and Dwellings
- 21.04-3 – Landscapes
- 21.04-4 – Environmental Risk
- 21.04-6 – Catchments and Waterways
- 21.05-3 – Agriculture
- 21.06-1 - Infrastructure
- 21.07-11 – Rural Precincts
- 22.02-3 - Landscapes
- 22.03-2 – Agriculture

Zone

The subject land is zoned Farming.

Overlays

A rear portion of the site is covered by the Bushfire Management Overlay.

General Provisions

Clause 65.02 within the Alpine Planning Scheme provides the decision guidelines applicable to all subdivisions.

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 Keeble

Cr Pearce

That the summary of the Assemblies of Councillors for May 2020 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
5 May	Briefing Session (virtual online meeting)
19 May	Briefing Session (virtual online meeting)

Attachment(s)

9.0 Assemblies of Councillors – May 2020

10. General business

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

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. Sign and seal Alpine Shire Council Procurement Policy No. 089, Version 7.*
- 2. Sign and seal Alpine Shire Council Investment Policy No. 073, Version 3.*
- 3. Section 173 Agreement – Patricia Karoline and Ciro Luchini Lot 3 on Plan of Subdivision 425595 Volume 10558 Folio 578.
Condition 7 of Planning Permit 2018.147.3 for Use and Development of the Land for a Self-Contained Dwelling (Short Stay Accommodation) at 25 Buckland Street, Tawonga South.
The Agreement permits a maximum of six (6) guests to occupy the accommodation building and occupants of the accommodation building area must only use the premise on a short term basis. Any occupant of the approved premises must not reside onsite for any more than 120 days in a calendar year unless without the written permission of the responsible authority.*
- 4. Sign and Seal lease for 16 Churchill Avenue, Bright.*
- 5. Sign and Seal lease for 16 Jubilee Street, Myrtleford.*
- 6. Section 173 Agreement – Michael John & Antoinette Maree Quirk.
Lot 1 of Lodge Plan 145999. Volume 09559 Folio 396. Condition 7 of Planning Permit 2019.55.2 for an eight (8) lot staged subdivision at 94-102 Station Street, Porepunkah. The Agreement provides for the implementation of Bushfire Protection measures.*

Carried

There being no further business the Chairperson declared the meeting closed at 5.48p.m.

.....

Chairperson



SPM(6) – 16 JUNE 2020

Special Council Meeting

Minutes

The **Special Council Meeting** of the **Alpine Shire Council** was held in Council Chambers, Great Alpine Road, Bright on **16 June 2020** and commenced at **4:00pm**.

Present

Councillors

Cr Peter Roper – Mayor

Cr Sarah Nicolas – Deputy Mayor

Cr John Forsyth

Cr Tony Keeble

Cr Ron Janas

Cr Kitty Knapstein

Cr Daryl Pearce

Officers

Charlie Bird – Chief Executive Officer

Nathalie Cooke – Director Corporate

William Jeremy – Director Assets

Apologies

Nil

Agenda

1.	Recording and livestreaming of Council meetings.....	3
2.	Acknowledgement of traditional custodians, and recognition of all people.....	3
3.	Apologies.....	3
4.	Declarations by Councillors of conflict of interest.....	3
5.	Presentation of reports by officers.....	4
5.1	Director Corporate – Nathalie Cooke.....	4
5.1.1	Submissions to the Draft 2020/21 Budget.....	4
5.1.2	Declaration of the Dinner Plain Special Rate (2020/21).....	13
5.1.3	Adoption of the 2020/21 Budget.....	19
5.1.4	Adoption of the Council Plan (Review 2020).....	23
5.1.5	Signing and Sealing of the High Country Library Network Shared Service Agreement.....	26
6.	Confidential Matter.....	29

1. Recording and livestreaming of Council meetings

The CEO will read the following statement:

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

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

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 will read the following statement:

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

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

3. Apologies

Nil

4. Declarations by Councillors of conflict of interest

Nil

5. Presentation of reports by officers

5.1 DIRECTOR CORPORATE – NATHALIE COOKE

5.1.1 Submissions to the Draft 2020/21 Budget

File Number: 2020/21 Budget

INTRODUCTION

The purpose of this report is to respond to the submissions received under section 223 of the *Local Government Act 1989* relating to the draft Budget 2020/21 for the Alpine Shire Council.

Cr Forsyth
Cr Nicholas

That:

- 1. Written and verbal submissions received pursuant to Sections 129, 130 and 223 of the Local Government Act 1989 be considered in relation to the Alpine Shire Council Budget 2020/21.**
- 2. The following amendments be made to the Alpine Shire Council Budget 2020/21:**

Reference	Budget Section	Submission / Amendment	Value in Draft Budget	Amount to be Adopted
Carry forward expenditure for the following 2019/20 capital projects:				
Submission 1	5.4.1	Barwidgee Creek Rail Trail Bridge Renewal	\$-	\$12,000
		Bright Railway Museum Renewal	\$-	\$43,000
		Buckland Bridge	\$200,000	\$1,165,000
		Riverside Park Barbeque Shelter Renewal	\$-	\$30,000
		Bright Car Parking Improvements - Stage 1	\$50,000	\$66,000
		Datacom Capital Expenditure	\$137,500	\$269,000

<i>Reference</i>	<i>Budget Section</i>	<i>Submission / Amendment</i>	<i>Value in Draft Budget</i>	<i>Amount to be Adopted</i>
<i>Carry forward grant income for the following 2019/20 capital projects:</i>				
<i>Submission 1</i>	<i>5.2.2</i>	<i>Buckland Bridge Income</i>	<i>\$-</i>	<i>\$1,165,000</i>
<i>Allocate budget to the following capital projects:</i>				
<i>Submission 1</i>	<i>5.4.1</i>	<i>Event Waste Management Equipment - Bushfire Recovery</i>	<i>\$-</i>	<i>\$42,500</i>
		<i>Pioneer Park BMX Track</i>	<i>\$-</i>	<i>\$80,000</i>
		<i>Bright Depot Fuel Tank Renewal</i>	<i>\$-</i>	<i>\$30,000</i>
		<i>Bright Sports Centre Structural Repairs</i>	<i>\$-</i>	<i>\$100,000</i>
		<i>Mountain Mist Drive Renewal</i>	<i>\$-</i>	<i>\$50,000</i>
		<i>Safe Roof Access</i>	<i>\$-</i>	<i>\$45,000</i>
		<i>Nil Gully Flood Mitigation</i>	<i>\$-</i>	<i>\$325,591</i>
		<i>L2P Vehicle Renewal</i>	<i>\$-</i>	<i>\$50,000</i>
		<i>McCullough Drainage Road Design</i>	<i>\$-</i>	<i>\$50,000</i>
		<i>Porepunkah Drainage Strategy</i>	<i>\$-</i>	<i>\$70,000</i>
		<i>Porepunkah Transfer Station Office Relocation</i>	<i>\$-</i>	<i>\$30,000</i>
<i>Submission 2</i>	<i>5.4.1</i>	<i>Bright Railway Museum Exhibits</i>	<i>\$-</i>	<i>\$20,000</i>
<i>Submission 3</i>	<i>5.4.1</i>	<i>Myrtleford Soccer Facility Upgrade - Design</i>	<i>\$-</i>	<i>\$20,000</i>
<i>Include grant funding for the following capital projects:</i>				
<i>Submission 1</i>	<i>5.2.2</i>	<i>L2P Vehicle Renewal Income</i>	<i>\$-</i>	<i>\$43,000</i>

Reference	Budget Section	Submission / Amendment	Value in Draft Budget	Amount to be Adopted
		December 2018 Flood Damage Remediation Income	\$-	\$118,000
Amend grant funding for the following capital projects:				
Submission 1	5.2.2	Resealing	\$360,000	\$310,000
		Dinner Plain Activation	\$320,000	\$370,000
Carry forward expenditure for the following operational items:				
Submission 1	4.1	ICT Professional Services	\$45,000	\$60,000
		FReeZa	\$24,500	\$34,500
Amend expenditure related to the following operational items:				
Submission 1	4.1	Drainage Maintenance	\$100,000	\$50,000
		Sealed Road Maintenance	\$120,000	\$70,000
		Tree Maintenance	\$180,000	\$120,000
		Corporate Business Systems	\$70,500	\$42,000
		Corporate Infrastructure Services	\$45,000	\$-
		Workforce - Operating (Non Road Maintenance)	\$7,768,005	\$7,779,883
		Economic Development Strategy	\$50,000	\$93,000
		Ride Like A Local	\$-	\$15,000
		Alpine Fitness Centre Lease	\$-	\$1,500
		Alpine Visitor Information Centre	\$86,000	\$66,500
		Mount Beauty Transfer Station	\$200,000	\$205,000

Reference	Budget Section	Submission / Amendment	Value in Draft Budget	Amount to be Adopted
		Mount Beauty Visitor Information Centre	\$30,500	\$24,125
		Myrtleford Transfer Station	\$549,780	\$597,780
		Myrtleford Visitor Information Centre	\$45,000	\$33,300
		Porepunkah Transfer Station	\$271,000	\$306,000
		Land Development Strategy	\$80,000	\$120,000
Allocate budget to the following operational items:				
Submission 1	4.1	ICT Professional Services	\$-	\$45,000
		Economic Development Strategy - Bushfire Recovery	\$-	\$30,000
		New - FOGO Market Assessment	\$-	\$15,000
		Sustainability	\$-	\$36,570
Amend income related to the following operational items:				
Submission 1	4.1	Dinner Plain Bus	\$95,000	\$-
		Visitor Information Centre Income	\$207,500	\$155,625
		Mount Beauty Transfer Station Income	\$100,000	\$110,000
Include income for the following operational items:				
Submission 1	4.1	Ride Like A Local	\$-	\$15,000
		Alpine Fitness Centre Lease Income	\$-	\$10,845
Amend the following rates and charges:				

<i>Reference</i>	<i>Budget Section</i>	<i>Submission / Amendment</i>	<i>Value in Draft Budget</i>	<i>Amount to be Adopted</i>
<i>Submission 1</i>	<i>5.1</i>	<i>Dinner Plain Special Rate Income</i>	<i>\$182,580</i>	<i>\$176,486</i>
		<i>General Rates Income</i>	<i>\$15,049,315</i>	<i>\$15,226,532</i>

3 *The following submissions may be further assessed or managed by the Alpine Shire Council as per comment detail, however do not result in Changes to the Alpine Shire Council Budget 2020/21 for the stated reasons:*

<i>Reference</i>	<i>Submission Proposal</i>	<i>Value</i>	<i>Rationale and Approach</i>
<i>Submission 4</i>	<i>Bright and Porepunkah Town Signage</i>	<i>\$20,000</i>	<i>Concept needs further development. To be included in Project Pipeline with indicative implementation in 2021/22.</i>
<i>Submission 5</i>	<i>Mount Beauty Swimming Pool Opening Hours</i>	<i>\$35,000</i>	<i>Mixed feedback received from other users in relation to desired opening hours. Current season is longer than most north east councils. Will continue to review based on community needs.</i>
<i>Submission 6</i>	<i>Harrietville Green Waste Facility Funding</i>	<i>\$3,000</i>	<i>Propose that the Facility consider increasing customer fees to recover costs, which is consistent with the user pays approach for other waste management facilities in the Shire.</i>
<i>Submission 7</i>	<i>Into Our Hands Community Foundation Funding</i>	<i>\$30,000</i>	<i>Council would encourage this submitter to resubmit to the Community Grants process</i>
<i>Submission 8</i>	<i>Bright and District Chamber of Commerce – Questions Relating to the Budget</i>	<i>n/a</i>	<i>Council provided answers to the submitter's questions during the Submission Hearing and will also provide a formal response</i>

<i>Reference</i>	<i>Submission Proposal</i>	<i>Value</i>	<i>Rationale and Approach</i>
<i>Submission 9</i>	<i>Mount Beauty Scout Hall Dual Flush Toilets</i>	<i>Not estimated</i>	<i>Budget impact likely to be minimal, to be addressed using annual building maintenance budget</i>
<i>Submission 10</i>	<i>Myrtleford Chamber of Commerce and Industry – Questions Relating to the Budget</i>	<i>n/a</i>	<i>Council will provide a formal response to answer this submitter’s questions</i>

Carried

BACKGROUND

Budget Overview

Council has prepared a Budget for 2020/21 which is aligned to the vision in the Council Plan 2017-21. The Budget provides a prudent financial position enabling Council to target the services and initiatives which support our community's resilience and vibrancy, which is particularly critical given the challenges faced by our community in 2020.

Key budget information is provided in the Budget 2020/21 including details of the rate increase, the strategic objectives of the Council, the operating result, ongoing service provision, capital works projects and the Council's financial position.

Submission Process

Council adopts a rigorous process to ensure that the Budget is comprehensive, realistic, sustainable, prioritised and reflects our community's needs. As part of the process, Council publishes a draft Budget and asks for community submissions which are considered prior to adoption. Budget submissions are an important and valuable step in ensuring that Council has received and considered community feedback. Submissions are considered in the context of the overall Budget and submitters are invited to attend a hearing where they may speak in support of their submission.

Council Officers also have the opportunity to make an internal submission. The purpose of an internal submission is to ensure that relevant information arising after the Budget has been placed on exhibition for public comment is considered by Council for inclusion in the final Budget. Internal submissions must be endorsed by Council under the same process as external submissions.

POLICY IMPLICATIONS

The Budget is prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*. The following requirements are set out:

Local Government Act 1989

Section 127 – Council must prepare a budget

Section 129 – Public notice

Section 130 - Adoption of budget

Section 223 – Right to make a submission

Local Government (Planning and Reporting) Regulations 2014

Regulation 9 – The financial statements

Regulation 10 – Other information to be included

Regulation 11 – Public notice of proposed budget or revised budget

It is noted that under the *Local Government Act 2020* the basis for preparing budgets will change. Budgets will need to be prepared each year for the following four financial years and consultation will be subject to Council's own community engagement policy. The relevant provisions will come into effect from 24 October 2020 and therefore will apply to Council's Budget 2021/22. This first budget under the *Local Government Act 2020* may be prepared in accordance with the *Local Government Act 1989* section 223 submission requirements if Council has not yet adopted its own community engagement policy.

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

- A responsible and sustainable organisation

FINANCIAL AND RESOURCE IMPLICATIONS

The net impact of the submissions which are recommended for incorporation into the Budget 2020/21 is as follows:

- Carried forward capital works - \$1,197k
- New capital works - \$913k
- Additional operating expenditure - \$80k
- Carried forward grant income - \$1,165k
- New grant income - \$161k
- Additional rates, charges and other income - \$60k

Overall the projected surplus is \$2.3m compared to the draft Budget surplus of \$1.2m.

CONSULTATION

Council is required to provide an opportunity for the public to make submissions regarding any proposal contained within the draft Budget. This is conducted through a formal process in accordance with s223 of the *Local Government Act 1989*, which includes a 28-day period where the public can provide Budget submissions and can request to be heard by a committee of Councillors in support of their submission.

The draft Budget 2020/21 was released for public comment following the April Ordinary Council Meeting. Public submissions formally closed on Thursday 14 May.

Those that formally requested to be heard in support of their written submission attended a committee of Council on Tuesday the 26 May which was formed according to Section 223(1)(b) of the *Local Government Act 1989*.

CONCLUSION

All submissions received have been considered by Council. This report reflects the Officers' recommendations to Council following a review of the cost and scope of each submission, and overall deliverability of the full scope of 2020/21 work.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

Nil

5.1.2 Declaration of the Dinner Plain Special Rate (2020/21)

File Number: 600.03

INTRODUCTION

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

The purpose of this report is to declare a Special Rate for the Dinner Plain village (the "Dinner Plain Special Rate") applicable to Commercial / Industrial land only for the period 1 July 2020 to 30 June 2021.

Cr Forsyth

Cr Nicholas

That:

- 1. Council note that six submissions were received regarding the proposed declaration of the Dinner Plain Special Rate (2020/21);***
- 2. The Dinner Plain Special Rate (2020/2021) be declared for the period 1 July 2020 to 30 June 2021 as follows:***
 - a. A special rate (the Dinner Plain Special Rate) be declared for the purpose of defraying any expenses in relation to the provision of services of special benefit to the owners of Commercial / Industrial land within the Dinner Plain village;***
 - b. The total cost of the performance of this function is estimated to be \$701,000 over one year, based on inclusion of the following services:***
 - i. The Dinner Plain to Hotham winter bus service***
 - ii. Roadways snow clearing***
 - iii. Cross country snow grooming***
 - iv. Marketing and events support specific to Dinner Plain***
 - v. Cable Television Maintenance;***
- 3. The Dinner Plain Special Rate will apply to Commercial / Industrial land within the Dinner Plain village as defined in the attached map;***
- 4. The definition of Commercial / Industrial land is the definition provided in the Alpine Shire Council draft Budget Report 2020/21;***
- 5. The basis of the calculation of the Dinner Plain Special Rate for the 2020/21 financial year be 43% of the rate in the dollar levied as general rates for rateable residential properties, as specified in the Alpine Shire Council Budget 2020/21, multiplied by the Capital Improved Value of each parcel of Commercial / Industrial land;***
- 6. The amount of the Dinner Plain Special Rate to be levied is estimated to be \$176,486 over one year, or such other amount as is lawfully raised as a consequence of this Resolution;***

- 7. The amount of the Special Rate will be the amount shown as due and payable in any notice sent to a person required to pay the Dinner Plain Special Rate; and**
- 8. Each person liable to pay the Dinner Plain Special Rate is to pay by instalments in line with Council's general rate payment requirements each year.**

Carried

BACKGROUND

The Dinner Plain village has for some time been subject to a Special Rate to defray the expenses associated with services of special benefit to Dinner Plain ratepayers. Within the Alpine Shire Council's Budget 2020/21, this includes the Dinner Plain to Hotham winter bus service (\$270,000, an increase of \$108,000 due a likely loss of income subsidies from organisations who usually support the Bus, an anticipated CPI increase in the service contract and a moderation of income from ticket sales); roadways snow clearing (\$160,000); cross country snow grooming (\$66,000); marketing and events support specific to Dinner Plain (\$190,000); and Cable Television Maintenance (\$15,000, an increase of \$13,000 to enable extensive component replacement).

ISSUES

Proposed Rating Approach

A declared Special Rate for Dinner Plain reduced from 80.7% in 2015/16, to 65% in 2016/17, to 43% in 2017/18. In 2018/19, the Special Rate was aligned to the differential rate for Commercial / Industrial Land in the rest of the shire and was only paid by ratepayers who own Commercial / Industrial land in the Dinner Plain village (including holiday lets). This approach was continued in 2019/20, and it is proposed that it be maintained for the declaration of a Special Rate in 2020/21.

Submissions Received

At the April 2020 Ordinary Council Meeting, Council resolved to give notice of its intention to declare a special rate for the provision of services of special benefit to the Dinner Plain village for the period 1 July 2020 to 30 June 2021. Six submissions were received throughout the public exhibition period as summarised below:

Submission	Summary Description
Submitter 1	<ul style="list-style-type: none"> Concerns regarding the charging of rates given COVID-19 shutdown restrictions Concerns regarding the utility and quality of Special Rate services
Submitter 2	<ul style="list-style-type: none"> Concerns regarding the charging of rates given recent bushfires and COVID-19 shutdown restrictions
Submitter 3	<ul style="list-style-type: none"> Request to negotiate reduction to Dinner Plain Services to enable a reduction in the Special Rate given COVID-19 restrictions

Submitter 4	<ul style="list-style-type: none"> • Feedback on Council's communications regarding non-essential travel bans • Concerns regarding the charging of the Special Rate given prospective low bookings • Request for Council to state 'Plan B' for the Special Rate if there is no ski season or a substantially reduced capacity season
Submitter 5	<ul style="list-style-type: none"> • Concerns regarding the return on Special Rate funding • Concerns regarding the application of a Special Rate to Dinner Plain only, as many other Shire properties receive specific services • Concerns regarding the charging of the Special Rate given COVID-19 restrictions
Submitter 6	<ul style="list-style-type: none"> • Request for exemption from the Special Rate on the basis of COVID-19 restrictions and lack of allowed access to cross country trails for private use

It is acknowledged that Dinner Plain commercial and industrial ratepayers have been heavily impacted by bushfires and COVID-19 restrictions as have many other commercial and industrial ratepayers across this Shire. To this end one quarter of the rates applicable to commercial and industrial ratepayers in Dinner Plain for 2019/20 have been waived, which has been fully funded by the Victorian Government's Council Assistance Fund. In addition, the due date for payment of the fourth rates instalment has been extended from the 31 May to the 30 June.

Since these submissions were received, the Victorian Government has announced easing of COVID-19 restrictions meaning that the ski season may proceed from 22 June 2020. It is therefore anticipated that commercial activity will return to Dinner Plain. It is noted that should there be a change in COVID -19 restrictions that impacts negatively on the commercial snow season, Council retains the flexibility to waive a portion of the Special Rate as appropriate to the situation.

It is noted that the estimated cost of the Special Rate services is \$701,000 for 2020/21 which is considerably more than the Special Rate raises (estimated at \$176,486 for 2020/21). At the same time the Special Rate is aligned to the rate paid by Commercial / Industrial ratepayers in the rest of the Shire. The Special Rate does not penalise Dinner Plain ratepayers compared to other ratepayers in the Shire.

Feedback regarding the utility of Special Rate services is appreciated and Council continues to consult regularly with the Dinner Plain community regarding the best application of Council funds.

Council will provide formal individual responses to each submitter.

Dinner Plain Financial Commitments

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

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

this is allocated to a reserve, namely the 'Dinner Plain Reserve'. This is inclusive of all relevant income and costs, including, for example, the general rates paid by Dinner Plain ratepayers; an apportionment of general Council grants; an apportionment of Council services relevant to Dinner Plain; an apportionment of Council overheads; all Special Rate costs; and all capital works expenditure in Dinner Plain. Based on current forecasts, Dinner Plain expenditure will continue to exceed income in 2020/21.

Council is committed to delivery of a pipeline of \$1.5m new and upgrade capital works within Dinner Plain by 2027. It is anticipated that by the end of 2020/21, \$1,075,000 of this pipeline will have been delivered, including:

2017/18 Works

- Toboggan Run Access Improvements - \$19,000
- Dinner Plain Mountain Bike Trails - \$187,000
- Dinner Plain Village Green - \$32,000

2018/19 Works

- Toboggan and Ski Run Safety Improvements - \$24,000
- Dinner Plain Mountain Bike Trails Stage 2 - \$70,000 (\$187,000 total cost, \$117,000 grant funded)
- Dinner Plain Tracks and Trails Signage - \$43,000
- Dinner Plain Village Detailed Designs - \$48,000
- Dinner Plain Tube Slide - \$4,000

2019/20 Works (Forecast)

- Toboggan and Ski Run Safety Improvements - \$60,000
- Dinner Plain Snowmaking Options Analysis - \$37,000 (\$56,000 total cost, \$19,000 grant funded)
- Dinner Plain Mountain Bike Trails Stage 2 - \$3,000 (\$16,000 total cost, \$13,000 grant funded)
- Dinner Plain Village Detailed Designs - \$17,000
- Dinner Plain Tube Slide - \$1,000

2020/21 Works (Proposed)

- Dinner Plain Activation - \$530,000 (\$900,000 total cost, \$370,000 grant funded)

POLICY IMPLICATIONS

There is currently transition occurring between the *Local Government Act 1989 (LGA 1989)* and the *Local Government Act 2020 (LGA 2020)*, some provisions within *LGA 1989* are still in effect and are yet to be repealed and replaced by *LGA 2020*, and some provisions within *LGA 2020* have yet come into effect and the corresponding provisions in *LGA 1989* have been repealed. Within this paper reference has been made to the Act which is in effect as relevant to the given provision.

The preparation of the Dinner Plain Special Rate (2020/21) is in accordance with the:

- Special Rates and Charges, Ministerial Guidelines, September 2004
- *Local Government Act 1989*
- *Local Government Act 2020*
- Alpine Shire Rating Strategy
- Strategic Resource Plan
- Council Plan 2017-2021 objective to provide a Responsible and Sustainable Organisation.

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

- A responsible and sustainable organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Based on current property valuations across the Alpine Shire, the Dinner Plain Special Rate for 2020/21 is proposing to raise an estimated \$176,486 over a 12-month period. This is significantly less revenue than the cost to Council of the Special Rate services which are estimated to cost \$701,000 over the same period.

Analysis indicates that Dinner Plain expenditure will exceed income into the foreseeable future. This deficit will be covered by the Dinner Plain Reserve in as much as it has a positive balance.

The Dinner Plain reserve is forecast to be \$669,000 as at 30 June 2020.

CONSULTATION

Under Section 163 of the *Local Government Act 1989*, Council must give public notice of its intention to make a special rate declaration. This is conducted through a formal process in accordance with s223 of the *Local Government Act 1989*, which includes a 28-day period where the public can provide submissions regarding the proposed declaration, and can request to be heard by a committee of Councillors in support of their submission.

The Dinner Plain Special Rate 2020/21 was released for public comment following the April Ordinary Council Meeting. Public submissions formally closed on Thursday 14 May, six submissions were received. No submitters requested to be heard by a committee of Councillors.

CONCLUSION

Council is now in a position to declare the Dinner Plain Special Rate (2020/21) in line with the requirements of the *Local Government Act 1989*.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Rates Coordinator

ATTACHMENT(S)

5.1.2 Dinner Plain Village Map

5.1.3 Adoption of the 2020/21 Budget

File Number: Budget 2020/21

INTRODUCTION

The purpose of this report is to adopt the Budget 2020/21, incorporating the Strategic Resource Plan and rates and charges for the 2020/21 financial year.

Cr Forsyth

Cr Knappstein

That:

- 1. Rates and charges of \$18,604,957 be raised in the 2020/21 financial year based on setting the 'rate in the dollar' and 'charges' as follows:***
 - a. General (residential) rate (0.004038)***
 - b. General (residential) rate Dinner Plain (0.004038)***
 - c. Commercial/Industrial differential rate (0.005774)***
 - d. Farm differential rate (0.002947)***
 - e. Special rate for rateable Dinner Plain properties (0.001736)***
 - f. Waste – 80 litre bin (weekly) \$222.06***
 - g. Waste – 240 litre bin (weekly) \$492.35***
 - h. Waste – 240 litre bin (fortnightly) \$222.06***
 - i. Recycling – 140 litre bin (fortnightly) \$91.13***
 - j. Recycling – 240 litre bin (fortnightly) \$91.13***
 - k. Recycling – 360 litre bin (fortnightly) \$91.13***
 - l. Recycling – 240 litre bin (weekly) \$182.38***
 - m. Recycling – 360 litre bin (weekly) \$182.38***
 - n. Dinner Plain standard waste service \$682.24***
 - o. Dinner Plain commercial waste service \$1500.48***
 - p. General waste charge \$80.00***
- 2. The Alpine Shire Council Budget 2020/21 including the Strategic Resource Plan and incorporating the amendments adopted by Council in the submissions report (agenda item 5.1.1 of this Special Council Meeting) be adopted.***
- 3. Rates and charges must be paid by four instalments on or before 30 September 2020, 30 November 2020, 28 February 2020 and 31 May 2020 in accordance with Section 167 of the Local Government Act 1989.***
- 4. The Chief Executive Officer be authorised to give public notice of adoption of the Budget 2020/21 and forward a copy to the Minister in accordance with section 130 of the Local Government Act 1989.***

Carried

BACKGROUND

There is currently transition occurring between the *Local Government Act 1989 (LGA 1989)* and the *Local Government Act 2020 (LGA 2020)*, some provisions within *LGA 1989* are still in effect and are yet to be repealed and replaced by *LGA 2020*, and some provisions within *LGA 2020* have yet come into effect and the corresponding provisions in *LGA 1989* have been repealed. For the remainder of the paper reference is made to the Act which is in effect as relevant to the given provision.

Based on ongoing community consultation, Council has prepared a Budget for 2020/21 which is aligned to the vision in the Council Plan 2017-21. Following a challenging beginning to the year, the Budget 2020/21 provides a prudent financial position enabling Council to target critical services and initiatives to support our community's resilience and vibrancy.

ISSUES

The budget projects a surplus of \$2.3m which is influenced by:

- a) A Rate increase of 2%, in line with the Fair Go Rates System which caps Victorian Council rate increases in line with inflation;
- b) A capital works program totalling \$8.7m in FY20/21, reflecting a strong pipeline of asset renewal, upgrades and new assets;
- c) A flat underlying materials and services budget, due to continued diligent cost management and strong procurement practices which seek to provide value for money for our ratepayers;
- d) Over \$1m in Bushfire Recovery spending to underpin the strengthen the resilience of our community, residents and businesses;
- e) An increase in staffing levels in response to changing service requirements, including support for Bushfire Recovery initiatives, as well as an increased focus in sustainability projects in relation to waste management and climate change action.

Council has also updated its pipeline of initiatives to align budgeted activities to the strategic objectives outlined in the Council Plan 2017-21.

A full review of Council fees and charges has been conducted. The general waste charge is proposed to reduce from \$89.20 to \$80 per premise. A number of other fees have either been increased or decreased in line with movements in the actual costs to provide various services.

Further detail can be found within the attached report.

It is noted that in accordance with sections 170 and 171 of the *Local Government Act 1989*, there are financial hardship options for ratepayers who are having difficulty paying their rates. In this instance, ratepayers are encouraged to contact Council to have a confidential discussion regarding their situation and putting in place an appropriate hardship plan.

POLICY IMPLICATIONS

The Budget is prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*. The following requirements are set out:

Local Government Act 1989

Section 126 - Strategic Resource Plan

Section 127 – Council must prepare a budget

Section 129 – Public notice

Section 130 - Adoption of budget

Section 158 – Declaring rates and charges

Section 161 – Differential rates

Section 162 – Service rate and service charge

Section 163 – Special rate and special charge

Section 223 – Right to make a submission

Local Government (Planning and Reporting) Regulations 2014

Regulation 9 – The financial statements

Regulation 10 – Other information to be included

Regulation 11 – Public notice of proposed budget or revised budget

It is noted that under the *Local Government Act 2020* the basis for preparing budgets will change. Budgets will need to be prepared each year for the following four financial years and consultation will be subject to Council's own community engagement policy. The relevant provisions will come into effect from 24 October 2020 and therefore will apply to Council's Budget 2021/22. This first budget under the *Local Government Act 2020* may be prepared in accordance with the *Local Government Act 1989* section 223 submission requirements if Council has not yet adopted its own community engagement policy.

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

- A responsible and sustainable organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Council prepares its Budgets with the objective of balancing long-term financial sustainability and prioritised delivery against community needs. The Budget 2020-21 proposes to raise \$18,604,957 in rates and charges based on proposed rates in the dollar and waste charges, or \$19,267,957 inclusive of estimates for rates in lieu, rates interest and additional income due to forecast supplementary development in the Shire. The Budget forecasts an operating surplus of \$2.3m and a working capital ratio of 4.4.

Materials and services expenditure has remained flat. Departmental budgets have largely remained flat or been reduced, the operations of the departments able to offset increases in electricity, insurance and technology licensing costs.

CONSULTATION

Council is required to provide an opportunity for the public to make submissions regarding any proposal contained within the draft Budget. This is conducted through a formal process in accordance with s223 of the *Local Government Act 1989*, which includes a 28-day period where the public can provide Budget submissions to Council and can request to be heard by a committee of Councillors in support of their submission.

The draft Budget 2020/21 was released for public comment following the April Ordinary Council Meeting. Public submissions formally closed on Thursday 14 May.

Those that formally requested to be heard in support of their written submission attended a committee of Council on Tuesday the 26 May which was formed according to Section 223(1)(b) of the *Local Government Act 1989*.

CONCLUSION

All submissions received have been considered by Council. This report reflects the Officers' recommendations to Council following a review of the cost and scope of each submission, and overall deliverability of the full scope of 2020/21 work.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

5.1.3 Alpine Shire Council Budget 2020/21

5.1.4 Adoption of the Council Plan (Review 2020)

File Number: 600.03

INTRODUCTION

An annual review of the Council Plan and Municipal Public Health and Wellbeing Plan are requirements of the *Local Government Act 1989* and *Public Health and Wellbeing Act 2008* respectively. This report ensures that Council is meeting requirements of both Acts.

Cr Keeble

Cr Nicholas

That:

- 1. Council note that the review of the Alpine Shire Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan), has resulted in following updates in the Alpine Shire Council Plan 2017-2021 (review 2020):***
 - a. Update the Strategic Resource Plan to be consistent with the 2020/21 Budget (as adopted in item 5.1.3 of this meeting); and***
 - b. Minor administrative updates to include current Mayor (photograph and introductory message), and a new front page for the current year.***
- 2. The Alpine Shire Council Plan 2017-2021 (review 2020), incorporating the Municipal Public Health and Wellbeing Plan, and the Strategic Resource Plan 2021-2024 be adopted.***
- 3. The Chief Executive Officer be authorised to forward a copy of the adjustments made to the Council Plan to the Minister for Local Government within 30 days, in accordance with s125(10) of the Local Government Act 1989.***

Carried

BACKGROUND

The Council Plan is a key document required under Local Government legislation and includes the strategic objectives of the Council; strategies for achieving the objectives; strategic indicators for monitoring achievement; a Strategic Resource Plan; and projects / services intended to span the lifetime of the Plan.

The 2017-2021 Alpine Shire Council Plan was developed following the 2016 election and was adopted in June 2017. This was the first time that Council elected to incorporate the Municipal Public Health and Wellbeing Plan (MPHWP) as part of the Council Plan. This means that Council must be mindful of both s125(7) of the *Local Government Act 1989* (LG Act) and s26(4) and s27(2)(b) of the *Public Health and Wellbeing Act 2008* (PHW Act) when undertaking any reviews of the Council Plan.

This review will be the final version of the current Council Plan. Given that Council elections are due to be held in October 2020, it is prudent to continue with the current direction of the Council Plan, and not make any changes to strategic direction or content at this time. The newly elected Council will be required to develop a new Council Plan

outlining the Council's strategic direction for the new four-year term. The new Council Plan will be developed under the guidance of the *Local Government Act*.

ISSUES

Council Plan amendments

The Council Plan was reviewed in April 2020, with no changes proposed to the strategic content of the document. Administrative updates to the 2020 document have included a new front cover to signify the current year, and a brief update to reflect the current Mayor. The Strategic Resource Plan (SRP) 2021-2024 is updated to reflect the Long Term Financial Plan in the 2020/21 Budget.

Municipal Public Health and Wellbeing Plan

There have been no changes to the strategic direction or content of the Municipal Public Health and Wellbeing Plan.

Requirement for Public Submissions

Section 125(9) of the *Local Government Act 1989* only requires a public submission process to occur where there are proposed changes to the strategic objectives, strategies or strategic indicators within the Council Plan. As there were no proposed changes to these items, the Council Plan did not need to be re-released for public submissions this year. This was endorsed at the April 2020 Council meeting.

POLICY IMPLICATIONS

The Council Plan is a key strategic document, required under section 125 of the *Local Government Act 1989*.

The MPHWP (as part of the Council Plan) is required under sections 26 and 27 of the *Public Health and Wellbeing Act 2008*.

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

- A high performing organisation

FINANCIAL AND RESOURCE IMPLICATIONS

A small cost will be required to update the Strategic Resource Plan and the front page of the designed Council Plan document. This has been accounted for in Council's annual budget.

CONSULTATION

Consultation has occurred with Council officers and councillors. No consultation with the community is required, as there are no intended modifications to the strategic objectives, strategies or strategic indicators within the Council Plan.

CONCLUSION

The 2020 review of the Alpine Shire Council Plan 2017-2021 ensures that Council is compliant with its legislative framework.

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)

- 5.1.4 Alpine Shire Council Plan 2017-2021 (review 2020), incorporating the Municipal Public Health and Wellbeing Plan.

5.1.5 Signing and Sealing of the High Country Library Network Shared Service Agreement

File Number: High Country Library Network File

INTRODUCTION

The purpose of this report is to present the High Country Library Network Shared Service Agreement for the period from 1 July 2020 to 30 June 2023.

Cr Janas

Cr Nicholas

That Council endorses the Chief Executive Officer the sign and seal the High Country Library Network Shared Service Agreement ("the Agreement") for an initial period of three (3) years from 1 July 2020 to 30 June 2023 (plus options for two further terms of 3 years).

Carried

BACKGROUND

Alpine Shire Council has provided a library processing shared service to Mansfield Shire Council, Benalla Rural City Council, the Rural City of Wangaratta and to its own library branches since 1 August 2016. To date the service has been governed by two High Country Library Network Shared Service Agreements, the first covering the initial 12-month period, and the second covering the period 1 October 2017 to 30 June 2020.

The shared service has to date provided services including:

- Ordering and purchasing of books and materials;
- Cataloguing of books and materials;
- Processing of books and materials to shelf ready standards;
- Maintenance of magazine subscriptions and online resources;
- Management of courier services to transfer books and materials between branches;
- Maintenance of inter library loans and broader Victorian library processes;
- Maintenance of policy procedures for managing the regional collection;
- Provision of secretariat and reporting functions in support of the Library Management Group, consisting managers representing each of the four Councils in the Network.

Objectives of the service have included supporting the members to:

- Encourage and promote optimal use by the community of library services;
- Develop and maintain customer service standards comparable to the best in Australia; and
- Develop and maintain a diverse collection which meets the need of the community.

ISSUES

The four Councils party to this shared service have agreed to a continuation of the arrangement and have drafted an updated Agreement. The major tenets of the Agreement remain unchanged except for the inclusion of two options to extend for an additional three years.

In March 2020, a best value analysis was undertaken by the Rural City of Wangaratta to scrutinise the Agreement to ensure that it continues to be the most effective model for the delivery of library services to member Councils. The analysis concluded that the network arrangement ensures that the Councils have achieved best value.

Minor modifications to the Agreement include the following:

- Clarification of what constitutes a “member” of the Library Management Group and who can vote;
- A provision for future associate members to be incorporated into the network to partake of a subset of the shared library services;
- Clarification of the responsibilities of the processing centre (known as “the Hub”) and the expected service level to be provided to members.

POLICY IMPLICATIONS

Under sub-section 186(1) of the *Local Government Act 1989* the value of the proposed Agreement exceeds the limits over which a Council must invite tender for services. Therefore, the three member councils Benalla Rural City Council, Mansfield Shire Council and the Rural City of Wangaratta have sought and received approval for a Ministerial Policy Exemption under section 186(5)c.

Alpine Shire Council has been advised by the Department of Environment, Land, Water and Planning that as the provider of the shared service arrangement a Ministerial Policy Exemption is not required in order to partake of the Agreement.

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

- A responsible and sustainable organisation

There is currently transition occurring between the *Local Government Act 1989 (LGA 1989)* and the *Local Government Act 2020 (LGA 2020)*, some provisions within *LGA 1989* are still in effect and are yet to be repealed and replaced by *LGA 2020*, and some provisions within *LGA 2020* have yet come into effect and the corresponding provisions in *LGA 1989* have been repealed. Within this paper reference has been made to the Act which is in effect as relevant to the given provision.

FINANCIAL AND RESOURCE IMPLICATIONS

Alpine Shire Council's total contribution over the initial term of the proposed Agreement is expected to be \$450,000. The total value of the contract is estimated at \$2.3m. Alpine Shire Council will develop an annual budget for the Agreement in line with the

recommendations of the Library Management Group and subject to normal budgetary approvals from each Member Council.

The Agreement shall operate on a total cost recovery basis, including the cost of all physical and online collection items, relevant library systems, operational costs, freight costs, management overheads and payroll costs. The Hub currently funds three employees to operate the shared service and it is expected that this shall continue.

CONSULTATION

The Library Management Group and associated officers have been consulted throughout the development of the proposed Agreement.

CONCLUSION

On the basis that the current shared service agreement offers best value to its Members, it is recommended that the Alpine Shire Council enter into a new High Country Library Network Shared Service Agreement until 30 June 2023 with two further options to extend for three (3) years.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate

ATTACHMENT(S)

5.1.5 High Country Library Network Shared Service Agreement

6. Confidential Matter

Cr Nicholas

Cr Keeble

That, in accordance with the provisions of s66(2)(a) of the Local Government Act 2020, the meeting be closed to the public for consideration of personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs; which is defined as confidential information by s3 of the Local Government Act 2020.

Carried

Meeting closed at 4.36pm for in-camera report.

There being no further business the Chairperson declared the meeting closed at 4.38p.m.

.....

Chairperson

Dinner Plain Village Detailed Designs

Prepared by Bush Projects Landscape Architecture
June 2020

Alpine Shire Council



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Project Team:

Alpine Shire Council
 Bush Projects - Landscape Architecture
 Ratio Consultants - Traffic Engineering
 Plan Cost - Quantity Surveyors

Bush Projects Pty Ltd.
 ACN - 627 034 548
 ABN - 87 627 034 548

contact@bushprojects.com.au
 bushprojects.com.au

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Project Overview

Timeline and Key Dates

Key Objectives

The objective of this project is to prepare detail designs for Dinner Plain Village Entrance, Village Centre and Scrubbers End to inform the council's future capital works program at Dinner Plain.

Following this final stage of consultation with the Dinner Plain community, the proposed developments will be prioritised for delivery and tendered for construction in upcoming years as funds become available through both the annual council budget process and as external funding opportunities arise.

Next Steps

Community will have the opportunity to provide feedback on these final designs and the proposed project priority list. The designs and the project priority list will then be presented for Council endorsement at the next Council meeting.



Community Consultation Summary

Design Development Feedback

Community Comments and Response

The summary table outlines the key comments and project team responses relating to the secondary phase of the Dinner Plain Village Detailed Concept Designs Project.

Alpine Shire Council held a community consultation workshop (March 23rd, 2019) to present and seek feedback on the revised detailed designs, costings and proposed priorities for the projects identified. Following the workshop, a review process facilitated further feedback from both the community and internal stakeholders.

This document presents the revised concept designs for review. The proposals incorporate the feedback received from the community within this secondary phase of development in co-ordination with the broader project team.



Feedback	Response
VILLAGE CENTRE CAR PARKING & TRAFFIC CIRCULATION	
Retain roundabout as existing wherever possible and retain one way traffic circulation.	Roundabout modification minimised. One-way traffic to be retained.
Confirm safety of angle parking in alpine conditions and prefer no raised traffic islands.	Angle parking avoided wherever possible, otherwise no greater than 1:20 crossfall to be applied in all parking areas. Utilise line markings only where applicable.
Ensure large vehicle movements are accommodated throughout.	Widening of access implemented at identified key problem areas.
Consider extending car-parking South of Horseshoe Circuit on Big Muster Drive.	Carparking in Village Centre increased, additional parking on Big Muster Drive noted for future implementation if required.
ROUNABOUT	
No requirement for formal community gathering point within roundabout, rather situate at Dinner Plain Hut and retain clearance for helicopter access in roundabout.	Proposed gathering space removed from roundabout and amenities improved for community gathering at Dinner Plain Hut instead.
Request for power bollard within roundabout for events.	Power bollard to be included in roundabout.
TOWN ENTRY	
Need a tall 'wow' factor element at the entry and remember that all elements need to be visible above a 2 m snow height.	Distinctive gateway marker incorporated, visible throughout all seasons, day and night.
SIGNAGE & WAYFINDING	
Address signage heights in relation to seasons and snowline.	Integrate signage system suitable across all seasons.
Highlight the pedestrian connection of Fitzzy's Cirque from Village Centre to Scrubbers End, provides a safe alternate route during Winter.	Way-finding system implemented to highlight the existing trail connection, including directional markers linking Big Muster to Fitzzy's Cirque.
SKATE PARK	
A skate park is also desired by the community.	Mini pumps track to accommodate both skate and bike use.
BUS SHELTER	
Bus shelter for waiting public needed - including school children.	Bus shelter included within Village Centre adjacent proposed Coach Bay.
SCRUBBERS END CAR PARKING & TRAFFIC CIRCULATION	
Turnaround access before proposed boom gate of depot highly desired.	Roundabout investigated but cannot be accommodated for large vehicle movements, hammerhead turn point to be provided instead.
Consider provision for long vehicle parking at Scrubbers End.	Long vehicle parking options to be incorporated at Ski Hut Parking Area.
AMENITIES	
Increase public toilet facilities at the Ski Hut	Amenities increased accordingly.
Further improve Mountain Bike Trail Hub facilities at Toboggan Run: consider coin operated shower facilities and include bike wash in addition to bike repair station.	Bicycle and additional facilities included in proposed facilities.
SKI HUT	
Ensure footpath connects Big Muster Drive to Ski Hut.	Existing pedestrian access upgraded with resurfacing and hand rail.
SKI RUN	
Path along pommel line should not be included in Winter.	Path removed from plan.

Dinner Plain Village - Overall Master Plan



01. VILLAGE ENTRY MARKER

- Increase visual presence on Great Alpine Road with distinctive entry marker, to be visible day and night, throughout seasons;
- Update signage, indicate civic context of village.

02. BUS STOPS

- Bus Bays - Drop Off and Pick Up at clear and central adjacent locations, including Bus Shelter at Pick Up;
- Also serves as long vehicle parking and chain bays.

03. VILLAGE ENTRANCE - PARK SETTING

- Formalise village entrance through civic planting of local alpine species + trail markers;
- New signage to entrance road.

04. RECREATION RESERVE

- Upgrade and increase facilities for a range of activities and programs, including:
- Provision of new picnic shelter and furniture;
- Mini Pumps and Skate + Nature Play;
- Multi- court (upgrade tennis court);
- Frisbee Golf Holes (extend existing).

05. WATER TOWER LOOKOUT

- Scenic look out to attract short stay tourism.

06. PARKING UPGRADES - 122 PARKS TOTAL

- Formalise & upgrade parking zones for improved safety and management;
- New vehicle and pedestrian connections, signage, bay allocation, central traffic bays.

06.A - FLEXIBLE DAY/NIGHT PARKING

- 55 car parks, increased from 30 existing.
- Formal pedestrian access and crossings.

06.B - 2HR PARKING

- DDA Accessible Park + Loading Zone included.
- 36 car parks, increased from 25 existing.

07. TRAFFIC SIGNAGE & LIGHTING

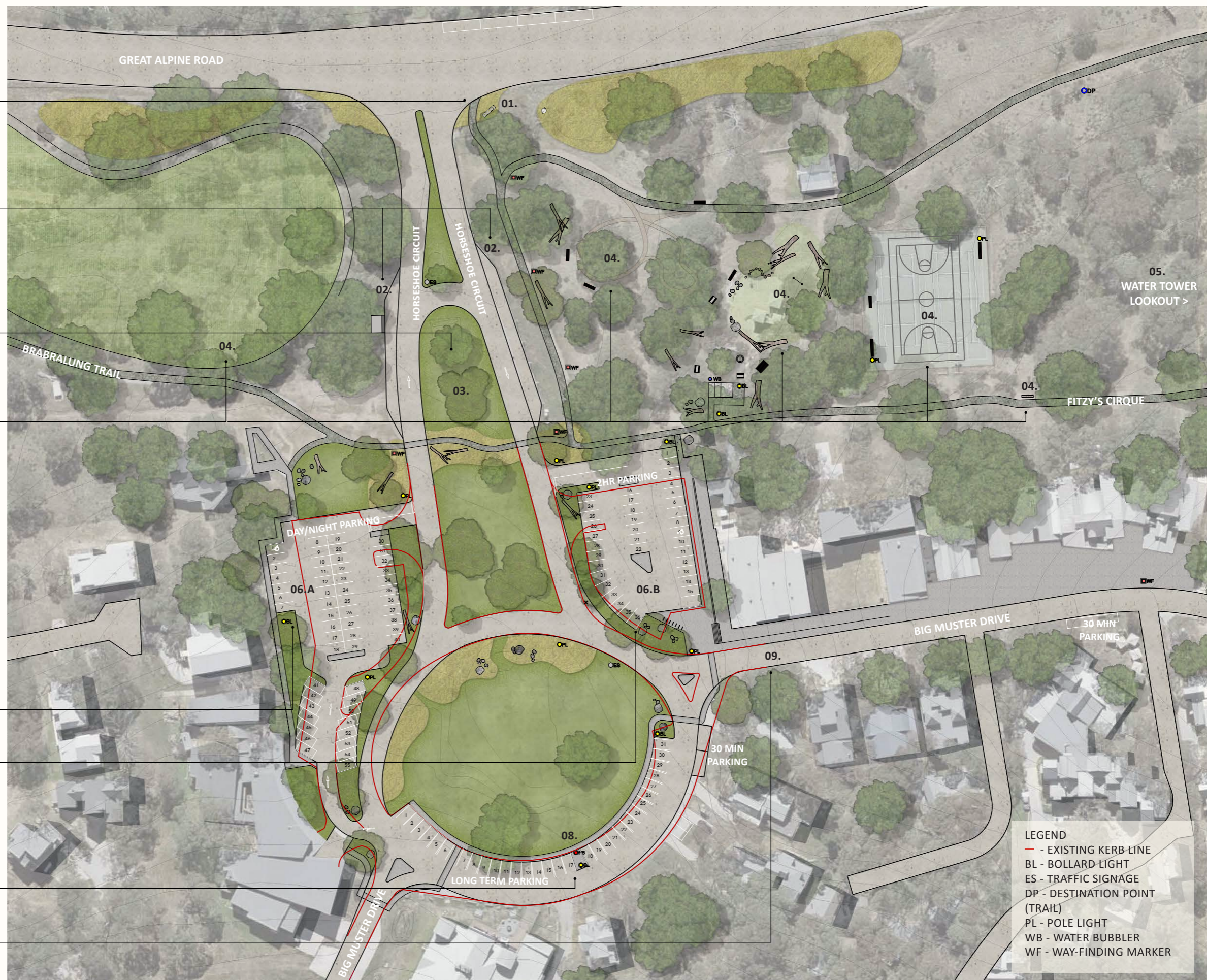
- Update signage, upgrade street lighting.

08. ROUNDABOUT POWER BOLLARD

- Power bollard for community events.

09. SHARED ACCESS - BIG MUSTER

- Maintain shared access, update speed limit .



Village Entry, Recreation Reserve + Adventure Trail



LEGEND

- - EXISTING KERB LINE
- BL - BOLLARD LIGHT
- ES - TRAFFIC SIGNAGE
- DP - DESTINATION POINT (TRAIL)
- PL - POLE LIGHT
- WB - WATER BUBBLER
- WF - WAY-FINDING MARKER

01. VILLAGE ENTRANCE

- Establish a sense of arrival and welcome through entry treatment and planting to encourage visitation; bus shelter for waiting commuters and school children.
- Long vehicle pull in area provision in green season including DP parking map for long vehicles.
- **Markers, Bus Shelter, Road Threshold - Pedestrian**



A. Village Entry Marker



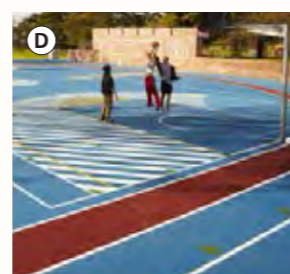
B. Bus Shelter

02. ACTIVE RECREATION

- Emphasise theme of 'Active Recreation' for tourism and community benefit through increased recreation infrastructure and upgrades of existing facilities.
- **Mini Pumps & Skate, Frisbee Golf, Multi- court**



C. Mini Pumps & Skate Track (Asphalt)



D. Multi- court - Tennis Court Upgrade

03. COMMUNITY HUB

- Picnic shelter and seating for community gatherings and tourist use, expand existing playground including swings, nature play and cubby lean-to.
- **Picnic Shelter, Public Furniture, Swings + Cubby Frame**



E. Nature Play Custom Elements, including Swing, Cubby Frame, Logs, Rocks + Planting



04. TRAIL HIGHLIGHTS

- Trail Highlights - a series of attractions including 'short stay' scenic Water Tower Lookout for interest, a series of way finding makers and incremental rest stops.
- **Water Tower Lookout, Trail Markers, Seating**



F. Pause Points - View Points + Elements



G. Water Tower Scenic Lookout

Village Centre + Village Green



01. PEDESTRIAN ACCESS + FORECOURT

- New balustrade to forecourt of commercial zone;
- Repurpose timber logs as furniture throughout village;
- Expand pathway access adjacent Day Parking, if space permits.

02. 2HR PARKING - 36 PARKS

- Centralised Short Term (2Hr) Parking Zone;
- Provision of DDA Park and Loading Bay for deliveries to commercial precinct, maintain overall parking numbers;
- Meeting point including lighting + seating at commencement of Big Muster Drive at crossing;
- Widen path access to parking, encourage pedestrian flow to broader commercial precinct and Scrubbers End.
- No entry for long vehicles
- **Total car parks village centre: 122 (total existing car parks: 105)**

03. FLEXIBLE DAY/NIGHT PARKING - 55 PARKS

- Signage for improved safety, access and traffic flow;
- Space for events with direct access to community amenities.
- Long vehicle parking provision in green season
- Short term parking spaces outside businesses

04. TRAFFIC MANAGEMENT

- Upgrade signage;
- Retain existing traffic flow of Horseshoe Circuit;
- Retain two-way access of Big Muster except in Winter as per community preference.

05. VILLAGE ROUNDABOUT

FLEXIBLE DAY/NIGHT PARKING - 33 PARKS

- Power access bollard for Community events;
- Maintain clearing as emergency helipad access;
- Level the grassed area in centre of roundabout to improve surface for events;
- 33 car parks, decreased from 35 existing car parks.



05. Dinner Plain Village Roundabout, Summer

01. PARKING UPGRADE - 51 DAY PARKS

- Improve traffic safety including upgrade of car parking areas, roadside parking and signage.
- 51 day parks, increased from 40 existing.

02. PEDESTRIAN ACCESS UPGRADE

- Upgrade path access and way-finding to direct visitors to Scrubbers End via allocated pedestrian routes.

03. SCRUBBERS HUT HUB

Additional public toilets to Ski Hut, new public shelter, upgrade BBQ, public furniture, bike parking.

04. DROP-OFF/PICK-UP

- Drop-off + Pick-up point forecourt of Scrubbers Hut.

05. OVERNIGHT PARKING - 49 PARKS

- Improve traffic safety and increase overall parking numbers.
- Long vehicle parking provisions for green season
- RV Dump Point Bay, 1 x Coach Bay.

06. SCREENING

- Screening of gas storage tanks.

07. SAFETY IMPROVEMENTS

- Potential netting to base of Ski & Toboggan Run for improved safety.

08. PATH & TRAIL NETWORK UPGRADE

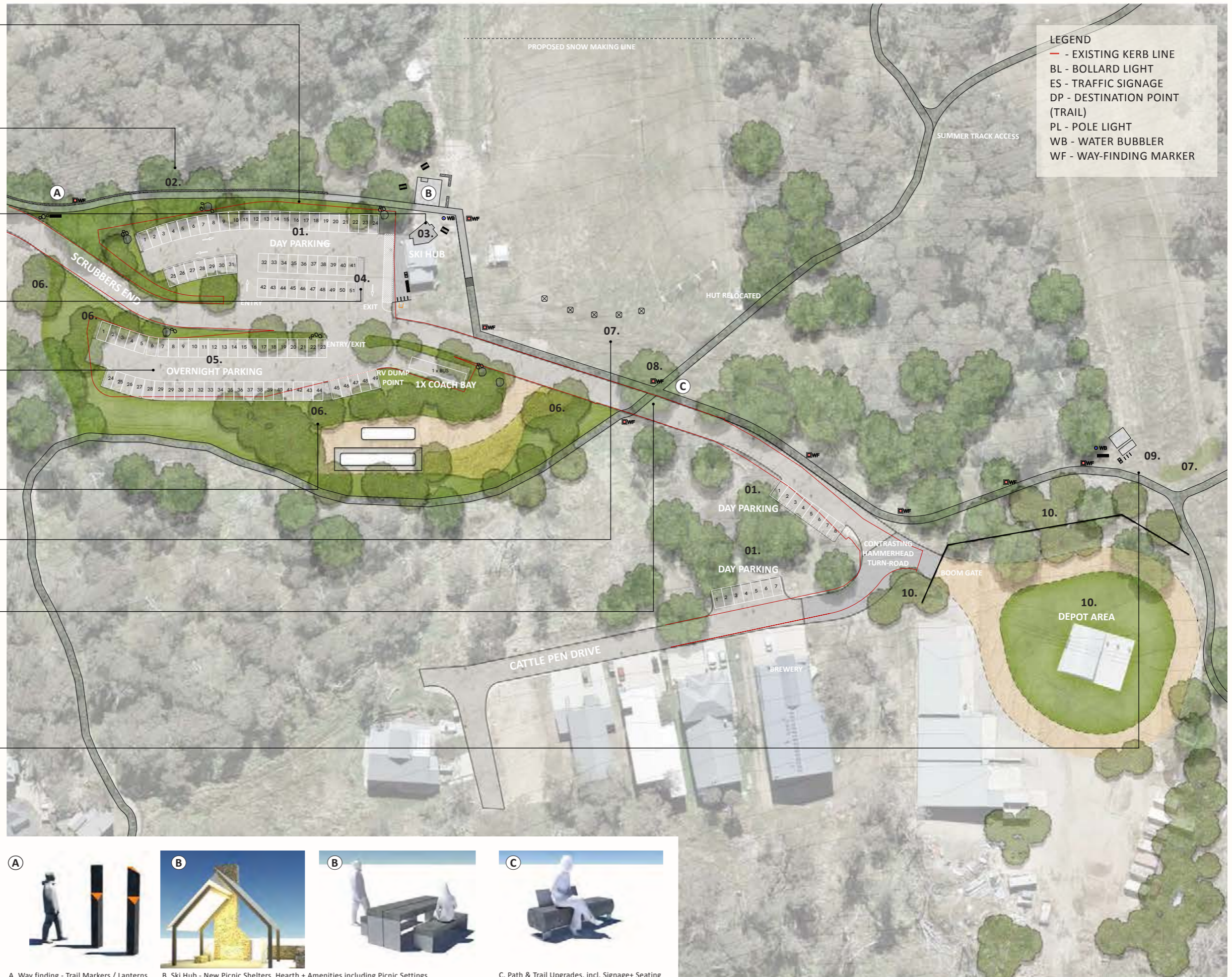
- Upgrade path connections from Scrubbers Hut Ski Run to Peashooters Toboggan Run & MTB trail;
- Pedestrian crossing point to connect trails + facilities;
- Update way finding and signage.

09. TOBOGGAN RUN + MTB HUB

- Increase amenity and infrastructure at Peashooters Run + Trail Junction, including re-purposed hut, amenities, seating, bike racks, drinking fountain + bike repair and wash station.

10. DEPOT AREA

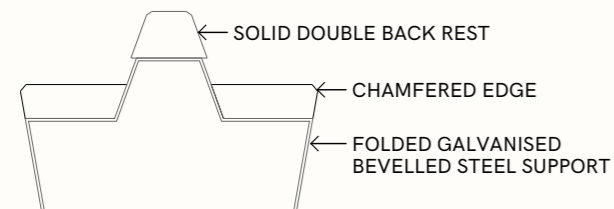
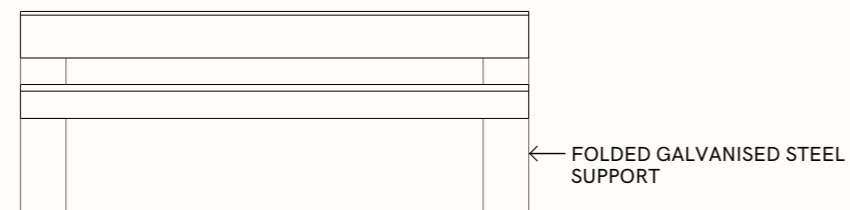
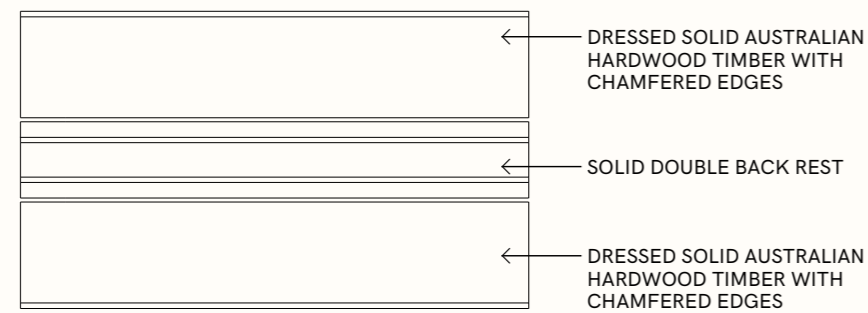
- Allocated overnight staff parking bays within depot
- Boom-gate access.
- Screen fence to depot area.



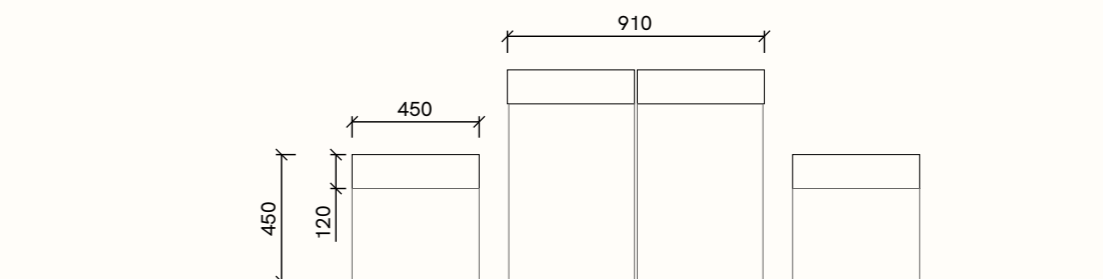
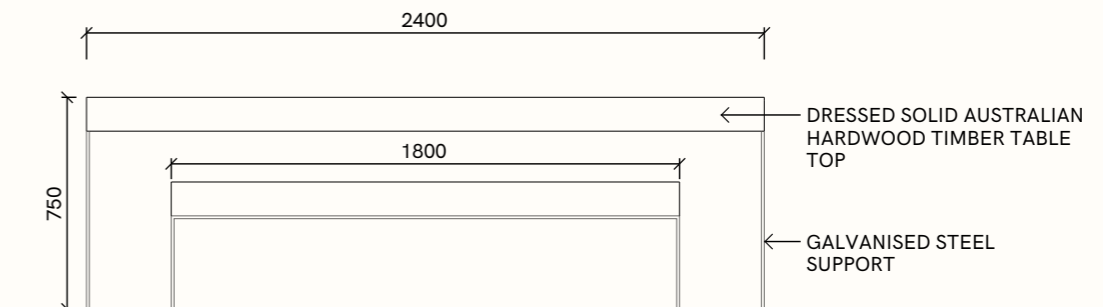
Public Furniture

Detailed Design

Bench Seat 02A - Perspective, Plan and Elevation View



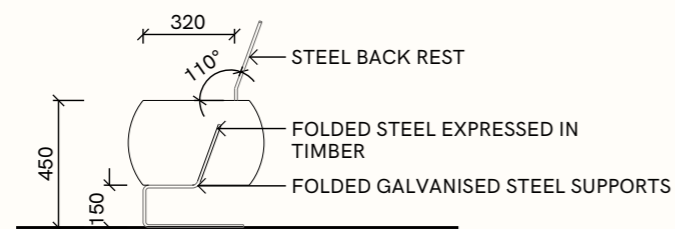
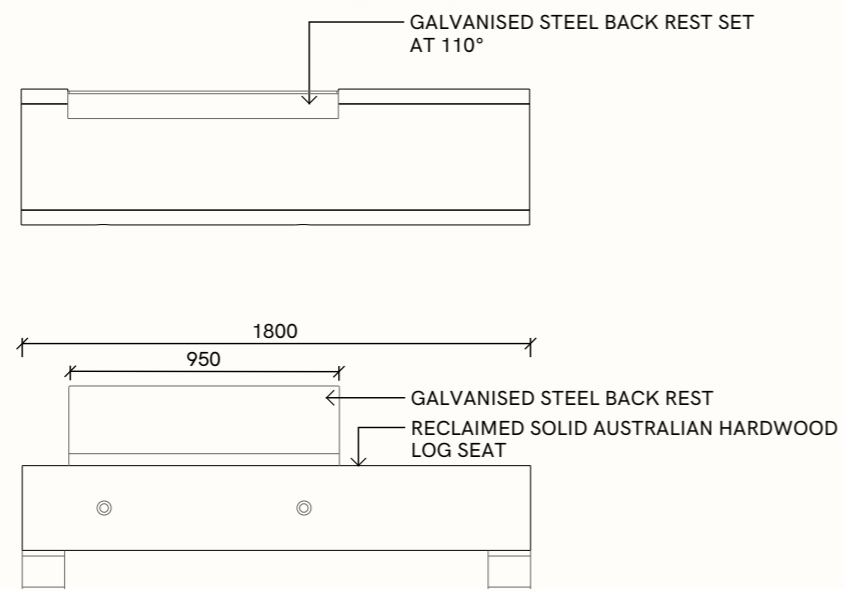
Bench Seat 02B - Perspective, Plan and Elevation View



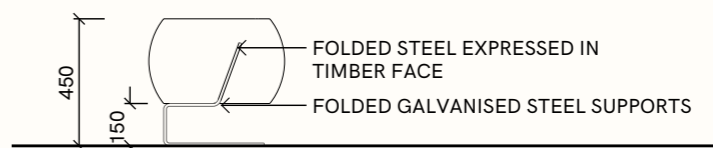
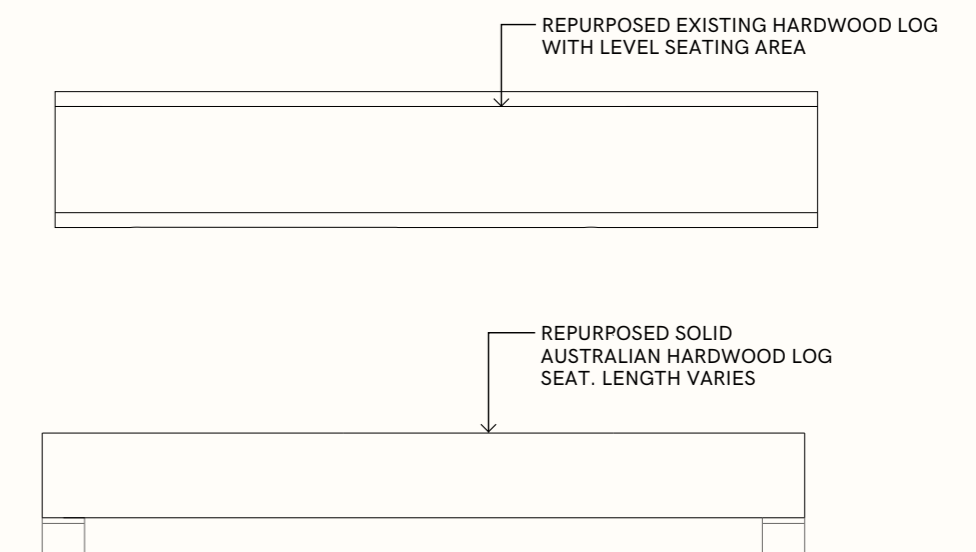
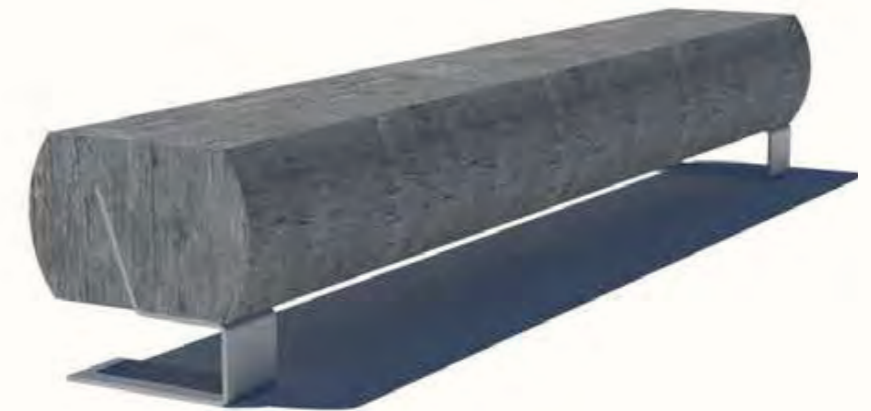
Public Furniture

Detailed Design

Bench Seat 02A - Perspective, Plan and Elevation View



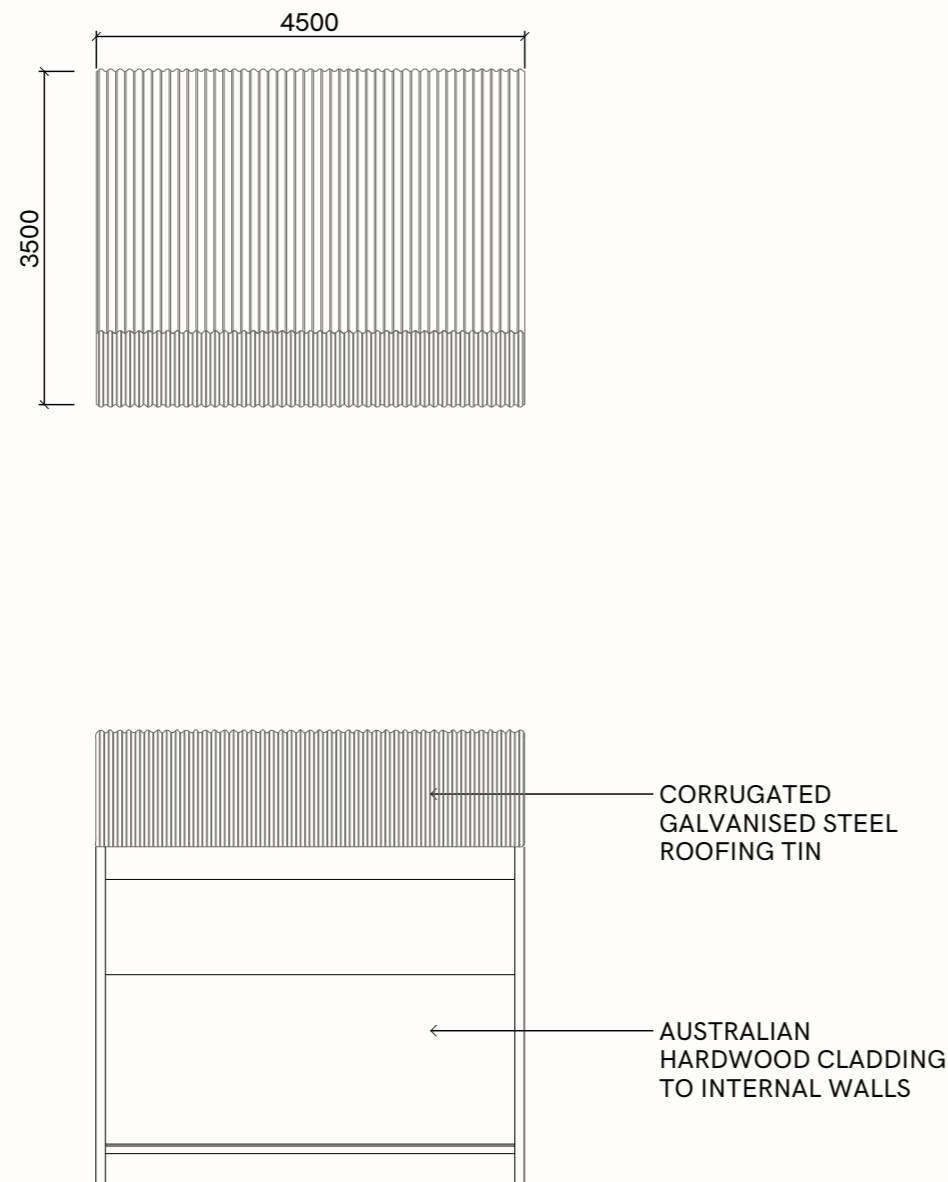
Bench Seat 02B - Perspective, Plan and Elevation View



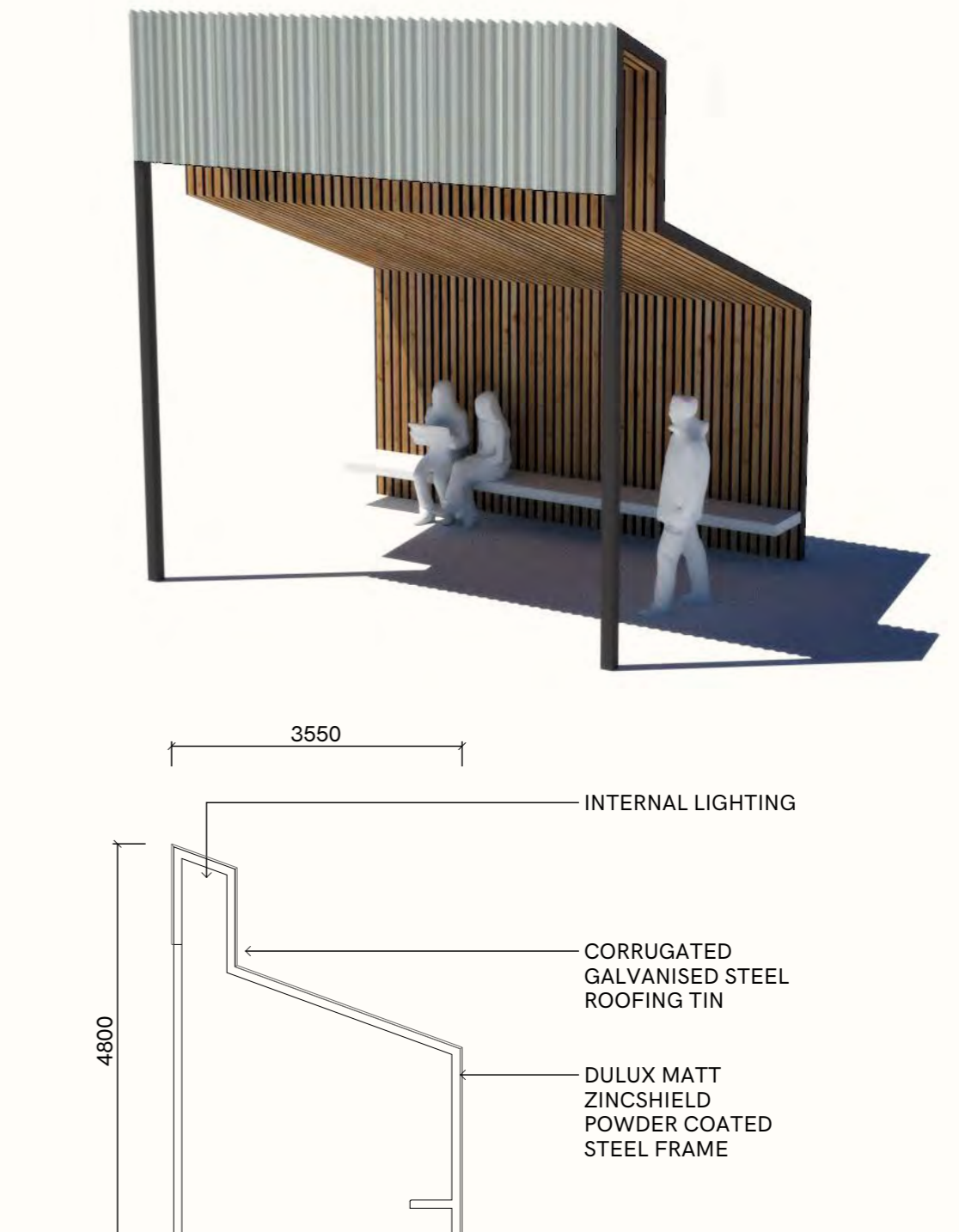
Public Amenity - Bus Shelter

Detailed Design

Bus Shelter - Plan and Elevation View



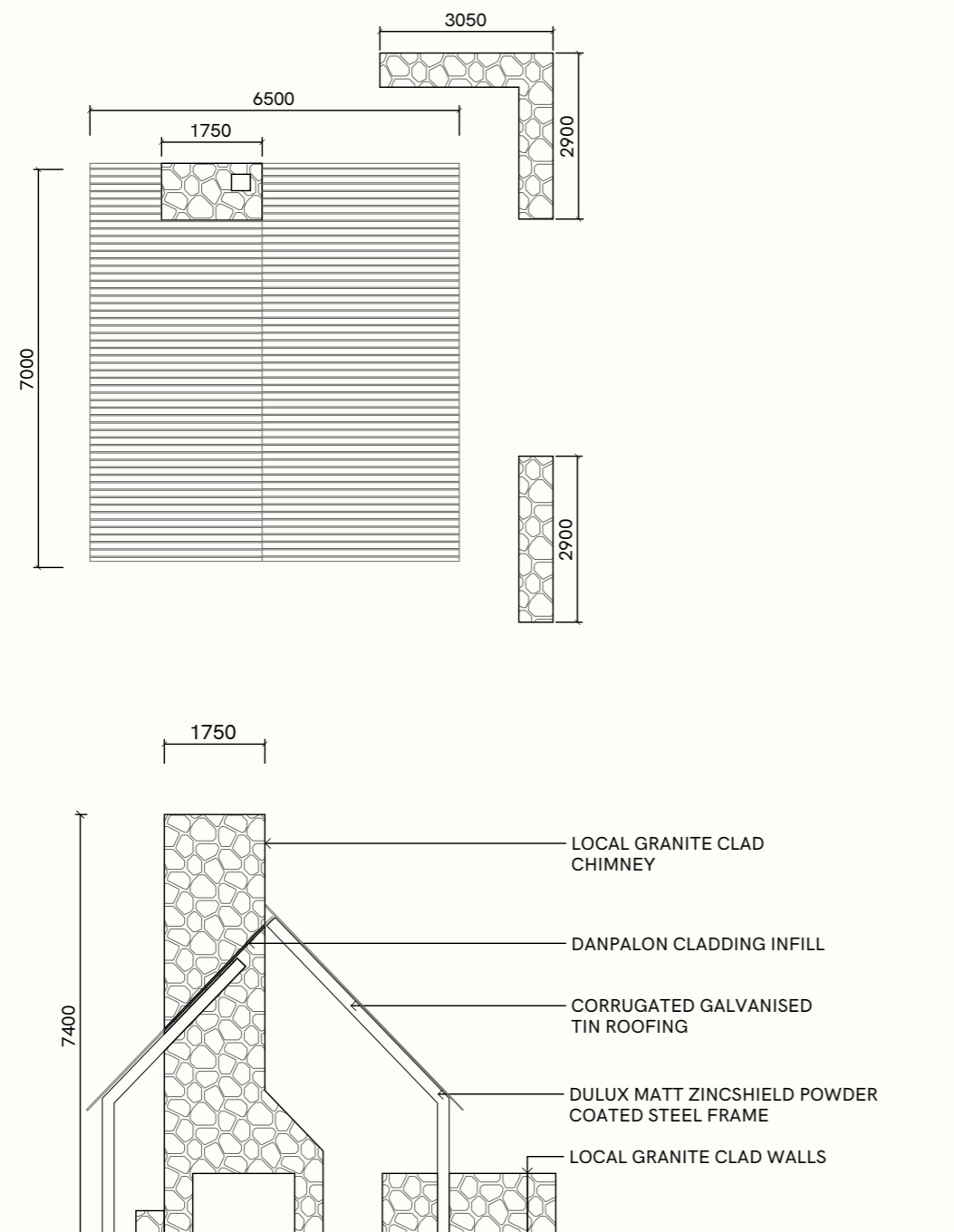
Bus Shelter - Perspective View



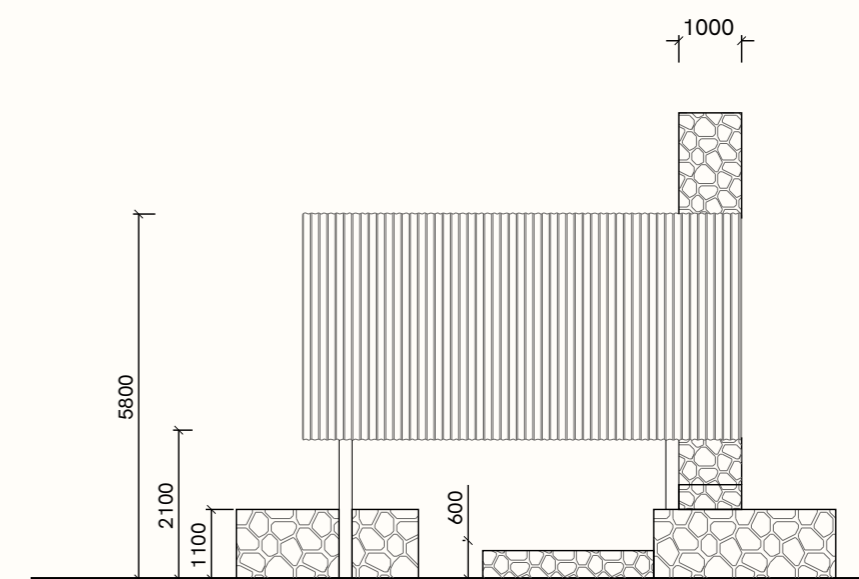
Public Amenity - Ski Hub Picnic Shelter & Hearth

Detailed Design

Ski Hub Picnic Shelter - Plan and Elevation View



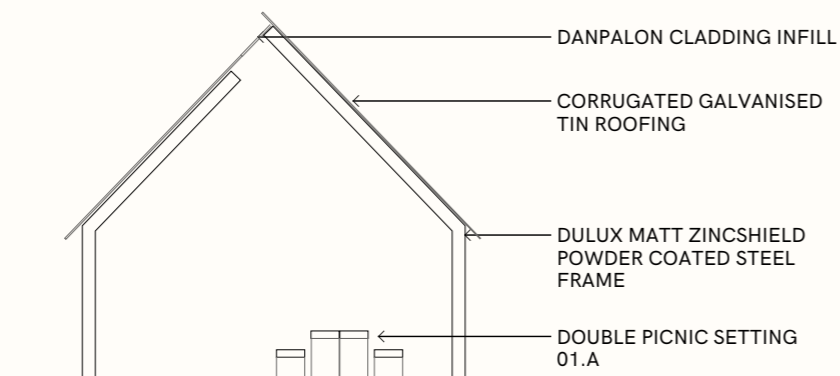
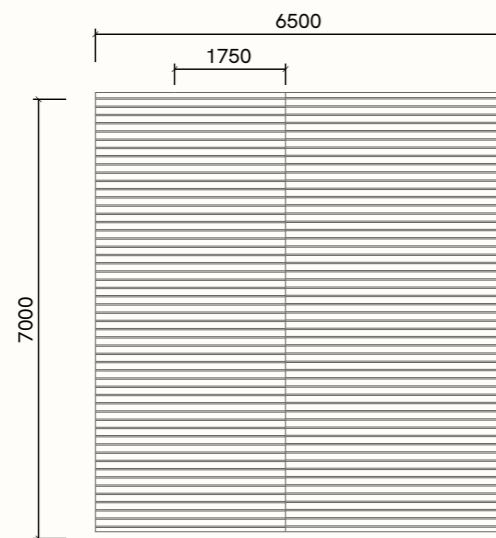
Ski Hub Picnic Shelter - Perspective View



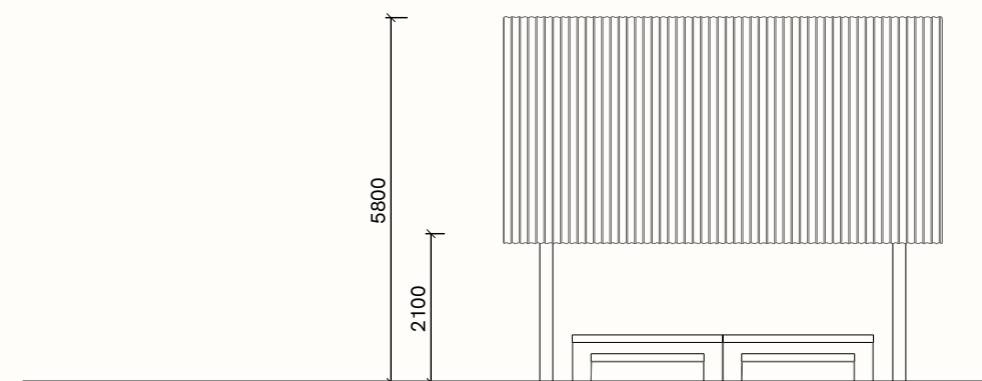
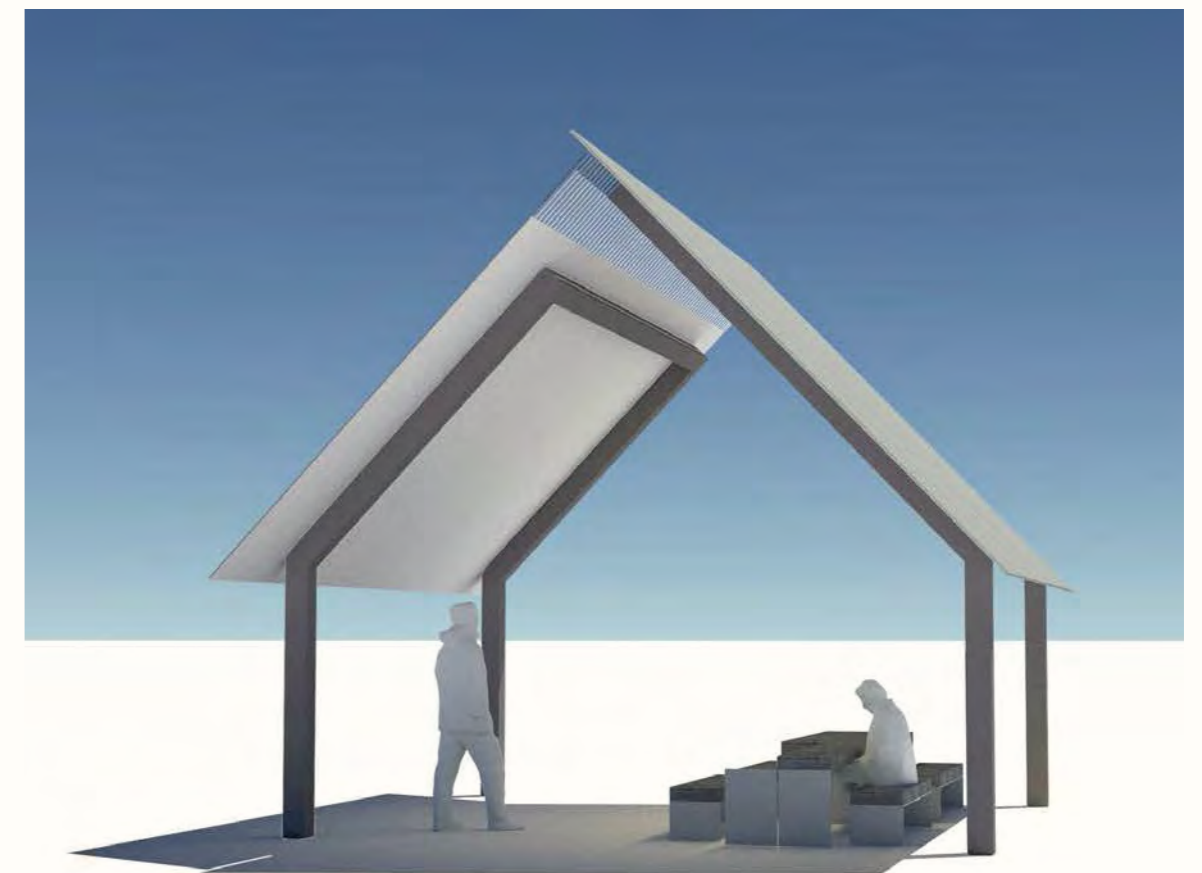
Public Amenity - Picnic Shelter

Detailed Design

Community Hub Picnic Shelter - Plan and Elevation View



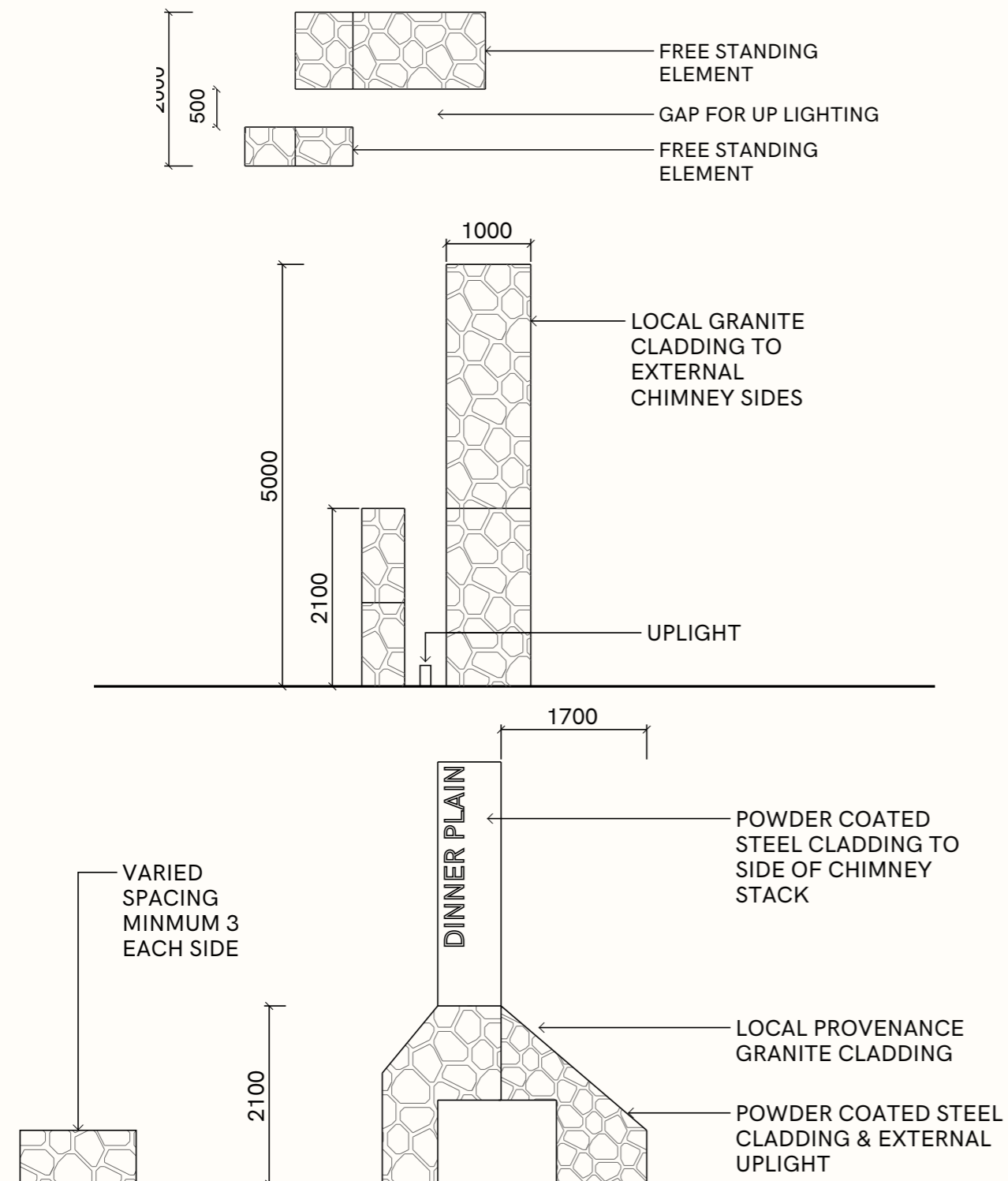
Community Hub Picnic Shelter - Perspective View



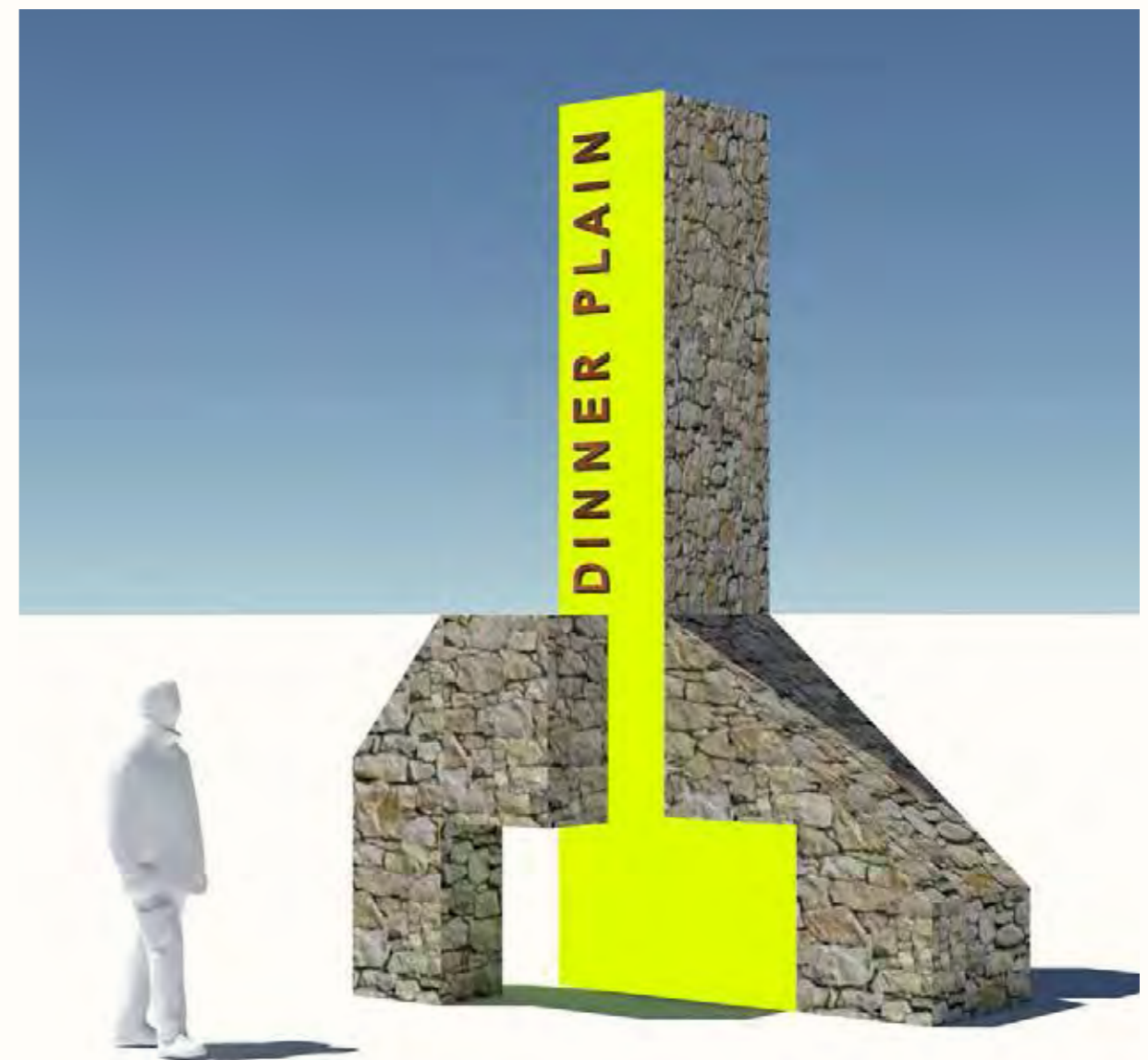
Village Entrance - Marker

Detailed Design

Village Entrance Marker - Plan and Elevation View



Village Entrance Marker - Perspective View



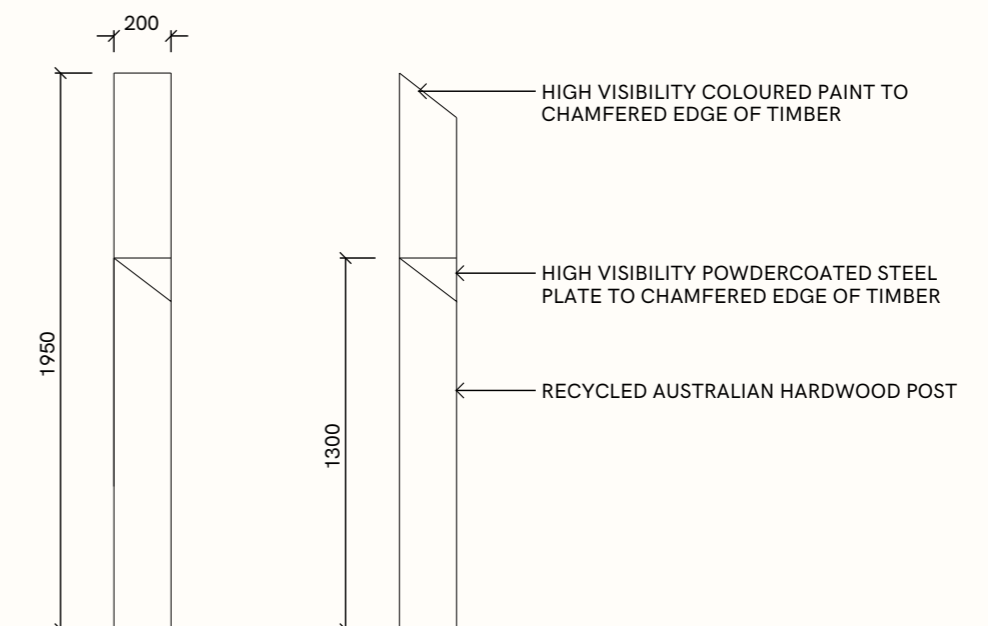
Way-Finding & Trail Highlights

Detailed Design

Water Tower Scenic Lookout - Perspective View



Trail Markers - Perspective and Elevation View



Proposed Project Priority Schedule

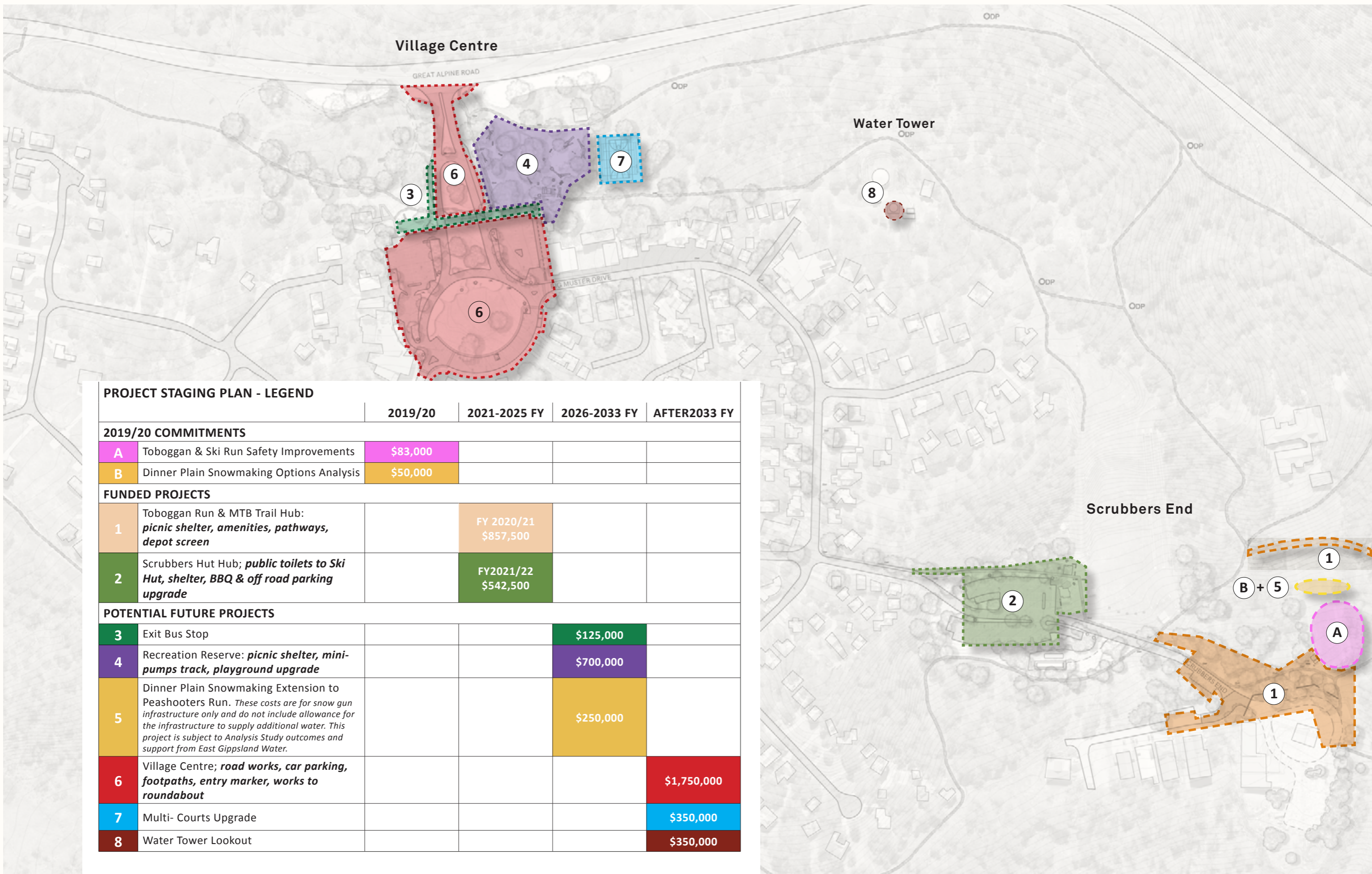
The Priority Schedule below has been assigned a priority ranking based on community feedback and consultation outcomes as well as internal stakeholders. The actual delivery of the projects identified will be subject to Council approval, available funding opportunities and the annual budget setting process.

There are three categories within this ranking:

- **2019/20 COMMITMENTS** - Smaller scale initial works under way, temporary changes initiated prior to planned future capital works;
- **FUNDED PROJECTS** - These works have been funded under the Dinner Plain Activation project and will commence in 2020/21.
- **FUTURE CAPITAL WORKS** - Large scale significant works including: amenity, infrastructure and placemaking. These projects will be undertaken subject to future funding opportunities and the annual budget setting process.

The costs indicated are estimated costs, subject to escalation and exclusive of contingencies. Please refer to the following page for the proposed project locations.

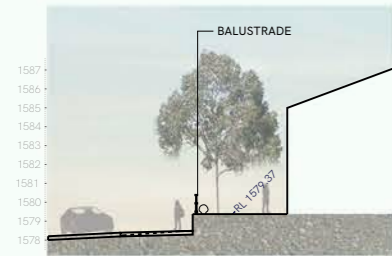




PROJECT STAGING PLAN - LEGEND		2019/20	2021-2025 FY	2026-2033 FY	AFTER 2033 FY
2019/20 COMMITMENTS					
A	Toboggan & Ski Run Safety Improvements	\$83,000			
B	Dinner Plain Snowmaking Options Analysis	\$50,000			
FUNDED PROJECTS					
1	Toboggan Run & MTB Trail Hub: <i>picnic shelter, amenities, pathways, depot screen</i>		FY 2020/21 \$857,500		
2	Scrubbers Hut Hub; <i>public toilets to Ski Hut, shelter, BBQ & off road parking upgrade</i>		FY2021/22 \$542,500		
POTENTIAL FUTURE PROJECTS					
3	Exit Bus Stop			\$125,000	
4	Recreation Reserve: <i>picnic shelter, mini-pumps track, playground upgrade</i>			\$700,000	
5	Dinner Plain Snowmaking Extension to Peashooters Run. <i>These costs are for snow gun infrastructure only and do not include allowance for the infrastructure to supply additional water. This project is subject to Analysis Study outcomes and support from East Gippsland Water.</i>			\$250,000	
6	Village Centre; <i>road works, car parking, footpaths, entry marker, works to roundabout</i>				\$1,750,000
7	Multi- Courts Upgrade				\$350,000
8	Water Tower Lookout				\$350,000



SECTION AA - MAIN ENTRANCE



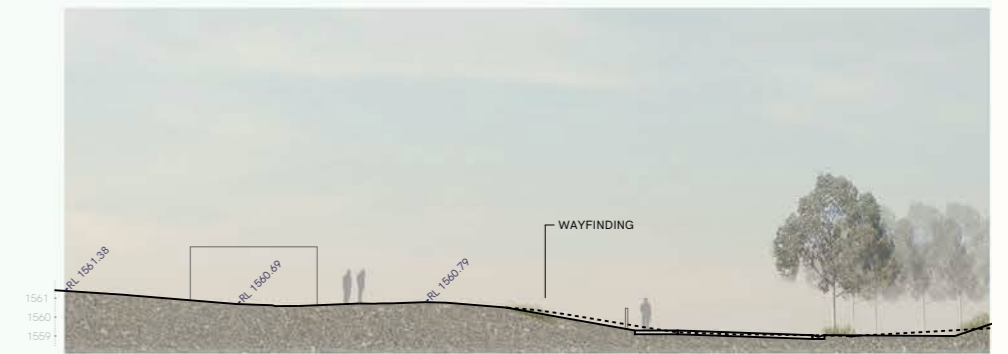
SECTION BB - RETAIL INTERFACE



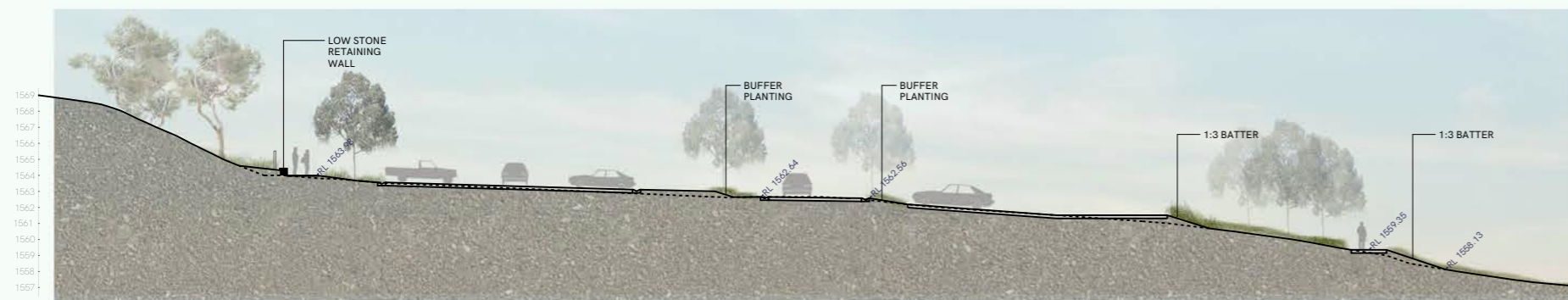
SECTION CC - ROUNDABOUT



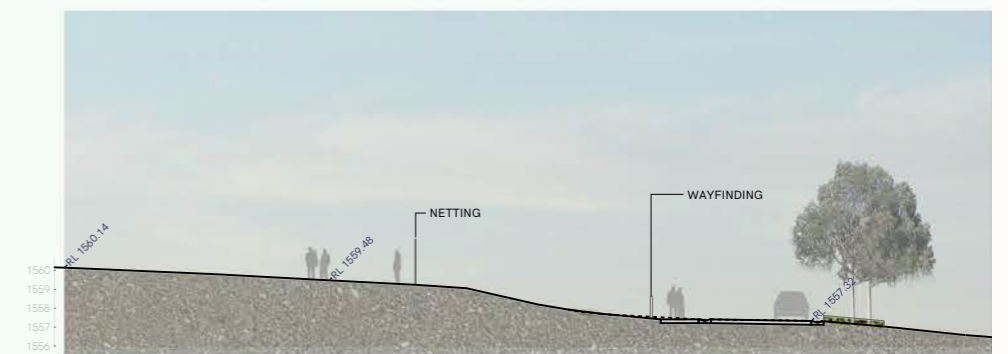
SECTION DD - HERITAGE LOOKOUT



SECTION FF - SCRUBBERS END CARPARK



SECTION EE - SCRUBBERS END CARPARK



SECTION GG - END TOBOGGAN RUN

NO.2019/20-5 – 22 MAY 2020

Audit Committee Meeting

Minutes

In Attendance

COMMITTEE MEMBERS

Sue Lebish, Chair

Mark Anderson

Craig Covich

Gerard Moore

Sinead Ryan

Cr John Forsyth

Cr Kitty Knapstein

OFFICERS

Charlie Brid, Chief Executive Officer

Nathalie Cooke, Director Corporate

Will Jeremy, Director Assets

Emma Woolaston, Manager Corporate

Kirsten McDonald, Health, Safety and Risk Officer

Agenda

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

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.

2. Apologies

Nil

3. Declarations by Committee members of conflict of interest

Nil

4. Confirmation of minutes

4.1 AUDIT COMMITTEE MEETING NO.2019/20-4 28 FEBRUARY 2020

M Anderson

C Covich

That the Audit Committee confirm the minutes of Audit Committee Meeting No.2019/20-4 held on 28 February 2020 as circulated.

Carried

Attachment(s)

4.1 Minutes of Audit Committee Meeting No.2019/20-4, 28 February 2020

4.2 BUSINESS ARISING FROM PREVIOUS MEETING MINUTES

Nil

5. Standing items

5.1 PROGRESS OF AUDIT COMMITTEE ACTIONS

Introduction

The Audit Committee action sheet is a register of all Audit Committee resolutions and requests that require a subsequent action to be implemented. Each meeting an update on the progress and status of the actions is provided to the Committee.

That the Audit Committee note the progress of the outstanding actions.

Noted

Actions

- ***Include updated due dates for all outstanding actions***

Attachment(s)

5.1 Audit Committee Action Sheet

6. Reports by officers

6.1 INVESTMENT POLICY REVIEW

Introduction

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

The Investment Policy was last reviewed in 2016 and is now due for review.

G Moore

Cr Knappstein

That the Audit Committee review and endorse proposed changes to Council's Investment Policy.

Carried

Background

Both the *Local Government Act 1989* and the *Local Government Act 2020* specify that Councils may invest any money in government securities, with Authorised Deposit-Taking Institutions (ADIs), with any financial institution guaranteed by the Government of Victoria, on deposit with an eligible money market dealer within the meaning of the Corporations Act, and in any other manner approved by the Minister.

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

Issues

Impact of COVID-19 on the Australian Banking Sector

Changes in the economic environment flowing from the impact of COVID-19 have seen Fitch, an alternative credit rating agency to S&P, downgrade Australia's four largest banking groups to A+ from AA-. The agency says that they have expectations of a significant economic shock in 1H20 due to measures taken to halt the spread of the coronavirus, followed by a moderate recovery through 2021.

S&P has not downgraded the four major banks however it remains possible that this may occur in the coming months.

Considerations for Council's Investment Policy

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

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

While both versions of the Local Government Act allow for investments in government securities, these are typically long dated (at least 2 years to maturity) compared to Council’s liquidity requirements. Securities may be sold on the money market prior to maturity date however the price of securities on these markets is subject to rise and fall, putting Council at risk of losing ratepayer funds.

Recommendations for Council’s Investment Policy

1. Modify the allowable credit rating exposures

Modify the allowable credit rating exposures to reflect possible S&P credit rating downgrades to Australian’s major banks, while limiting the lowest credit rating in the portfolio to BBB Category:

Current Policy

Long-term S&P Credit Rating	Short-term S7P Credit Rating	Maximum Portfolio Exposure	Maximum Exposure to a Single Institution
AA category or higher	A-1+	100% max	50%
AA category	A-1	100% max	50%
A category or below	A-2	60% max	20%

Proposed Policy

Long-term S&P Credit Rating	Short-term S7P Credit Rating	Maximum Portfolio Exposure	Maximum Exposure to a Single Institution
A category or higher	A-2 or higher	100% max	50%
BBB category	A-3	60% max	20%

It is noted that the allowable exposure to a single institution could be reduced given the increase in allowable risk, noting that this would require a trade-off against investment return and would increase complexity in managing portfolio compliance.

By way of example, Australian banks currently rated as A category or higher include ANZ, NAB, Macquarie, CBA and Westpac. Banks currently rated as BBB category include Bank of Queensland, Bendigo and Adelaide Bank, AMP Bank and Heritage Bank.

2. Limit allowable term deposit maturities to 12 months

The current policy allows investments up to a term of 36 months. In practise Council only selects investments with terms up to 12 months in order to ensure that cashflow is available for unanticipated circumstances, therefore it is recommended that this limit is formalised within the Investment Policy.

3. Limit investments to term deposits with Australian ADIs

The current policy allowed investments in government bonds. As the typical minimum term of a bond is 2 years, and the price of bonds on the money market is subject to rise and fall, it is recommended that the policy restrict investments to term deposits with ADIs. It is noted that Council has not invested funds in government bonds for a number of years.

4. Responsible investments

It is recommended that where the rates available for two investments are the same, the investment with responsible investment accreditation will be given preference. In practise Council’s current investment broker Curve Securities offers a ‘fossil fuel free’ accreditation against qualifying investments.

5. Quarterly reporting requirements

The policy will continue to require quarterly reporting on the investment portfolio. Reporting will be provided to the Finance Committee via the Quarterly Finance Report and subsequently provided to the Audit Committee and Council for noting. Reporting will be based on the portfolio reports available from Council’s investment broker Curve Securities.

Risk management

Identified risk	Risk likelihood (H M L)	Impact of risk (H M L)	Strategy to manage risk
Inadequate management and planning of finances	L	H	Investment Policy compliance to be monitored on a quarterly basis

Policy implication

The report aligns with the following Strategic Objective of the Council Plan 2017-2021:
A responsible and sustainable organisation

Conclusion

Council’s Investment Policy has been reviewed and the proposed updated Policy is attached.

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

Attachment(s)

6.1.1 Alpine Shire Council Investment Policy No. 73, Version 2, 5 July 2016

6.1.2 Alpine Shire Council Investment Policy No.73, Version 2.1, Proposed 2020

6.1.3 S&P Global Ratings Definitions

6.2 LOCAL GOVERNMENT ACT 2020 – OVERVIEW AND INITIAL REQUIREMENTS

Introduction

A comprehensive review of the *Local Government Act 1989* (LGA 1989) has been underway since 2015, with objectives of improving local government democracy, accountability and service delivery for all Victorians. The *Local Government Act 2020* (LGA 2020) represents the culmination of this review and received Royal Assent on 24 March 2020.

The purpose of this paper is to provide a high-level overview of the Act, its key deliverables, and to provide additional focus on the first phase of deliverables due by 1 September 2020.

That the Audit Committee note the rollout program and initial considerations for the implementation of the Local Government Act 2020.

Noted

Background

Principles

The new LGA 2020 has been developed through an extensive consultation process to revitalise local democracy, boost council innovation and efficiency and establish a clear, simple and accessible act. To achieve this, five primary principles have been developed which all councils must use to guide them in performance of their role. These principles came into force on 6 April 2020 and include:

- Community engagement principles (s56)
- Public transparency principles (s58)
- Strategic planning principles (s89)
- Financial management principles (s101)
- Service performance principles (s106)

In addition, each Council must adhere to the overarching governance principles (s9).

Implementation timelines

The LGA 2020 is to be implemented in a phased approach. Key Council deliverables and provisions with due by dates are as follows:

Due date	Deliverable
1 September 2020	<ul style="list-style-type: none"> • Power of delegation (Council to CEO and staff) – s11 • Councillor expenses policy – s41 • Audit and Risk Committee – s53 and 54 • Public transparency policy – s57 • Governance Rules – s60 • Committees – s63 and 65
17 September 2020	<ul style="list-style-type: none"> • Mandatory candidate training – s256(7)

Due date	Deliverable
24 February 2021	<ul style="list-style-type: none"> • Councillor Code of Conduct – s139
1 March 2021	<ul style="list-style-type: none"> • Community Engagement policy – s55
30 April 2021	<ul style="list-style-type: none"> • Gift policy – S138
30 June 2021	<ul style="list-style-type: none"> • Councillor Induction Training (within 6 months of the Oath being taken) – s32 • Revenue and Rating Plan – s93 • Annual budget – s94
31 October 2021	<ul style="list-style-type: none"> • Community vision – s88 • Council plan – s90 • Financial plan – s91 • Annual report – s98
31 December 2021	<ul style="list-style-type: none"> • CEO employment and remuneration policy – s45 • Workforce plan – s46(4) • Recruitment policy – s48(2) • Staff Code of Conduct – s49 • Complaints policy – s107 • Procurement policy – s108

It is noted that introductory provisions including the role and powers of a council, constitution of a council and key principles that all councils must adhere to are now in place however do not require any specific action by us.

Regulations and remaining provisions in the LGA 1989

While the LGA 2020 refers regularly to the Regulations, at the time of writing this report there are no Regulations in existence. This means that there are potentially areas that will have further requirements introduced at a future time.

There are also a number of provisions that will remain in the LGA 1989. We anticipate that many of these are reliant on modifications and updates to other Acts, as they are not currently part of the LGA 2020. Notably rating and revenue provisions have not been provided in LGA 2020 – there is currently a Rating Review being undertaken by the Victorian Government. Once this review is completed, it is anticipated that new provisions will be introduced into the LGA 2020.

Implementation considerations and approach

Council already has many policies and mechanisms in place which are adaptable to the requirements of the LGA 2020. However significant review is still required to ensure compliance. Additionally, LGA 2020 is significantly less prescriptive than LGA 1989 in an effort to reduce red tape, however this means that much of the specific guidance provided by the prior Act is now absent.

Local Government Victoria (LGV) has commenced engagement with the sector to co-develop templates, guides and information to assist councils in implementation, however little material has been developed to date. Therefore, many councils are beginning

detailed implementation work for September 1 requirements without the benefit of supporting guidance.

Council's efforts are currently concentrated on:

- Rapid adaptation of existing policies and processes to meet September 1 requirements
- Liaising with other Councils to form working groups amongst which materials may be shared
- Liaison with key external providers such as Maddocks legal firm, who are working to develop compliant templates and guides to assist the sector (at a price)

A Special Council Meeting is in planning for late August to enable enough time to meet September 1 requirements. Specifically, the Governance Rules require a process of public engagement and therefore will need to be drafted for public comment by mid-June to enable a consultation period to occur.

Council is also in the process of developing a more detailed implementation plan with consideration to additional resourcing requirements to implement ongoing stages. It is acknowledged that some latter deliverables may require some lead time to draft, consult and approve.

September 1 deliverables – key considerations

Governance Rules

Governance Rules will replace the previous Local Law No. 1 – Council Administration. The Rules will set out provisions for the conduct of Council meetings and delegated committees, the keeping of meeting records, election of Mayor and Deputy Mayor, appointment of Acting Mayor, include the Election Period Policy, procedures for disclosure of a conflict of interest by a councillor, member of staff, or member of a delegated committee, plus any other matters prescribed by the regulation.

To meet the requirement to release a draft set of Rules in time to enable community consultation, we plan to use as much of the existing Council Administration Local Law as possible, as well as the Election Period Policy. Review is underway to ensure full compliance with any new or altered provisions of LGA 2020.

This approach will also ensure that Councillors can rapidly adapt to the new governance rules. If deemed appropriate the Rules may be reviewed in 18-24 months' time once the new Council term has begun and the majority of LGA 2020 has been implemented.

Audit and Risk Committee

Refer to separate agenda item 6.3.

Staff Delegations

Council subscribes to the Maddocks Delegations and Authorisation service and will be largely led by this service to ensure compliance with the LGA 2020. Any delegations made under the LGA 1989 remain in force until 1 September 2020, unless revoked earlier.

The LGA 2020 now includes the ability for a Council to delegate to the CEO the power to appoint an Acting CEO for a period up to 28 days (s11). For a period greater than 28 days, the power to appoint an Acting CEO remains with Council.

Committees

The LGA 2020 treats committees quite differently to the LGA 1989. Under the LGA 1989 there were s86 Special Committees, and Advisory Committees that were simply defined as any committee established by Council to provide advice to Council. The s86 Special Committees were bound by decision-making rules similar to Council and needed to have an Instrument of Delegation to determine which powers of Council were being bestowed upon the Committee. The Advisory Committees were not restricted in how they operated.

The LGA 2020 now sets out Delegated Committees (s63) which are established by Council, Joint Delegated Committees (s64) which are established between two or more councils, and Community Asset Committees (s65) established by the CEO.

Delegated Committees must include at least two councillors in addition to community members, be chaired by a councillor, and follow the same rules for meetings as for a Council meeting (s61), and be open to the public. Council has the power to delegate any of its powers, duties or functions to a Delegated Committee under s11, however the powers are delegated to members of the committee, whereas under the LGA 1989, these were delegated to the committee as a whole. Exercise of the delegation is only allowed while acting as a member of the committee at a meeting of that committee.

Community Asset Committees in comparison may be established only for the purpose of managing a community asset, and there is no requirement for councillor membership. The CEO has the power to delegate any power, duty or function (that has been delegated to the CEO) to members of the committee. Exercise of the delegation is only allowed while acting as a member of the committee at a meeting of that committee.

Council is also required to indemnify members of Delegated and Community Asset Committees under s43.

Council only has two s86 Special Committees under the LGA 1989 which is fewer than many other Councils. This is primarily due to a large review of committees that was undertaken in 2010/11, where many committees managing community assets were transferred to being Incorporated Associations. The two committees still in existence are due to them managing DELWP facilities where Council has been nominated as the committee of management. Officers will review the best course of action for these two committees and their transition to the LGA 2020. Delegations for committees under the LGA 1989 remain in force until 1 September 2020, unless revoked earlier.

Councillor expenses policy

Initial review indicates that the current Councillor Reimbursement of Expenses Policy made under LGA 1989 will require little to no changes in order to comply to LGA 2020.

Public transparency policy

The public transparency policy must deal with how Council makes information publicly available, including all policies, plans and reports required under legislation. It also must address the public transparency principles, including transparent decision-making processes (and confidentiality), be understandable and accessible to members of the community, and facilitate public awareness of the information.

The LGA 1989 previously prescribed documents that must be available on the website, and made available prior to adoption (budget, annual report, local laws), which must now be covered in the public transparency policy. It is anticipated that this policy will work closely alongside the community engagement policy.

Changes in response to the COVID-19 pandemic

The COVID-19 pandemic has meant changes to how Council operates in the short-term. The LGA 1989 and LGA 2020 both required Council and committee meetings to be 'in person'.

Following lobbying from the LG sector, measures to allow Councils to undertake Council meetings via videoconferencing were incorporated into the *COVID-19 Omnibus (Emergency Measures) Bill 2020*. The Bill received Royal Assent on 23 April 2020 and modified a wide number of Acts to help deal with the pandemic. The Bill introduced sections 392-396 into the LGA 2020 to allow virtual meetings for Councils. These provisions are in force 1 May to 1 November 2020 only.

Issues

Legislative issues

All councils will need to refer to both the LGA 1989 and the LGA 2020 for several years, until there is a full transition away from the LGA 1989. Councils will need to ensure that items do not 'fall through the cracks', particularly during transition periods, and that they remain fully compliant with both Acts.

Resource issues

Council is reviewing the requirement for resourcing to assist with the implementation of the LGA 2020 and is seeking opportunities to share materials and resourcing with similar small rural councils.

Risk management

Identified risk	Risk likelihood (H M L)	Impact of risk (H M L)	Strategy to manage risk
Failure to meet deadlines for implementation of <i>Local Government Act 2020</i> requirements	L	L	<ul style="list-style-type: none"> Proposed Special Council Meeting in August 2020 to implement 1 September requirements Reviewing resource requirements to assist with implementation Seeking opportunities to share materials and resourcing with other councils

Policy implication

The report aligns with the following Strategic Objective of the Council Plan 2017-2021:

A high performing organisation

Conclusion

The implementation of LGA 2020 represents a significant focus area for Council over the coming 18-24 months. Council is focused on meeting September 1 requirements and planning for longer term requirements.

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

Link(s)

- Local Government Act 2020
<https://www.legislation.vic.gov.au/in-force/acts/local-government-act-2020/003>
- Engagement for development of LGA 2020 guidance documents:
<https://engage.vic.gov.au/local-government-act-2020>
- Local Government Victoria
<https://www.localgovernment.vic.gov.au/our-programs/local-government-act-2020>

Attachment(s)

Nil

6.3 LOCAL GOVERNMENT ACT 2020 - RISK AND AUDIT COMMITTEES

Introduction

The *Local Government Act 2020* received Royal Assent on 24 March 2020 with the reforms being proclaimed in stages. Provisions relating to council Audit and Risk Committees took effect from 1 May 2020.

This report provides an overview of the new Act provisions in relation to Audit and Risk Committees.

That the Audit Committee note this report.

Noted

Background

The scope of audit committees has been expanded by the *Local Government Act 2020* (LGA 2020), including support for the committee to assume a broader risk management role over and above financial auditing. Thus, the LGA 2020 refers to Audit and Risk Committees, a change from Audit Committees in the *Local Government Act 1989* (LGA 1989).

There are five new committee requirements in the LGA 2020 that must be met:

1. Membership
2. Audit and risk charter
3. Work program
4. Self-assessment
5. Reporting to Council

Issues

Timing

To be compliant with the LGA 2020 requirements in relation to audit and risk committees Council must, on or before 1 September 2020 (section 54(7)):

- Prepare and approve a committee charter.
- Establish the committee by appointing members to the committee.

In order to achieve this, along with other requirements in the LGA 2020, Council is proposing to hold a special Council meeting in August 2020.

Legality of current Audit Committee

Council's current Audit Committee was established under section 139 of the LGA 189. This section was repealed on the Royal Assent of the LGA 2020. However, section 54(8) of the LGA 2020 states that "*despite the repeal of section 139 of the Local Government Act 1989, the audit committee established by a Council under that section in existence before that repeal continues in operation until the first Audit and Risk Committee is established by the Council under section 53*".

Council's Audit Committee therefore can and will continue until Council establishes its new Audit and Risk Committee sometime in August 2020.

Ministerial Good Practice Guidelines

Under section 87 of the LGA 2020, the Minister for Local Government may issue Good Practice Guidelines for or with respect to any matter under the LGA 2020 or the Regulations. Compliance by a council with the guidelines can be used as evidence that the council has complied with the corresponding requirement under the LGA 2020. Guidelines issued under section 87 are not mandatory but provide guidance on how councils can best meet their obligations under the LGA 2020.

It is anticipated that the Minister may issue a Good Practice Guideline for audit and risk committees.

The State Government's consultation on audit and risk committee requirements has recently closed. The key component of this consultation was seeking feedback on the Local Government Victoria Guide, *Audit Committees A Guide to Good Practice for Local Government, 2011*, (LGV Guide) specifically, how it could be improved to assist councils meet the requirements of the LGA 2020.

Council's current practices align with the LGV Guide providing a level of comfort that it is well placed to meet the requirements of sections 53 and 54 of the LGA 2020.

Membership

The LGA 2020 requires that:

- A majority of committee members must be independent of Council.
- The chair must not be a councillor.
- Members of council staff must not be committee members.
- Collectively, the committee must have expertise in financial and risk management and experience in public sector management.

Council's current Audit Committee Charter addresses most of these matters. Although silent on staff not being members of the committee the membership section of the charter only provides for members to be councillors or independent members. The current charter does not reference public sector management experience.

Charter

The LGA 2020 requires Council to prepare and approve a committee charter. The charter must specify the functions and responsibilities of the committee including those prescribed in section 54(2):

- Monitoring compliance of Council policies and procedures with the LGA 2020, regulations, governance principles and Ministerial directions.
- Monitoring Council financial and performance reporting.
- Monitoring and providing advice on risk management and fraud prevention systems and controls.
- Overseeing internal and external audit functions.

While the LGA 1989 did not prescribe this requirement, the LGV Guide recommends a committee charter. Council has had an adopted charter in place for its Audit Committee, in line with the guide, since 2011. The current charter addresses most of the prescribed

requirements including financial and performance reporting (s8.2), risk management (s8.3), fraud (s8.5), internal audit (s8.6) and external audit (s8.7).

Council anticipates that LGV will release guidelines and/or a template for a best practice charter to assist Council review and update its current charter to achieve compliance with the aim of Council adopting a new charter in August prior to the 1 September deadline.

Annual work program

The LGA 2020 requires that the committee must adopt an annual workplan.

While the LGA 1989 did not prescribe this requirement, the LGV Guide recommends that an annual agenda be planned and set for committee meetings at least twelve months in advance. Council has had an annual agenda program for its Audit Committee, in line with the guide, since 2013.

Annual assessment of performance

The LGA 2020 requires that the committee must undertake an annual assessment of its own performance against the charter and report on this to Council.

While the LGA 1989 did not prescribe this requirement, the LGV Guide recommends that the performance of committees be evaluated regularly – usually annually. Council's Audit Committee has been undertaking a self-assessment of its performance since 2015.

Reporting

The LGA 2020 requires that the committee must report to Council twice yearly, the report must include the committee's findings and recommendations.

The Health, Safety and Risk Officer currently reports the activities, findings and recommendations of the committee to Council after every Committee meeting. Council will await further guidance from Local Government Victoria to determine whether the current reporting practice complies with this requirement or if additional reporting is required.

Indemnity

The current Audit Committee members are indemnified by Council as required by section 76 of the LGA 1989 which states that *"a Council must indemnify and keep indemnified each Councillor, member of a Council committee, member of Council staff and any person exercising any function or power on behalf of a Council against all actions or claims"*

Section 43 of the LGA 2020 states that a council must *"indemnify and keep indemnified each Councillor, member of a delegated committee and member of a Community Asset Committee against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith"*. Section 53(2) of the LGA 2020 specifically states that an audit and risk committee *"is not a delegated committee"*.

The LGA 2020 no longer mandates that a council must indemnify members of its audit and risk committee.

Council's current professional indemnity insurance is provided through the MAV Liability Mutual Insurance scheme. In this policy the "insured" includes *"all former and/or present Mayors, Presidents, Chairmen, Commissioners, Councillors, Board Members, Executives,*

Officers and Employees of the Participant, Authorised Officers and Members of any Committee established by the Participant under the Local Government Act or any other enabling legislation". MAV insurance has advised that this policy wording will continue to provide indemnity for members of audit and risk committees established under the LGA 2020.

Risk management

Identified risk	Risk likelihood (H M L)	Impact of risk (H M L)	Strategy to manage risk
Failure to establish Audit and Risk Committee in compliance with <i>Local Government Act 2020</i> requirements	L	L	<ul style="list-style-type: none"> • Reappoint current independent committee members • Review and update current documentation to achieve compliance
Failure to meet 1 September 2020 deadline for implementation of <i>Local Government Act 2020</i> audit and risk committee requirements	L	L	Proposed Special Council Meeting in August 2020 to establish committee and adopt charter

Policy implication

The report aligns with the following Strategic Objective of the Council Plan 2017-2021:

A responsible and sustainable organisation

Conclusion

While the *Local Government Act 2020* includes new and broader requirements in relation to audit and risk committees the majority of these matters were covered in the Local Government Victoria Guide, *Audit Committees A Guide to Good Practice for Local Government, 2011* and Council is satisfied that its current practices and documentation align with the Guide ensuring it is well placed to meet the requirements of sections 53 and 54 of the LGA 2020 by 1 September 2020 with only minor changes necessary.

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)

Nil

6.4 CLIMATE CHANGE ACTION

Introduction

The Audit Committee is responsible for monitoring the process of review of Council's strategic risks and considering the adequacy of actions taken to ensure that strategic and major risks have been dealt with in a timely manner to mitigate exposures to Council.

Climate change has been identified as a strategic risk with potential impacts on Council's ability to achieve its objectives. The purpose of this paper is to review Council's response to climate change to date in order to assist Audit Committee in fulfilling its remit.

That the Audit Committee note Council's responses to climate change.

Noted

Actions

- ***Provide an update to the November 2020 Committee meeting on:***
 - ***the progress of the Climate Action Plan including activities undertaken by Council***
 - ***the incorporation of the potential impact of climate change to Council operations in the risk register***

Background

Global warming is thought to be caused by the effect human-generated gases trapping heat in the earth's atmosphere. It is projected to have a number of effects including rising sea levels, the warming of the ocean's surface, and an increase in temperature stratification.

As the climate warms it affects the frequency of extreme weather events and also changes the nature of global rainfall and other factors that affect water supply and accelerates water pollution. Climate change is the term broadly used to describe these effects.

Issues

Climate Action Plan

In November 2019 Council accepted a formal recommendation to recognise, support, advocate for and adopt initiatives that help to mitigate and address the effects of climate change. Funding has been allocated in the 2020/21 Budget to develop a Climate Action Plan and Council will continue to promote relevant actions to local and broader communities.

The Council Report outlining the background to this Climate Action Plan and current related projects underway is attached.

Next Steps

In order to inform the Climate Action Plan and any other relevant mitigating activities, Council will incorporate a review of the potential impact of climate change in its upcoming review of its risk register. This will help to ensure a comprehensive approach to mitigating the impact of climate change on Council's objectives.

Legislative Compliance

Council's Climate Action Plan will be developed with reference to the *Climate Change Act 2017* which establishes Victoria's state target of net zero emissions by 2050.

Risk management

Identified risk	Risk likelihood (H M L)	Impact of risk (H M L)	Strategy to manage risk
Inadequate identification and mitigation of strategic risk	L	L	<ul style="list-style-type: none"> • Development of a Climate Action Plan • Review of Council's risk register with respect to climate change

Policy implication

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

A responsible and sustainable organisation

Conclusion

Council has budgeted to prepare a Climate Action Plan in 2020/21 and will review the impact of climate change at its upcoming biannual review of the Risk Register.

Declaration of conflict of interest

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

- Director Corporate
- Manager Corporate

Attachment(s)

- 6.4.1 Climate Change Action, Council Briefing, September 2019
- 6.4.2 Renewable Energy Opportunities, Council Briefing, October 2019
- 6.4.3 Climate Change Action, Council Report, November 2019

7. For information only

7.1 2019/20 QUARTER 3 PURCHASING AUDIT

Quarterly purchasing audits are undertaken and reported to the Audit Committee in response to the findings of a 2014 internal audit review and to provide continuing assurance that Council's purchasing controls are effective and complied with. The random sample testing is based on an even spread of purchases across all departments (14 in total) and spend thresholds as documented in the Procurement Policy. The sample excludes purchases under \$1000, mandated services, utility services, credit cards, councillor expenses, levies payable to and money collected on behalf of other entities.

Attachment(s)

7.1 2019/20 Quarter 3 Purchasing Audit - CONFIDENTIAL

7.2 2019/20 QUARTER 3 FINANCE REPORT

The quarterly Finance Report is prepared in accordance with section 138 of the *Local Government Act 1989* and has not been audited. It provides an overview of quarterly results and an update on the forecast financial position for the year against budget. Explanations for budgets and variances have been provided by each department and reviewed by the Finance department.

At the February 2020 Audit Committee meeting, the Committee enquired to whether Council would consider moving to budgeting on a quarterly basis. It is noted that Council budgets on an annual basis and reforecasts on a quarterly basis. Each reforecast involves all Council account holders reviewing year to date financials and requirements to the end of the financial year in order to prepare a bottom-up refresh. Thus, each reforecast is, in essence, a quarterly re-budget. Reforecasts are compared to the budget that was prepared at the beginning of each financial year in line with the requirements of the *Local Government Act 1989*.

It is noted that the *Local Government Act 2020* requires Councils to prepare and adopt a budget for each financial year and the subsequent 3 financial years by the 30 June each year, and that as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. These requirements will come into force on the 30 June 2021.

Attachment(s)

7.2 2019/20 Quarter 3 Finance Report

7.3 2019/20 QUARTER 3 PERFORMANCE REPORT

The Council Plan outlines the strategic objectives, strategies and indicators determining Council's direction for the four-year term of the Plan. There is no legislative requirement to report on the progress against the Council Plan, however the Governance and Management Checklist that forms part of the Local Government Performance Reporting Framework (LGPRF) suggests that it is best practice to report at least on a six-monthly basis. By reporting quarterly, Council ensures that progress against the Council Plan is on schedule, and that actions and indicators are maintained as priorities throughout the year.

Attachment(s)

7.3 2019/20 Quarter 3 Performance Report

7.4 2019/20 QUARTER 3 HEALTH AND SAFETY REPORT

Council is committed, so far as is reasonably practical, to ensuring the health, safety and wellbeing of all employees. The quarterly health and safety report is prepared from the data in Council's employee health and safety register of events and is reported to management, the Audit Committee and Council.

Actions

- ***Include commentary on Health and Safety Committee activities in future reports***

Attachment(s)

7.4 2019/20 Quarter 3 Health and Safety Report - CONFIDENTIAL

7.5 2019/20 FEBRUARY – APRIL CREDIT CARD REPORT

VAGO, in its fraud and corruption control review (June 2019) and 2019 Interim Management Letter, recommends that credit card expenditure be reviewed and reported to the Audit Committee for periodic review.

Attachment(s)

7.5 2019/20 February – April CEO and Mayor Credit Card Report

7.6 POLICY REVIEW STATUS

VAGO in its 2015 Interim Management Letter recommends that Council review the appropriateness and currency of all policies. The policy review log is reported to the Audit Committee to provide continuing assurance that Council is progressing the review and maintaining current policies.

Attachment(s)

7.6 Policy Review Status Summary

7.7 OHS MANAGEMENT SYSTEM REVIEW

As part of the 2017-21 Council Plan, Council committed to reviewing its health and safety processes and improving its Health and Safety Management System (HSMS). Since 2017 considerable work has been undertaken to deliver on this commitment externally, including some review of Council's key HSMS documents such as its policies, risk assessments and operating procedures.

As part of its internal audit program Council has engaged an external expert to assist with the formal completion of this review. HSE Management Australia has been engaged to:

- Provide an OHS document framework, including clarification of what type of document is required in what situation.
- Migrate current documentation into this framework.
- Work in consultation with key Council personnel to address priority documentation gaps against compliance requirements and Council's higher risk activities.
- Clarify roles and responsibilities in completing, maintaining, implementing and improving documentation into the future.
- Drive rollout and embedding of the new framework and documentation suite.

The initial documentation review is underway and staff interviews are planned for late May. A report will be tabled at the next Audit Committee meeting outlining the results of the review.

7.8 2020/21 BUDGET UPDATE

Council has prepared a Draft Budget for 2020/21 and the public submissions period is now closed. A submissions hearing is scheduled for the 26 May 2020 and the final budget will be adopted at a Special Council Meeting on the 16 June 2020.

7.9 VAGO AUDIT STRATEGY 2020

The Audit Strategy Memorandum outlines the Victorian Auditors General's planned approach to the audit of the Alpine Shire Council financial report, performance statement and roads to recovery financial report for the financial year ending 30 June 2020.

Attachment(s)

7.9 VAGO Audit Strategy

7.10 LEGAL AND INSURANCE UPDATE

In preparing estimates for the 2020/21 budget, Council's insurance broker advised in February 2020 that insurance premiums could be expected to increase between 10%-15% however this could be as high as 15%-20% should claims impacts worsen in the sector. Council's increases should be on the lower end of these estimates for "claims made policies" due to Council's low claims history.

8. General business

Nil

9. Next meeting

The next meeting of the Audit Committee is scheduled to be held on Friday 17 July at 9.00am.

10. Meeting close

There being no further business the Chairperson declared the meeting closed at 11.55am.

2020 Local Government Community Satisfaction Survey

Alpine Shire Council

Coordinated by the Department of
Environment, Land, Water and Planning
on behalf of Victorian councils





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Background and objectives

The Victorian Community Satisfaction Survey (CSS) creates a vital interface between the council and their community.

Held annually, the CSS asks the opinions of local people about the place they live, work and play and provides confidence for councils in their efforts and abilities.

Now in its twenty first year, this survey provides insight into the community's views on:

- councils' overall performance with benchmarking against State-wide and council group results
- community consultation and engagement
- advocacy and lobbying on behalf of the community
- customer service, local infrastructure, facilities and
- overall council direction.

When coupled with previous data, the survey provides a reliable historical source of the community's views since 1998. A selection of results from the last nine years shows that councils in Victoria continue to provide services that meet the public's expectations.

Serving Victoria for 21 years

Each year the CSS data is used to develop this State-wide report which contains all of the aggregated results, analysis and data. Moreover, with 21 years of results, the CSS offers councils a long-term, consistent measure of how they are performing – essential for councils that work over the long term to provide valuable services and infrastructure to their communities.

Participation in the State-wide Local Government Community Satisfaction Survey is optional. Participating councils have various choices as to the content of the questionnaire and the sample size to be surveyed, depending on their individual strategic, financial and other considerations.



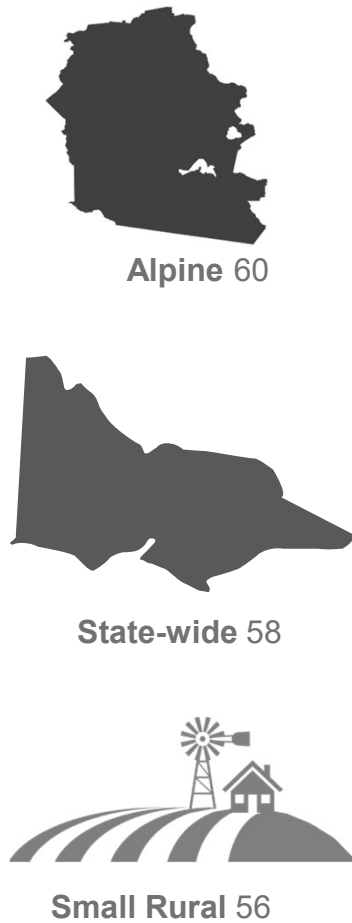
Key findings and recommendations



Alpine Shire Council – at a glance

Overall council performance

Results shown are index scores out of 100.



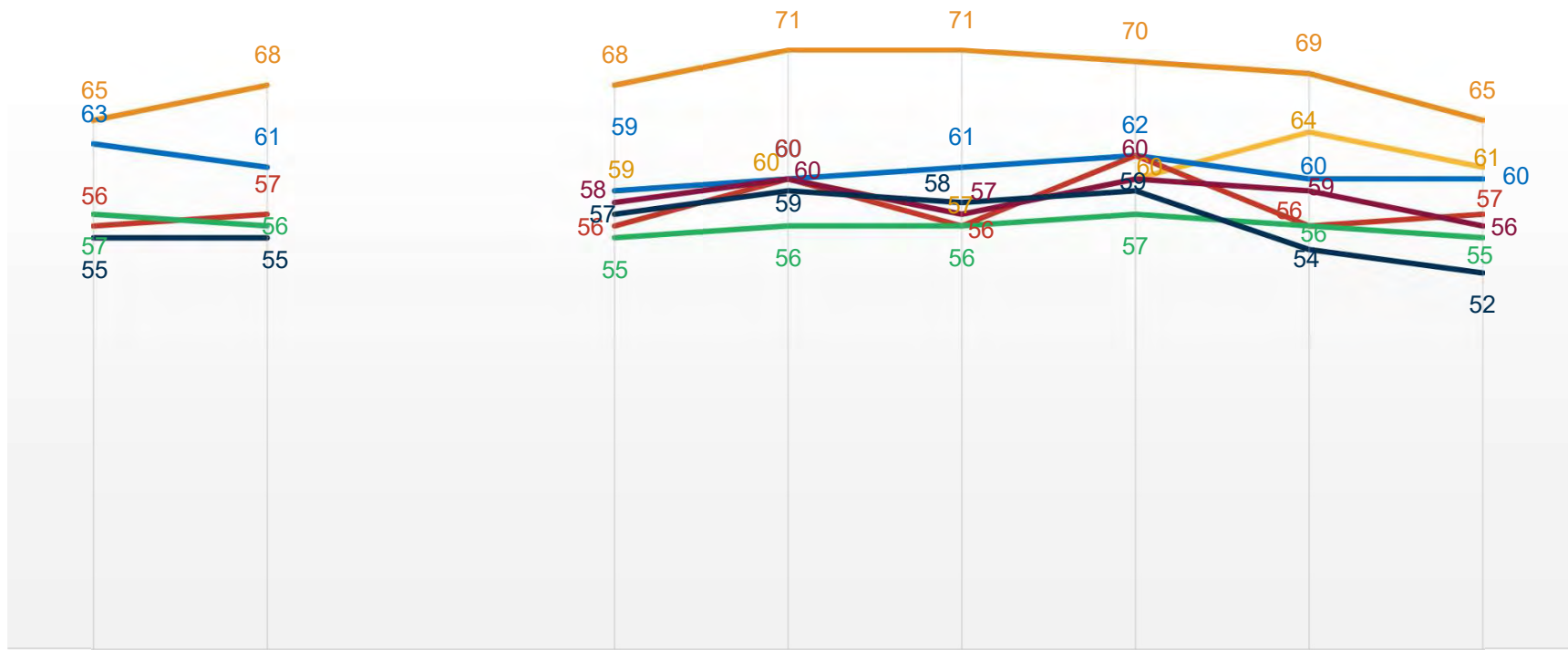
Council performance compared to State-wide and group averages

	Areas where Council performance is significantly higher	Areas where Council performance is significantly lower
Compared to State-wide average	<ul style="list-style-type: none"> Sealed local roads Community decisions 	None
Compared to group average	<ul style="list-style-type: none"> Sealed local roads Community decisions Consultation & engagement 	None



Summary of core measures

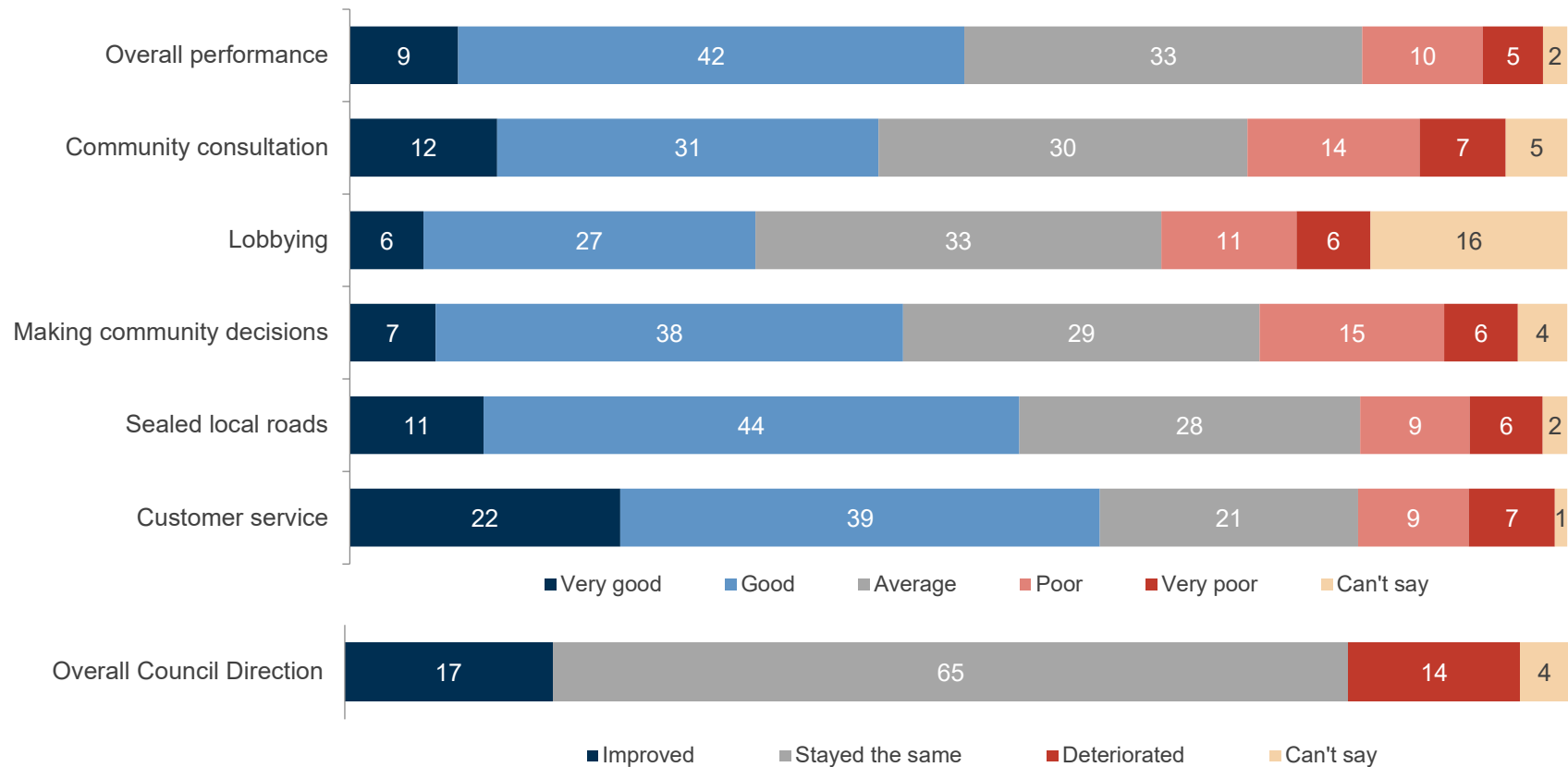
Index scores












Summary of core measures

Core measures summary results (%)





Summary of Alpine Shire Council performance

Services		Alpine 2020	Alpine 2019	Small Rural 2020	State-wide 2020	Highest score	Lowest score
	Overall performance	60	60	56	58	Aged 18-34 years	Aged 50-64 years
	Overall council direction	52	54	50	51	Lower Ovens residents	Upper Ovens residents
	Customer service	65	69	70	70	Aged 35-49 years	Aged 50-64 years
	Sealed local roads	61	64	51	54	Aged 35-49 years	Aged 50-64 years
	Consultation & engagement	57	56	54	55	Aged 18-34 years	Aged 50-64 years
	Community decisions	56	59	53	53	Aged 35-49 years	Aged 50-64 years
	Lobbying	55	56	52	53	Aged 18-34 years	Aged 50-64 years

Significantly higher / lower than Alpine Shire Council 2020 result at the 95% confidence interval.
Please see Appendix A for explanation of significant differences and index scores.



Focus areas for the next 12 months

Overview

Perceptions of Council's overall performance remained unchanged from 2019. Council is rated significantly higher than the State-wide and Small Rural group averages – a positive result. Relative to 2019, there have been no significant changes in views of Council's performance in the service areas evaluated.

Focus areas

Customer service is an area that may warrant some extra attention in the coming 12 months, as performance ratings in this service area are at their equal lowest level recorded. This is evidence that Council can be viewed more positively here. In addition, residents aged 50 to 64 years old are consistently the most critical of Council's performance, and so attention should be paid to interactions with this cohort over the coming year.

Comparison to state and area grouping

Customer service (index score of 65) is the only area where Council is rated significantly lower than the Small Rural group and Statewide council averages (index scores of 70 respectively). Positively, in all other service areas evaluated, Council is rated significantly higher than the Small Rural group average.

Consolidate gains over time

Although there were no significant declines in performance ratings in 2020, there is an opportunity to consolidate and build upon perceptions in the year ahead. In the areas of community decisions and lobbying, patterns of small declines in performance ratings are beginning to emerge year on year. This is a trend that Council should seek to abate. Conversely, small gains in consultation and engagement should be strengthened.

DETAILED FINDINGS





Overall performance



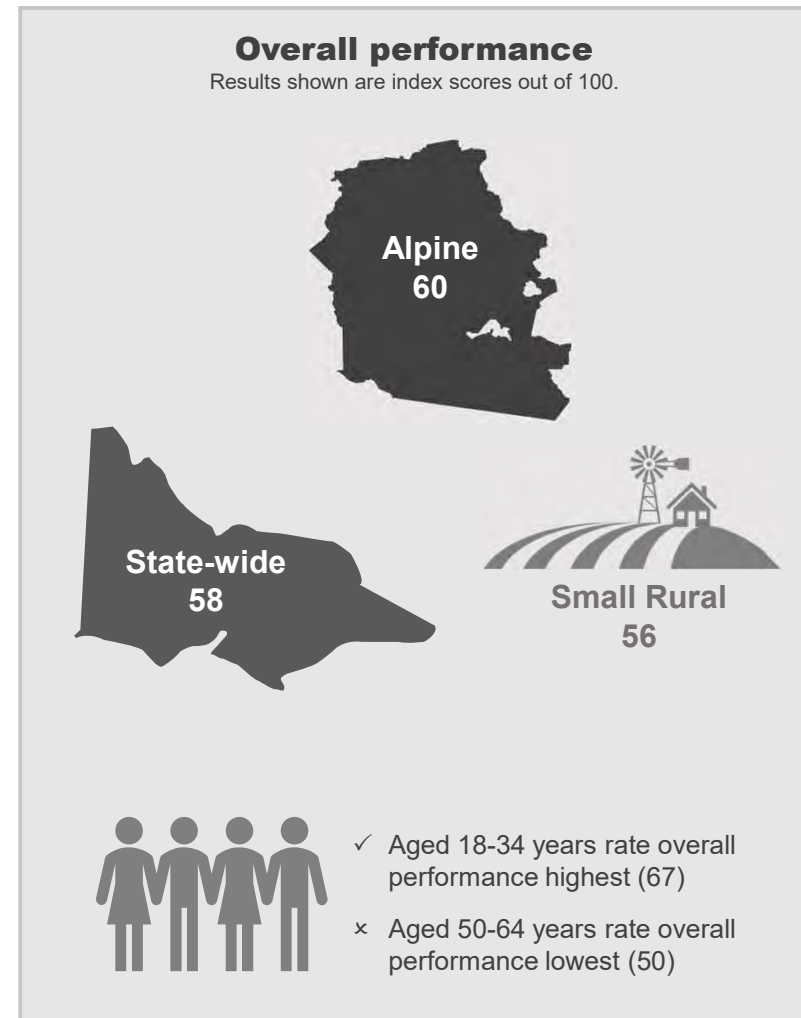
Overall performance

The overall performance index score of 60 for Alpine Shire Council is unchanged from the 2019 result.

Alpine Shire Council's overall performance is rated statistically significantly higher (at the 95% confidence interval) than the average rating for councils in the Small Rural group and is similar to the State-wide average for councils (index scores of 56 and 58 respectively).

- Overall performance is rated highest among residents aged 18 to 34 years (index score of 67, up five index points from 2019). This rating is significantly higher than the average for residents of Alpine Shire Council.
- The rating among residents aged 50 to 64 years is significantly lower than average (index score of 50, down seven points from 2019). This rating is the lowest recorded level for this cohort.

More than three times as many residents rate Alpine Shire Council's overall performance as 'very good' or 'good' (51%) as those who rate it as 'very poor' or 'poor' (15%). A further 33% sit mid-scale, rating Council's overall performance as 'average'.





Overall performance

2020 overall performance (index scores)

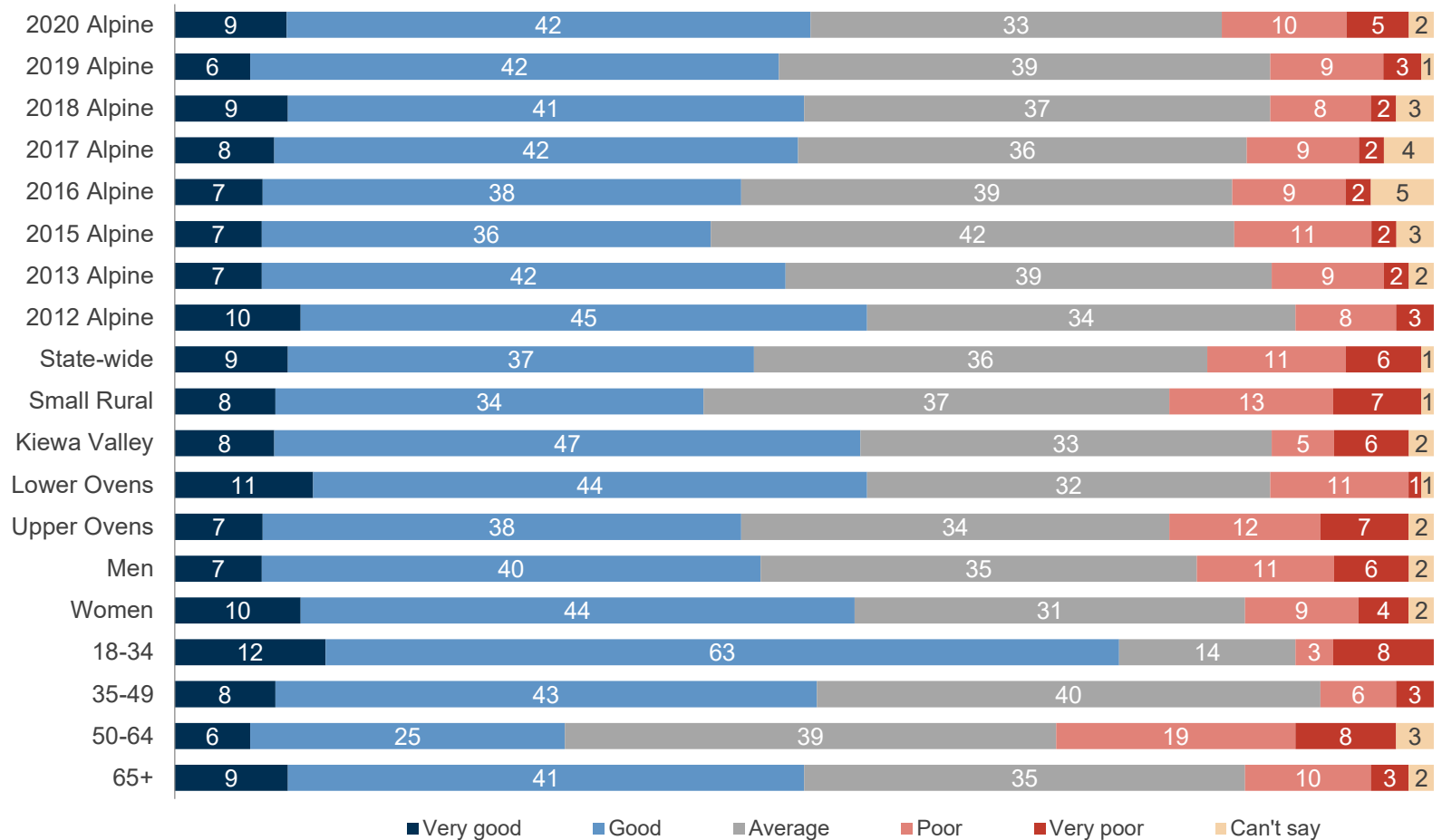
	2019	2018	2017	2016	2015	2014	2013	2012
18-34	62	69	66	65	62	n/a	61	67
Lower Ovens	66	62	67	62	62	n/a	61	67
Women	60	62	60	61	59	n/a	58	66
35-49	59	60	62	56	56	n/a	59	59
Kiewa Valley	56	58	59	59	54	n/a	59	60
65+	62	62	62	63	62	n/a	66	66
Alpine	60	62	61	60	59	n/a	61	63
Men	59	62	63	60	59	n/a	64	60
State-wide	60	59	59	59	60	61	60	60
Upper Ovens	55	65	56	59	60	n/a	63	62
Small Rural	58	56	58	57	59	n/a	n/a	n/a
50-64	57	59	58	58	56	n/a	57	61

Q3. ON BALANCE, for the last twelve months, how do you feel about the performance of Alpine Shire Council, not just on one or two issues, BUT OVERALL across all responsibility areas? Has it been very good, good, average, poor or very poor?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.



Overall performance

2020 overall performance (%)



Q3. ON BALANCE, for the last twelve months, how do you feel about the performance of Alpine Shire Council, not just on one or two issues, BUT OVERALL across all responsibility areas? Has it been very good, good, average, poor or very poor?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18



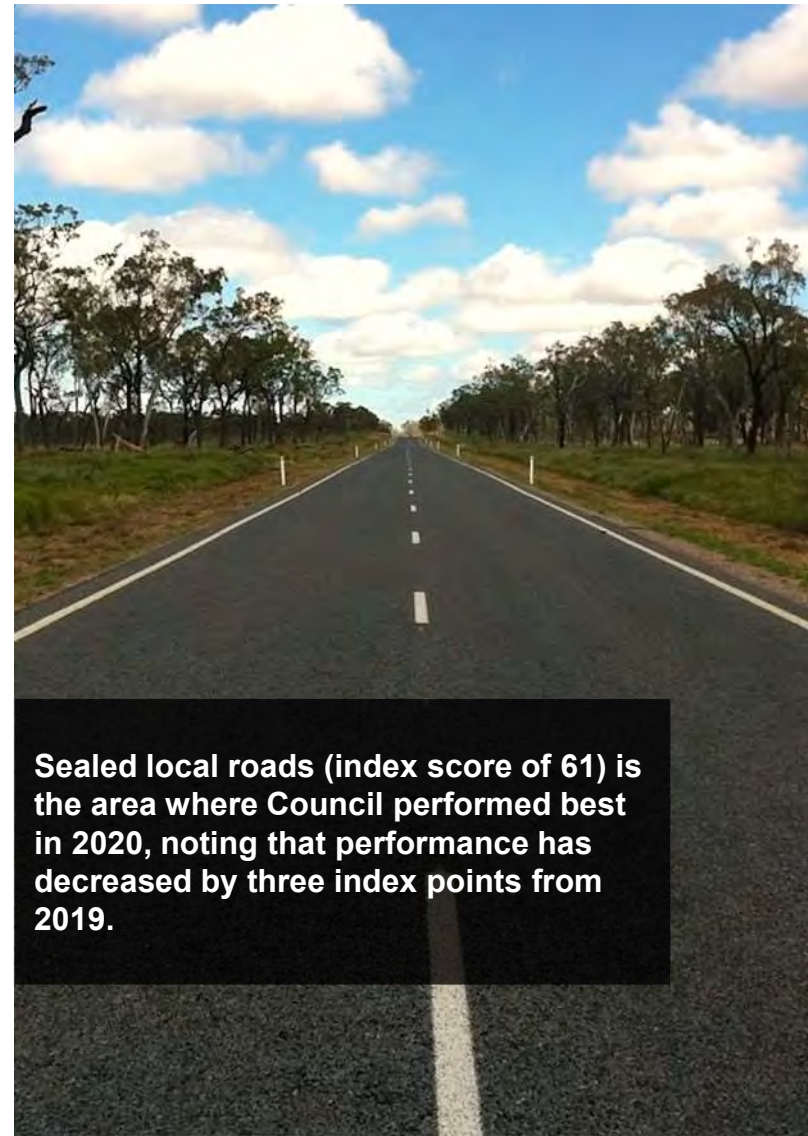
Top performing service areas

Sealed local roads (index score of 61) is the area where Council performed best in 2020, notwithstanding a three-point (not significant) decline from 2019. With the exception of 2019, the current rating remains higher than previously achieved by Council on sealed local roads.

- Council performs significantly higher than both the Small Rural group and State-wide council averages (index scores of 51 and 54 respectively).
- Residents aged 50 to 64 years (index score of 51) rate Council significantly lower than average – this score is the lowest recorded for this cohort.

Consultation and engagement is Council's next highest rated service area (index score of 57, not significantly different from the 2019 rating of 56).

- Here again, Council performs significantly higher than the Small Rural group average (54).
- With an index score of 64, residents aged 18 to 34 years rate Council significantly higher than average on consultation and engagement. Perceptions among this age group have improved significantly in the last 12 months (up eight index points), following a significant decline in perceptions the previous year.
- Residents aged 50 to 64 years, and those in Upper Ovens, rate Council significantly lower than average (index score of 48 and 52 respectively).



Sealed local roads (index score of 61) is the area where Council performed best in 2020, noting that performance has decreased by three index points from 2019.



Lower performing service area



Council rates lowest – relative to its performance in other areas – in the areas of lobbying (index score of 55) and community decisions (index score of 56).

- It is important to note that on both of these service areas, Council performs significantly higher than the Small Rural group average (index score of 52 for lobbying and 53 for community decisions).
- However, perceptions of Council's performance in 2020 are at the lowest level recorded for community decisions, and at the equal-lowest level for lobbying (55 in 2015). This demonstrates that Council has the potential to improve ratings here.

In both of these areas, and indeed uniformly across all services areas evaluated, residents aged 50 to 64 years give significantly lower performance ratings.

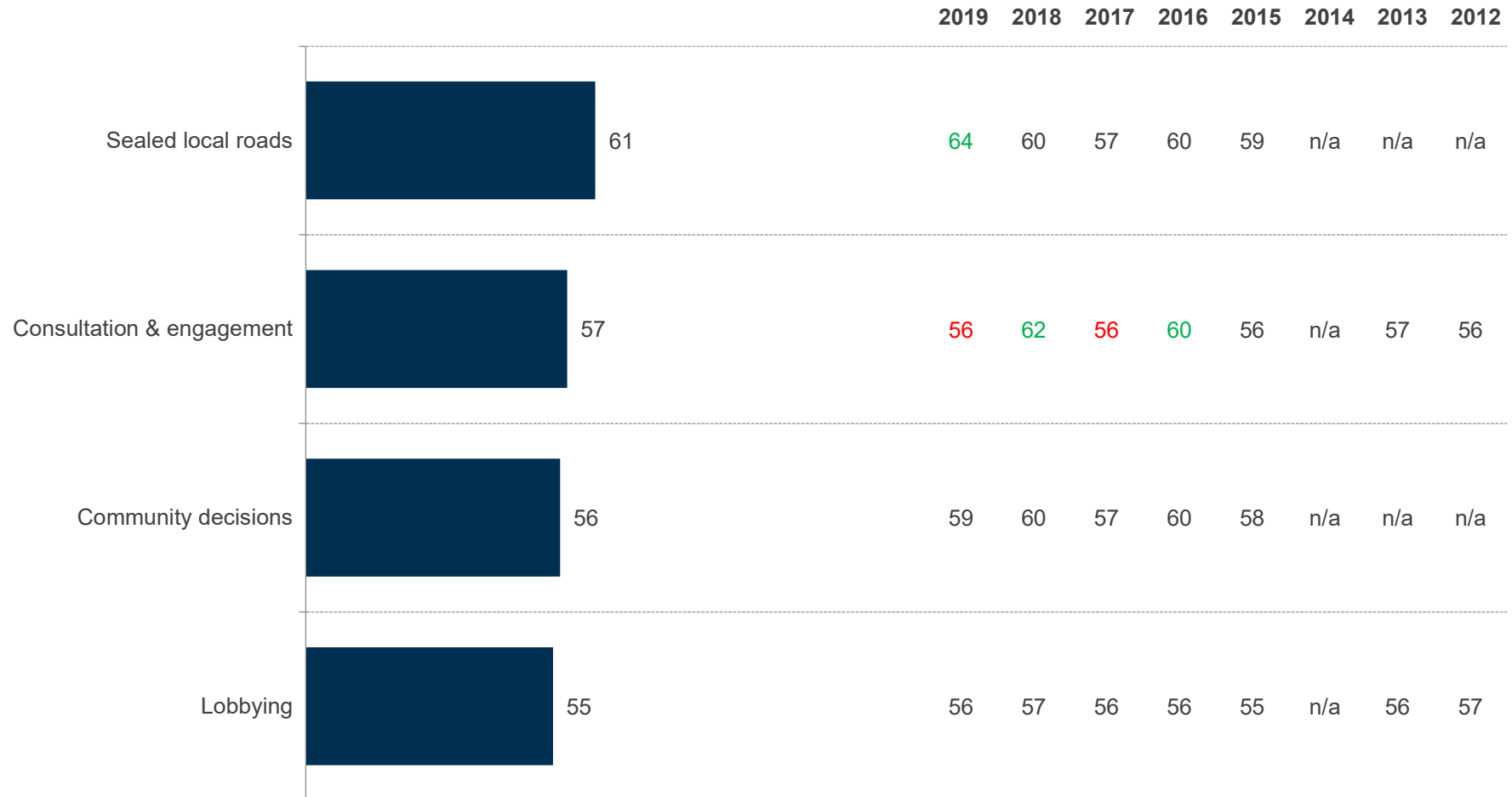
In the area of community decisions, the overall (not significant) decline in performance rating is driven by the cohorts where performance perceptions have declined significantly compared to 2019:

- residents of Lower Ovens (index score of 58, down seven points from 2019);
- men (54, down six points); and
- those aged 50 to 64 years (48, down nine points).



Individual service area performance

2020 individual service area performance (index scores)

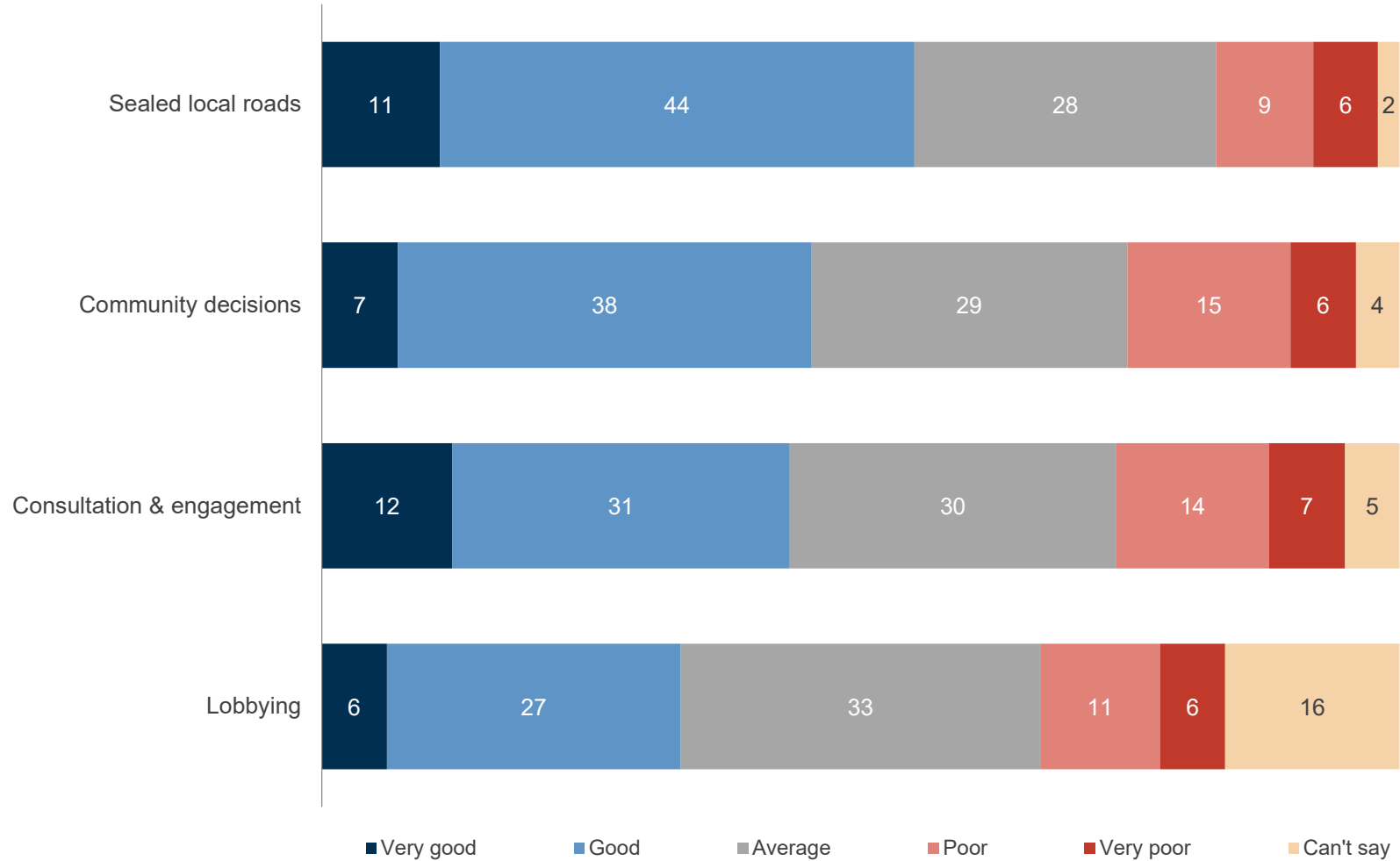


Q2. How has Council performed on [RESPONSIBILITY AREA] over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.



Individual service area performance

2020 individual service area performance (%)



Q2. How has Council performed on [RESPONSIBILITY AREA] over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18



Customer service



Contact with council and customer service

Contact with council

More than three in five residents (62%) have had contact with Council in the last 12 months. Rate of contact is three percentage points higher than last year, but has been relatively consistent over time.

- Residents aged 35 to 64 years had the most contact with Council (72%) in 2020.
- Conversely, residents aged 65 years and over had the least contact with Council (52%) – significantly lower than the Council average.



Among those residents who have had contact with Council, 61% provide a positive customer service rating of 'very good' or 'good', including 22% of residents who rate Councils' customer service as 'very good'.

Customer service

Council's customer service index score of 65 is a four-point decrease from 2019. This is significantly lower than both the State-wide and Small Rural group customer service averages (both 70).

- Ratings of customer service have been trending down from a peak of 71 in 2016 and 2017 and have returned to the lowest rating seen in 2012, when tracking commenced.

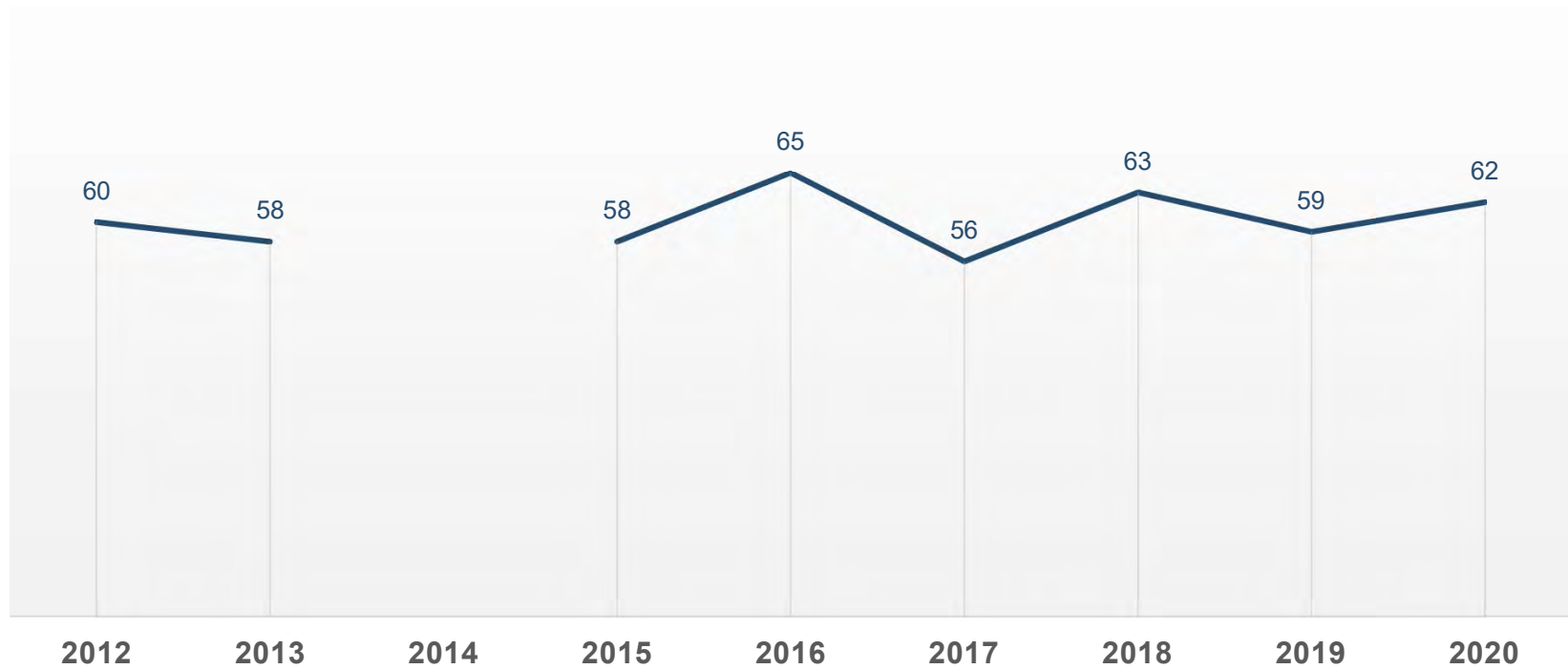
Perceptions of customer service are more positive among residents of Kiewa Valley (66) and Lower Ovens (67). Perceptions are less positive among residents of Upper Ovens (63). However, these differences by geographical location are not significantly different to the Council average.

There are also no significant differences across the demographic cohorts compared to the 2020 Council average.



Contact with council

2020 contact with council (%)
Have had contact



Q5. Over the last 12 months, have you or any member of your household had any contact with Alpine Shire Council?
This may have been in person, in writing, by telephone conversation, by text message, by email or via their website or social media such as Facebook or Twitter?
Base: All respondents. Councils asked state-wide: 36 Councils asked group: 12



Contact with council

2020 contact with council (%)

	2019	2018	2017	2016	2015	2014	2013	2012	
35-49	72	78	68	67	71	62	n/a	68	76
50-64	72	63	65	58	65	64	n/a	67	61
Men	67	59	63	58	64	56	n/a	58	63
Small Rural	66	63	64	62	61	64	n/a	n/a	n/a
Upper Ovens	65	66	70	61	75	62	n/a	61	69
State-wide	63	61	61	58	58	60	61	60	61
Kiewa Valley	63	69	63	55	71	63	n/a	57	57
Alpine	62	59	63	56	65	58	n/a	58	60
18-34	61	36	53	48	60	56	n/a	46	50
Women	58	59	63	54	66	60	n/a	58	58
Lower Ovens	57	47	56	53	54	49	n/a	56	53
65+	52	54	62	50	64	52	n/a	50	52

Q5. Over the last 12 months, have you or any member of your household had any contact with Alpine Shire Council? This may have been in person, in writing, by telephone conversation, by text message, by email or via their website or social media such as Facebook or Twitter?

Base: All respondents. Councils asked state-wide: 36 Councils asked group: 12

Note: Please see Appendix A for explanation of significant differences.



Customer service rating

2020 customer service rating (index scores)

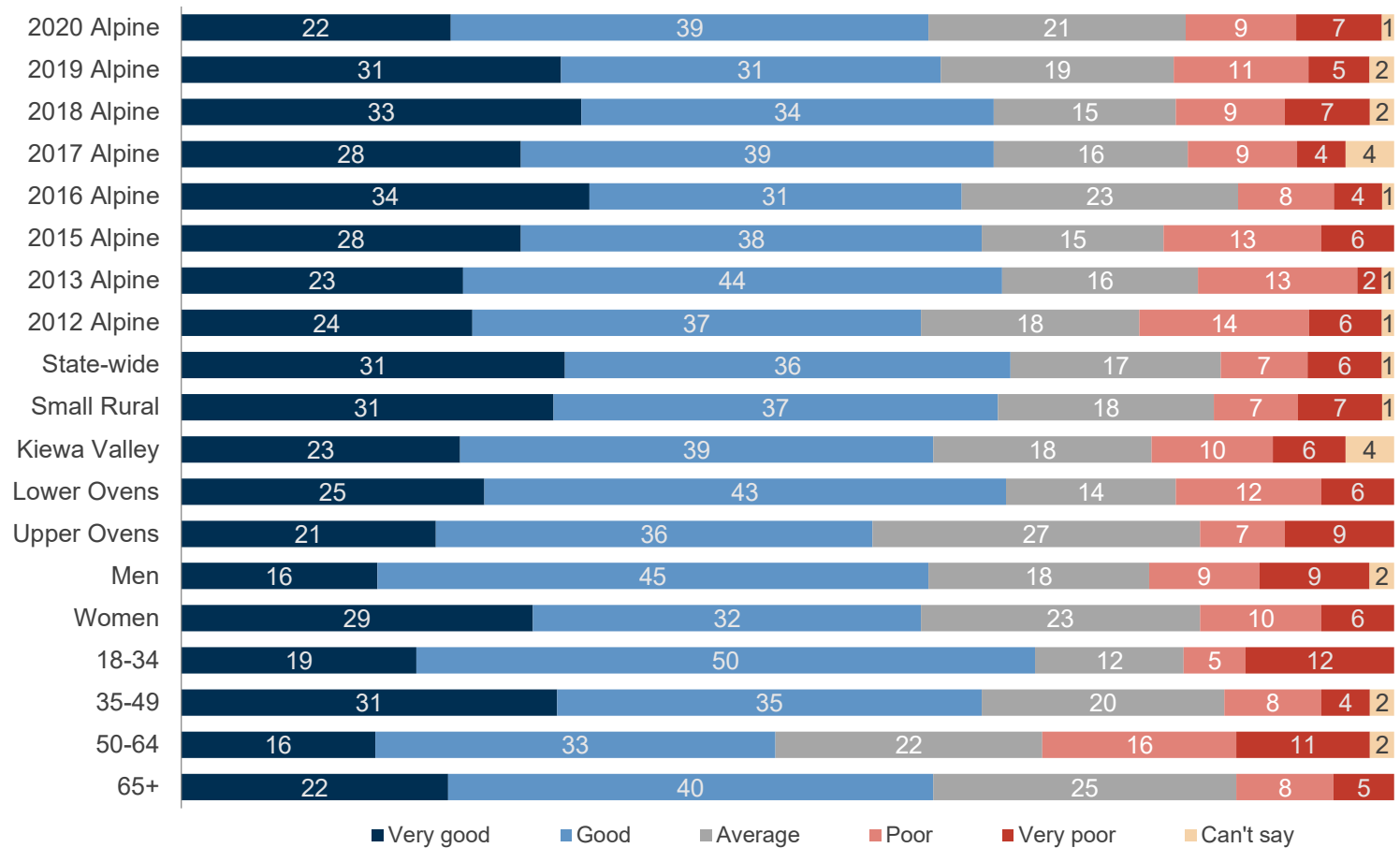
		2019	2018	2017	2016	2015	2014	2013	2012
35-49	71	68	74	73	70	66	n/a	67	62
State-wide	70▲	71	70	69	69	70	72	71	71
Small Rural	70▲	70	69	69	69	70	n/a	n/a	n/a
Women	67	72	69	71	69	72	n/a	68	69
Lower Ovens	67	71	62	77	69	68	n/a	74	66
65+	66	70	72	76	74	70	n/a	73	70
Kiewa Valley	66	65	73	63	72	64	n/a	55	61
Alpine	65	69	70	71	71	68	n/a	68	65
18-34	65	75	56	73	77	62	n/a	58	57
Upper Ovens	63	69	75	71	72	71	n/a	71	67
Men	63	65	71	70	73	63	n/a	68	62
50-64	57	65	70	64	64	71	n/a	70	68

Q5c. Thinking of the most recent contact, how would you rate Alpine Shire Council for customer service?
 Please keep in mind we do not mean the actual outcome but rather the actual service that was received.
 Base: All respondents who have had contact with Council in the last 12 months.
 Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.



Customer service rating

2020 customer service rating (%)



Q5c. Thinking of the most recent contact, how would you rate Alpine Shire Council for customer service?
 Please keep in mind we do not mean the actual outcome but rather the actual service that was received.
 Base: All respondents who have had contact with Council in the last 12 months.
 Councils asked state-wide: 62 Councils asked group: 18



Council direction



Council direction

Over the last 12 months, 65% of residents believe the direction of Council's overall performance has stayed the same, up four percentage points on 2019 – a shift from the proportion who view Council's direction as improving.

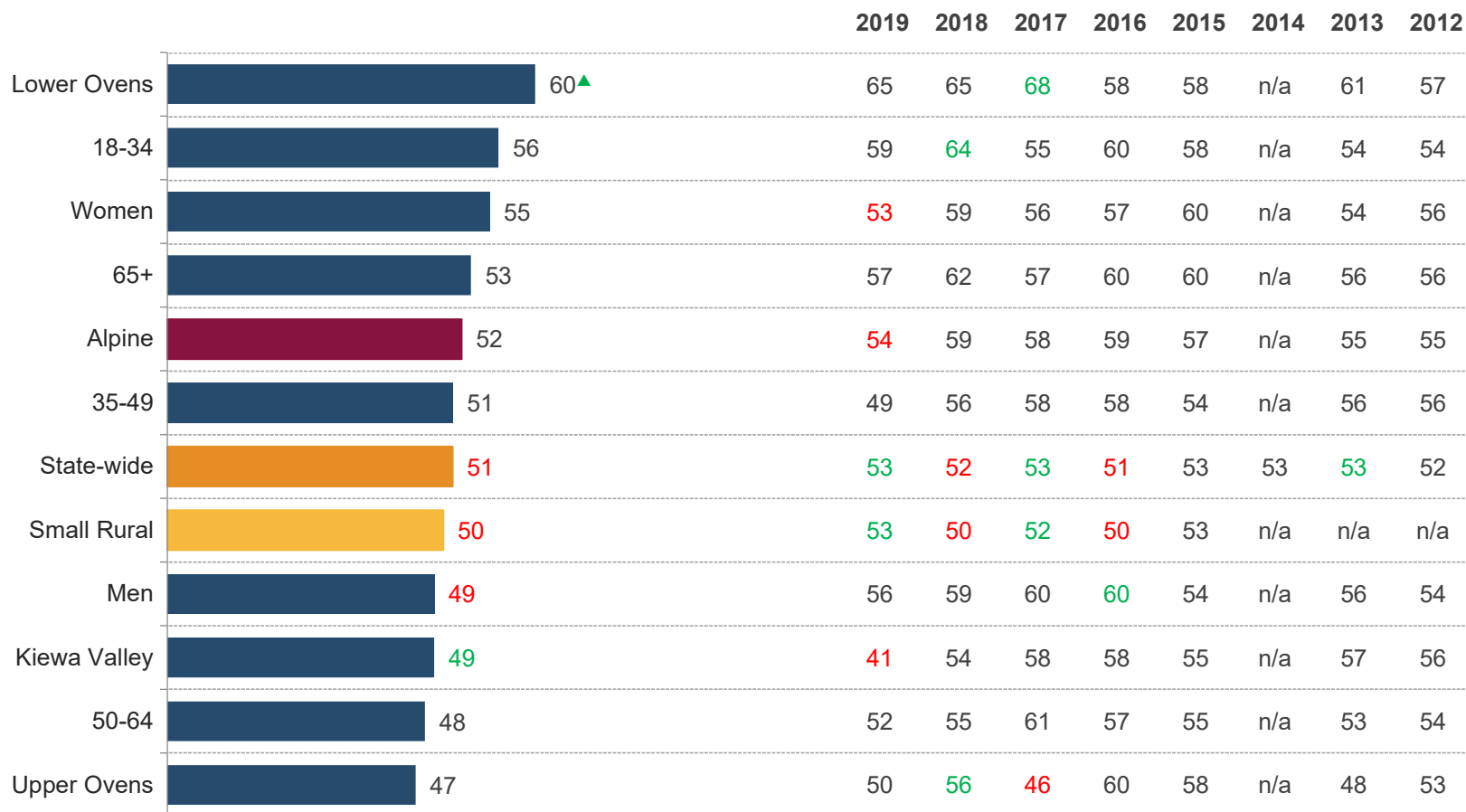
- 17% believe the direction of Council has improved in the last 12 months (down five points on 2019).
- The proportion of residents who believe Council's direction has deteriorated is unchanged from 2019 (14%).
- The most satisfied with council direction are Lower Ovens residents and those aged 18 to 34 years.
- The least satisfied with council direction are Upper Ovens residents and those aged 50 to 64 years.





Overall council direction last 12 months

2020 overall direction (index scores)



Q6. Over the last 12 months, what is your view of the direction of Alpine Shire Council's overall performance?

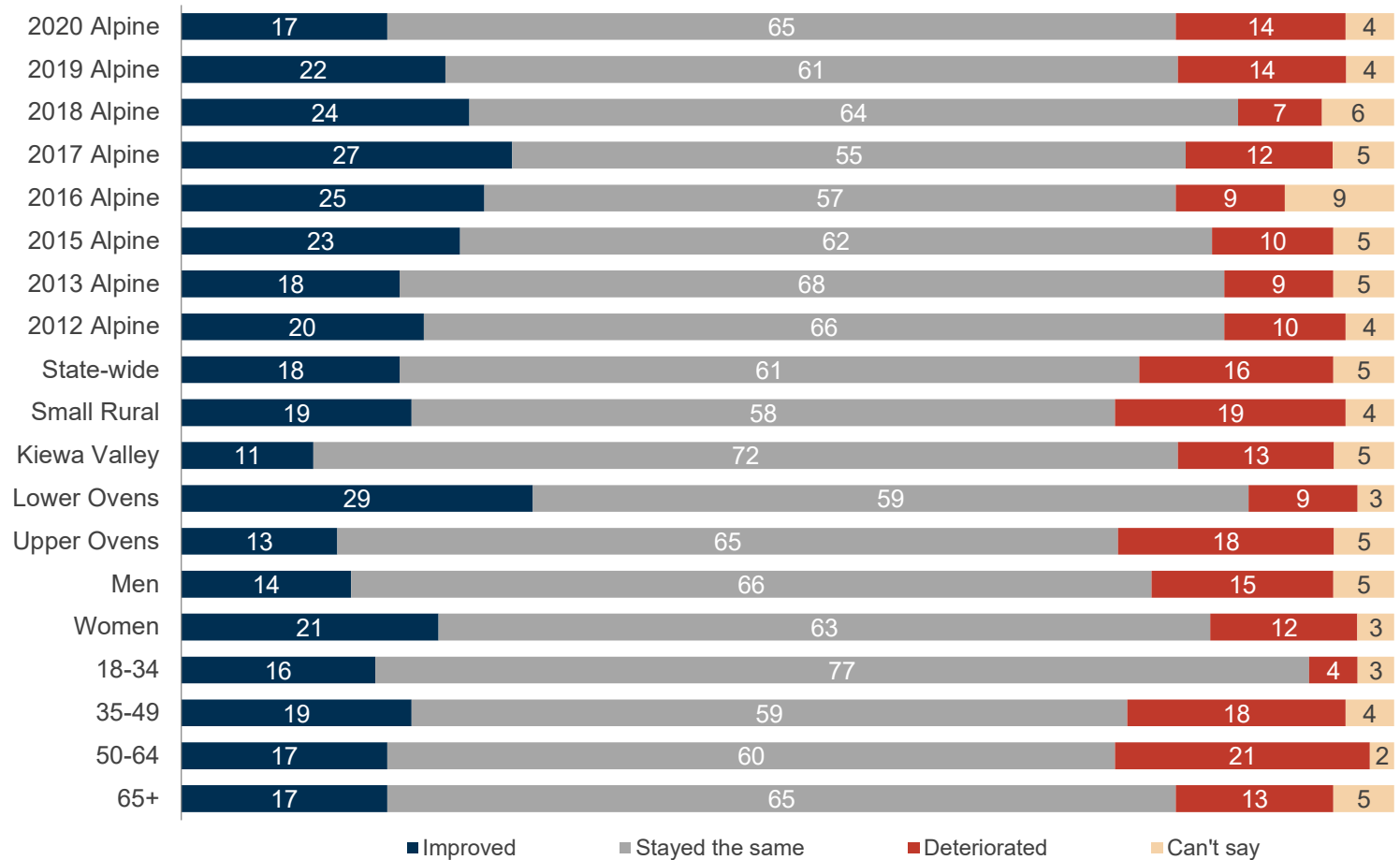
Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18

Note: Please see Appendix A for explanation of significant differences.



Overall council direction last 12 months

2020 overall council direction (%)



Q6. Over the last 12 months, what is your view of the direction of Alpine Shire Council's overall performance?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18



Individual service areas



Community consultation and engagement performance



2020 consultation and engagement performance (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
18-34	56	69	55	66	63	n/a	51	64
Lower Ovens	62	64	62	63	58	n/a	59	62
35-49	60	65	53	61	52	n/a	60	53
Kiewa Valley	56	57	54	57	49	n/a	53	51
Women	56	61	57	59	56	n/a	54	59
Alpine	56	62	56	60	56	n/a	57	56
Men	55	63	56	61	57	n/a	59	53
65+	56	60	58	60	57	n/a	60	56
State-wide	56	55	55	54	56	57	57	57
Small Rural	56	54	55	55	56	n/a	n/a	n/a
Upper Ovens	49	63	50	60	60	n/a	57	55
50-64	51	56	57	56	55	n/a	54	55

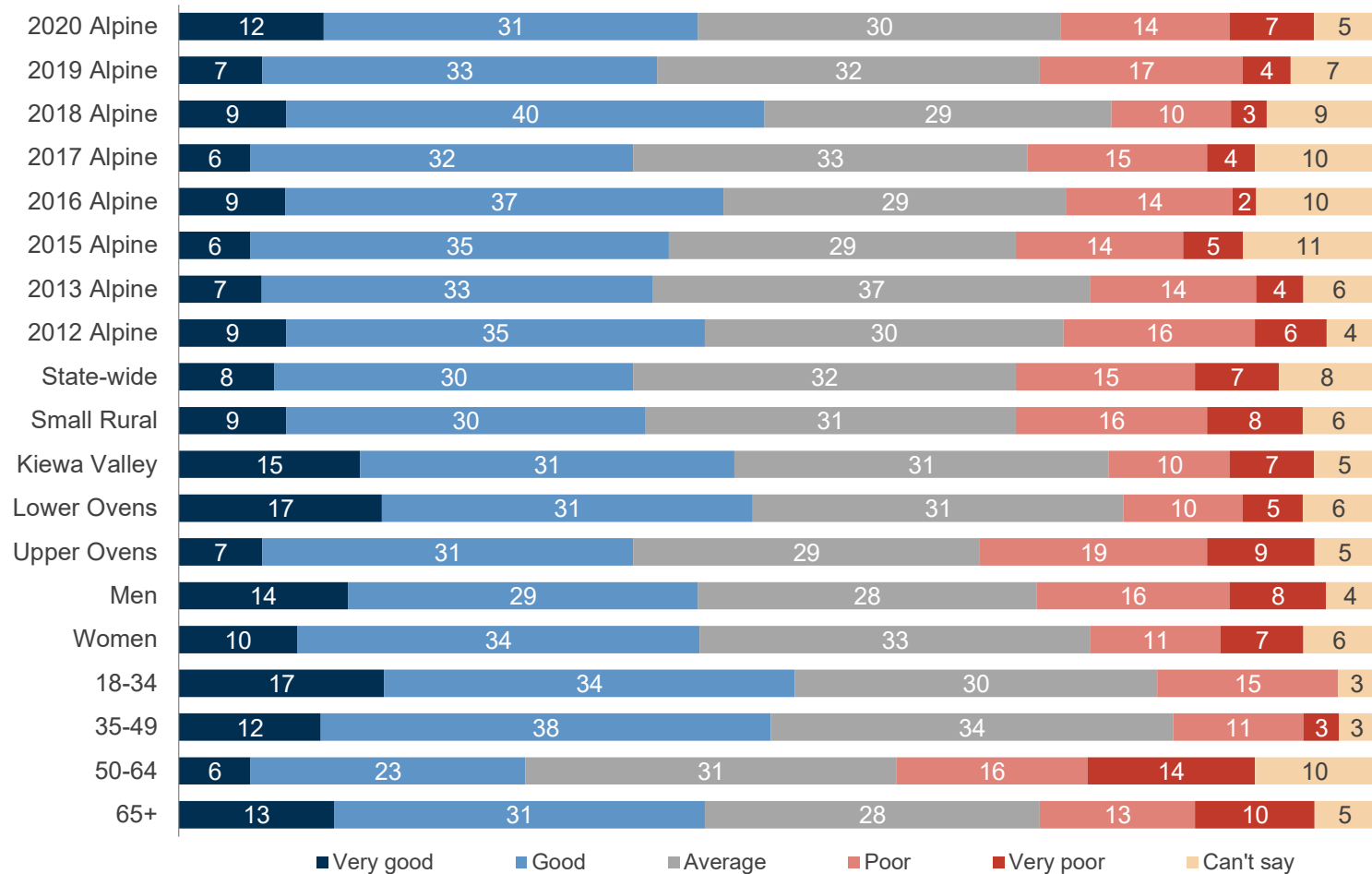
Q2. How has Council performed on 'Community consultation and engagement' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.



Community consultation and engagement performance



2020 consultation and engagement performance (%)



Q2. How has Council performed on 'Community consultation and engagement' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18



Lobbying on behalf of the community performance



2020 lobbying performance (index scores)

	2019	2018	2017	2016	2015	2014	2013	2012
18-34	61	64▲	54	63	57	n/a	57	60
Women	56	54	55	55	54	n/a	55	60
Lower Ovens	63	55	62	60	57	n/a	55	63
65+	58	56	57	58	56	n/a	58	59
Alpine	56	57	56	56	55	n/a	56	57
Upper Ovens	52	62	53	54	54	n/a	57	56
35-49	54	57	58	54	53	n/a	56	52
State-wide	54	54	54	53	55	56	55	55
Kiewa Valley	51	54	54	53	53	n/a	55	51
Small Rural	55	53	55	54	56	n/a	n/a	n/a
Men	56	60	58	57	56	n/a	56	54
50-64	52	53	56	49	55	n/a	52	57

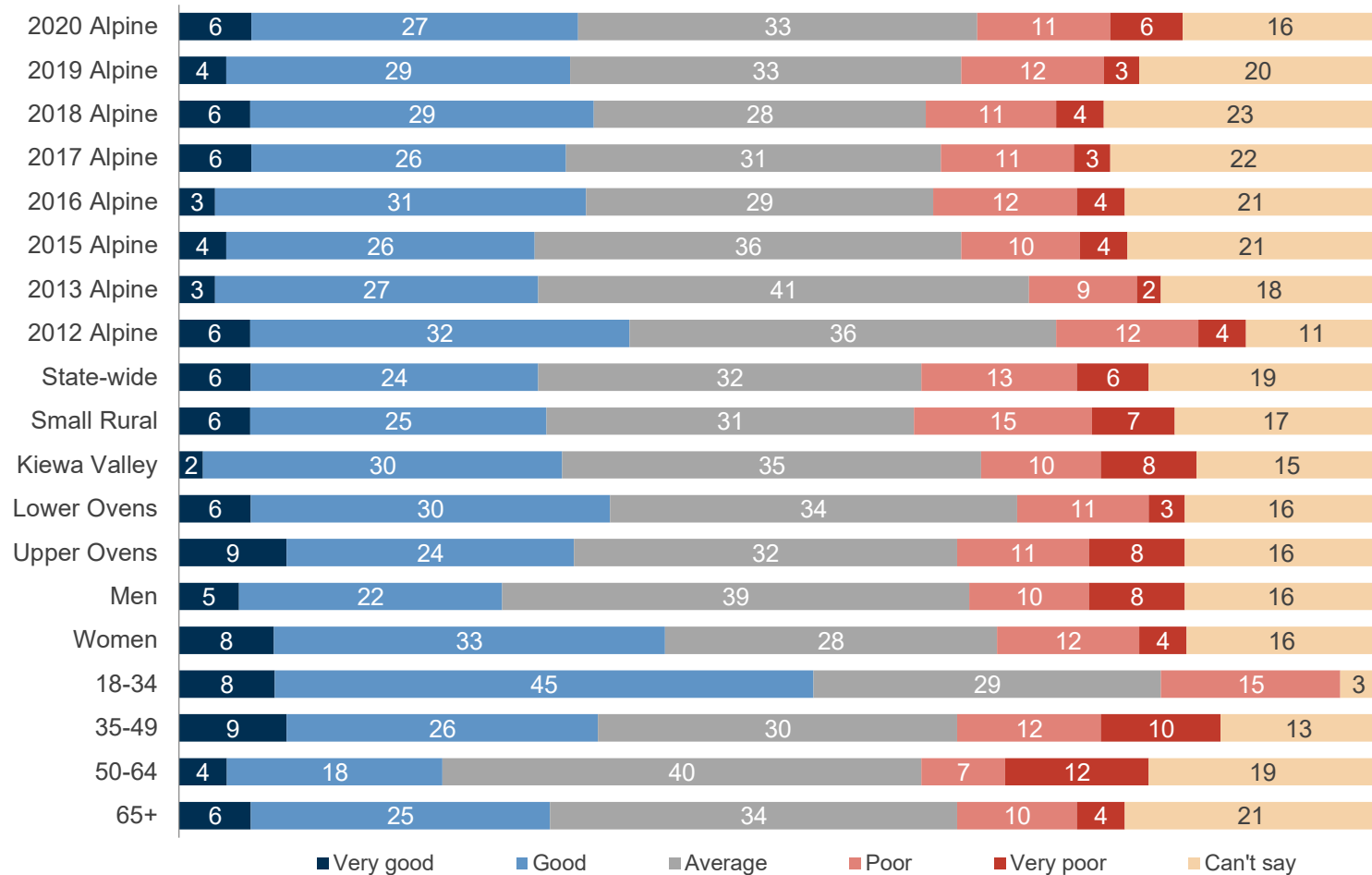
Q2. How has Council performed on 'Lobbying on behalf of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.



Lobbying on behalf of the community performance



2020 lobbying performance (%)



Q2. How has Council performed on 'Lobbying on behalf of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18

Decisions made in the interest of the community performance



2020 community decisions made performance (index scores)

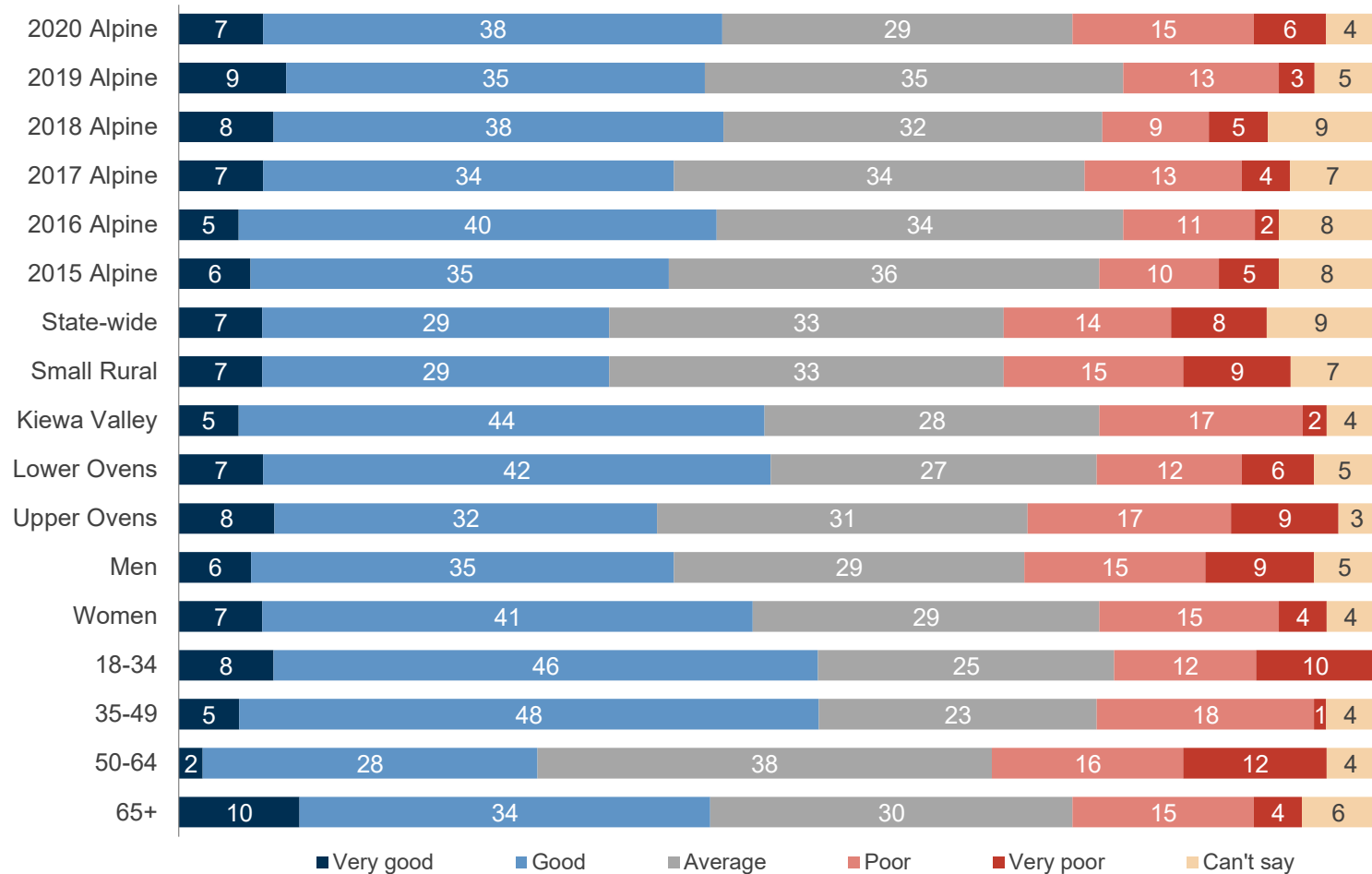
	2019	2018	2017	2016	2015	2014	2013	2012
35-49	58	63	57	59	55	n/a	n/a	n/a
Women	58	59	57	58	57	n/a	n/a	n/a
Kiewa Valley	58	55	57	59	53	n/a	n/a	n/a
Lower Ovens	65	60	61	60	62	n/a	n/a	n/a
65+	59	57	59	62	60	n/a	n/a	n/a
18-34	62	64	54	63	61	n/a	n/a	n/a
Alpine	59	60	57	60	58	n/a	n/a	n/a
Men	60	61	57	61	58	n/a	n/a	n/a
Upper Ovens	52	63	51	60	57	n/a	n/a	n/a
State-wide	55	54	54	54	55	57	n/a	n/a
Small Rural	55	52	55	53	56	n/a	n/a	n/a
50-64	57	57	57	55	55	n/a	n/a	n/a

Q2. How has Council performed on 'Decisions made in the interest of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.

Decisions made in the interest of the community performance



2020 community decisions made performance (%)



Q2. How has Council performed on 'Decisions made in the interest of the community' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18

The condition of sealed local roads in your area performance



2020 sealed local roads performance (index scores)

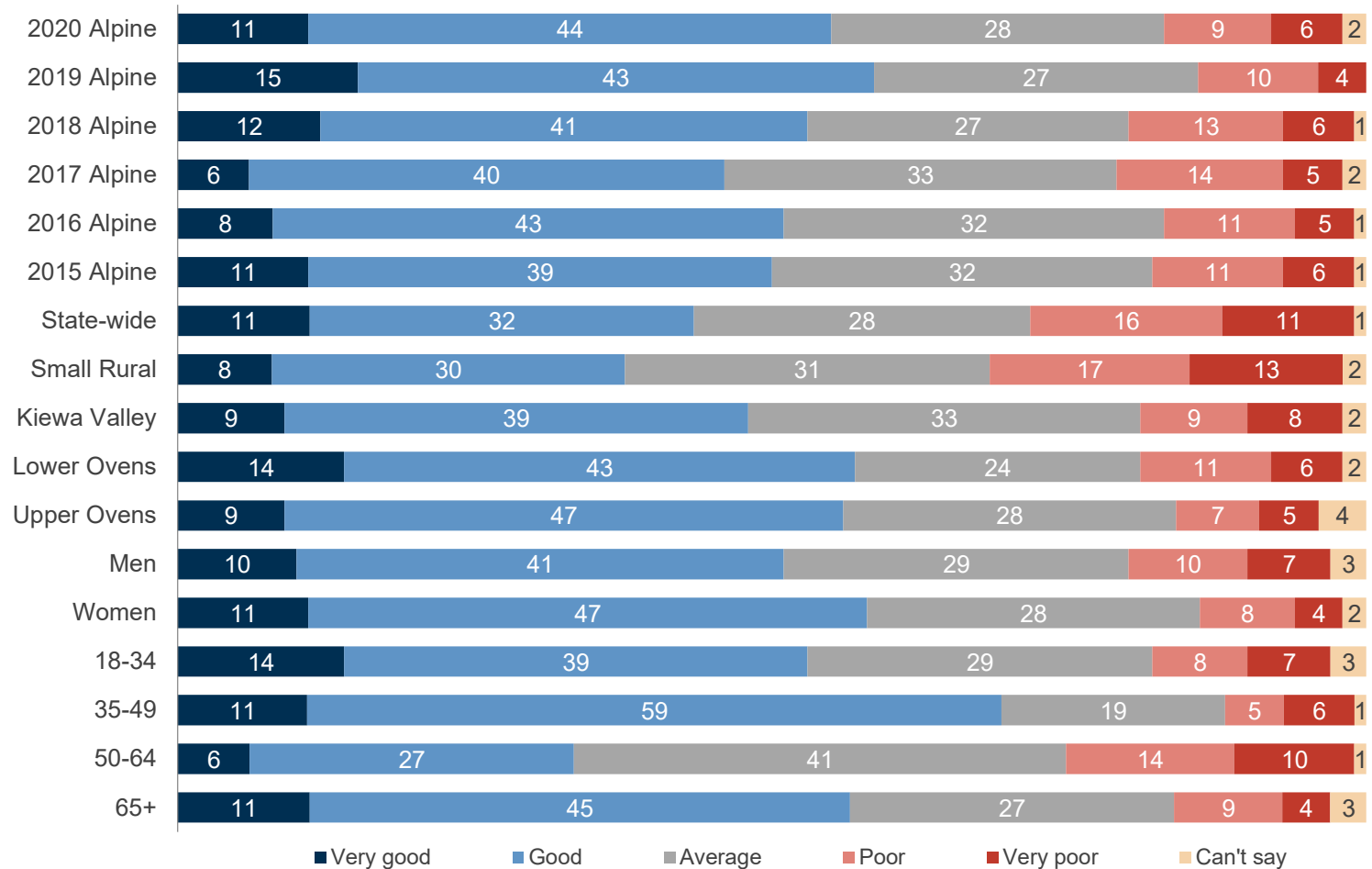
	2019	2018	2017	2016	2015	2014	2013	2012
35-49	64	62	57	55	61	n/a	n/a	n/a
Women	65	59	58	58	57	n/a	n/a	n/a
65+	63	60	56	61	60	n/a	n/a	n/a
Upper Ovens	63	65	57	59	64	n/a	n/a	n/a
Lower Ovens	67	62	61	62	58	n/a	n/a	n/a
18-34	67	60	59	64	60	n/a	n/a	n/a
Alpine	64	60	57	60	59	n/a	n/a	n/a
Men	62	61	57	61	61	n/a	n/a	n/a
Kiewa Valley	58	51	53	58	55	n/a	n/a	n/a
State-wide	56	53	53	54	55	55	n/a	n/a
50-64	61	59	58	59	55	n/a	n/a	n/a
Small Rural	53	49	50	52	52	n/a	n/a	n/a

Q2. How has Council performed on 'The condition of sealed local roads in your area' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Note: Please see Appendix A for explanation of significant differences.

The condition of sealed local roads in your area performance



2020 sealed local roads performance (%)



Q2. How has Council performed on 'The condition of sealed local roads in your area' over the last 12 months?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18

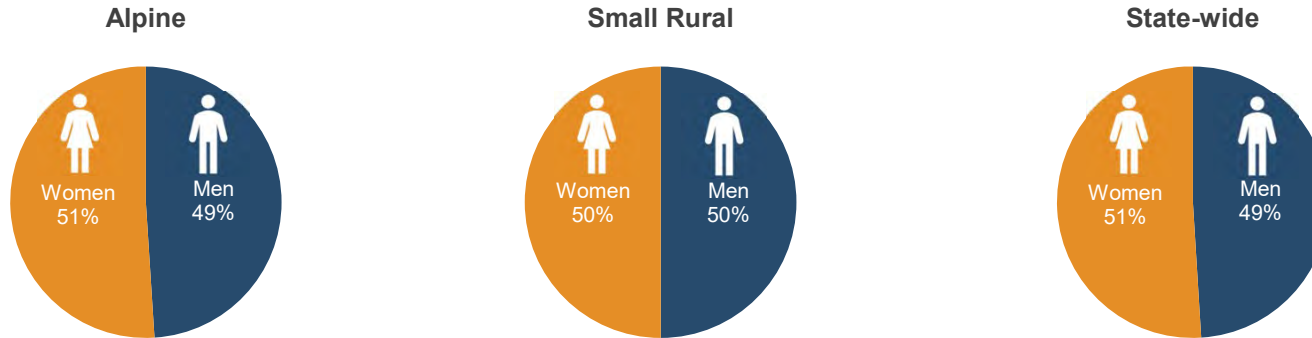


Detailed demographics

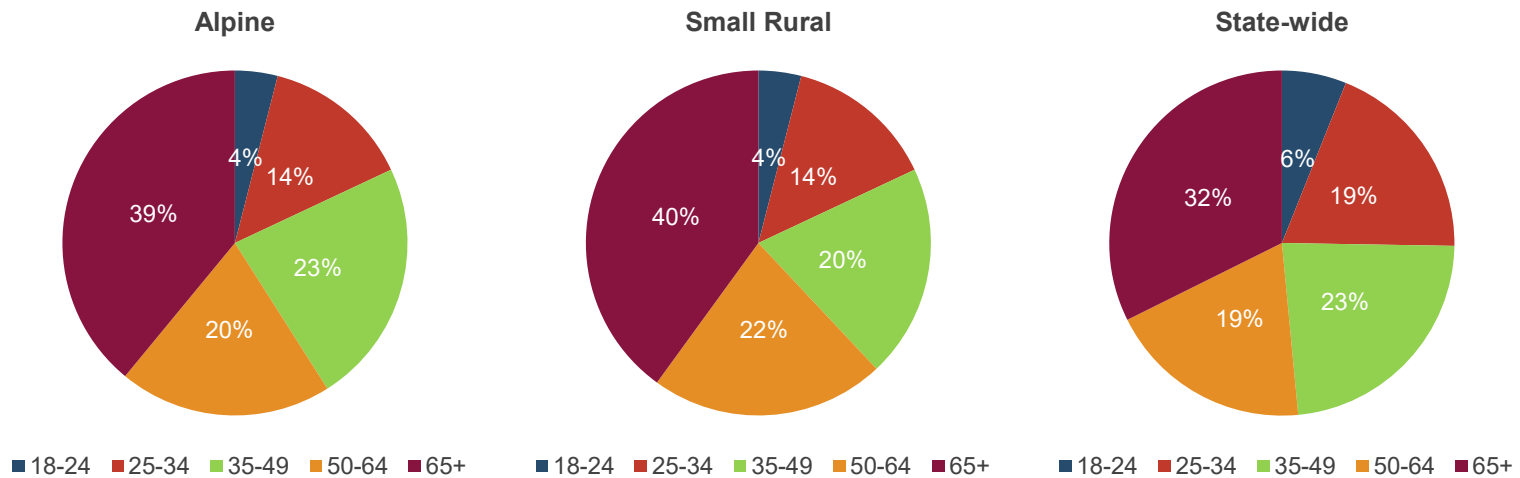


Gender and age profile

2020 gender



2020 age



S3. [Record gender] / S4. To which of the following age groups do you belong?
 Base: All respondents. Councils asked state-wide: 62 Councils asked group: 18
 Please note that for the reason of simplifying reporting, interlocking age and gender reporting has not been included in this report. Interlocking age and gender analysis is still available in the dashboard and data tables provided alongside this report.



Appendix A: Index scores, margins of error and significant differences



Appendix A: Index Scores

Index Scores

Many questions ask respondents to rate council performance on a five-point scale, for example, from ‘very good’ to ‘very poor’, with ‘can’t say’ also a possible response category. To facilitate ease of reporting and comparison of results over time, starting from the 2012 survey and measured against the state-wide result and the council group, an ‘Index Score’ has been calculated for such measures.

The Index Score is calculated and represented as a score out of 100 (on a 0 to 100 scale), with ‘can’t say’ responses excluded from the analysis. The ‘% RESULT’ for each scale category is multiplied by the ‘INDEX FACTOR’. This produces an ‘INDEX VALUE’ for each category, which are then summed to produce the ‘INDEX SCORE’, equating to ‘60’ in the following example.

Similarly, an Index Score has been calculated for the Core question ‘Performance direction in the last 12 months’, based on the following scale for each performance measure category, with ‘Can’t say’ responses excluded from the calculation.

SCALE CATEGORIES	% RESULT	INDEX FACTOR	INDEX VALUE
Very good	9%	100	9
Good	40%	75	30
Average	37%	50	19
Poor	9%	25	2
Very poor	4%	0	0
Can’t say	1%	--	INDEX SCORE 60

SCALE CATEGORIES	% RESULT	INDEX FACTOR	INDEX VALUE
Improved	36%	100	36
Stayed the same	40%	50	20
Deteriorated	23%	0	0
Can’t say	1%	--	INDEX SCORE 56

Appendix A: Margins of error



The sample size for the 2020 State-wide Local Government Community Satisfaction Survey for Alpine Shire Council was n=400. Unless otherwise noted, this is the total sample base for all reported charts and tables.

The maximum margin of error on a sample of approximately n=400 interviews is +/-4.8% at the 95% confidence level for results around 50%. Margins of error will be larger for any sub-samples. As an example, a result of 50% can be read confidently as falling midway in the range 45.2% - 54.8%.

Maximum margins of error are listed in the table below, based on a population of 10,200 people aged 18 years or over for Alpine Shire Council, according to ABS estimates.

Demographic	Actual survey sample size	Weighted base	Maximum margin of error at 95% confidence interval
Alpine Shire Council	400	400	+/-4.8
Men	166	196	+/-7.6
Women	234	204	+/-6.3
Kiewa Valley	99	101	+/-9.9
Lower Ovens (Myrtleford - Eurobin)	133	130	+/-8.5
Upper Ovens (Porepunkah - Dinner Plain)	168	169	+/-7.5
18-34 years	27	71	+/-19.2
35-49 years	75	91	+/-11.4
50-64 years	99	81	+/-9.9
65+ years	199	157	+/-6.9



Appendix A: Significant difference reporting notation

Within tables and index score charts throughout this report, statistically significant differences at the 95% confidence level are represented by upward directing green (▲) and downward directing red arrows (▼).

Significance when noted indicates a significantly higher or lower result for the analysis group in comparison to the ‘Total’ result for the council for that survey question for that year. Therefore in the example below:

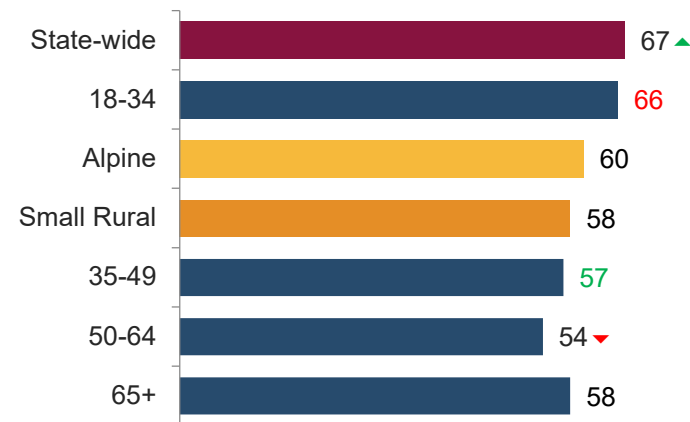
- ▲ The state-wide result is significantly higher than the overall result for the council.
- ▼ The result among 50-64 year olds is significantly lower than for the overall result for the council.

Further, results shown in green and red indicate significantly higher or lower results than in 2019.

Therefore in the example below:

- The result among 35-49 year olds in the council is **significantly higher** than the result achieved among this group in 2019.
- The result among 18-34 year olds in the council is **significantly lower** than the result achieved among this group in 2019.

**Overall Performance – Index Scores
 (example extract only)**



Appendix A: Index score significant difference calculation



The test applied to the Indexes was an Independent Mean Test, as follows:

$$Z \text{ Score} = (\$1 - \$2) / \text{Sqrt} ((\$5^2 / \$3) + (\$6^2 / \$4))$$

Where:

- \$1 = Index Score 1
- \$2 = Index Score 2
- \$3 = unweighted sample count 1
- \$4 = unweighted sample count 2
- \$5 = standard deviation 1
- \$6 = standard deviation 2

All figures can be sourced from the detailed cross tabulations.

The test was applied at the 95% confidence interval, so if the Z Score was greater than +/- 1.954 the scores are significantly different.



Appendix B: Further project information

Appendix B: Further information



Further information about the report and explanations about the State-wide Local Government Community Satisfaction Survey can be found in this section including:

- Background and objectives
- Analysis and reporting
- Glossary of terms

Detailed survey tabulations

Detailed survey tabulations are available in supplied Excel file.

Contacts

For further queries about the conduct and reporting of the 2020 State-wide Local Government Community Satisfaction Survey, please contact JWS Research on

(03) 8685 8555 or via email:
admin@jwsresearch.com

Appendix B: Survey methodology and sampling



The 2020 results are compared with previous years, as detailed below:

- 2020, n=400 completed interviews, conducted in the period of 30th January – 22nd March.
- 2019, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2018, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2017, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2016, n=403 completed interviews, conducted in the period of 1st February – 30th March.
- 2015, n=400 completed interviews, conducted in the period of 1st February – 30th March.
- 2013, n=400 completed interviews, conducted in the period of 1st February – 24th March.
- 2012, n=400 completed interviews, conducted in the period of 18th May – 30th June.

Minimum quotas of gender within age groups were applied during the fieldwork phase. Post-survey weighting was then conducted to ensure accurate representation of the age and gender profile of the Alpine Shire Council area.

Any variation of +/-1% between individual results and net scores in this report or the detailed survey tabulations is due to rounding. In reporting, '—' denotes not mentioned and '0%' denotes mentioned by less than 1% of respondents. 'Net' scores refer to two or more response categories being combined into one category for simplicity of reporting.

This survey was conducted by Computer Assisted Telephone Interviewing (CATI) as a representative random probability survey of residents aged 18+ years in Alpine Shire Council.

Survey sample matched to the demographic profile of Alpine Shire Council as determined by the most recent ABS population estimates was purchased from an accredited supplier of publicly available phone records, including up to 40% mobile phone numbers to cater to the diversity of residents within Alpine Shire Council, particularly younger people.

A total of n=400 completed interviews were achieved in Alpine Shire Council. Survey fieldwork was conducted in the period of 30th January – 22nd March, 2020.

Appendix B: Analysis and reporting



All participating councils are listed in the State-wide report published on the DELWP website. In 2020, 62 of the 79 Councils throughout Victoria participated in this survey. For consistency of analysis and reporting across all projects, Local Government Victoria has aligned its presentation of data to use standard council groupings. Accordingly, the council reports for the community satisfaction survey provide analysis using these standard council groupings. Please note that councils participating across 2012-2020 vary slightly.

Council Groups

Alpine Shire Council is classified as a Small Rural council according to the following classification list:

- Metropolitan, Interface, Regional Centres, Large Rural & Small Rural.

Councils participating in the Small Rural group are:

- Alpine, Ararat, Benalla, Buloke, Central Goldfields, Gannawarra, Hepburn, Hindmarsh, Indigo, Loddon, Mansfield, Murrindindi, Northern Grampians, Pyrenees, Queenscliffe, Strathbogie, West Wimmera and Yarriambiack.

Wherever appropriate, results for Alpine Shire Council for this 2020 State-wide Local Government Community Satisfaction Survey have been compared against other participating councils in the Small Rural group and on a state-wide basis. Please note that council groupings changed for 2015, and as such comparisons to council group results before that time can not be made within the reported charts.

Appendix B: 2012 survey revision



The survey was revised in 2012. As a result:

- The survey is now conducted as a representative random probability survey of residents aged 18 years or over in local councils, whereas previously it was conducted as a 'head of household' survey.
- As part of the change to a representative resident survey, results are now weighted post survey to the known population distribution of Alpine Shire Council according to the most recently available Australian Bureau of Statistics population estimates, whereas the results were previously not weighted.
- The service responsibility area performance measures have changed significantly and the rating scale used to assess performance has also changed.

As such, the results of the 2012 State-wide Local Government Community Satisfaction Survey should be considered as a benchmark. Please note that comparisons should not be made with the State-wide Local Government Community Satisfaction Survey results from 2011 and prior due to the methodological and sampling changes. Comparisons in the period 2012-2020 have been made throughout this report as appropriate.

Appendix B: Core, optional and tailored questions



Core, optional and tailored questions

Over and above necessary geographic and demographic questions required to ensure sample representativeness, a base set of questions for the 2020 State-wide Local Government Community Satisfaction Survey was designated as 'Core' and therefore compulsory inclusions for all participating Councils.

These core questions comprised:

- Overall performance last 12 months (Overall performance)
- Lobbying on behalf of community (Advocacy)
- Community consultation and engagement (Consultation)
- Decisions made in the interest of the community (Making community decisions)
- Condition of sealed local roads (Sealed local roads)
- Contact in last 12 months (Contact)
- Rating of contact (Customer service)
- Overall council direction last 12 months (Council direction)

Reporting of results for these core questions can always be compared against other participating councils in the council group and against all participating councils state-wide. Alternatively, some questions in the 2020 State-wide Local Government Community Satisfaction Survey were optional. Councils also had the ability to ask tailored questions specific only to their council.

Appendix B: Analysis and reporting



Reporting

Every council that participated in the 2020 State-wide Local Government Community Satisfaction Survey receives a customised report. In addition, the state government is supplied with this State-wide summary report of the aggregate results of 'Core' and 'Optional' questions asked across all council areas surveyed, which is available at:

<http://www.delwp.vic.gov.au/local-government/strengthening-councils/council-community-satisfaction-survey>.

Tailored questions commissioned by individual councils are reported only to the commissioning council and not otherwise shared unless by express written approval of the commissioning council.

Appendix B: Glossary of terms



Core questions: Compulsory inclusion questions for all councils participating in the CSS.

CSS: 2020 Victorian Local Government Community Satisfaction Survey.

Council group: One of five classified groups, comprising: metropolitan, interface, regional centres, large rural and small rural.

Council group average: The average result for all participating councils in the council group.

Highest / lowest: The result described is the highest or lowest result across a particular demographic sub-group e.g. men, for the specific question being reported. Reference to the result for a demographic sub-group being the highest or lowest does not imply that it is significantly higher or lower, unless this is specifically mentioned.

Index score: A score calculated and represented as a score out of 100 (on a 0 to 100 scale). This score is sometimes reported as a figure in brackets next to the category being described, e.g. men 50+ (60).

Optional questions: Questions which councils had an option to include or not.

Percentages: Also referred to as 'detailed results', meaning the proportion of responses, expressed as a percentage.

Sample: The number of completed interviews, e.g. for a council or within a demographic sub-group.

Significantly higher / lower: The result described is significantly higher or lower than the comparison result based on a statistical significance test at the 95% confidence limit. If the result referenced is statistically higher or lower then this will be specifically mentioned, however not all significantly higher or lower results are referenced in summary reporting.

Statewide average: The average result for all participating councils in the State.

Tailored questions: Individual questions tailored by and only reported to the commissioning council.

Weighting: Weighting factors are applied to the sample for each council based on available age and gender proportions from ABS census information to ensure reported results are proportionate to the actual population of the council, rather than the achieved survey sample.

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INSTRUMENT OF DELEGATION

Council to

Chief Executive Officer

Local Government Act 2020

7 July 2020

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020* (the Act) and all other powers enabling it, the Alpine Shire Council (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on **7 July 2020**;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
Hereunto affixed this 7th day of
July 2020 in the presence of:

.....
COUNCILLOR

.....
Name

.....
COUNCILLOR

.....
Name

.....
CHIEF EXECUTIVE OFFICER

.....
Name

Schedule

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

3. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 3.1. awarding a contract or making an expenditure exceeding the value of \$150,000 (including GST);
 - 3.2. appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 3.3. election of a Mayor or Deputy Mayor;
 - 3.4. granting of a reasonable request for leave under section 35 of the Act;
 - 3.5. making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 3.6. approval or amendment of the Council Plan;
 - 3.7. adoption or amendment of any policy that Council is required to adopt under the Act;
 - 3.8. adoption or amendment of the Governance Rules;
 - 3.9. appointment of the chair or the members to a delegated committee;
 - 3.10. making, amending or revoking a local law;
 - 3.11. approval of the Budget or Revised Budget;
 - 3.12. borrowing money;
 - 3.13. subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges; or
4. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
5. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

6. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 6.1. policy; or
 - 6.2. strategy
adopted by Council; or
7. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
8. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.



Governance Rules

DOCUMENT UNCONTROLLED WHEN PRINTED

Document Control		
	Status Draft	To be approved by Council
Date approved	Next review date 30 June 2022	
Directorate Corporate	Department Corporate	Internal / External External

REVISION RECORD

MANDATORY – Use 1.0, 2.0 for adopted / approved versions and 1.1, 1.2 for drafts or revisions without change.

Date	Version	Revision description
26/6/2020	0.1	Initial draft for discussion
28/6/2020	0.2	Revised draft for public consultation

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Chapter 1 Introduction

A1 Overview

These are the Governance Rules of the **Alpine Shire Council**, made in accordance with s60 of the *Local Government Act 2020* (the "Act"). These Rules should be read in conjunction with the Alpine Shire Council Councillor Code of Conduct.

A2 Purpose

Council recognises that integrity, transparency and accountability to the community are of fundamental importance in all of its undertakings. In accordance with s60(2) of the Act, the purpose of these Rules to ensure that Council's governance practices:

- Are undertaken in a fair, transparent, orderly and consistent manner
- Are conducted in accordance with relevant laws
- Withstand scrutiny
- Provide means for inappropriate behaviours to be identified and addressed
- Promote good community engagement
- Promote adherence to the overarching governance principles of the LGA 2020.

A3 Principles

In accordance with s60(2) of the Act, Council decisions will be:

- Considered and made fairly, by giving consideration in a balanced, ethical and impartial manner
- Made on the merits, free from favouritism or self interest
- Made in adherence to the principles of natural justice, including that any person whose rights are directly affected by a decision is entitled to communicate their views and have their interests considered.

Council must, in the performance of its role, give effect to the overarching governance principles outlined in the Act. These principles are:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- The municipal community is to be engaged in strategic planning and strategic decision making;
- Innovation and continuous improvement is to be pursued;
- Collaboration with other Councils and Governments and statutory bodies is to be sought;

- The ongoing financial viability of the Council is to be ensured;
- Regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- The transparency of Council decisions, actions and information is to be ensured.

A4 Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

<i>Act</i>	means the <i>Local Government Act 2020</i>
<i>Advisory committee</i>	means a committee established by the Council, that provides advice to: <ol style="list-style-type: none"> a) the Council; or b) a member of Council staff who has been delegated a power, duty or function of the Council; that is not a Delegated Committee or a Community Asset Committee.
<i>Agenda</i>	means a document containing the date, time, and place of a meeting, and a list of business to be transacted at the meeting
<i>Audit and Risk Committee</i>	means the Audit and Risk Committee established by a Council under s53 of the Act
<i>Chairperson</i>	means the person who chairs a meeting of the Council, Delegated Committee, Community Asset Committee, or Advisory Committee, and includes an acting, temporary or substitute Chairperson
<i>Chamber</i>	means any room where the Council holds a Council meeting
<i>Chief Executive Officer</i>	means the person occupying the office of Chief Executive Officer of Council, or any person acting in that position during their absence
<i>Code of Conduct</i>	has the same meaning as in the Act
<i>Community Asset Committee</i>	means a Community Asset Committee established under s65 of the Act
<i>Council</i>	means the Alpine Shire Council
<i>Councillor</i>	means a person who is an elected member of the Council
<i>Council meeting</i>	means a meeting of the Council, comprised entirely of Councillors, held in accordance with s61(1) of the Act and held in accordance with these Governance Rules, and includes both Ordinary (scheduled) and Special (unscheduled) meetings
<i>Delegate</i>	means a member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation
<i>Delegated Committee</i>	has the same meaning as established under s63 of the Act

<i>Delegated Committee meeting</i>	means a meeting of a Delegated Committee
<i>Deputy Mayor</i>	means the Deputy Mayor of the Council, or any person appointed by Council to act as Deputy Mayor
<i>Disorder</i>	means any disorderly conduct of a member of the Gallery or a Councillor and includes: <ul style="list-style-type: none"> • interjecting when another person is speaking, except in the case of where a Councillor is raising a Point of Order; • making comments that are defamatory, malicious, abusive or offensive; • refusing to leave the meeting when requested, ordered or directed to do so by the Chairperson in accordance with the Act and the Governance Rules; and • engaging in any other conduct which prevents the orderly conduct of the meeting.
<i>Division</i>	means a formal count and record taken of those for and against a motion
<i>Foreshadowed Item</i>	means a matter raised in the relevant section of the Council meeting that a Councillor intends to submit a Notice of Motion for the next Council meeting
<i>Lot</i>	means a decision or choice made by drawing a card from a container
<i>Mayor</i>	means the Mayor of Council, or any person acting in that position during their absence
<i>Minister</i>	means the Minister responsible for administering the Act (Minister for Local Government)
<i>Minutes</i>	means the official record of the proceedings and decisions of a meeting
<i>Motion</i>	means a proposal framed in a way that will result in the opinion of Council being expressed, and a Council decision being made, if the proposal is adopted
<i>Municipal district</i>	means the municipal district of Council
<i>Notice of Motion</i>	means a notice setting out the text of a Motion which a Councillor proposes to move at a Council meeting
<i>Notice of Rescission</i>	means a Notice of Motion to rescind a resolution made by Council
<i>Offence</i>	means an act or default contrary to the Governance Rules
<i>On Notice</i>	means held or deferred to enable preparation of a response
<i>Ordinary meeting</i>	means any meeting of Council which is not a Special meeting
<i>Penalty unit</i>	has the meaning ascribed to it by s110(2) of the <i>Sentencing Act 1991</i>

<i>Point of Order</i>	means a procedural point about how the meeting is being conducted, not involving the substance of a matter before a meeting
<i>Preside</i>	means to act as chairperson of the Council meeting
<i>Procedural Motion</i>	means a Motion that relates to a procedural matter only and which is not designed to produce any substantive decision
<i>Public notice</i>	means a notice published in one or more of the following locations: <ul style="list-style-type: none">a. Council's website;b. in a newspaper generally circulating in the municipal district of the Council
<i>Resolution</i>	means a motion moved, seconded and carried by a vote of the meeting
<i>Special meeting</i>	means an extra-Ordinary meeting of Council convened for a particular purpose that cannot be effectively dealt with in the schedule of Ordinary Council meetings set by Council
<i>Suspension of standing orders</i>	means the suspension of the provisions of these Governance Rules to facilitate full discussion of an issue without formal constraints
<i>s# or s#(#)</i>	Reference to a section in the Act
<i>Urgent Business</i>	means a matter that relates to or arises out of a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred until the next meeting

Chapter 2 Procedure for Election of Mayor and Deputy Mayor

PART A BACKGROUND

A1 Overview

The role and functions of the Mayor are provided in the Act. The holder of this significant office is the Chairperson at Council meetings, is the leader of the Councillors, acts as the principal spokesperson for Council and carries out civic and ceremonial duties.

This section describes how the Mayor and Deputy Mayor are to be elected in accordance with s25-s27 of the Act.

A2 Timing

Election of a Councillor to the office of Mayor must occur no later than one month after the date of a general election. In following years, the next election of the Mayor must be held on a day that is as close to the end of the term of Mayor as possible.

At all other times after a vacancy in the office of the Mayor, an election must be held within one month of the vacancy occurring.

A3 Meeting Format

The election of the Mayor must take place at a meeting of the Council that is open to the public. The Chief Executive Officer will preside at the election of a Councillor to the office of Mayor noting that the Chief Executive Officer has no voting rights.

The elected Mayor will then preside over the election of Deputy Mayor.

A4 Term of Office

Prior to the election of the Mayor, the Council must resolve to elect a Councillor to the office of Mayor for a term of one year or two years.

A5 Nominations

Subject to s167 of the Act, any Councillor is eligible for election or re-election to the office of Mayor. Candidates must be nominated by another Councillor.

A nomination must be seconded to be eligible to be put to a vote. A Councillor nominated may accept or refuse the nomination. Only accepted nominations will be put to a vote.

A nominator may only nominate one Councillor and a seconder may only second one nomination.

A6 Sole Candidate Must be Elected

If only one Councillor is a candidate, they must be duly elected.

A7 Voting

Councillors present at the time of voting must vote. There must be a quorum (4 or more Councillors) present at the meeting to enable a vote to be taken.

Voting for the election of Mayor and Deputy Mayor is by a show of hands.

A8 Absolute Majority Requirement

An absolute majority of votes is required to be elected, meaning at least half the total number of Councillors of the Council. There are no casting votes. If an absolute majority of the Councillors cannot be obtained, the Council may resolve to conduct a new election at a later specified time and date.

A9 Deputy Mayor

A council may establish an office of Deputy Mayor in accordance with s20A of the Act.

Where a council chooses not to elect a Deputy Mayor, it must follow the provisions of s20B of the Act and appoint an Acting Mayor in accordance with that section if:

- (a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- (b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- (c) the office of Mayor is vacant.

Council has historically:

- appointed a Councillor to the office of Deputy Mayor to fulfil the requirements of s20A of the Act, that is a Councillor to act on behalf of the Mayor; and
- aligned the length of the term of the Deputy Mayor to that of the office of the Mayor.

It is assumed for the purpose of this procedure that the historical precedence will be maintained.

PART B DETAILED STEPS, PROCEDURES AND ACTIONS

B1 Term of office of the Mayor

B1.1 The Chief Executive Officer will request a motion on the term of the office of the Mayor.

B1.2 The term must be either one year or two years.

B2 Nominations

B2.1 The Chief Executive Officer will invite nominations for the office of Mayor.

B2.2 The Chief Executive Officer will ask for a seconder for each nomination.

- B2.2.1 If a seconder is not forthcoming the nomination lapses.
- B2.2.2 If a nomination is seconded, the Chief Executive Officer will ask the nominated Councillor if they accept the nomination.
- (a) If the nominated Councillor refuses the nomination the nomination lapses.
 - (b) If the nominated Councillor accepts the nomination, the nomination is put to the vote.

B3 Voting: when only one nomination is received

- B3.1 If only one nomination (seconded and accepted) is received, a vote is not taken and the Councillor nominated will be declared elected to the office of Mayor.

B4 Voting: when two nominations are received

- B4.1 The Chief Executive Officer will invite each Councillor nominated (in the order that the nominations were received) to address the Council for no more than five minutes.
- B4.2 The Chief Executive Officer will put each nomination to the vote in the order that the nominations were received.
- B4.2.1 If one of the nominees receives an absolute majority, they will be declared elected to the office of Mayor.
 - B4.2.2 In the event that the vote results in an equality of votes (for example a 3-3 vote outcome), the Council may resolve to conduct a new election at a later specified time and date. Otherwise, the Chief Executive Officer will conduct a Lot (refer to B6) to determine which nominee is declared elected to the office of Mayor.

B5 Voting: when more than two nominations are received

- B5.1 The Chief Executive Officer will invite each Councillor nominated (in the order that the nominations were received) to address the Council for no more than five minutes.
- B5.2 The Chief Executive Officer will put each nomination to the vote in the order that the nominations were received.
- B5.2.1 If one of the nominees receives an absolute majority, they will be declared elected to the office of Mayor.
 - B5.2.2 In the event that the vote results in no nominee receiving an absolute majority, the Council may resolve to conduct a new election at a later specified time and date. Otherwise:
 - a. where one nominee clearly has the lowest number of votes (for example a 3-3-1 vote outcome) the Chief Executive Officer will:
 - Eliminate the nominee with the lowest number of votes from the election.

- Put each of the remaining nominations to the vote in the order that the nominations were received and the nominee that receives a majority of the votes will be declared elected to the office of Mayor.
- b. where two or more nominees have the equal lowest number of votes (for example a 3-2-2 vote outcome), the Chief Executive Officer will:
- Conduct a Lot to determine which nominee is eliminated.
 - Put each of the remaining nominations to the vote in the order that the nominations were received and the nominee that receives a majority of the votes will be declared elected to the office of Mayor.
- c. where three nominees have an equal number of votes (for example a 2-2-2 vote outcome), the Chief Executive Officer will:
- Conduct a Lot to determine which nominee is eliminated.
 - Put each of the remaining nominations to the vote in the order that the nominations were received and where:
 - one of the nominees receives a majority of the votes, they will be declared elected to the office of Mayor;
 - where the nominees have an equal number of votes (eg. a 3-3 vote outcome), the Chief Executive Officer will conduct a Lot to determine which nominee is declared elected to the office of Mayor.

B6 Determination by Lot

- B6.1 In the event that two or more nominees have an equal number of votes and a determination by Lot is required, the Chief Executive Officer will conduct the Lot to declare the nominee either elected or eliminated as the case requires.
- B6.2 The following process for conducting the Lot will apply:
- B6.2.1 For every nominee who receives an equal number of votes, and is therefore subject to the Lot, an identical card will be placed in a container.
 - B6.2.2 Each nominee will draw one card from the container in the order that the nominations were received;
- B6.3 Where the Lot is being conducted to determine who is an eliminated nominee:
- B6.3.1 the word 'eliminated' will be imprinted on one of the cards; and
 - B6.3.2 the nominee who draws the card with the word 'eliminated' on it will be declared as an eliminated nominee.
- B6.4 Where the Lot is being conducted to determine which nominee is to be elected:
- B6.4.1 the word 'elected' will be imprinted on one of the cards; and
 - B6.4.2 the nominee who draws the card with the word 'elected' on it will be declared elected to the office of Mayor.

B7 Statement by outgoing Mayor

The Chief Executive Officer will invite the outgoing Mayor to address the Council.

B8 Statement by incoming Mayor

The Chief Executive Officer will invite the incoming Mayor to address the Council.

B9 Mayor to take Chair

The Mayor must take the Chair of the meeting immediately after being elected and preside over the balance of the business to be transacted at the meeting including the matters relating to the office of Deputy Mayor.

B10 Office of Deputy Mayor

The Mayor will conduct an election for the office of Deputy Mayor using the procedures detailed under sections 1 to 6 of this procedure (replacing the words Mayor with Deputy Mayor and Chief Executive Officer with Mayor as required).

Chapter 3 Meeting Procedure for Council meetings

PART A INTRODUCTION

A1 Purpose of Council meetings

- A1.1 Council holds Ordinary (scheduled) and when required, Special (unscheduled) meetings to conduct the business of Council.
- A1.2 Council is committed to transparency in decision making, and in accordance with s66 of the Act, Council meetings are open to the public and the community are able to attend.
- A1.3 Meetings will only be closed to members of the public if:
- There are clear reasons for particular matters to remain confidential; or
 - A meeting is required to be closed for security reasons; or
 - It is necessary to enable the meeting to proceed in an orderly manner.

PART B MEETING ROLES

B1 Chairperson and Councillors

- B1.1 The Chairperson and Councillors will ensure good Council decision-making by endeavouring to ensure:
- Decision making is transparent to members and observers;
 - Meeting members have sufficient information to make good decisions;
 - Every Councillor is able to contribute to decision making;
 - Any person whose rights are affected has their interests considered;
 - Debate and discussion is focussed on the issues at hand;
 - Meetings are conducted in an orderly manner;
 - Decisions are made on the merits of the matter.

B2 Mayor to take the Chair

- B2.1 In accordance with s61 and s63 of the Act, the Mayor must take the Chair at all Council meetings at which the Mayor is present.
- B2.2 If the Mayor is not in attendance at a Council meeting, the Deputy Mayor must take the Chair.
- B2.3 If the Mayor and Deputy Mayor are not in attendance at a Council meeting, Council must appoint one of the Councillors as Chair of the meeting by resolution.

B3 Chairperson's Duties and Discretions

B3.1 In addition to the specific duties and discretions provided in these Governance Rules, the Chairperson:

- Must not accept any Motion, question or statement which is:
 - Vague or ambiguous;
 - Defamatory, malicious, abusive or objectionable in language or substance; or
 - Outside the powers of Council.
- Must allow the Chief Executive Officer the opportunity to correct factual errors or incorrect assertions that arise during the meeting;
- Must call a person to order if their behaviour is disruptive and interferes with the conduct of the business of Council;
- May direct that a vote be recounted to be satisfied of the result; and
- Must decide on all points of order.

PART C NOTICES OF MEETINGS AND AGENDA

C1 Scheduling of Ordinary Council meetings

C1.1 The date, time and locations of Ordinary Council meetings will be fixed by Council from time to time.

C1.2 Notwithstanding sub-clause (C1.1) the date, time and location of a Council meeting may be altered by:

- Council resolution, or
- the Chief Executive Officer may change the date, time and place of, or cancel, any Council meeting which has been fixed.

Public notice of any change of schedule must be made in accordance with sub-sections (C1.3) and (C1.4).

C1.3 A schedule of Council meetings must be prepared and published on Council's website at least once a year, and with such frequency as the Chief Executive Officer determines.

C1.4 Public notice of upcoming Ordinary Council meetings must be given in accordance with Rule C3.

C2 Special Council meetings

- C2.1 A Special Council meeting, outside the Schedule set in Rule C1, may be called in the following manner:
- By resolution of the Council; or
 - By written notice from the Mayor; or
 - By written notice from at least three Councillors; or
 - By the Chief Executive Officer immediately following a general election to allow:
 - i. Councillors to take their oath or affirmation of office, or
 - ii. An Election of Mayor or Deputy Mayor.
- C2.2 The resolution or written notice must specify:
- The date and time of the Special Council meeting; and
 - The business to be transacted.
- C2.3 The resolution or written notice in sub-section C2.2 must be provided to the Chief Executive Officer to allow sufficient time for public notice and preparation of the agenda.
- C2.4 Public notice, containing the items specified in the resolution or written notice, should be given in accordance with Rule C3.
- C2.5 The Chief Executive Officer must convene the Special Council meeting in accordance with the resolution or written notice.
- C2.6 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the resolution or written notice is to be transacted.

C3 Public notice of Council meetings

- C3.1 Unless urgent or extraordinary circumstances apply, Council must at least six days before the holding of any type of Council meeting, give public notice.
- C3.2 If urgent or extraordinary circumstances prevent Council from complying with sub-section C3.1 the Council must:
- Give such public notice as is practicable; and
 - Specify the urgent or extraordinary circumstances which prevented the Council from complying with sub-section C3.1.

C4 Order of business

- C4.1 The Chief Executive Officer is responsible for determining the order and content of business of any Council meeting.
- C4.2 A notice of a meeting, incorporating or accompanied by an agenda and the business to be dealt with, must state:
- the date, time and place of the meeting; and
 - the business to be dealt with.

No business may be conducted at an Ordinary meeting of Council unless it is business notice of which has been given either by:

- inclusion in the agenda, or
- any report accompanying the agenda, or
- in a notice of motion,

provided that the Council may resolve to admit (without such notice) an item considered to be urgent business, not being a matter which required that notice shall be given.

C5 Agenda distribution

- C5.1 This clause applies to both Ordinary and Special Council meetings.
- C5.2 At least 48 hours before a meeting is scheduled to occur, an agenda incorporating the business to be dealt with must be:
- Delivered to each Councillor by electronic means; and
 - Published on Council's website.
- C5.3 If it is not possible to comply with sub-rule C5.2 for any reason, the Chief Executive Officer must ensure delivery and publication of the agenda as soon as reasonably possible.

PART D APOLOGIES AND ABSENCES

D1 Apologies

D1.1 Councillors who are unable to attend a meeting may submit an apology:

- To the Chairperson, who will advise the meeting; or
- By seeking another Councillor to submit it at the meeting on their behalf.

D1.2 An apology submitted to a meeting will be recorded in the minutes.

D2 Leave of absence

D2.1 A Councillor intending to take a leave of absence should formally advise the Mayor and Chief Executive Officer.

D2.2 The Chief Executive Officer will include any leave of absence request received in the agenda of the next Council meeting.

D2.3 A leave of absence not included in a Council meeting agenda may still be considered by Council if a formal request has been received by the Mayor and Chief Executive Officer prior to the meeting.

D2.4 Council will not unreasonably withhold its approval of a leave of absence request.

D2.5 A Councillor who has not submitted an apology or had a leave of absence approved who is not in attendance at a Council meeting will be recorded as absent.

PART E QUORUMS

E1 Quorum to be present

E1.1 No business may be conducted at any Council meeting unless a quorum is present.

E1.2 Quorum means presence by a majority of Councillors. For the avoidance of doubt, where there are seven (7) Councillors elected, a quorum is four (4) Councillors present at the meeting.

E2 Inability to achieve or maintain a quorum

E2.1 If no quorum can be obtained or maintained within 45 minutes of the Council meeting commencing or the quorum being lost, the Chief Executive Officer must adjourn the meeting to another date and time.

E2.2 Unless the meeting is adjourned to a later time on the same day, the Chief Executive Officer or delegate, must give notice of the adjourned meeting in accordance with Rule C3 and C5.

E3 Inability to achieve or maintain a quorum due to Conflicts of Interest

E3.1 The Chairperson may defer an item of business in respect of which there is, or is likely to be, a disclosure of a conflict of interest by one or more Councillors that will cause a

quorum to be lost, and direct the Chief Executive Officer to include that item of business on an agenda for a future Council meeting. The Chief Executive Officer must give notice of the adjourned meeting in accordance with Rule C3 and C5.

- E3.2 If a quorum cannot be achieved or maintained due to the declaration of conflicts of interest by the majority of Councillors, Council will:
- Determine the matter will be considered in separate parts, if a quorum can be maintained for each separate part; or
 - Determine to make decisions on separate parts of the matter at a meeting where a quorum can be maintained, before making a decision on the whole matter at a meeting for which a quorum can be maintained.

PART F DURING A COUNCIL MEETING

F1 Confirmation of Minutes

- F1.1 At every Ordinary meeting of the Council the minutes of the previous meetings must be dealt with as follows:
- if the minutes have been delivered to each Councillor at least 48 hours before the meeting a motion must be passed for confirmation of the minutes; or
 - if the minutes have not been so delivered the minutes must be read and a motion must be passed for confirmation of the minutes.
- F1.2 No discussion is permitted on the minutes except as to their accuracy as a record of proceedings.

F2 Motions

- F2.1 Motions must be clear and unambiguous and not be defamatory or objectionable in language or nature.
- F2.2 The chairperson may require motions to be put in writing.
- F2.3 Where a motion contains more than one part, the Chair may put the motion to the vote in separate parts.

F3 Procedure for Moving a Motion

- F3.1 The mover must state the nature of the motion.
- F3.2 The chairperson must call for a seconder unless the motion is a call to enforce a point of order.
- F3.3 If there is no seconder the motion lapses.
- F3.4 If there is a seconder then the chairperson must call the mover to address the meeting.
- F3.5 After the mover has addressed the meeting the seconder may address the meeting.

- F3.6 After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting) the chairperson must call upon any Councillor who wishes to speak against the motion.
- F3.7 If no Councillor speaks against the motion then the chairperson may put the motion or call any other member to speak.

F4 Procedure for moving an Amendment

- F4.1 Any Councillor may move or second an amendment.
- F4.2 A Councillor may speak once on the motion and once on any amendment, except for the mover of an original motion which has not been amended (but not of an amendment) who has a right of reply after which the motion must be put to the meeting for decision.
- F4.3 A Councillor may be permitted by the chairperson or by resolution to speak more than once to explain that the Councillor has been misrepresented or misunderstood.
- F4.4 A Councillor calling the attention of the chairperson to a point of order is not regarded as speaking to the motion or the amendment.
- F4.5 No motion or amendment may be withdrawn without the consent of the meeting.
- F4.6 Amendments must be dealt with one at a time.
- F4.7 An amendment must not be considered until any previous amendment is decided upon.

F5 Conduct of Debate

- F5.1 A Councillor must address the chairperson to move a motion, amendment or take part in the debate.
- F5.2 Councillors and members of Staff must designate each other by their official titles.
- F5.3 Once acknowledged by the chairperson the Councillor has the floor and must not be interrupted unless called to order or time has expired.
- F5.4 Debate must be relevant to the motion, and if not, the chairperson must request the speaker to confine debate to the motion.

F6 Points of Order

F6.1 The chairperson is the final arbiter of all points of order.

F6.2 The point of order may be taken on the grounds that the matter is:

- contrary to this local law;
- defamatory;
- irrelevant;
- outside Council's power; or
- improper.

F7 Time Limits

F7.1 No Councillor may speak longer than the time set out below unless granted an extension by the meeting:

- | | |
|---|-----------|
| • The mover of a motion | 5 minutes |
| • Any other member | 3 minutes |
| • The mover of a motion exercising a right of reply | 2 minutes |

F8 Voting

F8.1 All voting on matters is by show of hands.

F8.2 Where a Councillor intends to abstain from voting on a matter the Councillor must indicate to the chairperson that he / she is abstaining from voting.

F8.3 If there is an equal division of votes upon any matter, other than the election of the Mayor or Deputy Mayor, the chairperson at such meeting shall in addition to a vote as a Councillor have a second or casting vote.

F8.4 A Councillor may, after a vote on a motion or amendment has been taken, request that their opposition or support of the motion or amendment be recorded in the minutes of the meeting.

F9 Divisions

F9.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

F9.2 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

F9.3 When a division is called by a Councillor the vote must be taken by Councillors voting in an affirmative first holding up their hands and then those voting in the negative holding up their hands. The chairperson must declare the result.

F9.4 The Chief Executive Officer must record in the minutes the names of Councillors and whether they voted for or against.

F10 No Discussion Once Declared

F10.1 Once a vote on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves:

- a Councillor requesting, before the next item of business is considered, that their opposition to a resolution be recorded in the minutes; or
- foreshadowing a notice of rescission where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

For example, Rule F10 would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a notice of rescission to rescind that resolution.

Equally, Rule F10 would permit discussion about a matter which would otherwise be left in limbo because a notice of rescission had been successful. For instance, assume that Council resolved to refuse a planning permit application. Assume further that this resolution was rescinded.

Without a positive resolution – to the effect that a planning permit now be granted – the planning permit application will be left in limbo. Hence the reference to discussion about a positive motion were a resolution has just been rescinded.

F11 Notice of Motion

F11.1 Notices of motion must be given to the Chief Executive Officer in sufficient time to permit the Chief Executive Officer to give notice in the manner and time required for the meeting.

F11.2 The Chief Executive Officer may reject any notice of motion which:

- is the same as, or similar intent to, a notice of motion or other motion (including lost and lapsed motions) that has been considered by Council in the preceding six (6) months;
- is vague or unclear in intention;
- is defamatory;
- may be prejudicial to any person or Council;
- is objectionable in language or nature;
- is outside the powers of Council;
- is submitted during an Election Period; or
- if passed would result in Council otherwise acting invalidly,

but must give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.

- F11.3 A notice of motion must call for a Council report if proposing any action that:
- Impacts on the levels of Council service
 - Proposes to establish, amend or extend council policy
 - Proposes to impact the rights of any person who has not had the opportunity to contribute their views
 - Commits Council to any contractual arrangement
 - Concerns any litigation in respect of which Council is a party.
- F11.4 A notice of motion must be deemed withdrawn if not moved at the next meeting at which such business may be transacted.

F12 Revocation or Alteration of Previous Resolution (notice of rescission)

- F12.1 A notice of motion to revoke or alter a previous resolution:
- must be given to the Chief Executive Officer in sufficient time to enable 7 clear days' notice to all Councillors;
 - must be deemed withdrawn if not moved at the next meeting at which such business may be transacted;
 - if it is a second or subsequent notice to revoke or alter an earlier resolution, must not be accepted by the Chief Executive Officer until a period of one month has elapsed after the date of the meeting at which the first or last motion of revocation or alteration was dealt with.
- F12.2 A revocation or alteration of a previous resolution must be passed by an absolute majority of the whole of the Councillors.

F13 Foreshadowed motions

- F13.1 At any time during debate a Councillor may foreshadow a motion, so as to inform Council of their intention to move a motion at a later stage in the meeting.
- F13.2 Foreshadowing a motion does not extend any special right to the motion.
- F13.3 The Chair is not obliged to accept foreshadowed motions.

F14 Behaviour***F14.1 Suspension***

F14.1.1 Council may suspend from a meeting and for the balance of the meeting any Councillor, or member of the public gallery, whose actions have disrupted the business of the Council and impeded its orderly conduct.

F14.2 Removal from Chamber

F14.2.1 The chairperson, or the Council in the case of a suspension, may ask a senior member of Staff or a member of the police force to remove from the chamber any person whose behaviour disrupts any meeting or fails to comply with a direction from the chairperson.

F14.3 Chairperson may close a meeting to the public gallery

F14.3.1 In accordance with s66(2)(b) and s66(2)(c) of the Act, the chairperson may close a meeting to the public gallery where there are security reasons, or to enable the meeting to proceed in an orderly manner.

F14.3.2 Where a meeting is closed as such, the meeting must continue to be livestreamed and recorded, in accordance with s66(3) of the Act.

F14.4 Chairperson may adjourn disorderly meeting

F14.4.1 If the chairperson is of the opinion that disorder at the Council table or in the public gallery makes it desirable to adjourn the Council meeting, he or she may adjourn the meeting to a later time on the same day, or to some later day as they think proper.

F14.4.2 In the event that a meeting is adjourned, the Chief Executive Officer must provide notice to each Councillor and provide public notice of the date, time and place of the meeting, and the business remaining to be transacted.

PART G OTHER MATTERS

G1 Recording of council meetings

- G1.1 Council meetings that are open to the public will be audio-visually recorded by Council, and made available via its website: www.alpineshire.vic.gov.au.
- G1.2 Where a meeting or part of a meeting is closed to the public to consider confidential information, the meeting or part of a meeting will not be livestreamed or recorded.
- G1.3 Where a public gallery is removed from a Council meeting for either security reasons, or to enable the meeting to proceed in an orderly manner, the meeting will continue to be livestreamed.
- G1.4 Where there are any issues that cause a delay to livestreaming, such as inability to obtain a quorum, or technology issues preventing broadcast, the Chief Executive Officer will attempt to advise the general public through the appropriate channels, including but not limited to Council's social media platforms.

G2 Petitions

- G2.1 No petition shall be considered until the next ordinary meeting of the Council after that at which it was presented unless otherwise resolved by the Council.
- G2.2 Every petition presented to Council must:
- be in permanent ink writing (not pencil), typing or printing;
 - be clear, and on each signatory page contain a statement which outlines the matter and action sought from Council;
 - not be derogatory, defamatory, or objectionable in language or nature;
 - not relate to matters outside the functions and powers of Council; and
 - contain the names, addresses and original signatures of at least ten (10) people.
- G2.3 Any signature appearing on a page which does not bear the text of the whole of the petition or request as outlined in 2(b) may not be considered by Council.
- G2.4 Where a petition has been signed by less than ten (10) people, it may be treated as a joint letter, and forwarded directly to the appropriate member of Council staff for action as an operational item.

G3 Public Question Time

- G3.1 There must be a public question time at every Ordinary Council meeting fixed under Rule C1 to enable members of the public to submit questions to Council, with the exception of the Council meeting held immediately before a general election.
- G3.2 Sub-Rule G3.1 does not apply during any period when a meeting is closed to members of the public in accordance with s66(2) of the Act.
- G3.3 Questions submitted to Council may be:

- Submitted as a "Question on Notice" to the Chief Executive Officer in writing by 5pm on the day prior to the Council meeting, stating the name and contact details of the person submitting the question; or
- At the chairperson's discretion, asked directly by a member of the public gallery at the Council meeting during public question time.

G3.4 No person may submit or ask more than two questions at any one meeting.

G3.5 The chairperson or a member of Council staff nominated by the chairperson may read to those present at the meeting a question which has been submitted in accordance with this Rule.

G3.6 A question may be disallowed by the chairperson if the chairperson determines that it:

- is not related to an item on the agenda;
- relates to a matter outside the duties, functions and powers of Council;
- is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- deals with a subject matter already answered;
- is aimed at embarrassing a Councillor or a member of Council staff;
- relates to confidential information as defined in s3 of the Act;
- relates to the personal hardship of any resident or ratepayer; or
- relates to any other matter which the Council considers would prejudice the Council or any person.

G3.7 A Councillor, the Chief Executive Officer, or a member of staff may require a question to be put on notice. If a question is put on notice, an answer will be provided to the person who asked the question as soon as practical after the meeting.

G4 Form and Availability of Minutes

G4.1 The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:

- The date, place, time and nature of the meeting;
- The names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;
- The names of the members of Council staff present;
- Any disclosure of a conflict of interest made by a Councillor;
- Each motion and amendment moved;
- The vote cast by each Councillor upon a division, or by any Councillor who has requested that his or her vote be recorded in the minutes;
- Questions upon notice;
- The failure of a quorum;
- The adjournment of the meeting and the reasons for that adjournment;

- The time at which standing orders were suspended and resumed.
- G4.2 The Chief Executive Officer must ensure that the minutes of any Council meeting are published on Council's website and are available for inspection at Council's office during normal business hours.
- G4.3 In accordance with s66 of the Act, if a meeting is closed to the public to consider confidential information, the minutes must record the grounds for determining to close the meeting.

Chapter 4 Joint Council meetings

Regional collaboration can provide substantial benefits through activities such as joint procurement, joint projects, shared services, and combined advocacy. While on some collaborative matters it is possible for the participating Councils to make their own decisions and determinations, in some circumstances, it may be beneficial to hold Joint Council meetings as provided for in the Act.

- A1.1 Council may resolve to participate in a Joint Council meeting with one or more other Councils, in accordance with s62 of the Act.
- A1.2 Procedures for the holding of Joint Council meetings must be agreed on by the participating Councils prior to the meeting. The Chief Executive Officer may seek the agreement of the other Councils prior to the meeting.
- A1.3 Councils must elect to follow the Governance Rules of one nominated Council while holding Joint Council meetings.
- A1.4 Where Alpine Shire Council is the lead Council calling the Joint Council meeting, the Alpine Shire Council Mayor will be Chair of the Joint meeting.
- A1.5 All Alpine Shire Councillors must be invited to the Joint Council meeting. All Councillors from all participating councils must receive consistent information through pre-meeting briefings and agenda papers.
- A1.6 A joint briefing may be organised between Councils prior to the Joint Council meeting. This joint briefing may be held electronically.

Chapter 5 Meeting Procedure for Delegated Committees

A1 Meeting Procedure Generally

A1.1 If Council establishes a Delegated Committee:

A1.1.1 all of the provisions of Chapter 3 apply to meetings of the Delegated Committee; and

A1.1.2 any reference in Chapter 3 to:

- a. a Council meeting is to be read as a reference to a Delegated Committee meeting;
- b. a Councillor is to be read as a reference to a member of the Delegated Committee; and
- c. the Mayor is to be read as a reference to the chairperson of the Delegated Committee.

A2 Meeting Procedure Can Be Varied

A2.1 Notwithstanding Rule 1, if Council establishes a Delegated Committee that is not composed solely of Councillors:

- Council may, or
- the Delegated Committee may, with the approval of Council

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the Delegated Committee, in which case the provision or those provisions will not apply until Council resolves, or the Delegated Committee with the approval of Council resolves, otherwise.

A3 Delegated Committee Chairperson

A3.1 At the meeting at which Council establishes a delegated committee it must also appoint a chairperson.

A3.2 The chairperson of a delegated committee must be a Councillor.

A3.3 For the avoidance of doubt, sub-rule (1) does not intend to limit the powers of the Mayor provided in the Act. The Act provides for the Mayor to appoint a Councillor as chairperson of a Delegated Committee and any such appointment prevails over any appointment made by Council.

Chapter 6 Meeting Procedure for Community Asset Committees and other committees under the auspices of Council

A1 Introduction

In this Chapter, "Instrument of Delegation" means an instrument of delegation made by the Chief Executive Officer under s47(1)(b) of the Act.

A2 Meeting Procedure for Community Asset Committees

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a Community Asset Committee is in the discretion of the Community Asset Committee.

A Community Asset Committee must report the minutes of all committee meetings to the Chief Executive Officer.

A Community Asset Committee must act in accordance with its adopted Charter, Instrument of Delegation, and any Terms of Reference adopted by Council.

A3 Meeting Procedure for other committees under the auspices of Council

A "meeting conducted under the auspices of Council" means a meeting of the kind described in s131(1) of the Act, and includes:

- Councillor briefing sessions;
- Advisory committees formed by Council; and
- Reference groups formed by Council.

Unless anything in the Terms of Reference provide otherwise, the conduct of a meeting of a committee under the auspices of Council, is in the discretion of that committee.

A4 Meeting Procedure for Council's Audit and Risk Committee

The Governance Rules do not apply to the Audit and Risk Committee.

The Audit and Risk Committee must comply with its own Charter.

Chapter 7 Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.

A1 Definition

In this Chapter:

- A1.1 “meeting conducted under the auspices of Council” means a meeting of the kind described in s131(1) of the Act, and includes a meeting referred to in Rule A3 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing Session’ or by some other name); and
- A1.2 a member of a Delegated Committee includes a Councillor.

A2 Obligations with regards to conflict of interest

Councillors, members of Delegated Committee, and Council staff are required to:

- Avoid all situations which may give rise to conflicts of interest;
- Identify any conflicts of interest; and
- Disclose or declare all conflicts of interest.

A3 Disclosure of a Conflict of Interest at a Council meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

- A3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or
- A3.2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:
- A3.2.1 advising of the conflict of interest;
- A3.2.2 explaining the nature of the conflict of interest; and
- A3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
- a. name of the other person;
 - b. nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - c. nature of that other person’s interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

A4 Disclosure of Conflict of Interest at a Delegated Committee meeting

A4.1 A member of a Delegated Committee who has a conflict of interest in a matter being considered at a Delegated Committee meeting must follow the procedure outlined in A3, where a reference to:

- a Council meeting is to be read as a reference to a Delegated Committee meeting;
- a Councillor is to be read as a reference to a member of the Delegated Committee; and
- the Chief Executive Officer is to be read as a reference to the Chair of the Delegated Committee.

A4.2 The Chair of the Delegated Committee meeting must ensure that any Conflicts of Interest are included in the minutes of the meeting and forwarded to the Chief Executive Officer.

A5 Disclosure of a Conflict of Interest by a Councillor attending a Community Asset Committee meeting, or any other meeting under the auspices of Council

A Councillor who has a conflict of interest in a matter being considered at a Community Asset Committee meeting, or any other meeting under the auspices of Council, at which they are present must follow the procedure outlined in A3 where a reference to a Council meeting is to be read as a reference to a Community Asset Committee meeting, or the relevant committee meeting at which the Councillor is present.

A6 Disclosure by Members of Council Staff Preparing Reports for meetings

A6.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which he or she is preparing or contributing to the preparation of a Report for the consideration of a:

- Council meeting;
- Delegated Committee meeting;
- Community Asset Committee meeting; or
- Any other meeting under the auspices of Council

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining the nature of the conflict of interest.

- A6.2 The Chief Executive Officer must ensure that the Report referred to in sub-Rule 6.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.
- A6.3 If the member of Council staff referred to in sub-Rule 6.1 is the Chief Executive Officer:
- A6.3.1 the written notice referred to in sub-Rule 6.1 must be given to the Mayor; and
 - A6.3.2 the obligation imposed by sub-Rule 6.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

A7 Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- A7.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.
- A7.2 If the member of Council staff referred to in sub-Rule 7.1 is the Chief Executive Officer the written notice must be given to the Mayor.

A8 Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

- A8.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.
- A8.2 If the member of Council staff referred to in sub-Rule 9.1 is the Chief Executive Officer the written notice must be given to the Mayor.

A9 Advice provided by a Member of Council Staff with a disclosed conflict of interest

A member of Council staff who has disclosed a conflict of interest may provide advice to Council or another staff member acting under delegation or authorisation if:

- The staff member who has disclosed the conflict of interest is the only staff member with expertise in the area; and
- The staff member's Director determines that the conflict of interest has not influenced the advice provided; and
- The existence of the conflict of interest is documented in all advice provided by that staff member, and in the case of verbal advice, is documented by the decision maker.

Where the staff member is a Director, the Chief Executive Officer must determine that the conflict of interest has not influenced the advice provided. Where the staff member is the Chief Executive Officer, this determination is to be made by the Mayor.

A10 Retention of Written Notices

The Chief Executive Officer must retain all written notices received under this Chapter for a period of three years.

Chapter 8 Miscellaneous

A1 Informal meetings of Councillors

A1.1 If there is a meeting of Councillors that:

A1.1.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;

A1.1.2 is attended by at least one member of Council staff; and

A1.1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting,

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

A2 Confidential Information

A2.1 If, after the repeal of s77(2)(c) of the *Local Government Act 1989*, the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, he or she may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

A2.2 Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

Chapter 9 Election Period Policy

PART A PURPOSE

The purpose of this policy is to ensure that Alpine Shire Council:

- Demonstrates compliance with the election period provisions of the *Local Government Act 2020* (the Act);
- Demonstrates that public resources are not used for election campaigning;
- Is aware of what can and cannot be done during the election period; and
- Continues to provide high standards of service to the community.

PART B SCOPE

This policy defines the practices and behaviours of Councillors, members of special committees, and Council staff during the election period.

Councillors must comply with this policy, regardless of whether they intend to nominate, or have already nominated, as candidates for the election.

In accordance with s34(2)(d) of the Act, Council staff members who are candidates for election must comply with this policy and in addition:

- Take leave from their duties for the duration of the election period;
- Return any council equipment, including vehicles, telephones, computers, and documents or information which is not available to the public for the duration of the election period; and
- Immediately resign from their position upon election.

Other candidates for election are expected to comply with the obligations of this policy where they apply.

PART C POLICY DETAILS

C1 Election period

The 'election period' is defined by the Act as starting at the time that nominations close on nomination day, and ending at 6pm on election day.

The Chief Executive officer will ensure that all employees are informed of and understand the requirements of this policy.

C2 Misuse of position

S123(1) of the Act prohibits a person that is, or has been, a Councillor or a member of a delegated committee from using their position to gain advantage for themselves or another person, or to cause detriment to Council or another person.

Significant penalty units apply to this provision.

For the purposes of s123(3) of the Act and this policy, misuse of position includes the following circumstances:

- Making improper use of information acquired as a result of the position the person held or holds; or
- Disclosing information that is confidential information within the meaning of the Act; or
- Directing or improperly influencing, or seeking to directly or improperly influence, a member of Council staff; or
- Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
- Using public funds or resources in a manner that is improper or unauthorised; or
- Participating in a decision on a matter in which the person has a conflict of interest.

S124 further specifies that a Councillor must not intentionally direct, or seek to direct, a member of Council staff in the exercise of any power or in the performance of any duty or function.

C3 Decision making

It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. Council therefore commits to this principle in that it will make every endeavour to avoid making decisions that inappropriately bind the incoming Council.

This includes a commitment to not only comply with the requirements of s69 of the Act, but to apply restrictions to the making of 'major policy decisions', 'inappropriate decisions', and 'significant decisions' as defined within this policy.

Council may hold a scheduled Council meeting during the election period, however no decisions specified in this policy may be made.

Scope exists for Council to hold an unscheduled Council meeting but only in the most urgent or extraordinary circumstances or for any statutory processes that may arise.

Prohibition on decisions

In accordance with s69(2) of the Act, Council is prohibited from a making decision during the election period for a general election, which:

- relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- commits the Council to expenditure exceeding one percent (1%) of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- the Council considers could be reasonably deferred until the next Council is in place; or

- the Council considers should not be made during an election period.

In accordance with s69(3) of the Act, Council is prohibited from making a decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Decisions made in contravention of this policy

In accordance with s69(4) of the Act, any Council decision made in contravention of these specified prohibitions is invalid.

Decisions that Council considers could be reasonably deferred or should not be made during an election period

To provide context, Council will avoid making decisions during the election period that are of a significant nature and which would unnecessarily bind an incoming Council, or would use resources inappropriately during the election period. These include:

- Irrevocable decisions that commit the Council to substantial expenditure or major actions;
- Irrevocable decisions that will have a major impact on the municipality or the community;
- Decisions that would affect voting in an election; and
- Decisions that could reasonably be made after the election.

Examples of decisions that should not be made during an election period are:

- Approval of contracts that require significant funding in future financial years or are regarded as politically sensitive;
- Decisions that have significant impacts on Council's income or expenditure that relate to expenditure on politically sensitive matters;
- Awarding of community grants funded by Council;
- Decisions of a politically sensitive nature;
- Policy or strategy decisions; and
- Planning scheme amendments.

C4 Council and Committee meetings

Council meetings

Council will hold its ordinary meeting scheduled in the month leading up to the election during the election period. The meeting will be live-streamed on Council's website, as per Council's current practice.

In accordance with s100 of the Act, the Council meeting held to consider the annual report must be held on a day not later than the day before election day.

All items for consideration must be scrutinised for compliance with this policy, and be approved by the Chief Executive Officer before being included in the agenda. Each agenda item must include the electoral period statement.

Councillors must limit their discussion during debate to the topic under consideration and avoid raising electoral matters.

Delegated Committees and Community Asset Committees

Delegated Committees are required to include Councillors as committee members, and are bound by Council's Governance Rules, and misuse of position requirements. Delegated Committees will not be permitted to hold Committee meetings during the election period.

Community Asset Committees are not required to include Councillors as committee members, and will be permitted to hold Committee meetings during the election period.

Advisory Committees will be permitted to hold Committee meetings during the election period.

Question Time, Notices of Motion, General Business and Reports by Delegates

Question Time will not be held during the election period. Notices of Motion, General Business and Reports by Delegates will not be presented during the October meeting during the election period.

Election Period Statement – Council meeting Reports

In order to facilitate compliance with its commitment to ensuring appropriate decision making during elections, the Chief Executive Officer will ensure that an 'Election Period Statement' is included in every report submitted to a Council meeting for a decision.

The 'Election Period Statement' will specify:

"The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the Local Government Act 2020, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's Election Period Policy."

During the election period, the Council will not make a decision on any matter or report that does not include the Election Statement.

C5 Council Resources

It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits that it will ensure Council resources are not used inappropriately during a Council election.

C6 Council resources including staff

Council resources, including offices, staff, hospitality services, vehicles, IT equipment (phones and computers) and stationery will be used exclusively for normal Council

business during the election period, and shall not be used in connection with any election campaign activity.

The Chief Executive Officer or any staff must not be asked to undertake any tasks connected directly or indirectly with an election campaign.

Council will ensure other Alpine Shire Council resources are not used inappropriately in ways that may influence voting in an election or provide an undue advantage for a candidate. This includes financial, human and material resources:

- Council staff will not undertake an activity that may affect voting in the election;
- Council staff will not authorise, use or allocate a Council resource for any purpose that may influence voting in the election; and

Any staff member who considers that a particular use of Council resources may influence voting in an election or provide an undue advantage for a candidate, shall advise both their Manager and Director before authorising, using or allocating the resource. The Manager and Director may seek advice from the Manager Corporate to determine if the use of Council resources is appropriate or not.

C7 Council branding and stationery

No Council events, logos, letterheads or other Alpine Shire Council branding should be used for, or linked in any way to, a candidate's election campaign.

Photos or images taken by or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council websites that may be able to be copied.

C8 Councillor support

Councillors will not request staff to undertake any tasks connected directly or indirectly with an election campaign.

Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services to assist Councillors in conducting normal day-to-day activities.

C9 Councillor expenses

Reimbursements of Councillors out of pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

C10 Councillor resources

Equipment and facilities provided to Councillors for the purpose for conducting normal Council business should not be used for election campaign purposes.

Where Councillors have Council funded services, such as mobile phones, tablets / computers and internet connections, and where it is impractical for Councillors to discontinue their use of these during the election, Councillors will reimburse the Council for excess usage of those services during the election period. Standard allowances for communication equipment are defined in Council Policy No. 76 – Councillor Reimbursement of Expenses.

Councillors who are standing as candidates must not use council email addresses as part of their election campaign.

C11 Council Events

Public events run by Council will only be organised and run if it is totally unavoidable to conduct such events during the election period and then only with the express permission of the Chief Executive Officer.

However, Councillors may attend community meetings, events and functions during the election period which are relevant to Council and the community.

When attending events as part of their official Council duties, Councillors must not use the event to promote their individual election campaign.

Speeches for Councillors will only be prepared by Council staff in relation to events that are part of the normal services or operation of the Council and such speeches will not be circulated or available for publication. Official speaking engagements will be limited to a brief welcome and will not contain any electoral matters or references to the election. Councillors who are not standing as candidates in the election or the Chief Executive Officer will be given preference to speaking at public events.

No election material or active campaigning is to be conducted at a Council sponsored event or be displayed in any Council building. This does not apply to Victorian Electoral Commission material.

Speeches will be subject to the publication certification process as outlined in.

C12 Public Consultation

Council will limit public consultation and scheduling of Council events during the election period.

Public consultation means a process that involves inviting individuals, groups or organisations or the community general to comment on an issue or proposed action or proposed policy, and which includes discussion of that matter with the public.

Public consultations include inviting the community to express opinions through social media.

If public consultation is required, the representative / spokesperson will be the Chief Executive Officer and not a Councillor.

Public consultations are best avoided during the election period where possible.

C13 Statutory process consultations

The public consultation required under the *Planning and Environment Act 1987* and matters subject to s223 of the *Local Government Act 1989* are not subject to the restrictions of this policy. These consultations may be undertaken during the election period to facilitate the day-to-day business of Council and to ensure matters continue to be proactively managed. Consultations will avoid any express or implied links to the election.

Consultations under statutory provisions shall only proceed after express agreement of the Chief Executive Officer and only if they relate solely to the normal day-to-day business of the Council.

Where at all possible, statutory process consultations should conclude before the election period commences, or be delayed until after the general election has been held. Any outcomes of the consultation should be delayed until after the election, where possible.

C14 Media and Communications

Council's communications and media will not be used in any way that might influence the outcome of a Council election.

Media outlets and the community will be advised that during the election period, communications will be restricted according to the following principles.

Media requests

Council contact with local media (newspapers, television, radio) will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.

In response to media inquiries the response will be provided by the Chief Executive Officer or Directors only, and such information should relate to current services and operations.

Media releases / statements

During the election period, Council initiated communications shall be restricted to the communication of normal Council activities.

In the election period no media releases will be issued quoting or featuring any Councillor.

Publicity of Council events (if any during the election period) will be restricted to the communication of factual material and will not mention or quote any Councillor.

During the election period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their role.

Issuing of written media releases / statements will be subject to the publication approval processes outlined within C15.

Councillors

No media advice or assistance will be provided to Councillors in relation to election campaign matters.

No publicity will be provided that involves specific Councillors.

Councillors must not use their position as an elected representative of their access to Council staff and other Council resources or information in support of an elections campaign. This includes photos or images provided by Council for past Council activities.

Councillor participation at Council sponsored events (if any during the election period) should not be used to gain attention of an election campaign. Council sponsored events includes launches, events and any other public forum outside of the normal Council meeting cycle.

Social media

Social media is a key means of Council communicating and interacting with its community.

The nature of social media means that Councils should be monitoring and moderating the content on any pages that Council has ownership / control over.

Any publication on social media sites that are under the auspices of Council will also require certification by the Chief Executive Officer as described within C15.

Social media communications will be restricted in the same manner as restrictions on communications / media in this policy.

In addition, the following processes will be implemented on Council's social media pages during the election period:

- Any social media pages maintained by Council will be routinely monitored (including periodically during the weekend) during the election period.
- Posts by others on the page will be moderated by Council, and any electioneering, offensive or inappropriate matter will be removed by Council.
- At the completion of each day, Council will ensure that a copy of the page is taken for records of the Council.
- Before any posts may be removed or moderated by Council, a snapshot of the page must be recorded.

The above processes will be communicated on Council's social media pages prior to the election period commencing.

C15 Council Publications

Council must not print, publish or distribute publications containing specified electoral matter during the election period, unless it is electoral material provided by the Victorian Electoral Commission about the election process. This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

Council must not print, publish or distribute a publication during the election period unless it has been certified in writing by the Chief Executive Officer.

What is 'electoral matter'?

Electoral matter is any matter that is intended or likely to affect voting in an election. Material is definitely electoral matter if it:

- Publicises the strength or weaknesses of a candidate
- Advocates the policies of the Council or of a candidate
- Responds to claims made by a candidate
- Publicises the achievements of the elected Council
- Publicises matters that have already been the subject of public debate
- Is about matters that are known to be contentious in the community and likely to be the subject of election debate
- Deals with Election Candidates statements
- Refers to Councillors or candidates by name or by implicit reference

What is considered a 'publication'?

A publication refers to documents produced for the purpose of communicating with the community, including but not limited to:

- Council newsletters
- Advertisements and notices (for example job advertisements, public notices of contracts)
- Media releases
- Leaflets and brochures
- Mailouts (including emails) to multiple addresses
- Internet-based sources including Council's website and social media pages.

All the publication types listed above require certification by the Chief Executive Officer.

The recommended practice is where possible to avoid all publication activity during the election period except where it is essential for the conduct of Council operations.

Certification of documents by Chief Executive Officer

All documents fitting the descriptions above must be presented to the Chief Executive Officer prior to publication or distribution during the election period.

The Chief Executive Officer must not certify a publication that contains electoral matter, unless that material is only about the election process. It is an offence for the Chief Executive Officer to contravene this requirement.

The certification by the Chief Executive Officer must be in writing and cannot be delegated.

Council must develop a procedure for approval and monitoring of publications within the organisation to support this policy.

Council's website

The requirement for Chief Executive Officer certification of publications during the election period also applies to the publication of material on Council's website. This applies to all websites under the auspices of Council.

New pages or new material on the website will require certification and approval by the Chief Executive Officer.

Councillor details

Profiles and photographs of current Mayor and Councillors will be removed from Council's website during the election period but retain their contact details for their day to day role as Councillor (for example names and mobile numbers).

Recordings of Council meetings

The Council meeting held during the election period will be live-streamed on the internet, as per Council's current practice. Audio-visual recordings of Council meetings will remain on Council's website for the duration of the election period.

New material on website

Any new material published on Council's website during the election period that may be an advertisement, handbill, pamphlet or notice must also be subject to the certification process.

Council agendas, minutes and the annual report are considered exempt from certification.

Annual Report

The annual report adopted during the election period will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfil its statutory obligations on reporting matters.

C16 Assistance to Candidates

The Council affirms that all candidates for the Council election will be treated equally.

Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

All election-related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or the election period contact officer designated within C17.

C17 Access to Information by Candidates

The Council recognises that all election candidates have rights to information from the Council administration.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the election period.

Election Period point of contact

The Manager Corporate will be the point of contact for both candidates and Councillors seeking information from Council during the election period.

All questions relating to the conduct of the election will be referred to the Victorian Electoral Commission's Returning Officer.

Information provided to Councillors

Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services to assist Councillors in conducting their elected roles.

Information request register

The Manager Corporate will be assigned as the point of reference for all candidate enquiries.

The Manager Corporate will maintain an Information Request Register commencing from the opening of nominations. This register will be available for inspection and will record all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the responses given to those requests.

Responses to candidate requests will be provided by Managers, Directors or the Chief Executive Officer. Managers will be required to discuss the request and the proposed response with their Director and the Manager Corporate (as the election period contact) prior to the response being issued. Only information that can be reasonably accessed will be released.

All candidates will be referred to the Victorian Electoral Commission Returning Officer for any election process enquiries.

Improper use of position

S123 of the Act prescribes serious penalties for any Councillor or member of a Delegated Committee who inappropriately makes use of the position or information obtained in their role.

Freedom of Information

Any Freedom of Information (FoI) applications lodged during the election period regarding potential 'electoral matters' will be dealt with where possible outside of the election period. S21 of the *Freedom of Information Act 1982* requires a notice of decision to be supplied to the applicant within a specified number of days.

PART D ROLES AND RESPONSIBILITIES

Responsibility	Role / Position
Implementation	Chief Executive Officer All staff Councillors Candidates Members of special committees
Compliance	Manager Corporate
Development / Review	Governance Officer / Manager Corporate
Interpretation / Advice	Manager Corporate

PART E BREACHES

This policy is issued with the authority of Council. Compliance with this policy is mandatory. Any breach of or failure to comply with this policy should be immediately reported to the Chief Executive Officer.

PART F HUMAN RIGHTS CHARTER COMPATIBILITY

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

PART G 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 2020* [Vic]

Related Procedures

- Nil

PART H DEFINITIONS AND ABBREVIATIONS

<i>Act</i>	means the <i>Local Government Act 2020</i>
<i>Council staff</i>	includes full time, part-time, casual and temporary council employees
<i>Election</i>	is defined by s3(3) of the Act, and unless expressly provided, means a reference to the following: <ul style="list-style-type: none"> • A general election conducted under s257 of the Act; • A by-election conducted under s260 of the Act; • A countback conducted under s261 of the Act.
<i>General election</i>	is defined by s257 of the Act, and means a general election of Councillors for all Councils, which must be held: <ul style="list-style-type: none"> • On the fourth Saturday in October 2020; and • Thereafter on the fourth Saturday in October in the fourth year after the last general election of Councillors for all Councils was held.
<i>Election day</i>	is defined by s3(1) of the Act, and means the day of an election determined under s257 or s260 the Act
<i>Election period</i>	is defined by s3(1) of the Act, and means the period that: <ul style="list-style-type: none"> • Starts at the time that nominations close on nomination day; and • Ends at 6pm on election day
<i>Electoral material</i>	means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting
<i>Electoral matter</i>	is defined by s3(4) and s3(5) of the Act, and means matter which is intended or likely to affect voting in an election, but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election. <p>It is matter to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:</p> <ul style="list-style-type: none"> • The election; or • A candidate in the election; or • An issue submitted to, or otherwise before, the voters in connection with the election.

Nomination day is defined by s3(1) of the Act, and means the last day on which nominations to be a candidate at a Council election may be received in accordance with the Act, and the Local Government (Electoral) Regulations as made.

Publish is defined by s3(1) of the Act, and means publish by any means including by publication on the Internet.

Approval of Governance Rules (incorporating the Election Period Policy)

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

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE



LOCAL LAW

Governance Local Law

2020

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Document Control		
Title Governance Local Law 2020	Status Draft	
Date made	Comes into operation on 1 September 2020	Sunset date 31 August 2030
Directorate Corporate	Department Corporate	Contact person Manager Corporate

REVISION RECORD

Date	Version	Revision description
22/6/2020	0.1	Draft for comment
26/6/2020	0.2	Amendments to reflect legal review

Part 1. Preliminary

1.1 Title

1.1.1 This is the Governance Local Law (2020).

1.2 Objectives

1.2.1 The objectives of this Local Law are to:

- a. regulate the use of the Alpine Shire Council ("Council") Common Seal;
- b. provide for offences in relation to unauthorised use of the Common Seal or any device resembling the Common Seal; and
- c. provide for offences in relation to Council meetings and Delegated Committee meetings.

1.3 The power to make this Local Law

1.3.1 This Local Law is made under the provision of s111 of the *Local Government Act 1989*.

1.4 Commencement and Revocation

1.4.1 This Local Law:

- a. Comes into operation on 1 September 2020; and
- b. Unless revoked sooner will cease to operate on 31 August 2030.

1.4.2 From the date of commencement of the Local Law, the following Local Law is revoked:

- a. Local Law No.1 Council Administration (2016).

1.5 Application

1.5.1 This Local Law applies to:

- a. Council Meetings and Delegated Committee Meetings; and
- b. Usage of the Council Common Seal, or any device resembling the Common Seal.

1.6 Definitions

Authorised Officer

means a member of Council staff appointed and authorised by Council under s224 of the *Local Government Act 1989*

Chairperson

means the person who chairs a meeting of the Council or Delegated Committee, and includes an acting, a temporary or a substitute Chairperson

<i>Chief Executive Officer</i>	means the person occupying the office of Chief Executive Officer of Council, or any person acting in that position during their absence
<i>Chamber</i>	means any room where the Council holds a Council meeting
<i>Council</i>	means the Alpine Shire Council
<i>Councillor</i>	means a person who is an elected member of the Council
<i>Council meeting</i>	means a meeting of the Council, comprised entirely of Councillors, held in accordance with s61(1) of the <i>Local Government Act 2020</i>
<i>Common Seal</i>	means the common seal of Council
<i>Delegated Committee</i>	means a committee established by Council under s63 of the <i>Local Government Act 2020</i>
<i>Delegated Committee meeting</i>	means a meeting of a Delegated Committee
<i>Penalty unit</i>	has the same meaning as in s110(2) of the <i>Sentencing Act 1991</i>

Part 2. Use of the Alpine Shire Council Common Seal

2.1 Authority for use of the Common Seal

2.1.1 The Common Seal may only be used:

- a. on the authority of Council; or
- b. in accordance with the Instrument of Delegation issued by Council to the Chief Executive Officer.

2.1.2 The Chief Executive Officer must not sub-delegate the function conferred by cl 2.1.1b.

2.2 Form of the Common Seal clause

2.2.1 Where the Common Seal is affixed to a document on the authority of Council, the sealing clause must take the following form:

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this **XX** day of **<Month>**
20**XX** in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

2.2.2 Where the Common Seal is affixed to a document on the authority of the Chief Executive Officer in accordance with the Instrument of Delegation, the sealing clause must take the following form:

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this **XX** day of **<Month>**
20**XX** on behalf of Council by authority of
the Chief Executive Officer in the presence
of:

WITNESS NAME

SIGNATURE

CHIEF EXECUTIVE OFFICER NAME

SIGNATURE

2.3 Signatures to accompany the Common Seal

2.3.1 Every document to which the Common Seal is affixed on the authority of Council must be signed by two Councillors and the Chief Executive Officer.

2.3.2 Every document to which the Common Seal is affixed on the authority of the Chief Executive Officer must be signed by a witness and the Chief Executive Officer.

2.4 Who keeps the Common Seal?

2.4.1 The Chief Executive Officer must keep the Common Seal in safe custody.

Part 3. Offences, infringements and penalties

3.1 Offences during a Council meeting or a Delegated Committee meeting

3.1.1 It is an offence during a Council meeting or a Delegated Committee meeting:

- a. For a Councillor to not withdraw an expression considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not then satisfactorily apologise when called upon twice by the Chairperson to do so;
- b. For any person (not being a Councillor) who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so;
- c. For any person to fail to obey a direction of the Chairperson in relation to the conduct of the meeting and the maintenance of order; or
- d. For a Councillor to refuse to leave the Chamber on suspension.

3.2 Offences regarding use of the Common Seal

3.2.1 It is an offence for a person to use the Common Seal or any device resembling the Common Seal without the authority of Council unless in accordance with the Instrument of Delegation issued by Council to the Chief Executive Officer.

3.3 Infringement notices

3.3.1 As an alternative to prosecution for an offence, an Authorised Officer may serve a person with an infringement notice in respect of an Offence against this Local Law.

3.3.2 The infringement notice penalty in respect of an offence under this Local Law is set out in Schedule 1.

3.4 Payment of infringement penalties

3.4.1 Payment of the fixed penalty for an infringement notice may be made at the Alpine Shire Council office at 2 Churchill Avenue, Bright, or mailed to PO Box 139, Bright VIC 3741.

3.4.2 To avoid prosecution, the penalty indicated in an infringement notice must be paid within 28 days from the date of the issue of the infringement notice.

3.4.3 The form of an infringement notice shall be in the form as set out in s13 of the *Infringements Act 2006*.

3.5 General penalty in court

3.5.1 An offence against this Local Law may be subject to court action which may result in the maximum penalties as detailed in cl 3.5.2.

3.5.2 Any person who is guilty of an offence against this Local Law is liable to:

- a. A maximum penalty of 20 penalty units; and
- b. A further penalty of 2 penalty units for each day after a finding of guilt or conviction for an offence during which the contravention continues.

Part 4. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this **XX** day of
<Month> 20XX
in the presence of:

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
COUNCILLOR NAME

.....
SIGNATURE

.....
CHIEF EXECUTIVE OFFICER NAME

.....
SIGNATURE

Schedule 1 Penalties for Infringement Notices

Clause	Offence	Penalty units
3.1.1a	For a Councillor to not withdraw an expression considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not then satisfactorily apologise when called upon twice by the Chairperson to do so.	2
3.1.1b	For any person (not being a Councillor), who is guilty of any improper or disorderly conduct, to not leave the meeting when requested by the Chairperson to do so.	5
3.1.1c	For any person to fail to obey a direction of the Chairperson in relation to the conduct of the meeting and the maintenance of order.	2
3.1.1d	For a Councillor to refuse to leave the Chamber on suspension.	5
3.2.1	A person must not use the Common Seal or any device resembling the Common Seal without the authority of Council or in accordance with the Instrument of Delegation issued by Council to the Chief Executive Officer.	10

Alpine Shire Council - Community Impact Statement

Proposed Governance Local Law (2020)

Council provides the following information to the community in respect of the proposed Local Law.

PART A – General comments

Introduction

Council is proposing to make the new *Governance Local Law (2020)* (Local Law 2020).

The proposed Local Law will revoke Council's existing *Local Law No.1 Council Administration (2016)* (Local Law 2016), regulate the use of Council's Common Seal, and provide for offences at Council meetings and Delegated Committee meetings.

This Community Impact Statement has been prepared to inform the community about the proposed Local Law, and to assist any member of the public who may wish to make a submission to Council during the public submission process.

Background

Council's current Local Law 2016 was made in accordance with the requirements of the *Local Government Act 1989* (LGA 1989) and encompasses the conduct of Council meetings and special committee meetings, procedures for the use of Council's Common Seal, and offences for persons behaving in contravention of the Local Law.

Under section 60 of the *Local Government Act 2020* (LGA 2020), Councils are now required to develop Governance Rules to determine the conduct of Council meetings. A draft of the Governance Rules is currently available for public submissions.

The introduction of Governance Rules regarding conduct of Council meetings means that the previous requirements of the *Local Law No.1 Council Administration (2016)* now needs to be revoked to ensure that there is no confusion as to which document is guiding the conduct of Council meetings.

Council is still required to have a Local Law to govern the use of its Common Seal, and also to enforce any offences relating to Council meetings. To this end a new Local Law 2020 is proposed to encompass these requirements.

This Community Impact Statement has been drafted to outline how the Local Law impacts on the municipality.

The creation of a Local Law is a statutory process in accordance with Part 5 of the LGA 1989 and the revocation of the previous Local Law is planned to be undertaken at the same time as adoption of the new Local Law.

Objectives

The objectives of the Local Law 2020 are to:

- a. regulate the use of the Alpine Shire Council Common Seal;
- b. provide for offences in relation to unauthorised use of the Common Seal or any device resembling the Common Seal; and
- c. provide for offences in relation to behaviour at Council meetings conducted in accordance with Council's Governance Rules (2020).

Commencement

The proposed Local Law 2020 will come into operation on 1 September 2020, and unless it is revoked earlier, will expire on 31 August 2030.

On the commencement of the proposed Local Law 2020, the current Local Law 2016 will be revoked.

Amendments / changes to the local law

The Local Law 2020 is largely informed by related processes in the Local Law 2016. They are as follows:

Common Seal

An amendment in processes relating to the use of the Common Seal is proposed, where the Common Seal may also be utilised subject to the Instrument of Delegation from Council to the Chief Executive Officer, whereas previously it was on the authority of Council only. This provides for a more expedited and efficient signing of Council documents, instead of waiting for a monthly Council meeting.

Offences

All offences have been replicated from the existing Local Law 2016, with no additional offences being added.

Some clarity has been added to differentiate between infringement notices and penalties enforceable by a court, and there is a slight reduction in the infringement penalty for use of the Common Seal.

PART B – Comments on proposed Local Law overall

Measures of success of proposed Local Law	The success of the proposed local law will be best measured by the extent to which: <ul style="list-style-type: none"> • the Council Seal is used appropriately; and • penalties relating to behaviour at Council meetings and Delegated Committee meetings are appropriate to dissuade such behaviour.
Legislative framework	Legislation relating to the content of the proposed Local Law 2020 is as follows: <ol style="list-style-type: none"> 1. Section 14(2)(c) of the LGA 2020 states that the Common Seal of a Council must be used in accordance with any applicable local law. 2. Section 111 of the LGA 1989 provides for a Council to make local laws for or with respect to any act, matter or thing for which Council has a function or power under the Act. 3. Section 115 of the LGA 1989 states that Council may prescribe penalties for contravention of a Local Law. 4. Section 117 of the LGA 1989 states that Council may provide for a person to be served with an infringement notice specifying a fixed penalty for an offence against a Local Law as an alternative to a prosecution for the offence.
State legislation more appropriate	Not applicable. The LGA 1989 and LGA 2020 are Victorian legislation set by the state government, and they are the specific pieces of legislation under which local government (councils) in Victoria must operate.
Overlap of existing legislation	The proposed Local Law 2020 operates in conjunction with the requirements of the LGA 1989 and LGA 2020, while not overlapping, duplicating or conflicting with existing state legislation.
Overlap of planning scheme	The proposed local law has no relevance to any Planning Scheme.
Risk assessment	The proposed Local Law 2020 prescribes standards of behaviour for those participating in or presenting at Council meetings, and for the use of Council's Common Seal. No formal risk assessment has been undertaken. Council does not believe there are any risks associated with the proposed local law.
Legislative approach adopted	The proposed Local Law 2020 adopts a high impact regulatory approach. This approach is considered appropriate as it provides clear accountability for appropriate use and safekeeping of the Council seal. It also provides for expected behaviour at Council meetings and Delegated Committee meetings.
Restriction of competition	The proposed local law relates only to Council governance processes and there are no National Competition Policy implications associated with the proposal.

Penalties	The proposed Local Law 2020 creates a minimal number of offences. Benchmarking indicates the penalties prescribed are within the range of equivalent local laws of other municipalities.
Permits and Fees	The proposed local law does not make provision for the issue of permits and does not prescribe any fees.
Performance standards or prescriptive	Council has adopted a prescriptive approach to the proposed Local Law 2020, because its purpose is to prescribe the circumstances in which Council's common seal may be lawfully used, and the expected behaviour at Council and Delegated Committee meetings.
Comparison with neighbouring and like Councils	In preparation for this local law update, a benchmarking process has been undertaken, gathering information from other Councils across the State.
Charter of Human Rights	<p>The proposed local law has been considered in accordance with the Victorian Charter of Human Rights and Responsibilities (the Charter). Particular consideration has been given to the following rights under the charter:</p> <ul style="list-style-type: none"> • Right to recognition and equality before the law • Right to privacy and reputation • Right to freedom of expression • Right to take part in public life • Right to a fair hearing <p>Having reviewed the local law, Council is satisfied that the proposed local law is consistent with the Charter.</p>
Consultation meetings	No public consultation meetings were held during the drafting of this local law. The local law has been reviewed within the organisation. The proposed local law is subject to a period of public consultation in accordance with section 223 of the <i>Local Government Act 1989</i> . All submissions received must be considered by Council prior to the local law being made.
Submissions	Submissions are invited from the community regarding the proposed Local Law. The public consultation period ends at 5.00pm on Friday 14 August 2020 .

Part C – Comments on specific parts or provisions of the proposed Local Law

Set out below are details of changes proposed to the existing Local Law.

Section	Proposed amendment
Use of the Common Seal	<p>The previous Local Law 2016 required that the Common Seal may only be used on the authority of Council.</p> <p>The proposed Local Law 2020 allows for the Chief Executive Officer to use the Common Seal in accordance with the Instrument of Delegation issued from Council to the Chief Executive Officer.</p> <p>This will allow more expedited signing and sealing of documents, rather than waiting for a monthly Council meeting.</p>
Offences	<p>The previous Local Law 2016 provided for penalty units for specific offences, but did not make a distinction between maximum penalties enforceable by a court, compared to infringement notice penalties.</p> <p>This distinction has made clear in the proposed Local Law 2020.</p> <p>No additional offences have been added. Previous infringement penalties have been retained, with the exception of the Common Seal, which has been reduced slightly.</p> <p>Penalty units enforceable for Local Laws are determined by s110(2) of the <i>Sentencing Act 1991</i>.</p>



COUNCIL POLICY

Public Transparency

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Directorate Corporate	Department Corporate	Internal / External External

REVISION RECORD

Date	Version	Revision description
23/06/2020	0.1	Draft for internal review

1. Purpose

Alpine Shire Council (Council) is committed to sound democratic governance and recognises the importance of providing transparency to the community in its various undertakings. The purpose of this policy is to describe how Council will make its information and decision-making processes publicly available in order to:

- increase community confidence through greater understanding and awareness
- better enable the community to participate in decision making
- promote accountability in decision making, service delivery and performance
- ensure compliance to the requirements of the *Local Government Act 2020* (LGA 2020).

In particular this policy gives effect to the Public Transparency Principles of the LGA 2020 by seeking to:

- recognise Council information as an asset for public access and use
- apply a presumption of openness except where confidential by legislation
- facilitate public awareness of the availability of Council information
- adopt a proactive approach where beneficial to community engagement
- ensure that Council information is current, accessible and understandable
- allow access to information promptly and free of charge or at low cost.

2. Scope

This policy applies to a person who is:

- a Councillor
- a member of a Council committee
- a Council employee, volunteer or contractor.

3. Policy details

3.1 INFORMATION AVAILABLE TO THE PUBLIC

Council will at minimum publish the following information for access by the public, except where the information is confidential in accordance with legislation:

- Plans, strategies, reports, policies and documents required by LGA 2020
- Plans, strategies and policies otherwise adopted by Council
- Local Laws
- Council meeting agendas, minutes, and meeting recordings
- Terms of reference or charters for Council committees
- Application processes for approvals, permits, grants, and access to services

Council will at minimum make the following information available to the public upon request, except where confidential in accordance with legislation:

- Plans, strategies, reports and documents required by any Act or which have been adopted by Council
- Project and service plans which have been adopted by Council
- Guidelines, manuals, policies and procedures
- Technical reports and / or research used to inform decision making
- Registers required by LGA 2020 or any other legislation
- Newsletters, handbooks and promotional materials
- Building approval registers as required by the *Building Act 1993*
- Planning permit registers and documentation as required by the *Planning and Environment Act 1987*

Council may require that a formal Freedom of Information request is submitted where the information requested is not listed above.

3.2 INFORMATION NOT AVAILABLE TO THE PUBLIC

3.2.1 Confidential information

Council is not required to make publicly available information that is confidential information. Confidential information is defined in section 3 of LGA 2020 and includes information relating to:

Type	Description
Council business	Information that would prejudice the Council's position in commercial negotiations if prematurely released

Type	Description
Security	Information that is likely to endanger the security of Council property or the safety of any person if released
Land use planning	Information that is likely to encourage speculation in land values if prematurely released
Law enforcement	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released
Legal privilege	Information to which legal professional privilege or client legal privilege applies
Personal details	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released
Private commercial details	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released
Confidential meetings	Records of Council and delegated committee meetings that are closed to the public to consider confidential information
Internal arbitration	Confidential information relating to internal arbitration about an alleged breach of the Councillor Code of Conduct
Councillor Conduct Panels	Confidential information relating to a Councillor Conduct Panel matter

Information may also be confidential information where prescribed as such by the regulations.

Information that was confidential information for the purposes of section 77 of the *Local Government Act 1989 [Vic]* remains confidential information under LGA 2020.

Council may decide, in the interests of transparency, to release information to the public even though it is confidential under the Act provided the release of the information is:

- not contrary to any law;
- not in breach of contractual requirements;
- not likely to cause harm to any person; and

- it is in the public interest to do so.

3.2.2 Public interest test

Council is not required to make information publicly available if the release of the information would be contrary to the public interest, in accordance with section 58(b)(ii) of LGA 2020.

When considering public interest, Council will apply the test that exists in the *Freedom of Information Act 1982 [Vic]* (FOI Act). Council may refuse to release information if it is satisfied that the harm to the community likely to be created by releasing the information will exceed the public benefit in it being released.

When considering possible harm from releasing information, Council will only concern itself with harm to the community or members of the community. Potential harm to Council will only be a factor if it would also damage the community, such as where it involves a loss of public funds or prevents Council from performing its functions.

3.2.3 Privacy and data protection

Council is not required to make information publicly available that if released would contravene the *Privacy and Data Protection Act 2014 [Vic]*, the *Health Records Act 2001 [Vic]* or any other legislation governing personal information collected, held, managed, used, disclosed or transferred by Council.

3.3 MEANS OF ACCESS TO INFORMATION

3.3.1 Council website

All Council information published for access by the community will be available on Council's website, which will be maintained for use on desktop computers, mobile phones and other devices, and which will be tested to work with most commonly used browsers and operating systems.

3.3.2 Inspection at Council Office

All Council information published for access by the community will also be available for inspection upon request at Council's Office, 2 Churchill Avenue, Bright.

3.3.3 Application to access information

Council will consider all requests for access to Council information made outside the Freedom of Information process, in accordance with privacy principles. Information will be provided for free or at low cost, commensurate to the effort to provide it or in accordance with any relevant legislation.

3.3.4 Freedom of information (FOI)

The FOI Act provides the public with a general right to access documents in the possession of Council relating to their personal affairs or the activities of Council, except where those documents are deemed confidential under legislation.

Council may request that a formal Freedom of Information request is submitted in order to access certain documents. In assessing a Freedom of Information request, Council may consult with third parties where documents contain related information that may be exempt from release under the FOI Act.

3.3.5 Social media

Council will, where beneficial to community engagement, make information publicly available through its social media platforms.

3.3.6 Content accessibility

The *Disability Discrimination Act 1992 [Cth]* requires Council to ensure people with a disability have the same access to information and services as others in the community.

Council recognises the diverse range of needs in its community and commits to making its written information accessible to everyone.

Council's information will:

- be written with the audience in mind
- use simple, clear, every day and inclusive language
- avoid jargon and acronyms
- be ordered so that it is easy to understand and follow
- be accurate and complete
- use a simple and clear font, format and layout.

To assist with accessibility of digital information, Council's website design and content follows the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines.

3.4 TRANSPARENCY OF COUNCIL DECISIONS

Council is empowered by various legislation to make decisions on a broad range of matters on behalf of the local community. Council's decisions are either made by the Council at a formally constituted meeting, or by Council officers under delegated authority of the Council.

The Mayor and councillors do not have the legal authority to individually act or make decisions on behalf of the Council.

3.4.1 Decisions at Council meetings

Decisions made at Council meetings are generally informed by Council reports that are prepared by officers and included in the agendas. Council meeting agendas are made available to the community in advance of each meeting in accordance with Council's Governance Rules, excluding reports that contain confidential information.

In accordance with section 66, of LGA 2020, Council and delegated committee meetings will be open to the public unless it is considered necessary to close the meeting:

- to consider confidential information
- for security reasons

- to enable the meeting to proceed in an orderly manner.

Council will, where practicable, live stream its Council meetings to engage a broader audience.

Meetings will be conducted in accordance with the provisions of the LGA 2020 and Council's Governance Rules and will provide opportunity for public participation.

All decisions will be recorded in minutes of the meeting.

3.4.2 Delegated decisions

Council may delegate specific powers, duties and functions, including decision-making powers, under various legislation to the Chief Executive Officer and nominated Council employees.

Council will maintain a register of delegations in accordance with sections 11 and 47 of the LGA 2020.

Delegates are making decisions as if they were the Council and decision-making processes must be made transparent except where involving information that is confidential.

3.5 DISPUTES

3.5.1 General requests

If access to Council information is denied, the person making the request has the right to question the decision. A review of the decision will be undertaken in accordance with Council's complaints handling processes.

The person making the request has the right to seek further review of Council's decision by the Victorian Ombudsman.

3.5.2 Freedom of Information requests

Under the FOI Act Council decides which documents and information are released.

The person making a Freedom of Information request has the right to seek a review of Council's decision by the Victorian Information Commissioner.

4. Roles and responsibilities

Responsibility	Role / Position
Champion the commitment and principles for public transparency through leadership and decision-making	Council
Champion behaviours that foster transparency and lead the implementation of this policy	Chief Executive Officer Directors Managers

Responsibility	Role / Position
Adhere to public transparency principles, this policy and associated requirements as appropriate to role and function	Councillors Committee members All employees
Respond to requests for information and facilitate provision of information in consultation with relevant manager and in alignment with the Policy	All employees
Freedom of Information applications	Governance Officer Officers authorised under the FOI Act
Monitor implementation and adherence to this policy	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.

Disclosure of confidential information by a person who is, or has been, a Councillor, a member of a delegated committee or a Council employee, is an offence under section 125 of LGA 2020.

Further, disclosure of confidential information by a person who is, or has been, a Councillor or a member of a delegated committee is a misuse of position which is an indictable offence under section 123 of LGA 2020.

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

This policy gives effect to the Public Transparency Principles of the LGA 2020:

- a. *Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;*
- b. *Council information must be publicly available unless—*
 - i. *the information is confidential by virtue of this Act or any other Act; or*

- ii. *public availability of the information would be contrary to the public interest;*
- c. *Council information must be understandable and accessible to members of the municipal community;*
- d. *public awareness of the availability of Council information must be facilitated.*

Other related legislation includes:

- *Local Government Act 1989 [Vic]*
- *Equal Opportunity Act 2010 [Vic]*
- *Freedom of Information Act 1982 [Vic]*
- *Privacy and Data Protection Act 2014 [Vic]*
- *Health Records Act 2001 [Vic]*
- *Public Records Act 1973 [Vic]*
- *Disability Discrimination Act 1992 [Cth]*

Related Guidelines, Operational Directives or Policies

- Alpine Shire Council Governance Rules
- Alpine Shire Council Governance and Risk Framework
- Alpine Shire Council Provision of Information and Privacy Policy No.045
- Alpine Shire Council Digital Information Security Policy No. 111
- Alpine Shire Council Community Engagement Policy – as available
- Alpine Shire Council Complaints Policy – as available

Related Procedures

- Nil

8. Approval

THE COMMON SEAL OF THE ALPINE SHIRE COUNCIL was hereunto affixed this **XX** day of **<Month>** 20**XX** in the presence of:

COUNCILLOR NAME

SIGNATURE

COUNCILLOR NAME

SIGNATURE

CHIEF EXECUTIVE OFFICER

SIGNATURE

DRAFT



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title:	Briefing Session
Date:	Tuesday 26 May 2020
Location:	Zoom Meeting
Briefing Session	3.30pm
Finish Time:	6.00pm
Chairperson:	Cr Peter Roper, Mayor

Councillor and staff attendees:

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

Councillor and staff apologies:

Name	Position		
Cr Daryl Pearce	Councillor		

1. Conflict of interest disclosures

Nil

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

Nil

3. Matters discussed

Item
• Dinner Plain Update
• Hearing of Budget Submissions via Zoom x 5
• Rates and Fees Relief Update
• COVID-19 / Business Continuity Plan
• Ordinary Council Meeting agenda review
• General Business



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: Tuesday 2 June 2020
Location: Zoom Meeting
Briefing Session 1.00pm
Finish Time: 2.15pm
Chairperson: Cr Peter Roper, Mayor

Councillor and staff attendees:

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

Item
• Budget Submissions Final review
• COVID-19 Business Continuity
• COVID-19 Community and Business Recovery
• Rates and Fees Relief Update
• Update on Top 10 Projects
• Ordinary Council Meeting agenda review
• General Business
• Close



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Economic Development Strategy Workshop Stage 1
Date: Tuesday 9 June 2020
Location: Zoom Meeting
Briefing Session 3.00pm
Finish Time: 4.30pm
Facilitated by: Tim Nott

Councillor and staff attendees:

Name	Position	Name	Position
Cr Peter Roper	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Nathalie Cooke	Director Corporate
Cr Ron Janas	Councillor	Will Jeremy	Director Assets
Cr John Forsyth	Councillor	Tom Courtice	Manager Building & Amenity
Cr Tony Keeble	Councillor	Elaine Burrige	Manager Community & Eco Development
Cr Kitty Knappstein	Councillor	Scott Taylor	Strategic Planner
Cr Daryl Pearce	Councillor		

Apologies Councillor and staff attendees:

Name	Position	Name	Position
Cr Daryl Pearce	Councillor		

Consultants:

Name	Position
Tim Nott	Director, Tim Nott Economic Analysis and Strategy
Michelle Howard	Managing Director, Collaborations
Kevin Johnson	Managing Director, Geografia

Discussion

Stage 1 Workshop

Test key issues, trends, community values and aspirations to inform the workshop



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title:	Briefing Session
Date:	Tuesday 9 June 2020
Location:	Zoom Meeting
Briefing Session	4.30pm
Finish Time:	6.00pm
Chairperson:	Cr Peter Roper, Mayor

Councillor and staff attendees:

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

Item
• Special Council Meeting Agenda Review
• Roads to Recovery Funding Opportunity
• Dinner Plain Safe Operating Plan Update
• COVID-19 Business Continuity
• COVID-19 Community and Business Recovery
• Joint Alpine Shire Chamber and Community Forum
• General Business
• Close



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: Tuesday 16 June 2020
Location: Zoom Meeting
Briefing Session 1.00pm
Finish Time: 3.00pm
Chairperson: Cr Peter Roper, Mayor

Councillor and staff attendees:

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

Item
• Council Elections – Caretaker Period Requirements
• Overview of the Local Government Act 2020
• Policy Review Progress Update
• COVID-19 Business Continuity
• COVID-19 Community and Business Recovery
• Special Council Meeting Agenda Review
• General Business
• Close



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Planning Forum
Date: Monday 22 June 2020
Location: Zoom Meeting
Briefing Session 4.00pm
Finish Time: 5.00pm
Chairperson: Sam Porter – Senior Statutory Planner

Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Councillor	Sam Porter	Planning Coordinator
Cr Ron Janas	Councillor	Alex Duncan	Planning Officer
Cr Kitty Knappstein	Councillor	Nathalie Cook	Director Corporate

External Parties:

Name	
Applicant: Vince Coleiro and Joe Rizzo	Objector: Mette Schepers and Mike Van De Graff

Matters discussed

Item
<ul style="list-style-type: none"> Planning Forum Application number 5.2019.161.1 – Riverside Avenue Development of three townhouses.



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: Tuesday 23 June 2020
Location: Zoom Meeting
Briefing Session 3.00pm
Finish Time: 6.30pm
Chairperson: Cr Sarah Nicholas, Deputy Mayor

Councillor and staff attendees:

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

Item
• External Presentation Bright Iconic Rod Run Committee
• Dinner Plain Detailed Design
• Local Government Act 2020 – Governance Rules, Public Transparency and Delegations
• Toniazzo Lane compliance matters
• Planning Application – 2a Riverside Avenue
• COVID-19 Business Continuity
• COVID-19 Community and Business Recovery
• Weekly 3NE Radio interviews
• General Business
• Close