

M(11) – 8 NOVEMBER 2022

# Ordinary Council Meeting

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Minutes

The next **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **8 November 2022** and commenced at **5:00pm**.

## **PRESENT**

### **COUNCILLORS**

Cr John Forsyth

Cr Ron Janas

Cr Katarina Hughes

Cr Tony Keeble

Cr Simon Kelley

Cr Sarah Nicholas

Cr Kelli Prime

### **OFFICERS**

Will Jeremy - Chief Executive Officer

Alan Rees - Director Assets

Helen Havercroft - Director Corporate Performance

### **APOLOGIES**

Nil

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## 1. Interim Chairperson

Section 25(3) of the *Local Government Act 2020* (LGA 2020) states that the election of the Mayor must be chaired by the Chief Executive Officer (CEO) and be conducted in accordance with the Governance Rules.

Chapter 2 of Council's Governance Rules further steps out the Procedure for Election of Mayor and Deputy Mayor, including the requirement for the CEO to preside at the election of a Councillor to the office of Mayor. The elected Mayor will then preside over the election of the Deputy Mayor.

The Chief Executive Officer will assume the role of Interim Chairperson to deal with item 2 through to item 9.1.2 of this Agenda.

## 2. 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.

In common with all narrative during Council meetings, verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes. By submitting a question, you consent to your question being read aloud at the meeting.

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

The full meeting is 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.

## 3. Acknowledgement of traditional custodians, and recognition of all people

*All to stand, the CEO will read the following statement:*

The Alpine Shire Council acknowledges the Taungurung Traditional Owners and their ancestors as the Traditional Owners of the land we are now on. We pay our respect to Elders, past and present.

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.



## 4. Confirmation of minutes

### 4.1 ORDINARY COUNCIL MEETING – M(10) – 4 OCTOBER 2022

*Cr Hughes*

*Cr Kelley*

*That the minutes of Ordinary Council Meeting M(10) held on 4 October 2022 as circulated be confirmed.*

*Carried*

## 5. Apologies

Nil

## 6. Obituaries / congratulations

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

## 7. Declarations by Councillors of conflict of interest

Cr Keeble declared a conflict of interest with respect to item 9.2.2 Dinner Plain Activation Phase 2 and snow making as he is employed with the Department of Education who have objected to this proposal.

## 8. Public questions

Questions from the public will be limited to two questions per person.

Written Questions on Notice will be tabled ahead of questions from the floor.

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

## 9. Presentation of reports by officers

### 9.1 CHIEF EXECUTIVE OFFICER – WILL JEREMY

#### 9.1.1 Mayoral Term

The *Local Government Act 2020* (LGA 2020) sets out the requirements for the election of Mayor including the timing of the election of the Mayor and the length of the term.

Section 26(3) requires Council to resolve to elect a Mayor for a term of either one year or two years before electing the Mayor. Whether a Mayor is elected for a one year or two year term, the next election of the Mayor must be held on a day that is as close to the end of that term as is practicable. The Mayoral election was last held in November 2021 and set as a one year term; hence this election is scheduled for November 2022.

#### **Procedure for election of Mayor and Deputy Mayor**

Chapter 2 of Council's Governance Rules contains the procedure for the election of Mayor and Deputy Mayor. This includes the requirement for a quorum of at least four Councillors to be in attendance at the meeting to enable a vote to be taken, and a requirement that all Councillors in attendance at the time of the meeting must vote.

A sole candidate must be elected with an absolute majority of votes, and there are no casting votes for the election of the Mayor or Deputy Mayor. If an absolute majority of votes cannot be obtained, Council may resolve to conduct a new election at a later specified time and date.

Section 25(1) of the LGA 2020 requires the meeting to elect the Mayor to be open to the public, where members of the public must be able to attend either in person or by watching the broadcast being livestreamed on the internet.

The Chief Executive Officer will call for a motion to set the term of the Office of the Mayor (one year or two years).

***Cr Nicholas***

***Cr Prime***

***That the term of office of the Mayor be set for a one (1) year term.***

***Carried***

## 9.1.2 Election of Mayor

### **Introduction**

The *Local Government Act 2020* (LGA 2020) sets out the requirements for the election of Mayor.

Any Councillor is eligible for election or re-election to the office of Mayor.

### ***Role of the Mayor***

Section 18 of the LGA 2020 sets out the role of the Mayor:

1. The role of the Mayor is to—
  - a. chair Council meetings; and
  - b. be the principal spokesperson for the Council; and
  - c. lead engagement with the municipal community on the development of the Council Plan; and
  - d. report to the municipal community, at least once each year, on the implementation of the Council Plan; and
  - e. promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct; and
  - f. assist Councillors to understand their role; and
  - g. take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
  - h. provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
  - i. perform civic and ceremonial duties on behalf of the Council.
2. The Mayor is not eligible to be elected to the office of Deputy Mayor.

### ***Specific powers of the Mayor***

Section 19 of the LGA 2020 sets out the specific powers of the Mayor:

3. The Mayor has the following specific powers—
  - a. to appoint a Councillor to be the chair of a delegated committee;
  - b. to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business;
  - c. to require the Chief Executive Officer to report to the Council on the implementation of a Council decision.
4. An appointment under subsection (1)(a) prevails over any appointment of a chair of a delegated committee by the Council.

***The Chief Executive Officer will call for nominations and a seconder for the Office of Mayor in accordance with Chapter 2 of Council's Governance Rules.***

***The Chief Executive Officer will invite the newly elected Mayor to address the meeting.***

*Cr Hughes nominated Cr Nicholas.*

*Cr Kelley seconded the nomination.*

*Cr Nicholas accepted the nomination.*

*Cr Janas nominated Cr Forsyth.*

*Cr Hughes seconded the nomination.*

*Cr Forsyth accepted the nomination.*

Vote on the first nominated person Cr Nicholas received three (3) votes.

Vote on the second nominated person Cr Forsyth received four (4) votes.

*Cr Forsyth was elected as Mayor.*

The Chief Executive Officer vacated the Interim Chair, and the Mayor assumed the Chair.

### 9.1.3 Office and term of Deputy Mayor

#### **Introduction**

Section 20A of the *Local Government Act 2020* (LGA 2020) provides that Council may establish an office of Deputy Mayor.

The LGA 2020 requires Council to establish the term of office of Deputy Mayor for either one year or two years prior to electing the Deputy Mayor. As for the Mayor, the next election of Deputy Mayor must be held on a day that is as close to the end of that term as possible. The Deputy Mayor election was last held in November 2021 and set as a one year term, hence this election is scheduled for November 2022.

Where Council chooses not to appoint a Deputy Mayor, it must follow the provisions of 20B of the LGA 2020, and appoint an Acting Mayor where:

- 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.

Where Council appoints a Deputy Mayor under Section 20A of the LGA 2020, the Deputy Mayor must perform the role of the Mayor, and may exercise any of the powers of the Mayor in the situations a-c above.

Council has historically set the term of Deputy Mayor to match the term of the Mayor.

The Chief Executive Officer will call for a motion to create an office of Deputy Mayor and set the term of the Office of the Deputy Mayor (one year or two years).

***Cr Janas***

***Cr Prime***

***That:***

- 1. Council establish an office of Deputy Mayor; and***
- 2. The term of office of the Deputy Mayor be aligned to the term of the office of the Mayor.***

***Carried***

## 9.1.4 Election of Deputy Mayor

### **Introduction**

The *Local Government Act 2020* (LGA 2020) requires that the steps for election of Deputy Mayor must follow the same process as for the election of Mayor.

Any Councillor other than the Mayor is eligible for election to the office of Deputy Mayor.

### ***Role of the Deputy Mayor***

Section 21 of the LGA 2020 sets out the role and powers of the Deputy Mayor:

The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor 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.

The role of Mayor is set out in item 9.1.2 of this meeting.

***The Mayor will call for nominations and a seconder for the Office of Deputy Mayor in accordance with Chapter 2 of Council's Governance Rules.***

*Cr Hughes nominated Cr Keeble.*

*Cr Nicholas seconded the nomination.*

*Cr Keeble accepted the nomination.*

*Cr Keeble was elected unopposed as Deputy Mayor.*

## 9.1.5 Contracts approved by the CEO and acting CEO

**Cr Keeble**

**Cr Hughes**

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

<b>Contract No:</b>	<b>CT22020</b>	<b>Process: RFQ</b>
<b>Title:</b>	<b>Flood Study of Myrtleford and the Ovens and Buffalo Rivers</b>	
<b>Tenderer:</b>	<b>Venant Solutions</b>	
<b>\$ (excl. GST):</b>	<b>\$123,700</b>	

<b>Contract No:</b>	<b>CQ22065</b>	<b>Process: RFQ</b>
<b>Title:</b>	<b>Stackey Gully Creek Upgrade</b>	
<b>Tenderer:</b>	<b>Partnear</b>	
<b>\$ (excl. GST):</b>	<b>\$109,405</b>	

<b>Contract No:</b>	<b>CQ22049</b>	<b>Process: RFQ</b>
<b>Title:</b>	<b>Road Condition Assessment</b>	
<b>Tenderer:</b>	<b>Infrastructure Management Group IMG</b>	
<b>\$ (excl. GST):</b>	<b>\$67,839</b>	

<b>Contract No:</b>	<b>CQ22038</b>	<b>Process: RFQ</b>
<b>Title:</b>	<b>Porepunkah Landfill</b>	
<b>Tenderer:</b>	<b>SMEC</b>	
<b>\$ (excl. GST):</b>	<b>\$123,649</b>	

**Carried**

## 9.2 DIRECTOR ASSETS – ALAN REES

### 9.2.1 Dinner Plain Activation Phase 1 Building Works

File Number: CT22073

#### **INTRODUCTION**

This report relates to the award of a contract for the construction of the Dinner Plain Activation Phase 1 building works.

*Cr Janas*

*Cr Kelley*

***That Council awards Contract No. CT22073 for 'Dinner Plain Activation Phase 1 Building Works Construction' to Midson Construction Pty Ltd for the lump sum price of \$503,644 (GST exclusive).***

***Carried***

#### **BACKGROUND**

In September 2020, Council secured \$500,000 of funding from the State Government 'Bushfire Tourism and Business Fund 2020' to deliver the Dinner Plain Activation Phase 1 Project. Council's co-contribution to this project was \$900,000 which was funded from the Dinner Plain reserve, bringing the total budget for this project to \$1,400,000.

The scope of this project includes the following elements:

1. Toboggan Run and MTB Trail Hub
2. Scrubbers Hut Hub Upgrade
3. Car Parking upgrades
4. Upgrades to key trail connections

The car parking upgrades were completed in May 2022.

The Tender for the remaining works was advertised in the Herald Sun and Border Mail on 7 September 2022, as well as on tenders.net and the Alpine Shire Council websites.

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

#### **EVALUATION**

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

The tender submissions received were conforming and evaluated in accordance with the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery



- Social
- Environmental

Through this evaluation process it was determined that the tender from Midson Construction best met the selection criteria.

## **ISSUES**

Funding milestones require the works to be completed by 30 June 2023. The window of favourable weather conditions in which to complete the works is limited in Dinner Plain. The contractor has provided a tender program indicating they can complete the works within an acceptable timeframe.

Following an assessment of the tender submissions, the total project expenditure was forecasted to exceed the project budget by approximately \$150,000. The community was consulted, and they identified the mountain bike shelter adjacent to the toboggan slope as a low priority and this has been removed from the scope. The tender scope has been adjusted to ensure total project costs remain within budget.

## **POLICY IMPLICATIONS**

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

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

- 4.5 Assets for our current and future needs

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The total budget for Dinner Plain Activation Phase 1 is \$1,400,000, which includes \$500,000 of State Government Funding, and \$900,000 of Council funds.

Based on the revised scope, there is sufficient allocation within the project budget to deliver the works in this contract.

## **CONSULTATION**

The scope of the Dinner Plain Activation Phase 1 Project is the result of a thorough process of engagement undertaken with the Dinner Plain community in the development of the Dinner Plain Village Detailed Design Project. The designs were adopted by Council in July 2020.

A community stakeholder committee has been established to represent the community's contribution to the detailed design and delivery of proposed works in Dinner Plain. Consultation was undertaken with the community stakeholder committee, relating to proposed building works to ensure the identified scope of works aligns with the community expectations.

Extensive consultation has been conducted with a wide range of stakeholders who all support the project, including Regional Development Victoria and Dinner Plain Community Stakeholder Committee.

## **CONCLUSION**

Following a comprehensive assessment, the Tender submission from Midson Construction Pty Ltd is considered to present the best value option for Council.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Acting Manager Asset Development
- Project Officer

## **ATTACHMENT(S)**

Nil

*Cr Keeble declared a conflict of interest with item 9.2.2 and left Council Chambers at 5.40 pm.*

## 9.2.2 Dinner Plain Activation Phase 2 and Snowmaking

### INTRODUCTION

The purpose of this report is to update Council on the results of the community survey and project delivery timelines for the Dinner Plain Activation Phase 2 and Dinner Plain Snowmaking projects and to seek Council's approval to proceed with detailed design for both projects.

*Cr Kelley moved an alternative motion*

***Cr Kelley***  
***Cr Nicholas***

***For the recommendation to separated (split) and for item 3a to be considered as part of recommendation 1,2& 3.a and that recommendation 3b be considered as a stand-alone recommendation.***

***Carried***

***Cr Hughes***  
***Cr Kelley***

***That Council:***

- 1. Notes the community engagement undertaken on the project to date and the results of the community survey;***
- 2. Acknowledges the community's feedback for incorporation into the detailed design; and***
- 3. Approves the project to proceed with detailed design for***
  - a. Dinner Plain Activation Phase 2***

***Carried***

*A vote was taken with respect to recommendation 3b.*

***Cr Nicholas***  
***Cr Hughes***

- 3. Approves the project to proceed with detailed design for***
  - b. Dinner Plain Snowmaking Hybrid Model that includes 2 snow guns and a snow factory***

***Carried***

## **BACKGROUND**

### ***Dinner Plain Activation Phase 2***

In December 2020, Council sought funding of \$2.37 million from the State Government 'Bushfire Recovery Regional Economic Stimulus and Resilience' fund to deliver the Dinner Plain Activation Phase 2 Project.

In March 2021, Council received notification that it had been allocated \$2.0 million in funding from the State Government to deliver the Dinner Plain Activation Phase 2 Project.

At the July 2021 Council Meeting, Council committed a co-contribution of \$370,000 to the project, funded from the Dinner Plain reserve, in order to bring the total project budget back to the amount of the original application for funding.

### ***Dinner Plain Snowmaking***

On 2 April 2021, Council sought funding of \$3.0 million from the State Government 'Regional Infrastructure Fund' to deliver the 'Gateway to Alpine Adventure - Dinner Plain Snowmaking' project, comprising of new and upgraded snowmaking infrastructure including:

- Regrading of the existing toboggan run to allow for a consistent and level snow depth.
- New automatic and mobile snow guns.
- Light Towers for night lighting.
- New snowmaking infrastructure including pits, water supply, electrical and communications network.
- A covered magic carpet conveyor for transportation to the top of the run.
- A water storage tank for snowmaking.

On 15 June 2021, Council was notified that its funding application had been successful, and funding of \$3.0 million had been allocated to the project. There is no Council co-contribution to this project.

### ***Concept Designs***

Following the development of concept designs relating to Dinner Plain Activation Phase 2 and Dinner Plain Snowmaking projects, the Dinner Plain community was invited to provide feedback on the proposed designs through an online survey. The results of the survey are summarised within this report.

### **Communication Program**

The following communication program was undertaken to ensure the survey reached as many ratepayers and residents of Dinner Plain as possible:

- Hard copies placed in Dinner Plain Hut, Hoys Ski Hire, Dinner Plain Post Office, The Stables Café
- Website 'Have Your Say' page created, including plans

- Website content updated (major project page)
- Two Facebook posts and additional reminders of survey closing date
- Newsletters emailed directly to the Dinner Plain marketing email list
- Media release to news outlets and published on Council's website.
- Online survey
- Mailout to each household, ratepayer, resident

The survey was open for five weeks with 139 unique submissions received from business owners, residents, non-resident ratepayers and renters.

The survey results are as follows:

Topic	Survey Responses	Supportive	Unsupportive	Supportive (% of survey responses)
Dinner Plain Activation Phase 2	139	102	37	73%
Dinner Plain Snowmaking	130	100	30	77%

## ISSUES

The operating and maintenance costs of the snow guns and snow factory are anticipated to be significant and will be quantified during the detailed design process.

A number of suggestions were made by the community and these will be incorporated into the detailed design as follows:

### ***Key Issues:***

#### **Dinner Plain Activation Phase 2**

Item	Feedback for Detailed Design	Detailed Design Response
Entrance	Retain stone wall entrance as it is part of DP's 'identity' and provides an additional safety element in winter	Retain stone walls and make improvements to lighting to improve safety and appearance
Trails/outdoor activities	Improved trail connections will strengthen activation of open space areas and include seating and signage	Include trail connections and supporting infrastructure
Footpaths	Additional footpaths for public safety, ensuring lighting and snow clearing is considered	Design to consider pedestrian connections, including snow clearing operations and lighting

Item	Feedback for Detailed Design	Detailed Design Response
All-weather Shelter	Consider design, materials and location of shelter	Review design and materials, giving consideration to maintenance requirements.
Roads and Parking	Review traffic movements in village centre including parking and signage	Traffic engineers to review parking layouts, traffic movements, sight lines and suitable signage

### Dinner Plain Snowmaking

Item	Feedback for Detailed Design	Detailed Design Response
Noise and Lighting	Consider noise and light pollution in proximity to Alpine School	Review operational need for lighting. Ensure noise from snow guns is within EPA guidelines.
Water Supply	Concerns about high demand for water supply for snowmaking in winter	A new groundwater water bore supply is planned
Operational Considerations	Clarify operating model, costs and economic benefit to the community	Operational requirements to be reviewed with Council's operational teams

The funding agreement requires Council to meet specific project milestones and failure to achieve these milestones would put the funding at risk.

### POLICY IMPLICATIONS

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

- 4.5 Assets for our current and future needs

### FINANCIAL AND RESOURCE IMPLICATIONS

The total budget for Dinner Plain Activation Phase 2 is \$2.37 million, which includes \$2.0 million funding through the Local Economic Recovery (LER) Bushfire Recovery Regional Economic Stimulus and Resilience Grants Fund and \$370,000 financial contribution from Council funded from the Dinner Plain reserve.

Dinner Plain Snowmaking has a total budget of \$3.0 million funded through the Regional Infrastructure Fund (RIF) with no financial contribution required from Council.

The ongoing operating and maintenance costs will be included in the annual budget.

## CONSULTATION

Extensive community consultation has occurred throughout the development of the final concept plans, involving ratepayers, residents, community organisations, businesses and internal stakeholders.

### Community Engagement Process

Date	Engagement Process
July 2020	Masterplan designs adopted by Council
July 2021	Consultation: Dinner Plain Stakeholder Committee refine masterplan designs
March 2022	Design workshop #1 - Dinner Plain Stakeholder Committee comment on concept designs
August 2022	Design workshop #2: - Dinner Plain Stakeholder Committee comment on updated concept designs
August - October 2022	Public Consultation: community survey on updated concept design plans for Phase 2 Activation & Snowmaking

## CONCLUSION

Council has consulted extensively with the community on the development of the Dinner Plain Activation Concept Design Plans and Snowmaking. The community is supportive of the Final Concept Design and the specific suggestions will be incorporated into the detailed design.

It is recommended that Council approves the project to proceed with the detailed design for:

- a. Dinner Plain Activation Phase 2; and
- b. Dinner Plain Snowmaking Hybrid Model that includes 2 snow guns and a snow factory

## DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Acting Manager Asset Development

## ATTACHMENT(S)

9.2.3.a. Dinner Plain Activation Phase 2 Concept Plans

9.2.3.b. Dinner Plain Snowmaking - Proposed Infrastructure Images

*Cr Keeble was returned to Council Chambers at 5.59pm.*



## 9.3 DIRECTOR CORPORATE PERFORMANCE – HELEN HAVERCROFT

### 9.3.1 Fly the Rainbow Flag Petition

#### INTRODUCTION

The purpose of the report is to provide a response to the petition from the Victorian Pride Lobby to fly the rainbow flag.

***Cr Keeble***

***Cr Kelley***

***That Council:***

- 1. Thanks the Victorian Pride Lobby for their petition to raise awareness of flying the Rainbow flag;***
- 2. Notes the current purpose of the three flag poles outside the Council building in Bright;***
- 3. Promotes the International Day Against Homophobia Biphobia Intersex discrimination and Transphobia on 17 May 2023 by displaying the Rainbow flag on the Council website and Facebook pages; and***
- 4. Explores the need for a flag policy to bring greater clarity to which flags are flown when and why.***

***Carried***

#### BACKGROUND

In 1995, both the Aboriginal and Torres Strait Islander flags were recognised as official flags of Australia under Commonwealth legislation.

In 2020 the Council installed two additional flag poles at the Bright Council Office to enable the Australian National Flag to be accompanied by the Aboriginal and Torres Strait Islander flags in accordance with Australian flag protocol.

In 2021 Council received a request to fly the rainbow flag for International Day Against Homophobia, Biphobia, Intersex and Transphobia (IDAHOBIT) in May 2022. It was decided that Council would show its support for IDAHOBIT by changing its Facebook page, website banner and email signature to show the rainbow flag.

Council received a petition signed by seventy seven (77) signatories requesting Council to show its support to fly the rainbow flag on 17 May 2023 to mark the International Day Against Homophobia Biphobia Intersex discrimination and Transphobia (IDAHOBIT).

## **ISSUES**

### ***National Flag Protocol***

Council does not currently have a policy setting out how Council flag poles across the municipality should be used. In lieu of that policy Council officers have followed the directions of the *Department of the Prime Minister and Cabinet* Australian Flag Protocol. These directions include the order of preference for the flying of flags.

The Council flag poles installed in 2020 mean that the Australian National flag, Aboriginal flag and Torres Strait Islander flag can all be flown simultaneously.

### ***Flying the Rainbow flag***

Council will promote Alpine Shire as a safe and inclusive environment for anyone by 'flying' the Rainbow flag on the Council website, amending the email signatures for all outgoing correspondence and adding a rainbow flag to Council Facebook pages.

Council will continue to follow National Flag Protocol for all Council flag poles until such time as Council policy provides guidance that is different from the National Flag Protocol.

Council does not have a community flag pole designated for community ensigns and pennants.

## **POLICY IMPLICATIONS**

Council does not currently have a flag policy to provide for flying flags other than in accordance with the National Flag Protocol.

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

- 1.3 A caring community

## **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial implications with making changes as recommended in this report.

If the conclusion of the recommendation to explore a flag policy requires a flag policy to be created there will be a resource cost. This work could be proposed as a project for the 2023/2024 budget and therefore no flag policy would be in place for at least 19 months. There is no indication at this time of the costs associated with the preparation or maintenance of a flag policy.

## **CONSULTATION**

No public consultation has been undertaken.

## **CONCLUSION**

The Council office in Bright has three flag poles that will continue to fly Australian National, Aboriginal and Torres Strait Islander flags.

At IDAHOBIT on 17 May 2023 Council will show its support by displaying the Rainbow flag on our website banner, email signature and Facebook pages.

Officers will explore if there is a need for a flag policy to bring greater clarity to which flags are to be flown on each Council flag pole in Alpine Shire.

Council thanks the Victorian Pride Lobby for their petition to raise awareness of flying the Rainbow flag.

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

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

- Director Corporate Performance

### **ATTACHMENT(S)**

Nil

## 9.3.2 Bright Senior Citizens Centre Community Asset Committee

### INTRODUCTION

The purpose of this report is to confirm that the Bright Senior Citizens Centre (BSCC) is to remain a Community Asset Committee (CAC), and to recommend the adoption of the amended Instrument of Delegation.

*Cr Janas*

*Cr Keeble*

*That Council:*

**1. Exercises the power conferred by s65 of the Local Government Act 2020, so that:**

- a. The Bright Senior Citizens Centre Community Asset Committee (BSCC CAC) membership be amended to reflect current community needs for the management of the Bright Senior Citizens Centre;**
- b. Membership of the BSCC CAC shall consist of:**

<b>Alpine Shire Council</b>	<b>1 Representative</b>
<b>Bright and District Senior Citizens Club</b>	<b>2 Representatives</b>
<b>U3A Bright District</b>	<b>2 Representatives</b>
<b>General Public</b>	<b>1 Representative</b>

- c. A quorum of the Committee is the majority of voting members of the Committee, which is greater than half the total number of members of the BSCC CAC; and**
  - d. All members of the BSCC CAC have voting rights on the committee.**
- 2. Notes that in accordance with s47(1)(b) of the Local Government Act 2020, the Instrument of Delegation to the BSCC CAC will be updated by the Chief Executive Officer, following the formation of the committee by Council.**

**Carried**

### BACKGROUND

The Bright Senior Citizens Centre was previously a special committee of management under the provisions of Section 86 of the *Local Government Act 1989*.

Following the commencement of the *Local Government Act 2020*, the Bright senior Citizens Centre (section 86 special committee) was formally disbanded, and their Instruments of Delegation revoked at the Special Council Meeting August 2020.

It was also determined that the Bright Senior Citizens be established as a Community Asset Committee for the purpose of managing the Centre under s65 of the *Local Government Act 2020*.

In 2022 Council was approached by U3A Bright to move to the Bright Senior Citizens Centre as membership has outgrown the current space at the Bright Community Centre.

Meetings conducted between U3A, Bright Senior Citizens and Council determined a solution to amend the membership of the BSCC CAC to reflect the current needs of both clubs with a new membership structure.

The Bright Community Centre rooms will return to Council to maintain and operate.

## **ISSUES**

Community Asset Committees are established by Council under s65 of the *Local Government Act 2020*. Council may consider the membership of the committee and allocate as many members as it considers necessary to achieve the purpose of managing the community asset.

The Bright Senior Citizens Centre Community Asset Committee (BSSC CAC) was established at the Special Council Meeting on 25 August 2020. Once the BSCC CAC and its membership is determined by Council, the Instrument of Delegation to members of the Committee can be prepared for approval by the Chief Executive Officer, in accordance with s47(1)(b) of the *Local Government Act 2020*.

No changes, other than composition of the membership have been made.

## **POLICY IMPLICATIONS**

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

- 4.5 Assets for our current and future needs

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Council subscribes to the Maddocks Delegations and Authorisations service, which provides standardised templates. Costs for this service are covered in Council's annual budget.

Council has allocated \$6,000 in the current financial year for the maintenance and operating costs of the Bright Senior Citizens Centre and will consider a suitable funding model for future financial years.

## **CONSULTATION**

Council Officers have been consulting with the Bright U3A and Bright Senior Citizens to determine their preferred management structure going forward.

## **CONCLUSION**

The proposed delegation ensures that the Bright Senior Citizens Centre can continue to be managed on behalf of Council into the future.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Corporate Performance
- Manager Facilities
- Community and Recreation Coordinator
- Governance Officer

## **ATTACHMENT(S)**

Nil

## 10. Mayors Report

### 10.1.1 Chief Executive Officer - Annual Performance Plan 2022/23

#### INTRODUCTION

This report relates to the requirement contained within the CEO Employment and Remuneration Policy for the Annual Performance Plan 2022/23 to be developed collaboratively between the Chief Executive Officer (CEO) and the CEO Employment and Remuneration Committee (CEO E&RC) during the first three months of the incumbent's tenure. The Annual Performance Plan has been endorsed and is now presented to Council for adoption.

*Cr Ron Janas moved for a Point of Order for the removal of the CEO's name from the original recommendation.*

***Cr Janas***  
***Cr Prime***

***That Council:***

- 1. Notes that the Chief Executive Officer (CEO) Annual Performance Plan 2022/23 was developed collaboratively between the CEO and the CEO Employment and Remuneration Committee.***
- 2. Adopts the Chief Executive Officer Annual Performance Plan 2022/23; and***
- 3. Considers recommendations at the June Ordinary Council Meeting resulting from a review of the CEOs Annual Performance Plan, with this review commencing in May 2023 and being conducted by the CEO Employment and Remuneration Committee.***

***Carried***

#### BACKGROUND

Council's Chief Executive Officer (CEO) Will Jeremy was formally appointed by Council at a Special Council Meeting on 15 July 2022 and commenced in the position on 25 July 2022.

Council's CEO Employment and Remuneration Committee (the Committee) is an advisory committee to Council, and is tasked with considering and making recommendations to Council regarding:

- Performance monitoring of the CEO, including with respect to achievement of the Key Performance Indicators (KPIs); and
- Annual Review of the CEO's performance, including performance against the KPIs.

## ISSUES

### ***Performance Monitoring***

Part 4.5 "Performance Monitoring" of Council's CEO Employment and Remuneration Policy states that:

*"Council will adopt an annual Performance Plan for the CEO, which will include KPIs. The Performance Plan must be developed collectively between the CEO and the CEO Employment and Remuneration Committee (the Committee).*

*Following the initial three months of the CEO's term, a workshop with Councillors and the CEO should be coordinated so that:*

- *Council and CEO can agree to projects and priorities for inclusion in the CEO's Performance Plan and KPIs."*

### ***CEO Employment and Remuneration Committee***

Councillors and the CEO participated in a workshop on 28 October 2022, three months after Mr Jeremy's commencement as CEO, to finalise the CEO Annual Performance Plan which was developed by the members of the Committee in collaboration with the CEO. The Committee consists of an Independent Chairperson, and at least three Councillors, one of whom must be the Mayor. Following a workshop held on 28 October, the Annual Performance Plan is now presented to Council for consideration and adoption.

### ***Functions of the Chief Executive Officer***

In accordance with section 46 of the *Local Government Act 2020*, the CEO is responsible for ensuring the effective and efficient management of the day to day operations of the Council, ensuring that decisions of the Council are implemented without delay, and that Council receives timely and reliable advice, and is responsible for all staffing matters including appointing, directing, and managing members of Council staff.

### ***Key Performance Indicators***

Key Performance Indicators in the CEO Annual Performance Plan are linked closely to the Council Plan 2021-2025.

## POLICY IMPLICATIONS

Employment of the Chief Executive Officer is governed by Part 3, Division 7 of the *Local Government Act 2020*, and further by Council's CEO Employment and Remuneration Policy.

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

- 5.3 Bold leadership, strong partnerships and effective advocacy



## **FINANCIAL AND RESOURCE IMPLICATIONS**

The adoption of the CEO Annual Performance Plan 2022/23 includes budgeted commitments covered by Council's annual Budget.

## **CONSULTATION**

The CEO Employment and Remuneration Committee is responsible for ensuring that the CEO performance monitoring and KPIs are in place.

No consultation is required under Council's Community Engagement Policy or the *Local Government Act 2020*.

## **CONCLUSION**

The CEO Annual Performance Plan 2022/23 sets out the KPIs for the first year of the CEO's tenure. The Plan should be adopted, which will enable performance monitoring to occur in accordance with Council's CEO Employment and Remuneration Policy.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Chief Executive Officer
- Governance Officer
- Executive Assistant to CEO

## **ATTACHMENT(S)**

10.1. CEO Annual Performance Plan 2022/23

## 11. Informal meetings of Councillors

### Introduction

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

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

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

***Cr Nicholas***

***Cr Hughes***

***That the summary of informal meetings of Councillors for September / October 2022 be received.***

***Carried***

### Background

The written records of the informal meetings of Councillors held during the previous month are summarised below. A summary can be found in Attachment 11.0 to this report.

Date	Meeting
27 September	Briefing Session
4 October	Briefing Session
18 October	Briefing Session
25 October	Briefing Session
28 October	Councillor and Executive workshop

### Attachment(s)

- 11.0 Informal meetings of Councillors – September / October 2022

## **12. Presentation of reports by delegates**

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

## **13. General business**

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

## **14. Motions for which notice has previously been given**

Nil

## **15. Reception and reading of petitions**

Nil

## 16. Documents for sealing

*Cr Nicholas*

*Cr Keeble*

*That the following documents be signed and sealed.*

- 1. Contract No. CT22054 in favour of Rich River Asphalt for the Asphalt Overlay 2022-23.**
- 2. Contract No. CT22039 in favour of Exons Pty Ltd for the Porepunkah Landfill Rehabilitation Stage 2.**
- 3. Section 173 Agreement – Goulburn Murray Water and KDHH Pty Ltd.**  
*The Section 173 Agreement relates to condition 21 of Planning Permit 2020.160 for Buildings and Works for the Construction of a Dwelling and a Carport at Lot 6 LP 221462 Mitchells Lane, Wandiligong (Volume 10011 Folio 109)*  
*The Agreement acknowledges and agrees that:*
  - a. If a community effluent disposal system or reticulated sewerage system becomes available, all wastewater from the dwelling must be disposed of via this system and the on-site wastewater treatment and disposal system must be decommissioned.*
  - b. The owner of the property must enter into a contract with the relevant servicing agent for the lifetime of the wastewater management system entailing the following:*
    - i. Three monthly (quarterly) service and maintenance inspections of the wastewater management system must be undertaken by the relevant servicing agent.*
    - ii. All inspections, repairs and maintenance of the wastewater management system, and any pump out events of the holding tank, must be documented and reported to the Responsible Authority on a 3 monthly (quarterly) basis.*
    - iii. The owner must meet the costs of all three monthly (quarterly) service and maintenance inspections, repairs, pump out events and reports.*
  - c. The owner shall meet the costs of the registration of the Agreement on the title of the land and provide evidence to Goulburn-Murray Water of this occurring within 3 months.*
  - d. This agreement is cancelled if (a) above is satisfied.*
- 4. Section 173 Agreement – AC & JA Maskell**  
*The Section 173 Agreement relates to conditions 21 and 33 of Planning Permit 2021.138 for a Six Lot Subdivision and Native Vegetation Removal at 29-35 Service Street, Porepunkah (Volume 9340 Folio 793)*  
*The Agreement acknowledges and agrees that:*
  - a. state that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Alpine Planning Scheme.*

- b. Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
  - c. State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*
  - d. Explicitly exclude Lot 1 from the following exemption under Clause 44.06-2 of the Alpine Planning Scheme:*
  - e. A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of clause 44.06-5.*
- 5. Section 173 Agreement – AR & CG Monshing and Mi & Mo Pty Ltd**  
*The Section 173 Agreement relates to conditions 3, 8 and 10 of Planning Permit 2021.217 for a Subdivision (Two Lot Boundary Realignment) at 47 & 54 Rangeview Drive, Myrtleford (Volume 11918 Folio 763 and Volume 12304 Folio 428). The Agreement acknowledges and agrees that:*
- Condition 3**  
*The existing covenant and Section 173 agreement registered on Lot 11 PS744656V must be registered on the title of proposed Lot 11 forming part of this permit.*
- Condition 8**
- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Alpine Planning Scheme.*
  - Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
  - State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*
- Condition 10**  
*The Bushfire Management Plan (Mountain Planning, Bushfire Management Plan, 47 Rangeview Drive, Myrtleford, Rev: A, Date: 16 November 2021) must be endorsed to form part of the permit, be included as an annexure to the section 173 agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.*

There being no further business the Chairperson declared the meeting closed at 6.37 p.m.

.....  
Chairperson

# Alpine Shire Affordable Housing Research and Analysis Paper

---

November 2022

This report has been prepared with the assistance of UrbanXchange who have provided bulk of the research and analysis on affordable housing issues in Alpine Shire. Atop of the research data, UrbanXchange have outlined options available to Council to consider and further explore to provide affordable housing in Alpine Shire.

# URBANXCHANGE

This work has been funded by Department of Environment, Land, Water and Planning as part of the Regional Hubs Program.

## DOCUMENT UNCONTROLLED WHEN PRINTED

Document Control		
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# SECTION ONE

## Summary of Affordable Housing Issues in Alpine Shire

# 1. Introduction

## 1.1 Purpose of this report

Alpine Shire, like many municipalities across Victoria, is experiencing significant issues with availability and affordability of housing.

With the information provided in this report, Council will gain a greater understanding about the issues associated with access to affordable housing in the Alpine Shire and can choose “Opportunities” to progress to improve the supply of and access to affordable housing.

The findings and agreed “Opportunities” to progress will form a key input for the preparation of the final Affordable Housing Analysis and Action Plan as well as a Housing Strategy for Alpine Shire that is soon to commence, following completion of the Land Development Strategy. The Strategic Planning Team are currently working on this document with an estimated delivery date of April 2023.

This report:

- Identifies the housing affordability issues in Alpine Shire focussing on seasonal and key workers, very low income, low income, and moderate-income households
- Identifies the drivers of housing availability and affordability issues, including the impact of short-term and holiday accommodation in Alpine Shire
- Documents mechanisms available to Council to improve the supply of affordable housing
- Documents the requirements of housing associations accepting vested land or discounted land to develop community housing
- Includes a prioritised plan of the actions Council will take to improve the supply of affordable housing in the Alpine Shire

## 1.2 Structure of the report

This report reflects the supporting research and analysis that informs the separate “Action Plan” for Affordable Housing.

This research report is broken down on the

- Section One documents the *Affordable Housing Issues in Alpine Shire* and sets out housing affordability issues, and options to address the issues
- Section Two is an *Investigation* which provides Council with “Ideas” on how to address and “Opportunities” for Council to consider, and “Recommendations” for preferred focus areas under five main themes:
  1. Direct delivery of housing

2. Statutory and strategic planning
  3. Managing short term accommodation
  4. Advocacy
  5. Educating investors and the community
- Addendum prepared by UrbanXchange provides the background *Analysis and Research* that underpins Section One and Section Two

### **1.3 Methodology**

This report brings together a range of work that is currently being undertaken or has been completed recently to help understand the issue of housing availability and affordability in Alpine Shire.

UrbanXchange was commissioned to prepare an analysis of the housing affordability issues facing the community and details the wide range of “Opportunities” that are available for Council to consider to address these issues. This work was based on the most recently available official information being the ABS 2016 Census data and forms the bulk of the data provided in this report. This body of work is in the Addendum. Note: 2021 ABS Census data is due to be released in stages from late June 2022.

The UrbanXchange information has been combined with additional research that Council and SGS Economics and Planning has also undertaken in preparation of the Land Development Strategy. Other data and information that has become available and gathered from real estate agents, business owners, community members and more recently published data has also been incorporated.

Considering all data that is currently available and actions being taken by other agencies to address housing availability and affordability issues, knowledge of levers available to Council, this report provides a shopping list of actions to address identified key issues.

## 2. What is affordable housing

The term “affordable housing” does not refer to one type of housing. It refers to all sorts of housing and a range of tenure types including renting and purchasing. The range of models for providing affordable housing is growing as the pressure on housing prices and availability is growing in Australia.

### 2.1 Definition of affordable housing

The Victorian Government Policy *Homes for Victorians* provides a clear definition of affordable housing:

Affordable Housing is housing that is appropriate for the needs of a range of very low to moderate income households, and priced (whether mortgage repayments or rent) so these households can meet their other essential basic living costs.

Section 3AA of the *Planning and Environment Act 1987* essentially adopts the Homes for Victorians definition of affordable housing, as follows:

1. For the purposes of this Act, affordable housing is housing, including social housing, that is appropriate for the housing needs of any of the following—
  - a. very low income households
  - b. low income households
  - c. moderate income households
2. For the purposes of determining what is appropriate for the housing needs of very low income households, low income households and moderate income households, regard must be had to the matters specified by the Minister by notice published in the Government Gazette.

**It is generally accepted that, to avoid housing stress, housing costs should not exceed 30% of household income<sup>1</sup>.**

---

<sup>1</sup> AHURI (Yates and Gabriel, 2006)

## 2.2 Income brackets

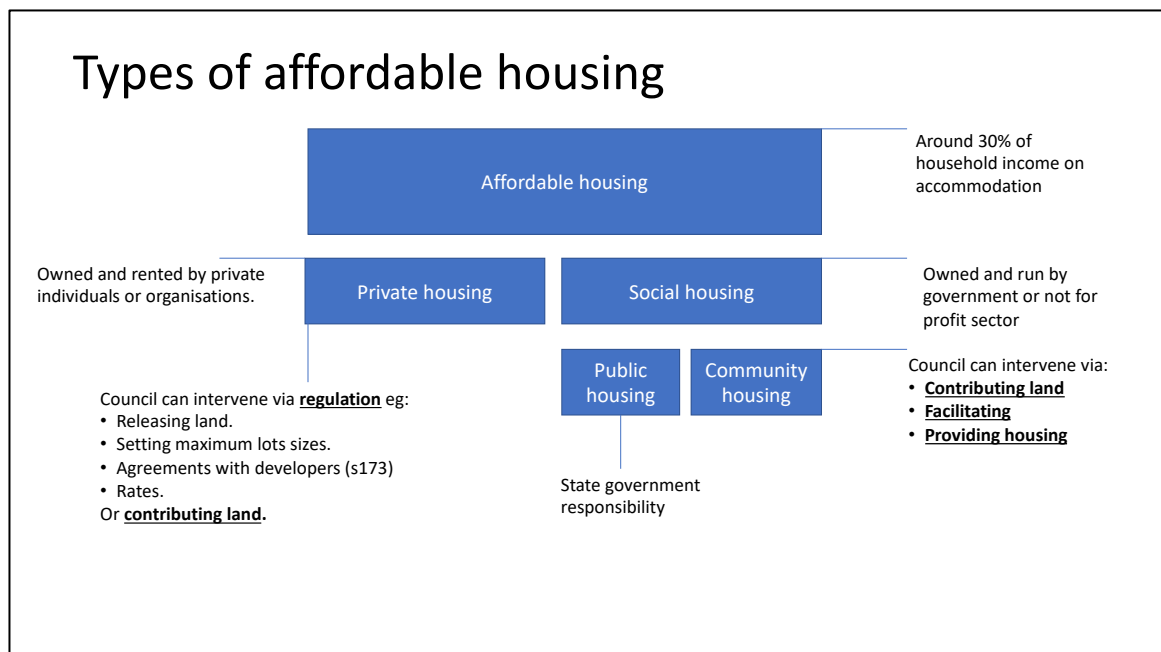
Under Section 3AA (2) the Governor in Council (GIC) publishes the income brackets for very low-income household, low income households and moderate income households. The current income brackets are shown in Table 1.

	<b>Very low-income range (annual)</b>	<b>Low-income range (annual)</b>	<b>Moderate-income range (annual)</b>
Single adult	Up to \$18,380	\$18,381 - \$29,400	\$29,401 - \$44,100
Couple, no dependents	Up to \$27,560	\$27,561 - \$44,100	\$44,101 - \$66,160
Family (one or two parents and dependent children)	Up to \$38,590	\$38,591 - \$61,750	\$61,751 - \$92,610

**Table 1. Government in Council declared income brackets**

## 2.3 Types of affordable housing

Within the broad definition of affordable housing, there are several subcategories. The interaction of these subcategories is shown in Figure 1 and indicates the wide range of ways in which affordable housing can be delivered.



**Figure 1. Types of affordable housing, how they are provided and how Council can intervene.**



Under this model, **Public Housing** is defined as:

Housing owned and managed by the Director of Housing. The Government provides public housing to eligible disadvantaged Victorians including those unemployed, on low incomes, with a disability, with a mental illness or at risk of homelessness.

**Community Housing** is defined as:

Housing owned or managed by community housing agencies for low income people, including those eligible for public housing. Community housing agencies are regulated by the Government.

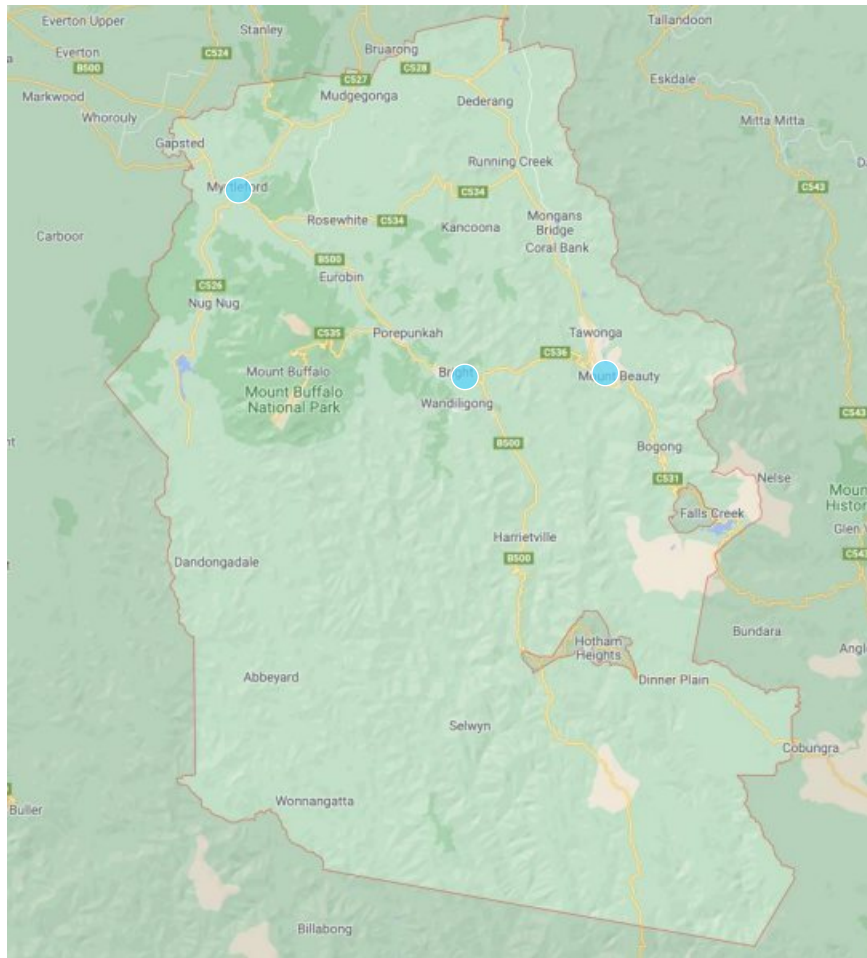
Both public housing and community housing fall under the umbrella term of social housing and usually has some form of subsidy.

## **3. Alpine Shire and how it is changing**

### **3.1 Overview of Alpine Shire**

Alpine Shire is in North East Victoria and is made up of several small towns and settlements including the three largest townships of:

- Bright
- Myrtleford
- Mount Beauty – Tawonga South (these separate towns are adjacent to each other and function as one settlement)



### 3.2 Population and household structure

The population of Alpine Shire was 12,337 at the 2016 census with an estimated growth of 732 residents by 2021 (2021 census data not available at the time of this document development).

Between 2012-19, the Alpine Shire experienced relatively low rates of population growth, increasing by +631 residents (or 0.7% p.a.). The growth was uneven, with some centres having higher growth and others declining.

The age profile is of an ageing community with the median age at 49 and almost a quarter of the population is over 65.

Compared to Regional Victoria, there was a higher proportion of people aged 40 years and above and a lower percentage in the younger age groups (under 15).

Household size per dwelling fell between the 2011 to 2016 Census data. This means that there was growth in the number of people, however, each dwelling had fewer people, increasing demand for new dwellings.

Compared to Regional Victoria, Alpine Shire has a higher proportion of couples with children households as shown in Table 2.

Households by type	%	Regional Victoria %
Couples with children	35.1	25.3
Couples without children	50.7	27.1
One parent families	13	10.1

**Table 2. Household compositions in Alpine Shire compared with Regional Victoria (ABS 2016)**

Bright has the most evenly distributed population across age groups but does have an ageing community.

Dinner Plain is a place of young families with larger number of those aged under 19 and between 40 and 50 years of age. It is to be noted that the time of the year census is collated is peak season for the Alpine Resorts. The winter migration to the mountains increases the resident population and skews Dinner Plain data including the age profile.

Mount Beauty presents a similar demographic profile to other Alpine key townships with 16.6% of the population under the age of 14, a median age of 50 and 27.7% over the age of 65.

Myrtleford has the largest resident base with a median age of 50 and also has an ageing community.

### 3.3 Housing profile

**Across the Alpine Shire, almost all housing stock is low-density, detached dwellings**

Demand for low-density housing is high, however, as there is little availability of medium or high-density housing this does not indicate that there is no demand for medium or high-density housing.

Occupancy rates across the municipality is 75% which is quite low, but this is not spread evenly throughout the municipality. The tourism focused towns such as Bright and Surrounds have much higher levels of dwellings that operate as holiday housing.

In 2016, 74.2% of the population owned or were purchasing a dwelling compared to 66.9% in Regional Victoria, and 21.7% of the population were renting.

### 3.4 Employment and income profile

In 2016, 68% of the workforce were employed across six industries in the Alpine Shire, reflecting the key industries of food and fibre production and processing, and tourism as well as social services (health and education). These were:

- Accommodation and food services (15%, 653 people)
- Retail (12%, 513 people)
- Health care and social services (11%, 499 people)
- Agriculture, forestry and fishing (11%, 470 people)
- Manufacturing (10%, 446 people)
- Education and training (9%, 381 people)

The three most popular occupations were:

- Managers (984 people or 17.9%)
- Technicians and Trades Workers (865 people or 15.8%)
- Professionals (801 people or 14.6%)

### **The unemployment rate is very low at 2.6%<sup>2</sup>**

This unemployment rate compares to the average of 3.0% for Regional Victoria and 4.0% for Regional Australia.

Compared to Regional Victoria, at the 2016 ABS census, there was a lower proportion of people earning a high income (those earning \$1,750 per week or more) and a higher proportion of low-income people (those earning less than \$500 per week).

Overall, 5.8% of the population earned a high income, and 45.6% earned a low income, compared with 6.9% and 40.2% respectively for Regional Victoria.

Alpine Shire has 9.8% of households who earned a high income and 25.2% were low-income households, compared with 12.5% and 22.9% respectively for Regional Victoria.

Bright has a considerable amount of its households who are very low and low income earners.

Dinner Plain, while a very small population and workforce has a significant number of high-income households<sup>3</sup>.

Mount Beauty – is dominated by households that are low to moderate income earners. Mount Beauty has enclaves of disadvantage. On the periphery of the townships centre a pocket of residential housing measures in the 11<sup>th</sup> percentile along the index of relative

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<sup>2</sup> ABS, March 2020

<sup>3</sup> Note that the Census was taken in August at which point Dinner Plain would have been experiencing full occupancy. The permanent population in Dinner Plain is estimated to be about one hundred people.

social-economic disadvantage (IRSD) in comparison to other Australian suburbs. This is the most disadvantaged residential settlement in the Alpine Shire.

Myrtleford – is a blend of households who are very low, low to moderate earners. Myrtleford also possesses pockets of relative social- economic disadvantage with the residential population ranking 12<sup>th</sup> and 13<sup>th</sup> percentile on the index.

The number of individuals and households that identified as very low, low or moderate income households in Alpine Shire in the 2016 Census data on the basis of the Governor in Council Orders (described in chapter 3.2) is shown in Table 3.

Income	Individuals		Households	
	\$ per week	% of individuals	\$ per week	% of households
<b>Very Low</b>	368	33.1	770	35.6
<b>Low</b>	590	23.7	1,235	18.2
<b>Moderate</b>	880	19.9	1,850	18.3
<b>TOTAL %</b>		76.7		72.1

**Table 3. Individuals and Households who classify in Governor in Council Orders within Alpine Shire**

**76.7% of households in Alpine Shire meet the threshold that recognises they may require affordable housing.**

This is an incredibly high number of individuals and households that fall into the category of people that the State Government recognises may require support accessing affordable housing and highlights the seriousness of the housing affordability crisis in Alpine Shire.

### 3.5 Population projections and hidden figures

Based on Victoria in Future data (extrapolated from the 2016 ABS census), Alpine Shire projections are as follows:

- Future population growth is projected to be low, increasing to 13,521 by 2036, representing growth of +707 residents (0.3% p.a.)
- The population is expected to continue to age over time, with the number of residents aged 65 years and over forecast to increase by +753 residents (+25%) between 2016- 36
- Private dwellings are projected to increase by +815 (0.5% p.a.) between 2016-36

However, it is recognised that Regional Victoria has experienced considerable population growth in the past twenty-four months, which is at odds with the Victorian Futures data.

Data from other sources including SGS Planning and Economics, local real estate agents and local service providers such as Alpine Children’s Services and Alpine Health indicates that population growth over the last five years has been much higher than the Victoria in Future projections and is potentially double that rate.

Based on demand for services such as childcare and health, it is likely that the demographic make-up for Alpine has changed significantly including:

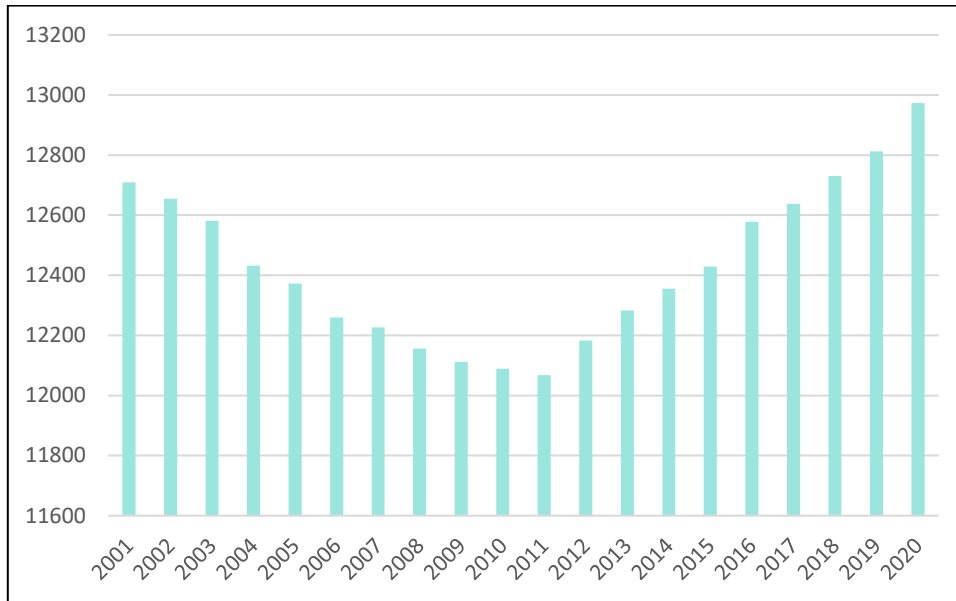
- A higher than projected population increase
- A lower than projected median age
- Negligible outward migration
- Changes to family structure with more families with children

**The likely growth scenario will exacerbate current housing access and affordability issues if nothing changes.**

## 4. Drivers of affordable housing demand

### 4.1 The population is growing

After ten years of population decline between 2001 and 2010, the permanent population in the Alpine Shire has been growing steadily between 2010 and 2020 as shown in Table 4.



**Table 4. Estimated resident population in Alpine LGA (ABS ERP Estimates 2020)**

The Victoria in Future population projections estimate that Alpine Shire’s population growth rate is 0.3%, or 44 people per annum.<sup>4</sup>

However, between June 2019 and June 2020, the actual population grew at a rate of 1.3% per annum<sup>5</sup>. This represents a growth of 191 people per annum. Ongoing lock downs as a result of the COVID19 pandemic continuing throughout the remainder of 2020 and 2021 are likely to have resulted in yet another increase to the permanent resident population of the Alpine Shire. Results from the 2021 Census is expected to reflect this.

This growth is being driven in part by a large increase in regional migration. In 2018 – 2019 9,900 people moved to Regional Victoria, and this increased to 15,200 in 2020 – 2021<sup>6</sup>.

The mismatch in Victoria in Future data and actual growth has a significant impact on the housing affordability problem. These effects include implications on funding decisions made on the supply and delivery of future service infrastructure (such as sewerage).

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<sup>4</sup> Victoria in Future, State Government of Victoria (2019)

<sup>5</sup> Draft Land Development Strategy, Alpine Shire Council (2022)

<sup>6</sup> ‘New data demonstrates how Australia’s population growth is responding to the pandemic’, SGS Economics and Planning, posted March 31, 2022,

## 4.2 House prices have increased dramatically

Median house prices in most towns in the Alpine Shire have more than doubled since 2017. Table 5 demonstrates how prices in the three main settlements, and Dinner Plain have changed since 2017.

Town	Current median	2017 median	% Growth
<b>Bright</b>	\$920,000	\$450,000	104.44
<b>Dinner Plain</b>	\$810,000	\$382,500	111.76
<b>Mount Beauty – Tawonga South</b>	\$465,000	\$275,000	60.09
<b>Myrtleford</b>	\$560,750	\$260,000	115.67

**Table 5. Increase to current median sale price of a house**

The purchasing capacity of households earning the average income by town have been calculated. Table 6 demonstrates that a household earning an average income cannot afford to purchase a house anywhere in the Alpine Shire.

Town	Average household incomes	Purchasing capacity
<b>Bright</b>	\$65,000	\$390,000
<b>Dinner Plan</b>	\$120,000	\$720,000
<b>Mount Beauty- Tawonga South</b>	\$55,000	\$360,000
<b>Myrtleford</b>	\$62,000	\$380,000

**Table 6. Purchasing capacity for average income households in Alpine Shire**

Data from the Victorian Valuer General indicates there was low turnover of dwellings between April 2020 and June 2021.



### 4.3 Dwelling approvals are not meeting demand

In 2021, 77 Occupancy Permits for new dwellings were issued in Alpine Shire<sup>7</sup>. As outlined in chapter 3.2 the number of people who moved to Alpine Shire during that time was 191. The average household size in Alpine Shire is 2.2 persons.<sup>8</sup>

Based on the average household size, this means that 88 houses were required to accommodate the additional population.

Once it is factored in that a high proportion of dwellings are being built for or existing dwellings are being turned into short term stay or holiday let accommodation as identified it is clear that the housing supply is significantly less than demand.

### 4.4 The impact of 'short term stay' dwellings and holiday houses

Between 2010 and 2019, visitation to the Alpine Shire grew by six percent per annum<sup>9</sup>. In 2010 there were 304,764 visitors who stayed overnight. In 2019 this figure increased to 511,237 visitors who stayed overnight<sup>10</sup>.

This increase in visitors has led to many properties being used for short term stay accommodation. Many homeowners and investors have taken advantage of the opportunity to leverage the popularity of the Alpine Shire as a holiday destination and reap the rewards of income that is achievable through renting their properties to holiday makers.

In 2021, there were 293 AirBnB properties in Bright. This is one fifth of the housing stock in Bright which is taken out of the permanent housing market. The availability of short term accommodation available across all Alpine Shire townships has increased.

There has been a 12% or a 3,000 bed increase to short term accommodation availability from 2017 to 2021<sup>11</sup>

In the 2016 census, approximately 25% of housing across the municipality was vacant on census night.<sup>12</sup>

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<sup>7</sup> <https://www.vba.vic.gov.au/about/data> accessed 17 May 2022

<sup>8</sup> ABS, 2016

<sup>9</sup> Alpine Shire Council, *Economic Development Strategy* (2021), page 10.

<sup>10</sup> *ibid*

<sup>11</sup> Fusion Research

<sup>12</sup> ABS – vacant dwellings 2016 compared to 2011

This indicates many houses are vacant some or all the time. Some are likely to be holiday houses but anecdotal evidence suggests there are a high number of houses that are vacant all year.

There is a strong correlation between high house prices and the increase in holiday homes across the region.

#### **4.5 Land availability for the development of housing is scarce**

Alpine Shire comprises of 92% publicly owned land made up of National and State Parks. Vacant land not publicly owned is largely not zoned for residential purposes as well as extensive land areas of the municipality being affected by flooding and bushfire management overlays.

There is limited land in the housing pipeline for Alpine Shire with current availability as follows:

- Bright: one large land parcel, under single ownership with a potential yield of 250 – 350 dwellings. An approved development plan is required before subdivision or development of the land can commence
- Mount Beauty – Tawonga South: One large land parcel, under single ownership. An approved development plan is required before subdivision or development of the land can commence
- Myrtleford: Small portions of land available with two owners

All this means that there is very limited land available and suitable for housing development in the Alpine Shire.

Council is currently preparing a Land Development Strategy (LDS) to identify land that may be available for housing development in the Alpine Shire (this strategy is also looking at commercial and industrial land). The Strategic Planning Team are currently working on this document with an estimated delivery date of April 2023.

Along with the factors identified above, the scarcity of land available for housing means that land is expensive, when and if it becomes available.

A challenge for Council will be developing ways in which to keep new housing land affordable. Chapter 12 in the addendum outlines some of the ways in which the planning system can be used to influence the price of land assisting in affordability.

#### **4.6 Rental housing availability and affordability has deteriorated**

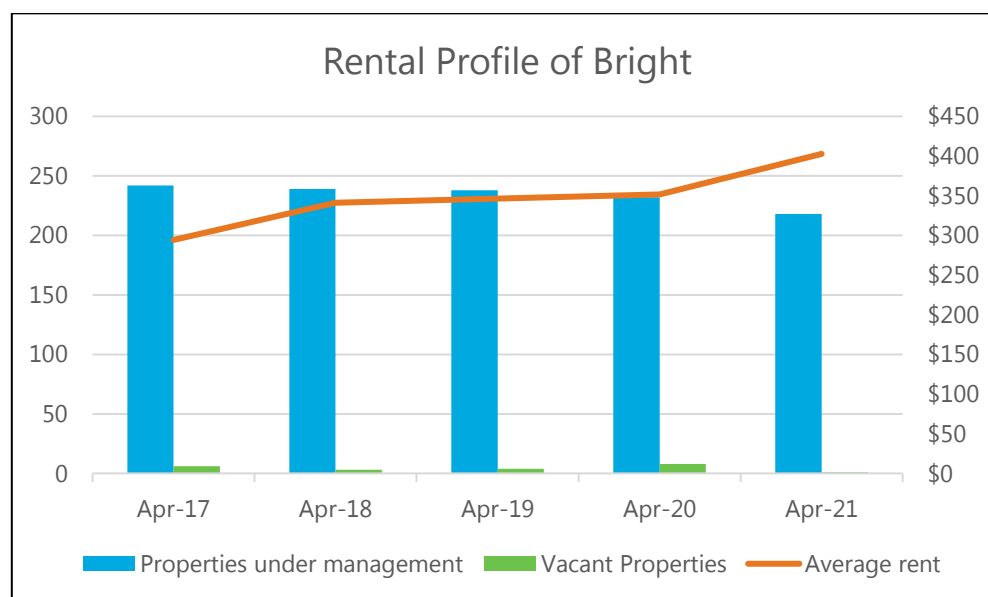
Rental housing availability and affordability has deteriorated over the past 5 years, particularly between 2020 and 2021.

Council undertook research on rental availability and affordability in the township of Bright during 2021, which showed a consistently low number of vacant properties

available for long-term rent over the last 5 years. On average during 2021 there were zero properties advertised for rent each week.

Based on data received from two real estate agents currently operating in Bright, the number of properties available for long-term rent has been consistent year-on-year, with a slight decrease in April 2021 (-6%) from the previous year.

There has been an upward trend in the cost of rent in Bright, with a 14% increase from April 2020 to April 2021, or 37% from April 2017 to April 2021 as demonstrated in Table 7.



**Table 7. Rental profile of Bright (Data provided by Dickens Real Estate and Alexander First National)**

While not so acute, the trend is similar in the neighbouring townships of Mount Beauty – Tawonga South, and Myrtleford and is likely to worsen if not addressed.

#### 4.7 It is expensive to develop in Alpine Shire

Like most regional areas, it is expensive to develop land for housing in Alpine Shire. There are numerous reasons for this including:

- Most land is a declared water supply catchment, so there are strict controls for onsite wastewater management, limiting development
- Managing risks associated with the environmental hazards of flooding and bushfire limits the land available and adds cost to land which is available for development through the building standards and mitigation measures required
- In some areas the costs of developing a dwelling are greater than the potential sale price the developer or builder would receive, rendering development unfeasible

- Some smaller lots zoned Rural Living Zone (RLZ) need onsite wastewater management but that is not feasible because lot sizes are too small to meet EPA guidelines and codes of practice, leaving them vacant
- Lack of strategic planning and land release forecasting at a regional level, combined with the legislated pricing structures for essential services means that service authorities such as North East Water do not have the budget to service new development adding cost to the developer if they wish to proceed
- Some land is difficult or impossible to service with trunk infrastructure; high-level shared infrastructure, so requires on site treatments such as septic tanks which are expensive to install and maintain
- The supply of appropriately skilled builders/ capacity within the development sector is limited. Those builders in the region tend not to have skill or interest in developing alternative dwelling types (i.e. they specialise in detached dwellings)
- Perceptions around what the local market wants may also come into play, while there is limited provision of alternate dwelling types it is harder for the development industry to see the need or successful uptake of alternate, potentially cheaper, dwelling types (e.g. single or two-bedroom apartments or townhouses)

## 4.8 Social housing

Of the 7,188 dwellings in Alpine Shire in 2016<sup>13</sup> only 73 are social housing dwellings. A small number of these are managed by the State Government and the bulk are managed by Community Housing Providers, including Beyond Housing<sup>14</sup>.

### **Only 1.4% of housing stock in Alpine Shire is social housing.**

Social Housing can only be accessed by people who are listed on the Victorian Housing Register and the eligibility test to be on this register includes meeting an income test (between \$1083 per week for an individual and \$2234 for a two-person family)<sup>15</sup>.

In addition, the asset limit for Register of Interest is \$35,488 for households that do not require disability modifications and \$118,295 for households who require disability modifications.

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<sup>13</sup> ABS, 2016

<sup>14</sup> Interview with Beyond Housing, March 2021.

<sup>15</sup> <https://www.housing.vic.gov.au/social-housing-eligibility#eligibility-criteria> accessed 17 May 2022.

People who wish to enter the Victorian Housing Register must nominate where they would like to live should a house become available. Alpine Shire is within the Ovens Murray (Benalla / Wangaratta) area, which includes several municipalities. There are currently 905 individuals or families on the Register of Interest for the area<sup>16</sup>.

However, because there are minimal dwellings available in Alpine Shire, people tend to register for towns with more housing, to provide a better chance of getting accommodation.

This in turn leads to the assessment that there is not a demand for social housing in the Alpine Shire community, which means there is less likelihood that the State Government, or Community Housing Associations will invest in more social housing in Alpine Shire. The State Government's \$5.3 billion Big Housing Build relies on the Victorian Housing Register to determine where investment in social housing should be made.

It could be determined that the need for social housing in Alpine Shire is skewed.

## 4.9 Summary

Housing affordability in Alpine Shire has dramatically deteriorated over the past five years for a wide variety of reasons.

With the current rate of ongoing growth, and lack of land available for housing, this problem is likely to exacerbate as the population is growing quicker than the market is supplying houses.

Many existing and new dwellings are not being used for permanent accommodation but rather short-term accommodation or holiday houses.

The market is tending to provide larger lot sizes in subdivisions, and detached houses rather than a diversity of lot sizes and housing types. Diversification of housing types towards smaller one and two bedroom dwellings in attached houses or apartments, along with smaller lot sizes would provide a supply of cheaper housing (though it still may not be affordable).

Council is limited in what it can do to deal with all of these complex matters. Most of them are outside Council's remit. Chapter 8 addresses the levers that Council can use to intervene.

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<sup>16</sup> Victorian Housing Register and transfer list by local area, March 2022

## 5. Spotlight on key worker housing

Key worker housing has been identified as a high priority issue for the Alpine Shire community and has been captured as a priority in the current Council Plan.<sup>17</sup> A subset of the key worker workforce requires affordable housing as shown in Figure 2.

At this point in Victoria, the provision of State subsidised social housing is limited to people on the Victorian Housing Register. There is no social housing available for key workers.

This is a difficult problem to solve and requires multiple stakeholders to work together to find solutions to the problem. For this reason, this chapter outlines the specific housing affordability issues that affect key workers, and why that is so important to Alpine Shire.

### 5.1 Defining a key worker

There is no Victorian definition of key worker. Consistent with the definition that Tourism North East is utilising through their work in identifying key worker housing solutions for the High Country, Council should adopt the following definition of a Key Worker:

‘A key worker is anyone employed by an eligible business in a vital role that must be performed at a specific location. An eligible business is any business located in the region from one of the following industries:

- Agriculture & viticulture
- Forestry
- Hospitality
- Accommodation
- Snow
- Transport
- Health & Allied Health
- Education & early learning
- Manufacturing
- Construction
- Community services
- Essential services’

The Victoria Planning Authority has built on the United Kingdom definition of key worker and is using this definition for projects it is undertaking in the Barwon South Region.

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<sup>17</sup> Alpine Shire Council Plan, 2021-2025

'An employee who provides a vital service, especially in the essential services, health, or education sectors'.<sup>18</sup>

- Providers of services to residents – e.g., teachers, doctors, nurses, health care workers, pharmacists, Council staff
- Providers of services to visitors/tourists – e.g., hospitality, retail, workers at tourist attractions
- Workers in key local industries – e.g., agriculture and associated industries, and construction

Within the range of people that are key workers, some will require available and affordable housing, while others will require housing to be available. Figure shows the cross over between key workers and affordable housing. This focus of this report is on affordable housing, including key workers who need affordable housing.

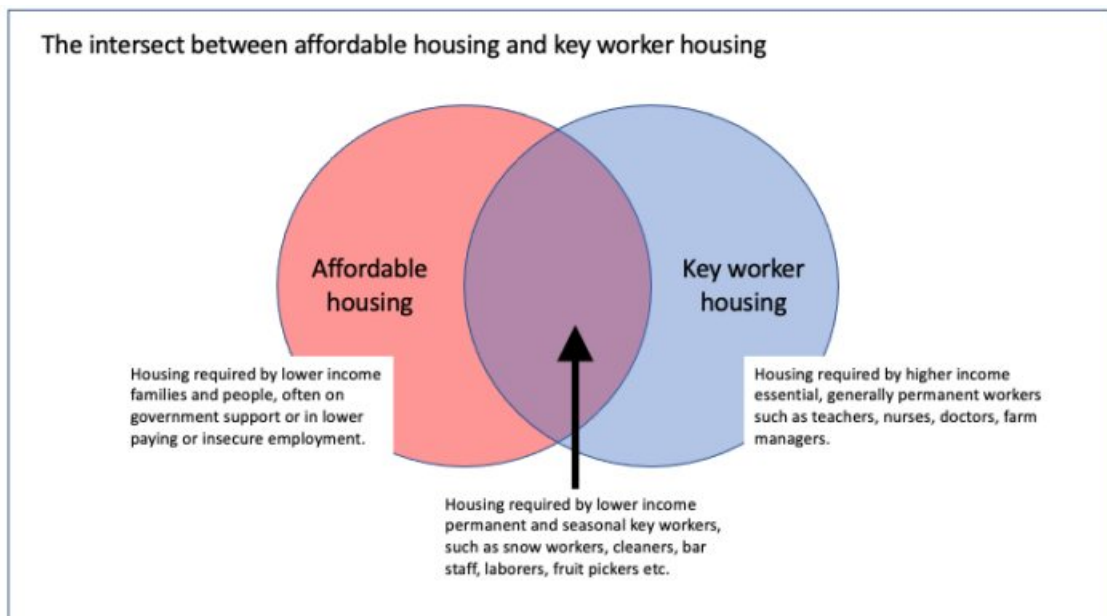


Figure 2. The intersect between affordable housing and key worker housing

## 5.2 Key worker profile

The ABS statistics show that 66% of the working population of Alpine Shire are considered 'Key Workers' under the Tourism North East definition as shown in Table 8. Industry of employment of employed persons in Alpine LGA, with key workers highlighted in teal (2016 ABS Census).

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<sup>18</sup> Town and Country Act 1990, Section 106

	Alpine (\$)	Alpine (%)
Agriculture, Forestry and Fishing	470	11%
Mining	3	0%
Manufacturing	446	10%
Electricity, Gas, Water and Waste Services	93	2%
Construction	284	6%
Wholesale Trade	63	1%
Retail Trade	513	12%
Accommodation and Food Services	653	15%
Transport, Postal and Warehousing	132	3%
Information Media and Telecommunications	15	0%
Financial and Insurance Services	63	1%
Rental, Hiring and Real Estate Services	107	2%
Professional, Scientific and Technical Services	185	4%
Administrative and Support Services	158	4%
Public Administration and Safety	182	4%
Education and Training	381	9%
Health Care and Social Assistance	499	11%
Arts and Recreation Services	57	1%
Other Services	143	3%
<b>Total</b>	<b>4450</b>	<b>100%</b>

**Table 8. Industry of employment of employed persons in Alpine LGA, with key workers highlighted in teal (2016 ABS Census)**

Council data estimates that there were an additional 297 jobs in the Alpine Shire, with growth in jobs with much of that growth occurring in key worker industries:

- Accommodation and food services had an additional 38 jobs
- Agriculture, forestry and fishing had an additional 40 jobs
- Manufacturing had an additional 20 jobs<sup>19</sup>

<sup>19</sup> Alpine, *Economic Development Strategy*, 2021 (page 10).



## **Alpine is highly reliant on key workers and the overall number of jobs is growing including growth in the key worker sectors.**

In Alpine Shire there is a mixture of permanent key workers, part time key workers and seasonal key workers (for instance, fruit pickers, peak tourism period hospitality workers and snow workers).

### **5.3 An escalating key worker shortage**

Alpine Shire has been particularly affected by a shortage of key workers. This has been a problem for many years, but has escalated recently as a result of:

- A significant increase in investment in housing stock for use as short-term accommodation or holiday homes which removes dwellings from the long-term housing market, therefore leaving no housing available for key workers to live in
- A trend towards regional and rural living due to COVID-19, and the increase in hybrid or work from home working options means there has been an increase in migration to Alpine Shire, and an increase in owning two dwellings for their exclusive use (e.g. one in Melbourne and one in Myrtleford)
- Increasing popularity of the Alpine Shire as a holiday and tourism destination that has resulted in a need for more key workers to service the tourism industry
- Worker shortages stemming from lockdowns of the pandemic, many workers changing occupations so as to continue to work
- Relatively slow take up of land zoned for residential development in Bright and the Kiewa Valley; encompassing Mount Beauty and Tawonga South (map chapter 4.1)

### **5.4 Social housing is generally not available for key workers**

Any supply of social housing that is available in the Alpine Shire is unlikely to be allocated to key workers wanting to live and work in Alpine Shire. This is because if an individual is a key worker they are not considered eligible for the Victorian Housing Register, or the allocation of dwellings.

### **5.5 Key workers are priced out of the rental market**

The increase in the cost of residential accommodation is a significant financial burden on key workers who have difficulty finding accommodation and are likely to be facing housing stress.

In 2021, Council compiled Table 9 during consultation with local real estate agents, local business feedback and key workers. This identifies that for key workers on a lower wage, most housing in the Alpine Shire is unaffordable to rent.

Job (hours per week)	Income	Affordable rent (weekly)	Share house Bright	2 bed unit Myrt	2 bed unit Bright	3 bed house Mt B	3 bed house Myrt	3 bed house Bright
Full time bar staff (40)	\$45,000	\$288.46	\$180	\$275	\$320	\$375	\$400	\$425
Part time bar staff (25) (40 weeks pa)	\$21,600	\$124.61	\$180	\$275	\$320	\$375	\$400	\$425
Part time cleaner (20) \$25K wage/\$15K pension	\$40,000	\$256.41	\$180	\$275	\$320	\$375	\$400	\$425
Full time restaurant manager (40)	\$60,000	\$384.61	\$180	\$275	\$320	\$375	\$400	\$425
Skilled barista (40)	\$58,000	\$334.51	\$180	\$275	\$320	\$375	\$400	\$425

**Table 9. Availability of affordable rental accommodation in Alpine Shire for selected key workers**

*\*figures in green represent affordable housing and figures in orange are unaffordable by key workers*

While this report focusses on affordable housing, it is important to acknowledge that lack of availability of any housing stock in Alpine, either for purchase or rental at any price, has created situations where even higher paid key workers cannot access accommodation (for example teachers, medical staff and allied health professionals).

## 6. How poor housing affordability impacts the community

The impact of poor housing affordability is felt across the whole community.

In Alpine Shire, as housing affordability has worsened, there has been significant outward migration of individuals and families who have lived here for many years who can no longer afford to rent or live in the area.

Some outward migration is within the Alpine Shire (for example, Bright residents moving to the more affordable Myrtleford) but many residents move further away (for example, Wodonga, Wangaratta, Melbourne and other parts of regional Australia).

For decades, Alpine Shire has had a fairly stable community, with newcomers tending to be retirees. This is changing with most of the inward migration now being families from urban centres looking for a lifestyle change. The increase of families moving to the area has resulted in other social impacts such as demand for childcare and kindergarten services, medical services and schooling. Demand is outstripping supply.

Children of families who have lived in townships located in the valleys for generations are priced out of the housing market, even though they would prefer to live in the area and remain close to other family members. This impacts on the stability and cohesiveness of the community.

It is extremely difficult to fill key worker roles at all levels. This impacts on higher paid jobs (e.g. teachers and nurses) as well as lower paid roles (e.g. hospitality staff and fruit pickers).

The shortage of key workers has many negative impacts including:

- Hospitality and tourism businesses that employ key workers have had to modify business practices and operations. Modifications like reducing hours of operation or capacity impacts to the visitor experience
- The health industry cannot find staff to fill essential service roles including kitchen and cleaning staff as current wages have not kept up with the inflationary cost of living
- Seasonal food and fibre workers are opting to live in substandard conditions choosing to live onsite 'camping' at their workplace or living in over-crowded houses to mitigate costs
- Building, construction, and maintenance delays
- Food and fibre producers paying well over normal rates for fruit pickers, tree planters etc which affects business viability and contribute to price increases to the end user. There has been a move from employing staff directly to utilising the services of labour hire companies
- Chronic shortages of essential professionals like doctors, nurses, allied health professionals, childcare workers and teachers impact on the overall health and development of the whole community
- Business owners doing tasks like cleaning and cooking which takes their focus away from running their businesses effectively and growing their businesses

The effect of a shortage in affordable housing on the economy and community morale is significant.

The character and diversity of Alpine Shire is changing very quickly as housing becomes less affordable or unavailable. Additionally, services to support the community cannot keep up.

## **7. Council's role in affordable housing**

Traditionally the role that councils have played in facilitating affordable housing has been through ensuring the private sector can deliver housing that is affordable through the provision of adequate land supply the zoning residential land to meet demand.

Social housing has generally been funded by the State government in the form of delivery of public housing and funding or part funding supply of community housing.

Community housing in the form of dwellings, crisis housing, rooming houses and so on has been delivered by various not for profit entities, including Registered Community Housing Providers such as Beyond Housing.

Over the past few decades, several factors have created an increase in demand for affordable housing including:

- The State Government has stepped back from its traditional role of being the primary provider of social housing through the provision of public housing over the past few decades so there has been a very low supply of social housing
- House prices in Australia have increased at a much higher rate than household earnings due to a range of macro-economic issues

Over the past five years, the State government has recognised the severity of the social housing gap and has invested \$5.3 billion dollars in addressing this problem through the Big Housing Build which is aimed at delivering thousands of new community housing dwellings (in various forms) for Victorians.

The affordable housing crisis has meant councils, including Alpine Shire Council, are now considering other ways in which they can support the provision of affordable housing. This is evidenced by initiatives being driven by Councils that have been delivered or are being delivered currently, including:

- Establishing housing trusts (Port Phillip Council, Melbourne Council)
- Selling air rights for affordable housing (Moreland City Council)
- Supporting establishment of Community Land Trusts. (Mount Alexander)
- Purpose built housing (Ararat East Development Zone)

At least two regions are also working on developing solutions for key worker housing including:

- **North East Victoria (Hume Region):** Tourism North East has secured funding to develop solutions to attract and retain key workers including providing them with affordable housing. Each of the Councils and Resort Management Boards in the High Country are partners in this project.
- **Barwon South West Region:** The region has secured funding to investigate locations and mechanisms to deliver key worker housing where it is most needed across the region.

Council's role in facilitating affordable housing can be broadly grouped into three areas, as outlined in Figure 3. Areas of influence in affordable housing supply. These are:

1. Advocacy, research and information
2. Planning
3. Financial

Area of Influence	Action
Advocacy, research and information	Advocacy
	Research
	Collation of data
	Developer education
	Community engagement
Planning	Land supply and availability
	Planning policies and strategies
	Streamlined approval processes
	Planning concessions
	Limit the duration of time that dwellings can be used as short-term accommodation
Financial	Voluntary key worker/affordable housing contributions (Section 173)
	Reduced development contributions, planning charges and Council rates
	Increasing rates on unoccupied properties
	Use of Council land to facilitate development
	Creation of housing trusts
	Direct investment in housing supply

**Figure 3. Areas of influence in affordable housing supply**

These roles are detailed further in Chapter 7 of the addendum of this report. The roles are broad and diverse, and require quite different levels of investment, from funding development and management of housing, through to much lower cost activities of advocacy to government and developer education.

# SECTION TWO

## Affordable Housing Investigation

## 8. Investigation and Actions to date

Alpine Shire Council raised the issue affordable and key worker housing at the State Government Upper House sitting of Parliament that was held in April 2021 in Bright. Council advocated for assistance and was successful in securing funding from the Department of Environment, Land Water and Planning (Rural and Regional Partnerships) and the Department of Jobs, Precincts and Regions (Regional Development Victoria) to assist with researching and finding solutions to the problem, particularly as it relates to key workers.

This report summarises the work that has been done to date, and options for Council to pursue to improve the supply of affordable housing in the Alpine Shire.

Six potential roles for Alpine Shire Council have been defined and are explained in more detail along with the action and investment Council needs to consider if it is to pursue these roles further. These are listed here from the most interventionist to the least interventionist.

1. Direct facilitation of affordable housing.
2. Strategic and statutory planning.
3. Managing the quantum of short-term accommodation.
4. Advocacy.
5. Educating investors and the community.

The remainder of this chapter goes through the projects that have been identified for Council, the work that has been done to date (expressed as Findings), and further opportunities for Council to consider (expressed as Opportunities).

The type of resources that Council will need to progress the opportunities identified include:

- Human resourcing to deliver opportunities that have been identified and coordinate advocacy and policy development for Council. The resource or resources will need to work across the Economic Development and Strategic Planning areas of Council and potentially Asset Development. Depending on the opportunities Council wish to pursue, budget for expert advice may be required.
- Budget to undertake further strategic work on planning scheme policies. This would ideally be bundled into the Housing Strategy being prepared by the Strategic Planning Team but may potentially be separate work.

Over the last 18 months, Alpine Shire Council has undertaken significant work to research and address affordable housing issues in the Alpine Shire, particularly as they

related to affordable housing for key workers. Details of these initiatives are included in each section as appropriate.

This section outlines actions taken to date, and future options for Council to consider in delivering affordable housing for the community.

## 8.1 Direct facilitation of affordable housing or land for affordable housing

### Idea 1: Direct delivery and management of affordable housing

It is not usual for Councils to take on the role of direct delivery and management of social housing.

The reasons for this are:

- It is not a core service for Council to provide housing.
- Shortage of skilled and experienced resources. Other providers are better placed to provide affordable housing including the State Government, Community Housing Providers and other housing delivery entities (like the Private Sector).

#### Findings

- A. Council currently doesn't have ongoing committed resources or capacity to directly deliver development of affordable or key worker housing or to manage housing once developed.**

### Idea 2: Identify suitable land for affordable housing

To lower the cost of development and encourage developers to invest in the Alpine Shire requires the removal of some costs.

Council has identified government and community owned land that may be available for the development of social and key worker housing and have commenced work to progress development with a Community Housing Provider.

Council worked with a GIS specialist to identify land that may be suitable for affordable housing.

The investigation identified land with the following characteristics.

- Land owned by government (Federal, State or Local) of any size.
- Land owned by community organisations such as church, community centres and private schools of any size.
- Land zoned Public Park and Recreation Zone or Public Use Zone of any size.
- Land owned privately and zoned for residential use over one acre is size.



- Land not significantly impacted by a flooding control (the Special Building Overlay, the Land Subject to Inundation Overlay, the Flooding Overlay and the Urban Floodway Zone).

As a result of this process, multiple parcels of land have been found. At this stage, Council has investigated most of the Council owned parcels, however there is still work to be done liaising with the State Government and community groups to determine whether their identified parcels are suitable for and available for housing.

There are further opportunities that Council could explore on its own land such as:

- Mixed housing development over at ground car parks (for example, the Senior Citizens Centre Carpark in Bright) and other parcels already being utilised for other purposes.
- Consolidation of location of ageing community and sporting facilities to major open spaces (such as Myrtleford Show Ground and Pioneer Park in Bright) to free up land for affordable housing (eg Bright Community Centre).

## Findings

- B. Council has identified government and community owned land with the potential for development of key worker housing or a village or affordable housing. Council has been working with Tourism North East throughout the development of the NEWMAH project. Council also engaged with a Community Housing Provider to explore opportunities. These opportunities could be explored further.**

## Opportunities

To ensure that identified solutions in this report are progressed, Council would need to commit to engaging resourcing to coordinate the various affordable and key worker housing actions. The tasks associated with this include:

- 1. Continue working with Community Housing Providers such as Beyond Housing to identify where opportunities exist for the development of social housing on Council land and progress identified projects through the various stages.**
- 2. Extend upon the land identification completed to date to identify locations (such as Council owned carparks and/or above existing buildings such as the Senior Citizens Centre in Bright) where air rights or surplus land around buildings may be able to be provided to enable development of affordable housing.**
- 3. Liaise with the State Government and Community organisations where surplus land has been identified as potentially suitable for affordable housing. Identify state government land with existing public**

**housing and work with state government to encourage redevelopment of those sites to medium density housing**

- 4. Investigate opportunities of consolidating ageing community assets at alternative locations to where they currently exist and where land is made available, explore the potential for development of affordable housing, particularly in locations close to activity centres.**

**Idea 3: Develop a policy on leasing or disposal of land for affordable housing**

As outlined in Idea 2, it is likely that Council will need to consider leasing, gifting or selling its own land to other agencies for the purposes of developing housing.

Council may come to a point where it must decide whether to sell, gift or lease available land to a housing provider or other developer. At this point, Council does not have a policy on sale, gifting or leasing land for this purpose. A policy is required to inform future decision making.

**Opportunities**

- 5. Council should develop a policy around its approach to selling, gifting or vesting Council owned land to affordable housing providers. This policy should outline:**
  - Approach to disposing of land vs leasing land (a 50-year lease is the maximum under the Local Government Act 2020).**
  - Charges for sale or lease (for example, gifting, a percentage of market value, peppercorn lease etc).**

**Idea 4: Consider the future use of the Bright and Myrtleford Caravan Parks**

The Bright Caravan Park is currently leased to the NRMA. The lease expires on 30 June 2032. This is a substantial parcel of land in a residential area that is in an ideal position for housing as it is close to Bright town centre and generally unencumbered by constraints. Council could also consider the future use of the Myrtleford Caravan Park.

It is good governance for Council to consider the best use of this land to meet the needs of the community at the time leases expire. If the use of the land is to change, given the longevity of the lease with current leaseholders, providing plenty of notice if the use of the land is to change is appropriate to enable leaseholders to develop an exit strategy.

There is good lead time before the lease expiry. The time should be used to consider and plan for the best future use of the land which is of benefit to the whole community.

## Opportunities

- 6. Council could commence planning the future use of the Bright and Myrtleford Caravan Parks once the leases expire. This may be retaining them as caravan parks. Council could also consider utilising some or all of the sites for the development of affordable and key worker housing.**

## 8.2 Strategic and statutory planning

Council has already committed to a pipeline of strategic planning work to enable the planning scheme to be updated and support the development of other strategic work such as a Community Infrastructure Plan and Development Infrastructure Plan.

This work will take several years to complete. The Land Development Strategy is currently underway. This will be followed by the Housing Strategy and other work.

Most of the ideas listed in this section will be able to be actioned in the planned strategic work, subject to budget allocation.

### **Idea 5: Planning scheme policies that support key worker and affordable housing**

Council could ensure the planning scheme reflects the importance of providing key worker and affordable housing and addressing wider affordable housing issues. This will signal to developers and registered housing associations that these kinds of development proposals will be welcomed and will assist Council in prioritising these projects.

There are a range of planning concessions that some Councils provide for key worker and affordable housing proposals, including:

- Approval process advantages and cost reduction strategies
- Reduced development contributions
- Additional building height
- Reduced building setbacks
- Reduced car parking
- Reduced open space requirements

Most of these opportunities are better suited to higher density environments where there is a greater amount of development occurring and development contributions controls are in place, such as Melbourne and its suburbs.

## **Opportunities**

- 7. Include the development of planning scheme policies that support key worker and affordable housing in the scope of the Housing Strategy or Structure Planning briefs.**

### **Idea 6: Support medium density development in towns**

Undertake a qualitative review to identify opportunities for more medium density housing in Bright and the other townships that will provide low-cost housing options for key workers. The provision of medium density housing options would assist with lower cost housing. Future structure plans of any town could identify opportunities for medium density housing, including the development controls needed to manage it.

Typically, medium density housing dwelling types include townhouses, terrace houses, semi-detached houses, duplexes and manor houses (this definition is in line with the ABS definition).

## **Opportunities**

- 8. Include the identification of medium density opportunities in residentially zoned areas in Alpine Shire in the scope of the Structure Planning or Housing Strategy briefs.**

### **Idea 7: Seek affordable housing contributions from developments and rezonings**

Current State Government legislation provides for Local government to seek contributions for affordable housing on a voluntary basis. Council could develop an affordable housing policy document and planning scheme amendment to set out the basis for seeking such amendments for new developments.

Where a planning scheme amendment is prepared for new planning controls on a site and an agreement is reached that the rezoning is contingent on providing an affordable housing contribution, a Special Use Zone schedule or Development Plan Overlay schedule can refer to this as a requirement.

Any proposed policy needs to define the anticipated need for affordable housing and the types of considerations that Council will consider in determining what might be an acceptable contribution. As set out in Table 3, there is a range of tenure models that could be considered.

It is important to ensure there is a clear set of Design Guidelines as an outcome to each of the below incentives to ensure aesthetic impact to community and neighbours have all been considered in design. This may also include sustainable design outcomes to reduce operating/living costs.

## Opportunities

- 9. Identify potential rezoning sites that could make an affordable housing contribution through the Land Development Strategy and ensure that appropriate planning controls are developed to collect the contribution.**

### Idea 8: Ensure an adequate ongoing land supply for residential development

Clause 11.02-1S of the Planning Policy Framework requires Councils to plan for at least a 15-year ongoing supply of residential land within their municipalities. Ensuring that structure planning and planning scheme amendments for rezonings occur in a timely manner is essential to provide an efficient housing market.

It is equally important that the land supply is in areas of demand and in sections that are sizeable development opportunities (either larger development sites or a pipeline of development projects) that warrants a developer making a sizable capital investment in development in the region – for example, an active pipeline of 80 dwellings per year for 3–5 years. Prioritise the rezoning of land identified for residential expansion.

Council is currently preparing the Land Development Strategy. This significant project will identify the quantum of residential, commercial and industrial land required in the Alpine Shire and where it is best located.

As outlined in chapter 4.1 the population in Alpine Shire is growing quicker than projected and expected. There are also significant environmental constraints on land related to bushfire, flooding and servicing constraints in some areas.

The Land Development Strategy is expected to identify land that can be rezoned to allow residential development, and how many people could be accommodated in each parcel.

Once the Land Development Strategy is finalised, Council may need to prepare a planning scheme amendment to implement the findings, including potential rezoning of land.

## Findings

- C. Council is preparing a Land Development Strategy that will identify the quantum of residential land that should be released to meet the forecast population growth and where it should be located. Once this strategy is completed, a planning scheme amendment may be required to implement the findings.**

### Idea 9: Support sustainable subdivisions

One of the ways to provide a supply of affordable housing to the private sector is to reduce the size of some lots in residential subdivisions.

This requires approving subdivisions with a mix of lot sizes and supporting a good supply of smaller lots closer to the town centres of Bright, Myrtleford and Mount Beauty.

In turn this allows people to be less reliant on cars for day-to-day trips which adds to housing affordability.

Development of a Housing Strategy provides an opportunity to address preferred residential lot sizes to apply to new subdivisions. Requiring a mix of lot sizes in new subdivisions, including small lots to support development of medium density housing (for Alpine that might be 400 square metres) may result in relatively lower priced parcels of land becoming available when land is released.

### **Opportunities**

- 10. Include identifying preferred lot sizes for subdivisions within walking distance of Bright, Myrtleford and Mount Beauty to encourage a greater diversity of lot sizes in the scope of the Housing Strategy brief.**

### **Idea 10: Work with landowners to encourage development of residential precincts**

In some locations, land is not being developed. There is no compelling reason to develop or sell. Other landowners are hesitant to sell their land knowing it will be developed for housing. Landowners are likely to have expectations of the price they will receive for the land – in some cases to fund retirement – and if this is not offered, they may choose to hold on to the land with the expectation that prices will rise into the future.

This is different to metropolitan areas where the rate of development and scale of demand is greater so land is less likely to be held back from the market.

There are several landholdings in Alpine Shire that are suitable for or zoned for residential development that haven't been released to the market or developed. Council planning officers already work with these landowners to encourage them to either develop or release the land.

### **Findings**

- D. Council planning officers currently work with landowners with large holdings of residentially zoned land so as to encourage development of the land. This should continue.**

## **8.3 Managing the amount of short-term or vacant accommodation**

### **Idea 11: A "call to action"**

Council received funding from Regional Development Victoria for the "Key Worker Housing Pilot Program". This program was to encourage property owners of holiday homes, under-utilised or vacant properties to release properties onto the rental market for key workers.

Council prepared communication and marketing collateral that was distributed to all ratepayers informing them of the key worker accommodation crisis currently being experienced and asking rate payers to consider placing their short term let, under utilised or vacant properties onto the long term let market for the purposes of housing key workers.

As well as seeking housing, this letter had the effect of improving community understanding of the issue, and how community could assist to resolve the problem.

To date conversations with real estate agents has indicated the conversion rate from short term rentals to permanent rentals has been low. The collateral has assisted with communicating the issue and implications of the housing crisis in the region.

### **Findings**

- E. Council developed a 'call to action' to ratepayers in late 2021 to ask them to consider converting short term and vacant properties to permanent rentals. Whilst the conversion rate was low, the campaign had the positive effect of making the community more aware of the housing accessibility and affordability problems being experienced in the Shire and the impact it was having on businesses and the delivery of services.**

### **Idea 12: Limit the duration that dwellings can be used as short-term accommodation**

Discussions with key stakeholders have identified the impact of short-term holiday rentals on housing availability for key workers. Many long-term rentals have been converted to short term holiday rentals.

It is feasible for owners to earn significantly more by renting their dwellings for just a few weeks at peak times than they may otherwise earn via a permanent rental arrangement.

Section 173 agreements may help in restricting the amount of new accommodation that can be used for short-term accommodation in new estates. An example of where a Section 173 agreement has been used is in the recent developments of Everlasting Place and Alexandra Court in Bright.

This works for new development, although it can be very problematic if future purchasers are not aware of the restriction and is also extremely difficult to enforce.

This approach cannot control existing housing that is utilised for short-term holiday accommodation.

The approach that has been taken in other jurisdictions (see the NSW and Tasmania case studies) demonstrate that this issue has been addressed at a state-wide level through requirements for some short-term accommodation to obtain planning permits. This is an opportunity where Council could undertake advocacy.

## Findings

- F. Council engaged resources to prepare an “Issues and Options” paper to clarify options available to Council to regulate short stay accommodation via Section 173 Agreements.**
- G. The advice received will be considered by Council officers when applications are made for development.**

## Opportunities

- 11. Council officers should consider the advice received and application of a Section 173 agreement when development applications are received.**

## Idea 13: Investigate a local law to manage short term accommodation

Council engaged resources to explore development of a local law to assist with managing the quantum of short-term accommodation. The development of a Local Law would seek to address the number of short-term houses by potentially limiting the number of nights per year the house can be rented out. This may result in some accommodation currently used as short-term holiday rentals moving over to permanent rentals.

## Findings

- H. The report provided to Council has identified that the powers that Council have to manage short-term are limited, however, the powers of state government are much greater. Recommendation is that Council play an advocacy role with state government to effectively intervene.**

## Opportunities

- 12. Council should advocate to the State Government to explore and introduce controls to manage the use of dwellings for short-term accommodation through a permitting system (eg the News South Wales state government system).**

## Idea 14: Use the Alpine Resorts for ‘green’ season accommodation for valley workers

Council has finalised a study to look at accommodating key workers from the Ovens and Kiewa valleys in available accommodation on the Hotham or Falls Creek resorts during the ‘green’ season (spring, summer and autumn) by offering a transportation link between the place of employment and accommodation.

The study assessed the appetite of valley employees to be housed on mountain, measured the level of commitment from accommodation operators to operate out of the traditional winter season, working with transport providers on what options are available, the costs and engaging with valley employers to understand their business needs.



## Findings

- I. **The study demonstrated that this was not a viable option from a social and financial perspective.**

### Idea 15: Workforce management and affordable housing for key workers

While preparing the case studies for this report, several stakeholders identified that opportunities may exist to deliver alternative forms of housing. In particular, the type of housing product is expected to meet the housing needs of key workers who are residing in the area for an extended period (but not permanently), such as those involved in construction projects, industrial maintenance, tourism or agricultural activities. Individually, the industries are not able to support the provision of housing for their temporary workers.

Tourism North East has recently completed the NEWMAH project, including a business case for the development of a Key Worker Housing Village. Funding, engagement of a developer and provision of land is required for this project to progress further. Council needs to progress the development of a policy that articulates how it would deal with the provision of land, including engagement with the community before any development could progress.

The concept is to develop a range of accommodation suitable to a range of Key Workers. Development of such a village would require coordination across industry groups to assure occupancy of properties for most of the year. For example, those involved in industrial maintenance could have accommodation scheduled in around accommodation requirements of tourism and agriculture workers. The built form would need to be cost-effective to deliver and need to be located within towns, close to services etc.

The co-ordination of the occupancy in a continuous cyclical manner will provide confidence that there is sufficient need and occupancy to attract investors. The land for such developments will need to be within a reasonable commute of the required industries. This could be land that is on Council land either under a long term lease arrangement or by sale.

## Findings

- J. **The Tourism North East project is complete. Council has received all reports from the project. To progress the project further, significant investment is required to enable the development and includes the provision of land at no cost.**

## **Idea 16: Facilitate temporary housing for seasonal key workers**

Council can consider where it could provide designated land for temporary housing for seasonal workers. The securing of designated land with infrastructure would allow for co-contribution by industry on housing types.

This could lead to investment in relocatable dwellings that could be used throughout the year for seasonal agricultural and tourism workers. If these are partially or fully off grid, they can potentially be moved around as temporary villages where the various workforces are located (e.g., Myrtleford for harvest, and locations at other times of the year for agricultural workers).

Council and/or State Government could potentially provide vacant land they may have available or help identify locations where the dwellings could be located (including future development sites or sites only used part time such as the show grounds). Council could also assist with any planning approvals needed if it is determined that these temporary villages require permits. Private landowners could also be encouraged to provide relocatable dwellings on their properties (e.g., single units in back yards) to increase the availability of such accommodation.

Ideas that are already being pursued by Council are:

- Identifying on-farm accommodation that could be used for key workers when not in use
- Working with caravan park owners to identify any temporary key worker housing (eg cabins) that could be made available outside of peak season

### **Findings**

- K. Council is investigating options for use of parts of Council caravan parks for seasonal worker accommodation.**

### **Opportunities**

- 13. Council could facilitate the provision of temporary accommodation for key workers on suitable sites (such as Council caravan parks).**

## **8.4 Advocacy to government**

### **Idea 17: Develop an advocacy group with other Councils in North East Victoria**

The situation of a shortage of affordable and appropriate housing for key workers is an issue felt across most parts of regional and rural Victoria. In other regions, Councils have formed coalitions to advocate for funding and change.

Councils in the region are already connected through groups like the Ovens Murray Partnership and through the project currently being delivered by Tourism North East.

There is an opportunity to work through these groups, or form a new group to advocate collectively for affordable housing that meets the needs of the region. This could include attracting social housing and key worker housing as well as improving infrastructure and land use planning practice to make the release of land more efficient and less costly.

If Council were to take the lead on this, it would need to establish the purpose, goals and resources required for this group.

### **Opportunities**

- 14. Council should work with regional partners to establish an affordable housing specific advocacy program.**

## **Idea 18: Advocate for a regional settlement and infrastructure plan**

While providing *affordable and appropriate* housing is a complex issue, ensuring there is sufficient serviced land for residential development is a foundational issue. The lack of enabling infrastructure such as power, sewage and water can be cost prohibitive or simply not possible within the constraints of the respective networks, or within the timeframes required.

It can be prohibitively expensive to service housing lots with water or sewerage infrastructure; there is a mismatch between the planned infrastructure delivery and the current population growth rates and the prescribed cost/revenue structure of the water authorities limits their ability to bring forward or expand their capital expenditure to meet this demand. The timelines associated with significant infrastructure projects is itself a challenge in meeting unanticipated demand.

A comprehensive regional settlement and infrastructure plan for North East Victoria would assist in dealing with this problem and ensure that land can and is serviced before it is available for residential development. This would save substantial resources in the form of holding costs for developers and coordination costs to government and agencies, and have the effect of reducing the cost of delivering housing.

This sort of process would mean that a development contribution towards provision of affordable housing or servicing of affordable housing could be considered at a regional level.

### **Opportunities**

- 15. Council could advocate to other councils in the North East, statutory service agencies and State Government to collaborate and develop a detailed regional settlement and infrastructure plan.**

### **Idea 19: Advocate for more resources for rural and regional strategic planning**

The availability of land in a timely and expedient manner for residential development in rural towns is important, including for affordable and key worker housing. The time and resources needed to carry out strategies and rezone land is extensive.

There are inadequate resources across the North East Region for strategic planning both at a Council and State level. Planning scheme amendments take a lot of time and need to be supported by costly strategic work.

There are a lot of checks and balances in place, but not much actual practical support to fund and resource good strategic work to support sustainable growth in Alpine Shire.

#### **Opportunities**

**16. Council should continue to engage with the State Government to provide feedback about the difficulties with resourcing strategic planning and articulate the delays to planning processes to release and develop land for housing, and what financial support and expertise is needed to overcome this.**

### **Idea 20: Advocate to State and Federal Government for a build to rent program**

The broader property industry and its representative industry bodies have been advocating for a national Build to Rent program for affordable housing to house key workers. Making this model attractive to investors requires contributions or subsidy from Federal or State Government. (This was the former National Rental Affordability Scheme).

Studies have shown the need for the development of quality, appropriate and affordable housing for key workers, but in almost all areas there is a need for a subsidy to make the housing affordable to rent by key workers, on the basis that they are paying no more than 30% of their income on housing costs. Councils could participate in this advocacy campaign with an emphasis on achieving outcomes within the Alpine Shire. The low number of dwellings for rent emphasises the need for rental housing within the Alpine Shire. A national scheme would also ensure appropriate governance arrangements on eligibility and rental costs.

#### **Opportunities**

**17. Council could advocate to State and Federal Government for a build to rent program to increase the supply of affordable and key worker housing.**

### **Idea 21: Advocate for visa holders to purchase dwellings without financial penalty**

Key business stakeholders identified a problem with visa holders being deterred from purchasing dwellings because of additional government charges that made the purchase financially unviable. These visa holders working in the region are renting housing

because if they purchase dwellings there is a significant financial penalty added to the purchase price. Allowing visa holders in regional areas to purchase dwellings, as owner occupiers only, without the additional financial implications imposed would free up more rental housing within the regions.

### **Opportunities**

**18. Council could advocate to government to address current financial penalties applied to visa holders purchasing property to live in while working in rural areas.**

## **8.5 Education of developers and community**

### **Idea 22: Prepare guidance material and engage with developers**

Council could leverage off work undertaken by other Councils in preparing guidance material on specific key worker typologies and affordable housing projects. Council could engage with local developers to encourage proposals for key worker and affordable housing and assist developers in the preparation of any necessary approval application documentation.

Council could actively engage with developers who work within Alpine Shire and region to ensure that Council Officers understand commercial matters and literacy.

### **Opportunities**

**19. Council should invest in and prepare a range of guidance materials for developers and run information sessions to encourage the development of alternative and affordable forms of housing.**

### **Idea 23: Educate the community on the need for key worker and affordable housing**

Explaining the importance and challenges of providing key worker and affordable housing to the community will assist when there are future development proposals for key worker housing, especially if that housing takes a different form to current housing typologies. It is critical to personalise the message to remove the current stigmas involved.

Informed developers and local communities are more willing to accept different key worker housing solutions and affordable housing if they understand the need for it and have any concerns allayed regarding what types of tenants may live in the dwellings. Increasing community awareness of and support for affordable housing could potentially also help to create greater pressure on developers to commit to voluntary affordable housing provision.

This action could include the release of publications and articles and the use of public relations opportunities to promote key worker and affordable housing in a positive

manner to residents in the region. For example, including articles on key workers who have struggled to find appropriate and affordable housing or businesses facing staff shortages because they cannot attract workers due to the lack of appropriate and affordable housing.

In some municipalities where there has been community resistance to change, this has formed part of a wider education campaign on the importance of providing diverse housing typologies and price points that include medium density housing options.

Council has already completed community education work through a communication campaign delivered in 2021 as part of the "Key Worker Housing Pilot" project. Community feedback indicates that there is a high level of understanding of the housing affordability issues in Alpine Shire.

In relation to social housing, most will be built under the Big Housing Build planning provisions at Clause 52.30 Housing on or on behalf of the Director of Housing, and so there is a low risk of social housing projects being prevented because of community protest.

However, it will be important for Council to deal with social housing developments on a case-by-case basis to ensure local communities are informed and engaged with what is planned for their local area.

### **Findings**

- L. Council has completed work to inform and educate the community about the issues associated with the lack of affordable housing and key worker housing and has effectively raised community awareness of the complexities.**

### **Opportunities**

- 20. Council should continue to engage with community including throughout delivery of any housing.**



# ADDENDUM

## Analysis and research

Prepared by:

# URBANXCHANGE

## 1. Background

Alpine Shire is located in North East Victoria in the Hume region. Townships and villages throughout the Alpine Shire have seen significant population growth in recent years that is not yet reflected in official government data. This was interrupted by the COVID-19 pandemic, but early indications post COVID are the tourism economy is continuing to flourish. A growing tourism economy (increase in properties available for short-term rental) coupled with growth in the number of people moving to the Alpine Shire (because of the COVID-19 pandemic) has created a housing availability and affordability issue across communities in the Alpine Shire.

The Alpine Shire covers an area of 4,788 square kilometres and in June 2018 had a population of 12,730. It includes the towns of Bright, Dinner Plain, Mount Beauty and Myrtleford. There are two unincorporated areas within the Alpine Shire: the Alpine Resorts of Mount Hotham and Falls Creek.



Bright is the centre of commerce for the Alpine Shire and would be considered a moderate growth centre.<sup>20</sup>

The key industries in the Alpine Shire are based on agriculture production and processing, tourism and construction.

The Alpine Shire has, prior to COVID-19, experienced low population growth with an identified ageing population. COVID-19 has seen growth in the population. There is a need to support investment in higher quality large dwellings that can house multiple occupants and medium density dwellings and housing for key workers and temporary workers.

The recent Economic Development Strategy for the Alpine Shire identified the availability and affordability of housing as a key requirement to assist in the economic growth of the area.

The demographics for Alpine Shire highlight:

- Between 2012-19, the Alpine Shire experienced relatively low rates of population growth, increasing by +631 residents (or 0.7% p.a.). The growth was uneven, with some centres having higher growth and others declining
- The age profile is of an ageing community with the median age at 49 and almost a quarter of the population over 65
- The housing stock is low density
- Occupancy rates of 75%
- Low unemployment rates at 2.6% (Mar 2020)
- Only 1.4% of housing is social housing

The projections for the Alpine Shire indicate:

- Future population growth is projected to be low, increasing to 13,510 by 2036, representing growth of +707 residents (0.3% p.a.)
- The population is expected to continue to age over time, with the number of residents aged 65 years and over forecast to increase by +753 residents (+25%) between 2016- 36
- Private dwellings are projected to increase by +815 (0.5% p.a.) between 2016-36
- Demand for low density housing is high
- Housing sales average 188 p.a

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<sup>20</sup> Moderate Growth centres are regional towns that have key services such as health and education and are experiencing population growth

The key issues are:

- The region has experienced minimal growth in housing stock
- There is a high proportion of unoccupied and underutilised dwellings that are now short term rentals, particularly in tourism destinations (approximately 25% of the housing across the municipality is used for short term rentals)
- There has been a 12% or 3,000 bed increase to short term accommodation availability from 2017 to 2021/21
- There is a strong correlation between high house prices and holiday homes across the region
- The decrease in the number of available rental properties means key workers are less likely to access suitable rental properties within the region
- The increase in median rent indicates a lack of supply of rental properties across the region
- A portion of each LGA's workforce is travelling large distances for employment
- The cost of developing land and buildings in some locations is such that it does not allow for commercial returns
- There is minimal housing options available for the seasonal workforce associated with the key agriculture of the municipality

It is noted that the population growth is based upon pre-pandemic data from Victorian Futures. It is recognised that Regional Victoria has experienced considerable population growth in the past 24 months, which is at odds with the Victorian Futures data.

The key workers and housing needs identified for Alpine Shire are outlined below:

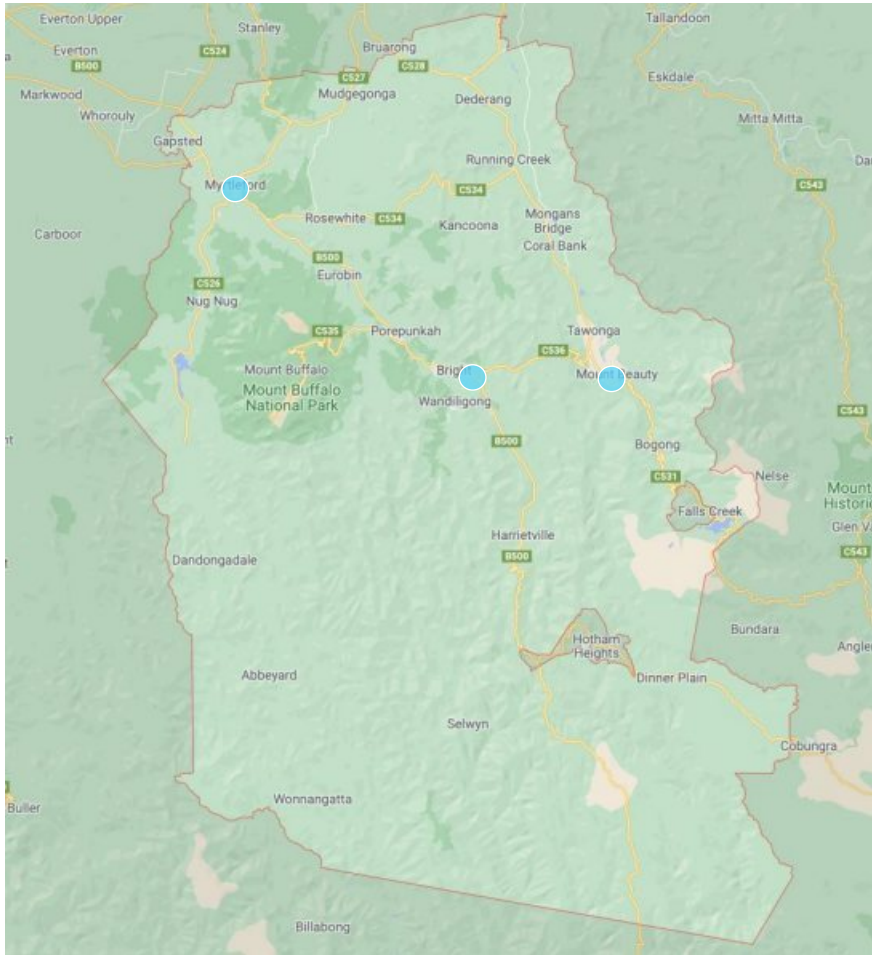
- Agriculture and production/manufacturing
- Retail
- Accommodation and food services
- Healthcare and social assistance
- Education
- Tourism workers

The Alpine Shire is made up of a number of small towns and settlements including the three largest townships of:

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<sup>21</sup> Fusion Research

- Bright
- Myrtleford
- Mount Beauty and Tawonga South (these separate towns are located adjacent to each other and function as one settlement)



## 2. Definitions and strategic context

The role of housing in the growth and function of productivity and its impact on labour markets, congestion, human capital development and business agglomeration are not well understood nor adequately provisioned for in public policy.<sup>22</sup>

The ageing of the Australian population has concealed a greater fall in home-ownership rates during the past 20 years for all but the oldest households. Younger Australians have always had lower incomes and less accumulated savings, hence lower home-ownership rates. But between 1981 and 2016, home ownership rates among 25–34-year-olds fell from more than 60% to 45%. Key workers have been identified as a group that has previously entered home ownership, but are no longer able to do so.

Key worker housing is identified by many government jurisdictions in Europe as essential to a functioning and civil society. While Victoria does not have a definition of key worker, this report adopts the definition used in the United Kingdom of a key worker as follows:

**An employee who provides a vital service, especially in the essential services, health, or education sectors.**<sup>23</sup>

In the study area, this includes:

- Providers of services to residents – e.g., teachers, doctors, nurses, health care workers, pharmacists, Council staff
- Providers of services to visitors/tourists – e.g., hospitality, retail, workers at tourist attractions
- Workers in key local industries – e.g., agriculture and associated industries, and construction.

The inclusion of workers in the visitor/tourism and local industries sector is appropriate because in regional areas these workers are essential to the economic activities of the region.

The Victorian Government Policy *Homes for Victorians* provides a clear definition of affordable housing:

Affordable Housing is housing that is appropriate for the needs of a range of very low to moderate income households, and priced (whether mortgage repayments or rent) so these households are able to meet their other essential basic living costs.

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<sup>22</sup> AHURI, McLennan, Ong, Wood 2015

<sup>23</sup> Town and Country Act 1990, Section 106

The *Homes for Victorians* policy also provides the following definitions of public, community and social housing:

- Public Housing

Housing owned and managed by the Director of Housing. The Government provides public housing to eligible disadvantaged Victorians including those unemployed, on low incomes, with a disability, with a mental illness or at risk of homelessness.

- Community Housing

Housing owned or managed by community housing agencies for low income people, including those eligible for public housing. Community housing agencies are regulated by the Government.

- Social Housing

Social housing is an umbrella term that includes both public housing and community housing. Its provision usually involves some degree of subsidy.

Section 3AA of the *Victorian Planning and Environment Act 1987* essentially adopts the Homes for Victorians definition of affordable housing, as follows:

(1) For the purposes of this Act, affordable housing is housing, including social housing, that is appropriate for the housing needs of any of the following—

- (a) very low income households;
- (b) low income households;
- (c) moderate income households.

(2) For the purposes of determining what is appropriate for the housing needs of very low income households, low income households and moderate income households, regard must be had to the matters specified by the Minister by notice published in the Government Gazette.

Urbanxchange recommends that Council may want to expand the definition of affordable housing to define market and non-market housing and its application to key workers. We would suggest the following position:

**Housing that is owned or rented that is**

- occupied by households in the lower 120 % of the income distribution scale and/or an identified key worker in the region providing housing choices, which are of appropriate size, liveable, affordable to occupy, accessible, secure in tenure and located in good proximity to employment services and critical infrastructure such as transport

**The housing can be:**

- Private home ownership where the purchaser's mortgage costs do not exceed 35 % of the gross household income of the occupant

- Rental housing that is owned and managed by private individuals or corporations and where rent does not exceed 30 % of the income of the gross household occupant
- Rental housing that is owned and managed by the state housing authority
- Rental housing that is owned or managed by a not for profit housing organisation.

### **3. Alpine Shire community**

While demographic data provides a quantitative review of the affordable housing situation, discussions with local businesses, housing associations and service providers allows for further insights into whether there is a housing shortage, where this shortage might be and how it effects either businesses, the provision of services or the overall general well-being of the community.

On this basis, discussions were undertaken with local businesses, service providers and housing associations; an overview of these discussions is outlined below.

Urbanxchange engaged in a conversation about the housing needs of key workers within the respective business. To allow the participants to speak freely, each of the participants was assured of confidentiality and the non-attribution of comments. This included no naming of individuals or businesses in the reports.

#### **3.1 Engagement with Alpine Shire businesses**

Urbanxchange engaged with 7 business representatives, ranging from service provision, education, agriculture and tourism sectors. Participants were provided with a brief overview of the work being undertaken and then asked to outline their business and how housing issues in the region had affected their workers.

The conversations took the following structure:

- The area that the project covered
- An outline of how the project arose
- An overview of the work Urbanxchange was undertaking
- Discussion of the needs that have arisen for staff in trying to achieve housing, experiences of staff in the housing market and any potential loss of staff because of housing
- A note that the outcomes will be delivered to Council at the end of February 2022 and that any follow-up by the business on the outcomes of the project could be done through Council.

The main themes of the feedback were:

- Quality of housing available

- Quantum of housing
- Housing options in terms of size and amenity
- Slowness and detailed process in dealing with approvals for development
- Lack of imagination or drive to solve the problem

The quality of housing was a significant discussion. The matters that arose were the same for both rental and purchase.

#### 1. Rental

The message was consistent across all participants that the quality of the long term rental stock was okay, but could be improved. The issues that were consistently identified were as follows:

- Thermal qualities
- Multiple participants noted that attention and timing of repairs by landlords was slow and difficult. This was primarily because of challenges in accessing trades
- The majority of stock available for rent was 3-bedroom houses on traditional size lots and there was little variety in stock available

#### 2. Purchase

The existing dwellings (as opposed to new builds) for purchase were limited and expensive.

Securing tradesmen to complete renovations was highlighted as a significant constraint for both rental and purchase. There is a shortage of tradesmen in most of regional Victoria. The tradesmen were also often travelling between towns to meet demand, which slowed the pace of both new build and renovations because of lost time in travel.

**Housing hindering employment** - Lack of affordable housing is a significant factor for many groups including seasonal workers and new workers to the area.

**Professionals** – Many employers who were seeking to draw new professionals to the region noted that the quality and quantity of the rental and for-purchase housing was a significant deterrent for applicants.

The quantum of housing is a significant factor – to the extent that for many professionals working in the area, a mortgage was cheaper than rent because of the high demand for limited rental stock.

However, purchase is not possible for those people who were on visas – some visas prohibit purchase and other visa categories require a significant contribution via a tax as a foreigner. Anecdotally, many visa holders would be prepared to purchase if these hurdles were removed. It is noted that this is a Federal Government jurisdiction matter.

Employers noted that professionals who they were seeking to attract were younger people who had spent time in capital cities and had expectations about the type of housing that would be suitable. Many discussed the potential for alternate housing types

such as town houses, quality large apartments and refurbished shop tops. It was also noted that many of these young professionals wanted to live within a short walk, if not actually in, the centre of the towns in which they were relocating to.

Employers noted that Council could help facilitate the alternate housing types. They also noted that the Council may receive backlash from existing residents but action is required to help attract professionals to towns that had considerable ageing problems.

**Seasonal workers** – this is a broad category and includes those who work in tourism, hospitality and agriculture, and also maintenance crews who move across manufacturing businesses undertaking both responsive and programmed maintenance to plant and equipment.

Without exception, each of the businesses represented noted that the lack of appropriate housing in towns was a fundamental problem. It would appear from discussions that many operators were prepared to be agile in timing for works around tourism and the seasonal harvest to ensure they could access appropriate accommodation in key towns. Industries could have planned maintenance shutdowns in the offpeak tourism season.

Nearly all employers noted that the accommodation should be in towns with services and that transport to the employment/job location could be managed – that is, the accommodation should not be on the job site (primarily this was about issues relating to socialising/alcohol consumption/driving). Ideally, small accommodation such as single bedrooms with shared facilities or tiny homes were what was nominated, with small communal areas. Council has a role to facilitate a coordinated schedule of workers. Council could also work with industry to seek an investor for tiny homes on a model that is similar to Student Housing.

The problem is significant and well known with many seasonal maintenance and agriculture worker business nominating that the employer must source suitable housing. This places additional strains on businesses.

**New permanent workers** – it was noted by multiple employers that rental housing was not available for new workers. Many of the employers had resorted to renting properties through AirBnB or having direct relationships with real estate agents where the offer was to pay slightly above market to secure housing.

Another matter that has arisen from the lack of rental housing is the displacement of some of the very low and low income workers out of housing with landlords knowing that they can achieve higher rents from the professional market. Several businesses reported that labouring and lower paid workers had been displaced on many occasions and, on the verge of homelessness, if not actually homeless. Some of the manufacturing businesses noted that their labouring employees had spent time in caravan parks because they had been displaced from rental accommodation on more than one occasion.



**Providing choice** - In essence, the lack of imagination in the development of housing is tied to the quality, quantum and housing options. Multiple employers noted that existing community members were afraid of losing the essence of their towns, but failed to realise that, unless the towns adapted, the towns would be lost because key workers would not want to relocate to the Alpine Shire. Many noted that Council needed to take a leading role in helping the community understand that the need for alternate housing types (in both form and tenure) as a part of keeping the communities as vibrant and great places to live.

Overwhelmingly, all the participants felt that Council needed to take a very active role in trying to solve what was seen as an increasing problem. All the participants felt, as a minimum, that Council could be semi interventionalist in the creation of housing options and outcomes.

A brief survey of rentals through real estate.com and AirBnB demonstrated that the return to an owner of a rental property using AirBnB versus a long-term rentals was between 100-200 % more.

### 3.2 Engagement with community housing

All states, excluding Victoria, have endorsed and agreed to the National Housing Regulator. The Regulator manages the compliance and financial readiness of the Registered Housing Entities. The Regulator has the Housing Associations divided into Tier 1 and Tier 2. The division is based upon capacity to grow, financial resources and management of tenancies.

Housing Associations are not-for-profit corporations that own and/or manage community housing and are registered by Federal and/or State Housing Regulators.

Tier 1 Housing Associations are seen by Government as organisations that:

- Own, manage and develop affordable rental housing
- Provide housing support and assistance to clients
- Are viable businesses, partnering with government and the community
- Have met registration criteria and meet ongoing regulatory compliance against performance standards.

Housing Associations have differing rent policies, starting from 25 % to 30 % of pension income and increasing to 75 % of market rent/30 % of employment income.

To qualify to be a Housing Association or Provider in Victoria, the organisation must be a registered entity. In Victoria there are:

- 10 Housing Associations (Tier 1)
- 33 Housing Providers (Tier 2)

Housing Associations are established for growth and development.

The Housing Associations who are active in the North East catchment are:

- Aboriginal Housing Victoria
- Beyond Housing
- Community Housing Limited
- Haven Homesafe
- Women's Housing Limited (WHL).

Discussions were held with each organisation to understand:

- What the housing needs are
- What incentives, etc. do they need to add housing in Alpine Shire?
- Hidden areas of need (those who are not registered but would qualify) on the Victorian Housing Register (VHR).

The need for housing for members of the community was great and all believe that the need is not clearly captured on the VHR. Many people requiring urgent housing will be registered only to be removed once the housing is allocated and so that the actual total number on the VHR in need does not change significantly. Further, to register on the VHR you can only register in areas where there are actual dwellings. For some members of the community there are no dwellings in the area they live and so they will not register. This is problem in Alpine Shire as the community is aware that there is limited social housing available, so they do not register as requiring housing.

For Housing Associations to be able to commit to developing social housing in any municipality there will be an element of funding required. This applies to Alpine Shire. Any property transaction would be dependent upon the amount of funding and the cost of development. The less the funding and the higher the development costs will have an impact on the type of tenants that could be housed at a site. For example, if there is limited funding there would be more affordable rents and fewer social rents. The current funding rounds are focused on 75 % of tenants in the new dwellings being from the high priority waiting list.

The Housing Associations noted that the VHR was not comprehensive and does not capture the full extent of need. Areas that are not captured on the VHR include women and children escaping family violence (as they only register once they have left the household). WHL noted that it had undertaken qualitative research with the partner organisations during the development of its strategy to place resources in the North East and noted a significant need for housing for women escaping family violence. WHL will further pursue properties in the North East for future rounds of social housing funding and grants.

Other areas that were not fully captured were low income workers who often do not realise that they qualify or are too embarrassed to apply. Housing Associations noted that the VHR is a representation, but the need is far greater than the supply. The need for

social housing is also growing in several groups, including those over 55 years of age who have had paying work and rented while a member of the working community but in retirement can no longer afford a private rental.

Other groups noted were low paid families and women and children from separation.

The clear feedback from all of the Housing Associations is that the VHR is not reflective of the actual need for housing. How big is the hidden demand? Some have suggested that it could be as high as 20 %.

### **3.3 Engagement with support services**

Interviews were held with key service providers within the Alpine Shire. The clear outcome was the overwhelming requirement for affordable housing. Each agency had a slightly different take on the needs as follows:

#### **3.3.1 Mind**

Mind is one of the country's leading community-managed specialist mental health service providers with a range of residential, mobile outreach, centre-based and online services. Mind support people living with the day-to-day impacts of mental illness, as well as their families, friends and carers.

Mind provide practical and motivational support that helps people to develop the skills they need to move on, thrive and improve the quality of their lives. This includes helping people with the things that make them feel strong and healthy, such as being in control of their life, being resilient and participating in their community. Mind also work with people to address poverty, housing, education and employment. It is an approach to mental health and wellbeing that is based on a foundation of human rights and looks at the whole person in the context of their daily life.

Mind noted that there was an increasing need for appropriate and affordable housing for its client base. The rising cost of rents and not income for many of Minds clients meant that they were quite often priced out of housing. That, coupled with some of its clients having challenging behaviours, has seen many struggle for affordable and secure housing.

The problem is widespread and does include its clients in the Alpine Shire. Mind noted that clients who were in rural and regional towns surrounded by family had higher success rates with housing and health than those who were not surrounded by family and friend support networks.

Mind notes that the need for additional social housing providing those with a disability with long-term security is critical to its clients living happy and full lives.

Mind has suggested that the shortfall of housing for its clients in Alpine Shire would be in the vicinity of 10 – 15 dwellings, some of which would need to be specifically designed to meet its client needs.

### **3.3.2 Anglicare**

Anglicare is the social services delivery of the Anglican Church. It delivers a broad range of services including but not limited to:

- Homelessness Support Service
- Housing Services
- Mental Health Services
- Community and Advocacy
- Victims Assistance
- Employment Services
- Counselling and Family relationships
- Children, Youth and Family Services.

The need for appropriate and affordable housing is great in the North East of Victoria. The increased employment in areas such as agriculture and other areas means that those employees can pay much higher rents, which is forcing those on low incomes out of housing. This is compounded by not building enough housing.

Anglicare delivers a wide range of services and it needs housing for both its clients and staff. In the past they have had staff travel long distances because they cannot find appropriate housing in the preferred employment location. Where is housing needed:

- Youth housing –safe and secure housing for young people who are leaving difficult family dynamics
- Mental health – housing that is secured for those with mental illness – quite often a person with mental health issues will not be able to secure rentals
- Family violence – a range of crisis, transitional and long-term options.

## **4. Demographic analysis**

### **4.1 Australian context**

Australian dwelling prices have grown much faster than incomes, particularly since the mid-1990s. Long-term, prices have risen rapidly in all cities and most regions, although

there are variations from year to year.<sup>24</sup> Average prices have increased from about two to three times' average disposable incomes in the 1980s and early 1990s, to about five times more recently<sup>25</sup>. Median prices have increased from around four times' median incomes in the early 1990s to more than seven times today (and more than eight times in Sydney)<sup>26</sup>.

Population growth is a basic driver of housing systems. High population growth means that a housing system needs to continuously add new stock, which may have implications for the replacement of old stock; the investment of resources in new supply needs also to be financed and implemented. Volatility in rates of growth may pose challenges for the planning, financing and marketing of housing. All these factors may have implications for the distribution of housing between sectors and between people.

House prices have always been significantly higher in Australia's major cities than in the regions. The location of dwellings in relation to cities, infrastructure and employment is largely dependent on housing prices. The underlying value of the land is directly reflected in the price. While Australia has an abundance of land, there is a limited supply of well-located land, particularly close to the centre of our biggest cities.

Home ownership rose rapidly in Australia in the early 1950s, from about 50 % to 70 %. Overall home ownership remained around 70 % for the next 50 years; a slight decline during the past decade saw it fall to 67 % in 2016.

But the ageing of the Australian population has concealed a greater fall in home-ownership rates during the past 20 years for all but the oldest households. Younger Australians have always had lower incomes and less accumulated savings, hence lower home-ownership rates. But between 1981 and 2016, home ownership rates among 25–34-year-olds fell from more than 60 % to 45 % (see Figure 1). Only some of this is the result of people starting work, forming long-term partnerships, and having children later in life. Ownership of one's own home has also fallen for middle-age households, suggesting that most of the fall in home ownership is due to higher dwelling prices rather than changing preferences for home ownership among the young.

Consequently, without intervention, home ownership rates are unlikely to bounce back over time. For 35–44-year-olds, home ownership has fallen fast – from 74 % in 1991 to around 62 % today – and home ownership is also declining for 45-54 year olds. These

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<sup>24</sup> Stapledon (2012).

<sup>25</sup> C. Kent (2013); Ellis (2017a); and Fox and Finlay (2012).

<sup>26</sup> The median dwelling price compared with median household disposable income is the best price-to-income measure, but median measures are often not as readily available as average measures: CoreLogic (2016). Other price-to-income measures are even higher due to differences in measuring incomes and prices (for example, Demographia (2017) calculates Sydney has a price-to-income ratio of 12).

trends are expected to translate into a 10-percentage point fall in home-ownership rates for over-65s by 2046.

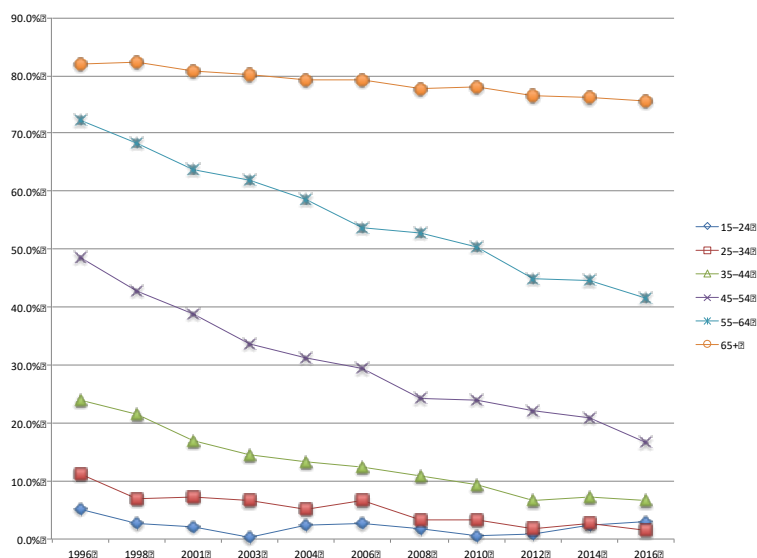


Figure 4 - Home ownership rates via age groups (%)

If this is further extrapolated to home ownership rates by age and income in 1981 and 2016 and reviewed against the quintiles as was done by Burke<sup>27</sup>, the resultant information shows a dramatic fall in home ownership among the 25-34 age group, particularly for those at or below the median, as shown Table 4.

Table 10. Home ownership rates by age and income, 1981 and 2016 (%)

% of income earners	25 - 34		35 - 44		45 - 54		55 - 64	
	1981	2016	1981	2016	1981	2016	1981	2016
<t 20	62.7	22.7	67.1	36.8	69.9	47.7	76.6	60.5
21 - 40	52.0	34.1	65.5	52.8	72.3	61.6	78.5	70.8
41 - 60	62.3	45.6	76	65.9	77.4	73.5	82.4	80.5
61- 80	65.1	49.6	79.8	70.0	82.5	78.6	86.4	84.1
81+	62.5	55.1	79.9	72.0	87.6	82.1	88.3	87.8

<sup>27</sup> Burke et al. (2014). Burke, T., Stone, W. and Ralston, L. *Generational change in home purchase opportunity in Australia*. 232. Australian Housing and Urban Research Institute

Home ownership has been the Australian way of wealth creation for many generations. Many aspects of Australian policy, including areas relating to retirement incomes, access to finance and rental tenure, have been built on the assumption that most Australians will own their home.

Existing trends suggest that a greater proportion of people reaching retirement age will be renting and that more of them will depend on the private rental market rather than social and public housing (Table ).

More homeowners will still be paying off their mortgage when they retire, as the proportion of 55-64 year olds who own their houses outright fell from 72 % in 1995-96 to 42 % in 2015-16.

**Table 11. Percentages of households that own their home outright, by age group**

Year	15–24	25–34	35–44	45–54	55–64	65+
1996	5.1	11.1	23.9	48.5	72.2	81.9
1998	2.6	7.1	21.4	42.8	68.2	82.4
2001	2.0	7.2	17.1	38.8	63.9	80.7
2003	0.3	6.8	14.5	33.6	62.0	80.2
2004	2.4	5.0	13.4	31.4	58.6	79.2
2006	2.7	6.5	12.4	29.3	53.7	79.2
2008	1.8	3.4	10.8	24.2	52.8	77.8
2010	0.6	3.3	9.3	23.9	50.3	78.1
2012	0.8	1.8	6.8	22.1	45.0	76.4
2014	2.5	2.7	7.4	21.0	44.6	76.3
2016	3.0	1.5	6.5	16.6	41.6	75.5

The Grattan Institute report *The wealth of generations*<sup>28</sup> showed that today's generation of young Australians are at increasing risk of being worse off than their parents. Older Australians are capturing a growing share of the nation's resources.

Despite the global financial crisis, households in the 65–74-year-old age bracket today are \$480,000 wealthier in real terms than households of that age group 12 years ago. Households that were in the 35–44-year-old group in 2005-06 increased their average wealth by almost \$600,000 in the subsequent decade.

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<sup>28</sup> Daley et al. (2014). Daley, J., Wood, D., Weidmann, B. and Harrison, C. *The wealth of generations*. Report No. 2014-13. Grattan Institute

Many younger Australians are adapting to rising house prices by starting independent living much later. Many chose to stay at home or rely upon family and friends to assist with the start of their home purchase.

**Table 12. Percentage of 20-34 year olds who are the head of their household**

Year	Australia	Victoria
1981	36.2	36.0
1986	36.7	35.8
1991	36.0	34.8
1996	37.3	35.9
2001	37.3	35.9
2006	36.0	35.0
2011	34.0	33.2
2016	32.6	32.2

The 2016 ABS Census provides an overview of the existing community within Alpine. It is noted data was collected in 2021 for Census, but this information is yet to be released at the time of writing this report.

The scope of this report is to identify current and future demographic and economic trends that are likely to impact upon the availability of housing for key workers in the study region and identify key worker groups and implications to the economy and housing.

## 4.2 Overview of population and housing issues in the Alpine Shire Council

Analysis of the five-year age groups of Alpine Shire in 2016 compared with Regional Victoria shows that there was a higher proportion of people aged 40 years and above and a lower percentage in the younger age groups (under 15, with the distribution as shown below.

**Table 13. Population of Alpine/Regional Victoria via age categories (2016)**

Five year age groups (years)	Number	%	Regional VIC %
0 to 4	519	4.2%	5.8
5 to 9	714	5.8%	6.3
10 to 14	713	5.8%	6.1
15 to 19	665	5.4%	6.1
20 to 24	427	3.5%	5.5
25 to 29	452	3.7%	5.4
30 to 34	485	3.9%	5.5



<b>35 to 39</b>	565	4.6%	5.4
<b>40 to 44</b>	810	6.6%	6.1
<b>45 to 49</b>	844	6.8%	6.6
<b>50 to 54</b>	968	7.8%	6.8
<b>55 to 59</b>	1,083	8.8%	7.1
<b>60 to 64</b>	1,059	8.6%	6.9
<b>65 to 69</b>	975	7.9%	6.6
<b>70 to 74</b>	745	6.0%	4.9
<b>75 to 79</b>	533	4.3%	3.6
<b>80 to 84</b>	382	3.1%	2.6
<b>85 and over</b>	386	3.1%	2.7
<b>Total population</b>	12,337	100	100

An analysis of the jobs held by the resident population of Alpine Shire in 2016 shows the three most popular occupations were:

- Managers (984 people or 17.9%)
- Technicians and Trades Workers (865 people or 15.8%)
- Professionals (801 people or 14.6%).

In combination, these three occupations accounted for 2,650 people in total or 48.3% of the employed resident population. The 2016 Census data shows that 55% of all workers in Alpine Shire would be classified as key workers.

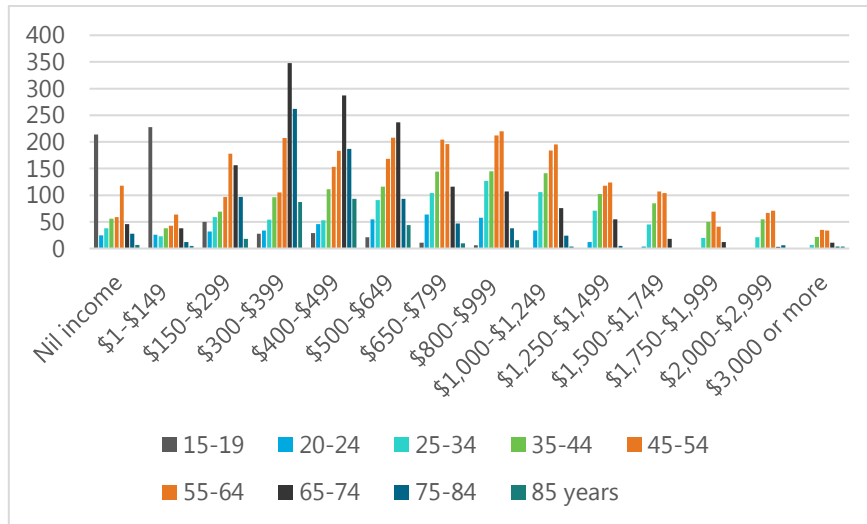
In comparison, Regional Victoria employed 17.4% in Professionals; 14.8% in Technicians and Trades Workers; and 14.6% in Managers.

The major differences between the jobs held by the population of Alpine Shire and Regional Victoria were:

- A *larger* percentage of persons employed as Technicians and Trades Workers (15.8% compared with 14.8%)
- A *smaller* percentage of persons employed as Sales Workers 9.2% compared with 9.7%)

Analysis of **individual** income levels in Alpine Shire in 2016 compared with Regional Victoria shows that there was a lower proportion of people earning a high income (those earning \$1,750 per week or more) and a higher proportion of low income people (those earning less than \$500 per week). Overall, 5.8% of the population earned a high income, and 45.6% earned a low income, compared with 6.9% and 40.2% respectively for Regional Victoria.

The **individual** income in age categories is shown below. The income distribution across age groups highlights the needs for affordable housing on the basis of the associated purchasing/renting capacity or ability to access other forms of entry to affordable housing as may be available.

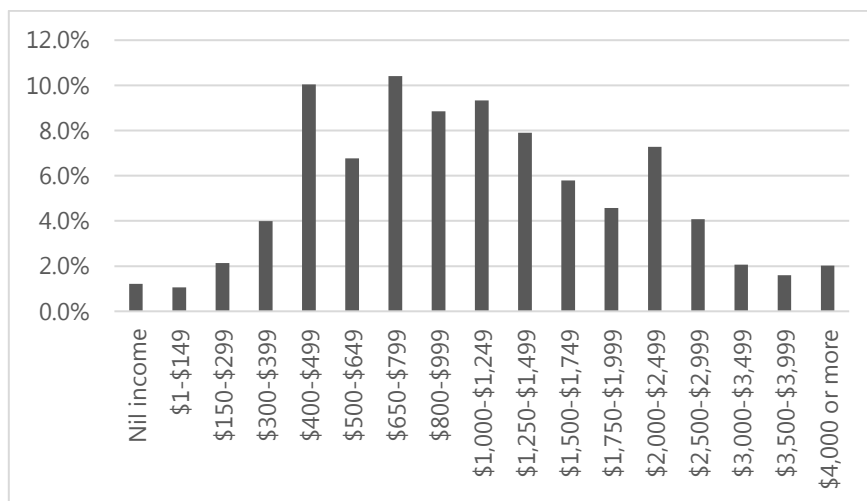


**Figure 5. Income per week per age Alpine Shire (2016)**

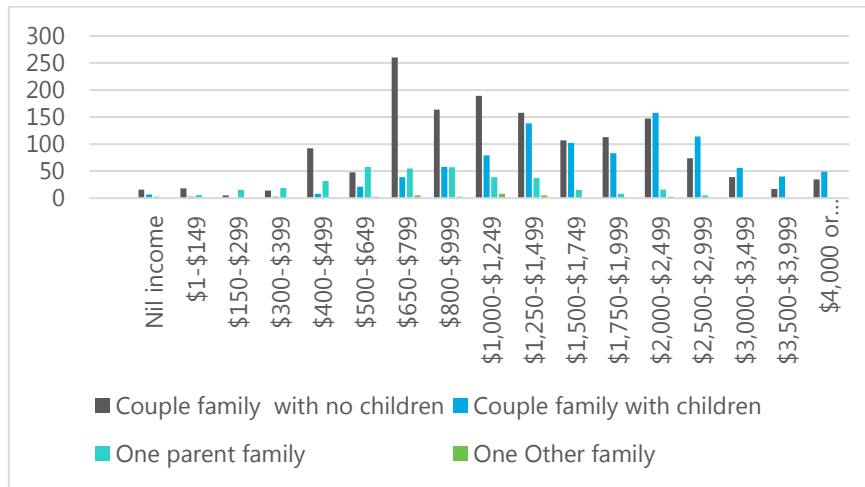
Analysis of **household** income levels in Alpine Shire in 2016 compared with Regional Victoria shows that there was a lower proportion of high income households (those earning \$2,500 per week or more) and a higher proportion of low income households (those earning less than \$650 per week).

Overall, 9.8% of the **households** earned a high income and 25.2% were low income households, compared with 12.5% and 22.9% respectively for Regional Victoria.

The income distribution is shown below and then across household groups. This is relevant when considering those eligible for affordable housing.



**Figure 6 - Income per week per household types in Alpine Shire (2016)**



**Figure 7. Income distribution across family types in Alpine Shire (2016)**

The population within Alpine Shire has a greater percentage that either own or are purchasing a dwelling and lower percentages of rental.

**Table 14. Housing tenure in Alpine Shire compared with Regional Victoria (2016)**

Tenure	Alpine %	Regional Victoria %
Owned	44.5	35.7
Mortgage	29.7	31.2
Rent	21.7	23.9

It is noted that social housing represents only 1.4% of the housing stock in Alpine Shire. The household sizes in the Alpine Shire are shown below as percentages of the total households:

**Table 15. Household sizes in Alpine Shire compared with Regional Victoria (2016)**

Number of persons usually resident	Alpine %	Regional Victoria %
1 person	30.9	29
2 persons	40.1	36.2
3 persons	11.4	13.6
4 persons	10.8	12.9
5 persons	5.1	5.9
6 or more persons	1.6	2.4

**Table 16. Household compositions in Alpine Shire compared with Regional Victoria (2016)**

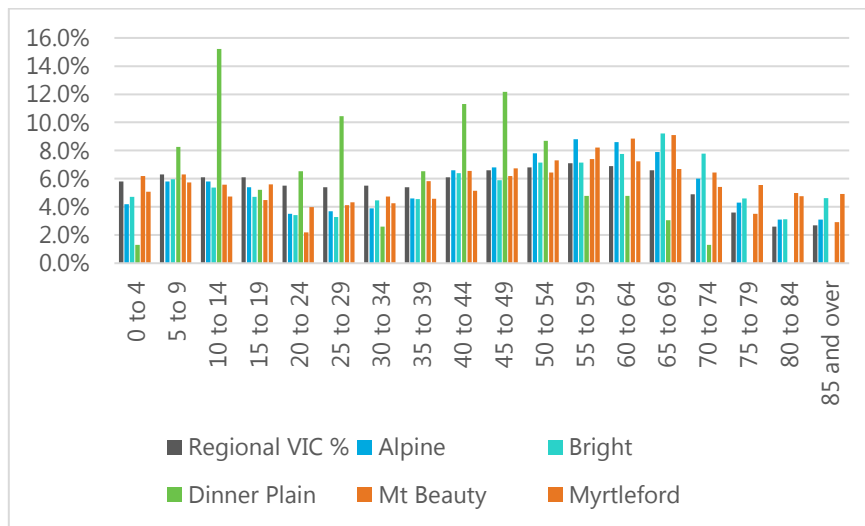
Households by type	%	Regional Victoria %
Couples with children	35.1	25.3
Couples without children	50.7	27.1
One parent families	13	10.1

It is also noted that the household size per dwelling has fallen over the period from the 2011 to 2016 Census data. This means that there has been growth in the number of people, however, each dwelling has fewer people, increasing demand for new dwellings.

### 4.3 Overview of towns

Analysis of the five year age groups of across the towns of Alpine Shire in 2016 shows:

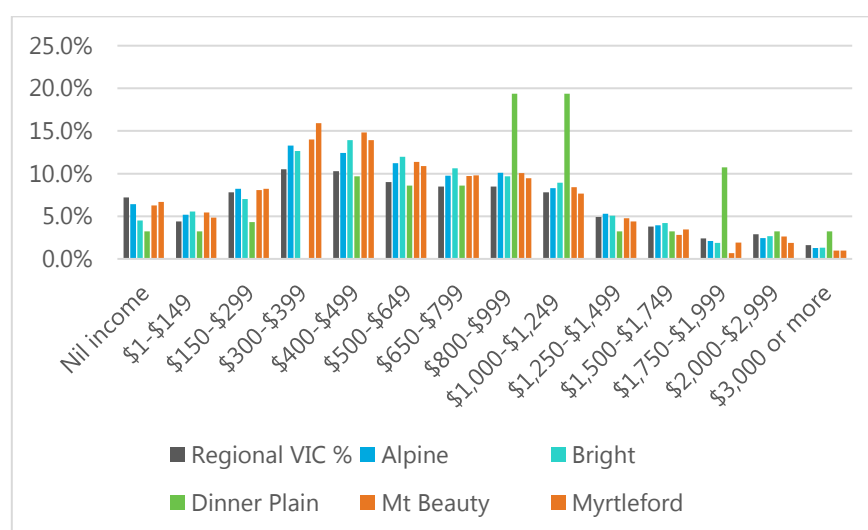
- Bright was the most evenly distributed in age groups, but does have an ageing community
- Dinner Plain was a place of young families with larger number of those aged under 19 and between 40 and 50 years of age
- Mount Beauty was a place of young families with larger number of those aged under 19 and between 30 and 45 years of age
- Myrtleford was an ageing community.



**Figure 8. Five year age groups across towns**

Analysis of **individual income levels** in the Alpine Shire towns compared with Regional Victoria shows that:

- Bright has a considerable amount of its individuals who are very low and low income earners
- Dinner Plain – while a very small population and workforce - has moderate to high income individuals
- Mount Beauty – is dominated by low to moderate income earners
- Myrtleford – is a blend of very low, low to moderate income earners.

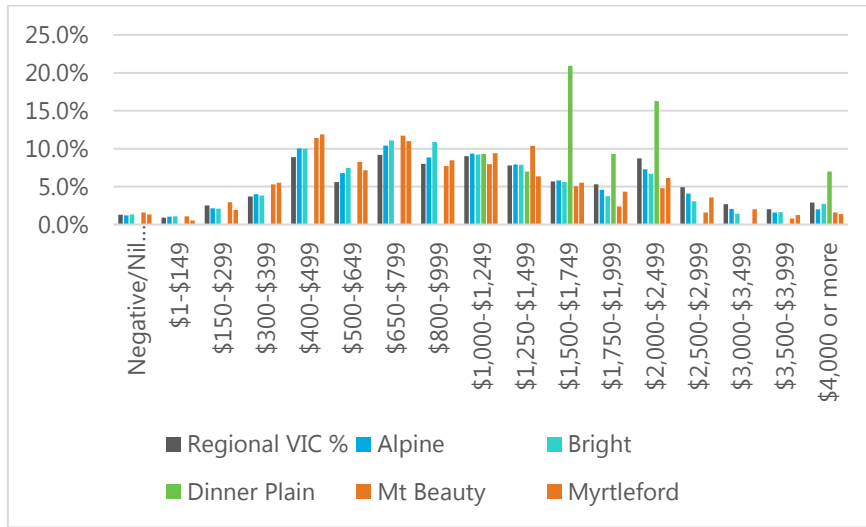


**Figure 9. Individual incomes distribution across towns**

Analysis of **household income levels** in the Alpine Shire towns compared with Regional Victoria shows that:

- Bright has a considerable amount of its households that are low to moderate earners
- Dinner Plain – while a very small population and workforce – has a significant number of high income households
- Mount Beauty – is dominated by households are low to moderate earners
- Myrtleford – is a blend from households are low to moderate earners

It is also noted that the Census is undertaken in August when Dinner Plain would be experiencing full capacity. The permanent population (who occupy year round) is small and estimated at circa 100 people.



**Figure 10. Household income distribution across towns**

The tenure of majority owner occupied suggests that rental properties are required.

**Table 17. Housing tenure (as a percentage) across towns**

Tenure type	Regional Victoria	Alpine Shire	Bright	Dinner Plain	Mount Beauty	Myrtleford
	%	%	%	%	%	%
<b>Owned</b>	35.7	44.5	44.4	18.6	41.5	43.6
<b>Mortgage</b>	31.2	29.7	24.6	41.9	29	27.3
<b>Renting</b>	23.9	21.7	26.6	25.6	27.7	23.9

The household occupancy rates indicate that there is a higher percentage of one and two person households.

**Table 18. Household composition across the towns**

No of persons usually resident	Regional Victoria	Alpine Shire	Bright	Dinner Plain	Mount Beauty	Myrtleford
	%	%	%	%	%	%
<b>1</b>	29	30.9	32.9	14.0	43.9	33.4
<b>2</b>	36.2	40.1	40.2	41.9	33.5	37.6
<b>3</b>	13.6	11.4	10.2	16.3	8.5	10.9
<b>4</b>	12.9	10.8	10.4	23.3	8.5	10.4
<b>5</b>	5.9	5.1	4.9	7.0	1.9	4.9
<b>6 or more</b>	2.4	1.6	1.3	7.0	2.4	2.2

#### **4.4 Property values and supply**

The Victorian Valuer General collates data on the sales in quarters over a 12-month period to monitor escalation in house, unit and land prices. The latest available data is April 2020 – June 2021.

The data all demonstrates that house prices have risen considerably. There is only data on unit sales in both Bright and Dinner Plain, as detailed below. It is difficult to assess the data and could be affected by smaller units being sold. Only small amounts of land have been sold and again the data may not be a direct comparison.

**Table 19: Victorian Valuer General data on house sales April 2020 - June 2021**

Town	Apr- Jun 20	Jul - Sep 20	Oct - Dec 20	Jan - Mar 21	Apr- Jun 21	No of sales	No of Sales	Change in values as a %	Change in values as a %
								Apr- Jun 20	Jan - Mar 21
						Apr- Jun 21	YTD	Apr- Jun 21	Apr- Jun 21
Bright	650,000	620,000	758,000	770,000	920,000	23	41	41.5	19.5
Dinner Plain	557,500	599,500	600,000	630,000	705,000	9	17	26.5	11.9
Mount Beauty	317,500	309,000	355,500	411,000	435,000	7	19	37.0	5.8
Myrtleford	370,000	396,500	385,000	430,000	501,000	17	28	35.4	16.5

**Table 20: Victorian Valuer General data on unit sales April 2020 - June 2021**

Town	Apr- Jun 20	Jul - Sep 20	Oct - Dec 20	Jan - Mar 21	Apr- Jun 21	No of sales	No of Sales	Change in values as a %	J Change in values as a %
								Apr- Jun 20	an - Mar 21
						Apr- Jun 21	YTD	Apr- Jun 21	Apr- Jun 21
Bright	419,000	492,500	465,000	579,000	432,500	4	18	3.2	-25.3
Dinner Plain	270,000	385,000	385,000	390,000	494,500	4	9	83.1	26.8

**Table 21: Victorian Valuer General data on land sales April 2020 - June 2021**

Town	Apr- Jun 20	Jul - Sep 20	Oct - Dec 20	Jan - Mar 21	Apr- Jun 21	No of sales	No of Sales	Change in values as a %	Change in values as a %
								Apr- Jun 20	Jan - Mar 21
						Apr- Jun 21	YTD	Apr- Jun 21	Apr- Jun 21
Bright	449,000	336,500	379,500	350,000	300,000	1	6	-33.2	-14.3
Dinner Plain	104,400	112,000	145,000	145,000	265,000	6	13	153.8	82.8
Myrtleford	154,000	155,000	191,000	219,500	257,000	1	7	66.9	17.1



Current State Government policy does not specify any maximum percentage of an individual, couple or family’s income should be assumed as being spent on housing costs. However, there is broad support for the concept that individuals and households should spend no more than 30% of income on housing costs. The position of 30% was established by AHURI (Yates and Gabriel, 2006).

As detailed in chapter 5 of the addendum and detailed in Table , for housing to be affordable for occupants, Urbanxchange adopts the position that households should be paying no more than 30% of their income on the cost of housing.

Assuming that purchasers would be required to have at least 10% deposit plus all outgoings (noting quite often it is 20%) and that the 30% income is required and subject to a commercial yield of 5%, then the capacity of households to purchase is outlined below:

**Table 22: House costs for affordability against annual wage income**

Income per annum \$	Price of housing \$
30,000	180,000
35,000	210,000
40,000	240,000
45,000	270,000
50,024	300,140
55,016	330,100
60,008	360,040
65,000	390,000
69,992	419,960
74,984	449,900
79,976	479,860
85,020	510,120
90,012	540,080
95,004	570,020
99,996	599,980
104,988	629,920
109,980	659,880
115,024	690,140
120,016	720,100
125,008	750,040
130,000	780,000
135,000	810,000
140,000	840,000
145,000	870,000
150,000	900,000

Income per annum \$	Price of housing \$
155,000	930,000
160,000	960,000
165,000	990,000
170,000	1,020,000
175,000	1,050,000

Adopting the 30% of household income being spent on housing, a review of housing and unit price across the towns reveals that the earning capacity of a household (whether that is an individual or a family) required to purchase a property is:

**Table 23. Required earning capacity of a household to purchase a dwelling in Alpine Shire towns**

Town	House	Unit
Bright	\$155,000	\$75,000
Dinner Plan	\$120,000	\$85,000
Mount Beauty	\$75,000	n/a
Myrtleford	\$85,000	n/a

If this is compared with the actual average earning of households, the price that dwellings should be to be affordable is:

**Table 24. Average earnings and required house prices**

Town	Average household incomes	Purchasing capacity
Bright	\$65,000	\$390,000
Dinner Plan	\$120,000	\$720,000
Mount Beauty	\$55,000	\$360,000
Myrtleford	\$62,000	\$380,000

The planning data and building permit data provided by Council indicates that some 88% of dwellings for which planning permits are issued are subsequently issued with a building permit. However, in reviewing the data there appears to be no significant subdivisions being approved to increase the number of dwellings and stabilise house prices.

The availability of land for development is as follows:

- Bright – one large land parcel is, under single ownership – a development plan is required before subdivision or development of the land can commence.
- Mt Beauty – one large land parcel is, under single ownership – a development plan is required before subdivision or development of the land can commence.

- Myrtleford – small portions of land available, two owners – not overlaid for development.

The town of Bright is further constrained by bushfire and flooding overlays.

## 4.5 Projections

In determining the projections for future growth in Alpine Shire, Victoria in Future 2019 (VIF2019) is the official state government projection of population and households. It is noted that the population projections are estimates of the future size, distribution, and composition of the population.

The VIF projects continuing growth across Victoria and all household structures, but it notes faster growth in lone and two person households at the expense of family households.

It is noted that the VIF projections in Alpine Shire are from 12,730 in 2018 to 13,510 in 2036 or 0.3%. However, the data predates COVID-19 and the migration that Alpine Shire has experienced because of this. Across regional Victoria, growth in the order of 2 – 3% has been experienced in 2020/21.

The number of individuals and households that identified as very low, low or moderate income households in Alpine Shire in the 2016 Census data on the basis of the GIC Orders is shown below:

**Table 25. Individuals and Households who classify in GIC Orders within Alpine Shire**

Income	Individuals		Households	
	\$ per week	% of individuals	\$ per week	% of households
Very Low	368	33.1	770	35.6
Low	590	23.7	1,235	18.2
Moderate	880	19.9	1,850	18.3
<b>TOTAL %</b>		<b>76.7</b>		<b>72.1</b>

The need for social housing moving forward can be forecast. From the 2016 Census data, Alpine had 33.1% of individuals and 35.6% of households that would be classified as very low income against the requirements of Table 25. Individuals and Households who classify in GIC Orders within Alpine Shire. There were some 73 social housing dwellings and 12.1% of private dwellings were rented at an affordable price.

However, the predicted growth within Alpine Shire means that the requirements for affordable housing for the very low income will also grow. Some Victorian municipalities have established housing and growth projections of 20%, which enable them to predict requirements for affordable housing for the very low income.

Alpine Shire's historical low growth rates makes projecting future growth difficult. However, if the growth in low income households is the same as a percentage, we can predict the

number of social housing dwellings required in the future. On this basis, there will be an estimated shortfall of 1,196 dwellings by 2041.

**Table 26. Estimated shortfall in social housing dwellings**

Year and population	Forecast dwelling no.	2016 census 35.6% of households would be very low income and require social housing	No. of social housing dwellings as at 2016 Census 73	As at 2016 Census 12.1% of private dwellings were affordable	% of dwellings for very low income	Possible Shortfall of social housing
2016	4,832	1,740	73	585	14%	1,082
12,337						
2018	4,986	1,795	73	603	14%	1,119
12,730						
2036	5,292	1,905	73	640	13%	1,192
13,510						
2041	5,308	1,911	73	642	13%	1,196
13,551						

## 5. Affordable housing

### 5.1 The definition under ‘Homes for Victorians’ and the Victorian Planning and Environment Act 1987

The Victorian Government policy *Homes for Victorians* provides a clear definition of affordable housing:

Affordable Housing is housing that is appropriate for the needs of a range of very low to moderate income households, and priced (whether mortgage repayments or rent) so these households are able to meet their other essential basic living costs.

The *Homes for Victorians* policy also provides the following definitions of public, community and social housing:

- Public Housing
  - Housing owned and managed by the Director of Housing. The Government provides public housing to eligible disadvantaged Victorians including those unemployed, on low incomes, with a disability, with a mental illness or at risk of homelessness.
- Community Housing

Housing owned or managed by community housing agencies for low income people, including those eligible for public housing. Community housing agencies are regulated by the Government.

- Social Housing

Social housing is an umbrella term that includes both public housing and community housing. Its provision usually involves some degree of subsidy.

Section 3AA of the *Victorian Planning and Environment Act 1987* was amended in 2018 to adopt the *Homes for Victorians* definition of affordable housing, as follows:

(1) For the purposes of this Act, affordable housing is housing, including social housing, that is appropriate for the housing needs of any of the following—

- (a) very low income households;
- (b) low income households;
- (c) moderate income households.

(2) For the purposes of determining what is appropriate for the housing needs of very low income households, low income households and moderate income households, regard must be had to the matters specified by the Minister by notice published in the Government Gazette.

## 5.2 Affordable housing in the Planning and Environment Act 1987

In 2018, the Planning and Environment Act (the Act) was amended to include a new objective to “facilitate the provision of affordable housing in Victoria” and to include a definition of affordable housing (as described in chapter 2 of this report).

The affordable housing framework established under these reforms also introduces two new instruments and a range of support, guidance, and educational material.

The first instrument is the specification of the income levels associated with very low, low and moderate income households for affordable housing that is not social housing. A Governor in Council Order setting out these income levels has been published and will be updated annually in the Government Gazette (refer to Table 28 and 29 for the current rates).

The second instrument is the Ministerial Notice relating to the specified matters referred to in Section 3AA(2), which lists the following as “matters to which regard must be had for the purposes of determining what is appropriate for the housing needs of very low, low and moderate income households:

- Allocation
- Affordability (in terms of the capacity for very low income, low income and moderate income households that it is intended for)
- Longevity (in terms of the public benefit of the provision)
- Tenure
- Type of housing, in terms of form and quality
- Location, in terms of site location and proximity to amenities, employment and transport
- Integration, in terms of the physical build and local community
- Overview of housing need

Various supporting materials have also been prepared by the State Government to assist with the application of the legislative reforms. These include an example (template) Section 173 Agreement for affordable housing, and guidelines for seeking and negotiating the agreements.

These latter guidelines suggest a four-step process for the negotiation of agreements, as follows:

1. **Preparation of the strategic basis** by the responsible authority.
2. **Pre-negotiation** between the responsible authority and landowners, and also potentially the end recipient of the affordable housing and a broker. The key focus should be on the responsible authority clearly articulating the proposed affordable housing outcome they are seeking.
3. **Negotiation** between the parties to discuss the viability of including an affordable housing component within the development, the end recipient’s capacity to support the outcome, and the method and terms by which the affordable housing will be delivered.
4. **Delivery** of the affordable housing by the landowners.

Further guidance from Department of Environment, Land, Water and Planning (DELWP) outlines the requirements for a Responsible Authority to:<sup>29</sup>

- establish strategic justification for an affordable housing request,
- identify value to support the delivery,
- ensure clear land-owner agreement,
- not unduly impact commerciality of the development,
- give regard to a registered housing agencies support for the proposal, and
- test it against the definition and list of matters (as outlined by the Minister for Planning).

### 5.3 Income Ranges

The Victorian Government, under Section 3AB of the Planning and Environment Act 1987, has specified the following income ranges for Greater Melbourne with respect to affordable housing that is not social housing:

**Table 27. Governor in Council Orders for metropolitan Melbourne, July 2021**

	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
<b>Single adult</b>	Up to \$26,200	\$26,201 to \$41,920	\$41,921 to \$62,860
<b>Couple, no dependents</b>	Up to \$39,290	\$39,291 to \$62,870	\$62,871 to \$94,300

<sup>29</sup> Available at: <https://www.planning.vic.gov.au/policy-and-strategy/affordable-housing> including Ministerial Notice ‘Specified Matters under Section 3AA(2)’, (Accessed 17 May 2018)

<b>Family (with one or two parents) and dependent children</b>	Up to \$55,000	\$55,001 to \$88,020	\$88,021 to \$132,030
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The income ranges are shown in Table 28 for three types of households. The Victorian Government publishes income bands for Greater Melbourne and the rest of Victoria. The income ranges as detailed in Table are applicable to Alpine Shire.

**Table 28. Annual income ranges - households eligible for Affordable Housing, rest of Victoria, July 2021**

Household Type	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
<b>Single Adult</b>	Up to \$19,090	\$19,091 - \$30,550	\$30,551 - \$45,820
<b>Couple, no dependents</b>	Up to \$28,640	\$28,641 - \$45,820	\$45,821 - \$68,730
<b>Family (one or two parents and dependent children)</b>	Up to \$40,090	\$40,091 - \$64,150	\$64,151 - \$96,220

So, what does this mean in terms of affordability and pricing for housing? The following table outlines what 30 % of income represents for rental or mortgage payments, in \$5,000 increments.

**Table 29: Housing cost to incomes based on low to moderate ranges on \$5,000 increments**

Income (\$)		Housing cost @ 30% of income (\$)		
Per week	Per annum	Per week	Per month	Per annum
577	30,000	173	750	9,000
673	35,000	202	875	10,500
769	40,000	231	1,000	12,000
865	45,000	260	1,125	13,500
962	50,024	289	1,251	15,007
1,058	55,016	317	1,375	16,505
1,154	60,008	346	1,500	18,002
1,250	65,000	375	1,625	19,500
1,346	69,992	404	1,750	20,998
1,442	74,984	433	1,875	22,495
1,538	79,976	461	1,999	23,993
1,635	85,020	491	2,126	25,506
1,731	90,012	519	2,250	27,004
1,827	95,004	548	2,375	28,501
1,923	99,996	577	2,500	29,999
2,019	104,988	606	2,625	31,496
2,115	109,980	635	2,750	32,994
2,212	115,024	664	2,876	34,507
2,308	120,016	692	3,000	36,005
2,404	125,008	721	3,125	37,502

Income (\$)		Housing cost @ 30% of income (\$)		
Per week	Per annum	Per week	Per month	Per annum
2,500	130,000	750	3,250	39,000

## 5.4 What does affordable housing look like?

There is a variety of affordable housing delivery models available to meet the housing needs of different income groups, as conceptually illustrated in Figure below. The level of government subsidy associated with each model is proportional to the income band and, therefore, the capacity of the household to pay market rent or mortgages.

The models identified in Figure provide a simple conceptual framework for considering the relationship between income groups, tenure types and the relative level of government subsidy that might be needed for each model to be applied.

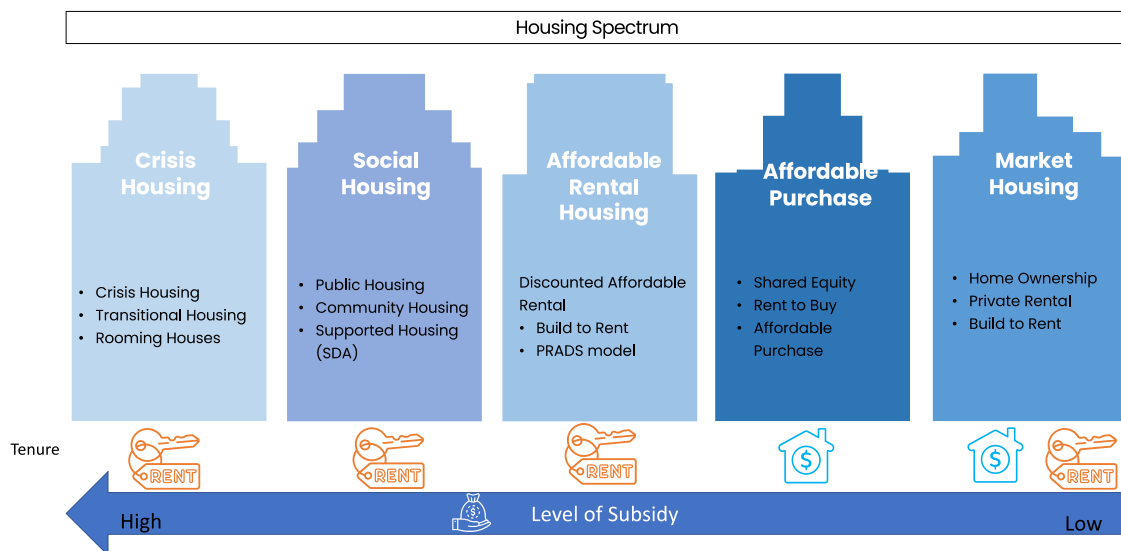
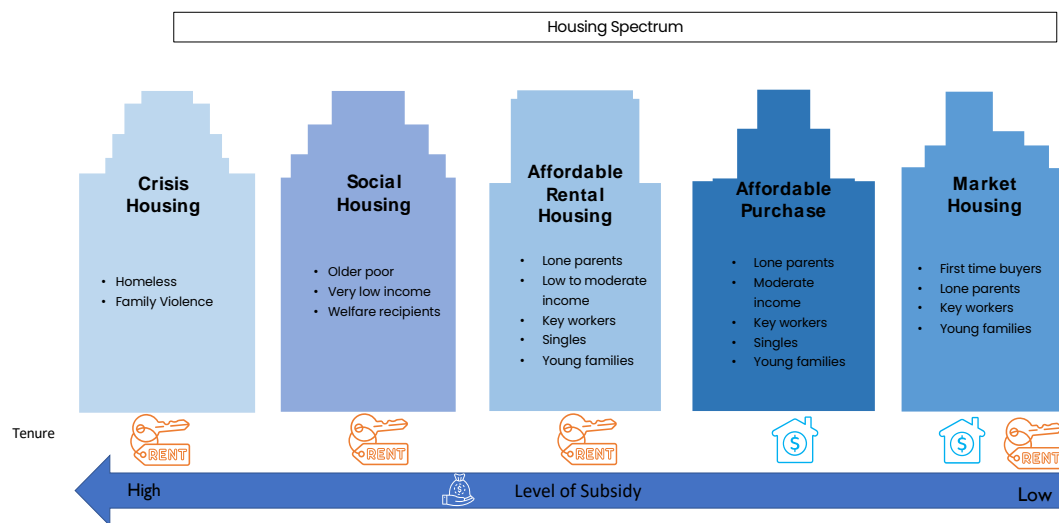


Figure 11. Income ranges to affordable housing models and depth of subsidy

In applying any affordable housing outcomes, they are different depending on the identified occupiers as shown in Figure 12.





**Figure 12 - Occupiers of affordable housing**

It is on this basis that affordable purchase mechanisms need to be considered. An outline of some of these models is provided:

**Affordable by design** – This is small lot housing that is designed to be affordable to purchasers.

**Affordable purchase** – This is a form of price-controlled purchase housing that is accessible for purchase by those on defined incomes. So far, only South Australia has fully recognised affordable purchase as a mechanism for providing affordable housing. The key principles of affordable purchase models are as follows:

- The dwelling must be offered for sale at or below a nominated “affordable” price
- The dwelling must be offered for sale to eligible buyers who meet the GIC criteria as outlined above
- The discount for affordable housing for the first purchaser is preserved for future purchasers.

In Victoria, The Nightingale housing model has a transparent process for documenting land purchase and development costs<sup>30</sup>. The purchase price is based on the development achieving a return of 15 %.

The price of housing in the Nightingale model is not always “affordable” as defined under Victorian Government’s definition (although some of the projects under this model do have

<sup>30</sup> Nightingale Housing is a not-for-profit organisation that provides apartments that are socially, financially and environmentally sustainable.

an explicit affordable housing component). However, it is delivering “high value for money” housing by reallocating the cost-savings associated with removing items such as car-parking, marketing costs, etc. into other design and building features. The principle of price control for the first and subsequent purchasers is established.

Under this model, there is a system to control purchase price as well as mechanisms to prevent the first purchaser having a windfall gain at the expense of future owners. Title covenants have been developed that provide a formula for the resale of the property. The model recognises capital growth for each progressive purchaser/seller, and it also recognises that the market opportunity provided to the first purchaser should be transferred. The time period of the covenant must be considered, but usually covenants have a life of 15 to 20 years.

**Shared equity** – These arrangements cover a range of products, schemes and initiatives that enable the division of the value of a dwelling between a purchaser and a second party who also holds equity in the dwelling. The essential feature of shared equity models is that the buyer shares the capital cost of purchasing a home with an equity partner, thereby permitting households to buy a home with lower income levels than would otherwise be required. In simple terms, this umbrella term is used to encompass government-backed and private sector-led schemes based on arrangements whereby the purchaser enters into an agreement with a partner to share the cost of purchasing a property.

**Rent to buy** – The homes are offered at a fixed (sometimes below market) rent for a minimum of five years and let on assured short-hold tenancies for a fixed term. The model being adapted in Australia is that, after five years of renting, the tenant has first option to purchase the dwelling at price agreed at the commencement of the five-year term. If the tenants don't want to buy, the landlord can retain the property as rented housing or sell it on the open market.

For those who will require affordable rental consideration needs to be given to both build to rent and social housing, both of which are described below.

**Build to rent.** - Developers and their financiers build multi-unit buildings and, instead of selling the units, retain them to let to tenant households. Rents may be set at market rent or, for affordable and social housing, at an appropriate discount to market rents.

There are two scenarios to be considered with the private build to rent model: one is the institutional investor who will build a whole building for 100% build to rent; the other option to be considered is the developer who retains or sells a portion of the dwellings to be rented at a below market rent to eligible renters.

**Social housing** - This is owned by a state government or by a community housing organisation. Community housing organisations are not-for-profit corporations that own and/or manage community housing and are registered by Federal and/or state housing regulators. Housing Associations and Providers are independent companies that are overseen by a skills-based board.

The application of these models of affordable housing to the different income groups is shown below:

**Table 30. Application of affordable housing models and required discounts**

Category	Model	Target Group	Discount to market price
<b>Assisted home ownership</b>	<ul style="list-style-type: none"> <li>Shared equity</li> <li>Rent to buy</li> <li>Restricted purchase</li> </ul>	<ul style="list-style-type: none"> <li>Moderate income earners – 25–39 years</li> </ul>	<ul style="list-style-type: none"> <li>Usually 10 – 20%</li> </ul>
<b>Below market rental</b>	<ul style="list-style-type: none"> <li>Build to rent (below market)</li> <li>NDIS/SDA</li> </ul>	<ul style="list-style-type: none"> <li>Low to Moderate income earners - 25– 45 years</li> <li>Disability housing</li> </ul>	<ul style="list-style-type: none"> <li>Usually 25%</li> </ul>
<b>Public, community or indigenous housing</b>	<ul style="list-style-type: none"> <li>Public/state housing and associated renewal programmes</li> <li>Housing Associations, including bond aggregators</li> </ul>	<ul style="list-style-type: none"> <li>Low to very low income groups – all age groups – particularly the ageing community and those with disabilities</li> </ul>	<ul style="list-style-type: none"> <li>Usually 50%</li> </ul>

## 5.5 Options for the application of key worker housing delivery models to meet the needs of different income groups in Alpine Shire

The variety of housing models should be considered in terms of their potential to assist different income groups, as illustrated in the following table:

**Table 31, Application of housing models to income groups**

Type	Very Low Income	Low Income	Moderate Income	Key Workers
Alternative models (co-housing, relocatable housing etc)		✓	✓	✓
Affordable Purchase			✓	✓
Affordable by Design			✓	✓
Shared Equity			✓	✓
Build to Rent		✓	✓	✓
Rent to Buy			✓	✓
Community Land Trusts	✓	✓	✓	✓
Social Housing	✓	✓		✓

## 6. Literature review

To explore potential options for key worker housing, a literature review was undertaken to identify how this issue is being addressed elsewhere in Australia and globally. The review is grouped around four themes as follows:

- How other jurisdictions address key worker housing
- How the use of housing for short term accommodation is being addressed elsewhere (to counteract the “Airbnb effect”)
- How specialist workforces are housed, using tourism and mining staff accommodation as examples
- How residential development in regional locations can be facilitated
- Other potentially relevant housing trends.

### 6.1 How key worker housing is being addressed elsewhere

#### **Bowden Brompton, SA**

Bowden Urban Village (BUV) is one of South Australia’s flagship urban renewal projects. The project is being delivered through the Urban Renewal Authority (URA). The URA is acting as the master developer and selling super lots to developers. The site includes the Unity Housing apartments, which are being sold to key workers on moderate incomes who meet affordability criteria set by the government.

The affordable housing within the BUV Project has not been concentrated into any one area. The affordable housing is covering many tenures – community rental, (social rental through a Housing Association), private rental at a discount to market, financial products such as shared equity, low-cost purchase and for purchase. This was seen as important to recognise that the various tenure types will allow various sections of the community access to housing to meet their needs. It was also considered important that any affordable housing be indistinguishable in quality from all other housing in the community. The financial and low-cost purchase options in recent releases have been purchased almost exclusively by healthcare workers at the nearby new Adelaide Hospital.

#### **City of Ryde, NSW**

The City of Ryde’s Affordable Housing Policy focuses on “Council’s determination to address housing affordability for essential key workers” by:

- Identifying what is meant by affordable housing
- Identifying which segments of the community are classified as key workers
- Detailing the extent of the housing affordability issue for these people in Ryde
- Setting out the role of local government to advocate for, facilitate and provide affordable housing and some of the mechanisms available

- Identifying 21 projects to support the Policy’s vision and goals under the following themes:
  - State Government Affordable Housing Stock Program
  - Council-Facilitated Affordable Housing Stock Program
  - Planning Controls Review Program
  - Affordable Housing Planning Incentives Program
  - Affordable Housing Policy Review Program
  - Affordable Housing Communication Program
  - Affordable Housing Partnership Program.

### **Pilbara Cities, WA**

“Pilbara Cities” is the Western Australian Government’s vision to transform two mining towns into vibrant urban areas. The initiatives include the following:

- General Practitioner Housing Project, where seven 3- and 4-bedroom dwellings were constructed in Port Hedland and rented to general and medical practitioners at a subsidised rate. The project has increased the retention of medical staff in the area
- City of Karratha Staff Housing Project, where twelve dwellings were constructed to provide guaranteed accommodation for highly qualified technical and professional City of Karratha staff.

### **City of Melbourne, VIC**

City of Melbourne’s “Homes for People” housing strategy recognises that housing prices affect even higher paid key workers and that subsidised housing is necessary. One method that City of Melbourne use to incentivise the provision of affordable housing is via development bonuses.

The City of Melbourne Central City Built Form Controls (Amendment C270) include a mechanism to allow developments to exceed the specific Floor Area Ratio (FAR 18:1) where it is demonstrated that the development provides a demonstrable benefit to the broader community. This is known as a Floor Area Uplift (FAU), and the nominated categories of “public benefit” under this policy include affordable housing within the proposed building.

The value of the FAU of is measured as 10 % of the gross realisation value per square metre (GRV/m<sup>2</sup>) for all additional floor area above the allowable 18:1 floor area ratio. The scheme requires that planning permits include a condition(s) requiring the public benefit to be secured under a Section 173 Agreement.

### **Byron Shire Council, NSW**

Byron Shire Council is currently exploring a wide range of solutions for housing affordability within its municipality. For its key workers, especially those in the tourism industry, they are considering:

- Group accommodation (co-living, “dorms for grownups” and boarding houses)

- Relocatable homes
- Community land trusts.

### **Noosa Council, QLD**

Noosa Council recently prepared a Housing Needs Assessment that recognises that key workers in its tourism industry need to be located in proximity to or with good all hours public transport. It identifies that single person accommodation with communal kitchens may be a solution.

## **6.2 How the use of housing for short term accommodation is being addressed elsewhere (to counteract the “AirBnB effect”)**

### **NSW**

NSW is implementing a new regulatory framework for short-term accommodation. Dwellings that are not located on bushfire prone land or a flood control lot, and where the host is not present, requires that properties that are used for more than 180 to 365 days per calendar year as short-term accommodation (with each Council to decide its own timeframe) in regional areas will require planning approval. However, some Councils are concerned these thresholds are too generous.

### **France**

Hosts can only rent out their primary residences for up to 120 nights per year, but their secondary residences can be rented all year long provided this has been declared to the city.

### **London**

Hosts can rent out their homes for 90 days a year without being considered a “change of use”.

## **6.3 How specialist workforces are housed**

### **Isaac Regional Council Adaptive Communities, QLD**

The “adaptive communities” process arose after the refusal of approval for urban expansion areas, which delayed the construction of housing stock when 2,500 workers were coming into the area for the Caval Ridge Mine development near Moranbah. The community consultation process considered options for mine worker accommodation, including the following:

- Permanent or temporary dwellings
- Self-contained (e.g. on-site retail, mess) or core services only
- Dispersed (multiple locations) or single location
- Located either in an existing urban area, on the urban fringe or adjacent to a rural highway.

The approved Buffel Park Accommodation Village has been constructed adjacent to the Peak Downs Highway and is a self-contained temporary village.

### **Mt Hotham/Mt Buller/Falls Creek, VIC**

Victoria's ski fields provide dorm-style staff accommodation for staff, with rent being automatically taken out of their pay. There are on-site and off-site options, with some providing staff buses for the off-site accommodation.

### **Milford Sound, NZ**

Milford Sound includes a number of tourism businesses operating from within a national park. The distance from the nearest town (Te Anau) means that it is not feasible for staff to live off-site, so staff accommodation is provided by private companies on land leased from the government. Once such company (Real Journeys) is proposing to redevelop a 1950s staff housing block to provide group accommodation for seasonal/junior staff and micro units for managers/long-term staff.

### **Whistler ski resort, Canada**

The Whistler Housing Authority, which is an independent municipally-owned corporation of the Resort Municipality of Whistler, provides affordable rental and ownership housing options for workers.

## **6.4 How residential development in regional locations can be facilitated**

### **Building Better Regional Cities Program**

This federal program, which ended in 2014, aimed to facilitate the provision of affordable housing in regional Australia by providing funding to local councils for infrastructure projects to expedite the release of land and support an increase in affordable housing. Local councils were required to co-contribute to the project by providing discounts/rebates on the sale price for eligible purchasers.

## **6.5 Other potentially relevant housing models**

### **Escalante Tiny House Village, USA**

This tiny home neighbourhood in Durango, Colorado provides 24 dwellings with a shared communal space. With a median house price of \$430,000(USD) in Durango, the village offers an affordable option for tiny homeowners to lease a site for \$500 a month. There are also tiny homes on the site available for rent for \$1,000 to \$1,250 per month.



**UKO Co-Living**

The UKO development in Stanmore, Sydney was opened in 2019 as Australia’s first co-living facility. It offers furnished studio apartments for rent, and features communal spaces and amenities, an on-site host, and community activities. The apartments are around 25 to 30sqm in area, and the rent covers bills, Internet, bed linen, smart TV and kitchenware. UKO now have four more facilities open or under development.





## Homeshare

Homeshare (homeshare.com.au) assists people seeking affordable accommodation to live with older households or householders with a disability who are seeking practical assistance and companionship. The householder provides a bedroom and shared facilities, and the homesharer provides approximately 10 hours per week of practical assistance such as cooking, cleaning, shopping and gardening, as well as providing company and a sense of security to the householder(s) from having other people present in the dwelling.

Homeshare does not provide a matching service, but provides coordinators who help parties to match up, including interviews, police checks and written agreements tailored to each individual situation.

This approach could be relevant to the Alpine Shire where older households may not be incentivised to downsize their dwellings due to stamp duty implications. Where key workers do not have time to provide practical assistance, they could instead pay rent and provide companionship only.

## 7. Council's role in facilitating housing

The opportunity for Council to derive housing outcomes for key workers will be dependent upon the level of intervention that the Council are prepared to leverage in the market. Urbanxchange has categorised each option within this report as passive, semi- intervention or proactive, which is defined as follows:

- Passive: Council facilitates the key worker housing by others
- Semi-intervention: Council contributes to the development of key worker housing
- Proactive: Council is actively involved in the development of key worker housing.

This section will examine what options may be available through, passive, semi and proactive interventions.

There are many ways that Alpine Shire can influence the supply of key worker housing in the municipality, ranging from indirect methods such as advocacy right through to direct investment in housing. Table 32: Options for Councils to influence the supply sets out the options and is followed by a discussion of each of these of the key worker housing in the Alpine Shire context. Further explanations of some options are provided in the discussion of housing models (chapter 5) and the literature review (chapter 6).

**Table 32: Options for Councils to influence the supply key worker housing**

Area of Influence	Action
Advocacy, research and information	Advocacy
	Research
	Collation of data
	Developer education
	Community engagement

Area of Influence	Action
Planning	Land supply and availability
	Planning policies and strategies
	Streamlined approval processes
	Planning concessions
	Limit the duration of time that dwellings can be used as short term accommodation
	Voluntary key worker/affordable housing contributions (Section 173)
Financial	Reduced development contributions, planning charges and Council rates
	Increasing rates on unoccupied properties
	Use of Council land to facilitate development
	Creation of housing trusts
	Direct investment in housing supply

## 7.1 Advocacy, research and information

Regarding **advocacy** and **research**, while the primary policy and funding levers for housing are managed by State and Commonwealth Government, many councils are active in the debate around future housing policy – either individually or through industry associations and groups. The current project is an example of a research project that quantifies the issue and explores potential solutions; with the resultant action plan able to then be used for lobbying regarding key worker housing issues.

Council can also provide information in the form of **community engagement**. Explaining the importance and challenges of providing key worker housing to the community will assist when there are future development proposals for key worker housing, especially if that housing takes a different form to current housing typologies.

Guidelines on specific key worker housing typologies can provide **education for developers** who may be looking to develop these (e.g. co-living group accommodation, tiny house villages).

## 7.2 Planning

It is recommended that, at a basic level, Council positively influence the development of housing by ensuring an efficient housing market operates through providing a sufficient and ongoing **supply of land for residential development**. It can also encourage the creation of a diversity of housing and the location of medium density housing (town houses) near transport and services.

Specifically mentioning the importance of key worker housing in **planning policies and strategies** will signal to developers that these kinds of development proposals will be welcomed and will assist Council in prioritising these projects.

There is a range of **planning concessions** that Council could provide for key worker and affordable housing proposals. The most effective of these are building height and density bonuses, but these have limited applicability in the Alpine Shire, which has lower scale and lower density built form than Victoria's larger cities.

Council could offer **streamlined approval processes** for key worker housing projects, such as through fast-tracked applications, the processing of applications by senior staff, and informal rather than formal public advertising processes. Quick turnarounds on planning permits can reduce holding costs and thus enable applicants to direct more funds to providing dwellings. Noting that any social housing funded by the State Government has a modified planning approval process.

Some jurisdictions are considering **limiting the duration of time that dwellings can be used as short-term accommodation**. Chapter 6 identifies the limits being used or considered elsewhere in Australia and other countries. However, there is potentially limited applicability of this approach. The short-term use of dwellings in the region is highly seasonal, and it is feasible for owners to earn significantly more by renting their dwellings for just a few weeks at peak times that they may potentially obtain via a permanent rental agreement.

The Planning and Environment Act now provides for responsible authorities to enter into **voluntary agreements with developers for the provision of affordable housing**. This could conceivably be used for key worker housing in the Alpine Shire; however, councils generally only have leverage to seek contributions where an uplift in development capacity is provided (e.g. via rezonings or increases to density/height planning controls). Also, given the smaller scale of developments in the region, any contributions would be minimal (e.g. a 5% contribution from a 10-dwelling development would result in one key worker dwelling).

### 7.3 Financial

Council can provide reduced development contributions, planning charges and Council rates concessions to key worker housing developers, providers and/or tenants.

Council can also increase rates on unoccupied properties to discourage their use for holiday dwellings and thus encourage their use for permanent rental housing (that can then potentially be used by key workers).

To facilitate development on sites, Council could provide funds to provide infrastructure to development sites. For example, Council could construct or upgrade roads to a site if the developer agrees that key worker housing will be built.

Council has few parcels of Council land that are both free from other competing uses and are suitable for residential housing. However, other opportunities exist and often may not be readily apparent, being in the form of air space above Council-owned car parks or similar.

Regarding housing trusts, projects involving Council funds or assets generally involve development, sales, finance and counter-party risks, as well as debt and joint venture partners. Council's involvement is regulated by the Victorian Local Government Act, adding

administrative complexity to individual projects. It is also important to understand that Trusts require a financial threshold of approximately \$6 million to be viable.

Further, complex development projects are by their nature specialised and medium-to-high risk and Councils are often neither experienced or well suited vehicles for a direct involvement.

In recognition of these and other issues, as one example, the City of Port Phillip has transferred their affordable housing assets to a discretionary services management trust that is both a public benevolent institution (charity exempt from land tax and stamp duty); a tax concession charity (exempt from income tax, goods and services tax); and a deductible gift recipient (entitled to receive tax deductible donations).

The trust deed has specific provisions that ensure the assets are used for the designated charitable purpose – being the provision of housing to low income Port Phillip residents who are also on the Office of Housing waiting list for social housing.

The Council exercises a strategic level of control through the terms of the trust deed, the appointment of the trustee (which is a registered Housing Association) and a reporting framework against financial and social outcomes for the City of Port Phillip.

The establishment of a legally compliant housing trust is complex and the outcome must also meet the policy objectives of DFFH if it is to have any prospect of leveraging State and Commonwealth funding.

Notwithstanding this, the Port Phillip Trust has been highly successful in drawing in funding for low income housing and overcoming difficulties faced by Council in pursuing these aims itself.

Finally, some councils have chosen to invest directly in affordable housing, with the best Victorian example being Port Phillip, which has invested \$13 million in affordable housing over 21 years to leverage about \$39 million of other funding. It also provides a 10-year capacity building grant of \$400,000 a year to the local Housing Association (Port Phillip Housing Association).

Where a Council has not had a traditional interest and role in affordable housing, this is a challenging concept for Councillors attempting to meet the escalating service and infrastructure costs facing local government.

The principle of the Port Phillip Housing Trust is that Trust vehicles can be a beneficial vehicle for Council to provide property that is then held in Trust to deliver housing outcomes for designated groups. The risk and responsibility for the development and management are removed from Council and managed independently according to the Trust Deeds.

## 7.4 **Categorisation of opportunities**

The table below categorises each opportunity into passive, semi-intervention and proactive to enable Council to consider which will be best suited to their preferred level of involvement. Opportunities that apply to several or all levels are indicated in multiple columns – for example, a Council that takes a proactive approach may consider both direct interventions

(such as housing trusts) and passive methods (such as advocacy). There are also varying levels within some opportunities – for example, with housing trusts, a semi-intervention approach would see the establishment of a trust, and a proactive approach would see Council transfer its own assets into a trust vehicle. Further details of these are provided in chapter 5 of this report.

**Table 33. Categorisation of opportunities - passive, semi-intervention and proactive**

	Opportunities to participate	Passive	Semi Intervention	Proactive
Advocacy, research and information	Advocacy	✓	✓	✓
	Research	✓	✓	✓
	Education for developers	✓	✓	✓
	Community engagement	✓	✓	✓
Planning	Land supply and availability	✓	✓	✓
	Planning policies and strategies	✓	✓	✓
	Streamlined approval processes	✓	✓	✓
	Planning concessions	✓	✓	✓
	Limit the duration of time that dwellings can be used as short-term accommodation	✓	✓	✓
	Voluntary affordable housing contributions		✓	✓
Financial	Reduced development contributions, planning charges and Council rates		✓	✓
	Use of Council funds to provide infrastructure to development sites		✓	✓
	Use of Council land to facilitate development		✓	✓
	Creation of housing trusts		✓	✓
	Direct investment in housing supply			✓

## 8. Commercial models

If Council has land to develop, there are several ways that Council can engage in the development. In the broadest possible sense, there are five commercial models for Council to consider as follows:

- Direct sale to the market
- Deliberative development

- Development Agreement
- Community land trust
- Council as the developer.

**Direct sale to the market** – Council would arrange for the sale of the property; it may include some restrictions or required outcomes, which would be managed via a covenant on title.

**Deliberative Development** – Council identifies the key outcomes it is seeking, including land release, affordable housing and urban design. Council then tenders for a developer to sell the site to, who enters the required agreements to meet Council’s identified objectives.

**Development Agreement** - Council identifies the key outcomes it is seeking, including land release, affordable housing and urban design. Council then seeks a partner to develop the site; this could include the land remaining with Council and the developer undertaking the sales and construction of the land. The development agreements would be designed to meet Council’s identified objectives.

**Community land trust** – A CLT is a form of land ownership – Council establishes a CLT with clearly defined objectives and KPIs. The site is transferred to the CLT who undertake the development.

**Council as developer** – Council undertakes all the development and carries all the risk.

The aspects of each model that vary are:

- Capital requirements and finance implications
- Risk allocation
- Ensuring that the housing meets Council’s agreed housing position

Table reviews each of the five commercial models against the above criteria from Councils perspective:

**Table 34. Commercial models against Council outcomes**

Development Type	Council capital in development	Council risk exposure	Meeting Council policy
Direct sale	Not required	Very low risk	Not achieved
Deliberative Development	Not required	Low risk	Likely to be achieved
Development Agreement	Not required	Low risk	Can be achieved
CLT	Maybe required	Moderate risk	Likely to be achieved
Council as developer	Council to fund	High risk	Will be achieved

Additional mechanisms / processes that can support outcomes:

- EOI process with associated KPIs and Probity Plan
- Staged release based on achieving identified milestones
- Site/asset specific mechanisms:
  - Section 173 Agreements
  - Caveats
  - Covenants

## 8.1 Governance considerations

Governance is how you organise to achieve intended value i.e. “**outcomes**”. To achieve these policy outcomes, a range of generic **governance functions** are often performed, which can be **structured** in a number of ways.

In summary, the outcomes that Council is seeking are:

- Provide opportunity for new housing growth in the municipality that is staged in a manner that reflects a steady and constant opportunity for land supply for new housing
- Grow levels of social and affordable housing in the municipality that is targeted at identified areas of need being key workers
- Maintain in perpetuity housing assets within the municipality with a long-term view to have existing government housing stock better managed and growing the social housing by Housing Associations
- Maximise the leverage of Council resources through co-contribution
- Ensure quality assurance of urban design and housing outcomes from investment (development and on-going management).

To support the desired outcomes, governance functions need to be complied with in the areas of:

- Policy and strategy development as well as review
- Resource commitment and allocation principles
- Resource allocation: land - who/how project and procurement approach
- Management of risk, probity and equity
- Development parameters, quality standards and quality assurance
- Accountability and monitoring

## 8.2 Council objectives

In reviewing the objectives against the commercial models types:

**Table 35. Commercial models and achieving affordable housing**

Commercial Model	Progressive land sales	Developer accountability	Urban design	Affordable housing
Straight Sale	X	X	X	?
Deliberative Development	√	√	√	√
Development Agreement	√	√	√	√
CLT	X	√	?	√
Council as developer	√	√	√	√

**Table 36: The application of affordable housing via the commercial models:**

	Direct sale to market	Deliberative Development	Development Agreement	Community Land Trust	Council as developer
Affordable by Design	√	√	√	X	√
Affordable Purchase	X	√	√	X	√
Shared Equity	X	X	X	√	√
Rent to buy	X	X	X	X	√
Build to rent	X	√	√	√	√
Social Housing	X	√	√	√	√



## 8.3 Assessment

The following table provides an assessment of the effectiveness of the different development types by outcomes.

**Table 37. Commercial development types and achieving Council objectives**

Outcomes	Development Types				
	Direct sale to market	Deliberative Development	Development Agreement	Community Land Trust	Council as developer
Housing growth in the municipality	No control over the staged release or any urban design outcomes	Opportunity to manage (through agreement) key aspects: <ul style="list-style-type: none"> <li>• Land release</li> <li>• Urban design</li> <li>• Affordable housing</li> </ul>	Opportunity to manage key aspects: <ul style="list-style-type: none"> <li>• Land release</li> <li>• Urban design</li> <li>• Affordable housing</li> </ul>	Opportunity to input into key aspects: <ul style="list-style-type: none"> <li>• Land release</li> <li>• Urban design</li> <li>• Affordable housing</li> </ul>	Council control all key aspects: <ul style="list-style-type: none"> <li>• Land release</li> <li>• Urban design</li> <li>• Affordable housing</li> </ul>
Grow levels of social and affordable housing in the municipality	Opportunities would be very limited and would only get affordable housing by design	Opportunity to grow known affordable housing in affordable purchase and affordable rentals	Opportunity to grow known affordable housing in affordable purchase and affordable rentals	Council with the Agreement call for EOI to maximise outcomes. Would require Council to participate in maximising growth but allow Council oversight	Council could facilitate all the affordable housing types – however this is a significant risk for Council
Maintain in perpetuity housing assets within the municipality	No opportunity to retain affordability	The company would use: Section 173 Agreements, Covenants on title or Caveats on title	The company would use: Section 173 Agreements, Covenants on title or Caveats on title	Trust Deeds would need to be explicit and require affordability be maintained	The company would use: Section 173 Agreements, Covenants on title or Caveats on title
Maximise the leverage of Council resources through co-contribution	Can Council insist – no	Developer will deliver affordable housing outcomes from the discount on Council land	Developer can raise debt and leverage assets through applying funds. Can Council insist – no	New Trust can raise debt and leverage assets through applying funds. Can Council insist – no	Yes – Council can raise debt and undertake development to achieve desired outcomes
Ensure quality assurance of housing outcomes from investment (development and on-going management)	No opportunity for Council	S173 mechanism could require reporting mechanism on design of new and maintenance	S173 mechanism could require reporting mechanism on design of new and maintenance	S1Trust Deed would state KPIs and require reporting on design of new and maintenance. Once established, limited or no opportunity to change in the future	S173 mechanism could require reporting mechanism on design of new and maintenance

Outcomes	Development Types				
	Direct sale to market	Deliberative Development	Development Agreement	Community Land Trust	Council as developer
Ensure quality assurance of housing outcomes from investment (development and on-going management)	Company would manage all development risk and management of properties Reputational risk	Developer would manage all development risk and management of properties	Developer would manage all development risk and management of properties	Trust or partners would manage all development risk and management of properties	Risk for development and management sits with Council

The following table provides an assessment of the effectiveness of the different development types by governance function:

**Table 38. Commercial development models and meeting Council Governance requirements**

Outcomes	Development Types				
	Direct sale to market	Deliberative Development	Development Agreement	Community Land Trust	Council as developer
Policy and strategy development as well as review	No opportunity for Council	Agreement with developer reporting and review can be altered to reflect Council changes in position	Agreement with developer reporting and review can be altered to reflect Council changes in position	Limited ability to influence how trust assets are used. KPIs included but once Trust is established, opportunities for significant change are very limited	Council as owner and developer establishes policy and strategy
Resource commitment and allocation principles	Cost of establishing Agreements and reviewing EOI submissions	Cost of establishing Agreements and reviewing EOI submissions	Cost of establishing Agreements and reviewing EOI submissions	Costs involved in establishing new trust	Resource and administrative cost carried by Council
Resource allocation: land /who/which project and procurement approach	All resources allocated to the Agreement via developer and outlined in EOI	All resources allocated to the Agreement via developer and outlined in EOI Monitoring and liaison on key aspects	All resources allocated to the Agreement via developer and outlined in EOI Monitoring and liaison on key aspects	All resources allocated to the Trust. Trust uses resources as per charter Council or new Trust can operate	Council allocate or direct allocation of its own outcomes

Outcomes	Development Types				
	Direct sale to market	Deliberative Development	Development Agreement	Community Land Trust	Council as developer
Management of risk, probity and equity	No opportunity for Council	Removes risk from Council – risk is with developer	Organisation would establish own process to do this and Council may have limited oversight – removes risk from Council – risk is with developer	Trust would establish own process to do this and Council may have limited oversight unless established in initial phase – removes risk from Council as Trust is independent	Council would bear full risk but have oversight of probity and equity
Development parameters, Quality standards and Quality assurance	Council would rely on the planning scheme only	Agreement with developer Council may have limited oversight	Agreement with developer allocated funds would establish own process to do this and Council may have limited oversight	Trust would establish own process to do this and Council may have limited detailed oversight	Council would have complete control of development parameters but needs to accept all risk
Accountability and monitoring	No opportunity for Council	Council can set overview and accountability in Agreement	Council can set overview and accountability in Agreement	Annual reports to Council on KPIs	Full overview and accountability

The following table provides an assessment of the effectiveness of the different development types to deliver Council’s desired outcomes:

**Table 39. Effectiveness of commercial models in achieving Council objectives**

Development Type	Commentary
<b>Direct sale to market</b>	A direct sale would be undertaken on commercial terms and not provide Council with the opportunity to influence the staged timing release, key urban design aspects or source affordable housing outcomes
<b>Deliberative Development</b>	With a sale through a deliberative development, Council sets the parameters as a part of the sale and secures staged timing release (set via key milestones), key urban design aspects and affordable housing outcomes via a S173 or some other mechanism. Council policy requirements including leverage and affordable housing outcomes are a part of the sale process. No risk to Council. Council would have monitoring role of finished developments with assistance of a S173
<b>Development Agreement</b>	The establishment of a set of Development Agreements that meets Council policy requirements including leverage and affordable housing outcomes – the Agreement can be developed to reflect Council’s position. Council will transfer risk on development and management to developer. Council would have an accountability and monitoring role including staged release and urban design and of finished developments with assistance of a S173 or other restrictions on title. Flexibility to manage changes in direction. Matters rest with Council

Development Type	Commentary
<b>Community Land Trust</b>	Establishing and maintaining a new Trust will be an additional expense and offer no revenue to Council. Advantage is that a Trust can leverage assets and debt and remove any development risk from Council. Council limited capacity for reporting against an established set of KPIs - the requirements for periodic reporting would need to be established at the outset and a mechanism of enforcement established. Limited scope for changes for future flexibility
<b>Council as developer</b>	Council would have full control but also carry full risk of development and housing. It would require additional resources to allow management. Full compliance with policy and procedure – flexible for future changes

## 9. Private investment

A key aspect in the delivery of any housing - whether it be by private or not for profit operators - is to create an environment that attracts investor interest.

The following types of investment criteria (or combinations thereof) will be relevant to developers or investors in determining whether or not to undertake residential development in the region:

- Ability to realise attractive commercial returns or yields within reasonable timeframes
- Availability of a sizeable development opportunities (either larger development sites or a pipeline of development projects) that warrants making a sizable capital investment in development in the region – for example, an active pipeline of 100 dwellings per year for 3 – 5 years
- Sufficient depth of market and likely trading volumes to justify mobilising capital and development resources in a given location
- Certainty over development yields and approvals process
- Government policy that is supporting growth.

However, the small size of the housing markets in many locations often means that there is insufficient interest amongst developers and investors to undertake development. As a result, there is often a scarcity of supply of new or contemporary housing, and the limited stock that is available may be old and not suitable or attractive to the prospective key workers who are seeking housing.

Other reasons that certain types of households may not be able to access housing in the region might be explained as follows:

- Younger purchasers – the requirement for steady savings pattern to achieve a mortgage with a reputable financial institution could be a defining factor
- Visa holders - some categories of visa do not allow the visa holder to purchase properties and other visas put a considerable tax on the purchase of the dwellings
- Investors – whilst the annual yields may be acceptable, the available stock may not offer potential for long term capital growth.

To attract investors for both the capital development and long term, market interventions are required. The interventions to attract long-term investors require contributions. It is noted that is the case in most geographical areas in Australia. The report notes that in most cases the supply of land could assist in achieving the required financial returns for long-term investment.

There are two aspects to property development that need to be considered, being:

- The capital development costs, i.e., the cost to develop and (maybe) then sell the dwellings
- Operational costs - some of the housing tenures not only require capital development but will require operational costs to deliver the housing long term.

In reviewing the housing tenures, they can be divided as follows:

**Table 40. Housing Tenure Capital/Operational requirements**

Type	Capital Development	Operation Costs
Alternative models	✓	X
Affordable Purchase	✓	X
Affordable by Design	✓	X
Shared Equity	✓	X
Build to Rent	✓	✓
Rent to Buy	✓	✓
Community Land Trusts	✓	✓
Social Housing	✓	✓

All the housing tenures outlined above will require capital to develop and deliver housing. For those tenures that are outlined as also having operational costs, the costs of developing, in the form of debt, will be carried over to the operating business. The only opportunity in all cases to achieve satisfactory financial outcomes, as would be dictated by financial institutions, is in the capital development phase through either savings in development costs or grants. The grants can be in the form of land or cash.

The operational costs and the debt associated with the business will be subject to a set of criteria by financial institutions that enables business to get loans to operate. The operational costs include rates and taxes but also maintenance and due allowance for replacements over the life of the property – this is referred to as asset maintenance.

The key outcomes that are required to make investment in housing in Alpine Shire are:

- Attractive yields
- Constant income streams
- Sizable investment opportunities
- Active approval process

- Government policy that is supporting growth
- Potential for development activity
- Active pipeline of 50 dwellings over a 3 – 5 year period (provided by a recognised developer in the North East).

## 9.1 Capital Development Overview

When considering a potential development, developers (whether Housing Associations or private developers; the term “developer” is generic), review revenue and costs.

The revenue or value/market price must be relative to prices in surrounding geographical areas; the development pricing must be consistent. The pricing strategy can be developed in several ways, as this table demonstrates.

**Table 41. Market pricing strategy**

Strategy	
Premium	Consistently priced above the market. When competitors move up, the developer maintains a price premium
Parity	Developer matches the surrounding market. Prices are only slightly above or below that of the market’s price leader
Penetration	Developer consistently prices below the price leader to obtain a faster sales rate at the expense of margin
Bundling/value added	Developer adds a package of goods to the price to increase the perceived value of the offering
Discount	Developer maintains a list price that is usually parity-based and periodically discounts to increase or top up sales

Developers and valuers generally adopt a price parity strategy. To move housing stock, sometimes developers will price their product at the lower range and take on a penetration or discount strategy. For the purposes of reviewing a development as a commercial developer would, it is important to ensure that whatever is delivered will meet market requirements for two reasons:

1. It is a requirement of achieving borrowings from a financial institution.
2. Future asset management, if and when the dwellings need to be sold.

Most costs are relatively fixed as a proportion of the development costs. These include:

- **Design costs.** Generally, 8-10 % of any development costs.
- **Construction costs.** These are fixed for the areas of development. Multi-storey construction costs vary according to height and finishes, but these reflect market expectations and pricing.
- **Authority charges.** There is little variation in the charges imposed across any development type and no room for negotiation.
- **Finance costs.** The rate at which finance is charged and the required hurdle rates will remain constant across project types. In the current economic climate, and despite interest rates, most developers cannot achieve full funding for projects.

The variable cost factor is the price paid for the land.

In the current financial environment, developers would typically require the following to secure finance for a development project:

- 65 % debt/35 % equity
- Demonstrate a return or profit of 20 % before overheads and corporate costs
- 85 % presales contracts on residential (of which only 30 % can be to overseas buyers and no person can purchase more than one)
- 70 % plus sales or lease on commercial/retail components.

Key aspects to note from the initial development costs are that:

- The pre-development costs are those associated with achieving a planning permit, a construction contract and presales. This is at-risk money and must be spent by the developer before applying to a lender for finance. If the development does not get planning or presales, the money invested in predevelopment costs are lost
- The equity - prior to being able to draw down the finance being provided by a financial institution, the developer would be required to have spent all their required equity. This equity would be a combination of the land value plus the predevelopment costs and authority fees.

## 9.2 Purchasers

Low to moderate income earners will need to meet a number of criteria set out by financial institutions. Meeting these criteria will determine whether they have capacity to purchase a property.

Current banking practices in terms of eligibility for mortgages are applied as follows:

- In general, the existing requirements for a potential purchaser who is at, or above the 50 % of income earners nationally include:
  - Steady savings pattern for 12 months
  - Funds to service all purchase costs (stamp duty, insurance, rates and conveyancing)
  - A minimum deposit of 10 % of value
  - A full-time employment history of five years.
  - However, for potential individual purchasers who earn below the 50 % income benchmark (generally considered \$54,000), financial institutions require:
    - A steady savings pattern for 18-24 months
    - Funds to service all purchase costs (stamp duty, insurance, rates and conveyancing)
    - A minimum deposit of 20-25 % of value
    - Full-time employment history of five years.

It is reasonable to argue that it is exceptionally unlikely that a person earning less than \$54,000 per year is in the market to purchase because they will have considerable difficulty in raising finance.

### 9.3 Operation Costs

On the basis that Council considers having rental housing as a part of a portfolio of housing that is available for key workers, operational costs are considered via life cycle feasibilities. The life cycle feasibility is undertaken to ensure that the property would be able to achieve finance for the long term. If long-term finance cannot be achieved, then it may be possible with the use of funds and the delivery of affordable housing outcomes for key workers.

Financial institutions will require that the following items are considered:

- Interest coverage ratio – this is a factor of income over operating costs (including maintenance) and the usual requirement is for income at least 1.5 times the operating costs
- Loan to value ration – this is the value of property against the loan value
- Payback period – in most instances, debt is required to be paid back in a maximum of 20 years
- Maintenance surplus – this is sometimes called a sinking fund to allow for the upkeep of the building and replacement of key elements to ensure that the value of the property is retained.

This financial assessment would consider the following:

- Combine the funding elements
- Estimate the project income
- Estimate the long-term project ownership costs
- Forecast the likely future cash flows, based upon assumptions outlined below
- Undertake sensitivity analysis of key variables that could have an impact on future cash flows.

The cash flow model provides an analysis of key financial health indicators to establish that the investment of equity by either a private investor or Housing Association will result in a financial and legal interest in a portfolio of dwellings. It seeks to demonstrate that:

- Who the housing can be provided to is based on their income
- It is financially sustainable as the long-term ownership costs (including maintenance) can be paid from the tenant's income.

## 10. Housing register

The Victorian Housing Register (VHR) is the common wait list for social housing in Victoria and is managed by Homes Victoria.



The Register has two categories:

**Priority Access:**

this is for people:

- Who are homeless and receiving support
- Are escaping or have escaped family violence
- With a disability or significant support needs
- With special housing needs.

**Register of Interest:**

This is for all eligible applicants to register their interest in social housing.

The length of time to access housing is dependent upon household circumstances. Factors that affect the length of time a household spends on the wait list include:

- The preferred location chosen
- The number of applications already on the register
- People who have demonstrated a housing need under one of the Priority Access categories
- The number of homes in demand in a given area and how often properties become vacant
- If the applicant has special location requirements or need a particular type of property (for example, one with modifications), it may take longer.

The Alpine Shire LGA is located in the East Division of the Hume region. This is a significant sector and includes:

- Moira
- Indigo
- Glenrowan
- Murrindindi
- Mitchell
- Strathbogie
- Greater Shepparton
- Towong
- Wangaratta
- Wodonga
- Benalla
- Mansfield

A flaw in the VHR is that you can only register for housing in the areas where housing is available.

The VHR applications for the eastern region of Victoria incorporating Alpine Shire for June 2021 is outlined in the table below:

**Table 42: VHR Data as at June 2021**

Area (office)	Priority Access	Register of Interest	Total
Goulburn (Shepparton)	779	708	1,487
Ovens Murray (Benalla/Wangaratta)	400	392	792
Ovens Murray (Wodonga)	303	396	699
<b>Total applications</b>	<b>1,482</b>	<b>1,496</b>	<b>2,978</b>

Homes Victoria has 73 dwellings in Alpine Shire.

# 11. Details on affordable housing models

## 11.1 Alternative housing models

Group accommodation such as co-living, “dorms for grownups”, and boarding houses provide private bedrooms (with ensuites or shared bathrooms) or micro-apartments with shared living rooms and cooking facilities. In large cities where there are high rents and a lack of housing choice, this provides flexible, community-driven housing and is attractive to a young, urban, professional and mobile population. The co-living model continues to move further away from long-term commitment with the model evolving from signing a lease to being provided only with a “membership” to provide access to a furnished bedroom and common areas.

Staff accommodation in the tourism industry (refer to the Mt Hotham/Mt Buller/Falls Creek and Milford Sounds case studies at chapter 6) and agricultural industry has traditionally been provided via this group accommodation model.

Relocatable housing has also been traditionally provided in the resources industries. A newer trend for relocatable housing is tiny houses on wheels (‘THOWs’), many of which are designed to be “off-grid” from any reticulated services. Tiny houses can provide temporary or longer term affordable housing options and can be suitable for location in urban areas (in backyards or on separate titles), on rural properties, or on vacant land prior to its development for other purposes. There is also a growing interest in creating tiny house communities where several dwellings are clustered together in rural or urban settings.

In Victoria, it is often unclear via planning schemes and local by-laws where THOWs can be located and how long they can be used for (noting that many by-laws would restrict their occupation to just a few weeks a year if they are parked in a permanent location).

## 11.2 Affordable Purchase

The challenge for developers seeking to deliver new housing is to be able to achieve sale prices that support an acceptable return on development costs.

Rarely a developer has the straight equity (cash) to undertake a development without seeking finance. Developers need to satisfy their financiers' requirements generally being, in the current financial environment, for a development project:

- 65% debt/35% equity (developers on money)
- Return or profit of 20% before overheads and corporate costs
- 70% presales contracts on residential (of which only 30 % can be to overseas buyers)
- 70+% sales or lease on commercial/retail components.

Most costs are relatively fixed as a proportion of development costs. These include:

- Design costs
- Construction costs
- Statutory authority charges
- Finance costs.

The variable cost factor is the price paid for the land. Just about all affordable housing outcomes require a subsidy and, in providing affordable housing, the developer will remove the subsidy cost of supplying the affordable housing from the cost paid for the land.

The only capacity available, in a commercial development model, to achieve a dwelling at an affordable price is for there to be a discount to the price of the land.

The key consideration relating to purchase capacity is the requirement for low- to moderate-income earners to obtain finance from a financial institution. In general, the existing requirements for a potential purchaser who is at, or above the 50 % of income earners nationally include:

- Steady savings pattern for 12 months
- Funds to service all purchase costs (stamp duty, insurance, rates and conveyancing)
- A minimum deposit of 10 % of value
- A full-time employment history of five years
- However, for potential individual purchasers who earn below the 50 % income benchmark (generally considered \$54,000), financial institutions require:
  - A steady savings pattern for 18-24 months
  - Funds to service all purchase costs (stamp duty, insurance, rates and conveyancing)
  - A minimum deposit of 20-25 % of value
  - Full-time employment history of five years.

It is reasonable to argue that it is exceptionally unlikely that a person earning less than \$52,000 per year is in the market to purchase because they will have considerable difficulty in raising finance from a reputable financial institution. The amount of \$52,000 for an individual exceeds the current Victorian Government GIC Orders as outlined in chapter 5.

The criteria for designating housing to a key worker might be:

- Be over 18 years of age
- Be a resident of the area
- Be a key worker employed in an identified industry in the local area
- Be an owner occupier
- Be living in rental accommodation (public or private), or with family or friends, or be homeless.

### **11.3 Affordable by design**

Affordable by design dwellings are developed using a standard development process to create small lots and compact dwelling designs that can be delivered at lower price points. Given that there are many fixed costs in the development process and that the quality of dwellings also needs to be maintained, there are limitations as to how far the price can be lowered. Design costs, construction costs, finance costs and statutory authority charges are relatively fixed, and the most variable cost factor is the price paid for the land. Including sustainable design features should also be a consideration to enable lower running costs for all kinds of affordable housing.

The benefit for the Alpine Shire is that it will provide alternate housing types within a small market.

### **11.4 Community Land Trusts**

A Community Land Trust (CLT) is a form of shared ownership of a property, where the land component of a residential property is owned by a community-based, not-for-profit legal entity and the actual building is owned (or leased long-term) by an individual household.

As CLTs remove land costs from the cost of housing they can make housing more affordable, particularly in markets where increases in land value outpace income gains for lower income workers. The CLT will charge an ongoing ground lease (i.e. a form of rent) for the land, often payable monthly by the householder. This ground lease may be subsidised for low income households so as to make housing affordable.

CLTs offer householders many of the benefits of home ownership, including householder's control over a dwelling, security of tenure and transfer of occupancy rights, and the potential for some asset wealth building. The ground leases on which the homes are built are inheritable, and properties on leased land can be bought and sold at prices determined by a resale formula spelt out in each CLT's ground lease.

When the householder decides to sell, any increases in the value of the property are limited through the use of predetermined price formulae instead of being based upon open market values. The intention is that, rather than the initial subsidy dissipating when the household sells, the community partner's ongoing financial interest ensures the home will remain affordable for future households.

The benefits come from assisting lower income households into affordable rental or housing ownership, which can relieve the strain on housing assistance programs.

### **Application**

CLTs may have potential application in Alpine Shire, but only if it can develop an asset base of \$6million to address affordable home ownership concerns, increase the range of housing tenure options available, foster community development and social capital, and maintain a stock of perpetually affordable housing options.

The key features of the CLT that must be met for successful implementation are:

- Non-profit, tax-exempt corporation
- Dual ownership
- Leased land
- Perpetual affordability
- Community
- Tripartite governance
- Flexible
- Resale formulae
- Maintenance and improvements.

## **11.5 Shared Equity**

Shared equity arrangements cover the products, schemes and initiatives that enable the division of the value of a dwelling between more than one party. The essential feature of shared equity models is that the buyer shares the capital cost of purchasing a home with an equity partner, thereby permitting households to buy a home with lower income levels than would normally be required. In simple terms, this umbrella term encompasses government-backed and private sector-led schemes based on arrangements whereby the purchaser enters into an agreement with a partner to share the cost of purchasing a property. This approach is considered because:

- Compared with conventional mortgage arrangements, shared equity can enhance affordability for homebuyers by reducing both deposit requirements and ongoing housing costs
- It may provide mortgage lenders with opportunities to expand into new markets and offer equity investors a more flexible opportunity to invest in residential real estate other than through direct investment

- More broadly, shared equity approaches can contribute to policy reform and offer a means of leveraging in more, and more appropriate, forms of affordable housing. To achieve this outcome, equity investment is required.

Inevitably, these benefits have risks associated with them, and the viability and relative attractiveness of shared equity depends upon favourable financial and housing market contexts.

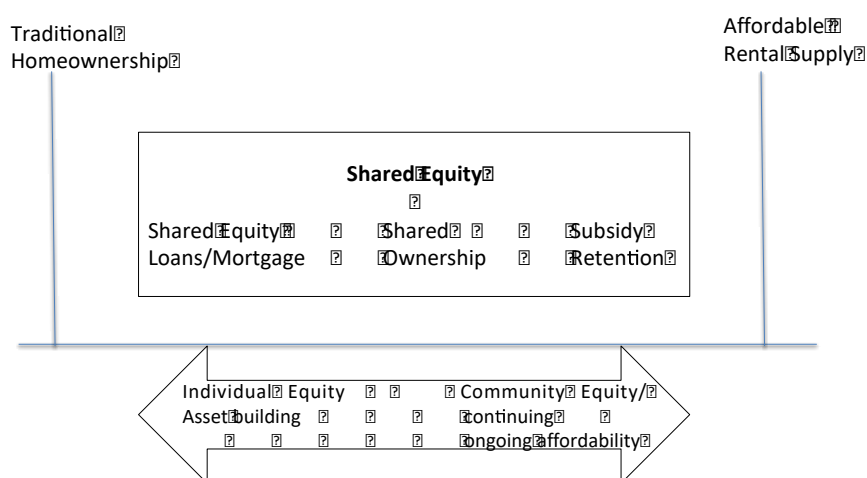
Shared equity initiatives are closely integrated within and connected to the housing markets in which they operate. Individual and community equity schemes relate to and depend on housing market contexts in different ways; the nature of this relationship acts as a defining characteristic between them.

Community equity arrangements seek to preserve affordability over time within the housing stock and, arguably, a distinct sub-market would be established tied to that supply.

If and when residents move home, then issues regarding the interface between scheme and market at the time of exit will have an impact on options available for mobility in the market.

Individual equity arrangements have a more explicit link to the market context in which they operate. In effect, they seek to work within the parameters of market values and aim to assist households meet those values.

These concepts are outlined in this diagram:



**Figure 13. Shared equity – market positioning**

## 11.6 Build to Rent

Build to rent is the process whereby developers and their financiers build multi-unit buildings and, instead of selling the units, retain them to let to tenant households. Rents may be set at market prices or, for affordable and social housing, at an appropriate discount to market rents.

The ABS defines “private rental housing” and “renter: private landlord” as an economic relationship between a household and landlord; that is:

“... a household paying rent to a landlord who is a real estate agent; a parent or other relative not in the same household; or another person not in the same household”.  
(ABS, 2017b).

The profile of build to rent mostly tends towards apartments, small households and people on lower incomes, but the degree of difference between build to rent and the broader housing system varies between household incomes and locations.

Build to rent is an established practice in both the UK and the US, but has yet to be fully taken up in Australia. However, it is understood that the Federal Government is investigating build to rent schemes and that the Federal opposition has noted that it will continue to support a build to rent model for institutional investment. The Federal opposition noted it would seek a model that will offer either a tax incentive or subsidy to provide properties at a discounted rent to eligible renters (eligibility will be defined via income ranges). It is also noted that the Property Council and Urban Development Institute are both supportive of such models and have commenced a campaign for consideration with the Federal Government.

### **Systems**

There are two scenarios to be considered with private build to rent – one is the institutional investor that will build a whole building for 100% build to rent as discussed above; the other option to be considered is the developer who retains or sells a portion of the dwellings to be rented at a below market rent to eligible renters.

Another option is the model that some of the inner Melbourne Councils are considering, a model developed by Robert Pradolin (Prads model). The rent would be charged at 75 % of market rent of the local area (being either the LGA or ABS Geographic Statistical Division). Renters would be those defined as low to moderate income earners, on the basis of the legislative framework. The maximum returns the investor would get would be 75 % of the full market rent. The affordability would remain on the dwellings for the economic life of the building (usually 25 years).

To entice an Australian investor to purchase a dwelling that has a discounted rent, the purchase price would also need to be discounted proportionately. Typically, this would be about 20 percent of the purchase price.

The ongoing affordability aspect of this model would be managed via a caveat agreement on title.

The developer would be expected to select a Housing Association/entity to administer the rentals and associated reporting.

### **Management**

One consideration in any future build to rent scheme would be management of the properties. Council may consider that a Registered Housing Association manage them.

However, a private rent to build could have an entity such as a registered real estate agent manage the properties. The key considerations for Council are:

1. The need to be satisfied that the organisation has demonstrated experience and a proven track record in managing affordable housing and tenancies in an integrated development.
2. That the tenancy and property managers assigned to the dwellings are trained and have experience in managing client groups in an integrated development.
3. That the entity has the capability to undertake all the reporting requirements that may be necessary in any restrictions on title.

## 11.7 Rent to Buy

In Australia, rent to buy describes a private vendor (i.e. non-government) scheme whereby a tenant pays rent and the costs associated with an option to buy the rental property in the future (usually at an inflated "future" price to cover anticipated property price rises) from the vendor. The rent to buy contract requires the tenant to source finance from a bank or other mainstream lender so as to buy out the vendor at a determined future date. This is known as the MAKE/Assemble model.

The Consumer Action Law Centre identifies that tenants are usually lower-income householders who are not able to get a loan from a mainstream bank or credit society because they don't have a large enough deposit, can't afford the mortgage repayments or have a poor credit history.

The key to a successful implementation of a rent to buy scheme will be to ensure that the tenant has the financial capacity to enter into such a transaction. With Australia's state-based income levels, such a scheme's implementation could prove difficult. In most instances, for a single person the minimum would be \$52,000 per year but a more likely commencement benchmark would be \$60,000 per annum for individuals and \$100,000 for households.

To date, there have been no replicable models in Australia. However, with the MAKE/Assemble model now being implemented – and containing encumbrances concerning the inflationary growth of the property during the rent period, the rent being at or below market and the option to purchase being fair and reasonable – it is a model that could be considered.

The MAKE/Assemble model provides a market niche that allows it to be considered, as the potential purchasers initially enter a residential tenancy on an apartment that they may consider purchasing some five years later. An option to purchase is entered into at the time of the residential tenancy agreement. However, the option is also available for the tenant/purchaser to opt out at any point during the tenancy.

The key investment factors for consideration in a rent to buy scheme such as the MAKE/Assemble model are:

- Sizable investment opportunities and product base. The model is easily replicable across inner and middle ring suburbs in major cities
- Active asset management



- Potential for development activity.

## 11.8 Social Housing

All states, excluding Victoria, have endorsed and agreed to the National Housing Regulator. The Regulator manages the compliance and financial readiness of the Registered Housing Entities. The Regulator has the Housing Associations divided into Tier 1 and Tier 2. The division is based upon capacity to grow, financial resources and management of tenancies.

Housing Associations are not-for-profit corporations that own and/or manage community housing and are registered by Federal and/or State Housing Regulators.

Tier 1 Housing Associations are seen by Government as organisations that:

- Own, manage and develop affordable rental housing
- Provide housing support and assistance to clients
- Are viable businesses, partnering with government and the community
- Have met registration criteria and meet ongoing regulatory compliance against performance standards.

Housing Associations have differing rent policies, starting from 25 % to 30 % of pension income and increasing to 75 % of market rent/30 % of employment income.

Housing Associations and Providers are usually tax concession charities and, subject to meeting certain requirements, are exempt from income tax, capital gains tax, fringe benefits tax and GST. They may also be exempt from stamp duty, land tax and, in some cases, Council rates. Housing Associations may also have Deductible Gift Recipient status, meaning donations to them are tax deductible by the donor.

Housing Associations have financial and operating benefits not available to State housing organisations and private developers, most notably:

- They do not pay GST on the cost of constructing housing
- They have greater flexibility in the sale and re-investment of property
- Their tenants are eligible for Commonwealth Rent Assistance whereas State Government housing tenants are not.

The opportunity offered by a development structure with a Housing Association as a Tax Concession Charity and excluding the GST as a part of the costs, will be a key point in achieving an outcome that is financially sustainable for the development.

Housing Associations can raise debt to purchase dwellings. However, the capacity to raise debt is limited by:

- The tenant profile, as dwellings are leased at a submarket rent and thus income to repay is greatly reduced
- The requirement by financial institutions for the Housing Associations to meet commercial hurdles of two times earnings; that is, they must cover repayments with

double the income) to achieve funding. Consequently, this reduces the amount that can be borrowed.

The Housing Associations in Victoria have limited equity and have multiple calls on that equity.

Housing Associations will consider the following commercial options (or variations of them) to develop/acquire dwellings:

- Acquisition of newly built dwellings on the open market when they reach completion (at a considerably reduced price)
- Acquisition of existing units, which may require upgrade work (at a considerably reduced price)
- Purchase of dwellings from a developer/builder with progress payments made during construction
- Development of new dwellings by the Housing Associations themselves, involving land purchase, financial approval, engagement of consultants, design, approvals, tendering and construction, all under the control of the Association and at the Association's risk.

However, with the restrictions in rents to income appropriate rents and escalating costs, the opportunities are exceptionally restricted.

While key workers are unlikely to be tenants of social housing, increasing the supply of this housing in the region will help address wider housing affordability issues.

## 12. Details on planning options

### 12.1 Overview

An incentive approach is one which encourages developers to include affordable housing within their developments by reducing other project costs or increasing the allowable yield for a site. It can also be utilised for wholly affordable housing projects to increase project viability and potentially increase the number of units that can be provided on a site.

However, there are limits on what incentives can reasonably be offered, and it is important to ensure that more intense development outcomes do not have adverse impacts on adjoining properties, or that substandard housing is built. There also needs to be a clear strategic basis for how the base level of development rights is defined, and for the extent of any incentive parameters.

It is also important that any incentives are attractive enough so that developers will give them consideration. If an incentive will only provide a very nominal "bonus" to the developer, they may not see it as worthwhile and the take-up may be minimal. From our experience with other feasibility studies, the most material incentive to a development will be increases in floorspace and yield. Whilst fast-tracked processes save some cost, unless there is a guarantee over approval times (via removing third party rights) then the saving is marginal. Reduced carparking or open space requirements can materially save costs but, depending on

the location, there are likely to be practical limits (for both the developer and Council) to how far this might be applied.

Given that development within Alpine Shire is likely to be low-scale in nature, there may be limited opportunities to offer incentives to developers to include affordable housing in their developments where they may not have otherwise done so. However, incentives for the developers of affordable housing (i.e., Housing Associations) will assist them to get better “bang for buck”. Given the number of affordable housing units that may need to be built in Alpine Shire in the coming years as it accommodates the planned growth, this could result in significant efficiencies.

The following sections discuss and provide examples of the following incentives:

- Approval process advantages and cost reduction strategies
- Reduced development contributions, planning charges and Council rates
- Additional building height
- Reduced building setbacks
- Reduced car parking
- Reduced open space requirements.

Some incentives relate to encouraging the inclusion of affordable housing units in a private development, and others relate to planning concessions and reduced costs for both projects that wholly constitute affordable housing and that include a mix of private and affordable dwellings.

It is important to ensure there is a clear set of Design Guidelines as an outcome to each of the below incentives to ensure aesthetic impact to community and neighbours have all been considered in design. This may also include sustainable design outcomes to reduce operating/living costs.

## **12.2 Approval process advantages and cost reduction strategies**

Potential delays in the planning process and associated expenditure on VCAT processes and holding costs can have significant impacts on projects that include affordable housing. Streamlined approval processes that advantage certain forms of affordable housing and/or Housing Associations or Providers can help to minimise project costs and deliver affordable housing more quickly to the community. Maintaining transparency is important and obtaining local feedback can improve project outcomes, so an “all or nothing” approach does not need to be adopted in regard to involvement by third parties.

Potential processes include:

- Removing appeal rights or limiting these to defined parties only (such as adjoining properties)
- Utilising a Standard Advisory Committee process to maintain independent review process

- Allowing applications to be determined under delegation rather than going to a planning committee or Council meeting
- Running local consultation processes that seek informal feedback rather than formal objections
- Running consultation processes at the early stages of project development to allow the subsequent formal planning approval process to proceed in an expedited manner
- Providing fast-tracked application processes within set timeframes
- Ensuring applications are processed by experienced senior staff
- Ministerial call-ins – the Minister for Housing can advise the Minister for Planning to call in not-for-profit applications
- Design codes for certain kinds of affordable dwellings such as granny flats, secondary suites, and laneway housing, with developments that meet the codes potentially being provided with fast-tracked application processes
- Providing Council or State Government land for moveable housing projects to reduce costs (e.g., Transition Housing)
- Council or State Government assistance in assembling land parcels
- Council or State Government assistance for infrastructure installation.

Examples of some of the above include:

- Clause 52.41 was inserted into the Victorian Planning Provisions in 2009 (via Amendment VC56) to support the development of social housing projects funded under the Commonwealth Economic Stimulus Plan. The provisions removed appeal rights for projects that complied with the clause. An independent review process was maintained via a Standing Advisory Committee
- The Atherton Gardens estate renewal project undertaken by the Department of Human Services included early consultation with the community that fed into the development of the Masterplan
- Moreland Council is considering providing streamlined approvals processes for developments that satisfy its Design Excellence Scorecard.

Griffith University has identified that interest in “tiny houses” (which are usually “tiny houses on wheels (THOWs)” that can be moved and which may or may not be connected to reticulated services) is growing especially for older women, a demographic that is experiencing a marked increase in homelessness. Tiny houses can provide temporary or longer term affordable housing options, and can be suitable for location in urban areas (in backyards or on separate titles), on rural properties, or on vacant land prior to its development for other purposes. There is also a growing interest in creating tiny house communities where several dwellings are clustered together in rural or urban settings.

ESC Consulting have identified that there are a number of barriers to the construction of tiny houses in Victoria and other states and recommend that a design code with set standards be considered to provide certainty for the planning process. Ideally, negating the need for a

planning permit or providing a low-cost approval process would be utilised in recognition that the primary concern for people constructing a tiny house is financial.

It is recommended that Alpine Shire consider several approval process advantage and cost reduction strategies to achieve the best “bang for buck” discussed above. Exploring ways to become a “tiny house friendly” municipality could also keep Alpine at the forefront of this new model of affordable housing.

**Key Considerations:**

- Should Council provide a fast track planning permit process for affordable housing?
- Is Council willing to provide approval process incentives for affordable housing projects such as using informal consultation processes (i.e. no formal advertising, removing VCAT appeals)
- Is there land that Council could provide for affordable housing projects, either for permanent dwellings or movable dwellings?
- Should Alpine Shire become a “tiny housing” friendly municipality?

### **12.3 Reduced development contributions, planning charges and Council rates**

Another option for increasing project viability is to reduce or waive the payments that developers and affordable housing providers are usually required to make. This can include reductions in or waivers of development contributions, planning application fees, and Council rates.

Some examples of how this approach is currently being applied in Melbourne include the following:

- City of Melbourne provides a 35% rate reduction to affordable housing providers
- City of Yarra’s proposed Amendment C238 seeks to implement a Development Contributions Plan Overlay across the municipality but to exempt land developed for social (but not private) housing delivered by or for the DFFH and registered Housing Associations
- City of Knox provides discounts to rates to properties owned by registered Housing Associations
- City of Hobsons Bay provides rates discounts to pensioners, war veterans and widows, and cases of hardship.

Subject to Council being satisfied that this would not impact on its wider budgetary goals, using one or more of the above approaches would assist Housing Associations with the development and/or ongoing costs of their dwellings, and potentially their tenants.

**Key considerations:**

- Should Council provide reduced or waived development contributions for affordable housing projects?

- Should Council waive planning permit and/or building permit fees for affordable housing projects?
- Should Council provide rates reductions for Housing Associations/Providers?

## 12.4 Additional building height/floorspace

Allowing additional building floorspace via increased building heights (otherwise expressed as density bonuses in other jurisdictions that utilise plot ratios) can provide developers with additional yield to incentivise their delivery of affordable housing. Intensity or floor space bonuses probably function most effectively in planning systems that utilise capped floor space ratios. As Melbourne's planning system is more focused on building height, there is an argument that many sites have a justifiable maximum height based on their context. Providing a "preferred" and "mandatory maximum" height bonus may be perceived as artificially constraining yields on sites that do not provide affordable housing, or alternatively, that overdevelopment will occur if the bonus height option is exercised.

However, given that buildings in Alpine Shire towns are unlikely to consist of anything higher than low-rise apartments, this incentive may only have limited applicability.

### **Key consideration:**

- Would Council be willing to allow greater building height for projects that include affordable housing?

## 12.5 Reduced building setbacks

Like increased building heights, reduced building setbacks can increase the development yield on a site. However, avoiding impacts on neighbouring properties should still be the key planning consideration.

### **Key consideration:**

- Would Council be willing to allow reduced building setbacks for projects that include affordable housing?

## 12.6 Reduced car parking

Empirical research shows that social and community housing tenants have low car ownership rates, so developments that include this kind of housing can be provided with parking dispensations. However, the sites need to have good access to public transport to ensure residents are still able to access services. It is also recognised that there are wider trends towards reduced car ownership in locations well served by public transport for all residents, not just social housing residents.

Clause 52.06 provides for dispensations to the car parking rates where it can be shown that the demand will be lower than the statutory rate. The recent changes to Clause 52.06 have introduced lower car parking rates in the Principal Public Transport Network Area (with visitor

parking no longer required for multi-unit developments). In the Alpine Shire context, this is unlikely.

Some municipalities such as City of Moreland are also seeking to remove minimum parking requirements for developments in activity centres.

**Key consideration:**

- Would Council be willing to allow reduced car parking rates for projects that include affordable housing?

## **12.7 Reduced open space requirements**

Allowing smaller yards or balconies can provide another mechanism to encourage the development of affordable units.

Council could use its discretion when assessing applications to approve developments that do not meet Residential Code (ResCode) and Better Apartment Design Standards (BADs) standards relating to private open space as long as they are satisfied that the relevant objectives are met.

**Key consideration:**

- Would Council be willing to allow reduced open space for projects that include affordable housing?

# Alpine Shire Affordable Housing Action Plan

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November 2022



This report has been prepared with the assistance of UrbanXchange who have provided bulk of the research and analysis on affordable housing issues in Alpine Shire. Atop of the research data, UrbanXchange have outlined options available to Council to consider and further explore to provide affordable housing in Alpine Shire.

# URBANXCHANGE

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June 2022	0.1	Draft
November 2022	0.2	Revised Draft
December 2022	1.0	Final copy for noting

# 1. Action Plan

Housing affordability and availability is a significant issue that is expected to continue to impact the economy and housing security in Alpine Shire.

The prepared Affordable Housing Analysis and Research Report highlights findings and opportunities that could be progressed to overcome some of the affordable housing issues currently experienced in Alpine Shire. Opportunities are identified in this document as Actions that could be progressed to assist to address current issues.

Actions have been grouped into three themes:

- Coordination and facilitation
- Planning
- Advocacy

The tables on the following pages summarise the Actions as recommended in the Affordable Housing Analysis and Research Report by theme. The Actions highlighted in **bold** have been identified as potentially providing the greatest impact and should be progressed and delivered in the short-term (during the current term of Council to 2024). It is recommended that Council directs resources toward completing these discrete Actions.

<b>Action Plan Action #</b>	<b>Theme: Coordination and Facilitation</b>
1	Continue working with Community Housing Providers such as Beyond Housing to identify where opportunities exist for the development of social housing on Council land and progress identified projects through the various stages
2	Extend upon the land identification completed to date to identify locations (such as Council owned carparks and/or above existing buildings such as the Senior Citizens Centre in Bright) where air rights or surplus land around buildings may be able to be provided to enable development of affordable housing
3	Liaise with the State Government and Community organisations where surplus land has been identified as potentially suitable for affordable housing. Identify state government land with existing public housing and work with state government to encourage redevelopment of those sites to medium density housing
4	Investigate opportunities of consolidating ageing community assets at alternative locations to where they currently exist and where land is made available, explore the potential for development of affordable housing, particularly in locations close to activity centres
5	Develop a policy around Council's approach to selling, gifting or vesting Council owned land to affordable housing providers
6	Council could commence planning the future use of the Bright and Myrtleford Caravan Parks once the leases expire. This may be retaining them as caravan parks. Council could also consider utilising some or all of the sites for the development of affordable and key worker housing
<b>13</b>	<b>Council could facilitate the provision of temporary accommodation for key workers on suitable sites (such as Council caravan parks)</b>

<b>Action Plan Action #</b>	<b>Theme: Planning</b>
7	Include the development of planning scheme policies that supports key worker and affordable housing in the scope of the Housing Strategy or Structure Planning briefs.
8	Include the identification of medium density opportunities in residentially zoned areas in Alpine Shire in the scope of the Structure Planning or Housing Strategy briefs.
9	Identify potential rezoning sites that could make an affordable housing contribution through the Land Development Strategy and ensure that appropriate planning controls are developed to collect the contribution
10	Include identifying preferred lot sizes for subdivisions within walking distance of Bright, Myrtleford and Mount Beauty to encourage a greater diversity of lot sizes in the scope of the Housing Strategy brief.
11	Council officers should consider the advice received and application of a Section 173 agreement when development applications are received.
16	Council should continue to engage with the State Government to provide feedback about the difficulties with resourcing strategic planning and the delays to planning processes to release and develop land for housing, and what financial support and expertise is needed to overcome this.
19	Invest in and prepare a range of guidance material for developers and run information sessions to encourage the development of alternative and affordable that are more affordable

<b>Action Plan Action #</b>	<b>Theme: Advocacy</b>
12	<b>Council should advocate to the State Government to explore and introduce controls to manage the use of dwellings for short-term accommodation through a permitting system</b>
14	<b>Council could work with regional partners to establish an affordable housing specific advocacy program</b>
15	<b>Council could advocate to other councils in the North East, statutory service agencies and State Government to collaborate and develop a detailed regional settlement and infrastructure plan</b>
17	Advocate to State and Federal Government for a build to rent program
18	Advocate to government to address current financial penalties applied to visa holders purchasing property to live in whilst working in rural areas



## Telecommunications Strategy (Mobile and Internet)



# Executive Summary

## Building digital infrastructure for 21<sup>st</sup> century rural and remote regions

As the world becomes more digitised, the need for connectivity to advanced digital services is ever increasing, as is the risk of a sharp new and wider digital divide. With bushfires and COVID-19, we have seen how much we depend on connectivity, with traffic up 80% or more at some points during the pandemic crisis.

Government at all levels acknowledges the vital economic value of high speed broadband infrastructure being universally available to business and residential customers. It is also important that competitive services are available as far as possible to support price and service quality competition. Broadband services are now a universal communications medium for voice, video and data services for both business and residential users.

In many parts of Australia, particularly regional and remote areas, economies of scale do not permit the provision of high density services seen in larger metropolitan and urban areas. The National Broadband Network (NBN) initiative was intended to deliver 21<sup>st</sup> Century telecommunications broadband services across the country to close the gaps in telecommunications' infrastructure and facilitate a competitive retail services market through acting as a wholesaler, but significant telecommunications connectivity issues remain.

The recent bushfires in NSW and Victoria have demonstrated the vulnerability of regional and isolated communities when left without reliable mobile network coverage.

Many of the areas impacted by the 2019-20 bushfires were communities with a high number of mobile black spots which created major issues for public safety and

emergency response. Other areas were covered only by a single operator, and when their network went down there were no alternatives. In addition, power outages typically left mobile sites without electricity. Emergency Services have expressed major concern that interrupted mobile connectivity puts lives at risk when seconds count in an emergency.

Being able to communicate warnings in a timely way to communities at risk from devastating bushfires and other emergencies is crucial. Mobile coverage is also critical for both the safety and operational effectiveness of emergency responders. Gaps in mobile coverage can severely compromise the ability to get emergency warnings out to people who may be in harm's way. The Strategy will need to consider bushfire resilience principles, and the resulting implications for Network improvements.



The purpose of this project is to identify current gaps, overlay them with other relevant telecommunications' infrastructure that may assist, and then provide advice on what actions can be taken to alleviate the potential problems in the lack of modern telecommunications services in the Alpine Shire region.

The following challenges have been identified:

### The importance of highly connected service centres

In the Alpine Shire region, there are several very important 'service centre' townships (Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford) with a

growing resident population that serve local areas with essential services. It is essential that advocacy and prioritisation efforts are concentrated on the provision of better connectivity to these centre's than towns with higher populations that are easier to reach due to their geographic proximity and more attractive for investment by telecommunication providers.

### **Mobile Network Coverage, Capacity and Choice**

Due to the nature of the Mobile Network Operator market, it is not commercially feasible for these operators to build ubiquitous mobile networks across any region in Australia including Alpine Shire. Whilst some lower populated areas are not expected to have access to 4G networks for the foreseeable future, several higher population growth locations have been recommended for prioritisation to improve mobile network coverage, capacity and choice.

### **NBN Infrastructure access & suitability**

Several key townships in Alpine Shire are currently only served by NBN Fixed Wireless and Satellite. Additionally, other key centres are currently served by Fibre to the Node (FttN) infrastructure. Whilst these technologies are essentially fit for purpose for 2022, it is arguable that by 2030 and the subsequent decade that Fixed Wireless, Satellite and Fibre to the Node technologies will not serve the capacity demands of households, businesses and other connectivity requirements such as growing Internet of Things connections.

### **Solving 'Last Mile' connectivity alternatives**

The NBN enjoys a monopoly position as the last mile fixed line network provider in Australia. However, in many areas there is evidence of frustration with service delivery and connection issues that result in either a diminished outcome or the inability to access an NBN service outright. More populated areas are seeing the introduction of alternatives to NBN such as high-speed wireless services and 5G Fixed Wireless.

### **Improvements to Satellite access**

For rural and remote Australia, satellite networks have the attraction of offering additional bandwidth to connect these regions to international destinations. Satellite broadband services provide 100 per cent coverage of Australia's land area. However, the high costs and low speeds of satellite technologies have relegated them to be truly a last-option broadband technology. New low-earth orbit (LEO) satellites could potentially offer significant speed, performance and latency improvements towards the middle of the coming decade. Early LEOSat services such as Starlink are becoming available as 'beta' services but may need to be accessible at lower pricing in the future.

### **Lack of access to LPWAN networks**

Low-power wide area networks (LPWAN) is a wireless wide area network technology that interconnects low-bandwidth, battery-powered devices with low data rates over long ranges. Created for internet of things (IoT) networks, LPWANs operate at a lower cost with greater power efficiency than traditional mobile networks. They are also able to support a greater number of connected devices over a larger area.

### **Ensuring future connectivity is fit for purpose**

As digital connectivity continues to embed itself as an essential 21<sup>st</sup> century utility, the importance of ensuring connectivity infrastructure is fit for purpose for not just now but for coming decades in the most efficient way possible is paramount. Policies such as 'Dig Once' can ensure that the required passive infrastructure such as Ducts and Pits are installed in new development areas and construction projects enabling easier and cheaper installation of effective and competitive telecommunication infrastructure.



## Condensed list of Actions

The list of actions we have recommended throughout this report is presented in the condensed table below

Page Number	Action	Actioning Organisation(s)	Partnering Organisation(s)
76	<b>Advocate for Telstra to</b> <ul style="list-style-type: none"> <li>provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> <li>provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> </ul>	Alpine Shire Council	Telstra Australian Government Victorian Government
77	<b>Advocate for Telstra to</b> <ul style="list-style-type: none"> <li>prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.</li> </ul>	Alpine Shire Council	Telstra Australian Government Victorian Government
83	<b>Advocate for Optus to</b> <ul style="list-style-type: none"> <li>provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> <li>provide upgrades to existing Tower Sites with 4G mid band</li> </ul>	Alpine Shire Council	Optus Australian Government Victorian Government

	spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain		
83	<b>Advocate for Optus to</b> <ul style="list-style-type: none"> <li>prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.</li> </ul>	Alpine Shire Council	Optus Australian Government Victorian Government
88	<b>Advocate for TPG Telecom / Vodafone to</b> <ul style="list-style-type: none"> <li>provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> <li>provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 1800MHz, 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> </ul>	Alpine Shire Council	TPG Telecom / Vodafone Australian Government Victorian Government
88	<b>Advocate for TPG Telecom / Vodafone to</b> <ul style="list-style-type: none"> <li>prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.</li> </ul>	Alpine Shire Council	TPG Telecom / Vodafone Australian Government Victorian Government

92	<b>National Broadband Network</b> <b>Areas for Alpine Shire advocacy include specific items outlined in the Action Plans in this strategy and generally the following:</b> <ul style="list-style-type: none"> <li>NBN infrastructure improvements and extensions</li> <li>Business grade NBN access</li> <li>Satellite technology improvements</li> </ul>	Alpine Shire Council	NBN Australian Government Victorian Government
92	<b>Mobile Network coverage, capacity and choice</b> <b>Areas for Alpine Shire advocacy include specific items outlined in the Action Plans in this strategy and generally the following:</b> <ul style="list-style-type: none"> <li>Mobile network blackspots and Commonwealth Mobile Coverage Blackspot program funding</li> <li>Uplift of Mobile network capacity in key centres</li> <li>Shared infrastructure opportunities</li> <li>Low Power Wireless Networks for Sensors delivered by mobile networks</li> </ul>	Alpine Shire Council	Telstra Optus TPG Telecom / Vodafone Australian Government Victorian Government
93	<b>Last mile connectivity alternatives and Fibre Backhaul</b> <b>Areas for Alpine Shire advocacy include specific items outlined in the Action Plans in this strategy and generally the following:</b> <ul style="list-style-type: none"> <li>High speed Network alternatives to NBN (Fixed Wireless, Microwave etc.)</li> <li>Low Power Wireless Networks for Sensors delivered by non-mobile networks</li> <li>Increased opportunities for Fibre Backhaul connectivity</li> </ul>	Alpine Shire Council	Australian Government Victorian Government
101	<b>Telstra Resiliency upgrades</b>	Telstra	
103	<b>Optus Resiliency upgrades</b>	Optus	
105	<b>TPG Telecom / Vodafone resiliency upgrades</b>	TPG Telecom / Vodafone	
107	<b>NBN Business Fibre Zones &amp; NBN Fibre to the Premise upgrade</b> <b>Advocate with the Commonwealth Government and the Victorian State Government for NBN to</b>	Alpine Shire Council	NBN Australian Government Victorian Government

	<ul style="list-style-type: none"> <li>implement NBN business fibre zones and NBN FttP for the major service centres of Alpine Shire (Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford);</li> <li>Harrietville's NBN upgraded from Satellite to Fibre to the Premise;</li> <li>Dinner Plain NBN upgraded from Fixed Wireless to Fibre to the Premise;</li> <li>Tawonga / Tawonga South NBN upgraded from Fixed Wireless to Fibre to the Premise; and</li> <li>Wandiligong NBN upgraded from Fixed Wireless to Fibre to the Premise.</li> </ul> <p>Priority – High Action for Council – Advocacy and potential Regional Communications funding applications Community outcomes – Delivery of improved broadband infrastructure</p>		
111	<b>Upgrades to Mobile Networks using Shared Radio Access Networks</b> <b>Advocate for Shared Radio Access Networks to be rolled out by the Mobile Network Operators for improved coverage and capacity for Alpine Shire Council.</b> <p>Priority – Low to Medium Action for Council – Advocacy Community outcomes – Delivery of improved mobile network coverage and capacity in various areas of Alpine Shire</p>	Alpine Shire Council	Australian Government Victorian Government
111	<b>Open Access Duct investment in key centres</b> <b>Engage assistance to review current designs to ensure that appropriate telecommunications pit and pipe and associated infrastructure is correctly dimensioned and develop a commercial</b>	Alpine Shire Council	

	<p>and facilities access framework to promote open and equitable access.</p> <p>Priority – Medium Action for Council – Implementation of Open Access Duct strategy (approximate investment: \$20K to \$30K) Community outcomes – Delivery of improved broadband infrastructure over time through investment in Duct infrastructure available for usage by Telecommunication Providers</p>		
112	<p>Whole of Region Policy – Common Telco Facilities Access and New Duct in New Development and Construction projects Engage assistance to develop the Policy based on best practice and engage with relevant stakeholders</p> <p>Priority – High Action for Council – Implementation of Open Access Duct strategy (approximate investment: \$20K to \$30K) Community outcomes – Delivery of improved broadband infrastructure over time through investment in Duct infrastructure available for usage by Telecommunication Providers</p>	Alpine Shire Council	
112	<p>Scoping of Mobile Network Repeaters &amp; Boosters for low coverage areas across the Alpine Shire Engage assistance for site surveys and high level network planning</p> <p>Priority – High Action for Council – Scoping for low coverage areas across Alpine Shire Council (approximate investment: \$20K to \$30K) Community outcomes – Delivery of improved mobile network coverage and capacity in high priority rural areas of Alpine Shire</p>	Alpine Shire Council	

114 & 115	Various Near Term, Medium Term and Long Term Mobile and Internet Telecommunications upgrades	Various	Various
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### Alpine Shire Councils regulatory role for Telecommunications

The power to regulate and control telecommunications in Australia is vested in the Commonwealth through Section 51 of the Australian Constitution.

With the arrival of the Telecommunications Act 1997, the Commonwealth limited the exemptions and powers available to the carriers and permitted only ‘low-impact facilities’ to be deployed without scrutiny of State and Territory laws and Council approval.

These exemptions were enshrined in the Telecommunications (Low- Impact Facilities) Determination 1997 (the Determination), which was amended in 1999, 2018 and 2020.

Low-impact facilities include some radiocommunications facilities, underground and above-ground housing, underground and some aerial cables, public payphones, emergency and co-located facilities.

If a facility is not in one of these three groups, then carriers must comply with state and territory laws and planning regulations.

In the case of Alpine Shire Council, the approval pathway for Telecommunications is limited to where Development Approval is required.

### Addressing community concerns around Telecommunications

Alpine Shire Council conducted a community survey in January 2022 to obtain vital community input to help identify priorities to improve telecommunication issues.

Two workshops were also conducted with the Alpine Shire Community Panel on 2 March and 9 March 2022 to obtain further input into the priorities to improve connectivity issues.

There were a number of key themes that emerged from the community survey and community panel consultation, being:

- **A sharp focus on not just mobile network coverage but also capacity of networks at peak usage times**

Our recommendations for the Mobile Network Operators (MNOs) to provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain;

and;

for the MNOs to provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain;

will greatly improve this issue.

- **Requirement for existing NBN infrastructure to be upgraded in various areas but with a particular focus on major service centres**

Our recommendations for NBN to upgrade all service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford) to be served by NBN business fibre and NBN fibre to the Premise;

Dinner Plain NBN upgraded from Fixed Wireless to Fibre to the Premise;

and:

Wandiligong NBN upgraded from Fixed Wireless to Fibre to the Premise;

will greatly improve this issue.

- **Numerous mobile network coverage issues across Alpine Shire**

Our recommendations for the MNOs to provide for the following -

The regions 3G Footprint is upgraded to 4G by each of the three MNOs by potentially using Shared Radio Access Network (where common radio units and antennas are shared by multiple MNOs);

New or Improved 4G Mobile Network coverage and capacity for –

- Harrietville (Telstra, Optus and TPG Telecom / Vodafone)
- Wandiligong ((Telstra, Optus and TPG Telecom / Vodafone)
- Happy Valley (Telstra, Optus and TPG Telecom / Vodafone)
- Dederang & Gundowring (Telstra, Optus and TPG Telecom / Vodafone);

High band (mmwave) 5G from each of the three Mobile Network Operators for all service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford);

and;

New or Improved 5G Mobile Network coverage and capacity for –

- Buffalo River (Telstra, Optus and TPG Telecom / Vodafone)

- Buckland Valley (Telstra, Optus and TPG Telecom / Vodafone);

will greatly improve this issue

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# 1. Digital Connectivity Infrastructure Overview

# Digital Connectivity Infrastructure

## Overview

Given its extensive geography and relatively dispersed population outside major cities, Australia has performed well in connecting our citizens and businesses to telecommunications services. However, as the world becomes more digitised, the need for access to competitively available advanced data and digital services is increasing. With COVID-19, we have seen how much we all depend on connectivity, with data volume demand up 80% or more at some points of the crisis. While both fixed and mobile services are complimentary, fixed line communications has received specific funding focus in recent years. Over 99% of Australian premises now have varying levels of fixed line broadband through NBN's multi-technology mix. Mobile services by contrast are in jeopardy of underinvestment across our regions, threatening a new form of digital divide.

**Why are rural and remote regions at risk?** The possibilities enabled by 5G and IoT require significantly more capital than was the case for the moves to 4G from 3G, or 2G to 3G, principally because 5G cell density is much greater than previous mobile generations. With declining capital returns, telecommunications carriers in Australia have redoubled their focus on high density areas such as CBDs and inner-city as the target for profitable new network investment. By contrast, many lower density areas such as outer metropolitan Cities and regions still lack basic coverage. Federal policy has not been able to sufficiently drive market behavior to address these challenges, meaning in our view, that intervention is often needed, through advocacy, funding subsidies and streamlined access arrangements by state government and larger local governments.

**A "digital divide" in outer-metro and regional Australia is a real risk**, and will limit thousands of households, farms, small to medium businesses (SMBs) and communities, dilute new job creation and hamper "regionalisation" at a time when all CBDs face decline post COVID, and public safety and security services have been recently challenged by natural disasters and pandemics.

We are also seeing the **emergence of innovations to connect cities and regions**, such as through network sharing and community-led initiatives, including new communication technologies and energy solutions.

Significant investment is required to provide the required digital connectivity infrastructure in rural and remote regions such as Alpine Shire. Other States have recognised that State Government funding support is required for digital connectivity co-investment, especially in rural and remote areas where government funding intervention is the only method that allows for infrastructure improvements in non-commercial environments.



## Undertaking a Current State Assessment

In developing the telecommunication and connectivity study, Gravelroad undertook work to collect relevant data based on the following elements. Please refer to the Glossary provided for simplified explanations of the technologies that are mentioned in this report.

### Mobile Network Field Testing

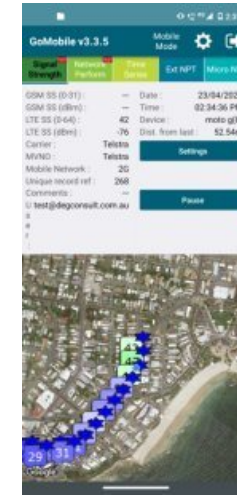
Mobile Network coverage and capacity testing across all agreed major roads, townships and other specified points of interest within Alpine Shire.

By using independent mobile testing technology, Gravelroad Group provides impartial user experience-based reports and recommendations. The methodology used by us to independently test mobile network performance and identify carrier blackspots has been developed over the last 10 years to provide results that describe the 'user experience'.

We used three Google Pixel 4a 5G handsets, as commonly used by members of the public, to capture information about signal strength and network performance for each of the national carriers - Telstra, Optus & Vodafone. This benchmarking process provides a rich methodology that has been acknowledged and respected by all major wireless service providers.

Other local governments have typically used similar reports and specific recommendations to advocate for increased funding by Federal, State governments together with each of the three national carriers – often through the Mobile Black Spot Program.

We tested with an app we have developed specifically for this purpose – GoMobile Network Test (GoMobile) to capture all the information we can about the mobile network and the test device itself. An example of the GoMobile app screen can be seen below.



By providing the GPS location and current results in real time, testers can monitor and authenticate the testing accuracy in real time.

There are six simple principles used to inform our testing methodology:

- User experience based – we use handsets commonly owned by users rather than other more technical and theoretical approaches.
- Same handset, same settings – this provides an equitable basis for benchmarking network performance.
- Simultaneous testing – all tests are carried out in the same vehicle – spaced to remove interference and completed at the same time in that location.
- Signal Strength – for 3G and/or 4G
- Network Performance Test – download, upload and latency
- Time Series Testing - Download and upload of data to the internet over a specified time series.

## Mobile Network Coverage

Building and maintaining mobile network infrastructure is capital intensive and Mobile Network Operators (MNOs) face an ongoing infrastructure investment challenge. Mobile Networks involve capital investment and fixed operating costs which represent a significant proportion of the total costs to be borne by the industry and its customers.

As referenced by the ACCC, the high costs involved in expanding mobile network coverage and service quality is correlated to Australia's highly urbanised population, where revenues from the provision of mobile services to regional and rural customers diminish as population density decreases. These costs are further exacerbated by the need for MNOs to continually deploy new network technologies to market quickly, such as 5G, while earlier network investments become redundant (e.g. 3G).

The investment decision of expanding mobile network infrastructure is typically a function of –

1. The level of utilisation of mobile network infrastructure which impacts the business case for infrastructure investment and the ongoing cost of mobile service provision to recover such investment,
2. The nature of mobile service provision which requires MNOs to offer services and maintain network infrastructure across a wide coverage area that is inconsistent with customer utilisation of the network. Increasingly, customers expect to be able to access mobile services in rural and regional areas, including where they travel from urban areas to rural and regional areas,
3. Increased consumption of data as newer generations of mobile technology support more data intensive apps and services consume more bandwidth, meaning MNOs face continuing network investment demands after the initial deployment of new generations of mobile technology to address these capacity constraints.

Due to the low returns from building network infrastructure in sparsely populated regional and rural areas, the commercial incentives to roll out network infrastructure in these areas are typically lower than in metropolitan areas. Consequently, co-contribution funding is likely to be a key driver for MNOs when considering expanding mobile coverage. As a result, local, state and federal governments have developed co-contribution programs from time to time to provide subsidies to network operators to roll out infrastructure in these areas.

Co-contribution programs, like the Federal Mobile Black Spot Program (MBSP), provide incentives to invest in areas where there is either inadequate or no mobile coverage. However, the design of these programs often means that governments are generally subsidising the capital component of individual commercial entities without requiring broader benefits to be shared by consumers.

## Mobile Network Operators

### Telstra

Telstra supplies fixed and mobile voice and broadband services in Australia. Telstra also owns and operates its own mobile network, which covers around 99.5% of the Australian population.

Telstra plans to deliver 95% population coverage for 5G by FY25, which includes a 100,000 km<sup>2</sup> increase in its 4G / 5G mobile footprint. This coverage will be supported by Telstra's continued 5G rollout and the doubling of metro cells to increase density for greater capacity and speed. As a result, Telstra expects 80% of all mobile traffic to be on 5G by FY25.

Telstra will extend its 4G coverage to 100% of its mobile network by June 2024, enabling it to lead in composite coverage, speed and performance for 4G and 5G as it closes the 3G network.

## Optus

Optus supplies fixed and mobile voice and broadband services over its wholly owned and operated network. Optus has the second largest number of subscribers in mobile services and covers around 98.8% of the Australian population.

Optus planned to commence a network refresh from April 2022, under which it will reallocate its 2100 MHz spectrum assets (currently used to support 3G technology) to provide a better 4G network experience and provide for the growth of 5G.

## TPG Telecom (Vodafone)

TPG merged with Vodafone on 13 July 2020 to be the third largest telecommunications provider in Australia, through the provision of fixed and mobile voice and broadband services.

TPG owns and operates its own 3G / 4G network in major metropolitan areas. Its coverage of 3G / 4G in regional and urban fringe Australia comprises approximately 725 sites and a 3G roaming agreement with Optus. TPG has made limited investments in regional Australia in recent years, focusing more on the 5G roll out in the metropolitan areas.

## Spectrum Types Deployed

An MNO typically uses a range of radiofrequency spectrum bands for the purpose of providing mobile services. The spectrum an MNO deploys at each of its mobile sites is one of the factors that may impact end-user experience. Radiofrequency spectrum can be used across a variety of technologies including 3G, 4G and 5G and can also be repurposed or re-farmed over time to support a different technology. Generally,

spectrum is classified into three categories – low band, mid-band and high band. Each band serves a different purpose in the MNOs' networks and the equipment at a mobile site can support the use of multiple bands at the same time.

### Low band

- Radiofrequency bands less than 1 Gigahertz (GHz) or 1,000 Megahertz (MHz).
- Typically used by a mobile network to provide the primary coverage layer and also provides capacity.
- Can transmit information over greater distances and through obstacles such as buildings and trees more easily than higher frequencies. This means it is ideal for providing mobile services in sparsely populated regional and remote areas. It also allows for the deployment of a smaller number of sites, as a given site provides coverage over a greater geographical area.

### Mid-band

- Refers to radiofrequency bands between 1 GHz and 6 GHz.
- Typically deployed to supplement low-band spectrum.
- Information sent and received through mid-band spectrum can only occur over shorter distances than that of low band spectrum, meaning an MNO may need to build more sites when using this spectrum compared to low-band, to cover areas of the same size.
- Is likely to have a larger amount of spectrum available than in the low band, and hence a higher capacity, which makes it very useful in more populated and congested areas.

### High band

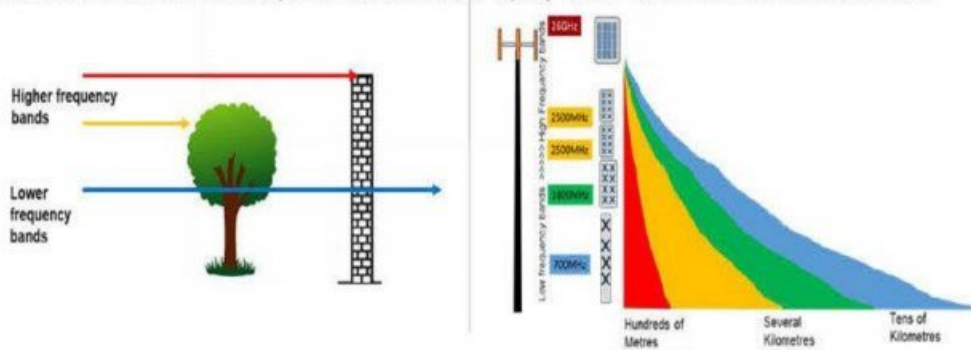
- High band spectrum generally refers to radiofrequency bands greater than 6 GHz.

- The distances information can travel using high band spectrum is less than both low band and mid-band spectrum. The notable characteristic of this frequency band is that it delivers very short range, mainly line of sight coverage. This is combined with significant capacity, due the large amount of spectrum available, for very high-speed data transmission, making it ideal for use in heavy-traffic areas.

The capacity of a network depends on the quantity of spectrum available in a band, not on the frequency of that band. That is, the same quanta of spectrum in the low band can provide the same capacity as the same quanta of spectrum in the mid or high band. However, because larger amounts of spectrum are available in the higher bands those bands are likely to have greater capacity.

As shown in the diagram below, low band spectrum is more important in regional and rural areas because its signal carries further and can penetrate obstacles, such as trees.

Higher frequency spectrum has a smaller coverage foot print and is more susceptible to obstructions. The high capacity that comes with higher frequency bands is important but requires sites to be located in close proximity to users. Lower frequency bands can reach further in distance and depth indoors and hence their capacity reaches the most customers for most use cases.



Each of the three MNOs have spectrum in the low band and mid band ranges in regional Australia, including the Alpine Shire, shown below

Spectrum Band	Telstra (MHz)	Optus (MHz)	TPG (MHz)
700 MHz	2 x 20	2 x 10	2 x 15
850 MHz	2 x 25	0	2 x 5
900 MHz (from July 2024)	0	2 x 25	0
1800 MHz	2 x 35 to 2 x 40	2 x 20 – 2 x 25	2 x 10 – 2 x 20
2100 MHz	2 x 10	2 x 5	2 x 5
2300 MHz	0	0	0
2600 MHz	2 x 40	2 x 20	0
3600 MHz	50 – 82.5	30 – 67.5	20 – 45
26000 MHz	1000	800	600

Telstra and TPG no longer offer 3G on their 2100 MHz spectrum, while Optus has announced it will redeploy its 2100 MHz for use with 4G and 5G services in April 2022. Whilst focusing on expanding network and service offerings on the 4G and 5G networks, all three MNOs will continue to offer 3G services using lower frequency spectrum (such as 900 MHz). Telstra has announced that it plans to switch off its 3G services in June 2024. The spectrum that TPG uses for 3G services expires in June 2024.

### Telstra TPG Network Sharing Agreement

Telstra and TPG Telecom have announced a ten-year regional Multi-Operator Core Network (MOCN) commercial agreement, which will provide TPG Telecom subscribers with 4G and 5G services within a defined coverage zone across regional and urban fringe areas.

Under the deal TPG Telecom will gain access to around 3,700 of Telstra's mobile network assets, increasing TPG Telecom's current 4G coverage from around 96 per cent to 98.8 per cent of the population.

Telstra will gain access to TPG Telecom's spectrum across 4G and 5G, which will allow it to grow its network, increase capacity and continue to provide the country's largest and fastest network.

Under the MOCN arrangement Telstra will share its Radio Access Network (RAN) for 4G and subsequently 5G services in the defined coverage zone, however both carriers will continue to operate their own core network where key differentiating functionality resides.

Telstra will also obtain access to and deploy infrastructure on up to 169 TPG Telecom existing mobile sites, improving coverage for TPG and Telstra customers in the zone.

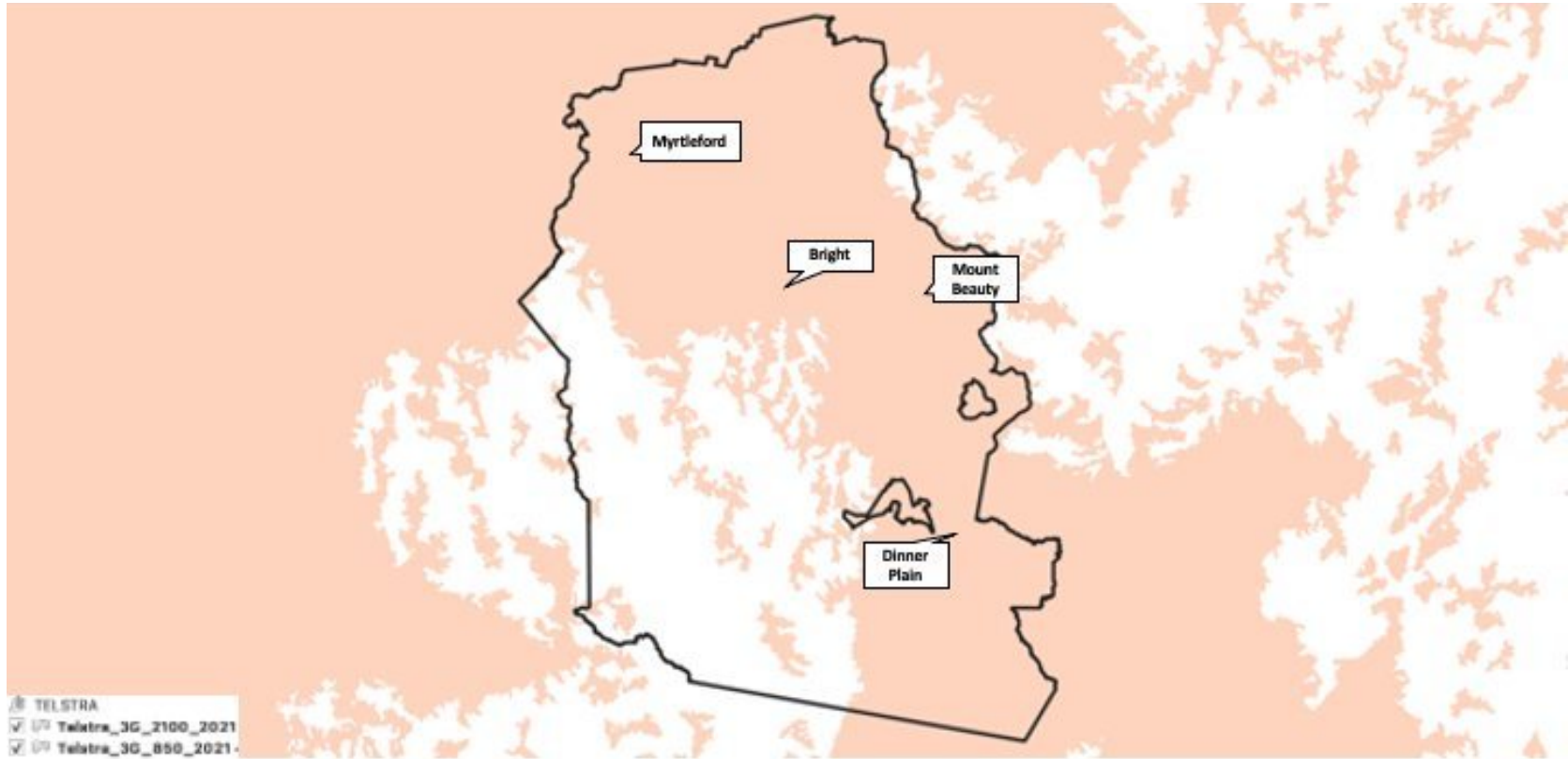
The three mobile providers (Telstra, Optus and TPG Telecom (Vodafone)) are operating in a competitive and profitable part of the telecommunications market and they invest more in their mobile technology than in any other area since the advent of the NBN. This market changes technology platforms increasingly often (3G, 4G and now 5G) to meet market demand for data driven services for smart phones and tablets. The current significant investment in the rollout of 5G technology from 2019 will deliver significantly faster download speeds (greater than 200Mb/s) to mobile devices. Many in the industry consider the advent of 5G services will support many broadband demand requirements and reduce the demand for fixed services such as those delivered by the NBN.

While this potential competition with the NBN is speculative, it will be a potentially valuable alternative to NBN services, especially where they offer limited access technology options.

#### Telstra 3G coverage

In order to deliver 5G services, many more base stations are needed due to propagation limitations and to conserve radio spectrum and this expensive development of service providers' networks will probably not be economic in some regional areas due to the poor economies of scale.

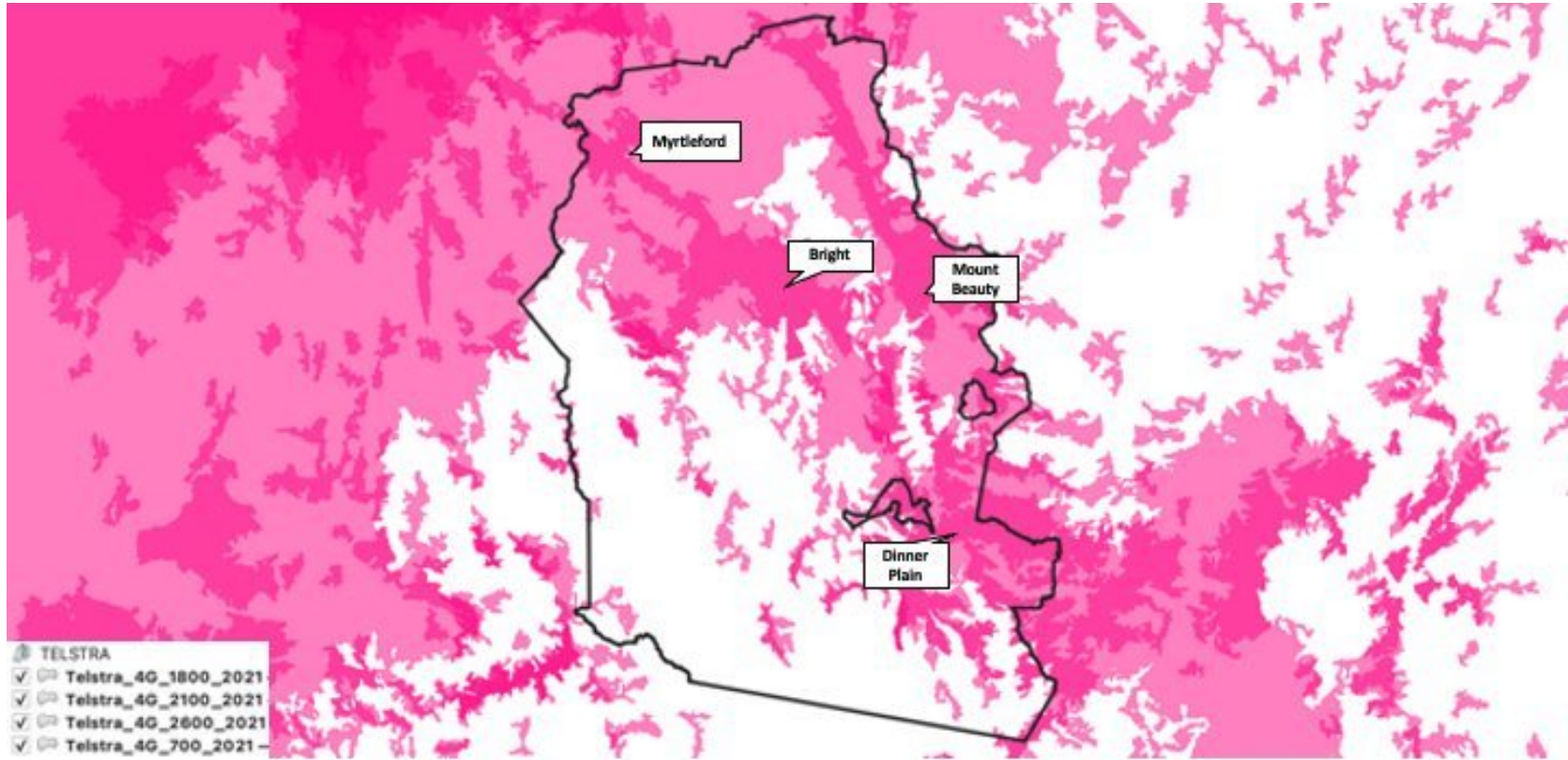
Please refer to the following pages for mobile network coverage mapping for each Mobile Network Operator (Telstra, Optus and TPG Telecom / Vodafone).



Note – Coloured area indicates 3G coverage

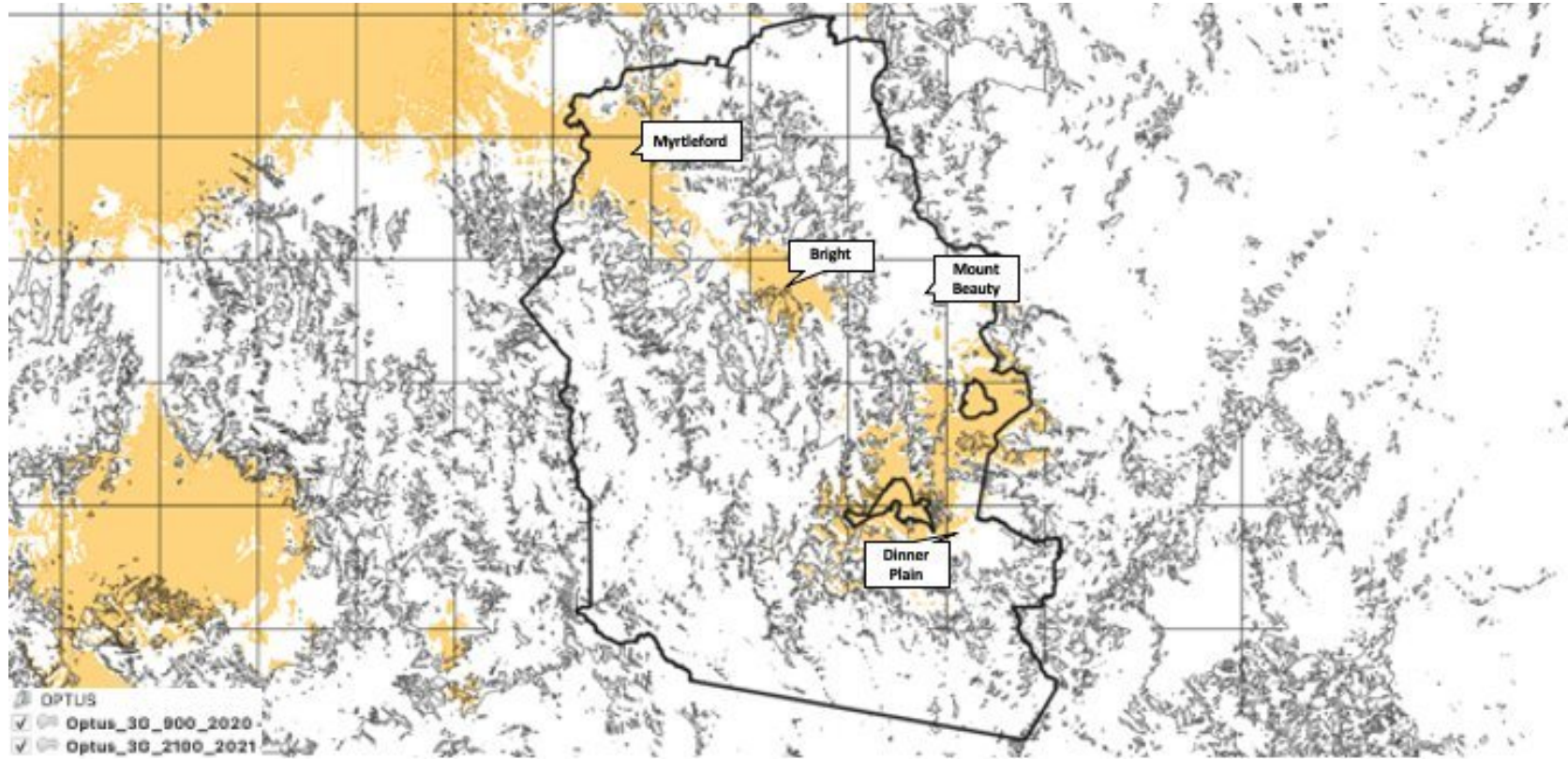
Telstra 4G coverage





Note – Coloured area indicates 4G coverage

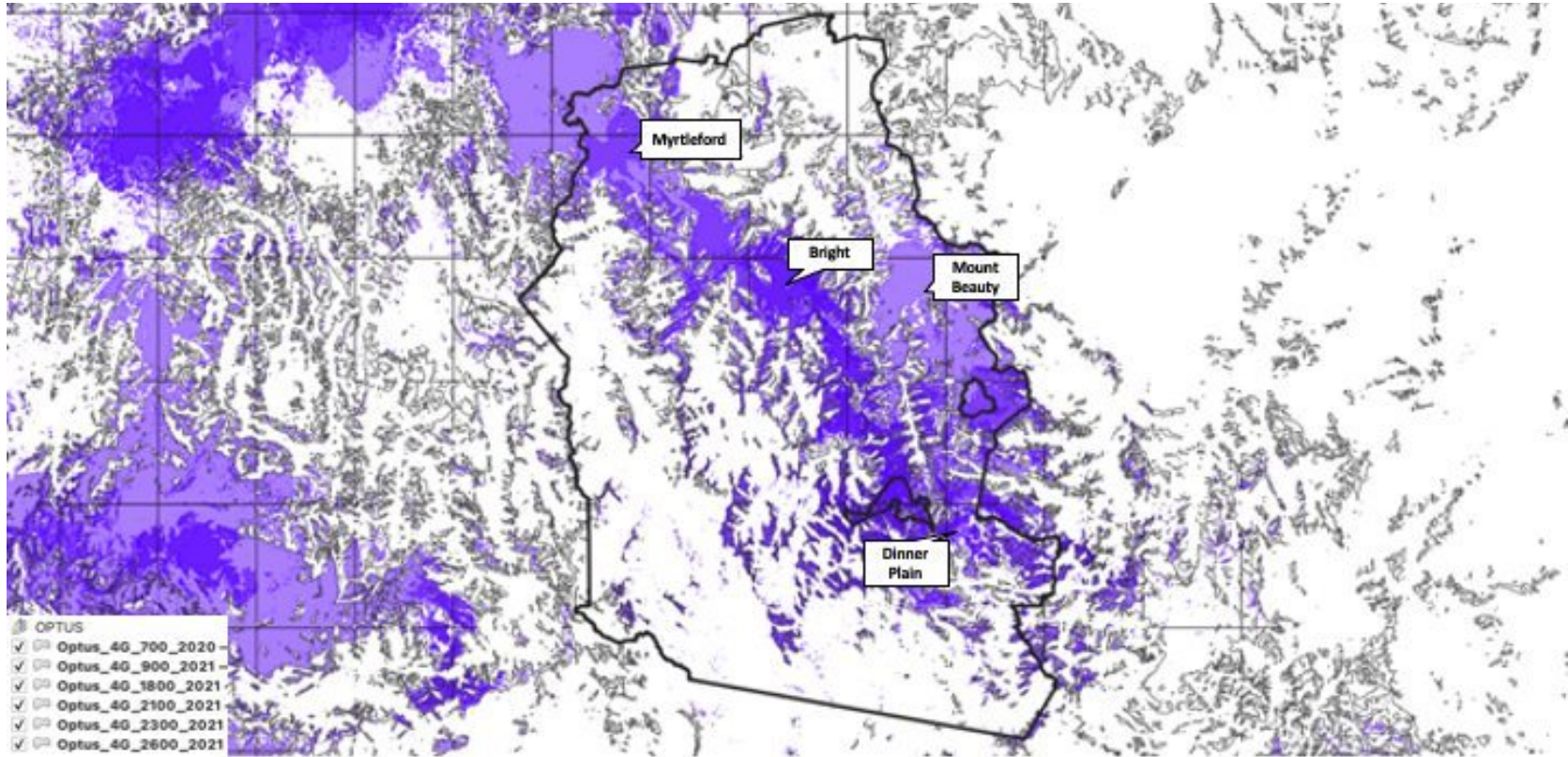
Optus 3G coverage



Note – Coloured area indicates 3G coverage

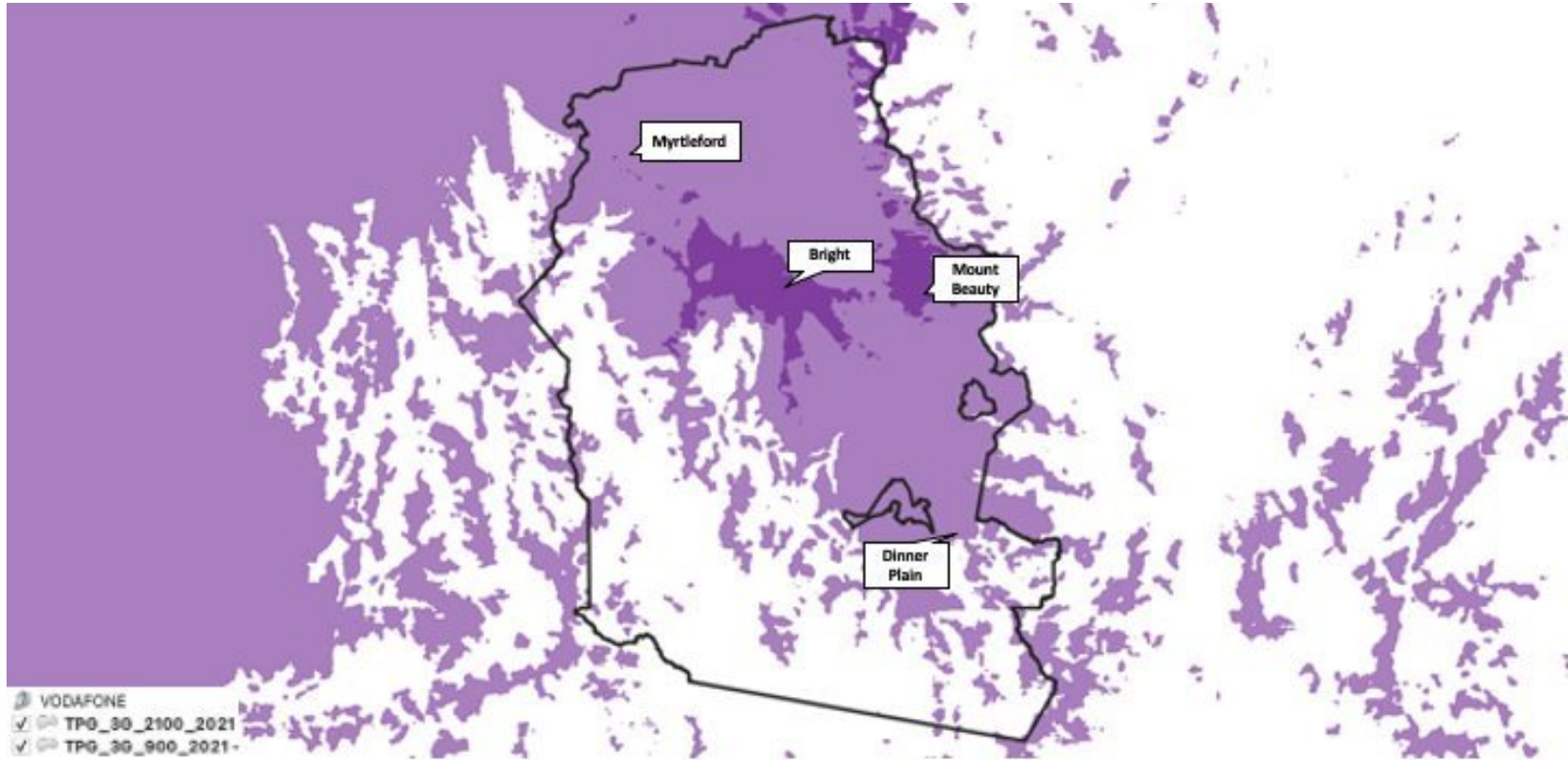
Optus 4G coverage





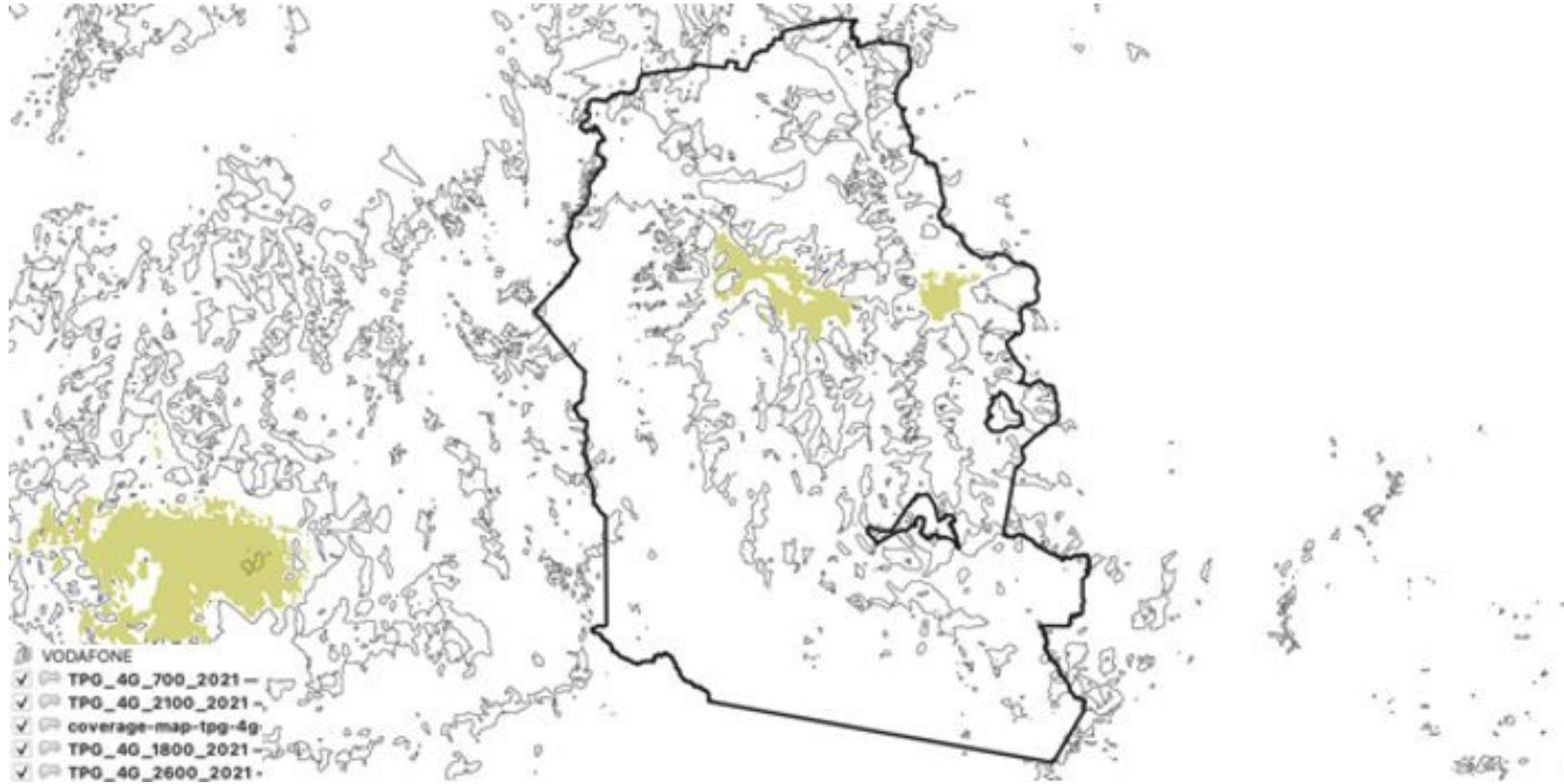
Note – Coloured area indicates 4G coverage

TPG Telecom / Vodafone 3G coverage



Note – Coloured area indicates 3G coverage

TPG Telecom / Vodafone 4G coverage



Note – Coloured area indicates 4G coverage

National Broadband Network



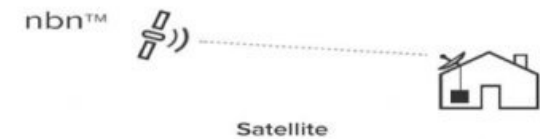
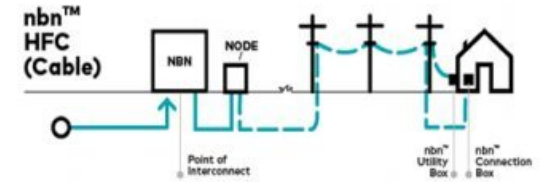
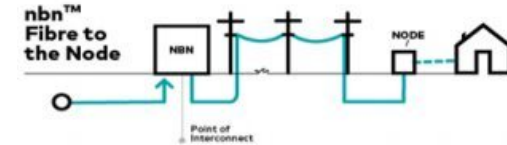
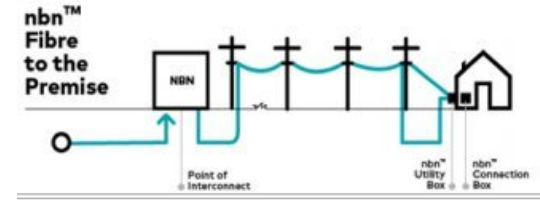
The NBN offers a range of connectivity technology to residential and business premises in Australia. Fibre to the Premise (FttP) offers the highest speed connection and is deployed in several select areas within Alpine Shire. Fibre to the Basement (FttB), Fibre to the Curb (FttC) and Fibre to the Node utilises existing copper cables to connect into the residential and business premises to save the cost of lead-in fibre cabling and as a result have some limitation on connection speed. For broad areas of the ALPINE SHIRE region, fixed wireless connections to premises will be used to avoid cabling costs to or near the premises. For the more remote areas of the region, the NBN satellite service will be the only available connection option.

**Fibre Infrastructure (Backhaul)**

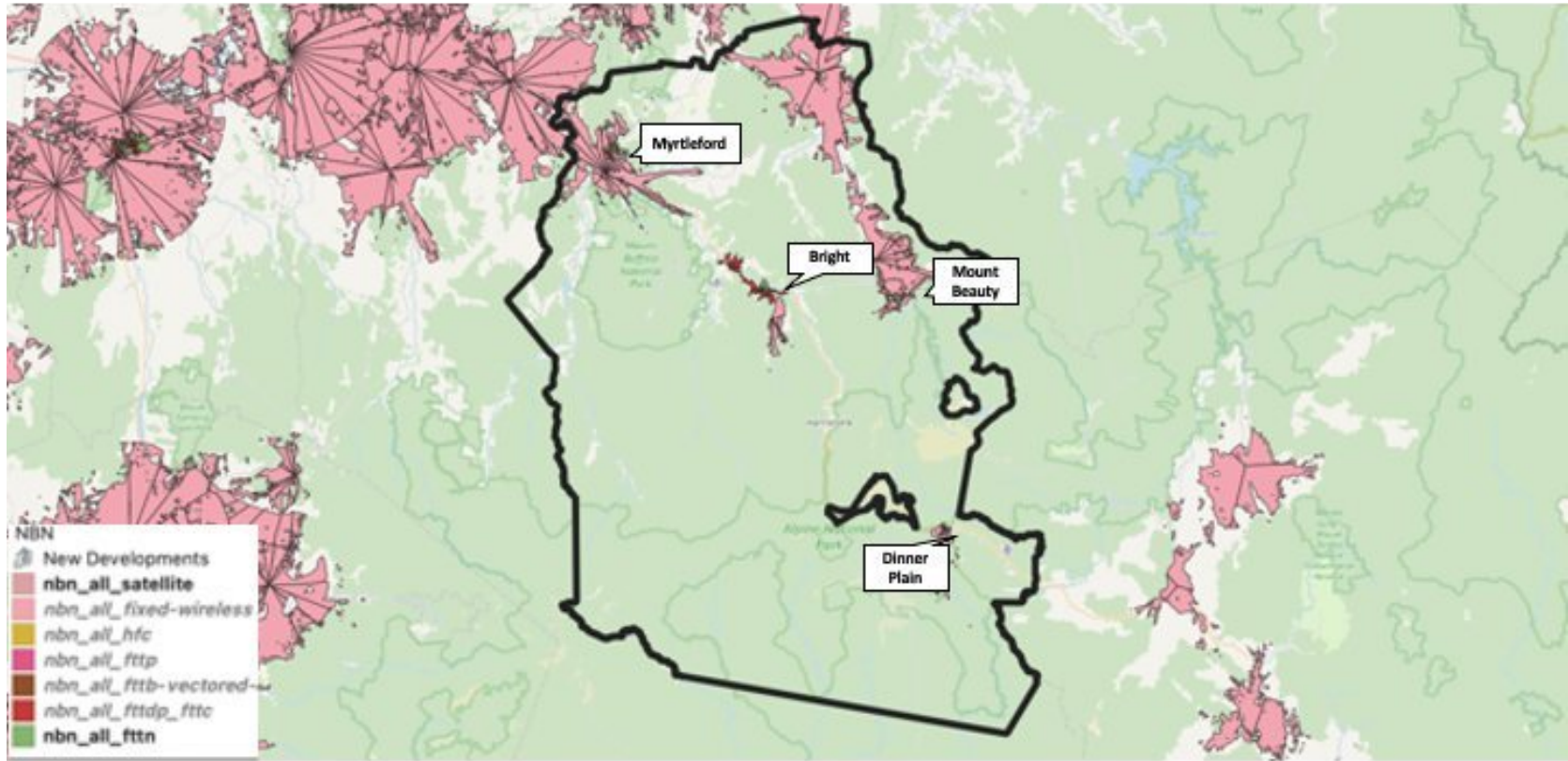
Backhaul refers to the connections from the region to the rest of Australia, and a lack of competition in backhaul choice has in the past been a major contributor to the higher cost of telecommunications services in regional areas in Australia, however this situation has largely been eliminated by the National Broadband Network. However, backhaul is still important for increasing choice and access to non NBN connectivity especially for ‘last mile’ telecommunications options.

In Alpine Shire there is predominantly only one backhaul provider able to connect the region to Melbourne and Sydney, being Telstra InfraCo.

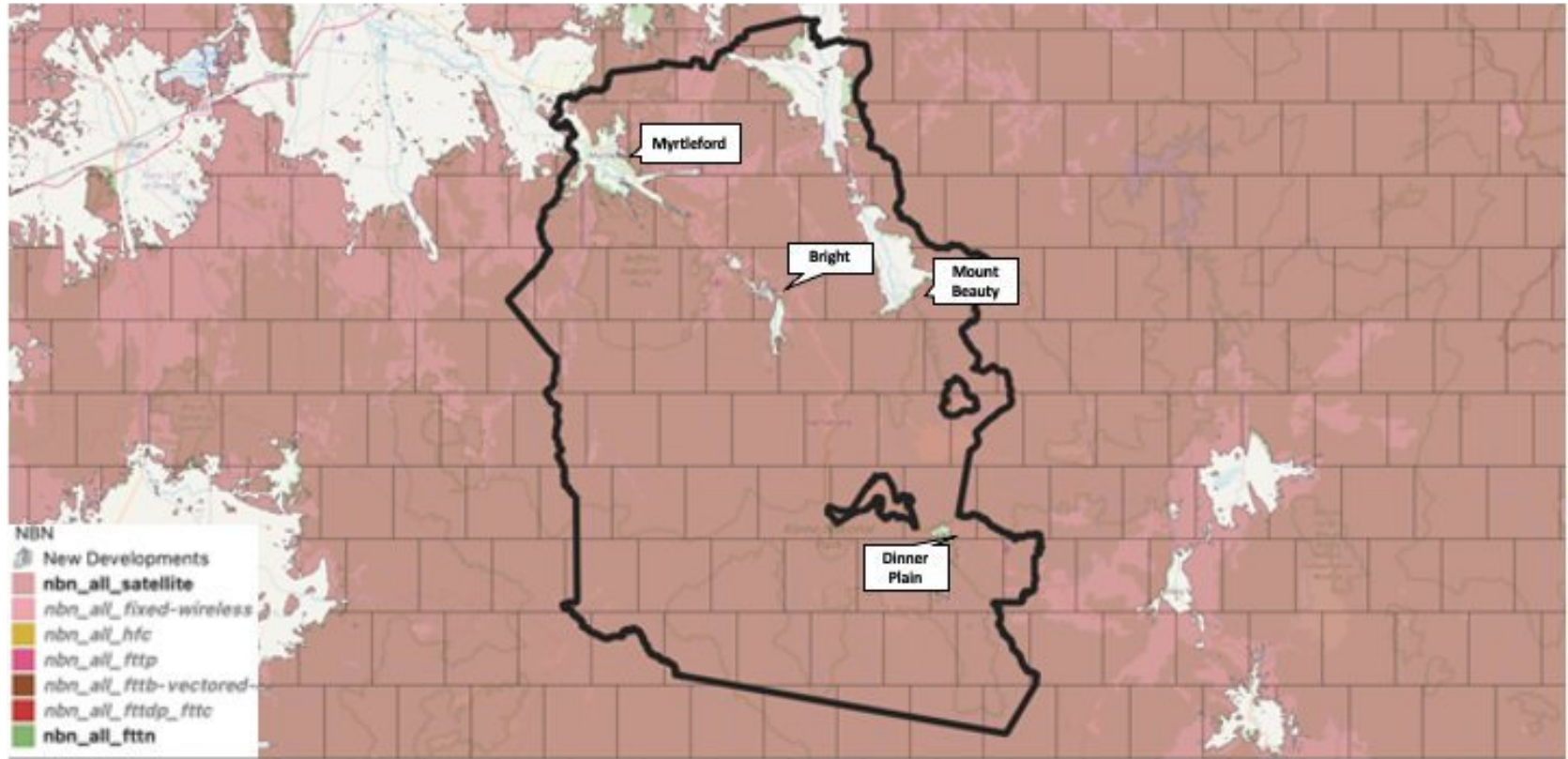
Please refer to the following pages for national broadband network coverage mapping for Alpine Shire.



**NBN Coverage (not including Satellite)**



NBN Satellite Coverage



# Telecommunications Legislation

## Alpine Shire Councils regulatory role

The power to regulate and control telecommunications in Australia is vested in the Commonwealth through Section 51 of the Australian Constitution.

With the arrival of the Telecommunications Act 1997, the Commonwealth limited the exemptions and powers available to the carriers and permitted only 'low-impact facilities' to be deployed without scrutiny of State and Territory laws and Council approval.

These exemptions were enshrined in the Telecommunications (Low- Impact Facilities) Determination 1997 (the Determination), which was amended in 1999, 2018 and 2020.

Telecommunications companies deploying infrastructure (known as carriers) are exempt from some state and territory laws, including planning laws, for:

- facilities that are determined to be low-impact facilities,
- temporary facilities for use by a defence organisation, or
- facilities for which the Australian Communications and Media Authority (ACMA) has granted a Facility Installation Permit.

Low-impact facilities include some radiocommunications facilities, underground and above-ground housing, underground and some aerial cables, public payphones, emergency and co-located facilities.

If a facility is not in one of these three groups, then carriers must comply with state and territory laws and planning regulations.



**In the case of Alpine Shire Council, the approval pathway for Telecommunications is limited to where Development Approval is required.**

## Right to install low impact facilities

The Carriers have statutory rights under Schedule 3 of the Act to enter land and install on that land or any buildings on that land, any equipment which falls within the description of a low impact facility.



## What are low impact facilities?

The list of the different types of facilities is specified in the Telecommunications (Low-impact Facilities) Determination 2018 -

<https://www.legislation.gov.au/Details/F2018C00150>.

Low-impact facilities can take the form of some radiocommunications facilities, underground and aboveground housing, underground and some aerial cables, public payphones, emergency and collocated facilities. Generally speaking, all 5G Small Cells will be considered to be a low impact facility.

Equipment will not be a low-impact facility if it is installed in areas of environmental significance, which includes places listed on a Commonwealth, State or Territory heritage register. This equipment can only be installed if it meets the requirements of the usual Commonwealth, State or Territory approval processes, such as the Environment Protection and Biodiversity Conservation Act 1999 or the broader telecommunications' regime, including the Radiocommunications Act 1992.

This means that the Carriers do currently have a statutory right to install 5G Equipment on City owned Structures unless the relevant Structure is in an area of environmental significance or listed on a heritage register.

## Obligations imposed on carriers installing low impact facilities

If the Carriers wish to install low-impact facilities for mobile phone networks, they must comply with:

- (a) Schedule 3 of the Act.
- (b) the Telecommunications Code of Practice<sup>1</sup>;

<sup>1</sup> <https://www.legislation.gov.au/Details/F2018L00171>

- (c) the Industry Code for Mobile Phone Base Station Deployment C564:2018<sup>2</sup>.

The Act and related regulatory instruments require the Carriers when exercising statutory installation rights to:

- (d) do as little damage to the land or building as is practicable.
- (e) restore the property as close as possible to its original condition.
- (f) restore the property within 10 days after finishing their work.
- (g) use good engineering practice.
- (h) protect people and property.
- (i) protect the environment; and
- (j) follow state, territory or local government rules for noise abatement.

Each Carrier must also take reasonable steps to not interfere with:

- (a) traffic.
- (b) water services.
- (c) gas services.
- (d) electrical services.
- (e) sewerage service.
- (f) public roads and paths; and
- (g) land use.

<sup>2</sup> [https://www.commsalliance.com.au/data/assets/pdf\\_file/0018/62208/C564\\_2018-181206.pdf](https://www.commsalliance.com.au/data/assets/pdf_file/0018/62208/C564_2018-181206.pdf)



## What Carrier powers and immunities are in place when installing a low impact facility?

Schedule 3 of the Act gives Carriers exercising statutory powers to install low impact facility facilities two important rights/ immunities:

(a) the Carrier does not need to obtain landowner approval to install the low impact facility. However, the Carrier must comply with the notification and appeals process set out in Schedule 3 of the Act; and

(b) the Carrier does not need to comply with local planning laws and approval processes,

## Can a landowner (such as Alpine Shire Council) successfully resist a carrier wanting to install low impact facilities?

A Carrier must strictly comply with the landowner notification processes set out in the Act if it wants to exercise its statutory rights to install a low impact facility.

A landowner has very limited grounds upon which it can object to a proposed installation. Whilst the grounds of objection are quite narrow, the objection process can be lengthy and demanding on the Carrier and can significantly delay the Carrier's access to the relevant site.

## If a Carrier has statutory rights to install low impact facilities, why would a Carrier want to secure a commercial license to install 4G / 5G Equipment on Council owned Structures?

There are a number of reasons why Carriers choose to first try to negotiate a commercial license to install 5G Equipment on Structures not owned by them. A commercial license:

- a) can speed up access to sites (particularly where the parties have agreed on a "Master Agreement" that can apply to multiple sites). The commercial agreement also removes the potential for the landowner to dispute the Carrier's exercise of its statutory rights on a case by case basis.
- b) gives the Carrier certainty over its tenure. Under a commercial license the Carrier will be given advance notice if the relevant building or structure will be modified or if a structure such as a pole is replaced or relocated. It also guarantees the term for which the Carrier may occupy the site.
- c) is likely to contain provisions that give the Carrier exclusivity or joint exclusivity over the Structure.
- d) guarantees the Carrier 24x7 access to the site.
- e) normally requires the landowner/building owner to facilitate access by providing information about the site or potential sites that the Carrier may wish to access and use; and
- f) eliminates the need for the Carrier to issue statutory notices and wait for notice periods to expire each time it wants to access a site to install, maintain or upgrade its equipment.

In order to preserve statutory immunities in respect of state planning laws, Carriers usually seek to secure a contractual license with the landowner as well as serving the land access notices needed to activate the statutory immunities provided by the Act (which thereby remove the need for the Carrier to comply with local planning laws).

## Requirement for multiple parties to make modifications to poles

Carriers often require modification of a utility pole, or the lines or equipment on the utility pole, to accommodate additional small cell facilities on the pole. Under current processes, Carriers are reliant on the pole-owner to arrange and perform the additional work. This can add significant time to the process of installing a new small cell.

In practice, the requirement to rely on the utility or pole owner to undertake the necessary technical work requires the Carrier to reach a commercial agreement with the pole owner – and negates carriers' rights to utilise property.

The timely and efficient deployment of small cells may be enhanced if Carriers could perform the work itself, rather than spreading the work across multiple parties.

## 2. Community Consultation

## Community Survey

Alpine Shire Council conducted a community survey in January 2022 to obtain vital community input to help identify priorities to improve telecommunication issues.

The following high level information was provided to inform the survey responses.

### Mobile Network gaps and issues

#### Telstra, Optus and Vodafone coverage issues

- Great Alpine Road – Myrtleford to Bright to Harrietville to Dinner Plain and beyond
- Kiewa Valley Highway – Dederang to Tawonga to Mt Beauty to Falls Creek and beyond
- Tawonga Gap Road – Bright to Tawonga
- Mt Buffalo Road – Porepunkah to Mt Bright
- Happy Valley Road / Running Creek Road – Myrtleford to Running Creek
- Myrtleford Yackandandah Road – Myrtleford to Mudgegonga
- Buffalo River Road – Myrtleford to Nug to Lake Buffalo and beyond
- Dargo High Plains Road – Hotham Heights to Dargo

#### NBN Gaps and issues

- Fixed Wireless only townships – Dinner Plain
- Satellite only townships – Harrietville, Falls Creek, Mount Hotham
- Larger towns with Fibre to the Node NBN only – Myrtleford, Bright, Mount Beauty

The Survey was open for three weeks and 146 total responses were obtained.

The key question posed in the community survey was ‘Are the mobile and internet gaps identified above correct?’

80 survey participants responded yes, and of these 21 did not make further comment.

63 survey participants responded no.

The key geographic areas that featured heavily in the survey response is outlined below.

Geographic area	Mobile Network issues	NBN issues	Other issues
Harrietville (31 responses)	<ul style="list-style-type: none"> <li>• Poor mobile network reception, coverage and capacity (17 responses)</li> </ul>	<ul style="list-style-type: none"> <li>• Various NBN and ADSL service issues (8 responses)</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement for capacity in peak times</li> <li>• Requirement for 5G</li> <li>• Requirement for improved NBN</li> </ul>
Freeburgh, Smoko, Germantown (8 responses)	<ul style="list-style-type: none"> <li>• Poor or no mobile network reception, coverage and capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Satellite NBN service issues</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement for 4G &amp; 5G</li> <li>• Requirement for improved NBN</li> </ul>
Wandiligong (9 responses)	<ul style="list-style-type: none"> <li>• Poor or no mobile network reception, coverage and capacity</li> </ul>		<ul style="list-style-type: none"> <li>• Requirement for capacity in peak times</li> <li>• Requirement for 4G &amp; 5G</li> <li>• Requirement for improved NBN</li> </ul>
Myrtleford & surrounds (10 responses)	<ul style="list-style-type: none"> <li>• Poor or no mobile network reception, coverage and capacity</li> </ul>	<ul style="list-style-type: none"> <li>• NBN service issues</li> </ul>	

Geographic area	Mobile Network issues	NBN issues	Other issues
Kiewa Valley (7 responses)	<ul style="list-style-type: none"> <li>Poor or no mobile network reception, coverage and capacity</li> </ul>	<ul style="list-style-type: none"> <li>NBN service issues</li> </ul>	<ul style="list-style-type: none"> <li>Requirement for capacity in peak times</li> <li>Requirement for 5G</li> <li>Requirement for improved NBN</li> </ul>
Bright (26 responses)	<ul style="list-style-type: none"> <li>Lack of capacity for mobile network access in peak times</li> <li>Poor or no mobile network reception, coverage and capacity</li> </ul>	<ul style="list-style-type: none"> <li>NBN service issues</li> </ul>	<ul style="list-style-type: none"> <li>Requirement for capacity in peak times</li> <li>Requirement for 5G</li> <li>Requirement for improved NBN</li> </ul>
Porepunkah (3 responses)		<ul style="list-style-type: none"> <li>Satellite NBN service issues</li> <li>Fibre to the Node NBN service issues</li> </ul>	<ul style="list-style-type: none"> <li>Requirement for improved NBN</li> </ul>
Eurobin (3 responses)		<ul style="list-style-type: none"> <li>Satellite NBN service issues</li> </ul>	<ul style="list-style-type: none"> <li>Potential for Starlink LEOSat</li> </ul>
Falls Creek	<ul style="list-style-type: none"> <li>Poor or no mobile network reception, coverage and capacity</li> </ul>		<ul style="list-style-type: none"> <li>Requirement for improved NBN</li> </ul>

Geographic area	Mobile Network issues	NBN issues	Other issues
<b>Roads</b>			
Great Alpine Road	<ul style="list-style-type: none"> <li>Poor or no mobile network reception, coverage and capacity</li> </ul>		
Back Porepunkah Road			
<b>Other</b>			
Non region specific	<ul style="list-style-type: none"> <li>Poor or no mobile network reception, coverage and capacity</li> </ul>		<ul style="list-style-type: none"> <li>Requirement for capacity in peak times</li> <li>Requirement for 4G &amp; 5G</li> <li>Requirement for improved NBN</li> </ul>

An overview of the community survey results can be provided upon request.

## Community Panel

Two workshops were conducted with the Alpine Shire Community Panel on 2 March and 9 March 2022 to obtain further input into the priorities to improve connectivity issues.

The following questions were developed to obtain information from the Community Panel to help validate early findings and guide focus of the Telecommunications Strategy.

### Mobile

Q1 Please consider this question as a member of the Alpine Shire community. What are the top 2 priority locations where you think existing mobile communications need to be improved?

### Mobile

Q2 Please consider this question in relation to doing business and attracting tourism in the Alpine Shire. What are the top 2 priority locations where you think existing mobile communications need to be improved?

### Mobile

Q3 Please consider this question in relation to natural disaster response (i.e. bushfire, floods, etc.) in the Alpine Shire. What are the top 2 priority locations where you think existing mobile communications need to be improved?

### Internet

Q4 Please consider this question as a member of the Alpine Shire community. What are the top 2 priority locations where you think existing fixed internet (NBN or equivalent) needs to be improved?

### Internet

Q5 Please consider this question in relation to doing business and attracting tourism in the Alpine Shire. What are the top 2 priority locations where you think existing fixed internet (NBN or equivalent) communications needs to be improved?

### Internet

Q6 Please consider this question in relation to natural disaster response (i.e. bushfire, floods, etc.) in the Alpine Shire. What are the top 2 priority locations where you think existing fixed internet (NBN or equivalent) needs to be improved?

Does the Drive testing data capture your personal experience?

What do you think your community is most concerned about in regards to mobile and internet communications?

Information obtained from the Community Panel in response to these questions has been summarised below

Question	Response
(Community viewpoint) What are the top 2 priority locations where you think existing mobile communications need to be improved?	<p>Coverage</p> <ul style="list-style-type: none"> <li>• Along Kiewa Valley Highway</li> <li>• Along Great Alpine Road</li> <li>• Mount Beauty to Myrtleford including Happy Valley</li> <li>• Tawonga Gap</li> </ul> <p>Capacity</p> <ul style="list-style-type: none"> <li>• Tawonga / Tawonga South</li> <li>• Bright &amp; Wandiligong</li> <li>• Myrtleford</li> </ul>

Question	Response
	<ul style="list-style-type: none"> <li>• Harrietteville / Smoko</li> </ul>
(Business & Tourism viewpoint) What are the top 2 priority locations where you think existing mobile communications need to be improved?	<p>Coverage</p> <ul style="list-style-type: none"> <li>• Bright</li> <li>• Mt Buffalo</li> </ul> <p>Capacity</p> <ul style="list-style-type: none"> <li>• Bright</li> <li>• Myrtleford</li> <li>• Mount Beauty</li> </ul>
(Natural Disaster viewpoint) What are the top 2 priority locations where you think existing mobile communications need to be improved?	<p>Coverage</p> <ul style="list-style-type: none"> <li>• Running Creek / Gundowring / Dederang / Kancoona</li> <li>• Bright &amp; Wandiligong (x2)</li> <li>• Buffalo River Valley</li> <li>• Simmonds Creek Road &amp; Mountain Creek Road</li> <li>• Buckland Valley</li> </ul> <p>Capacity</p> <ul style="list-style-type: none"> <li>• Bright</li> <li>• Mount Beauty &amp; Tawonga South</li> <li>• Remaining major service centres</li> </ul>
(Community viewpoint) What are the top 2 priority locations where you think existing fixed internet (NBN or equivalent) needs to be improved?	<ul style="list-style-type: none"> <li>• Harrietteville (x2)</li> <li>• Wandiligong</li> <li>• Kiewa Valley</li> </ul>

Question	Response
(Business & Tourism viewpoint) What are the top 2 priority locations where you think existing fixed internet (NBN or equivalent) needs to be improved?	<ul style="list-style-type: none"> <li>• Bright (x2)</li> <li>• Wandiligong</li> <li>• Mount Beauty</li> </ul>
(Natural Disaster viewpoint) What are the top 2 priority locations where you think existing fixed internet (NBN or equivalent) needs to be improved?	<ul style="list-style-type: none"> <li>• Bright / Wandiligong</li> <li>• Mount Beauty</li> <li>• Harrietteville</li> <li>• Dederang</li> </ul>
Additional personal experiences relating to Telecommunications	<ul style="list-style-type: none"> <li>• Numerous coverage issues across Alpine Shire</li> <li>• Capacity issues – especially in Bright</li> <li>• Tawonga South mobile call dropouts</li> <li>• Customer impact for Businesses</li> <li>• In building coverage issues for mobile networks</li> </ul>
What do you think your community is most concerned about in regards to mobile and internet communications?	<ul style="list-style-type: none"> <li>• Lack of reliability</li> <li>• Post storm loss of access</li> <li>• Reliability in emergency situations</li> <li>• Heavy reliance on mobile services</li> <li>• Reliability and speed issues – Whole of Shire</li> <li>• Requirement for High speed internet – for businesses and working from home</li> </ul>

## Key Community Sentiment Themes

There were a number of key themes that emerged from the community survey and community panel consultation, being:

- **A sharp focus on not just mobile network coverage but also capacity of networks at peak usage times**

Our recommendations for the MNOs to provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain;

For the MNOs to provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain;

and;

High Speed Public WiFi implemented at Bright, Myrtleford, Mount Beauty and Harrietville;

will greatly improve this issue.

- **Requirement for existing NBN infrastructure to be upgraded in various areas but with a particular focus on major service centres**

Our recommendations for NBN to upgrade all service centres (i.e. Bright, Myrtleford, Mount Beauty, Harrietville, Tawonga) to be served by NBN business fibre and NBN fibre to the Premise;

Dinner Plain NBN upgraded from Fixed Wireless to Fibre to the Premise;

and;

Wandiligong NBN upgraded from Fixed Wireless to Fibre to the Premise;

will greatly improve this issue.

- **Numerous coverage issues across Alpine Shire**

Our recommendations for the MNOs to;

Upgrade the regions 3G Footprint to 4G by each of the three MNOs by potentially using Shared Radio Access Network;

New or Improved 4G Mobile Network coverage and capacity for –

- Harrietville (Telstra, Optus and TPG Telecom / Vodafone)
- Wandiligong ((Telstra, Optus and TPG Telecom / Vodafone)
- Happy Valley (Telstra, Optus and TPG Telecom / Vodafone)
- Dederang & Gundowring (Telstra, Optus and TPG Telecom / Vodafone);

High band (mmwave) 5G from each of the three Mobile Network Operators for all service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford);

New or Improved 5G Mobile Network coverage and capacity for –

- Buffalo River (Telstra, Optus and TPG Telecom / Vodafone)
- Buckland Valley (Telstra, Optus and TPG Telecom / Vodafone);

will greatly improve this issue.



# 3. Connectivity

## Current State

# Current State

## Current State Analysis

The following tables and maps show the telecommunications infrastructure as currently available for major townships in each of the Council areas within ALPINE SHIRE.

Where any infrastructure is either not available or not fit for purpose, this constitutes the gaps in telecommunications and connectivity that impacts the economic capability and social fabric of that particular area of Alpine Shire Region.

Community					Telstra InfraCo				
<b>Bright / Porepunkah / Wandiligong</b>	Fibre to the Curb Fibre to the Node	4G 3G	4G 3G	4G 3G	<input checked="" type="checkbox"/>	-	-	-	-
<b>Myrtleford</b>	Fibre to the Curb Fibre to the Node Fixed Wireless	4G 3G	4G 3G	4G 3G	<input checked="" type="checkbox"/>	-	-	-	-
<b>Mount Beauty</b>	Fibre to the Node Fixed Wireless	4G 3G	4G 3G	4G 3G	<input checked="" type="checkbox"/>	-	-	-	-
<b>Harrietville</b>	Satellite	4G 3G	4G 3G	3G	<input checked="" type="checkbox"/>	-	-	-	-
<b>Tawonga / Tawonga South</b>	Fibre to the Node Fixed Wireless	4G 3G	4G 3G	4G 3G	<input checked="" type="checkbox"/>	-	-	-	-
<b>Dederang</b>	Fixed Wireless	4G 3G	4G 3G	3G	<input checked="" type="checkbox"/>	-	-	-	-

Dinner Plain	Fixed Wireless	4G 3G	4G 3G	4G 3G	<input checked="" type="checkbox"/>	-	-	-	-
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### Bright / Porepunkah / Wandiligong

In relation to NBN coverage, the townships are serviced by NBN fibre to the curb and fibre to the node technologies. The level of NBN infrastructure will not be fit for purpose in the coming decade, especially as these townships also have a range of capacity and coverage issues with 4G and 3G networks.

The townships are serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 4G/ 3G. Due to high visitor numbers and potentially other factors, network congestion is experienced resulting in diminished levels of service quality and experience on all mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the townships do not have direct access to alternative choices to Telstra.

### Myrtleford

In relation to NBN coverage, the township is serviced by NBN fibre to the curb, fibre to the node and fixed wireless technologies. The level of NBN infrastructure will not be fit for purpose in the coming decade, especially as this township also has a range of capacity and coverage issues with 4G and 3G networks.

The township is serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 4G/ 3G. Due to high visitor numbers and potentially other factors, network congestion is experienced resulting in diminished levels of service quality and experience on all mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the township doesn't have direct access to alternative choices to Telstra.

### Mount Beauty

In relation to NBN coverage, the township is serviced by NBN fibre to the node and fixed wireless technologies. The level of NBN infrastructure will not be fit for purpose in the coming decade, especially as this township is a major service centre supporting business and tourism.

The township is serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 4G/ 3G. Telstra and Optus coverage and capacity appears adequate but investment is required for the Vodafone mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the township doesn't have direct access to alternative choices to Telstra.

### Harrietville

In relation to NBN coverage, the township is serviced by NBN satellite technologies. The level of NBN infrastructure is not fit for purpose and requires urgent upgrade to Fibre to the Premise technology, especially as this township is a service centre supporting business and tourism.

The township is serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 3G. Telstra coverage and capacity appears adequate but investment is required for the Optus and Vodafone mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the township doesn't have direct access to alternative choices to Telstra.

### Tawonga / Tawonga South

In relation to NBN coverage, the township is serviced by NBN fibre to the node and fixed wireless technologies. The level of NBN infrastructure will not be fit for purpose in the coming decade, especially as this township is a major service centre supporting business and tourism.

The township is serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 4G/ 3G. Telstra and Optus coverage and capacity appears adequate but investment is required for the Vodafone mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the township doesn't have direct access to alternative choices to Telstra.

### Dederang

In relation to NBN coverage, the township is serviced by NBN fixed wireless technologies. The level of NBN infrastructure is not fit for purpose and requires

urgent upgrade to Fibre to the Premise technology, especially as this small township is a service centre supporting business and tourism.

The township is serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 3G. Telstra coverage and capacity appears adequate but investment is required for the Optus and Vodafone mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the township doesn't have direct access to alternative choices to Telstra.

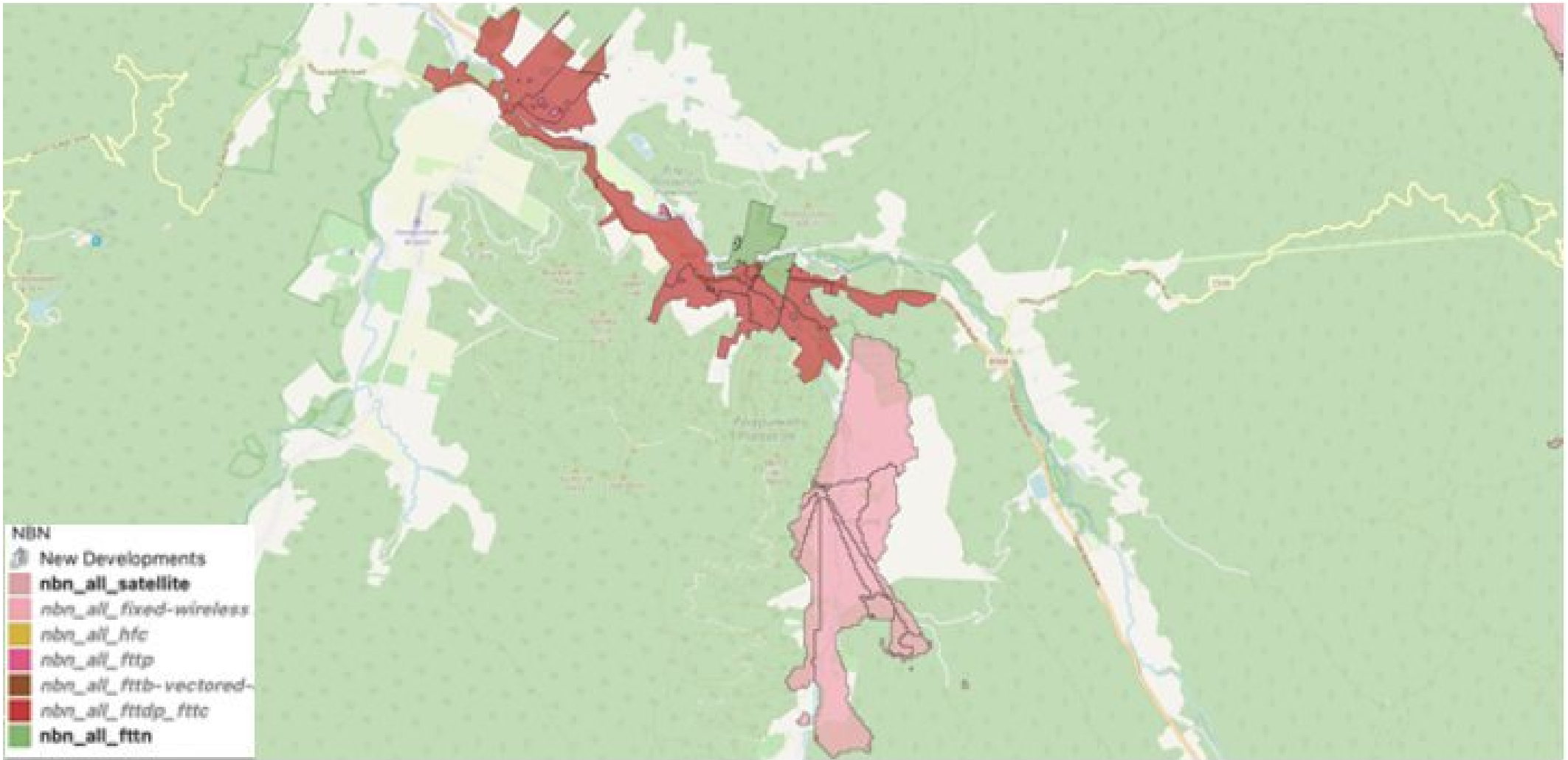
### Dinner Plain

In relation to NBN coverage, the township is serviced by NBN fixed wireless technologies. The level of NBN infrastructure is not fit for purpose and requires urgent upgrade to Fibre to the Premise technology, especially as this small township is a service centre supporting business and tourism.

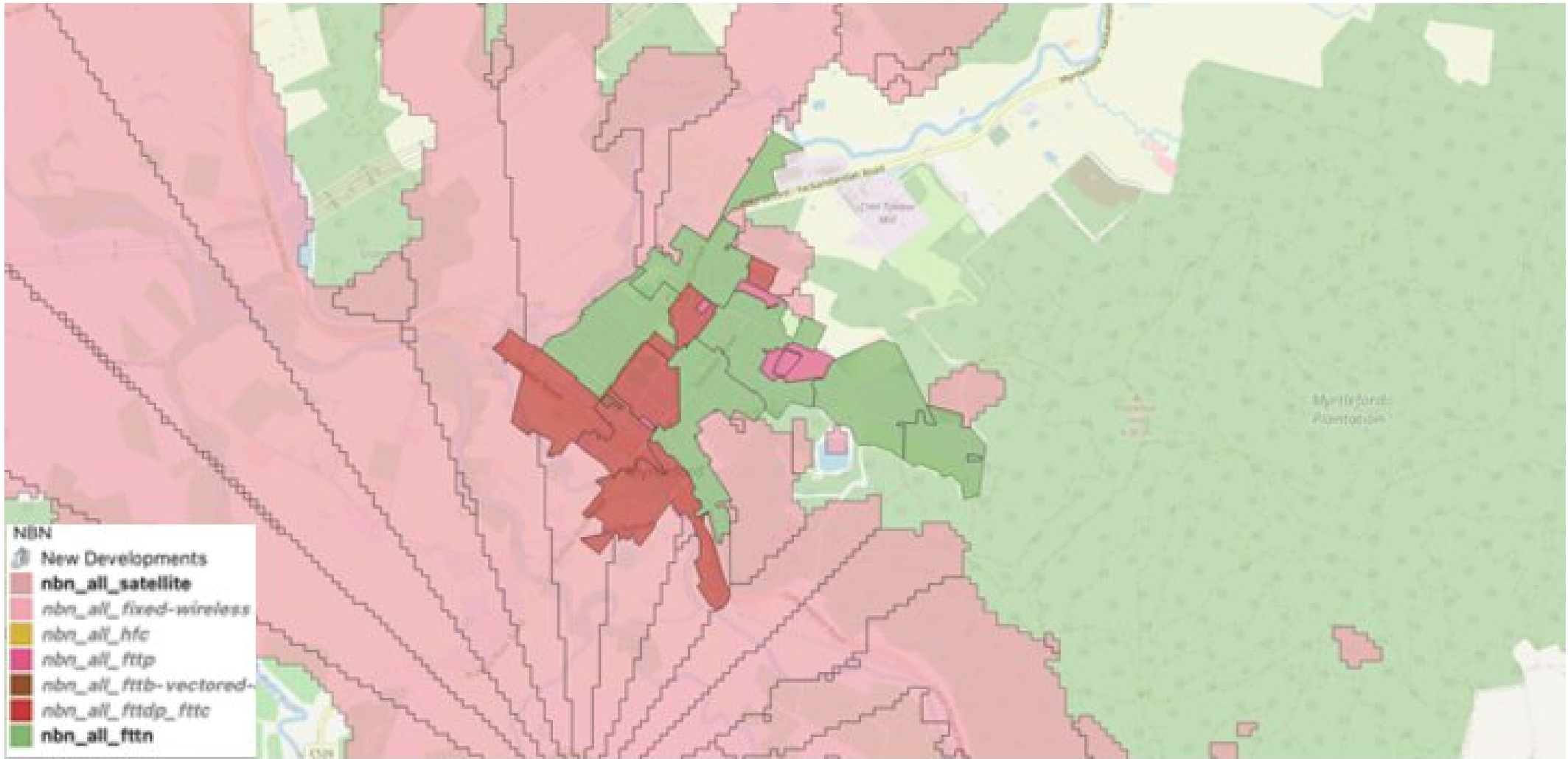
The township is serviced by Telstra 4G / 3G, Optus 4G / 3G and TPG Telecom (Vodafone) 3G. Telstra and Optus coverage and capacity appears adequate but investment is required for the Vodafone mobile networks.

In relation to Fibre Backhaul network access and Low Powered Wireless Access Networks (LPWANs), the township doesn't have direct access to alternative choices to Telstra.

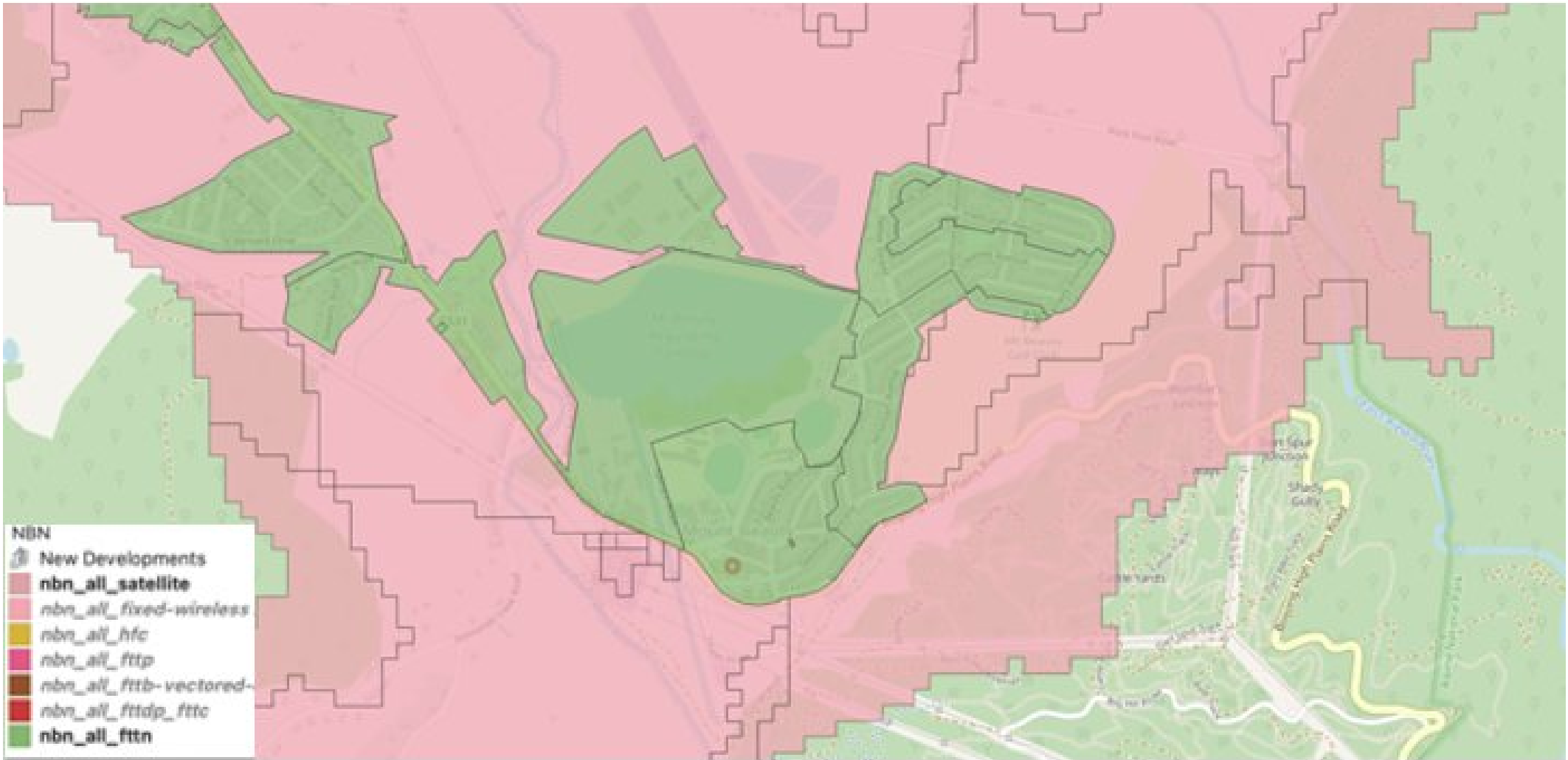
Bright / Porepunkah / Wandiligong NBN coverage



### Myrtleford NBN Coverage



Mount Beauty / Tawonga South NBN coverage

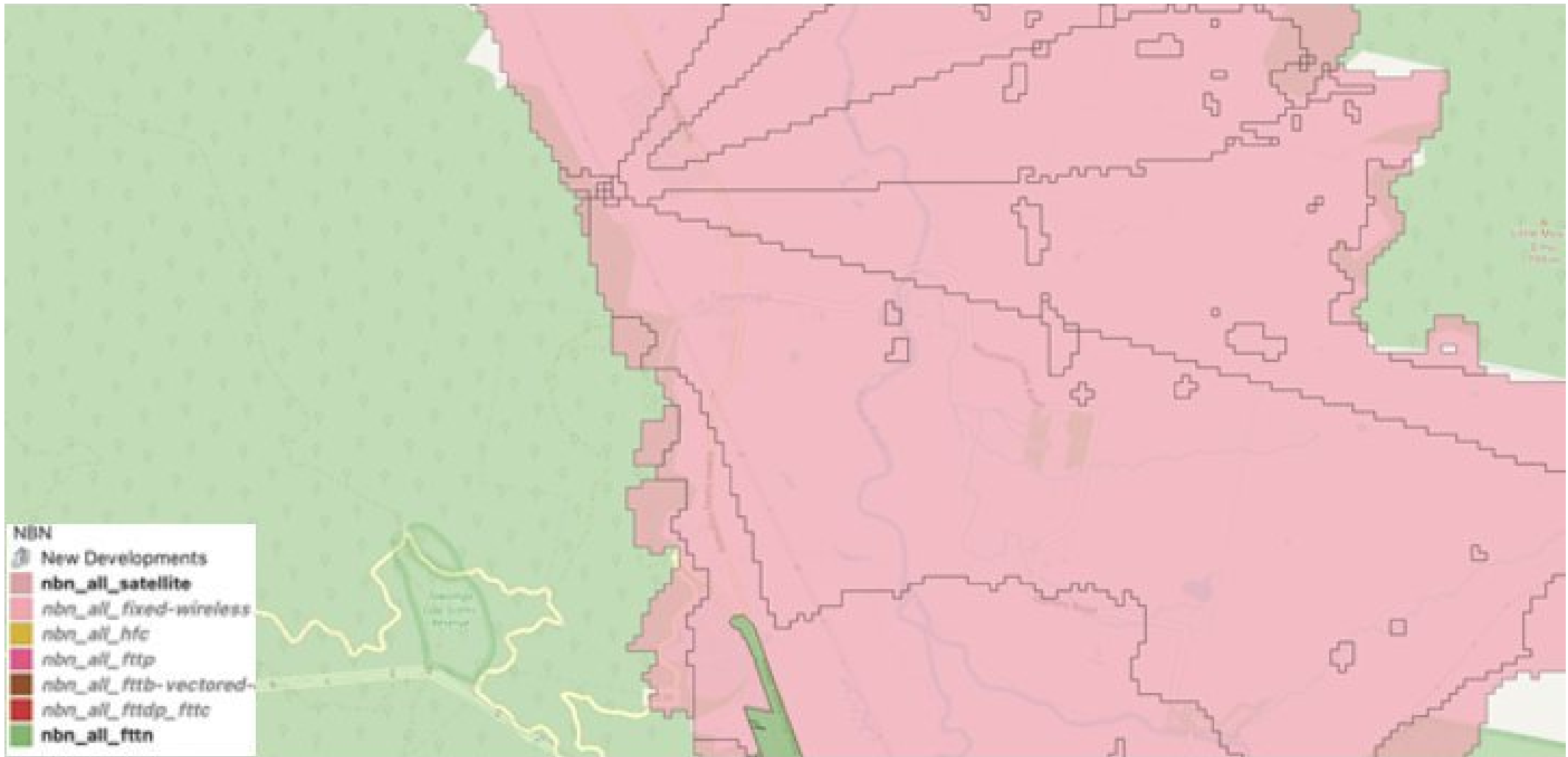


### Harrietville NBN coverage

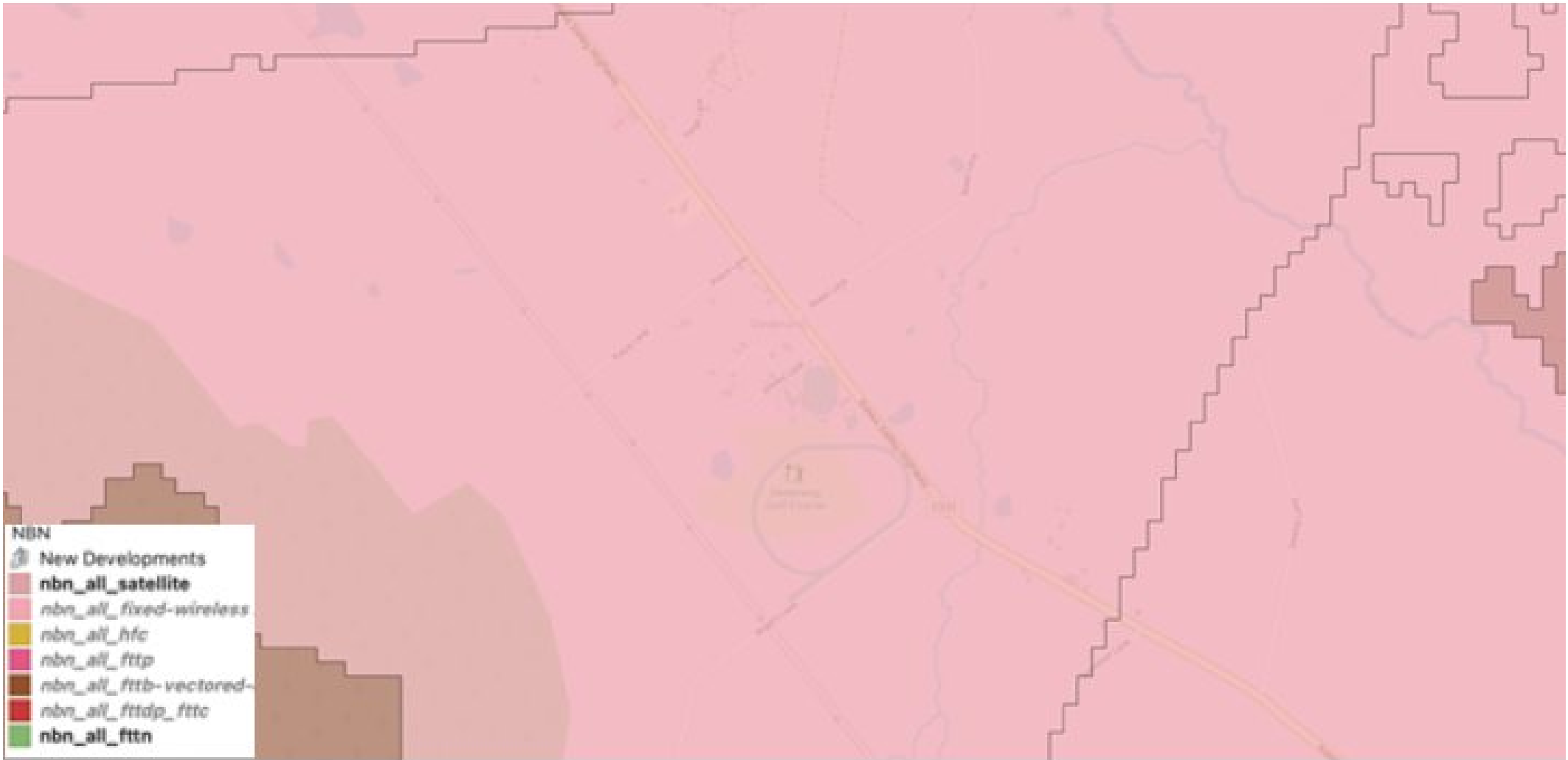




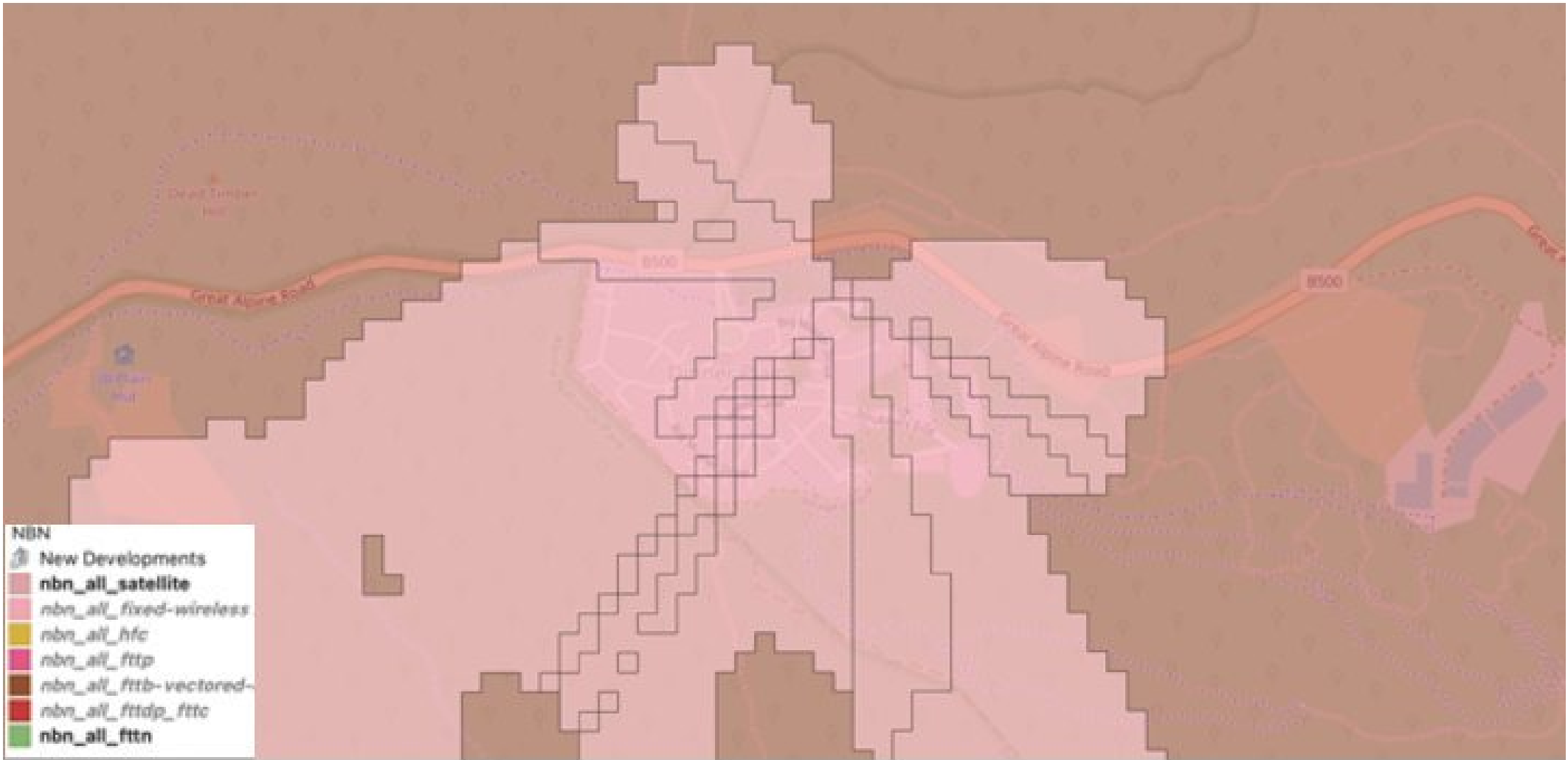
Tawonga / Tawonga South NBN coverage



Dederang NBN coverage



Dinner Plain NBN coverage



# 4. Mobile Network Testing

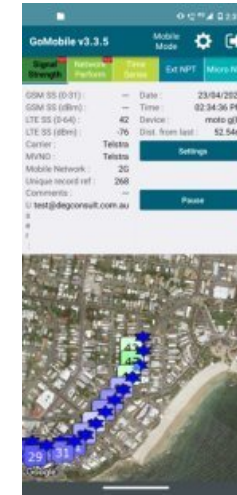
## Mobile Network Testing

By using independent mobile testing technology, Gravelroad Group provides impartial user experience-based reports and recommendations. The methodology used by us to independently test mobile network performance and identify carrier blackspots has been developed over the last 10 years to provide results that describe the 'user experience'.

We used three Google Pixel 4a 5G handsets, as commonly used by members of the public, to capture information about signal strength and network performance for each of the national carriers - Telstra, Optus & Vodafone. This benchmarking process provides a rich methodology that has been acknowledged and respected by all major wireless service providers.

Other local governments have typically used the report and specific recommendations to advocate for increased funding by Federal, State governments together with each of the three national carriers – often through the Mobile Black Spot Program.

We tested with an app we have developed specifically for this purpose – GoMobile Network Test (GoMobile) to capture all the information we can about the mobile network and the test device itself. An example of the GoMobile app screen can be seen below.



By providing the GPS location and current results in real time, testers can monitor and authenticate the testing accuracy in real time.

Our testing is now completed using Android handsets with the results available in near real-time from an online portal.

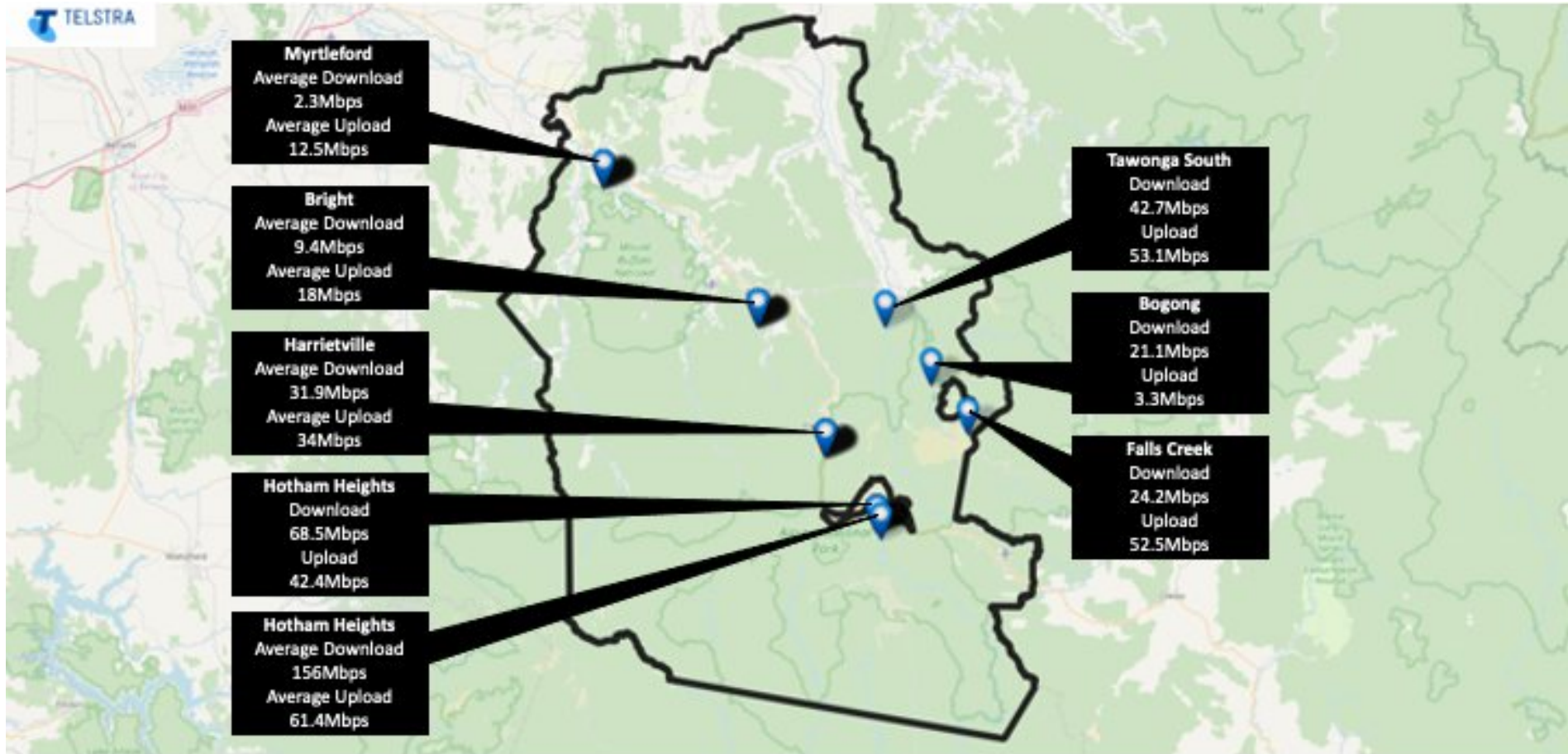
There are six simple principles used to inform our testing methodology:

- User experience based – we use handsets commonly owned by users rather than other more technical and theoretical approaches.
- Same handset, same settings – this provides an equitable basis for benchmarking network performance.
- Simultaneous testing – all tests are carried out in the same vehicle – spaced to remove interference and completed at the same time in that location.
- Signal Strength – for 3G, 4G & 5G
- Network Performance Test – download, upload and latency
- Time Series Testing - Download and upload of data to the internet over a specified time series.

# Network Bandwidth Tests

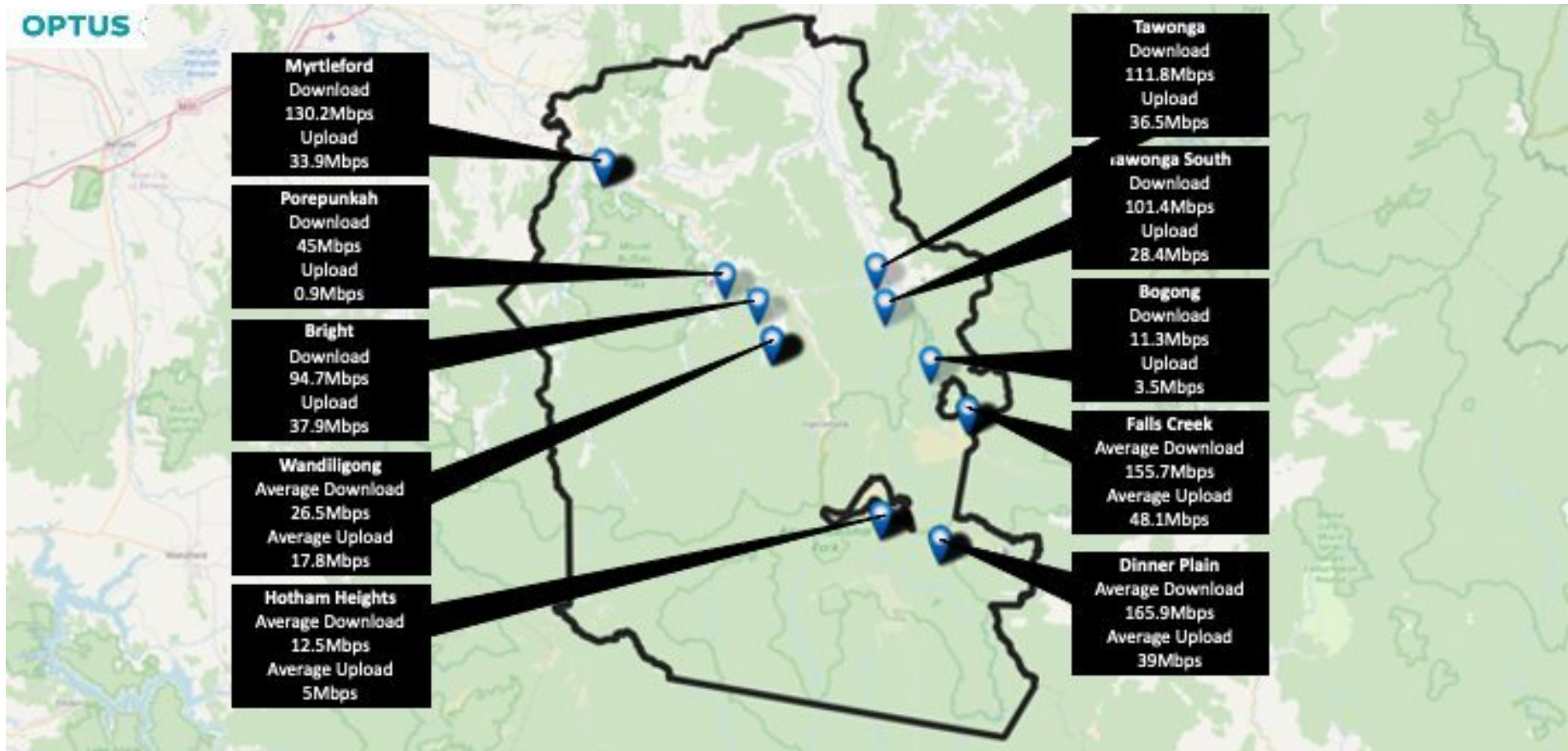
In January 2022, we completed a number of point in time and time series network bandwidth tests for each of the three mobile network operators (Telstra, Optus and TPG Telecom / Vodafone) with the results shown in the maps below.

Telstra

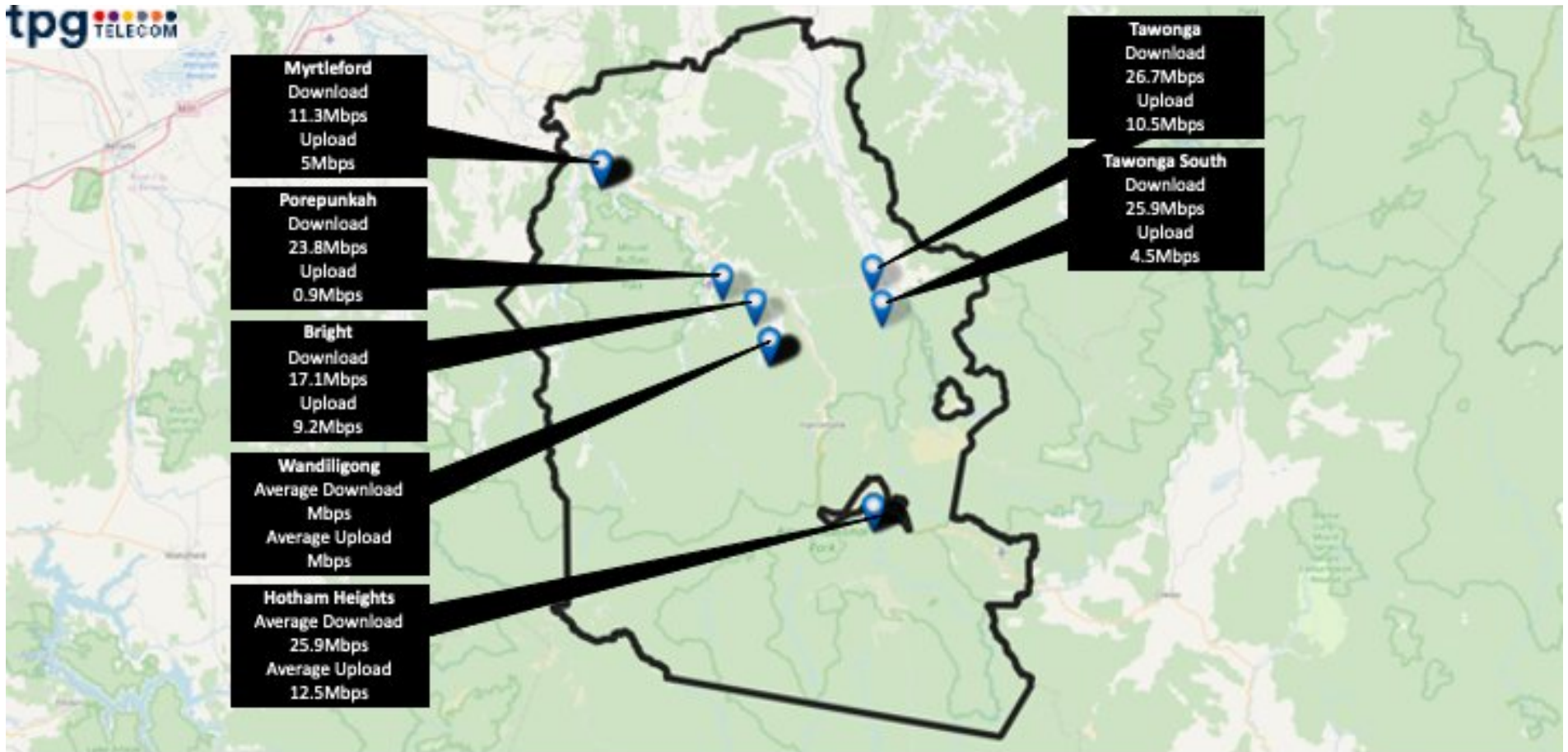




Optus



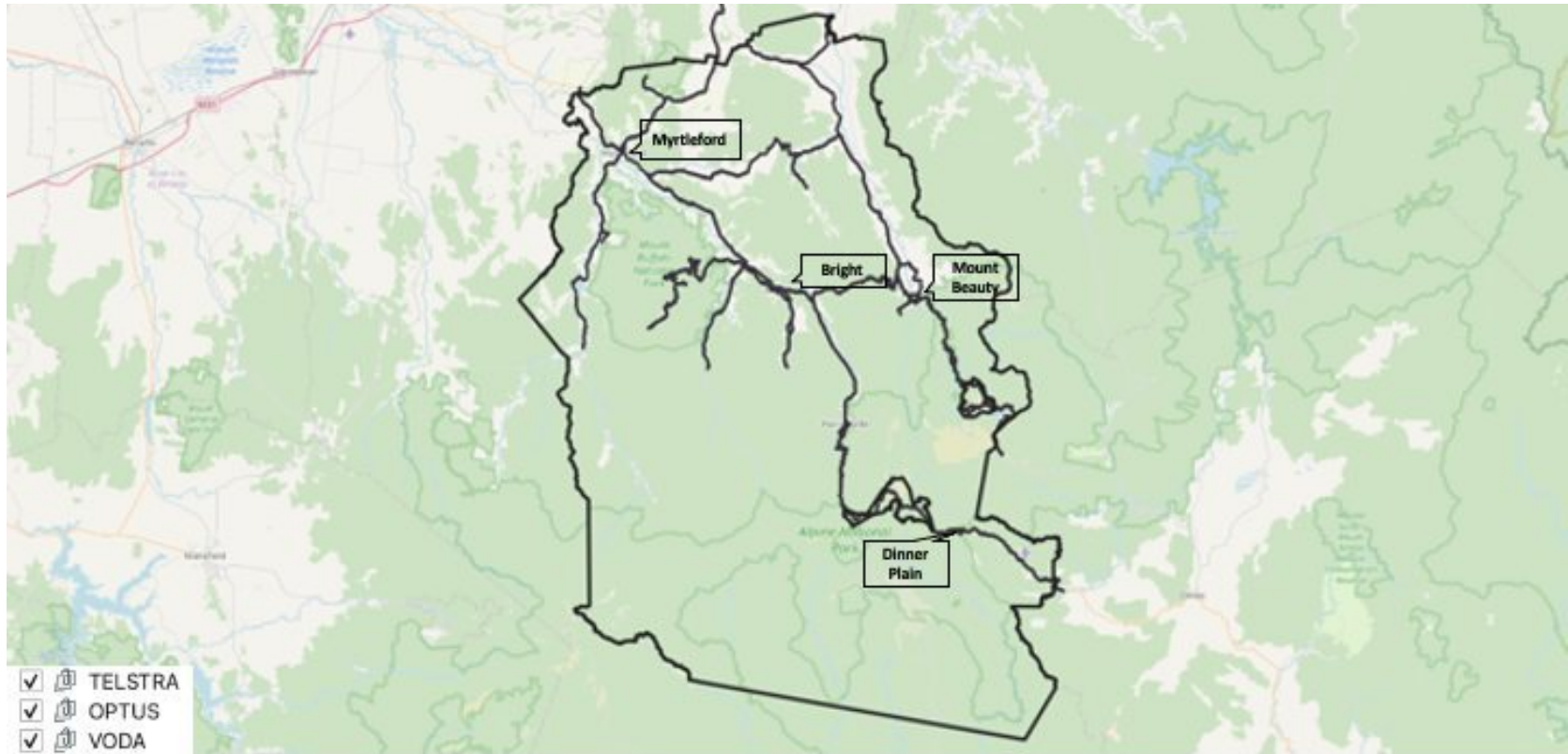
Vodafone





# Signal Strength

We have tested mobile signal strength for each of the three mobile network operators (Telstra, Optus and TPG Telecom / Vodafone) in both 3G, 4G and 5G modes at approx. every 100m as per the map below. This methodology will comprehensively demonstrate the quality of coverage by carriers in each area tested.



The contrast between Black Spots and hotspots of coverage is clearly shown in both the 3G, 4G and 5G tables and maps below.

Signal strength by itself is not the best indicator of a network performance as it only shows where local access is possible. The signal strength information combined with the network performance testing provides a clear assessment on the networks in the region of study.

### 3G Signal Strength explained

The following indicators are used to determine the quality of a 3G signal. The table below indicate guidelines as to what constitutes a particular level of quality, ranging from excellent to unusable (poor or no usable signal)

Signal	Quality	Description
>= -75dbm	Excellent	Strong signal enabling maximum data capacity
>= -80dbm	Good	Good signal and speeds with no dropouts expected
>= -90dbm	Fair	Fair/usable signal with possibility of dropouts and slowdowns
>= -112dbm	No / Poor / Unusable	No usable signal - expect frequent disconnections and sluggish performance

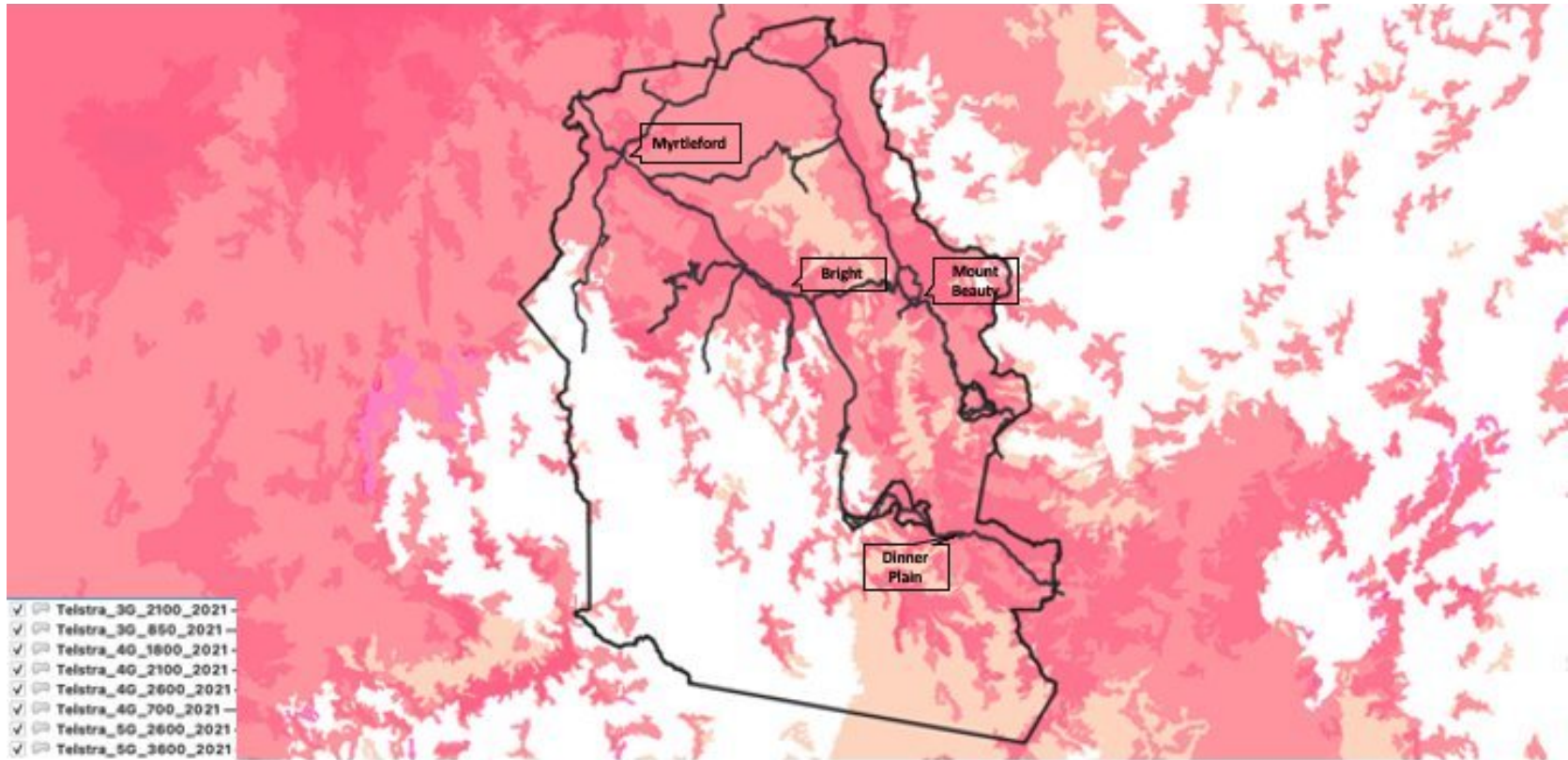
### 4G Signal Strength explained

The following indicators are used to determine the quality of a 4G signal. The table below indicate guidelines as to what constitutes a particular level of quality, ranging from excellent to unusable (poor or no usable signal)

Signal	Quality	Description
>= -80dbm	Excellent	Strong signal enabling maximum data capacity
>= -90dbm	Good	Good signal and speeds with no dropouts expected
>= -110dbm	Fair	Fair/usable signal with possibility of dropouts and slowdowns
>= -120dbm	No / Poor / Unusable	No usable signal - expect frequent disconnections and sluggish performance

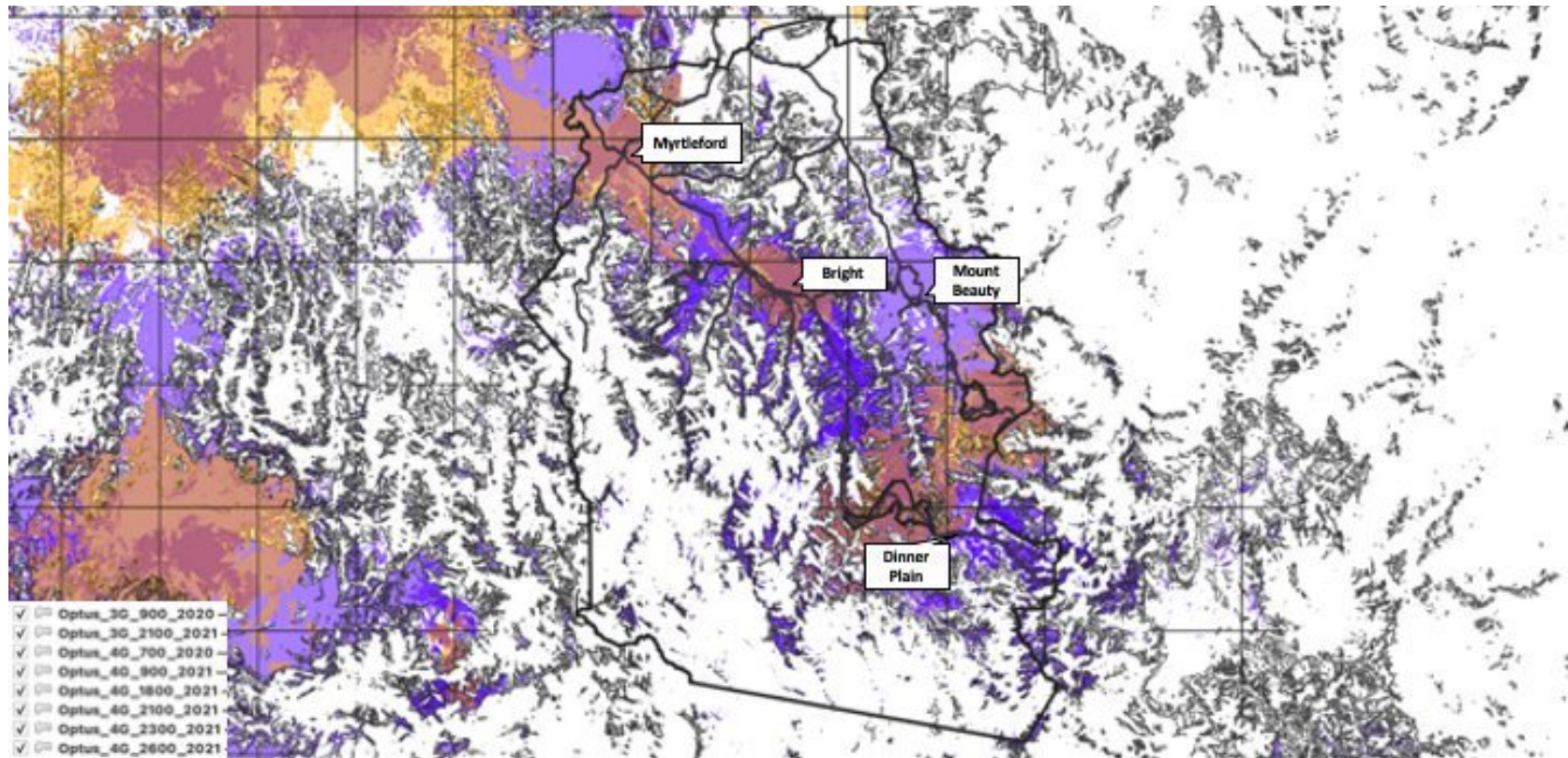
Summary of total mobile testing vs published 4G and 3G coverage

Telstra (with white areas representing no coverage)

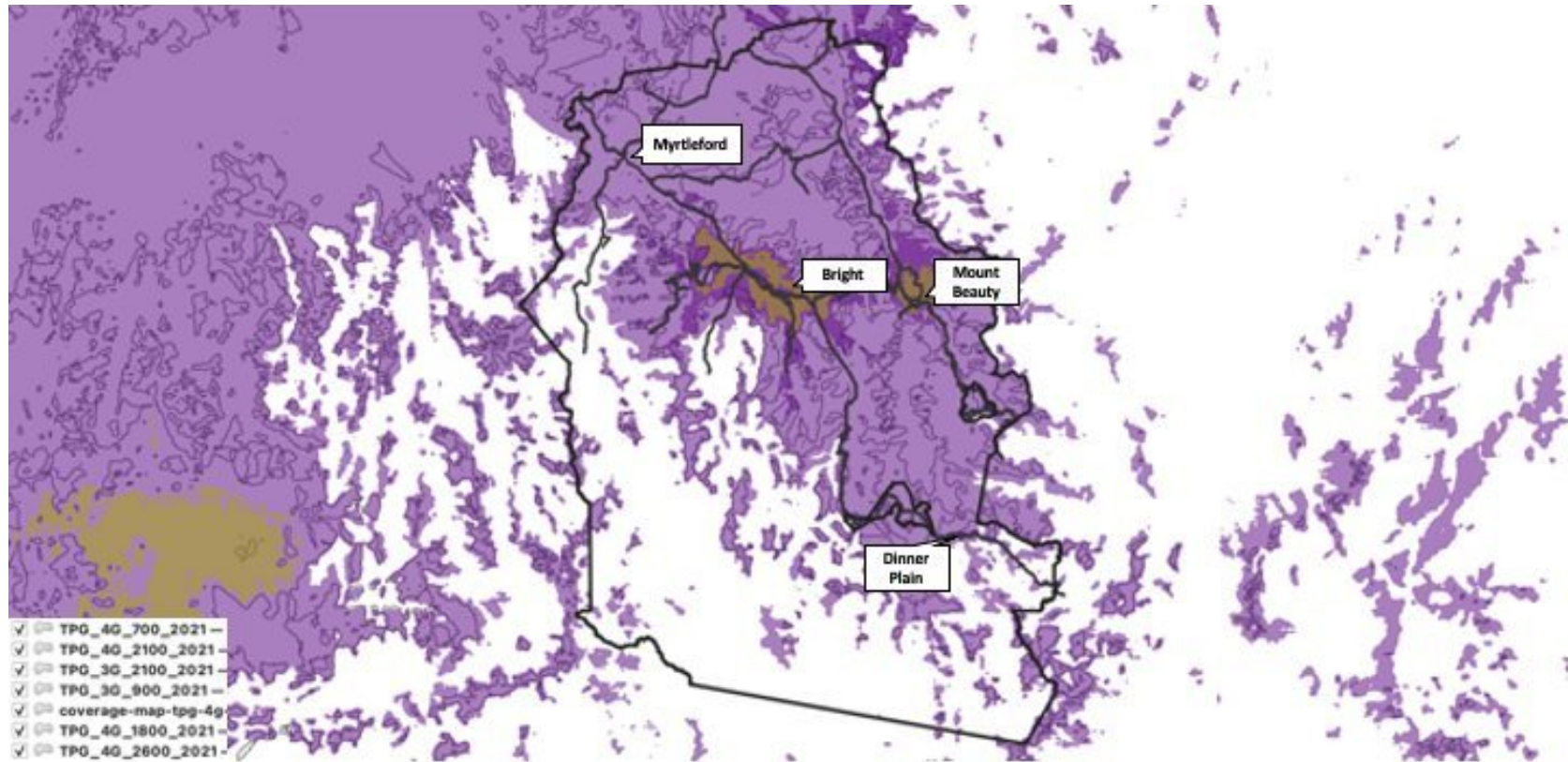




Optus (with white areas representing no coverage)

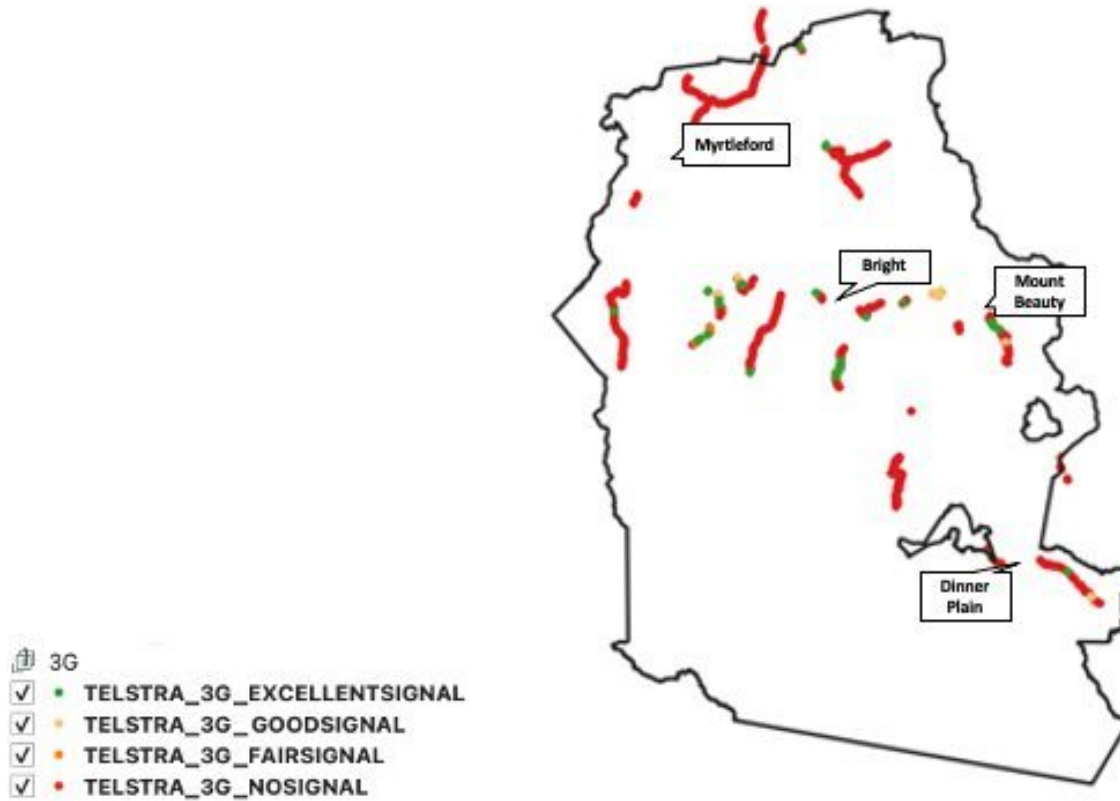


Vodafone / TPG Telecom (with white areas representing no coverage)



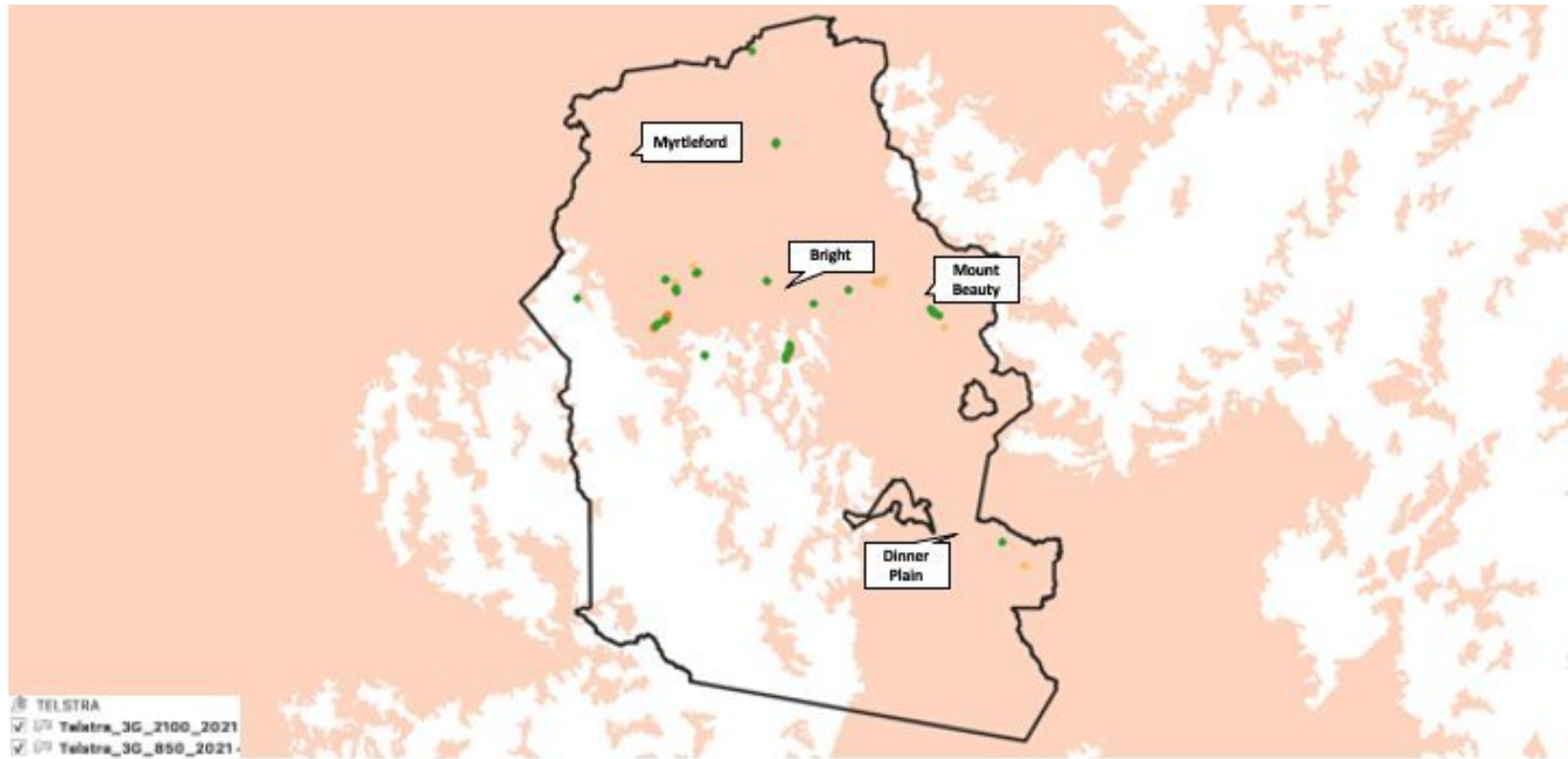
Summary of 3G mobile coverage

Telstra 3G Signal collected

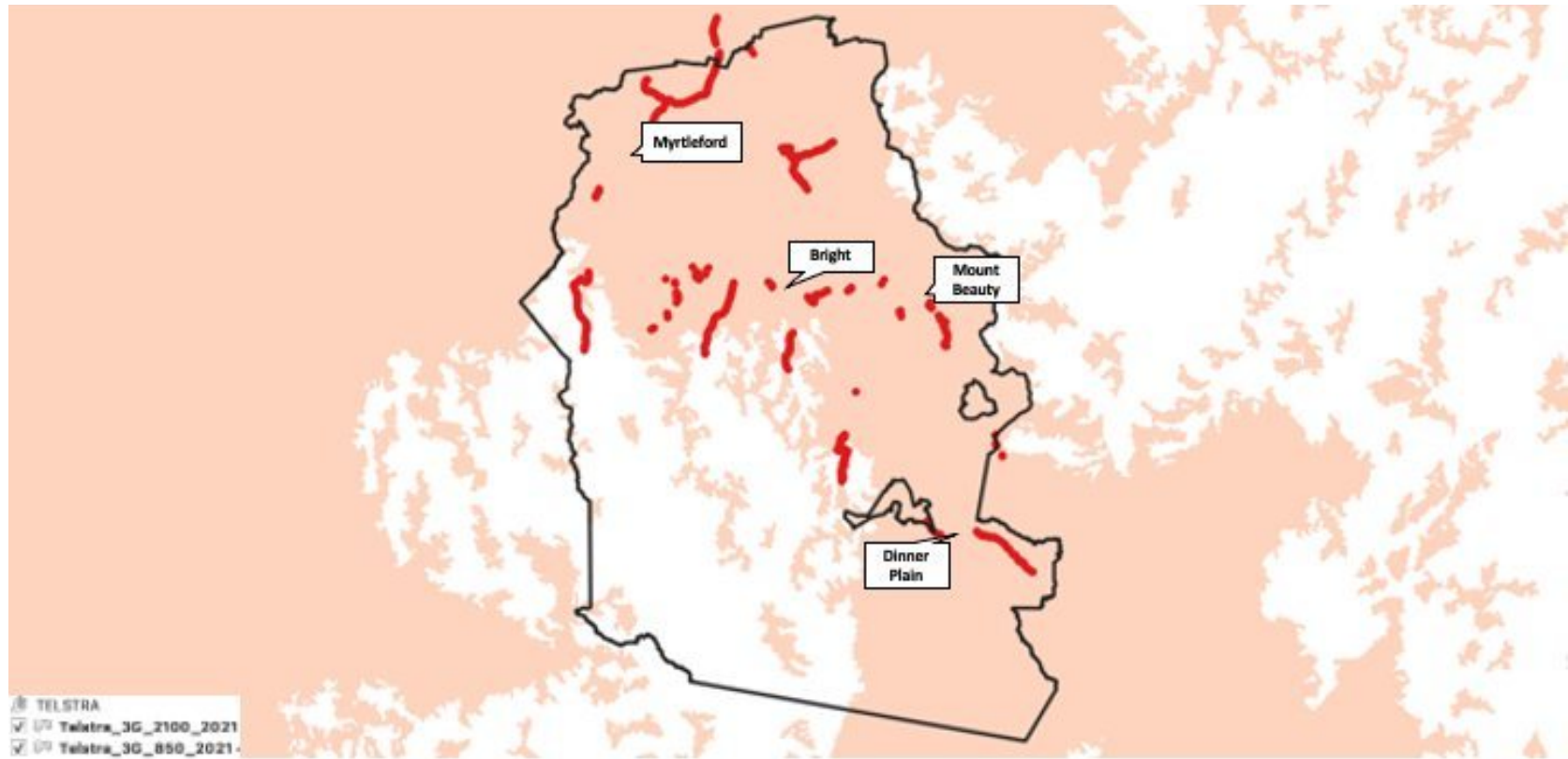




Telstra 3G Excellent, Good & Fair Signal vs 3G coverage map

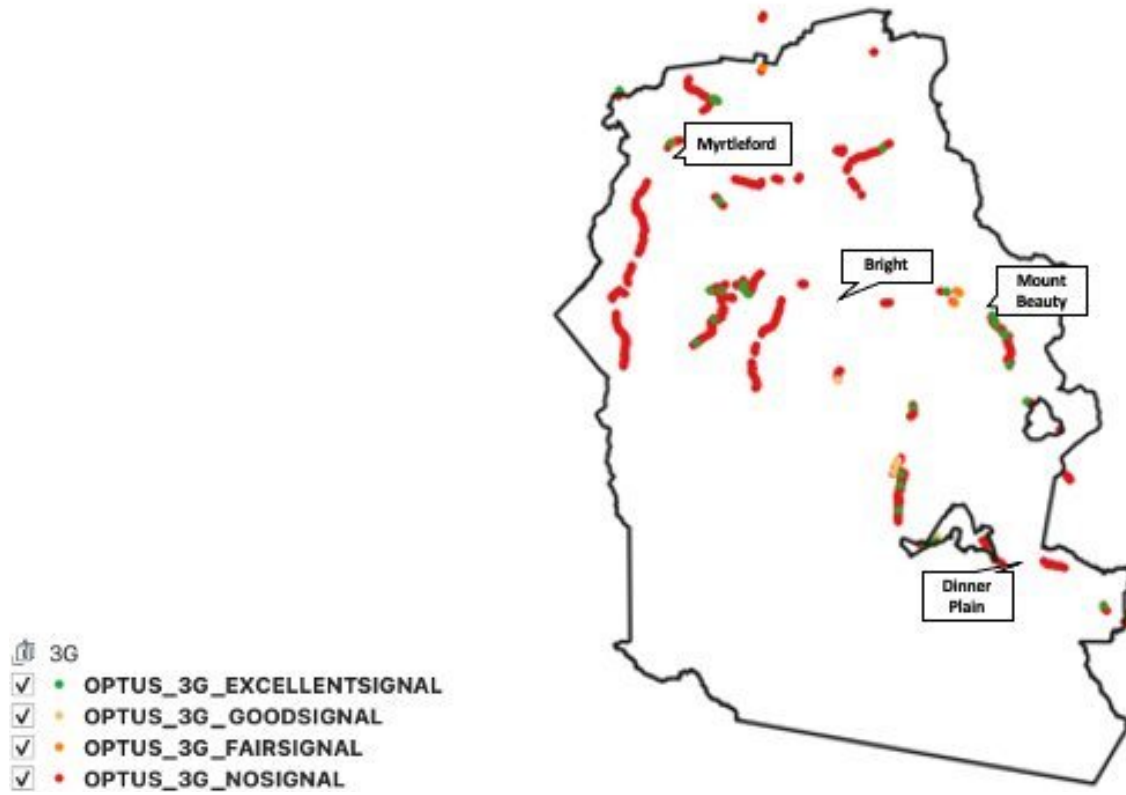


Telstra 3G Poor & No Signal vs 3G coverage map

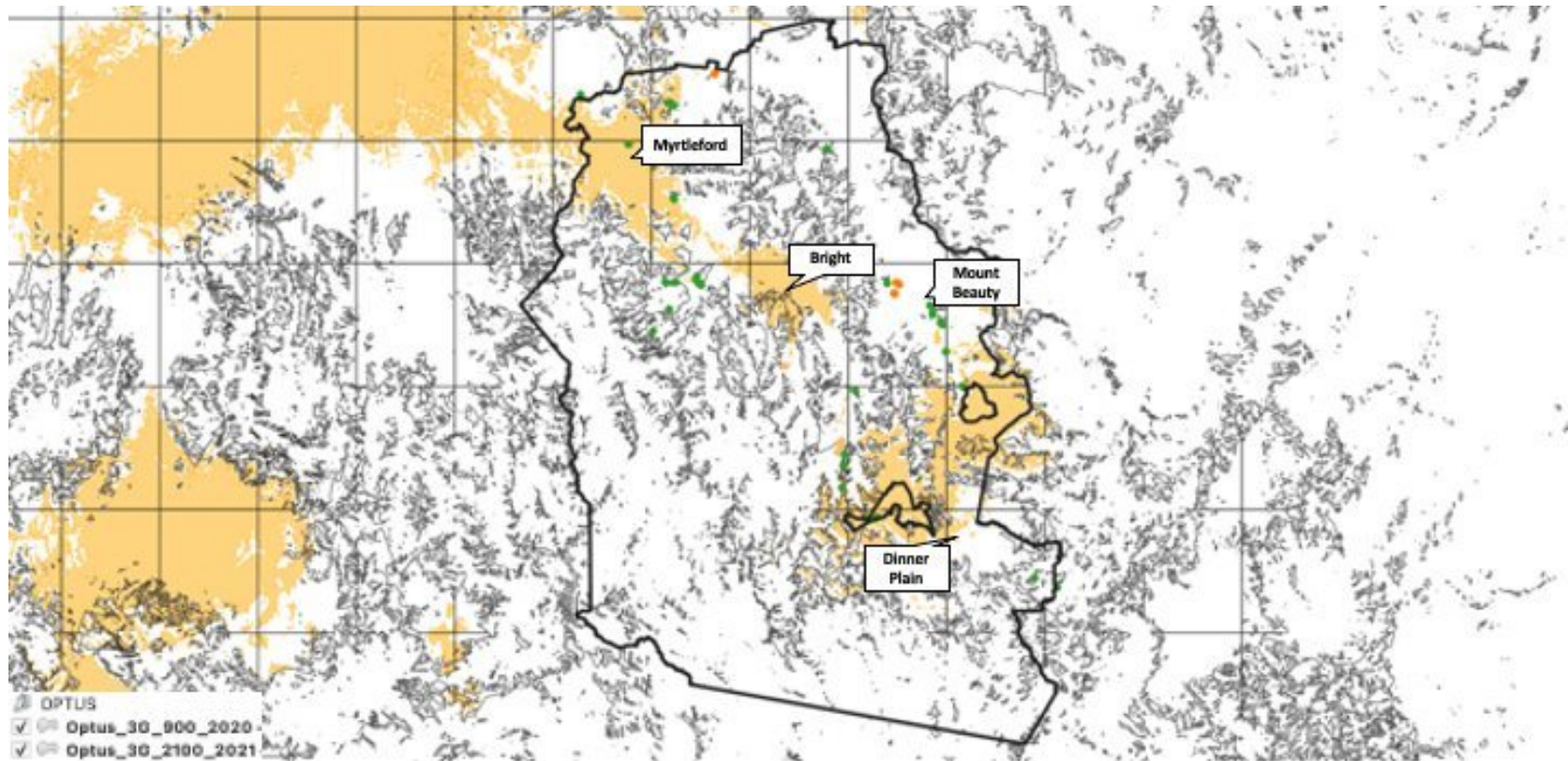




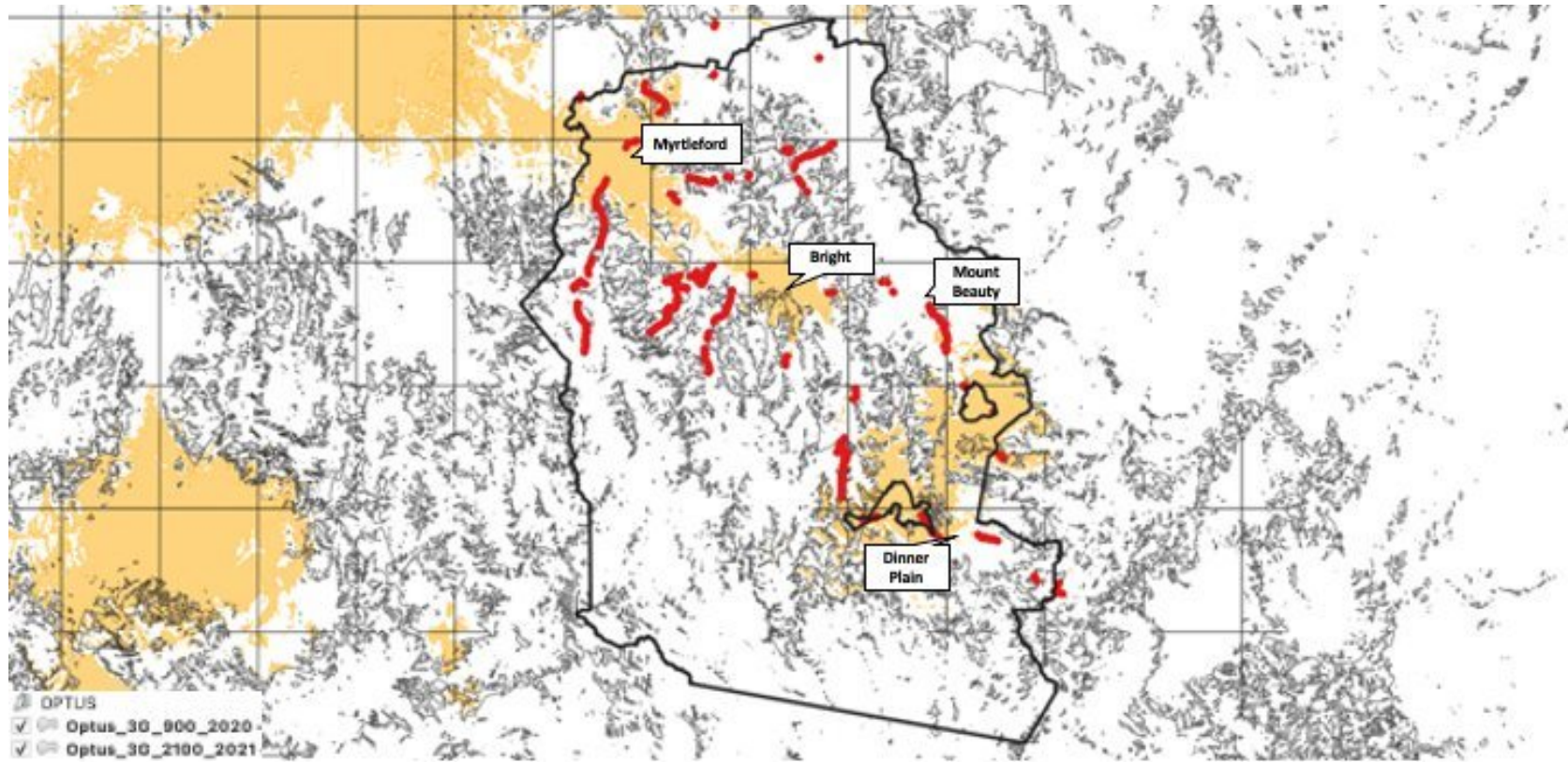
Optus 3G Signal collected



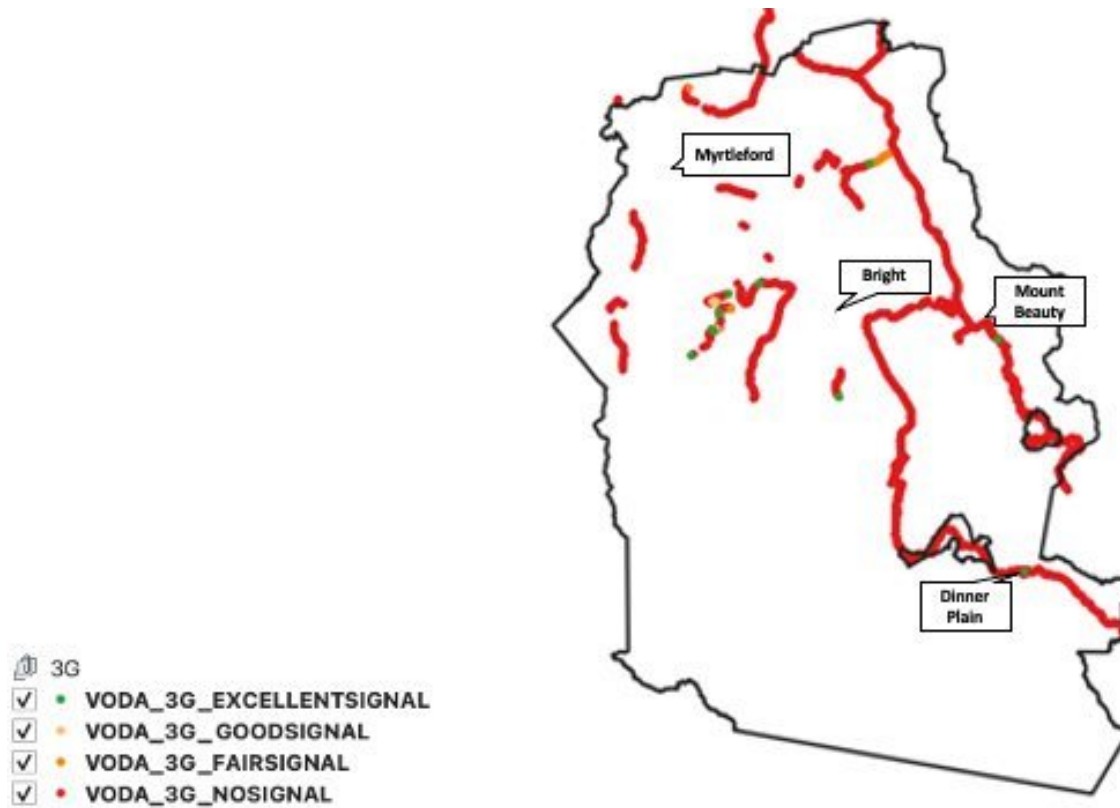
Optus 3G Excellent, Good & Fair Signal vs 3G coverage map



Optus 3G Poor & No Signal vs 3G coverage map

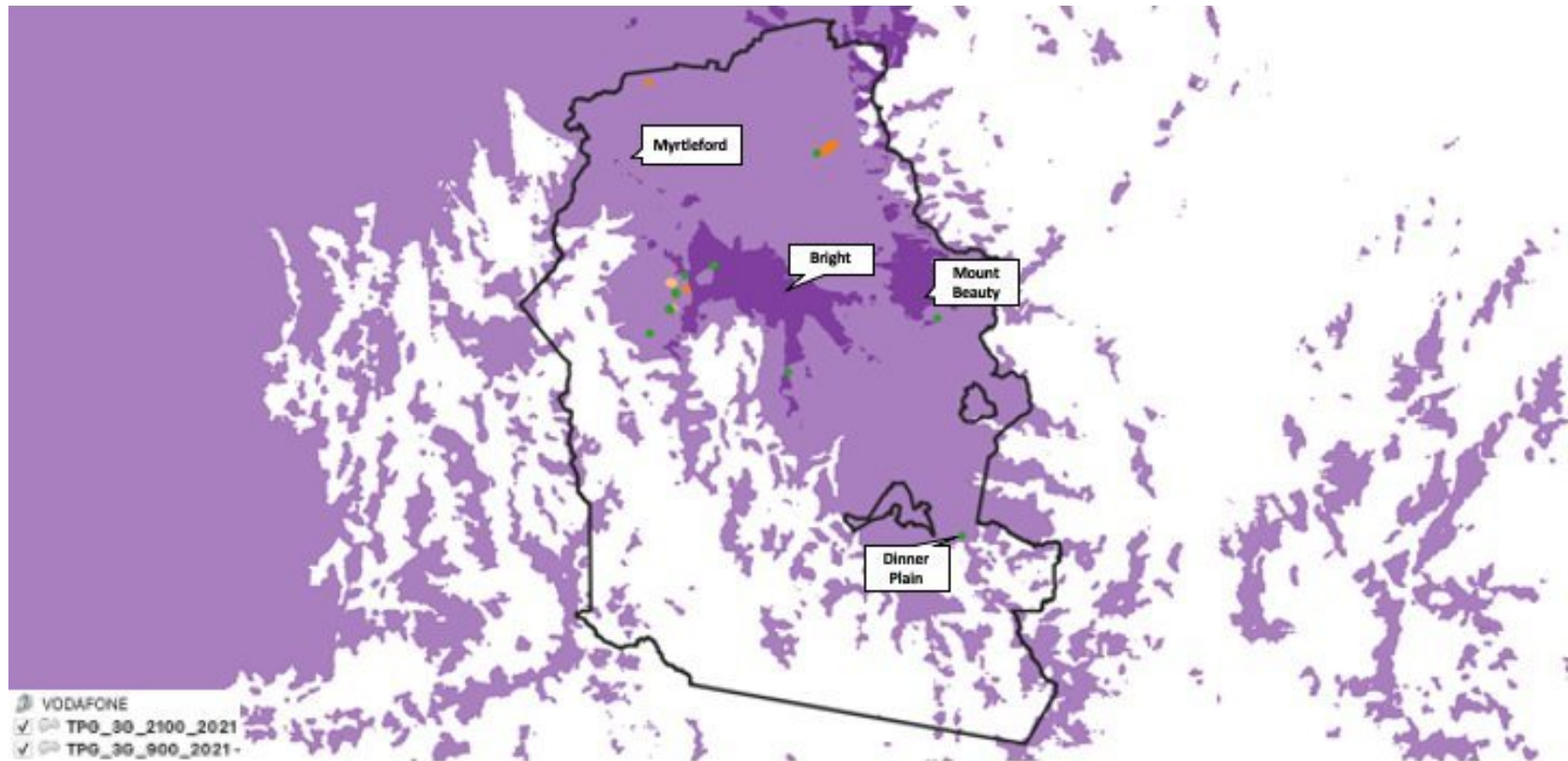


Vodafone / TPG Telecom 3G Signal collected

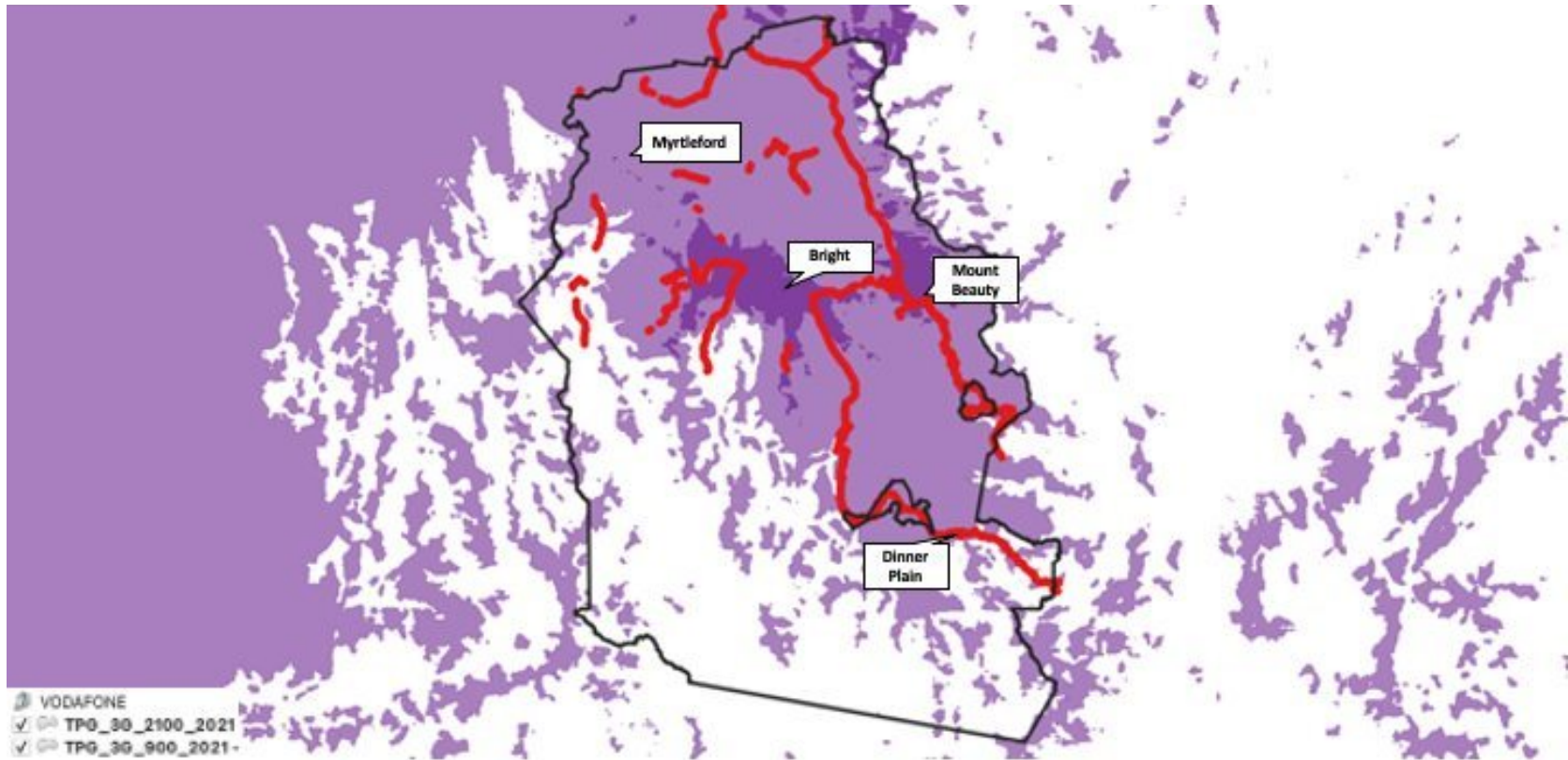




Vodafone / TPG Telecom 3G Excellent, Good & Fair Signal vs 3G coverage map

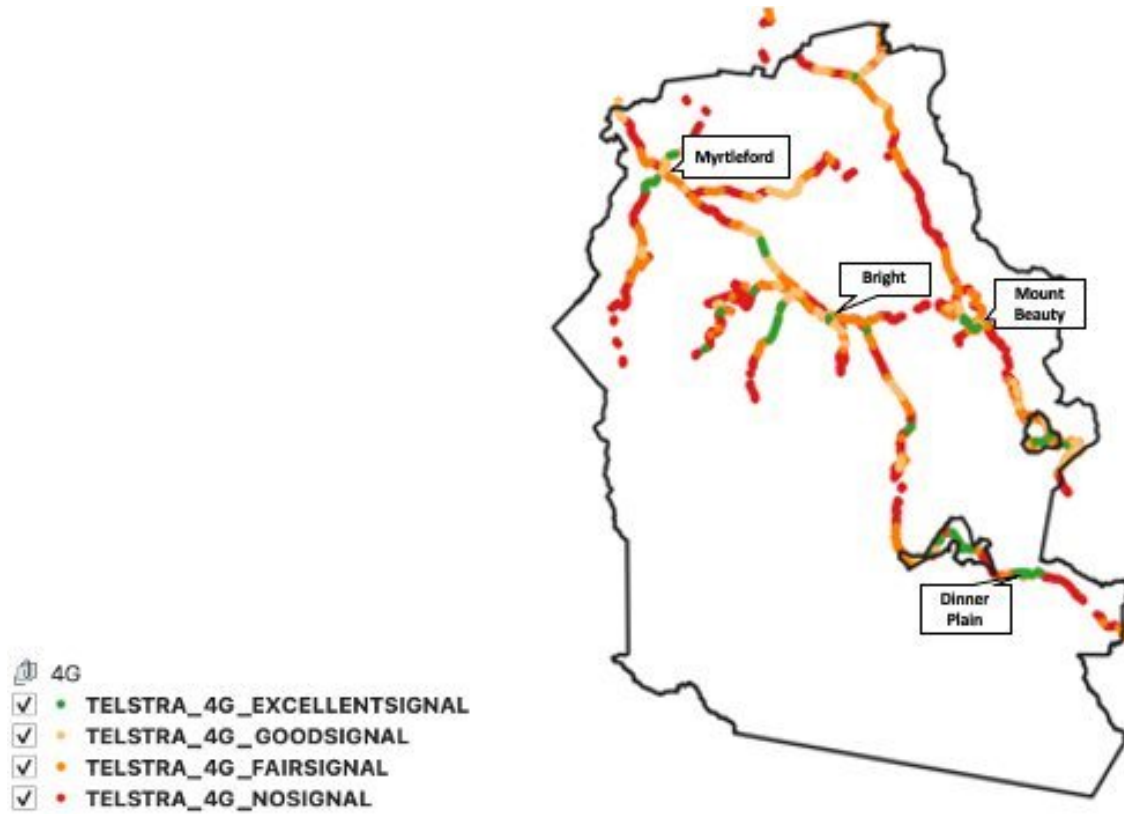


Vodafone / TPG Telecom 3G Poor & No Signal vs 3G coverage map

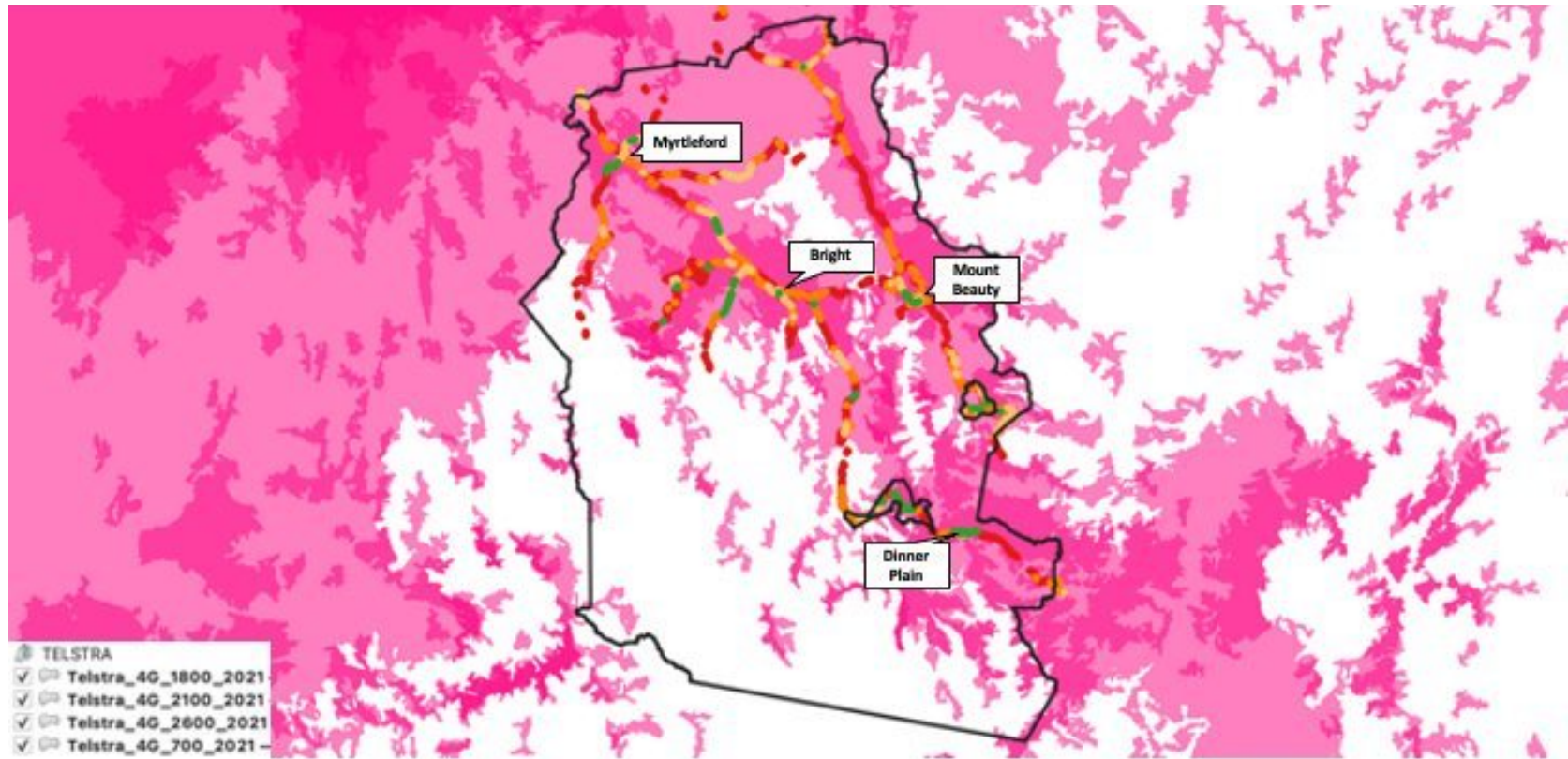


Summary of 4G mobile coverage

Telstra 4G Signal collected

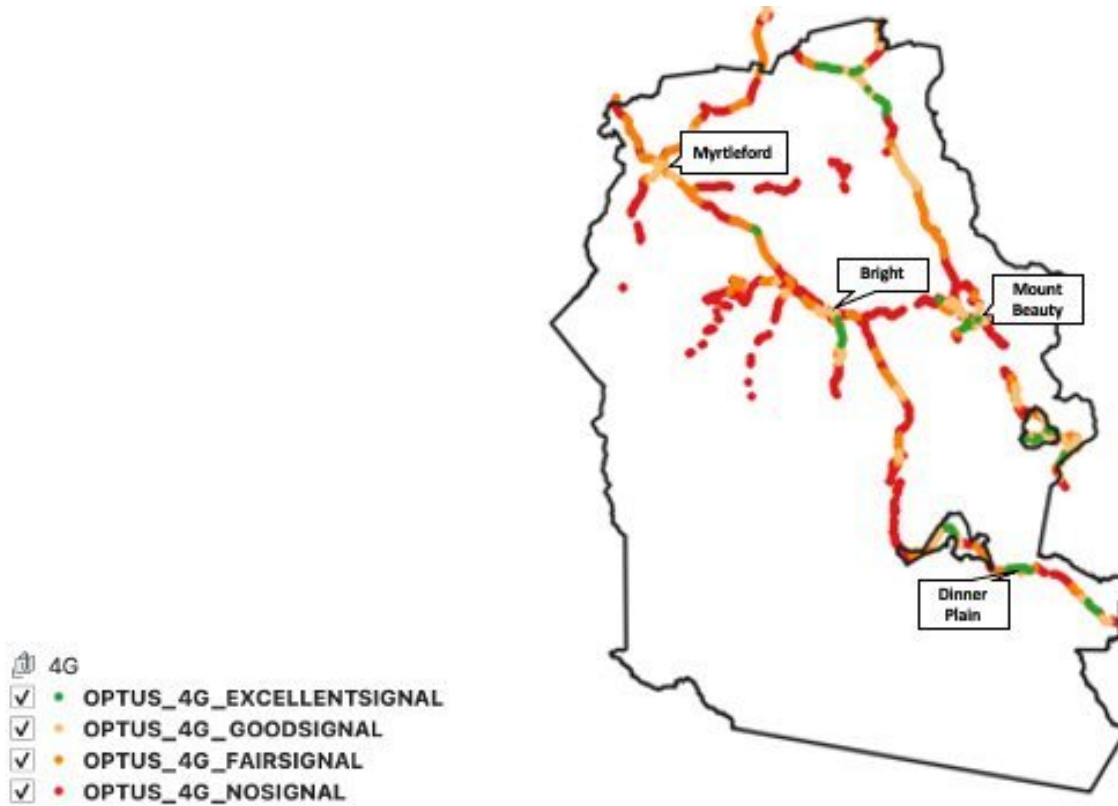


Telstra 4G Excellent, Good, Fair & Poor / No Signal vs 4G coverage map

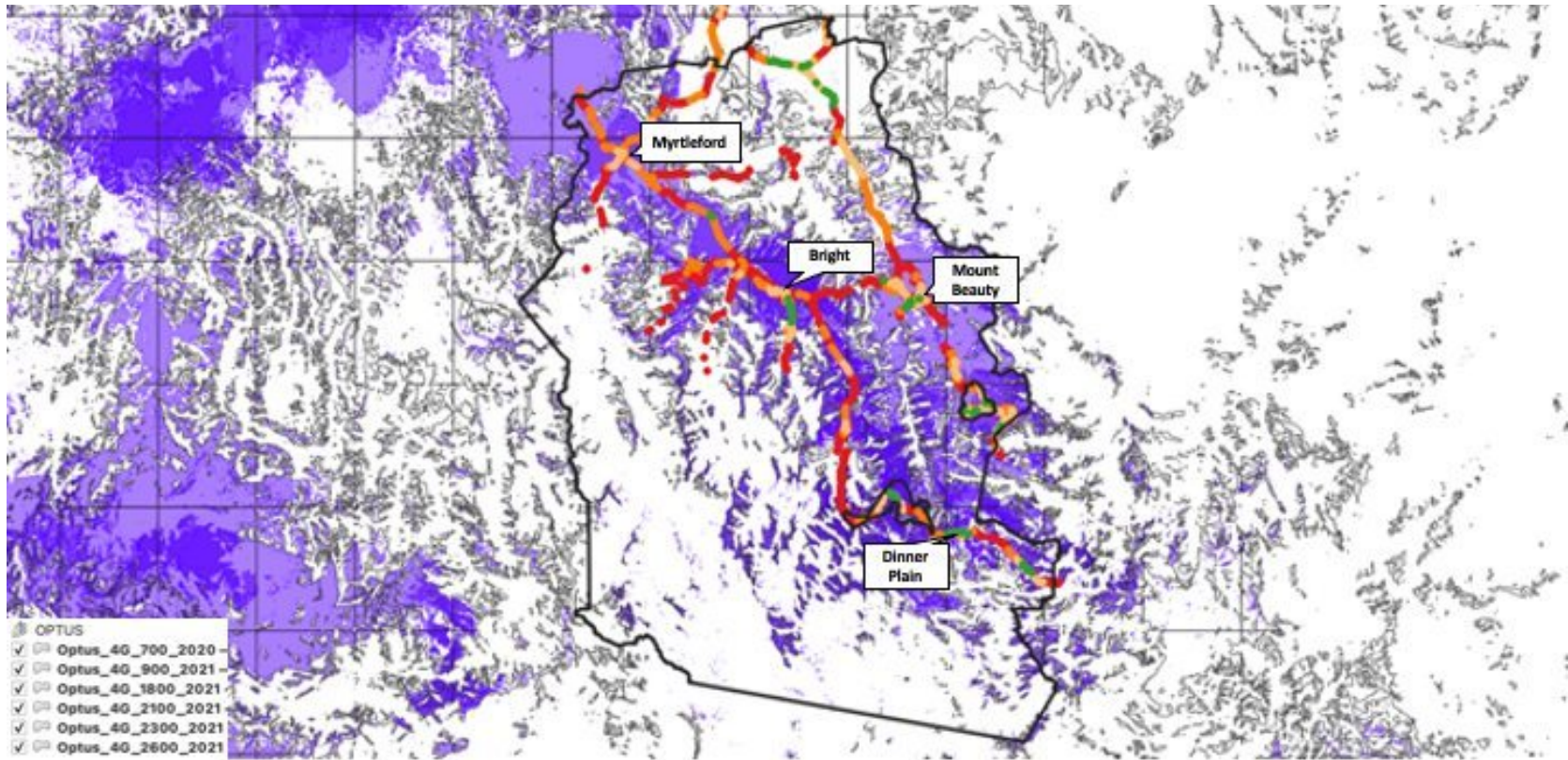




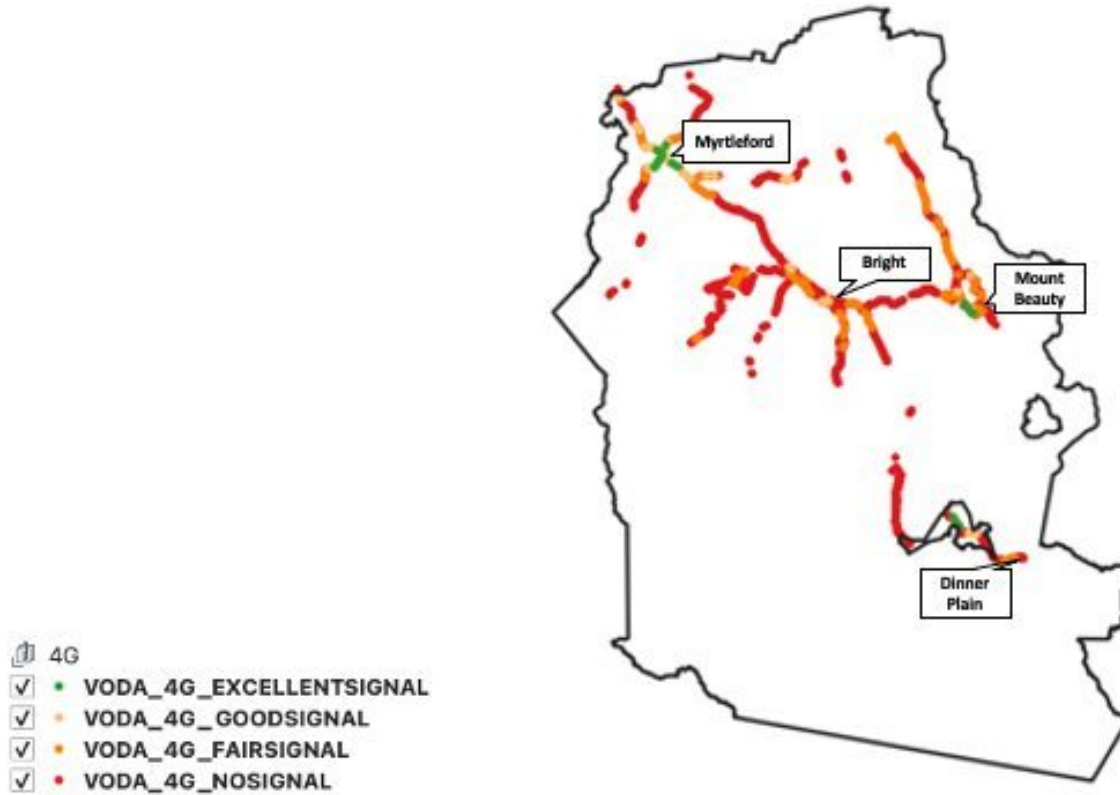
Optus 4G Signal collected



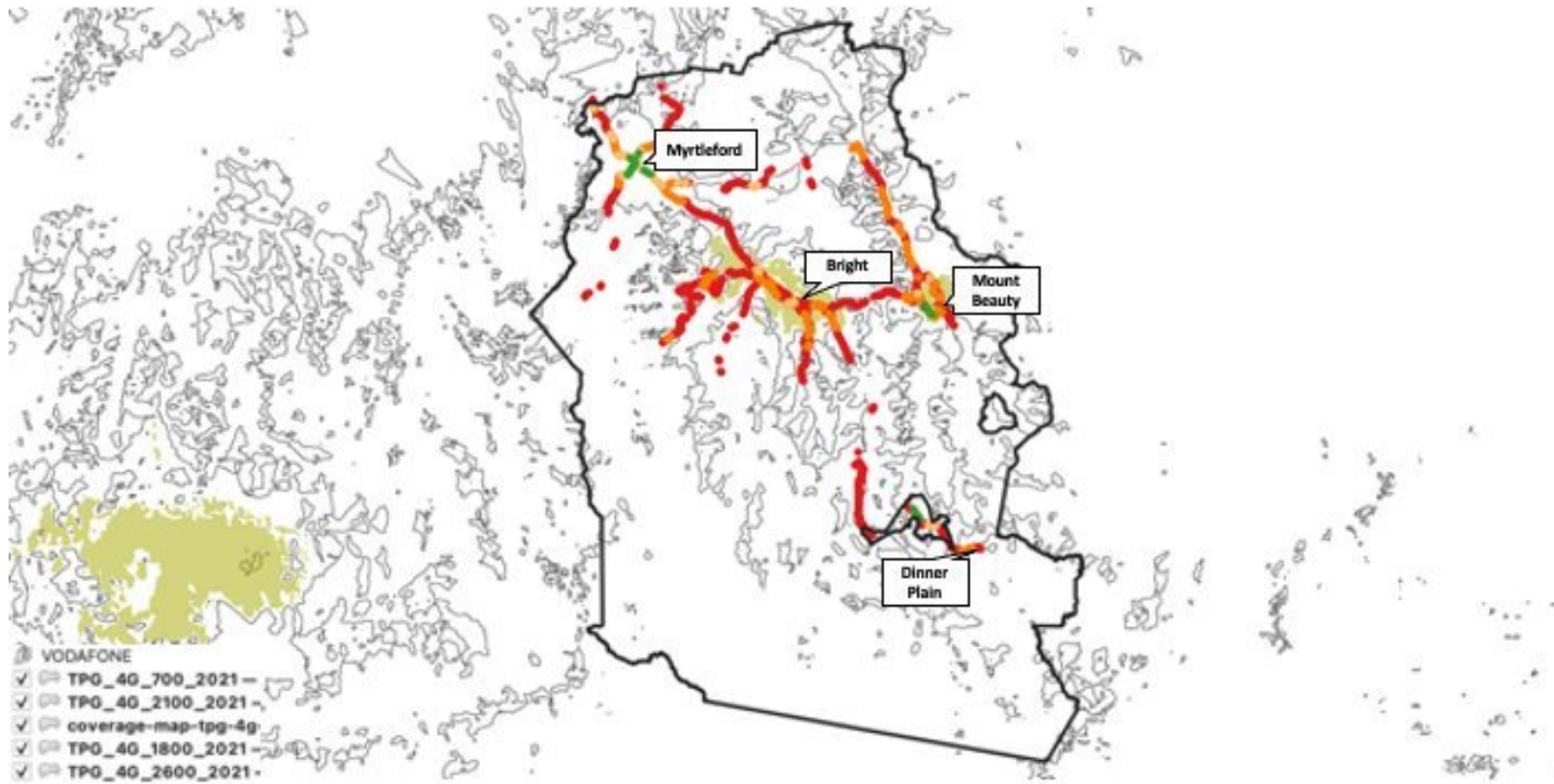
Optus 4G Excellent, Good, Fair & Poor / No Signal vs 4G coverage map



Vodafone / TPG Telecom 4G Signal collected



Vodafone / TPG Telecom 4G Excellent, Good, Fair & Poor / No Signal vs 4G coverage map



# 5. Mobile Network Technical Analysis



## Overview

Telecommunications services are vital during emergencies to keep communities safe, connected and informed. They are also crucial in coordinating response efforts to get timely information to emergency personnel during natural disasters.

However, no communications network is 100 per cent resilient to natural disasters.

The ability of agencies and citizens to respond to, and recover from, extreme weather events and other disasters is particularly reliant on the telecommunication and communications networks

For example, Mobile telecommunications services are used to provide early warning information to communities at risk of natural disasters and are essential in relief operations, for members of the community to communicate with each other and for Emergency Service Organisations to perform their duties effectively.

Assets across the sector are susceptible to physical damage from natural disasters as well as inoperability through power loss.

### Physical damage

Mobile Network Operator's (MNO) physical assets such as exchange buildings, cables, towers, microwave dishes and mobile sites are all susceptible to physical damage from natural disasters, especially in the more remote regions of Australia.

Generally, underground cables are more resilient in the face of natural disasters. By way of example, despite the severe heat experienced in the Victorian Black Saturday bushfires the vast majority of the network withstood the intensity of the fires. There was some, limited damage to a number of optical fibre pits.

Aerial cabling is also particularly vulnerable in cyclones and high winds and in flood situations poles may be washed away, leading to aerial cabling across creeks and rivers being severed.

### Power loss

Key elements of each MNO's networks rely on a continuous supply of power. These include exchanges and mobile base stations. If the power supply is disrupted, functionality may be lost to that equipment, and to the services supported by that equipment.

Fibre optic networks are no exception and require power to be available at both the switch and the customer ends of the network to remain operative. Each customer premises will require as a minimum the restoration of their domestic power for their service to be restored.

This is different to the previous Telstra copper network design where a loss of power at the customer's premises will not ordinarily impact services at the premise (unless a cordless phone is used).

### Network hardening

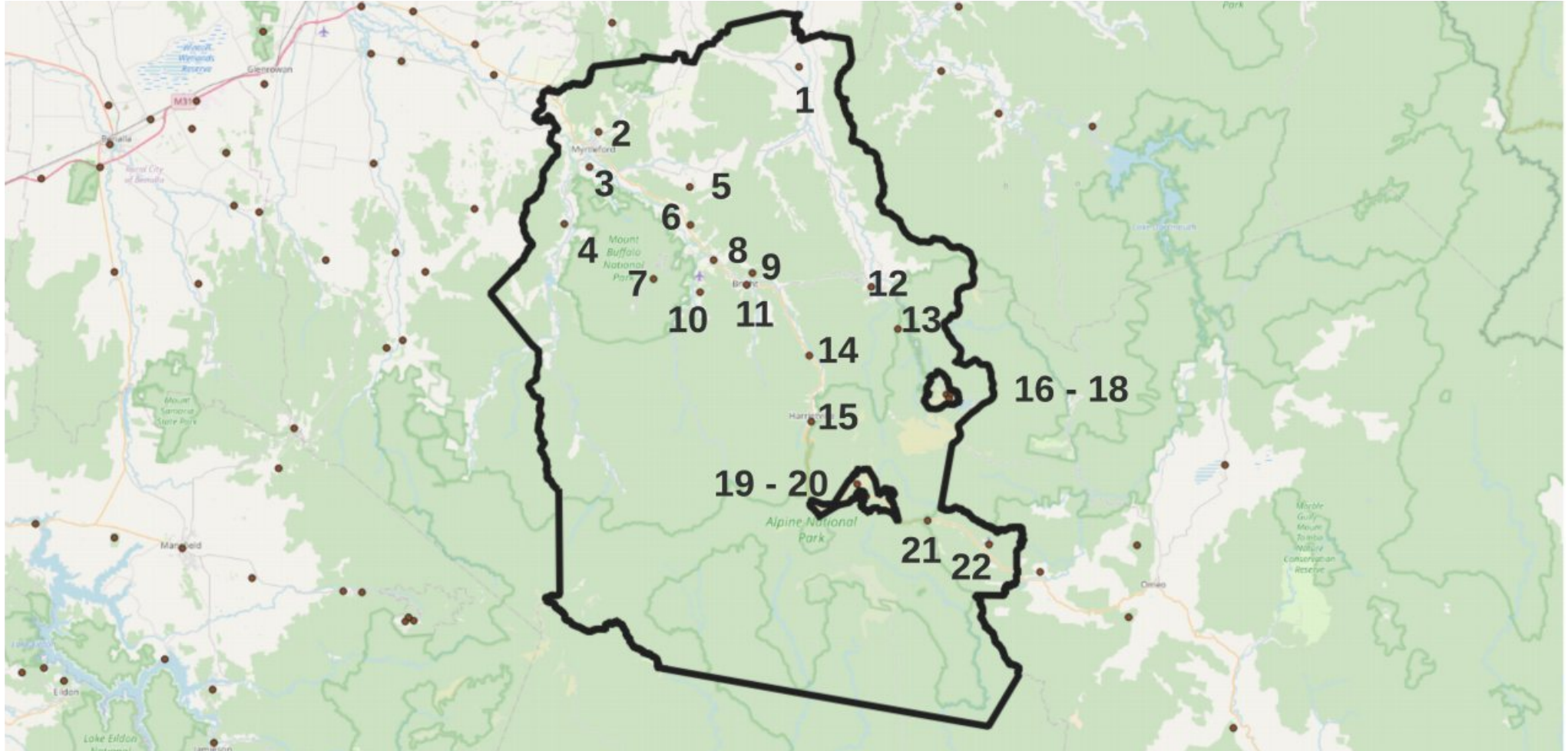
Network hardening measures at high priority locations can prevent telecommunications outages during disaster events, including:

- Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges)
- Backhaul transmission redundancy.

We have presented our technical assessment of the Telstra, Optus and TPG Telecom mobile networks in Alpine Shire over the following pages.

# Telstra – Mobile Tower Site Locations

The map below shows the current Telstra Mobile Network Site locations in the Alpine Shire Council area and are described in further detail below.



## Telstra – Mobile Tower Site Details

Site Number		IoT 700 MHz	3G WCDMA 850 MHz	3G WCDMA 2100 MHz	4G LTE 700 MHz	4G LTE 1800 MHz	4G LTE 2100 MHz	4G LTE 2600 MHz	5G NR 2600 MHz	5G NR 3600 MHz
1	Telstra Site off Crosthwaite Lane DEDERANG <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
2	Telstra RBS Site Adj 39 Briggs L <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9011065">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9011065</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
3	CMTS Site off Clemans Lane MYRTLEFORD <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301318</a>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>					
4	Telstra Site 109 McLees Road Buffalo River <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10007418">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10007418</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
5	Telstra Site 182 Havilah Road Rosewhite <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10005017">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10005017</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
6	Telstra RBS Site 6261 Great Alpine Rd Eurobin <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9010785">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9010785</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
7	Telstra Radio Terminal Mt Buffalo Chalet MT BUFFALO <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
8	Telstra Exchange 2A Seamer St Porepunkah <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10012578">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10012578</a>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>					
9	Telstra Site Apex Lookout Off Mount Porepunkah Road 1.5 km NE of BRIGHT <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
10	Telstra Site, 457 Buckland Valley Road Buckland <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10017940">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10017940</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
11	Telstra Exchange Cobden Street BRIGHT <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=304422">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=304422</a>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>					



Site Number		IoT 700 MHz	3G WCDMA 850 MHz	3G WCDMA 2100 MHz	4G LTE 700 MHz	4G LTE 1800 MHz	4G LTE 2100 MHz	4G LTE 2600 MHz	5G NR 2600 MHz	5G NR 3600 MHz
12	Telstra Tower MOUNT BEAUTY Tawonga South <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11958">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11958</a>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>				
13	Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11959</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
14	Telstra Site Lot 77 Brookes Lane (Smoko Creek Rd) SMOKO <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=304268">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=304268</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
15	Telstra Site Alpine Rd Ovens Water Tank HARRIETVILLE <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=301322">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=301322</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
16	Telstra Exchange Mount Beauty to Falls Creek Road FALLS CREEK <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=37445">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=37445</a>		<input checked="" type="checkbox"/>							
17	Telstra Site Nissen Hut 1 Village Bowl Falls Creek <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=9001889">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=9001889</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
18	Ski Patrol Buildings Falls Creek <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=55649">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=55649</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
19	Telstra Site off Alpine Road MT HOTHAM <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11997">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11997</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
20	Big D Chr Alpine Rd Hotham Heights <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=43361">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=43361</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
21	Telstra Site Dinner Plain <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=36359">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=36359</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
22	Telstra Site Great Alpine Rd Dinner Plain <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=9001993">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=9001993</a>		<input checked="" type="checkbox"/>							
New Site	Telstra Site, 10 Stony Creek Road Harrietville <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=10025578">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=10025578</a>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>					

Site Number		IoT 700 MHz	3G WCDMA 850 MHz	3G WCDMA 2100 MHz	4G LTE 700 MHz	4G LTE 1800 MHz	4G LTE 2100 MHz	4G LTE 2600 MHz	5G NR 2600 MHz	5G NR 3600 MHz
New Site	Telstra Radio Terminal Bright-Tawonga Rd GERMANTOWN <a href="https://web.acma.gov.au/rrj/site_search/site_lookup?pSITE_ID=11995">https://web.acma.gov.au/rrj/site_search/site_lookup?pSITE_ID=11995</a>	☑			☑					

Telstra uses a range of radiofrequency spectrum bands for the purpose of providing mobile services. We have provided a detailed Spectrum overview earlier in this Strategy.

In relation to 3G network provision, most Telstra Network Tower sites provide 850MHz 3G spectrum. From our analysis there is no mid band spectrum 3G provision (i.e. 2100MHz) in Alpine Shire.

In relation to 4G network provision, most Telstra Network Tower sites provide 700MHz 4G spectrum. There is provision of some mid band 4G spectrum through 1800MHz.

In relation to 5G network provision, there are no current Telstra Network Tower sites providing 5G connectivity

**Based on this assessment, it is recommended that Council advocate for Telstra to**

- provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain
- provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain

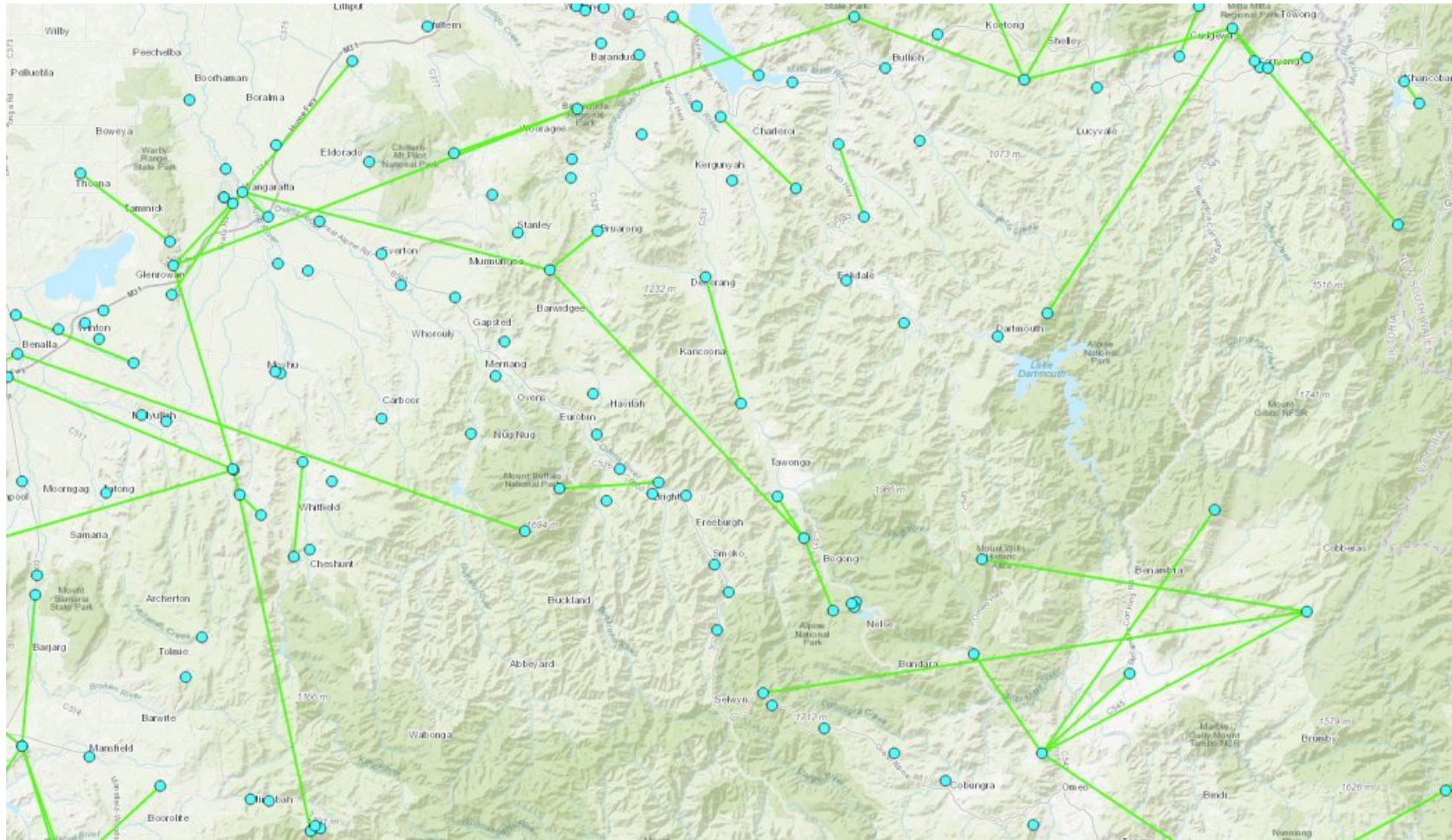
## Telstra – Interconnected Mobile Tower Sites

A number of Telstra Mobile Network sites are provided high bandwidth microwave transmission (or backhaul) from another Telstra Mobile Network sites in place of fibre optic transmission. Based on our analysis of ACMA data these sites are listed below –

Site	Parent Site	Grandparent Site
<b>Telstra CMTS Site BIG HILL</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959</a>	Comms Tower SP Ausnet Site Mt Stanley off Mt Stanley Rd STANLEY VIC 3737 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=12003">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=12003</a>	Telstra Exchange WANGARATTA VIC 3677 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11934">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11934</a>
<b>Southern Hydro site MT MCKAY VIC 3699</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11961">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11961</a>	Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959</a>	
<b>Telstra Tower TAWONGA SOUTH VIC 3699</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11958">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11958</a>	Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959</a>	
<b>Telstra Site off Crosthwaite Lane DEDERANG VIC 3691</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473</a>	Telstra Exchange CORAL BANK VIC 3691 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=37446">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=37446</a>	
<b>Telstra Radio Terminal Mt Buffalo Chalet MT BUFFALO VIC 3740</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659</a>	Telstra Site Apex Lookout Off Mount Porepunkah Road 1.5 km NE of BRIGHT VIC 3741 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994</a>	
<b>Mount Buffalo Road THE HORN VIC 3740</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=302549">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=302549</a>	Telstra Exchange 72-78 Arundel Street BENALLA VIC 3672 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11923">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11923</a>	

Based on this assessment, it is recommended that Council advocate for Telstra to

- prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.



Map showing wirelessly interconnected Telstra Tower sites.

## Telstra Mobile Tower Sites – High level Resiliency Assessment for Priority Sites

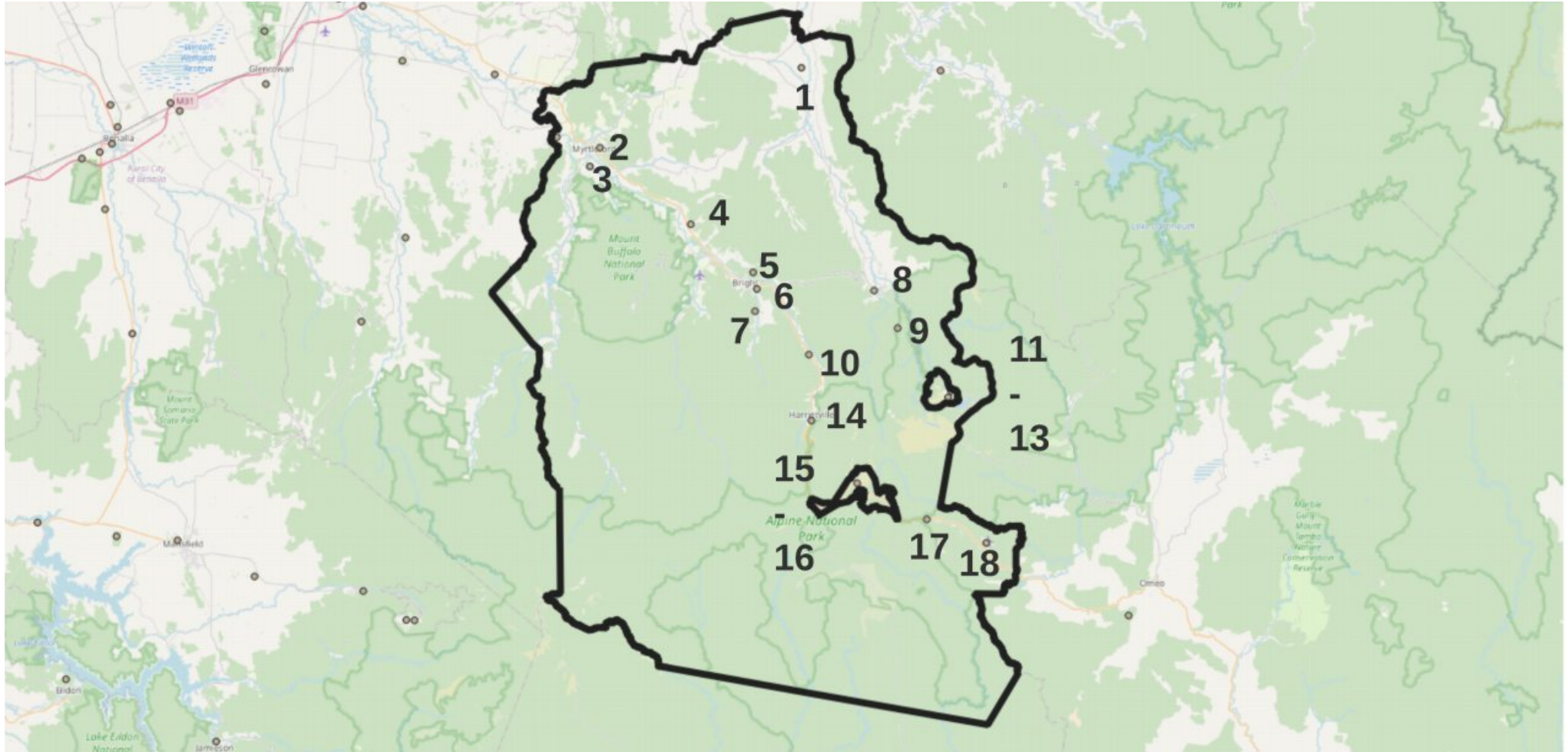
We have assessed the likely resiliency remedies for the highest and medium priority mobile tower sites in Alpine Shire, presented below.

Site Number		12 hour Backup Power upgrade	Provide redundant backhaul	Flood elevation	Emergency Power solution	Protection Zone from Natural Disaster	Priority
1	Telstra Site off Crosthwaite Lane DEDERANG <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
2	Telstra RBS Site Adj 39 Briggs L <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9011065">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9011065</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
7	Telstra Radio Terminal Mt Buffalo Chalet MT BUFFALO <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
9	Telstra Site Apex Lookout Off Mount Porepunkah Road 1.5 km NE of BRIGHT <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
12	Telstra Tower MOUNT BEAUTY Tawonga South <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11958">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11958</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
13	Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
15	Telstra Site Alpine Rd Ovens Water Tank HARRIETVILLE <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301322">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301322</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium



# Optus– Mobile Tower Site Locations

The map below shows the current Optus Mobile Network Site locations in the Alpine Shire Council area and are described in further detail below.



## Optus – Mobile Tower Sites Details

Site Number		IoT 700 MHz	3G WCDMA 850 MHz	3G WCDMA 2100 MHz	4G LTE 700 MHz	4G LTE 1800 MHz	4G LTE 2100 MHz	4G LTE 2600 MHz	5G NR 2600 MHz	5G NR 3600 MHz
1	Optus Monopole Crosthwaite La <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9001511">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9001511</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
2	SPI Tower 159 Merriang Gap Road GAPSTED <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
3	Lookout Hill Lookout Road Myrtleford <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=41099">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=41099</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
4	CMTS Site off Clemans Lane MYRTLEFORD <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301318</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
5	Optus Site Eurobin Westons Lane EUROBIN <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=135803">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=135803</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
6	Optus Site Bright Apex Lookout BRIGHT <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=135501">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=135501</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
7	Bright West 63B CHURCHILL AVENUE Bright <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10014067">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=10014067</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
8	NBN Co Site 42 White Star Road Wandiligong <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9022814">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9022814</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
9	Optus Site 233 Kiewa Valley Hwy MOUNT BEAUTY <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=303507">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=303507</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					

10	Optus Site Bogong Mt Big Hill off Mt Bogong Tourist Rd BOGONG <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=134551">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=134551</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
11	Telstra Site Lot 77 Brookes Lane (Smoko Creek Rd) SMOKO <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=304268">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=304268</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
12	Optus Site Falls Creek Bogong High Plains Rd FALLS CREEK <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135571">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135571</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
13	Optus Monopole Adj Ski Patrol Building <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9012710">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9012710</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
14	Telstra Exchange Mount Beauty to Falls Creek Road FALLS CREEK <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=37445">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=37445</a>				<input checked="" type="checkbox"/>					
15	Optus Site Fire Watch Tower Mount Hotham <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=47525">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=47525</a>				<input checked="" type="checkbox"/>					
16	Optus Site Mt Hotham Mt Hotham Summit HOTHAM HEIGHTS <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135125">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135125</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
17	Fire Station Big Muster Drv DINNER PLAIN <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=302658">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=302658</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		
18	Mt Hotham Airport Cobungra <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=10010177">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=10010177</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			



Optus uses a range of radiofrequency spectrum bands for the purpose of providing mobile services. We have provided a detailed Spectrum overview earlier in this Strategy.

In relation to 3G network provision, most Optus Network Tower sites provide 850MHz 3G spectrum with some also providing mid band 3G spectrum through the 2100MHz spectrum.

In relation to 4G network provision, all Optus Network Tower sites provide 700MHz 4G spectrum. There is provision of some mid band 4G spectrum through 1800MHz, 2100MHz and 2600MHz.

In relation to 5G network provision, there are no current Optus Network Tower sites providing 5G connectivity

**Based on this assessment, it is recommended that Council advocate for Optus to**

- provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain
- provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain

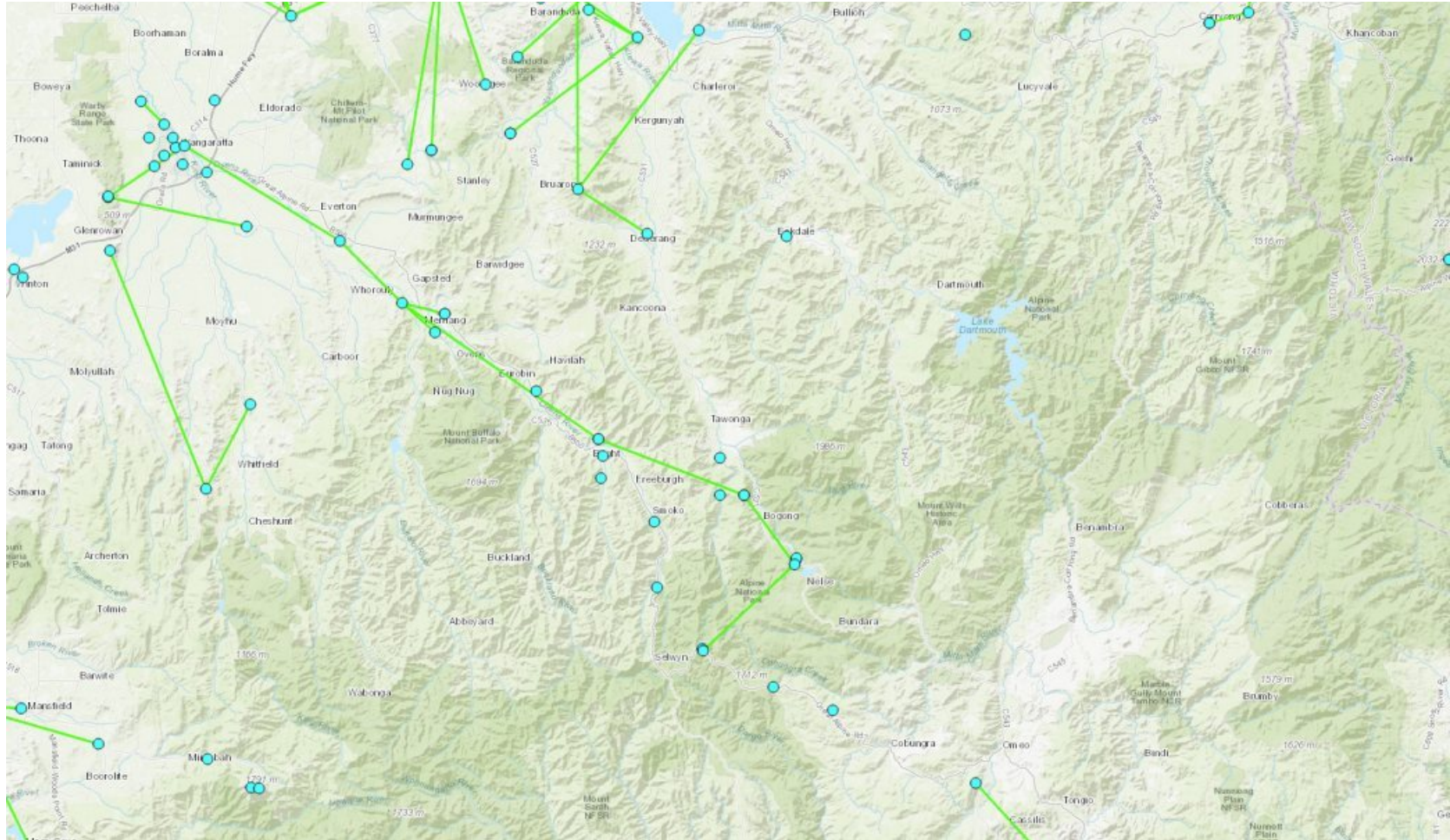
## Optus – Interconnected Mobile Tower Sites

A number of Optus Mobile Network sites are provided high bandwidth microwave transmission (or backhaul) from another Optus Mobile Network sites in place of fibre optic transmission. Based on our analysis of ACMA data these sites are listed below –

Site	Parent Site	Grandparent Site
<b>Optus Site Bogong Mt Big Hill off Mt Bogong Tourist Rd BOGONG VIC 3699</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=134551">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=134551</a>	Optus Site Bright Apex Lookout BRIGHT VIC 3741 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=135501">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=135501</a>	SPI Tower 159 Merriang Gap Road GAPSTED VIC 3737 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388</a>
<b>SPI Tower 159 Merriang Gap Road GAPSTED VIC 3737</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388</a>	Telstra Radio Terminal EVERTON VIC 3735 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=131761">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=131761</a>	Optus Site 11 Parfitt Rd WANGARATTA VIC 3677 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=54739">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=54739</a>
<b>CMTS Site off Clemans Lane MYRTLEFORD VIC 3737</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301318</a>	SPI Tower 159 Merriang Gap Road GAPSTED VIC 3737 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388</a>	
<b>Lookout Hill Lookout Road MYRTLEFORD VIC 3737</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=41099">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=41099</a>	SPI Tower 159 Merriang Gap Road GAPSTED VIC 3737 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=305388</a>	

Based on this assessment, it is recommended that Council advocate for Optus to

- prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.



Map showing wirelessly interconnected Optus Tower sites.

# Optus Mobile Tower Sites – High level Resiliency Assessment for Priority Sites

We have assessed the likely resiliency remedies for the highest and medium priority mobile tower sites in Alpine Shire, presented below.

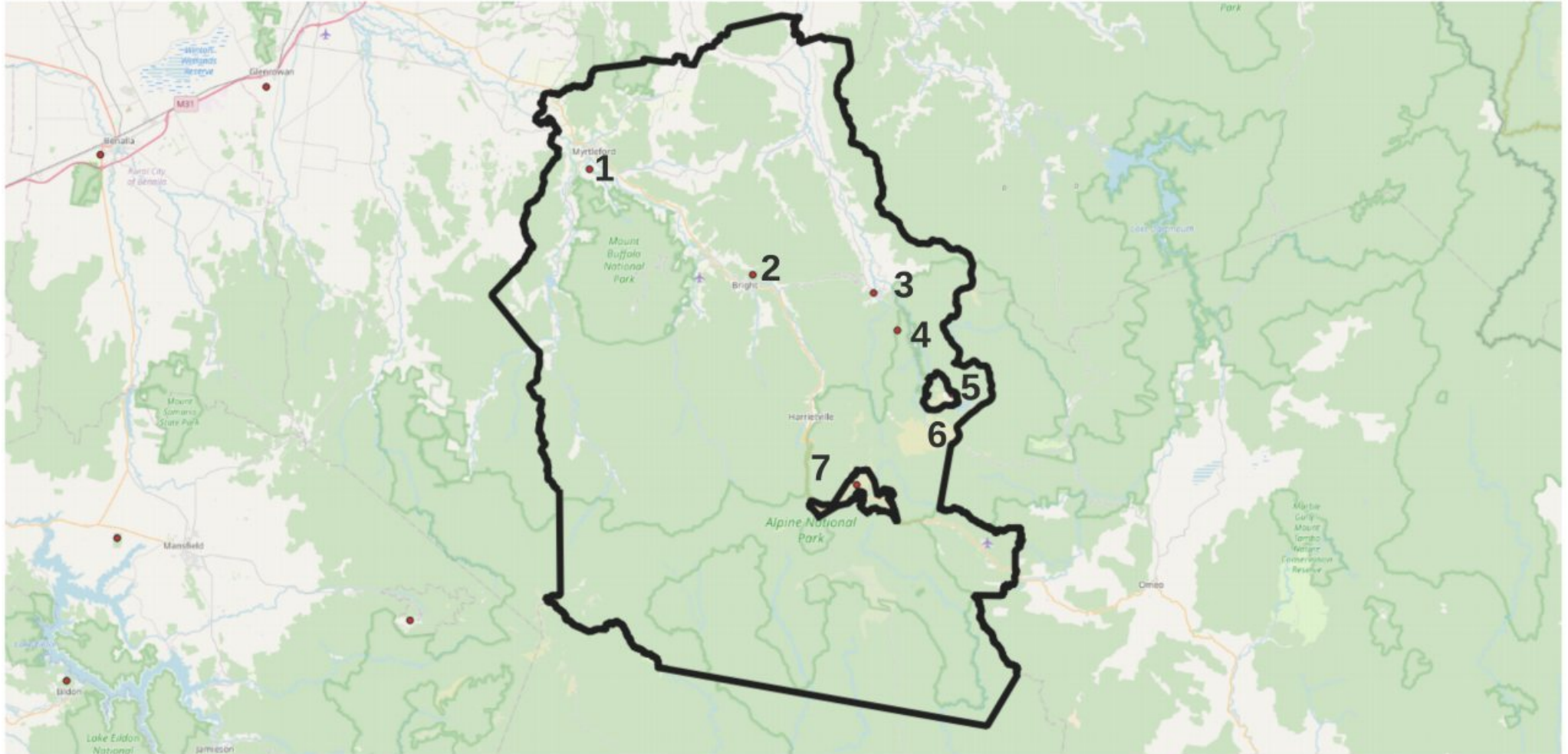
Site Number		12 hour Backup Power upgrade	Provide redundant backhaul	Flood elevation	Emergency Power solution	Protection Zone from Natural Disaster	Priority
1	Optus Monopole Crosthwaite La <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9001511">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9001511</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
2	SPI Tower 159 Merriang Gap Road GAPSTED <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=305388</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
3	Lookout Hill Lookout Road Myrtleford <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=41099">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=41099</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
4	CMTS Site off Clemans Lane MYRTLEFORD <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=301318</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
5	Optus Site Eurobin Westons Lane EUROBIN <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135803">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135803</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
6	Optus Site Bright Apex Lookout BRIGHT <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135501">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135501</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
10	Optus Site Bogong Mt Big Hill off Mt Bogong Tourist Rd BOGONG <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=134551">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=134551</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
11	Telstra Site Lot 77 Brookes Lane (Smoko Creek Rd) SMOKO <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=304268">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=304268</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
12	Optus Site Falls Creek Bogong High Plains Rd FALLS CREEK <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135571">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135571</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium

13	Optus Monopole Adj Ski Patrol Building <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9012710">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9012710</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
16	Optus Site Mt Hotham Mt Hotham Summit HOTHAM HEIGHTS <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135125">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135125</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium



## TPG Telecom / Vodafone – Mobile Tower Site Locations

The map below shows the current TPG Telecom / Vodafone Mobile Network Site locations in the Alpine Shire Council area and are described in further detail below.



## TPG Telecom / Vodafone– Mobile Tower Site Details

Site Number		IoT 900 MHz	3G WCDMA 900 MHz	3G WCDMA 2100 MHz	4G LTE 850MHz	4G LTE 1800 MHz	4G LTE 2100 MHz	4G LTE 2600 MHz	5G NR 2600 MHz	5G NR 3600 MHz
1	CMTS Site off Clemans Lane MYRTLEFORD <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=301318</a>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
2	Telstra Site Apex Lookout Off Mount Porepunkah Road 1.5 km NE of BRIGHT <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11994</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					
3	Optus Site 233 Kiewa Valley Hwy MOUNT BEAUTY <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=303507">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=303507</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
4	Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11959</a>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
5	Vodafone Site Control Centre FALLS CREEK <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=48095">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=48095</a>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
6	Optus Monopole Adj Ski Patrol Building Falls Creek <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=9012710">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=9012710</a>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					
7	Telstra Site off Alpine Road MT HOTHAM <a href="https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11997">https://web.acma.gov.au/rri//site_search.site_lookup?pSITE_ID=11997</a>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>					

TPG Telecom / Vodafone uses a range of radiofrequency spectrum bands for the purpose of providing mobile services. We have provided a detailed Spectrum overview earlier in this Strategy.

In relation to 3G network provision, most TPG Telecom / Vodafone Network Tower sites provide 900MHz 3G spectrum with some also providing mid band 3G spectrum through the 2100MHz spectrum.

In relation to 4G network provision, all TPG Telecom / Vodafone Network Tower sites provide 850MHz 4G spectrum with little to no provision of mid band 4G spectrum through 1800MHz, 2100MHz and 2600MHz.

In relation to 5G network provision, there are no current TPG Telecom / Vodafone Network Tower sites providing 5G connectivity

**Based on this assessment, it is recommended that Council advocate for TPG Telecom / Vodafone to**

- provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain
- provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 1800MHz, 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain

## TPG Telecom / Vodafone– Interconnected Mobile Tower Sites

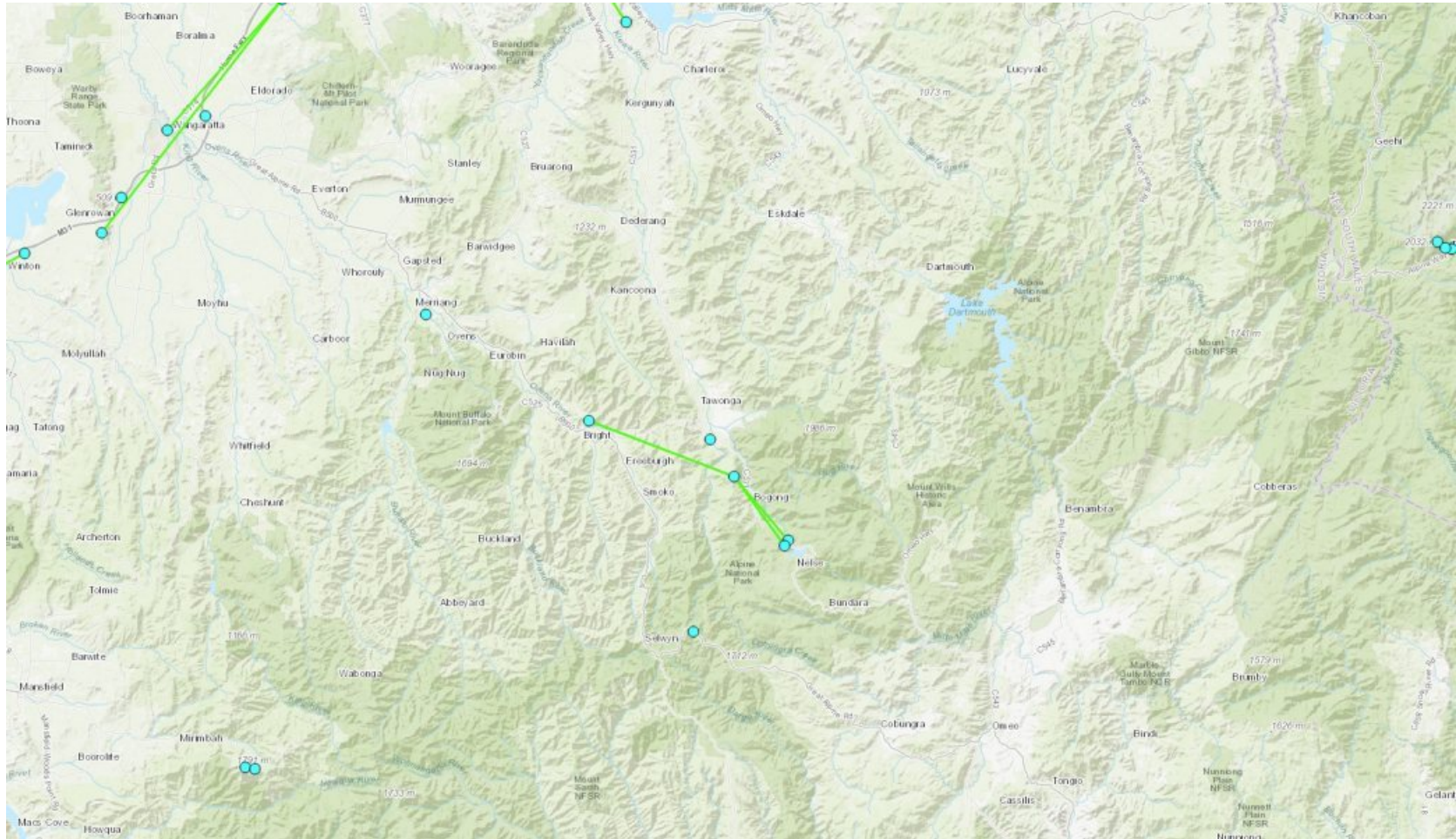
A number of TPG Telecom / Vodafone Mobile Network sites are provided high bandwidth microwave transmission (or backhaul) from another TPG Telecom / Vodafone Mobile Network sites in place of fibre optic transmission. Based on our analysis of ACMA data these sites are listed below –

Site	Parent Site	Grandparent Site
<b>Telstra CMTS Site BIG HILL</b> <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959</a>	Telstra Site Apex Lookout Off Mount Porepunkah Road 1.5 km NE of BRIGHT VIC 3741 <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994</a>	

**Based on this assessment, it is recommended that Council advocate for TPG Telecom / Vodafone to**

- prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.





Map showing wirelessly interconnected TPG Telecom / Vodafone Tower sites.



## TPG Telecom Mobile Tower Sites – High level Resiliency Assessment for Priority Sites

We have assessed the likely resiliency remedies for the highest and medium priority mobile tower sites in Alpine Shire, presented below.

Site Number		12 hour Backup Power upgrade	Provide redundant backhaul	Flood elevation	Emergency Power solution	Protection Zone from Natural Disaster	Priority
1	CMTS Site off Clemans Lane MYRTLEFORD <a href="https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=301318</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
2	Telstra Site Apex Lookout Off Mount Porepunkah Road 1.5 km NE of BRIGHT <a href="https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=11994</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High
3	Optus Site 233 Kiewa Valley Hwy MOUNT BEAUTY <a href="https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=303507">https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=303507</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Medium
4	Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrtl/site_search.site_lookup?pSITE_ID=11959</a>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	High

# 6. Issues, Challenges & Advocacy

## Key Issues

### Current Challenges

The following challenges have been identified:

#### The importance of highly connected service centres

In the Alpine Shire region, there are several very important 'service centre' townships (Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford) with a growing resident population that provide the local areas with essential services. It is essential that advocacy and prioritisation efforts are concentrated on the provision of better connectivity to these centre's than towns with higher populations that are easier to reach due to their geographic proximity and more attractive for investment by telecommunication providers.

#### Mobile Network Coverage, Capacity and Choice

Due to the nature of the Mobile Network Operator market, it is not commercially feasible for these operators to build ubiquitous mobile networks across any region in Australia including Alpine Shire. Whilst some lower populated areas are not expected to have access to 4G networks for the foreseeable future, several higher population growth locations have been recommended for prioritisation to improve mobile network coverage, capacity and choice.

#### NBN Infrastructure access & suitability

Several key townships in Alpine Shire are currently only served by NBN Fixed Wireless and Satellite. Additionally, other key centres are currently served by Fibre to the Node (FttN) infrastructure. Whilst these technologies are essentially fit for purpose for 2022, it is arguable that by 2030 and the subsequent decade that Fixed Wireless, Satellite and Fibre to the Node technologies will not serve the capacity

demands of households, businesses and other connectivity requirements such as growing Internet of Things connections.

#### Solving 'Last Mile' connectivity alternatives

The NBN enjoys a near monopoly position as the last mile fixed line network provider in Australia. However, in many areas there is evidence of frustration with service delivery and connection issues that result in either a diminished outcome or the inability to access an NBN service outright. More populated areas are seeing the introduction of alternatives to NBN such as high-speed wireless services and 5G Fixed Wireless.

#### Improvements to Satellite access

For rural and remote Australia, satellite networks have the attraction of offering additional bandwidth to connect these regions to international destinations. Satellite broadband services provide 100 per cent coverage of Australia's land area. However, the high costs and low speeds of satellite technologies have relegated them to be truly a last-option broadband technology. New low-earth orbit (LEO) satellites could potentially offer significant speed, performance and latency improvements towards the middle of the coming decade. Early LEOSat services such as Starlink are becoming available now as a high cost 'beta' service but will need to be accessible at lower pricing in the future.

#### Lack of access to LPWAN networks

Low-power wide area networks (LPWAN) is a wireless wide area network technology that interconnects low-bandwidth, battery-powered devices with low data rates over long ranges. Created for internet of things (IoT) networks, LPWANs operate at a lower cost with greater power efficiency than traditional mobile networks. They are also able to support a greater number of connected devices over a larger area.

Ensuring future connectivity is fit for purpose

As digital connectivity continues to embed itself as an essential 21<sup>st</sup> century utility, the importance of ensuring connectivity infrastructure is fit for purpose for not just now but for coming decades in the most efficient way possible is paramount. Policies such as ‘Dig Once’ can ensure that the required passive infrastructure such as Ducts and Pits are installed in new development areas and construction projects enabling easier and cheaper installation of effective and competitive telecommunication infrastructure.

## Advocacy Priorities

In the area of Telecommunications and Digital Connectivity, there are several key Federal and State Government Departments, Telecommunications Carriers and Service Providers and Industry Organisations that all regional stakeholders should maintain regular contact with to advocate for improvements and funding opportunities.

It is recommended that regional stakeholders should prioritise their finite resources for advocacy in accordance with the following section:

National Broadband Network

**Areas for Alpine Shire advocacy include specific items outlined in the Action Plans later in this strategy and generally the following:**

- **NBN infrastructure improvements and extensions**
- **Business grade NBN access**
- **Satellite technology improvements**

Stakeholder	Frequency
NBN (Vic Stakeholder Relations representative)	Bi-annually
Federal Local Members	Annually
Department of Infrastructure, Transports, Regional Development and Communications	Annually
DJPR (Victorian State Government)	Annually

In relation to advocacy for improvements to NBN Satellite capacity and service levels, we recommend that Alpine Shire Council concentrates on advocating for longer term improvements by NBN and the Federal Government in the potential use of LEO Sat technologies as any immediate improvements by NBN in this area would be of incremental benefit at best.

Mobile Network coverage, capacity and choice

**Areas for Alpine Shire advocacy include specific items outlined in the Action Plans later in this strategy and generally the following:**

- **Mobile network blackspots and Commonwealth Mobile Coverage Blackspot program funding**
- **Uplift of Mobile network capacity in key centres**
- **Shared infrastructure opportunities**
- **Low Power Wireless Networks for Sensors delivered by mobile networks**

Stakeholder	Frequency
Mobile Carriers Forum	Annually
Telstra	Annually
Optus	Annually
TPG Telecom	Annually

Federal Local Members	Annually
Department of Infrastructure, Transports, Regional Development and Communications	Annually
DJPR (Victorian State Government)	Annually

Last mile connectivity alternatives and Fibre Backhaul

Areas for Alpine Shire advocacy include specific items outlined in the Action Plans later in this strategy and generally the following:

- High speed Network alternatives to NBN (Fixed Wireless, Microwave etc.)
- Low Power Wireless Networks for Sensors delivered by non-mobile networks
- Increased opportunities for Fibre Backhaul connectivity

Stakeholder	Frequency
QCN	Annually
LPWAN vendor(s)	Annually
Federal Local Members	Annually
Department of Infrastructure, Transports, Regional Development and Communications	Annually
DJPR (Victorian State Government)	Annually

In relation to advocacy with Fibre Backhaul providers such as Telstra and others, we recommend that Alpine Shire focuses its finite advocacy efforts on “Last Mile Connectivity” like NBN uplift and Mobile Network coverage, capacity and choice improvements, which will provide the most benefit for the region.

# 7. Future State Connectivity


## Connectivity technologies are improving rapidly





The days of dial-up, when the internet moved at a glacial pace, are now a distant memory. Today technology heeds our commands at the touch of a button. But even in urban areas, the digital world is not as fast and responsive as it could be. Calls still drop, connections go down, large files fail to download, and videos freeze for buffering.

All that is about to change, and quickly, thanks to the next generations of fixed and mobile connectivity as well as the proliferation of some existing technologies. More than any single advance on its own, it is the convergence of these developments that could enable new capabilities and create a more connected world.

In the coming years, connections could be 10 times faster, with a new level of reliability and stability. As latency improves by up to 50 times, applications will respond seamlessly to commands. Consumers could enjoy instant high-definition video streaming and even new types of immersive experiences with augmented and virtual reality.

### Connectivity Technologies towards 2030

Connectivity Technology	Description	Applicability & timeline for ALPINE SHIRE
 Low to mid band 5G	High-speed, low-latency cellular connectivity overlay on existing 4G infrastructure	<ul style="list-style-type: none"> <li>Highly applicable upgrade to all current 4G and 3G networks</li> <li>By 2025 for all Towns in ALPINE SHIRE</li> </ul>

 Fibre to the Premise	High-speed, low-latency fixed networks that support other connectivity	<ul style="list-style-type: none"> <li>Highly applicable upgrade to all current NBN in township areas</li> <li>By 2030 for all Towns in ALPINE SHIRE</li> </ul>
 LPWAN	Low-power and low-maintenance networks that support high densities of connected devices	<ul style="list-style-type: none"> <li>Highly applicable to Agricultural areas</li> </ul>
 LEO Satellite	Global coverage with significantly reduced latency vs. existing satellite offerings	<ul style="list-style-type: none"> <li>Highly applicable upgrade to NBN Satellite</li> <li>Dependent on NBN upgrading to LEO Satellite technology or alternative provider (i.e., Starlink)</li> </ul>
 High band 5G	Highest speed, low latency, and highly secure cellular connectivity	<ul style="list-style-type: none"> <li>Highly applicable enhancement to 5G networks</li> <li>By 2030 for all Towns in ALPINE SHIRE</li> </ul>

## Mobile (Cellular)

### 5G

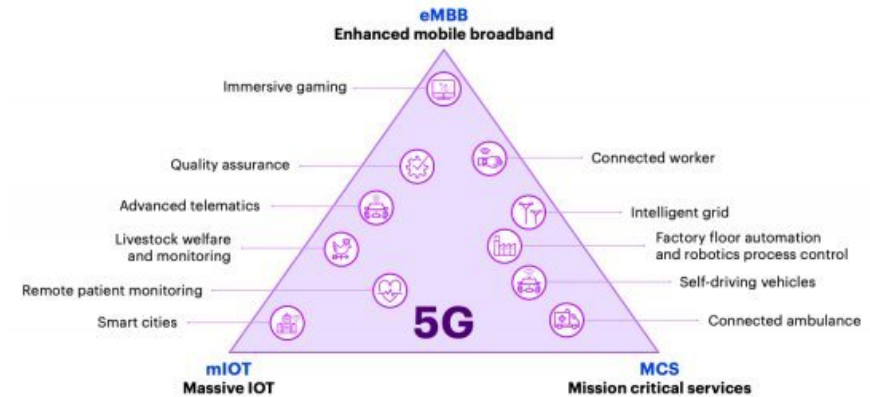
In terms of mobile coverage, providers are upgrading existing 4G infrastructure with low- to mid-band 5G network overlay. The end results of these upgrades will vary depending on the spectrum used and tower density. But in general, these low- to mid-frequency 5G networks can offer significant improvements in speed and latency, all while supporting a greater density of connected devices.

High-band (also known as millimetre-wave or standalone) 5G networks represent a step change in performance. Designed to be the most ultra-fast mobile option, high-band 5G promises to put the speed, latency, reliability, and security of fibre in the air, expanding what mobile devices can do. Because this requires a highly densified radio access network, an upgraded 5G core network, and upgraded network support systems, these networks are highly capital-intensive to build. Users will also need to upgrade to 5G-capable devices in order to experience the full benefits. Some companies will connect to commercially available services, while others may opt to build their own private 5G networks.

5G will lay the platform for the anticipated surge in connected devices and sensors by making more efficient use of spectrum and core networks than 3G and 4G technologies.

The improved connectivity offered by 5G will enable the potential of emerging technologies including augmented and virtual reality, autonomous vehicles, machine learning and robotics to be explored.

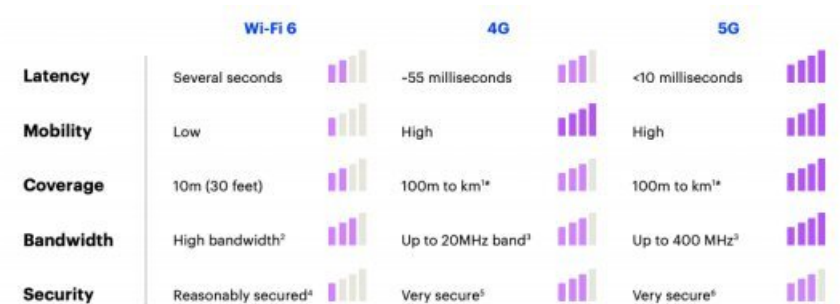
5G can better handle the increasing number of wireless devices being used simultaneously, so it will also facilitate greater use of Internet of Things (IoT).



IoT is currently enabled by 4G and other networks and in 2017 its adoption in the Australian consumer market rose by 55 per cent. In addition, government investment in and use of sensor technologies is becoming more compelling as they are capable of gathering more information and data, become self-powering and cheaper.

Business and industry use of IoT solutions is driving exponential growth and it is predicted that the existing 4G network will be unable to cope with the projected growth in data and devices - driving the need for 5G.

### Comparing 5G to other Technologies





With 4G, consumers can already stream media with fast download rates, but 5G takes this a step further. 5G has faster bi-directional connectivity and enhanced latency that can unlock many use cases across industries that 4G could not, such as augmented or virtual reality. 5G also offers several important benefits compared to WiFi-6. While WiFi-6 offers low cost and high speed, it lacks wireless mobility, reliability over wide-area coverage and the low latency benefits of 5G.

## Fibre Optic

On the fixed line side, fibre optic networks continue to expand.

There are a few types of fibre connections:

- Fibre to the Premises (FTTP) – fibre optic cable is laid all the way to a home or business premises. High capacity services for businesses can be installed using a Point to Point architecture as compared to the NBN Fibre to the Premise which uses a Passive Optical Network architecture.
- Fibre to the Curb (FTTC) – fibre optic cable is laid to your kerb or driveway, and then connects to an existing copper phone line.
- Fibre to the Node (FTTN) – fibre optic cable is laid to a central point in a locality, and then connects to the existing copper phone line for each premise.
- Fibre to the Building (FTTB) – in an apartment building, fibre optic cable is laid to a central point, and then connects to the existing copper phone line for each apartment or office premises.
- Cable (aka Hybrid Fibre-Coaxial, or HFC) is a broadband technology that uses the sort of cable used by pay TV to connect you to the world wide web.

## WIFI 6

Once a location is wired with fiber, the next generation of Wi-Fi (Wi-Fi 6) will improve speeds while supporting many more connected devices. Wi-Fi 6 will make the biggest difference in crowded environments such as airports, apartment buildings, theatres, stadiums, public spaces, and homes with multiple internet users and smart gadgets.

It also extends the battery life of smart devices and IoT sensors by employing “target wake time,” which recognizes higher data transmission times instead of continuously scanning for signals. Users need to have Wi-Fi 6-ready devices, however.

## LPWAN

Low-power wide-area networks (LPWANs) provide connectivity over broader areas and longer ranges. Different protocols, such as LoRa, NB-IoT, and Sigfox, compete in this realm, with no clear winner at this stage. Since LPWANs require less power from the devices they connect, they could enable batteries in those devices to last 10 years or more. This could set the stage for billions of additional battery-powered devices and sensors to come online. Beyond network developments, IoT sensors themselves are becoming more sophisticated and robust. They can perform more complex tasks, from location tracking and temperature measurement to small-scale processing. Even as they gain capabilities, unit prices are rapidly declining.

## LEO Satellites

Like 5G, Low Earth Orbit (LEO) satellites enable other technologies, but their viability is less certain. If successful, they could deliver a breakthrough—not necessarily in network performance but in breadth of coverage. They could cover parts of the world where the economics do not work for laying fiber or building networks of towers (although providing coverage requires a constellation of many satellites orbiting at once). LEO satellite constellations could potentially substitute for mobile backhaul in disadvantaged or remote areas, essentially beaming broadband down from above, and providing coverage to those who lack connectivity today. The next generation of LEO satellite constellations promise substantial improvements over versions launched in the 1990s. However, OneWeb and SpaceX are the only companies to launch test satellites (as of this writing), and no commercial services are yet available.

# 8. High Level Options & Action Plan

## Recommended Options

### Network Resiliency focus

Careful analysis has been undertaken to identify Mobile Network Tower sites to be prioritised for resiliency upgrades.

These upgrades may comprise either one or several of the following:

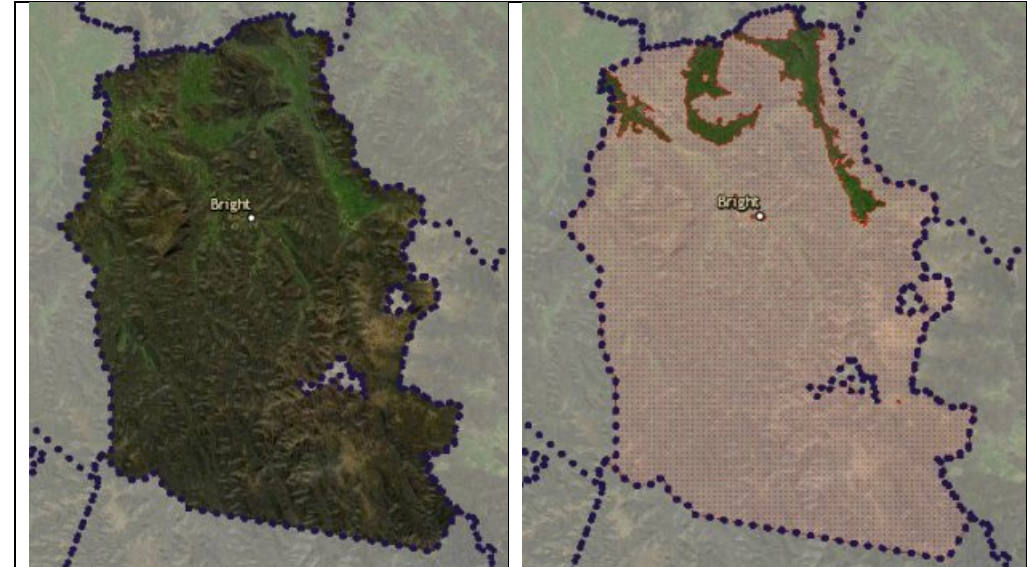
- the deployment of new generators;
- the upgrading of battery systems to increase power capacity;
- the addition of battery extension devices to enhance existing capacity;
- improving transmission resilience within interconnected mobile network clusters;
- and the physical hardening of sites against bushfire damage.

Our recommended baseline metrics for appropriate resiliency for mobile networks include –

- upgrading power capacity to a minimum of 12 hours;
- provision of redundant backhaul;
- flood elevation;
- emergency power solutions, including generators, to rapidly restore services during or after a Natural Disaster event;
- expanding or enhancing a protection zone around a site to increase its resilience to a Natural Disaster threat; or

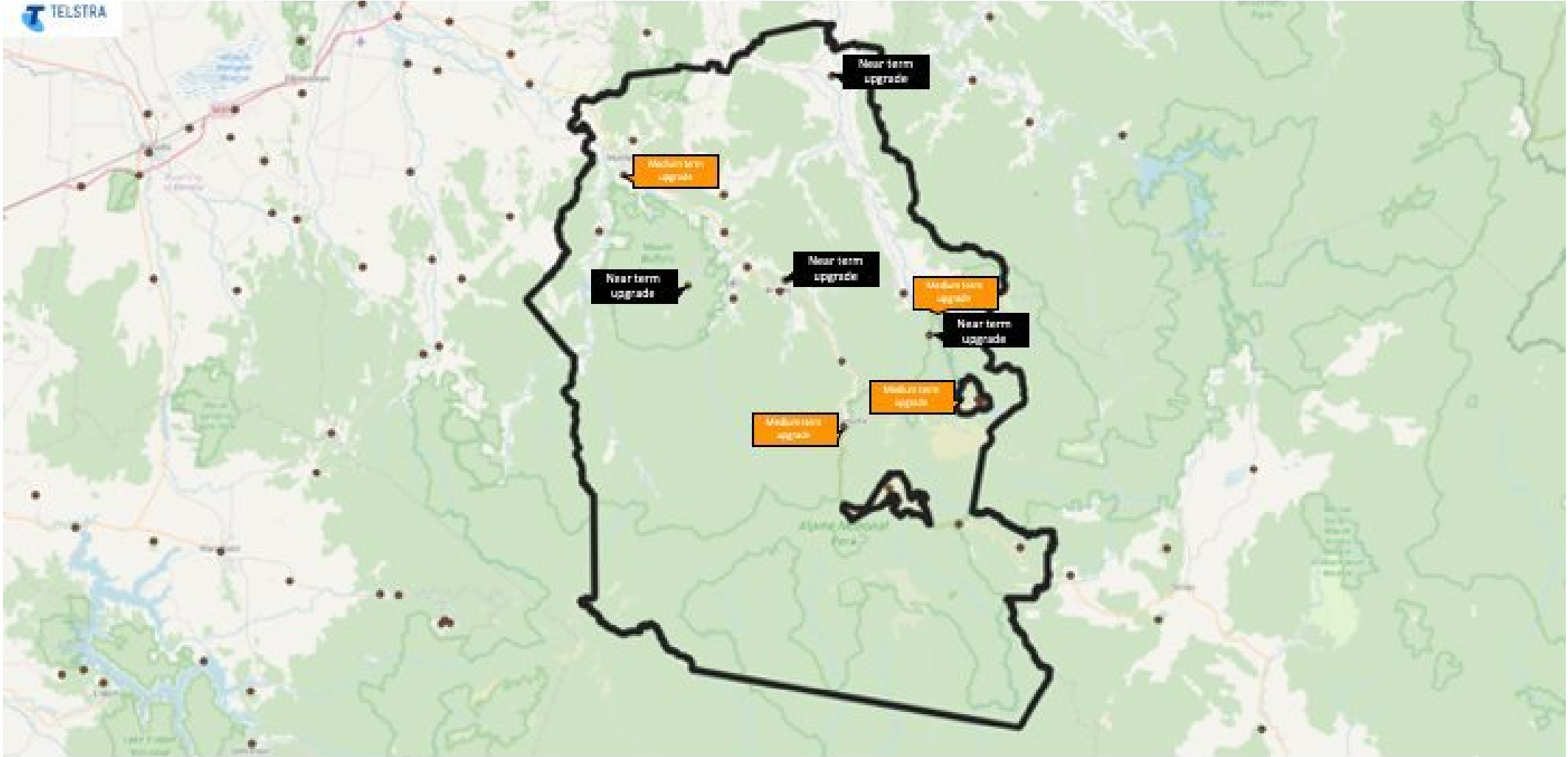
- other hardening measures to increase the resilience of a site

In conducting our network resiliency analysis we have taken into consideration the Bushfire prone areas of Alpine Shire including conferring with the Alpine Shire Planning Scheme (including the Bushfire Management Overlay), the Alpine Shire Municipal Fire Management Plan 2019-2022, and the Alpine Shire Municipal Emergency Management Plan 2021-2024.

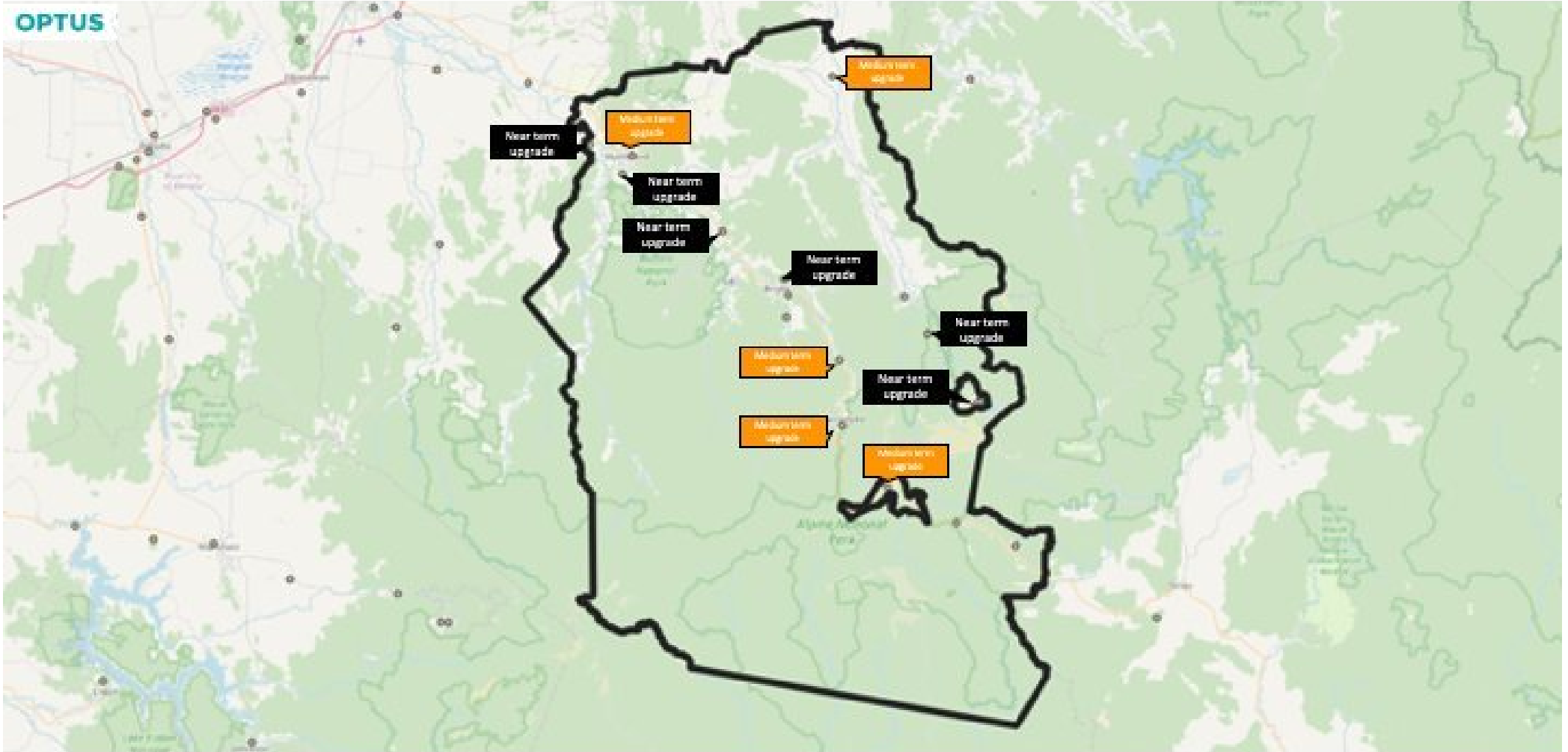


Alpine Shire Planning Scheme – Bushfire Management Overlay

	Description of Resiliency upgrade	0 – 2 years	2 – 6 years	6+ years
	<p>Alpine Shire Council advocate for the upgrade of one or several of the following –</p> <ul style="list-style-type: none"> <li>• upgrading power capacity to a minimum of 12 hours;</li> <li>• provision of redundant backhaul;</li> <li>• flood elevation;</li> <li>• emergency power solutions, including generators, to rapidly restore services during or after a Natural Disaster event;</li> <li>• expanding or enhancing a protection zone around a site to increase its resiliency to a Natural Disaster threat; or other hardening measures to increase the resiliency of a site</li> </ul>	<p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• Telstra CMTS Site BIG HILL <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11959</a></li> <li>• Telstra Site Apex Lookout Off Mount Porepukah Road 1.5 km NE of BRIGHT <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11994</a></li> <li>• Telstra Radio Terminal Mt Buffalo Chalet MT BUFFALO <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=36659</a></li> <li>• Telstra Site off Crosthwaite Lane DEDERANG <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=300473</a></li> </ul>	<p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• Telstra RBS Site Adj 39 Briggs Lane <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9011065">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=9011065</a></li> <li>• Telstra Exchange Mount Beauty to Falls Creek Road FALLS CREEK <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=37445">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=37445</a></li> <li>• Telstra Tower MOUNT BEAUTY Tawonga South <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11958">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=11958</a></li> <li>• Telstra Site Alpine Rd Ovens Water Tank HARRIETVILLE <a href="https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301322">https://web.acma.gov.au/rrl/site_search.site_lookup?pSITE_ID=301322</a></li> </ul>	<p>Upgrade at: All remaining Telstra sites</p>

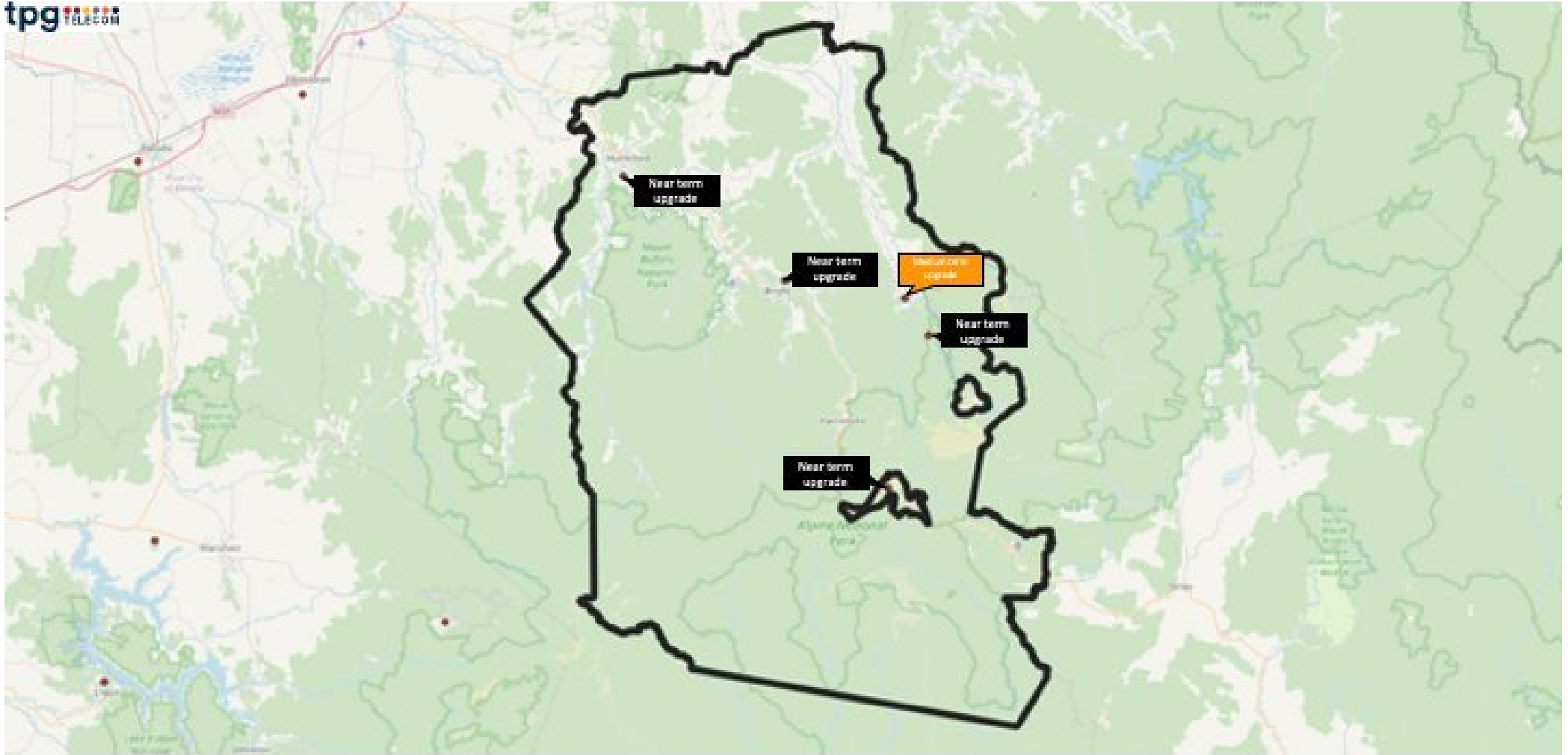


	Description of Resiliency upgrade	0 – 2 years	2 – 6 years	6+ years
	<p>Advocate for the upgrade of one or several of the following –</p> <ul style="list-style-type: none"> <li>• upgrading power capacity to a minimum of 12 hours;</li> <li>• provision of redundant backhaul;</li> <li>• flood elevation;</li> <li>• emergency power solutions, including generators, to rapidly restore services during or after a Natural Disaster event;</li> <li>• expanding or enhancing a protection zone around a site to increase its resilience to a Natural Disaster threat; or</li> <li>• other hardening measures to increase the resilience of a site</li> </ul>	<p><b>OPTUS</b></p> <p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• SPI Tower 159 Merriang Gap Road GAPSTED <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=305388">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=305388</a></li> <li>• CMTS Site off Clemans Lane MYRTLEFORD <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=301318">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=301318</a></li> <li>• Optus Site Eurobin Westons Lane EUROBIN <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135803">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135803</a></li> <li>• Optus Site Bright Apex Lookout BRIGHT <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135501">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135501</a></li> <li>• Optus Site Bogong Mt Big Hill off Mt Bogong Tourist Rd BOGONG <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=134551">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=134551</a></li> <li>• Optus Monopole Adj Ski Patrol Building <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9012710">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9012710</a></li> </ul>	<p><b>OPTUS</b></p> <p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• Optus Monopole Crosthwaite La <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9001511">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=9001511</a></li> <li>• Lookout Hill Lookout Road Myrtleford <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=41099">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=41099</a></li> <li>• Bright West 63B CHURCHILL AVENUE Bright <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=10014067">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=10014067</a></li> <li>• Telstra Site Lot 77 Brookes Lane (Smoko Creek Rd) SMOKO <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=304268">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=304268</a></li> <li>• Optus Site Mt Hotham Mt Hotham Summit HOTHAM HEIGHTS <a href="https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135125">https://web.acma.gov.au/rri/site_search.site_lookup?pSITE_ID=135125</a></li> </ul>	<p><b>OPTUS</b></p> <p>Upgrade at: All remaining Optus sites</p>





	Description of Resiliency upgrade	0 – 2 years	2 – 6 years	6+ years
	<p>Advocate for the upgrade of one or several of the following –</p> <ul style="list-style-type: none"> <li>• upgrading power capacity to a minimum of 12 hours;</li> <li>• provision of redundant backhaul;</li> <li>• flood elevation;</li> <li>• emergency power solutions, including generators, to rapidly restore services during or after a Natural Disaster event;</li> <li>• expanding or enhancing a protection zone around a site to increase its resiliency to a Natural Disaster threat; or</li> <li>• other hardening measures to increase the resiliency of a site</li> </ul>	<p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• As per Telstra &amp; Optus sites above</li> </ul>	<p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• As per Telstra &amp; Optus sites above</li> <li>• Any new Vodafone / TPG Telecom sites</li> </ul>	<p>Upgrade at:</p> <ul style="list-style-type: none"> <li>• As per Telstra &amp; Optus sites above</li> </ul>



## Improved Community and economic development focus

Digital connectivity – or ‘smart infrastructure’ or ‘digital infrastructure’ – is the utility of the twenty-first century, underpinning every aspect of the modern economy and all aspects of smart cities. This includes cellular wireless – 2G, 3G, 4G, and 5G – and Wi-Fi, wired (including full-fibre) technologies, Internet of Things (IoT), and emerging non-terrestrial networks such as low-earth orbit satellites.

A further description of some of these opportunities are presented below –

### NBN Business Fibre Zones

In mid 2020, NBN announced the expansion of business fibre zones to key regional areas within Australia to provide business grade Fibre to the Premise services to more areas at metropolitan pricing. This initiative would also provide the potential for extension of enterprise grade broadband to service local agribusinesses and industry clusters, many of whom are located in areas that could be prioritised.

### NBN Fibre to the Premise upgrade

As outlined in the current state assessment, a number of Alpine Shire townships are currently served with NBN Fibre to the Curb / Node, Fixed Wireless and Satellite. These towns should be advocated for Alpine Shire and implemented by NBN for upgrade to Fibre to the Premise (FttP) as a minimum fit for purpose fixed line infrastructure before the end of the decade.

#### Next Step for Alpine Shire Council

Advocate with the Commonwealth Government and the Victorian State Government for NBN to

- implement NBN business fibre zones and NBN FttP for the major service centres of Alpine Shire (Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford);
- Harrietville’s NBN upgraded from Satellite to Fibre to the Premise;
- Dinner Plain NBN upgraded from Fixed Wireless to Fibre to the Premise;
- Tawonga / Tawonga South NBN upgraded from Fixed Wireless to Fibre to the Premise; and
- Wandiligong NBN upgraded from Fixed Wireless to Fibre to the Premise.

Priority – High

Action for Council – Advocacy and potential Regional Communications funding applications

Community outcomes – Delivery of improved broadband infrastructure

### Upgrades to Mobile Networks using Shared Radio Access Networks

Increasingly, the ability to deliver increased 4G and 5G coverage, capacity and choice of provider through shared infrastructure deployment are becoming more viable. Passive and Active sharing of enabling infrastructure and Radio Access Networks (RAN) is being proven overseas and this has been recognised by the Commonwealth Government through the recent changes to the Mobile Blackspot Program guidelines that promote these architectures. The Alpine Shire would provide an opportunity for at minimum, a Proof of Concept with other Government Partners and Mobile Network operators to deploy shared mobile infrastructure for regional Victoria.

#### Next step for Alpine Shire

Advocate for Shared Radio Access Networks to be rolled out by the Mobile Network Operators for improved coverage and capacity for Alpine Shire Council.

Priority – Low to Medium

Action for Council – Advocacy

Community outcomes – Delivery of improved mobile network coverage and capacity in various areas of Alpine Shire

### Open Access Duct investment in key centres

There are viable opportunities to install open access duct infrastructure in key centres as part of Streetscape projects. The increment extra cost of installation when trenches are open is the cheapest way to install appropriately designed passive infrastructure that can attract outcomes including NBN infrastructure uplift, the introduction of additional Telecommunications providers and the ability to attract access revenues to offset some of the cost of deployment, operations and maintenance.

#### Next Step for Alpine Shire Council

Engage assistance to review current designs to ensure that appropriate telecommunications pit and pipe and associated infrastructure is correctly dimensioned and develop a commercial and facilities access framework to promote open and equitable access.

Priority – Medium

Action for Council – Implementation of Open Access Duct strategy (approximate investment: \$20K to \$30K)

Community outcomes – Delivery of improved broadband infrastructure over time through investment in Duct infrastructure available for usage by Telecommunication Providers

Whole of Region Policy – Common Telco Facilities Access and New Duct in New Development and Construction projects

An important way that local government can enable long term telecommunications and connectivity outcomes is to develop a common Facilities Access Framework across all Council owned assets that can house telecommunications equipment in the region. This can include Land, Buildings, Water Reservoirs, Poles and other Street level assets such as Bus Shelters. A common framework that allows for timely access, approvals and appropriate lease rental costs can position the region as attractive for accelerated investment in both fixed and mobile networks. In addition, the adoption of a ‘Dig Once’ policy for the introduction of Council owned duct and smartpoles in new developments and construction projects such as new roads and road upgrades can contribute to important passive assets that can be leveraged to encourage future connectivity access.

## Next Step for Alpine Shire Council

Engage assistance to develop the Policy based on best practice and engage with relevant stakeholders

Priority – High

Action for Council – Implementation of Open Access Duct strategy (approximate investment: \$20K to \$30K)

Community outcomes – Delivery of improved broadband infrastructure over time through investment in Duct infrastructure available for usage by Telecommunication Providers

Scoping of Mobile Network Repeaters & Boosters for low coverage areas across Alpine Shire Council

A mobile phone repeater is a type of “active repeater” antenna. It’s a telecommunications device that takes a mobile signal and re-broadcasts it through a specific area, and are particularly useful in rural, regional and remote areas of Australia. Repeaters receive a mobile signal at a location where it’s strong (which includes via cables to a passive antenna on your roof), and broadcasts (or repeats) the signal. Repeaters such as these require licensing from the network that they’re broadcasting. They can only broadcast one network. There are several key locations in Alpine Shire that may be suitable for the use of Repeaters including but not limited to Buffalo Valley, Buckland Valley and Happy Valley.

## Next Step for Alpine Shire Council

Engage assistance for site surveys and high level network planning

Priority – High

Action for Council – Scoping for low coverage areas across Alpine Shire Council (approximate investment: \$20K to \$30K)

Community outcomes – Delivery of improved mobile network coverage and capacity in high priority rural areas of Alpine Shire

In relation to Community members wishing to implement mobile network signal boosters themselves, typical setup steps are outlined below

Step 1: Set up the outdoor antenna at the place where you have the best signal (aim for as high as possible and, if you can, direct the antenna towards the nearest cell tower for your network).

Step 2: Use the cable to connect the outdoor antenna to the repeater.

Step 3: Connect the indoor whip Omni ceiling or wall antenna directly to the repeater.

Step 4: Plug the repeater into the power supply. The repeater should immediately begin amplifying your signal, giving you 5 bars.

#### Installation Tips

If your signal at ground level is only 1-2 bars after installation, it may be that your outdoor antenna is too low and you need to move it to a higher place (such as the roof). It is recommended that the antenna is positioned 3-5 metres above the ground

ATTENTION – Never plug the repeater into the power supply before you confirmed that the antenna and cable are connected! Doing so may result in damage to the repeater.

Minimum and maximum cable length (in metres) from the outdoor antenna to the repeater:

100 sq. m. repeater	Min 8 / Max 20
150 sq. m. repeater	Min 8 / Max 25
300 sq. m. repeater	Min 8 / Max 25
600 sq. m. repeater	Min 8 / Max 30
1000 sq. m. repeater	Min 8 / Max 30
1500 sq. m. repeater	Min 8 / Max 60

Minimum and maximum cable length (in metres) from repeater to indoor antenna:

100 sq. m. repeater	Min 3 / Max 10
150 sq. m. repeater	Min 3 / Max 15
300 sq. m. repeater	Min 3 / Max 15
600 sq. m. repeater	Min 3 / Max 30
1000 sq. m. repeater	Min 3 / Max 30
1500 sq. m. repeater	Min 3 / Max 60

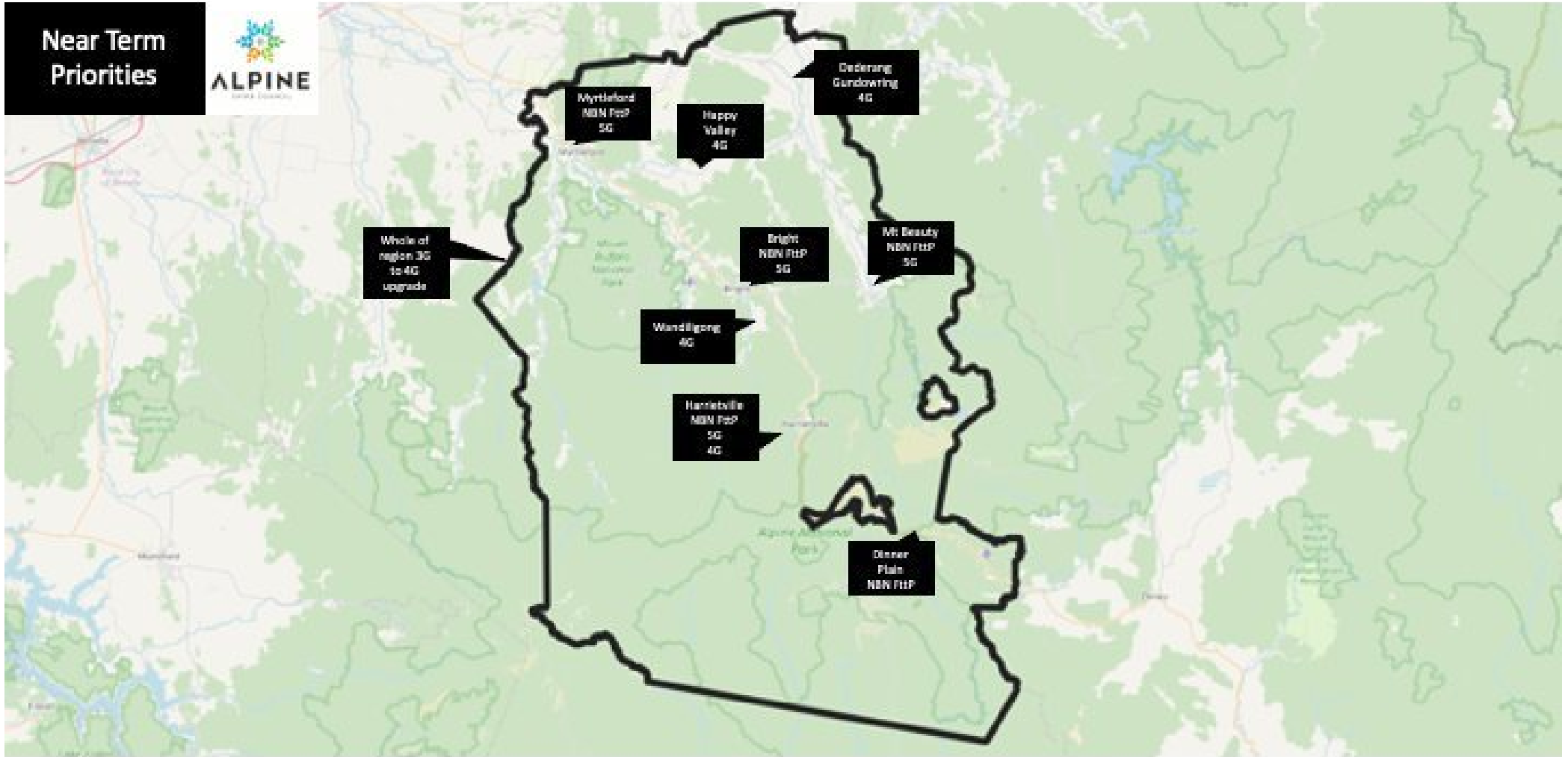
Improving the connectivity landscape over the coming decade will be crucial to the ongoing economic and social viability of the Alpine Shire region. The recommended options are summarised below.

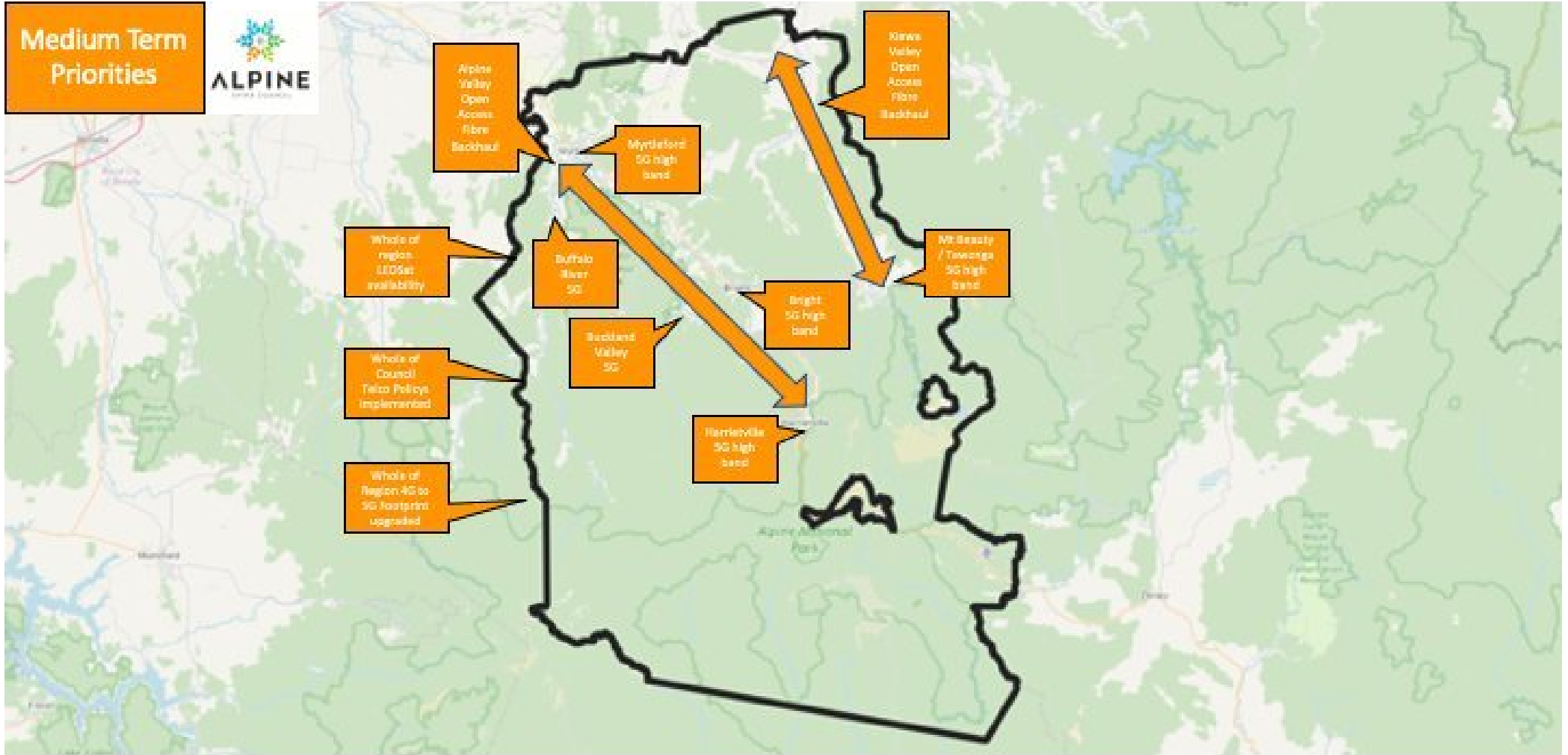
	0 – 2 years	2 – 6 years	6+ years
	<ul style="list-style-type: none"> <li>All service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford) served by NBN business fibre and NBN fibre to the Premise</li> <li>All service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford) served by 5G from each of the three Mobile Network Operators</li> <li>The regions 3G Footprint is upgraded to 4G by each of the three MNOs by potentially using Shared Radio Access Network</li> <li>High Speed Public WiFi implemented at Bright, Myrtleford, Mount Beauty and Harrietville</li> </ul>	<ul style="list-style-type: none"> <li>LEOSat services are available throughout the entire region</li> <li>Policies including Open Access Ducts and Common Telco Facilities Access is implemented</li> <li>The regions 4G Footprint is upgraded to 5G by each of the three MNOs by potentially using Shared Radio Access Network</li> <li>LPWAN services are available throughout the entire region</li> <li>New open access Fibre Backhaul implemented adjacent to Alpine Way and Kiewa Valley Highway</li> </ul>	<ul style="list-style-type: none"> <li>All service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford) served by 6G from each of the three Mobile Network Operators</li> </ul>
Mobile Communications	<ul style="list-style-type: none"> <li>New or Improved 4G Mobile Network coverage and capacity for – Harrietville (Telstra, Optus and TPG Telecom / Vodafone) Wandiligong ((Telstra, Optus and TPG Telecom / Vodafone) Happy Valley (Telstra, Optus and TPG Telecom / Vodafone)</li> </ul>	<ul style="list-style-type: none"> <li>High band (26GHz or mmwave) 5G from each of the three Mobile Network Operators for all service centres (i.e. Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford)</li> <li>New or Improved 5G Mobile Network coverage and capacity for –</li> </ul>	<ul style="list-style-type: none"> <li>All Mobile Network Tower sites are upgraded with either fibre or LEOSat transmission capacity to allow higher capacity 5G and 6G services</li> </ul>

	Dederang & Gundowring (Telstra, Optus and TPG Telecom / Vodafone)	Buffalo River (Telstra, Optus and TPG Telecom / Vodafone) Buckland Valley (Telstra, Optus and TPG Telecom / Vodafone)	
Internet Communications	<ul style="list-style-type: none"> <li>• Harrietville’s NBN upgraded from Satellite to Fibre to the Premise</li> <li>• Dinner Plain NBN upgraded from Fixed Wireless to Fibre to the Premise</li> </ul>	<ul style="list-style-type: none"> <li>• Tawonga / Tawonga South NBN upgraded from Fixed Wireless to Fibre to the Premise</li> <li>• Wandiligong NBN upgraded from Fixed Wireless to Fibre to the Premise</li> </ul>	<ul style="list-style-type: none"> <li>• NBN Satellite services are upgraded to LEOSat</li> </ul>



Near Term  
Priorities





# 9. Funding opportunities

## Funding Opportunities to close gaps

In order to proceed with any of the identified options, there may be value in exploring funding options from government sources as set out below:

### Commonwealth Government

#### Regional Connectivity Program

The Regional Connectivity Program (the RCP) is a grants program funding the delivery of 'place-based' telecommunications infrastructure projects to improve digital connectivity across regional, rural and remote Australia.

<https://www.infrastructure.gov.au/media-technology-communications/internet/regional-connectivity-program>

#### Mobile Black Spot Program

The Australian Government is improving mobile phone coverage and competition in regional and remote Australia through the Mobile Black Spot Program. The Government has committed \$380 million to the Mobile Black Spot Program (the Program) to invest in telecommunications infrastructure to improve mobile coverage and competition across Australia. The Program is supported by co-contributions from state and local governments, mobile network operators (Optus, Telstra, TPG Telecom Ltd (formerly Vodafone) and Field Solutions Group), businesses and local communities.

<https://www.communications.gov.au/what-we-do/phone/mobile-services-and-coverage/mobile-black-spot-program>

#### Peri-urban Mobile Program

The Peri-Urban Mobile Program (PUMP) is a grants program that provides funding to improve mobile connectivity in bushfire priority areas along the edges of Australia's major cities.

<https://www.infrastructure.gov.au/media-technology-communications/phone/mobile-services-coverage/peri-urban-mobile-program>

#### 5G Innovation Initiative

The Australian 5G Innovation Initiative will test technologies that make use of 5G to drive productivity and growth across Australia in key sectors. The 5G Innovation Initiative will fund trials demonstrating different future 5G uses, including Internet of Things applications, which will help build Australia's 5G ecosystem. The Initiative will support the rigorous, commercial and replicable testing of 5G uses and showcase the productivity boosting applications of the technology. The Initiative is an open, competitive grants program with two rounds of funding over three years to encourage private sector investment.

<https://www.communications.gov.au/what-we-do/spectrum/australian-5g-innovation-initiative>

#### NBN Regional Co-investment Fund

NBN Co has also allocated \$300 million to co-invest with councils, state, territory and federal governments in programs to boost regional connectivity. The co-investment fund is expected to assist in expanding fixed line services to more regional areas.

<https://www.nbnco.com.au/content/dam/nbn/documents/about-nbn/reports/reports-and-publications/nbn-rcif-guidelines.pdf>

#### Mobile Network Hardening Program

The purpose of the Mobile Network Hardening Program (the Program) is to increase the resilience of (i.e. to harden) Australia's mobile telecommunication networks to help prevent, mitigate and manage outages during bushfires and other Natural Disasters.

<https://www.infrastructure.gov.au/media-communications-arts/phone/improving-resilience-australias-telco-networks>

#### **State Government**

##### Connecting Victoria

The Victorian Government is fast-tracking better mobile coverage and broadband across the state through the \$550 million Connecting Victoria program.

The program will focus on getting more Victorians access to business-grade broadband and upgrading mobile coverage, improving 4G mobile coverage, helping more places become 5G ready, and improving access to safety information during bushfires and other emergencies.

<https://djpr.vic.gov.au/connecting-victoria>

#### **Local Government**

It has been noted previously that Alpine Shire Council could contribute to the advancement of telecommunications throughout the region by investing cash, budgeted on the basis of it being utility infrastructure, necessary for the development of the economy, community and safety for the region.

Council could also make available, some of its existing infrastructure, such as water towers, buildings, etc. where transmission devices could be located.

**Private Investment**

There is also the possibility that private organisations, or individuals could be willing to contribute. Service providers might be encouraged to invest in the expansion of their networks if critical demand mass could be aggregated, or potential users willing to meet or offset some of the capital cost involved in delivering the necessary infrastructure.

# 10. Condensed Action List

## Condensed list of Actions

The list of actions we have recommended throughout this report is presented in the condensed table below

Page Number	Action	Actioning Organisation(s)	Partnering Organisation(s)	0 – 2 years	2 – 6 years	6+ years
76	<b>Advocate for Telstra to</b> <ul style="list-style-type: none"> <li>provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> <li>provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> </ul>	Alpine Shire Council	Telstra Australian Government Victorian Government	☑	☑	
77	<b>Advocate for Telstra to</b> <ul style="list-style-type: none"> <li>prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.</li> </ul>	Alpine Shire Council	Telstra Australian Government Victorian Government	☑	☑	☑
83	<b>Advocate for Optus to</b> <ul style="list-style-type: none"> <li>provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> <li>provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> </ul>	Alpine Shire Council	Optus Australian Government Victorian Government	☑	☑	
83	<b>Advocate for Optus to</b> <ul style="list-style-type: none"> <li>prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.</li> </ul>	Alpine Shire Council	Optus Australian Government Victorian Government	☑	☑	☑
88	<b>Advocate for TPG Telecom / Vodafone to</b> <ul style="list-style-type: none"> <li>provide 5G upgrades to existing Tower sites and potentially new 5G Tower sites servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> <li>provide upgrades to existing Tower Sites with 4G mid band spectrum (i.e. 1800MHz, 2100MHz and or 2600MHz) servicing Bright, Myrtleford, Mount Beauty, Tawonga, Harrietville and Dinner Plain</li> </ul>	Alpine Shire Council	TPG Telecom / Vodafone Australian Government Victorian Government	☑	☑	
88	<b>Advocate for TPG Telecom / Vodafone to</b> <ul style="list-style-type: none"> <li>prioritise resiliency upgrades to each of these sites including Improved backup power and other infrastructure hardening measures, such as improved facility</li> </ul>	Alpine Shire Council	TPG Telecom / Vodafone Australian Government Victorian Government	☑	☑	☑



	<b>design at key telecommunications facilities (such as mobile base station feeder sites and exchanges) and backhaul transmission redundancy.</b>					
92	<b>National Broadband Network</b> <b>Areas for Alpine Shire advocacy include specific items outlined in the Action Plans in this strategy and generally the following:</b> <ul style="list-style-type: none"> <li>• NBN infrastructure improvements and extensions</li> <li>• Business grade NBN access</li> <li>• Satellite technology improvements</li> </ul>	Alpine Shire Council	NBN Australian Government Victorian Government	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
92	<b>Mobile Network coverage, capacity and choice</b> <b>Areas for Alpine Shire advocacy include specific items outlined in the Action Plans in this strategy and generally the following:</b> <ul style="list-style-type: none"> <li>• Mobile network blackspots and Commonwealth Mobile Coverage Blackspot program funding</li> <li>• Uplift of Mobile network capacity in key centres</li> <li>• Shared infrastructure opportunities</li> <li>• Low Power Wireless Networks for Sensors delivered by mobile networks</li> </ul>	Alpine Shire Council	Telstra Optus TPG Telecom / Vodafone Australian Government Victorian Government	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
93	<b>Last mile connectivity alternatives and Fibre Backhaul</b> <b>Areas for Alpine Shire advocacy include specific items outlined in the Action Plans in this strategy and generally the following:</b> <ul style="list-style-type: none"> <li>• High speed Network alternatives to NBN (Fixed Wireless, Microwave etc.)</li> <li>• Low Power Wireless Networks for Sensors delivered by non-mobile networks</li> <li>• Increased opportunities for Fibre Backhaul connectivity</li> </ul>	Alpine Shire Council	Australian Government Victorian Government	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
101	Telstra Resiliency upgrades	Telstra		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
103	Optus Resiliency upgrades	Optus		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
105	TPG Telecom / Vodafone resiliency upgrades	TPG Telecom / Vodafone		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
107	<b>NBN Business Fibre Zones &amp; NBN Fibre to the Premise upgrade</b> <b>Advocate with the Commonwealth Government and the Victorian State Government for NBN to</b> <ul style="list-style-type: none"> <li>• implement NBN business fibre zones and NBN FttP for the major service centres of Alpine Shire (Bright, Dinner Plain, Harrietville, Mount Beauty and Myrtleford);</li> <li>• Harrietville's NBN upgraded from Satellite to Fibre to the Premise;</li> <li>• Dinner Plain NBN upgraded from Fixed Wireless to Fibre to the Premise;</li> <li>• Tawonga / Tawonga South NBN upgraded from Fixed Wireless to Fibre to the Premise; and</li> <li>• Wandiligong NBN upgraded from Fixed Wireless to Fibre to the Premise.</li> </ul> <b>Priority – High</b> <b>Action for Council – Advocacy and potential Regional Communications funding applications</b>	Alpine Shire Council	NBN Australian Government Victorian Government	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

	<b>Community outcomes – Delivery of improved broadband infrastructure</b>					
111	<p><b>Upgrades to Mobile Networks using Shared Radio Access Networks</b>  <b>Advocate for Shared Radio Access Networks to be rolled out by the Mobile Network Operators for improved coverage and capacity for Alpine Shire Council.</b></p> <p>Priority – Low to Medium            Action for Council – Advocacy            Community outcomes – Delivery of improved mobile network coverage and capacity in various areas of Alpine Shire</p>	Alpine Shire Council	Australian Government Victorian Government			<input checked="" type="checkbox"/>
111	<p><b>Open Access Duct investment in key centres</b>  <b>Engage assistance to review current designs to ensure that appropriate telecommunications pit and pipe and associated infrastructure is correctly dimensioned and develop a commercial and facilities access framework to promote open and equitable access.</b></p> <p>Priority – Medium            Action for Council – Implementation of Open Access Duct strategy (approximate investment: \$20K to \$30K)            Community outcomes – Delivery of improved broadband infrastructure over time through investment in Duct infrastructure available for usage by Telecommunication Providers</p>	Alpine Shire Council			<input checked="" type="checkbox"/>	
112	<p><b>Whole of Region Policy – Common Telco Facilities Access and New Duct in New Development and Construction projects</b>  <b>Engage assistance to develop the Policy based on best practice and engage with relevant stakeholders</b></p> <p>Priority – High            Action for Council – Implementation of Open Access Duct strategy (approximate investment: \$20K to \$30K)            Community outcomes – Delivery of improved broadband infrastructure over time through investment in Duct infrastructure available for usage by Telecommunication Providers</p>	Alpine Shire Council		<input checked="" type="checkbox"/>		
112	<p><b>Scoping of Mobile Network Repeaters &amp; Boosters for low coverage areas across the Alpine Shire</b>  <b>Engage assistance for site surveys and high level network planning</b></p> <p>Priority – High            Action for Council – Scoping for low coverage areas across Alpine Shire Council (approximate investment: \$20K to \$30K)            Community outcomes – Delivery of improved mobile network coverage and capacity in high priority rural areas of Alpine Shire</p>	Alpine Shire Council		<input checked="" type="checkbox"/>		
114 & 115	<b>Various Near Term, Medium Term and Long Term Mobile and Internet Telecommunications upgrades</b>	Various	Various	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

# 11. Conclusion

## Conclusion

The Mobile and Internet Communications Strategy has identified that there is a significant requirement to improve digital connectivity within the Alpine Shire

region. We have outlined a number of near, medium and long term initiatives that will require significant levels of investment which will be beyond the funding capabilities of local government alone. The overarching recommended options for the Alpine Shire are summarised in the condensed list of actions on page 119.

Investment priorities for all relevant programs need to ensure multiple service provider outcomes as much as possible, require little to no matching funding contributions for remote locations and should always prioritise towns based on their service provider status, not necessarily in population ranking.

Other jurisdictions such as the Australian Government and New South Wales<sup>3</sup> have recognised that State Government funding support is required for digital connectivity co-investment, especially in rural and remote areas where government funding intervention is the only method that allows for infrastructure improvements in non-commercial environments.

**Our strong recommendation is that Alpine Shire, in collaboration with Towong Shire Council and Ovens Murray Regional Partnership, advocate to the Victorian State Government for significant amounts of co-investment funding that can be leveraged with Commonwealth Government funding and Telecommunication Provider co-investment to implement 21<sup>st</sup> century digital connectivity infrastructure in the Alpine Shire region.**

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<sup>3</sup> <https://www.nsw.gov.au/snowy-hydro-legacy-fund/regional-digital-connectivity-program/gig-state>

# 12. Glossary

Glossary of  
Terms

<b>Backhaul</b>	Backhaul typically refers to the mid to long-distance transport of data from a series of disparate locations back to a more centralised location. The backhaul portion of the network comprises the intermediate links between the core, or backbone, of the network and the small sub-networks at the 'edge' of the entire hierarchical network. In the context of the NBN, backhaul services are the data carriage services provided over highspeed, high-capacity fibre lines, which carry aggregated network traffic between a Point of Interconnect (PoI) and a centralised or 'core' part of the network, for example an Internet Service Provider's data centre.
<b>Bandwidth</b>	Refers to the capacity and rate of data transfer over a network, usually measured in kilobits, megabits or gigabits per second.
<b>Blackspot</b>	An under-served premises, or area, usually in remote or rural locations and sometimes on the edges of cities, which is unable to obtain adequate, metro-comparable broadband or other communications services. Reasons for blackspots are normally related to the limitations of technologies, geography or a lack of investment.
<b>Broadband</b>	Broadband is a term used to refer to 'always on' high speed Internet or other network access. In the past, broadband services and technologies were defined in terms of a capability to transfer information at higher rates than traditional dial-up services.
<b>Cloud Computing</b>	Cloud computing is an Internet-based technology which stores information in servers and provides that information as an on demand service. Under cloud computing consumers can access all of their documents and data from any device with internet access such as a home or work PC, a mobile phone or other mobile internet enabled device.
<b>Dark Fibre</b>	It is the equipment at either end that dictates what capacity can be delivered over an optical fibre— ranging upwards from about 100 Mbit/s (at the low end). The term 'dark fibre' simply refers to optical fibre that is available for use and is provided without any equipment at either end. The term was originally used when talking about the potential network capacity of telecommunication infrastructure, but now also refers to the increasingly common practice of leasing fibre optic cables from a network service provider.
<b>Digital Divide</b>	The gap between people with effective access to digital and information technology and services, and those with very limited or no access at all. It refers both to a person's physical access to technology and the resources and skills available to effectively use the technology. Often used in Australia to describe the different levels of communications service available between metropolitan and regional areas.
<b>Fibre Optic</b>	Also known as optical fibre, fibre-optic cable is made up of thin threads of glass that carry beams of light. In telecommunications, data is translated into pulses of laser light that can be transmitted along the fibre cables. Fibre-optic technology is less susceptible to 'noise' and 'interference' than other data-transfer mediums such as standard copper telephone lines and can be used more reliably over longer distances without loss of speed or quality. Fibre is

	used extensively in backbone and international submarine networks, and to connect the base stations of mobile and wireless networks. It is increasingly being used for the last mile connection to home and business premises in FTTX networks.
<b>Fibre to the Curb (FttC)</b>	Refers to networks in which fibre connections are provided to a kerb-side equipment cabinet, in which the fibre's optical signal is converted to an electrical signal and delivered to premises over copper wires— typically over a maximum distance of 100 metres or less.
<b>Fibre to the Node (FttN)</b>	Similar to FTTC but using a neighbourhood node that serves more premises rather than a kerb-side node. Copper distances are typically up to around 1 km.
<b>Fibre to the Premise (FtTP)</b>	Similar to Fibre to the Home, but a more neutral term that includes non-residential premises, such as schools, hospitals, and workplaces, as well as households. Fibre connections are provided all the way to premises, including individual units in multi-dwelling buildings
<b>Fixed Line</b>	Fixed line refers to technologies that use physical infrastructure, such as copper wires, rather than wireless infrastructure to deliver data connections. Traditional voice services, dial-up internet, xDSL, HFC cable and FTTP are all forms of fixed line services
<b>Fixed Wireless Broadband</b>	A family of wireless technologies that, as opposed to mobile wireless, delivers broadband services to a particular premises or fixed location. These services are sometimes called 'point-to-point' or 'point-to-multi-point' and require an antenna that is generally permanently attached to the user's building. Fixed wireless can be used for backhauling in certain cases but also as an access technology, particularly in rugged or remote terrain and areas with low population densities that may make a fixed line alternative impossible or uneconomic. Wireless technologies are limited by the availability of wireless spectrum, the number of concurrent users, distance from the cell antenna and physical impediments such as hills and valleys interrupting signals.
<b>Gigabit per second (Gbit/s)</b>	A measure of communications speed equal to 1 000 000 000 bits per second. Also expressed as Gbps and Gb/s.
<b>Greenfield</b>	A term used to describe a piece of undeveloped land, either currently used for agriculture or completely unused.
<b>Internet</b>	A worldwide, publicly accessible series of interconnected computer networks that transmit data using the standard Internet Protocol (IP). It is a 'network of networks' that consists of millions of smaller domestic, academic, business, and government networks, which together carry various information and services, such as electronic mail, online chat, file transfer, and the interlinked web pages and other resources of the World Wide Web (www).

<b>Internet Service Provider (ISP)</b>	Also known as a Retail Service Provider (RSP), an organisation that offers access to the Internet to its customers. ISPs generally also provide other services such as electronic mail accounts, data storage and web hosting to their customers. ISPs may employ a combination of their own and third party infrastructure, or simply resell services provided by a wholesale carrier.
<b>Last mile infrastructure</b>	Infrastructure used to provide the link from a customer’s premises to the provider’s nearest point of aggregation. For example, a provider offering a wireless broadband service to the customer would be providing last-mile infrastructure using wireless broadband technology. The “digital divide” is attributed to the lack of suitable “Last mile infrastructure’ in lower population density areas.
<b>Latency</b>	The delay in data transmission caused by the time it takes for data to get from one designated point to another.
<b>Megabits per second (Mbit/s)</b>	A measure of communications speed equal to 1 000 000 bits per second. Also expressed as Mbps, mbps, Mb/s and mb/s.
<b>Mobile Wireless and Mobile Broadband</b>	Broadband services supported by mobile networks, such as ‘3G’ and ‘4G’ networks, offering mobility and flexibility for users of handheld and laptop devices. Wireless technologies are limited by the availability of wireless spectrum, the number of concurrent users, distance from the cell antenna and physical impediments such as hills and valleys interrupting signals.
<b>Point of Interconnect (PoI)</b>	The connection point that allows Retail Service Providers (RSPs) and Wholesale Service Providers (WSPs) to connect to NBN Co network infrastructure.
<b>Quality of Service (QoS)</b>	The use of a range of networking technologies and techniques to provide guarantees on the ability of a network to deliver predictable results. Network performance within the scope of QoS can include availability, bandwidth, latency and error rate.



<p><b>Satellite Broadband</b></p>	<p>Satellite broadband uses a radio dish to bounce a signal off a satellite and down to an earth station. It is common in rural and remote areas with low population densities, where fixed line alternatives are uneconomic. One-way satellite connections utilise a satellite link to download data to the broadband user and a standard telephone connection for uploading data back to the Internet. Two-way satellite connections use the satellite link to both upload and download information. The suitability of satellite broadband for some applications is impacted by the large physical distances between satellites and the earth's surface, which results in latency (delay) in the sending and receipt of data. Quality may also be affected by the number of simultaneous users and adverse weather conditions.</p>
<p><b>Smart Infrastructure</b></p>	<p>The application of communications technologies to infrastructure to make better, more efficient use of resources. Smart infrastructure can be used within the transport, energy, communications and water sectors.</p>
<p><b>Wholesale Service Provider (WSP)</b></p>	<p>A provider of infrastructure and services that deals only with other providers and does not have a commercial relationship with end-users or consumers. In telecommunications, a wholesale service provider allows other companies to lease access to equipment and services and avoid the expense of building their own infrastructure.</p>
<p><b>Wireless Broadband</b></p>	<p>Wireless broadband uses radio frequencies to transmit and receive data between customers and a local transmission point. Normally, this requires a number of base stations, similar to mobile phone towers, which transmit to customers who have a small transmitter/receiver connected to their computers or other digital devices. Wireless technologies are limited by the availability of wireless spectrum, the number of concurrent users, distance from the cell antenna and physical impediments such as hills and valleys interrupting signals.</p>
<p><b>Wireless Spectrum</b></p>	<p>Often referred to as the Radio-Frequency Spectrum, this is the array of electromagnetic radio frequencies used for communications, including mobile broadband, television, AM and FM radio, defence and any other service employing a wireless technology. The spectrum is divided into many frequency ranges, or bands, and usually allocated for a specific technology, device, use or service. Wireless Spectrum is a finite and regulated public asset, and in Australia is administered by the Australian Communications and Media Authority (ACMA), often through a licensing regime.</p>

# Bright Strategic Traffic Assessment

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Project Summary and  
Recommendations Report

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## REVISION RECORD

Date	Version	Revision description
29 June 2022	1.0	Document creation
19 July 2022	1.1	Updated summary and recommendations
13 December	1.2	For noting at M(12) – 13 December 2022

## 1. Purpose

The objective of this document is to provide a summary of the Bright Strategic Traffic Assessment report undertaken by OneMileGrid in 2022 - outlining the scope of works, process undertaken and the recommendations with associated actions.

## 2. Background

Bright is one of the main towns within the Alpine Shire government area, with a permanent population of approximately 2,500 residents. The town's major industry is tourism, due to the proximity to Mount Buffalo National Park, the Mount Hotham and Falls Creek ski fields, as well as the Ovens River.

Due to both an increase in tourism as well as residential and commercial growth across Bright and the surrounds, pressure is growing on the existing road network and parking supply. Of note, Gavan Street, which serves as both the main through road between Bright and surrounding townships, as well as part of the town's main commercial shopping strip is at the epicentre of this pressure.

With increasing visitation, and development pressure within the township, it is key to renegotiate the competing demand of Gavan Street as a traffic corridor and as a destination with use of surrounding streets and parking facilities.

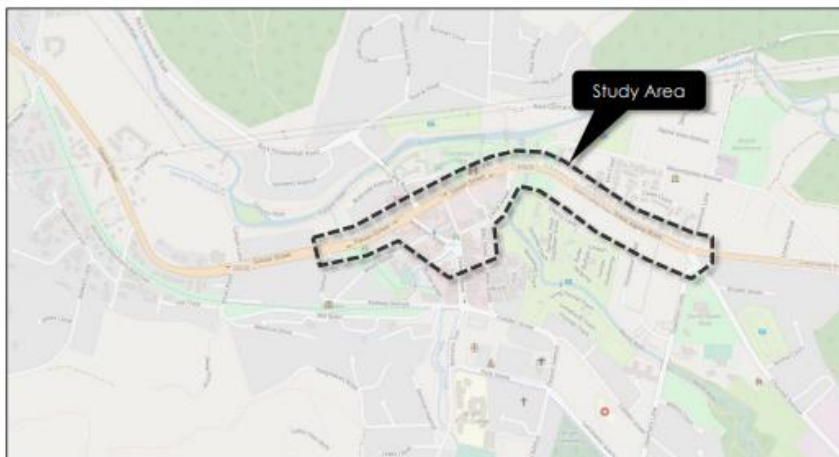
The Bright Strategic Traffic Assessment sought to investigate the effects of traffic and car parking demands on the town with respect to amenity, safety, and operation.

A thorough review of the existing conditions would also more clearly define the traffic and car parking issues (if any), with proposed solutions and any recommended upgrades.

## 3. Scope

### Study Area

The study area for the Bright Strategic Traffic Assessment is shown below, and comprises the central portions of Bright township, generally between Station Street in the west and Churchill Avenue in the east.



### Project Scope

- Background Analysis of study area
- Traffic and Parking Surveys
- Stakeholder Interviews
- Identify existing issues, constraints or opportunities within the study area including:
  - Pedestrian and cyclist infrastructure necessary to support active transport mode share;
  - Locations that offer poor pedestrian amenity or safety;
  - Car parking utilisation;
  - Intersection performance;
  - Locations which become highly congested;
  - Locations with high-incidences, or high-risk, of crashes;
  - Roads sections which are above or below environmental capacity;
- Analysis and Report of findings
- Recommendations Report

## 4. Process Undertaken

January 2022	Site Inspection Background Information Review Site Observations (18 - 20 January) Commission Traffic Surveys and Tube Counters (20 -26 January) Three additional Tube Counters (20 January - 9 February)
February 2022	Stakeholder Interviews: <ul style="list-style-type: none"><li>▪ Country Fire Authority (CFA)</li><li>▪ State Emergency Service (SES)</li><li>▪ HVP Plantations</li><li>▪ Alpine Cycling Club</li><li>▪ Chamber of Commerce</li><li>▪ Ambulance Victoria</li></ul>
March / April 2022	Review of Findings
May 2022	Draft Report
June 2022	Final Report and Recommendations

## 5. Key Findings

### Road Network Characteristics

Within the scope area there are:

1. 3 arterial roads (12,000 to 18,000 capacity per day)
2. 5 collector roads (7,000 capacity per day)
3. One access road (3,000 capacity per day)

### **Crash History**

- 5 crashes recorded since 2017 (2 cyclist / 3 vehicle)
- No fatalities
- Study does not indicate any locations of high incidences of crash behaviour
- Average vehicle speeds of 30km/h in most lower-order roads in an acceptable speed to avoid serious injuries or fatalities

### **Cycling Facilities**

Limited on road cycling facilities and a lack of clear, direct off-road connections within the Township.

Primary routes in and out of the study area comprise:

- Gavan Street
- The MMRT and Railway Avenue
- Star Road and Back Porepunkah Road
- Cobden Street; and
- Anderson Street and Ireland Street.

The Regional Roads Victoria (RRV) Strategy and Alpine Shire Council Cycling Strategy both highlight actions to be undertaken to improve cycling safety and recommendations from this report should be cross referenced with these documents to identify and prioritise actions.

### **Recommendations:**

Upgrades to on-road cycling facilities on Gavan Street, Ireland Street, and Anderson Street will assist with conveying the legitimacy of cycling activity on these key roads.

Consideration should be given to establishing an alternative east-west connection that provides for improved connection around the path network. This could include Wood Street and Camp Street, which provide for low traffic speeds and relatively low traffic volumes. (It is noted that Camp Street is to be upgraded as part of the Bicycle Infrastructure Improvements project).

Cycling safety measures (e.g. sharrow line marking) should be implemented along these links to ensure all cyclists feel safe.

### **Logging Activity**

The presence of logging vehicles on areas of high pedestrian and parking activity, particularly on Ireland Street is undesirable.

#### **Recommendation:**

It would be preferable to encourage logging operators to utilise alternative access routes to access Gavan Street such as Railway Avenue / Station Street to the West, therefore it is recommended to upgrade the top roundabout to allow for a left turning movement of B-double logging trucks. This upgrade would be dependent on the removal of the elm tree on the corner of Railway Avenue and Bakers Gully Road.

Alternatively, logging vehicles could be removed altogether from southern Bright by utilising alternative exits from plantation areas.

### **Movement and Place Framework (Department of Transport 2019)**

Three main principles underline the DoT's approach to transport planning within the movement and place framework.

1. People First – We put transport users at the centre of everything we do;
2. Outcomes Focused – We focus on outcomes that deliver more choice, connections and confidence in our travel; and
3. One System – We think as one system, not individual projects or modes.

The design of the bulk of the streets in Bright (including Anderson Street, Barnard Street, Howitt Lane, Camp Street and Ireland Street) is generally appropriate for their function, and they appear to operate well.

Gavan Street is presently designated an "Activity Street & Boulevard" function with a higher General Traffic than Place function. This does not reflect the regional significance of Bright as a tourism destination during peak periods, where a higher Place function is warranted.

### **Car Parking**

#### **On street parking:**

265 parking spaces

#### *Weekdays:*

During the study period occupancy ranged from 49% to 76%

Peak period – 201 spaces occupied / 64 available

#### *Weekends:*

During the study period occupancy ranged from 54% to 70%

Peak period – 186 spaces occupied / 79 available

(it is noted that Gavan Street on street parking were at or approaching capacity during peak times).



### Off Street parking:

299 parking spaces

#### *Weekdays:*

Peak period – 151 spaces / 78 available

During the study period occupancy ranged from 49% to 66% capacity.

(it is noted that Woolworths car park was at generally 68% to 73% occupancy through the day)

#### *Weekends:*

Peak period – 142 spaces / 87 available

During the study period occupancy ranged from 40% to 62% capacity.

(it is noted that Woolworths car park was at generally 55% to 60% occupancy through the day)

Demands within the Activity Centre are relatively high during the early afternoon peak periods, with most on-street parking fully occupied within the central areas.

Off-street parking opportunities are limited, and wayfinding signage could be improved, which can contribute to additional traffic circulating for parking.

The 2018 Car Parking Plan adopted by council highlights the issues faced within the study area and identifies short and long term actions that will be considered in this report.

### **Recommendation:**

Additional off-street parking locations have been identified in the Bright Car Parking Plan at Star Road Reserve (Star Road / Toorak Road) and Rotaract Park (Back Germantown Road). It is recommended these are implemented as per the Car Parking Plan with appropriate wayfinding signage.

### **Traffic Volumes**

Activity within Bright, and the associated traffic volumes, are variable throughout the year, with traffic volumes across the summer holiday period and on long weekends considerably higher than off-peak periods.

Traffic volumes across the network do not exceed capacity having regard to the function and cross-section of each road. Daily volumes are all less than 70% of typical daily capacity, even during peak holiday periods:

Ireland Street	7,000	69% capacity
Anderson Street	7,000	60% capacity
Camp Street	7,000	33% capacity
Barnard Street	3,000	42% capacity
Star Road	7,000	59% capacity

Back Porepunkah Road	7,000	16% capacity
Gavan Street (Prices Lane)	12,000	70% capacity
Gavan Street (East of Barnard Street)		36% capacity
Delany Avenue	18,000	36% capacity

### **Intersections**

#### *Performance Parameters*

Degree of Saturation (DoS - ratio of traffic volume making a movement compared to maximum capacity for that movement)

Level of Service (LoS - ratio of average travel speed to desired speed)

#### *Findings*

Peak-hour intersection modelling suggests that all intersections are operating under 'excellent' conditions (DoS - minimal delays and LoS - traffic flows at or above the posted speed limit) with only modest queueing and delays, and no upgrades or interventions are warranted on a capacity basis.

Some level of congestion and queueing is desirable in an Activity Centre context to assist with traffic calming. This ensures that vehicle speeds remain relatively low, leading to better pedestrian amenity, and reduced likelihood and severity of crashes, among other benefits

All intersections are generally designed appropriately, providing appropriate sight distances, suitably catering for design vehicles, and with no trends of crash history.

#### **Recommendation:**

The planned improvements to the Camp Street / Gavan Street intersection will provide for improved safety by assisting with reducing vehicle speeds, improving pedestrian connection, and improving sight distance. It is recommended that this work be pursued as a priority.

### **Pedestrian Movements**

Delays to pedestrians within the study area are generally minimal, with slow vehicle speeds generally allowing pedestrians to safely and conveniently cross Gavan Street during peak periods, and lower traffic volumes in off-peak periods providing ample gaps.

Observations onsite suggested that delays for pedestrians were generally less than 20 seconds, which suggests very good performance based on Movement & Place definitions.

**Recommendation:**

Implementation of continuous footpath treatments across side-road intersections with Gavan Street (including Barnard Street, Howitt lane and Camp Street as a priority) will improve pedestrian amenity and assist with lowering turning vehicle speeds and emphasising a driver's obligation to give way to pedestrians when entering a side road. This will not adversely affect Gavan Street traffic, or its role as a traffic route of municipal significance.

This is also identified in the Car Parking Plan.

**Origin-Destination Data**

Origin-destination Data identifies the route of traffic into the scope area and route of traffic out of the scope area (four routes in total).

The data suggests that traffic entering Bright is relatively evenly distributed across multiple destinations (dispersal ranging from 25% to 43%), indicating that through-traffic is not a contributor to perceived traffic issues.

Noting that daily and peak-hour traffic remains comfortably within capacity, there is little justification as a result for establishing an Alternative Route or Bypass at this stage.

**Recommendations:**

Should traffic volumes increase from that surveyed during the summer peak (e.g., due to ongoing residential development or tourism increases) then it would require growth of approximately 50% on Gavan Street until an Alternative Route or Bypass may be warranted.

High-level modelling undertaken for the Bright Western Gateway suggests residential development in this area may contribute approximately 1,350 additional vehicle movements into central Bright. Allowing for a further 2% annual growth rate, the nominal 12,000 vpd capacity on central Gavan Street may be exceeded in 11 years.

**Future Surveys**

Traffic surveys and site observations were undertaken in periods subject to no restriction on travel or trading due to Covid-19 containment measures, however there are likely still some latent impacts that may impact "typical" travel behaviour.

**Recommendation:**

It is recommended that further surveys and analysis be undertaken on a 12-18 month basis to ensure that the conclusions drawn are based on suitable data.

## 6. Actions

Recommendation	Action	Timeframe (yrs)		
		0-2	2-6	6+
<i>Cycling Facilities</i> - Upgrades to on-road cycling facilities on Gavan Street, Ireland Street, and Anderson Street will assist with conveying the legitimacy of cycling activity on these key roads.	As per Cycle Safety Strategy			
<i>Cycling Facilities</i> - safety measures (e.g., sharrow line marking) should be implemented along these links to ensure all cyclists feel safe.	As per RRV Cycle Safety Project and Cycle Safety Strategy			
<i>Emergency Services</i> – Communicate to operators to consider prioritising use of Hawthorn Lane / Cobden Street / Railway Avenue to bypass slow-moving traffic along Gavan Street in peak periods.	Quick win			
<i>Parking</i> – Erect two signs on Howitt Lane and two signs at Camp Street.	As per Car Parking Plan			
<i>Parking</i> - Formalise off-street parking locations at Star Road Reserve (Star Road / Toorak Road) and Rotaract Park (Back Germantown Road). It is recommended these are implemented as per the Car Parking Plan with appropriate wayfinding signage.	As per Car Parking Plan			
<i>Traffic Volumes</i> - Should traffic volumes increase from that surveyed during the summer peak (e.g. due to ongoing residential development or tourism increases) then it would require growth of approximately 50% on Gavan Street until an Alternative Route or Bypass may be warranted.	To be reviewed in next survey			
<i>Surveying</i> - It is recommended that further surveys and analysis be undertaken on a 12-18 month basis to ensure that the conclusions drawn are based on suitable data.	Ongoing			

Recommendation	Action	Timeframe (yrs)		
		0-2	2-6	6+
<i>Intersections</i> – Secure funding for the planned improvements to the Camp Street / Gavan Street intersection will provide for improved safety by assisting with reducing vehicle speeds, improving pedestrian connection, and improving sight distance.	External funding required			
<i>Footpaths</i> – Review and design of continuous footpath treatments across side-road intersections with Gavan Street (including Barnard Street, Howitt lane and Camp Street as a priority) to improve pedestrian amenity and assist with lowering turning vehicle speeds and emphasising a driver’s obligation to give way to pedestrians when entering a side road.	To be reviewed as part of Car Parking Plan <i>Pedestrian Improvements</i>			
<i>Cycling Facilities</i> - Establish an alternative east-west connection that provides for improved connection around the path network.	To be reviewed as part of Car Parking Plan <i>Cycling Improvements</i>			
<i>Logging</i> - Upgrade the Railway Avenue / Station Street roundabout to allow for a left turning movement of B-double logging trucks (dependent on the removal of the elm tree on the corner of Railway Avenue and Bakers Gully Road) and encourage logging operators to utilise this route.	To be reviewed with relevant stakeholders			

## 7. Supporting documents

Bright Strategic Traffic Assessment – June 2022.

## Bright Strategic Traffic and Movement Safety Action Plan 2022

Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022-24	2-6 yrs 2024-28	6+ yrs 2028+
<b>Actions to be implemented 0-2 years (2022-24)</b>						
Cycling – Safety and Facilities	Upgrades to on-road cycling facilities on Gavan Street, Ireland Street, and Anderson Street to include: <ul style="list-style-type: none"> <li>- Sharrows where there is insufficient room for bicycles</li> <li>- DoT recommendations (TBC)</li> <li>- Provide temporary bike racks for events and peak periods</li> <li>- introduce signage and line marking to remind drivers of likely shared use of the road</li> </ul>	DoT project to be delivered	Bright Strategic Traffic Assessment Car Parking Plan			
	Modify shared trail crossings of main roads to provide; reduced crossing widths, opportunity for staged crossings, with median storage, and greater visibility to approaching motorists at the following locations. <ul style="list-style-type: none"> <li>- Hawthorn Lane / Churchill Avenue / Delaney Road</li> </ul>		Cycle Safety Strategy			
	Modify line marking of on-road bike lane adjacent to Prices Lane on Gavan Street, Bright					

Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022-24	2-6 yrs 2024-28	6+ yrs 2028+
Car Parking – Events	Complete event delivery parking review project		Car Parking Plan			
	Prepare standardised parking plans for events, including any required changes to existing restrictions, and to provide to event organisers for online publication					
	Investigate inclusion of off street car parks into online maps / apps					
	Add maps of on and off street parking locations to ASC relevant tourism websites					
Car Parking – On Street	Change parallel angle bays on Railway Avenue to create 3 additional spaces		Car Parking plan			
	Add 1 disabled parking space to Ireland Street					
Car Parking – Off Street	Formalise off-street parking locations at Star Road Reserve (Star Road / Toorak Road) and Rotaract Park (Back Germantown Road) with appropriate wayfinding signage.		Bright Strategic Traffic Assessment Car Parking Plan			
	Implement a consistent network of directional signs to off street parking location on Howitt Lane and Camp Street.		Car Parking Plan			

Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022-24	2-6 yrs 2024-28	6+ yrs 2028+
Traffic	Traffic Volumes - Should traffic volumes increase from that surveyed during the summer peak (e.g. due to ongoing residential development or tourism increases) then it would require growth of approximately 50% on Gavan Street until an Alternative Route or Bypass may be warranted.	To be reviewed in next survey	Bright Strategic Traffic Assessment			
	Surveying - It is recommended that further surveys and analysis be undertaken on a 12-18 month basis to ensure that the conclusions drawn are based on suitable data.	Ongoing				
Pedestrians	Better define and sign walkways between Burke, Ireland and Wills Streets.		Car Parking Plan			
Roads – Maintenance	Develop minimum standards for road repairs on roads subject to high cyclist volumes, including aggregate size, surface finish and quality etc. to ensure a smooth, even surface is retained.		Cycle Safety Strategy			



Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022-24	2-6 yrs 2024-28	6+ yrs 2028+
<b>Actions to be implemented 2-6 years (2024-28)</b>						
Car Parking – On Street	Create additional bus loading/unloading bays on Gavan Street.		Car Parking Plan			
	Create angle parking on south side of Railway Avenue to formalise 30 spaces.					
	Improve kerb, line marking and signage on Riverside Avenue to formalise parking and improve pedestrian safety.					
Car Parking – Off Street	Improve the sealed extent and layout of the Sound Shell car park to exclude coach parking and create 14 additional spaces.		Car Parking Plan			
	Protect significant trees, level and improve the available area at Rotaract Park to formalise 100 spaces.					
	Improve the sealed extent and layout of the Community Centre car park to create 12 additional spaces.					

Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022- 24	2-6 yrs 2024- 28	6+ yrs 2028+
Pedestrians	Upgrade pedestrian crossings in Gavan, Ireland and Wills Streets, Star Road and Riverside Avenue.		Car Parking Plan			
	Provide footpath connection between Riverside Avenue and Canyon Walk.					
	Provide footpath connection on Railway Avenue between the Community Centre and Ireland Street.					
Cycling	Increase the number and location of bike racks across the town centre.		Car Parking Plan			
	Investigate increasing the width of the Murray to Mountains Rail Trail between Bright and Porepunkah to a minimum of 3 metres to cater for greater cycling volumes and provide an attractive alternative for training cyclists.		Cycle Safety Strategy			
Roads – General	Intersections – Secure funding for the planned improvements to the Camp Street / Gavan Street intersection will provide for improved safety by assisting with reducing vehicle speeds, improving pedestrian connection, and improving sight distance.		Bright Strategic Traffic Assessment			

Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022-24	2-6 yrs 2024-28	6+ yrs 2028+
	Footpaths – Review and design of continuous footpath treatments across side-road intersections with Gavan Street (including Barnard Street, Howitt lane and Camp Street as a priority) to improve pedestrian amenity and assist with lowering turning vehicle speeds and emphasising a driver’s obligation to give way to pedestrians when entering a side road.		Bright Strategic Traffic Assessment			
<b>Actions to be implemented 6+ years (2028+)</b>						
Cycling	Establish an alternative east-west connection that provides for improved connection around the path network.		Bright Strategic Traffic Assessment			
	Install a bicycle contra-flow lane in Barnard Street to Camp Street and in Camp Street to Wills Street.		Car Parking Plan			
	Investigate shared trail along Camp Street, Morses Creek and Churchill Avenue to connect town centre to Alpine Events Park.					
Car Parking – On Street	On Street Car Parking Change parallel to angle bays on east side of Camp Street to create 17 additional spaces.		Bright Car Parking Plan			

Area	Recommendation	Action / Responsibility	Document	Timeframe (yrs)		
				0-2 yrs 2022-24	2-6 yrs 2024-28	6+ yrs 2028+
Car Parking – Off Street	Protect significant trees, fence off hazards, level and improve the available area at Star Road Reserve to formalise 60 spaces.		Bright Car Parking Plan			
Pedestrian Improvements	Implement shared zone in Barnard Street.		Car Parking Plan			
	Upgrade Masciorini Lane to improve pedestrian connection between Toorak Road and Star Road.					
Roads	Logging - Upgrade the Railway Avenue roundabout to allow for a left turning movement of B-double logging trucks (dependent on the removal of the elm tree on the corner of Railway Ave and Bakers Gully Rd) and encourage logging operators to utilise this route.	To be reviewed with relevant stakeholders	Bright Strategic Traffic Assessment			
	Engage with VicRoads to investigate opportunities for speed limit reductions for high-activity areas within Myrtleford town centre to 40km/h		Cycle Safety Strategy			



**A. TAWONGA COMMUNITY FEEDBACK:**

Summary of key feedback received during the second round community consultation in February 2021 (not including all detailed comments received):

- 01.** Resolve whether a pedestrian splitter island on KVH is appropriate to balance pedestrian safety, vehicle turning movements and parking needs (mixed responses received, generally not in support of island),
- 02.** Resolve entry signage locations to town approaches and ascertain where township 'proper' should begin. White signage colour proposed was seen as being too harsh and should be subdued / toned down,
- 03.** Provide continuous and connected all-access footpath circuits to Charles Street, Cooper Street, KWH and parklands, and
- 04.** Retain open grassed areas in Pioneer Park (minimise new tree plantings).

(Nominated project study area in colour)

**B. RESPONSES AND CHANGES**

Items updated directly as a result of community feedback received and design evolution process:

- 01.** KVH pedestrian crossing:
  - . Refuge splitter island removed,
  - . Kerb outstands in town centre added, supported by traffic count data,
  - . Additional outstands added to Cooper and Charles Streets, and
  - . Retention of carparking spaces and Australia Post access to Tawonga Store.
- 02.** Entry signage:
  - . Additional smaller entry sign added from southern approach (to replace existing),
  - . Sign colour changed from bright white to muted taupe/beige.
- 03.** Paths:
  - . Circuit pathway around Pioneer Park added to complete loop,
  - . Infill path network added to Charles Street,
  - . Bridge crossing balustrade added at Charles Street end, and
  - . Fitness Station added in Pioneer Park.
- 04.** Trees:
  - . Fewer tree plantings proposed to retain open character and views.

- 05.** Toilets and shelters:
  - . Roof colour adjustment to match more muted signage colours,
  - . Resolution of cladding construction methodology and identifying ongoing timber maintenance regime (staining or weathering approach), and
  - . Adding universal M/F signage symbols to toilet entries.

- 06.** Playground:
  - . Rocks removed within playground and planting thinned (snakes prevalent), and
  - . Addition of basket swing play element.

- 07.** Other items / design progression:
  - . Resolution of furniture detailing repeating existing elements where appropriate,
  - . Signage / indigenous interpretive information added to central area (exact content TBC during detailed design),
  - . Materials and finishes proposed (page 5),
  - . Lighting strategy proposed (page 5),
  - . Planting strategy proposed (page 6),
  - . Likely construction costs determined (page 7), and
  - . Potential staging / delivery sequence strategy added (page 8).

- Items not changed:
- . Addition of footpath KVH west side (very steep embankment and services issues)

**C. SURVEY RESULTS**

June 2022 online survey seeking preferences for proposed reuse of Scout Hall site, noting that all Options assumed inclusion of additional carparking.

- 14.3%** Option 1: Parkland
- 15.4%** Option 2A: Community building
- 16.8%** Option 2B: Museum building (above sub-options determined from comments received)
- 3.9%** Option 3: Relocated courts



**LEGEND**

Existing trees To be protected and retained	Coloured insitu concrete paving to match existing	Fitness Station	Insitu concrete steps to match P2 paving	Bike racks	Entry / signage element
Proposed trees Refer planting species list	Non-coloured insitu concrete paving pathways	Stacked site stone retaining wall to match existing	Custom timber picnic tables to match existing	Recycling + litter bins	Secondary wayfinding signage element
Garden bed planting Refer planting species list	Sports playing surfacing (relaid over existing surface)	Insitu concrete retaining wall (seating-height terraces)	Custom timber backed seat to match existing	Customised and modified shelter structures	Uplighting
Open grassed area	Organic playground soft-fall mulch surfacing	Custom timber-clad seating wall	Drinking fountain	Pump Track	Pole lighting





**LEGEND**

Existing trees To be protected and retained	P1 Coloured insitu concrete paving to match existing	FS Fitness Station	P2s Insitu concrete steps to match P2 paving	BR Bike racks	S1 Entry / signage element
Proposed trees Refer planting species list	P2 Non-coloured insitu concrete paving pathways	W1 Stacked site stone retaining wall to match existing	PT Custom timber picnic tables to match existing	RB Recycling + litter bins	S2 Secondary wayfinding signage element
Garden bed planting Refer planting species list	P3 Sports playing surfacing (relaid over existing surface)	W2 Insitu concrete retaining wall (seating-height terraces)	ST Custom timber backed seat to match existing	SH Customised and modified shelter structures	L1 Uplighting
Open grassed area	P4 Organic playground soft-fall mulch surfacing	W3 Custom timber-clad seating wall	DF Drinking fountain	TR Pump Track	L2 Pole lighting

Tawonga  
**Tw<sub>2</sub>**

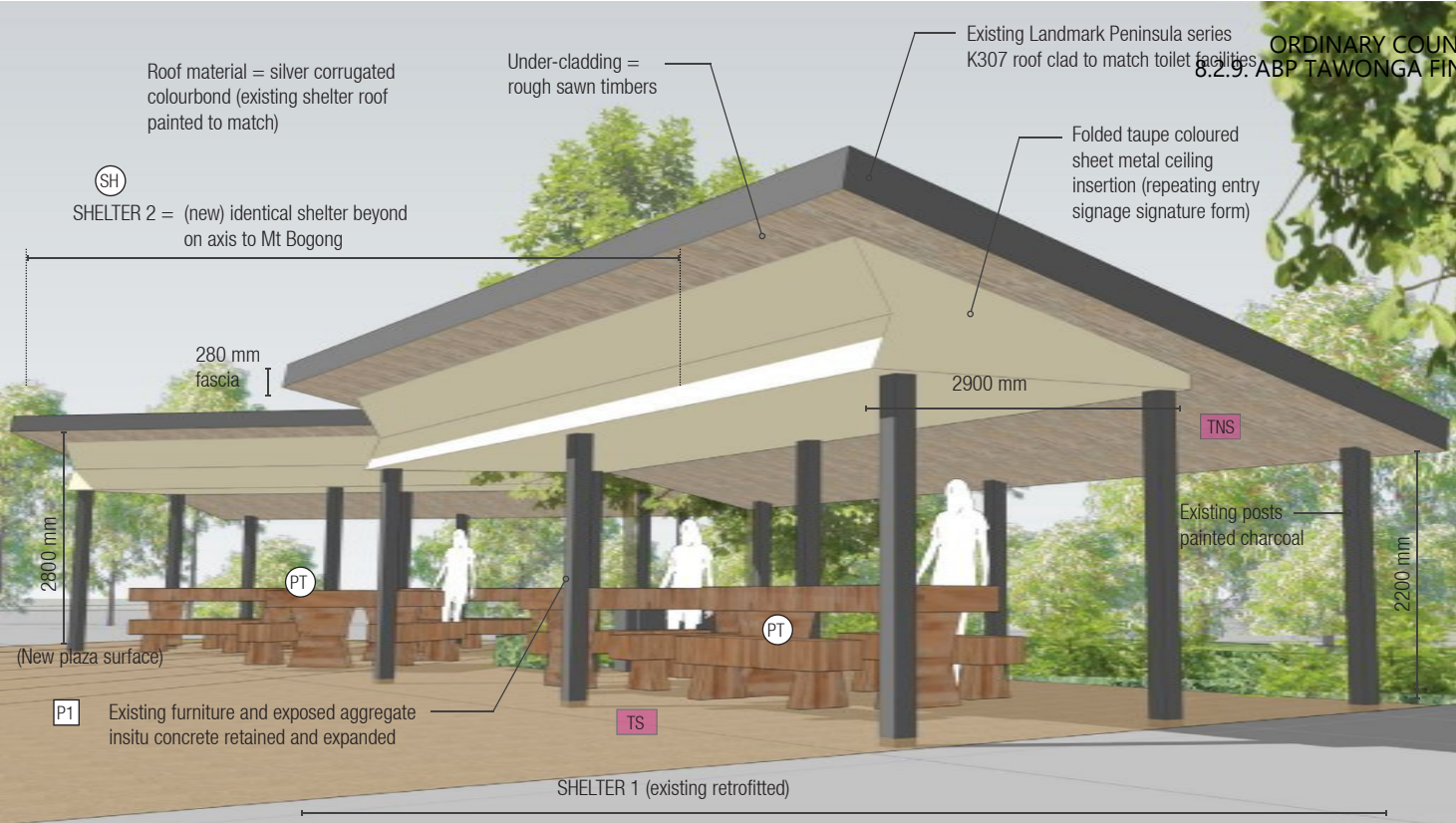
**ALPINE BETTER PLACES**  
 DETAILED LANDSCAPE CONCEPT

**ALPINE**  
 SHIRE COUNCIL

Scale 1:250 @ A1 or 1:500 @ A3  
 Issue [F] final 24.08.2021. Issue [G] updated 14.07.2022. Issue [H] updated 27.07.2022. Issue [J] updated 25.11.2022  
 J:\2002 Alpine Shire Harrietville Tawonga\5. Design\Drawings\InDesign\2002C Tw FINAL concept plan [J].indd



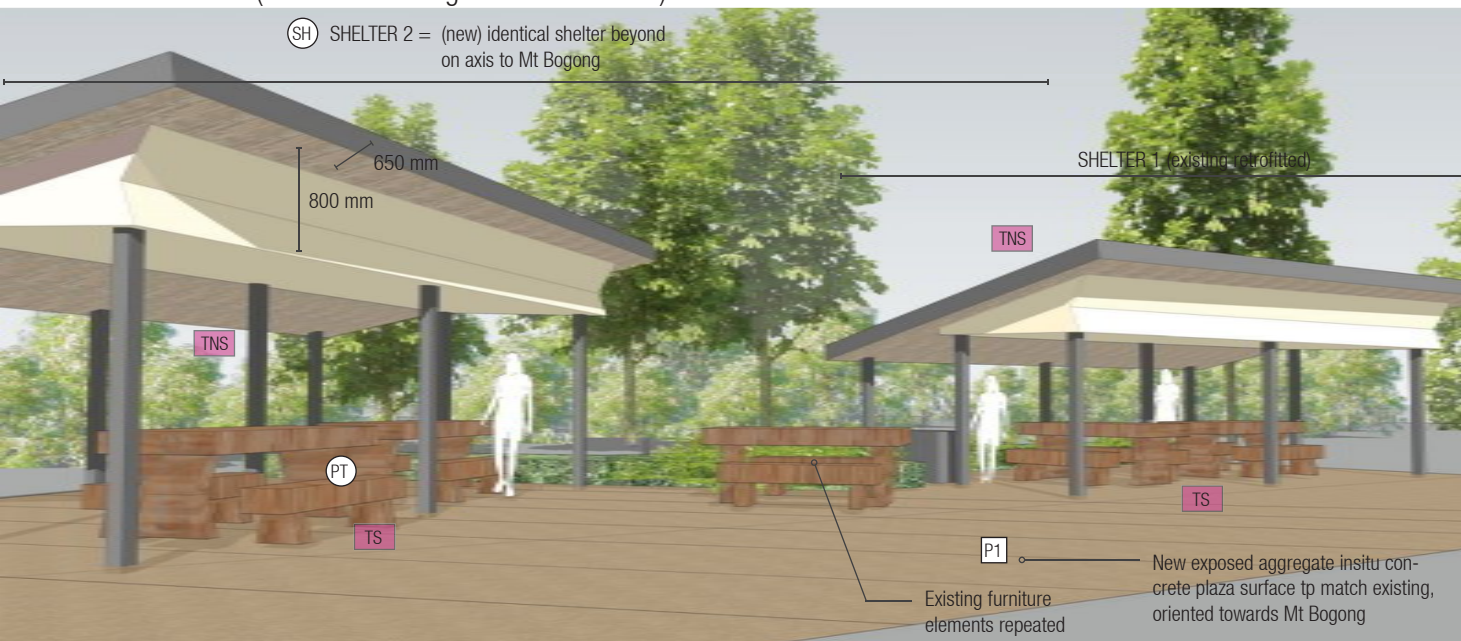




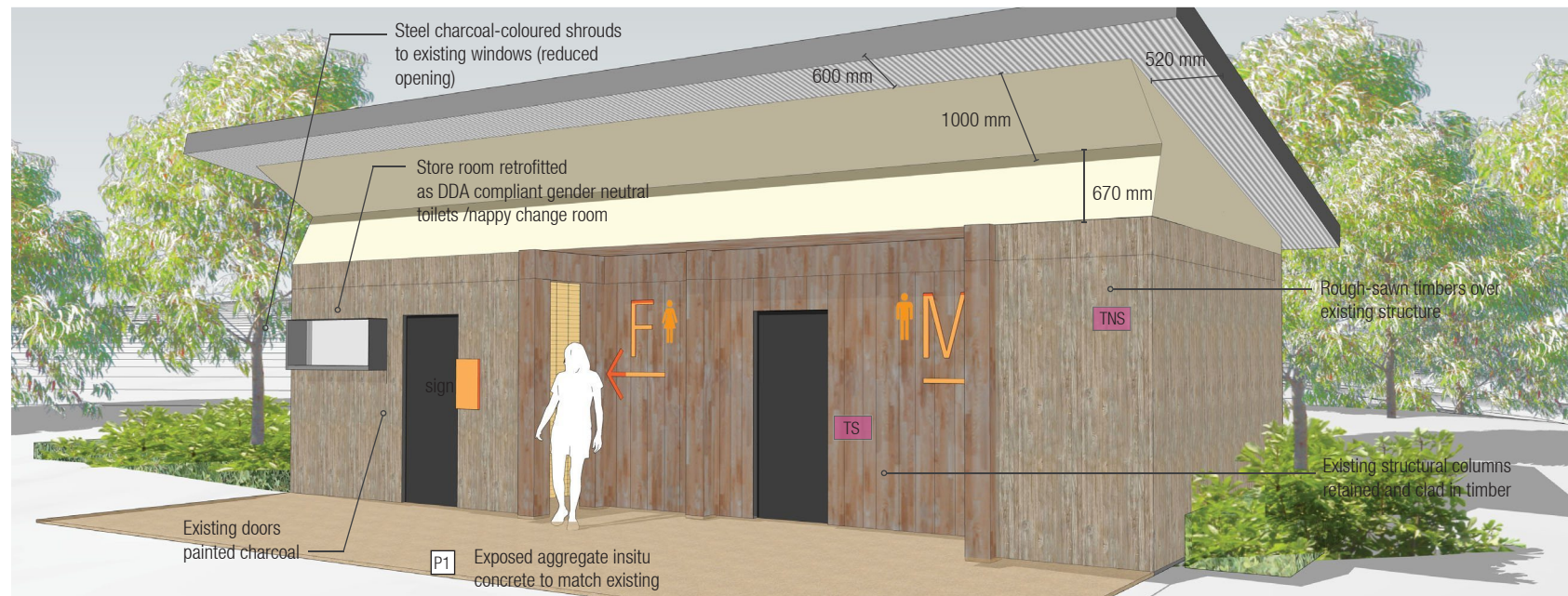
Shelter structures (retrofit to existing and new addition) view 1



Toilet retrofit view 1



Shelter structures (retrofit to existing and new addition) view 2



Toilet retrofit view 2



Park design intent imagery: integrating multipurpose playing surfaces into parklands, terraced amphitheatre allowing community gatherings and events

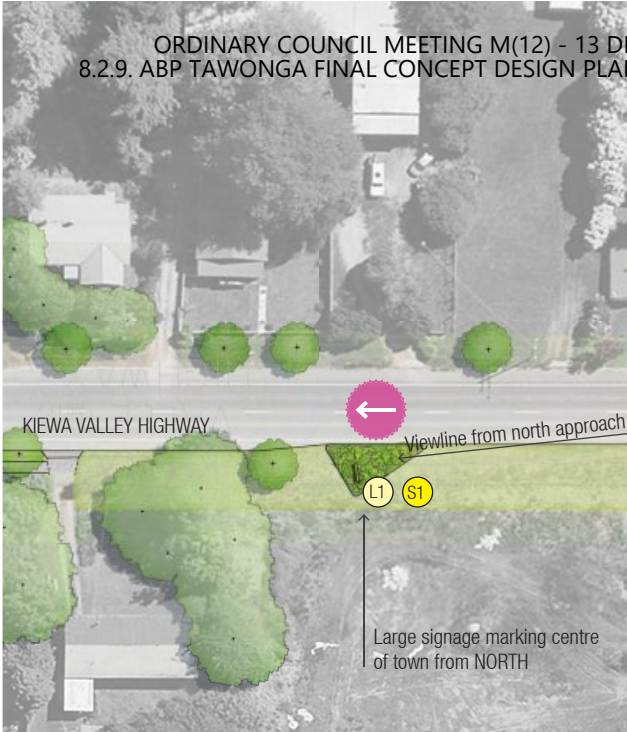
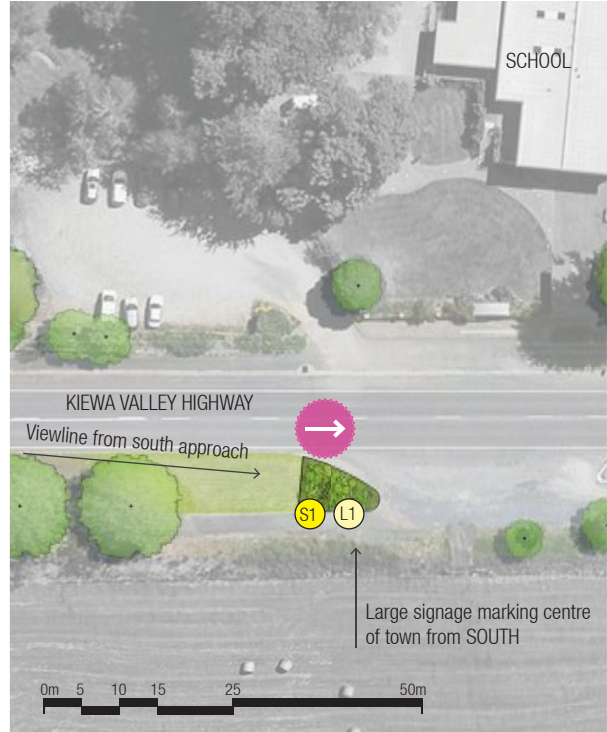
Ongoing timber maintenance schedule:

- TS Timbers stained to specified treatment
- TNS Timbers not stained and allowed to silver

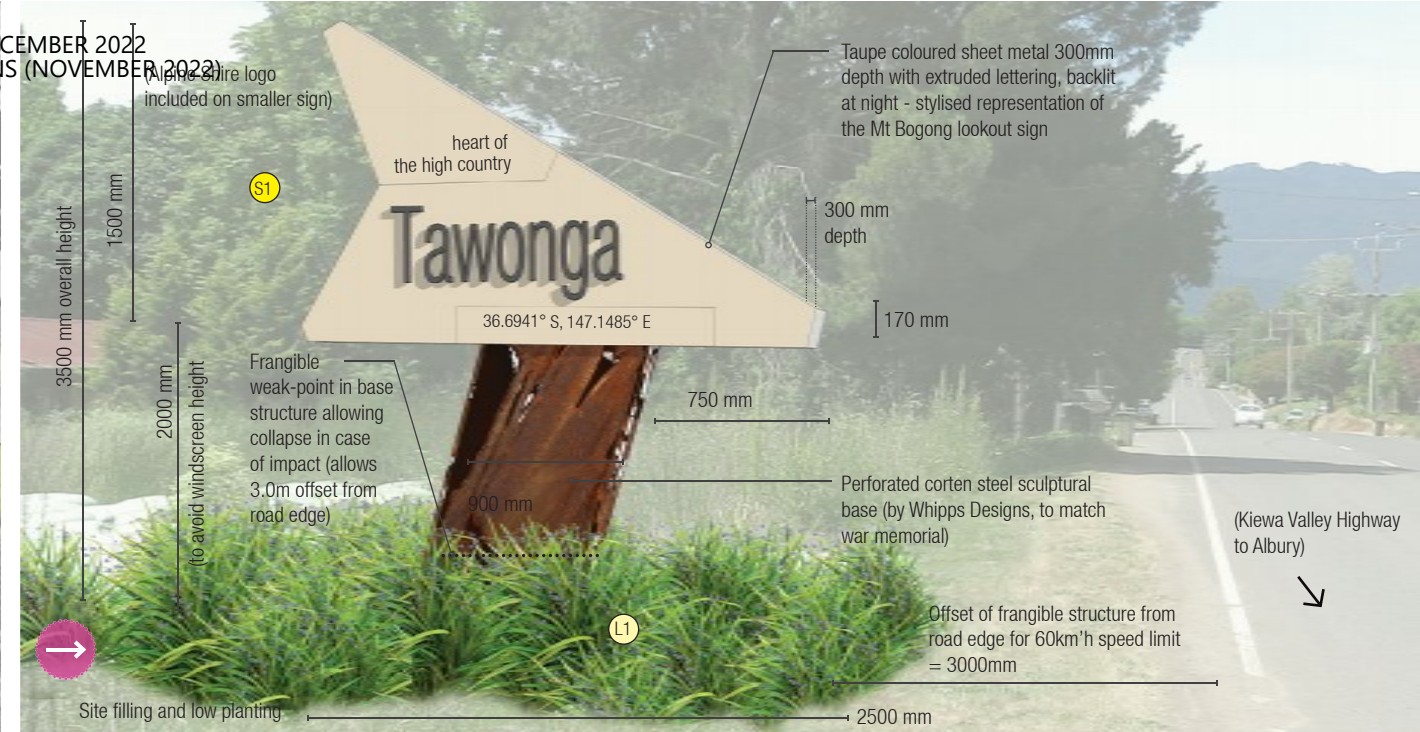




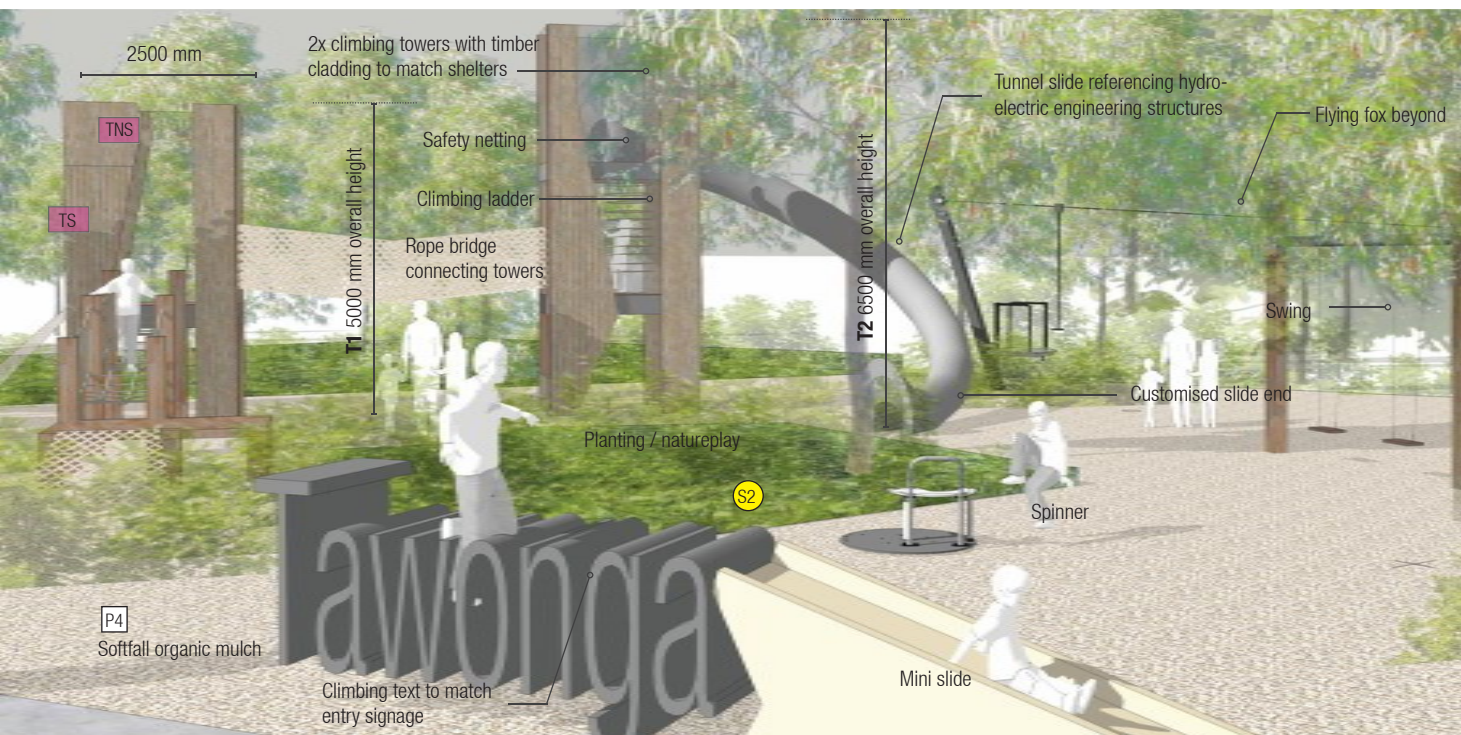
Entry signage locations - SOUTH



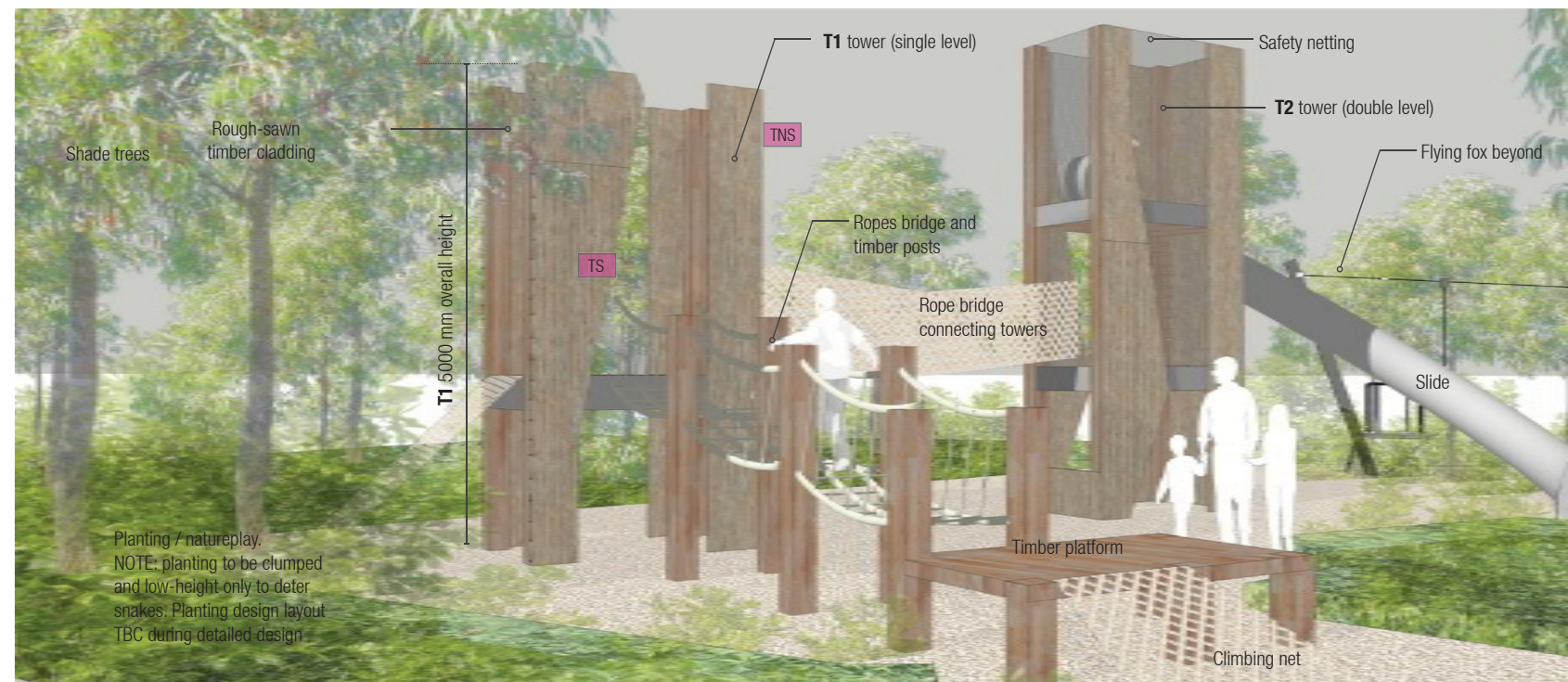
NORTH



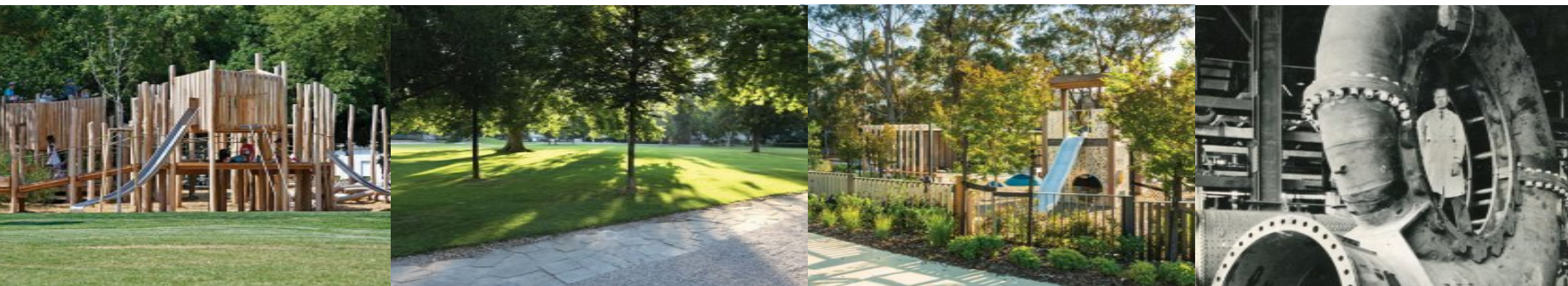
Large entry signage view from northern approach (small signage to southern outskirts = half size)



Playspace view 1



Playspace view 2



Ongoing timber maintenance schedule:

- TS Timbers stained to specified treatment
- TNS Timbers not stained and allowed to silver





**P1** Exposed aggregate insitu concrete (orange / sandy-coloured with rounded river pebble) with sawcut joints to match existing



**P2** Non-coloured in-situ plain grey concrete paving with ruled joints



**P2s** Non-coloured in-situ plain grey concrete steps to match P2 paving



**P3** Insitu concrete playing surface with plexipave surfacing and linemarking graphic



**P4** Organic playground soft-fall mulch surfacing with areas of rubberised surfacing (high impact areas)



**PT** Timber custom picnic tables to match existing



**W1** Site stone retaining walls to match existing (seat height typically) retained or newly constructed



**W2** Non-coloured in-situ plain concrete amphitheatre terracing (seat height) 600mm width



**W3** Seat wall / linear bench - large timbers to match existing furniture 800mm width



**BR** Bike racks  
 Supplier: Commercial Systems  
 Product code: BR7102, manhattan bike leaning rail, charcoal powdercoated



**RB** Bin enclosure (rubbish & recycling)  
 Supplier: Draffin, charcoal powdercoat infills.  
 Product codes : 88597-140-MS-ALPINE-RUB and 88597-140-MS-ALPINE-REC



**DF** Drinking fountain  
 Supplier: Botton + Gardiner  
 Product code: Prospect drinking fountain, marine grade 316 stainless steel



**SH** Rough-sawn weathered timbers to toilets, shelter structure and playground



**TR** Pump track circuit with gentle undulation, aimed at young children on scooters and balance bikes



**L1** Uplighting to entry signage elements



**L2** Pole lighting to park - Supplier: BEGA  
 Product Code: 77844



**S2** Example of secondary wayfinding / interpretive signage (content to be determined)

Ongoing timber maintenance schedule:

- TS** Timbers stained to specified treatment
- TNS** Timbers not stained and allowed to silver





INDICATIVE PLANT SCHEDULE

Code	Botanical Name	Common Name	Mature Size (h x w)	Install Size	Evergreen / Deciduous
<b>Street Trees</b>					
CFL	Cornus florida	Dogwood	6 x 4m	3.0-3.5m / 100L	D
CON	Continuation of Cooper Street tree species	TBC	10 x 5m	3.0-3.5m / 100L	D
<b>Park Exotic / Specimen Trees</b>					
FRX	Fraxinus pennsylvanica 'Urbanite'	Urbanite Green Ash	11 x 8m	3.0-3.5m / 100L	D
LIN	Lagerstroemia indica 'Natchez'	Crepe Myrtle	6 x 4m	3.0-3.5m / 100L	D
<b>Park Native Trees</b>					
ELS	Eucalyptus mannifera 'Little Spotty'	Dwarf Eucalypt	8 x 4m	3.0-3.5m / 100L	E
ERD	Eucalyptus radiata	Narrow Leaved Peppermint Gum	15 x 8m	3.0-3.5m / 100L	E
<b>Shrubs</b>					
	Bursaria spinosa	Sweet Bursaria	3.0 x 2.0m	200mm pot	E
	Callistemon 'Slim'	Upright Callistemon	3.0 x 1.0m	200mm pot	E
	Correa baeuerlenii	Chef's Cap Correa	2.0 x 1.0m	200mm pot	E
	Correa 'Dusky Bells'	Correa 'Dusky Bells'	2.0 x 1.0m	150mm pot	E
	Grevillea 'Scarlet Sprite'	Scarlet Grevillea	1.5 x 1.5m	150mm pot	E
	Indigofera australis	Astral Indigo	2.0 x 1.0m	200mm pot	E
	Leucadendron 'Safari Sunset'	Safari Sunset	2.0 x 1.0m	150mm pot	E
	Westringia longifolia	Westringia	2.0 x 1.0m	150mm pot	E
	Viburnum japonicum	Japanese Viburnum	3.0 x 2.0m	150mm pot	E
<b>Ground Cover / Climber</b>					
	Carpobrotus rossii	Pigface	spreading	150mm pot	E
	Myoporum parvifolium 'Broad Leaf Form'	Broad leaf Creeping Boobialla	spreading	150mm pot	E
<b>Native / Tufting</b>					
	Austrodanthonia caespitosa	Common Wallaby-grass	1.0 x 0.5m	150mm pot	E
	Dianella longifolia	Flax lily	1.0 x 1.0m	150mm pot	E
	Lomandra longifolia 'Tanika'	Matrush	0.6 x 0.6m	150mm pot	E
	Lomandra 'Hystrix'	Hystrix Mat-Rush	1.0 x 1.0m	150mm pot	E
	Microlaena stipoides	Weeping Grass	0.5 x 0.5m	150mm pot	E
	Poa sieberiana	Snow Grass	0.5 x 0.5m	150mm pot	E
	Stylidium graminifolium	Grass Trigger Plant	0.5 x 0.5m	150mm pot	E
	Themeda triandra	Kangaroo Grass	0.6 x 0.6m	150mm pot	E

Street Trees



CFL - Cornus Florida

Park Exotic/Specimen Trees



LIN - Lagerstroemia indica 'Natchez'



FRX - Fraxinus pennsylvanica 'Urbanite'

Park Native Trees



ERD - Eucalyptus radiata



ELS - Eucalyptus mannifera 'Little Spotty'

Shrubs, Groundcovers & Tussock Planting



Callistemon 'Slim'



Bursaria spinosa



Correa baeuerlenii



Correa 'Dusky Bells'



Grevillea 'Scarlet Sprite'



Indigofera australis



Leucadendron 'Safari Sunset'



Westringia longifolia



Viburnum japonicum



Myoporum parvifolium 'Broad Leaf Form'



Dianella longifolia



Lomandra longifolia 'Tanika'





## INDICATIVE CONSTRUCTION STAGING

### STAGE 1

. 1A

Entry signs (including second sign to southern approach), KVH street tree planting and footpath connections to Charles and Cooper Streets.

. 1B

Pioneer Park landscape works including grading, pathways, multi-purpose playing surface, shelter, adjustments and new shelter structure, furniture, pathways, walls, signage, toilet facility upgrades and car park

. 1C

Playground and associated area upgrades, planting, pathways + bridge balustrade

### STAGE 2

Pioneer Park circuit path and tree plantings

### STAGE 3

Pump Track circuit

NOTE: if budget permits, construction of the works in a single stage would be the most cost effective way of completing the works.





PRELIMINARY COST ESTIMATES

(continued from left columns)

TAWONGA Description	Unit	Rate	STAGE 1A ST1A: KWL ENTRIES & FOOTPATH CONNECTIONS		STAGE 1B ST1B: PIONEER PARK, TOILETS & CAR PARK		STAGE 1C ST1C: PLAYGROUND & BRIDGE BALUSTRADE		STAGE 2 ST2: PIONEER PARK CIRCUIT		STAGE 3 ST3: PUMP TRACK	
			Qty	Amount	Qty	Amount	Qty	Amount	Qty	Amount	Qty	Amount
<b>0210 ENVIRONMENTAL MANAGEMENT</b>												
Allowance for environmental protection and management, including staging of works, coordination with residents, establishment, survey, setout, traffic management, location of services etc. (5%)	Item	5%	5%	\$13,942.50	5%	\$54,937.85	5%	\$21,215.95	5%	\$4,480.00	5%	\$3,890.50
<b>0212 DEMOLITION</b>												
Allowance for demolition required to achieve landscape works including removal of existing paving from Kiewa Valley Highway, existing basketball paving, footpaths etc. incl. disposal off site.	m2	\$40.00	250	\$10,000.00	551	\$22,040.00						
Allowance for demolition required to achieve landscape works including removal of existing kerb & channel and disposal off site	lin.m	\$25.00	65	\$1,625.00	8	\$200.00						
Allowance for reinstatement required to achieve landscape works (excluding removal of existing Scout Hall building structure)	allow	\$10,000.00									1	\$10,000.00
Remove existing walls along Kiewa Valley Highway and stockpile rockwork to reinstall walls at lower height.	lin.m	\$150.00			40	\$6,000.00						
Tree removal works to achieve landscape works	no.	\$5,000.00			2	\$10,000.00		\$0.00				
Allowance for adjustments to existing services	allow	\$5,000.00	0.5	\$2,500.00	0.5	\$2,500.00						
<b>0220 GROUNDWORKS</b>												
Bulk earthworks as necessary to achieve design grades.	allow	\$15,000.00	0.1	\$1,500.00	0.7	\$10,500.00	0.2	\$3,000.00				
General excavation, fine grading and trimming to all areas to achieve landscape works.	m2	\$5.00	1027	\$5,135.00	3765	\$18,825.00	1176	\$5,880.00	648	\$3,240.00	440	\$2,200.00
<b>0250 PAVING</b>												
Supply and install paving <b>Type P1 - In situ coloured concrete paving.</b>	m2	\$170.00			400	\$68,000.00	74	\$12,580.00				
Supply and install paving <b>Type P2 - In situ plain concrete paving.</b>	m2	\$120.00	1027	\$123,240.00	299	\$35,880.00	278	\$33,360.00	648	\$77,760.00		
Supply and install paving <b>Type P3 - basketball grip paving</b> including concrete subbase and linemarking.	m2	\$160.00			551	\$88,160.00						
Supply and install paving <b>Type P3 - asphalt paving</b> (carparking)	m2	\$120.00			558	\$66,960.00						
Supply and install <b>kerb and channel</b>	lin.m	\$150.00	65	\$9,750.00	8	\$1,200.00						
Supply and install <b>grass crossings</b> in accordance with Council Standards.	each	\$2,000.00	4	\$8,000.00								
Supply and install <b>linemarking</b> in accordance with Australian Standards.	allow	\$5,000.00	1	\$5,000.00								
Supply and install <b>insitu concrete steps.</b>	lin.m	\$450.00			78	\$35,100.00						
Supply and install <b>insitu concrete edge</b> to edge of playground.	lin.m	\$120.00					66	\$7,920.00				
<b>0270 DRAINAGE</b>												
Allow to modify existing drainage and install new drainage as necessary.	allow	\$5,000.00	0.5	\$2,500.00	0.25	\$1,250.00	0.25	\$1,250.00				
<b>0280 IRRIGATION</b>												
Supply and install irrigation system including all required authority fees.	item	\$5,000.00			0.5	\$2,500.00	0.5	\$2,500.00				
Supply and install irrigation to garden bed areas	m2	\$32.00			887	\$28,384.00	345	\$11,040.00				
Supply and install irrigation to grass areas.	m2	\$40.00			770	\$30,800.00						
<b>0290 SOIL &amp; PREPARATION</b>												
Prepare and install garden bed, including weed eradication, sub-base preparation, 250mm depth imported topsoil.	m2	\$25.00			887	\$22,175.00	345	\$8,625.00				
Supply and install organic mulch.	m2	\$9.00			887	\$7,983.00	345	\$3,105.00				
Prepare grass areas, including weed eradication, sub-base preparation, 100mm depth imported topsoil	m2	\$10.00			770	\$7,700.00	479	\$4,790.00				
Supply and install steel edge (SE) as detailed & specified.	lin.m	\$32.00			160	\$5,120.00	8	\$256.00				
<b>0291 TURF &amp; GRASS</b>												
Supply and install pre-grown turf as detailed and specified, including allowance to make good all areas disturbed during the works	m2	\$12.00			1070	\$12,840.00	479	\$5,748.00			440	\$5,280.00
<b>0292 PLANTING</b>												
Supply and install advanced tree in 100L pot size, 3.0 m height with nursery standard caliper, including mulching.	no.	\$380.00	45	\$17,100.00	17	\$6,460.00	12	\$4,560.00	20	\$7,600.00	6	\$2,280.00
Supply and install shrubs in 150 mm pots	no.	\$10.00			3548	\$35,480.00	1380	\$13,800.00				
<b>0293 LANDSCAPE ESTABLISHMENT</b>												
Allow for all maintenance (including watering) of all areas within extent of works as specified.	weeks	\$500.00	13	\$2,500.00	13	\$6,500.00	13	\$4,000.00	13	\$1,000.00		
<b>04100 WALLS</b>												
Supply and install <b>W1 granite edge walls</b> adjacent to pathways and Kiewa Valley Highway (north).	lin.m	\$1,200.00			89	\$106,800.00						
Supply and install <b>W2 concrete seating walls</b> adjacent to basketball court.	lin.m	\$750.00			60	\$45,000.00						
Supply and install <b>W3 timber seating wall</b> adjacent to basketball court.	lin.m	\$750.00			27	\$20,250.00						
Supply and install rebound wall to basketball court.	lin.m	\$2,000.00			22	\$44,000.00						

TAWONGA Description	Unit	Rate	STAGE 1A ST1A: KWL ENTRIES & FOOTPATH CONNECTIONS		STAGE 1B ST1B: PIONEER PARK, TOILETS & CAR PARK		STAGE 1C ST1C: PLAYGROUND & BRIDGE BALUSTRADE		STAGE 2 ST2: PIONEER PARK CIRCUIT		STAGE 3 ST3: PUMP TRACK	
			Qty	Amount	Qty	Amount	Qty	Amount	Qty	Amount	Qty	Amount
<b>0500 METALWORK &amp; FURNITURE</b>												
Renovate existing toilet structure including conversion of clubrooms into disabled / baby-change toilet.	item	\$150,000.00			1	\$150,000.00						
Supply and install <b>Landmark Shelter</b> (to match existing).	item	\$30,000.00			1	\$30,000.00						
Supply and install <b>feature ceiling</b> to new and existing shelters	item	\$15,000.00			2	\$30,000.00						
Supply and install <b>picnic tables</b> (to match existing)	item	\$5,000.00			5	\$25,000.00						
Supply and install <b>timber seating</b>	lin.m	\$750.00			11	\$7,950.00					3	\$2,250.00
Relocate existing rubbish & recycling bin	item	\$500.00			1	\$500.00						
Relocate existing drinking fountain	item	\$2,500.00			1	\$2,500.00						
Supply and install stainless steel bike racks - long rail	item	\$500.00			2	\$1,000.00						
Supply and install Entry Signage including concrete footings and finishes as specified	item	\$30,000.00	2	\$60,000.00								
Supply and install Small Entry Signage at southern town outskirts including concrete footings and finishes as specified	item	\$15,000.00	1	\$15,000.00								
Supply and install Park Interpretive Signage including finishes as specified	item	\$5,000.00			1	\$5,000.00						
Supply and install stainless steel handrail to 1:14 ramps and steps including steel members, connections and finishes	lin.m	\$600.00			77	\$46,200.00						
<b>11480 PLAYGROUND</b>												
Supply and install <b>Play Towers</b> including connecting rope tunnels + slides.	allow	\$150,000.00					1	\$150,000.00				
Supply and install <b>Flying Fox</b>	item	\$22,000.00					1	\$22,000.00				
Supply and install <b>Carousel</b>	item	\$12,000.00					1	\$12,000.00				
Supply and install <b>Swing Set (incl basket swing)</b>	item	\$12,000.00					1	\$12,000.00				
Supply and install <b>Diggers</b> to sand pit area.	item	\$3,500.00					2	\$7,000.00				
Supply and install <b>Tawonga letters and slide</b> including reuse of logs and other materials salvaged from site	allow	\$15,000.00					1	\$15,000.00				
Supply and install <b>Nature play</b> elements	allow	\$5,000.00					1	\$5,000.00				
Supply and install <b>P4 softfall mulch</b> (assumes reuse where possible)	m2	\$15.00					733	\$10,995.00				
Supply and install <b>softfall sand</b>	m2	\$45.00					58	\$2,610.00				
Supply and install <b>fitness station</b>	item	\$8,000.00					2	\$16,000.00				
Supply and install <b>balustrade to bridge</b>	lin.m	\$600.00					28	\$16,800.00				
Supply and install <b>Basketball Ring</b>	item	\$5,000.00					1	\$5,000.00				
Supply and install <b>Pump Track</b> including minor site grading	m2	\$450.00									124	\$55,800.00
<b>16000 LIGHTING &amp; ELECTRICAL</b>												
Allowance for feature lighting within park (including toilet)	allow	\$5,000.00					1	\$5,000.00				
Allowance for feature lighting to main entry signs	allow	\$5,000.00	2	\$10,000.00								
Allowance for feature pole lighting	allow	\$15,000.00					2	\$30,000.00				
Allowance for services connections	allow	\$10,000.00	0.5	\$5,000.00	1	\$10,000.00	0.25	\$2,500.00				
<b>PROVISIONAL SUM / COST ESCALATION / PRELIMINARIES (25%)</b>	Item	25%	25%	\$69,712.50	25%	\$274,689.25	25%	\$106,079.75	25%	\$22,400.00	25%	\$19,452.50
<b>TOTAL (excl. GST)</b>				\$362,505.00		\$1,428,384.10		\$551,614.70		\$116,480.00		\$101,153.00
<b>GRAND TOTAL (excl. GST)</b>				<b>\$2,560,136.80</b>								

**Exclusions:**  
GST  
Street pole lighting & services works  
Civil estimates for road and kerb works guide only - subject to civil detailed design.  
Extended maintenance period  
Project management fees  
Consultant fees  
Public art and murals  
Irrigation

Tawonga  
**Tw**<sub>8</sub>  
ALPINE BETTER PLACES  
STAGED INDICATIVE COSTINGS  
ALPINE SHIRE COUNCIL  
mdg

# Budget Report Quarterly Review

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For the period ending 30 September 2022



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# 1. Introduction

## Preparation of report

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

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

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

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

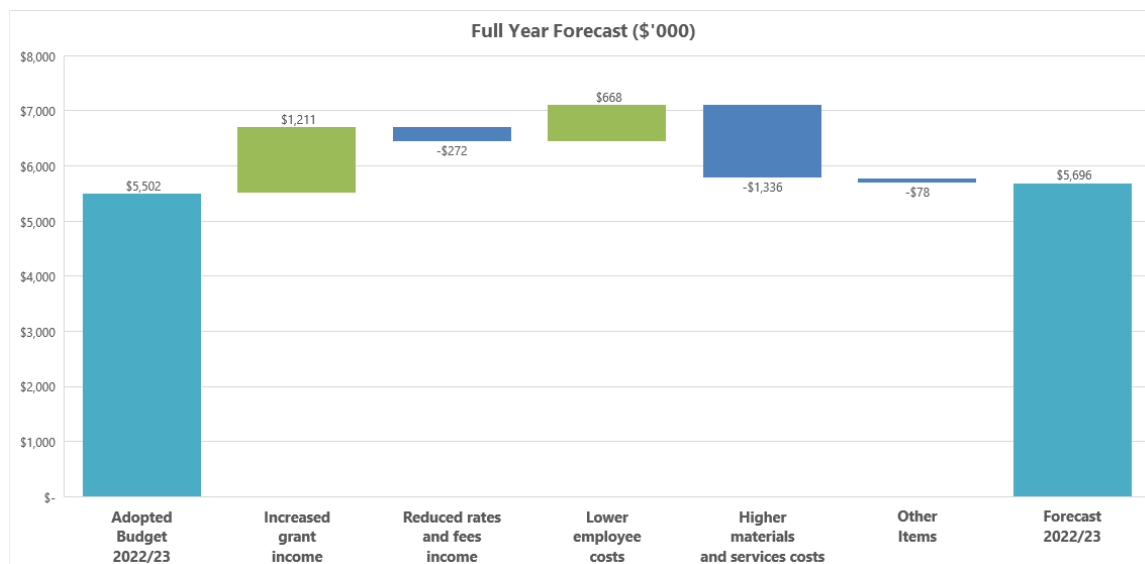
Explanations for budgets and variances have been provided by each department and reviewed by the Finance department.

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

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

## 2. Full Year Summary

At the end of Quarter 1 (Q1) Council is forecasting a full year surplus of \$5.7m, which is \$0.2m higher than the budgeted surplus of \$5.5m.



A key driver of the increase in the budgeted surplus is the forecast additional grant income (\$1.2m). Employee costs are also forecast to be under budget (\$0.7m). These positive variances are offset by the expensing (\$1.4m in Materials & Services expenditure) of the fully funded Bogong High Plains Road Blackspot project, which will occur when the road is handed over to DELWP later in the financial year. In addition, a below budget forecast of Rate & Charges income (\$0.3m) relates to an error in the budget for waste management service charges.

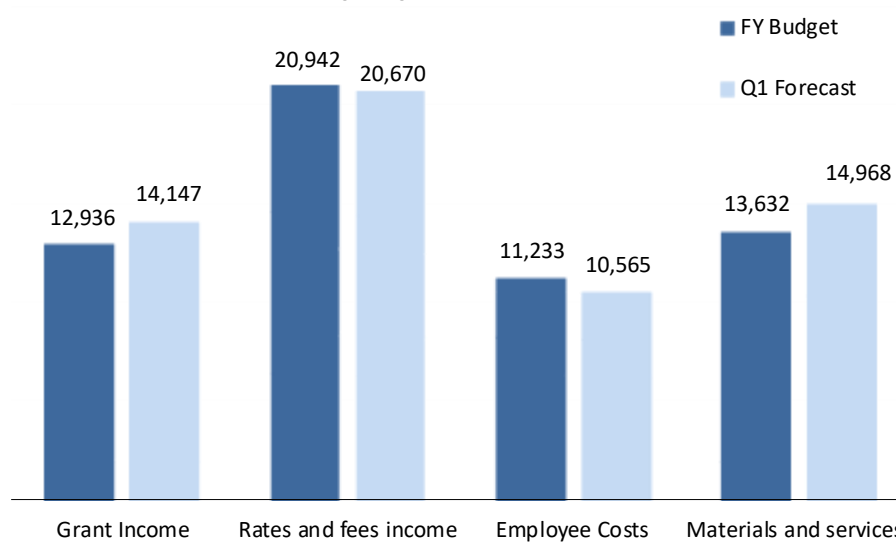
Forecast increased grant income (\$1.2m) relates mainly to:

- extra funding for Supported Playgroups service delivery (\$0.1m)
- an unbudgeted grant for YACVic Future Proof program (\$0.3m)
- unbudgeted income for the Porepunkah Caravan Park (\$0.2m)
- funding for the Rural Councils Transformation project (\$0.3m) and;
- unbudgeted Bushfire Recovery income (\$0.3m)



### 3. Comparison to adopted budget 2022/23

#### Q1 Forecast - Key Variances (\$k)



The Q1 forecast surplus has increased from the adopted budget by \$0.2m primarily due to a forecast increase in Grant Income (\$1.2m) and reduced Employee Costs (\$0.7m). Offsetting this are a net increase in forecasted Materials and Services expenses (\$1.4m) and a forecasted reduction in Rates & Charges income (\$0.3m).

## 4. Income Statement

Year-end forecast against budget is as follows:

	Actual YTD	Budget YTD	Variance	Budget Full	Forecast Full	Variance		Ref
	September	September		Year	Year	\$'000	%	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%	
<b>Income</b>								
Rates and charges	5,166	5,097	69	20,390	20,118	(272)	-1%	<b>1</b>
Statutory fees and fines	107	138	(31)	552	552	-	0%	
User fees	276	241	35	965	961	(4)	0%	
Contributions - cash	569	179	390	716	715	(1)	0%	
Contributions - non-monetary assets	-	109	(109)	438	438	-	0%	
Grants - Operating (recurrent)	412	959	(547)	3,835	3,856	21	1%	
Grants - Operating (non-recurrent)	1,382	80	1,302	319	1,558	1,239	388%	<b>2</b>
Grants - Capital (recurrent)	-	178	(178)	710	698	(12)	-2%	
Grants - Capital (non-recurrent)	100	1,750	(1,650)	8,072	8,035	(37)	0%	
Other income	263	217	46	868	776	(92)	-11%	
<b>Total income</b>	<b>8,275</b>	<b>8,948</b>	<b>(673)</b>	<b>36,865</b>	<b>37,708</b>	<b>842</b>	<b>2%</b>	
<b>Expenses</b>								
Employee costs	2,741	2,808	(67)	11,233	10,565	(668)	-6%	<b>3</b>
Materials and services	3,142	3,418	(276)	13,632	14,968	1,336	10%	<b>4</b>
Depreciation	1,394	1,394	-	5,549	5,549	-	0%	
Amortisation	-	7	(7)	28	28	-	0%	
Landfill Rehabilitation	-	-	-	78	78	-	0%	
Other expenses	72	209	(137)	835	816	(19)	-2%	
Net gain on disposal of property, infrastructure, plant and equipment	-	-	-	8	8	-	0%	
<b>Total expenses</b>	<b>7,349</b>	<b>7,836</b>	<b>(487)</b>	<b>31,363</b>	<b>32,012</b>	<b>649</b>	<b>2%</b>	
<b>Surplus (deficit) for the year</b>	<b>926</b>	<b>1,112</b>	<b>(186)</b>	<b>5,502</b>	<b>5,696</b>	<b>194</b>	<b>4%</b>	

### Income Statement – Explanations of Full Year Variances

Ref	Item	Explanation
1	Rates and Charges	Charges are less than budgeted due to calculation error in waste management service charges.
2	Grants – Operating (Non Recurrent)	<p>Increase funds for Supported Playgroups to increase service delivery were received (\$75k).</p> <p>An unbudgeted project for YACVic (\$275k)</p> <p>Unbudgeted grant (\$128k) and unexpended funds (\$100k) from previous committee of management for Porepunkah Bridge Caravan Park.</p> <p>Unbudgeted grant towards Rural Councils Transformation Program (\$250k).</p> <p>Unbudgeted Bushfire Recovery funding (\$272k) for resilience and recovery activities.</p>
3	Employee Costs	Budget assumed full staffing profile for financial year but ongoing staff vacancies across many areas of council has resulted in a predicted underspend (\$668k) for 2022/23.
4	Materials and Services	<p>Various operational activities, the most significant of which include:</p> <ul style="list-style-type: none"> <li>• Expensing the Bogong High Plains Road Blackspot project (\$1.4m) – previously classified as capital expenditure</li> <li>• Increased asset maintenance due to the unusually wet season (\$400k)</li> <li>• Unbudgeted Community Development programs that are either fully or partly funded by state/federal governments (\$142k)</li> <li>• Increased insurance premiums (\$88k)</li> <li>• Fully funded Bushfire Recovery activities (\$130k)</li> <li>• Additional workforce support resources to cover ongoing employee vacancies (\$150k)</li> </ul> <p>Reduction in workforce capitalisation expense (\$292k)</p>

## 5. Departmental Summary

	Actual YTD September \$'000	Budget YTD September \$'000	Variance \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	Ref
<b>Income</b>							
Asset Development	1,138	2,173	(1,035)	8,693	8,733	40	
Asset Maintenance	19	26	(7)	105	105		
Planning and Amenity	168	302	(134)	1,207	1,222	15	
Bushfire Recovery	272		272		272	272	<b>1</b>
Corporate	4,566	4,960	(394)	19,840	19,896	56	<b>2</b>
Councillors and Executive	26		26	-	26	26	
Economic and Community Development	175	160	15	640	1,061	421	<b>3</b>
Facilities	1,909	1,613	297	6,450	6,287	(163)	
<b>Grand Total</b>	<b>8,273</b>	<b>9,234</b>	<b>(961)</b>	<b>36,935</b>	<b>37,602</b>	<b>667</b>	
<b>Expenditure</b>							
Asset Development	558	4,601	(4,043)	18,405	18,027	(378)	<b>4</b>
Asset Maintenance	543	810	(267)	3,241	3,641	400	<b>5</b>
Planning and Amenity	31	300	(269)	1,198	1,205	7	
Bushfire Recovery	29	102	(73)	408	561	153	<b>6</b>
Corporate	539	568	(29)	2,272	2,446	174	<b>7</b>
Councillors and Executive	3,130	2,978	152	11,913	11,415	(498)	<b>8</b>
Economic and Community Development	506	462	44	1,848	1,896	48	
Facilities	848	1,343	(495)	5,371	5,505	134	
<b>Expenditure Total</b>	<b>6,184</b>	<b>11,164</b>	<b>(4,980)</b>	<b>44,656</b>	<b>44,696</b>	<b>40</b>	

### Department Summary – Explanations of Full Year Variances

Ref	Item	Explanation
1	Bushfire Recovery Income	Unbudgeted grant income for resilience and recovery activity programs (\$272k)
2	Corporate Income	Higher than anticipated interest income from managed investments due to interest rate rises ( \$59k).
3	Economic and Community Development Income	Additional grant funding to provide increased service delivery for Supported Playgroups (\$75k), increased income as a result of greater patronage for Dinner Plain Bus service in 2022 ski season (\$40k) and an unbudgeted grant for YACVic Future Proof program (\$275k).

Ref	Item	Explanation
4	Asset Development Expenditure	<p>Capacity constraints have led to project officer resources being allocated away from the following projects to higher priority projects – leading to a reduction in expenditure (\$390k).</p> <ul style="list-style-type: none"> <li>• Mount Beauty Landfill Rehabilitation</li> <li>• Tawonga Fisherman’s Walk Public Toilet</li> <li>• Mount Beauty Airport Bowser Design</li> <li>• Mount Beauty Depot Concept Design</li> <li>• Bright Carparking Stage 3</li> </ul> <p>The Myrtleford Landfill Rehabilitation project will be delayed into the next financial year as a result of the EPA approval process. This is expected to take 4 months after which a contractor for the works will be appointed and has resulted in a forecast reduction in expenditure (\$960k).</p> <p>These expense reductions have been offset by forecast expenditure increases against the following projects</p> <ul style="list-style-type: none"> <li>• Mount Beauty Airport Upgrade (\$630k)</li> <li>• Bogong High Plains Road Blackspot (\$60k)</li> <li>• Energy Efficient Street Lighting (\$427k)</li> <li>• Bakers Gully Road Drainage Renewal (\$130k).</li> </ul> <p>In addition the overall workforce capitalisation expenditure is also forecasted to drop (\$292k).</p>
5	Asset Maintenance Expenditure	<p>Due to recent floods the forecast expenditure to repair affected roads (both sealed and unsealed) has increased (\$400k).</p>
6	Bushfire Recovery Expenditure	<p>Various fully-funded Community Recovery and Resilience programs (\$177k).</p>

Ref	Item	Explanation
7	Corporate Expenditure	<p>Higher than budgeted forecast expenditure for the following items</p> <ul style="list-style-type: none"> <li>• Increased insurance premiums (\$88k),</li> <li>• Corporate Business Systems (\$34k),</li> <li>• Corporate Technology Infrastructure (\$18k)</li> <li>• Server Infrastructure Renewal (\$24k)</li> <li>• Bad Debts expense (\$10k)</li> </ul>
8	Councillors and Executive Expenditure	<p>Forecast lower than budget expenditure due to ongoing staff vacancies (\$668k), offset by unbudgeted Workforce Support expenditure (\$150k), and higher than budgeted expenditure on the Intranet Renewal project (\$20k).</p>

## 6. Capital Works Summary

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

	Actual YTD September \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance \$'000	%	Ref
<b>Income</b>						
Mountain View Childrens Centre Upgrade	-	150	150	-	0%	
Dargo High Plains Road Upgrade	-	2,250	2,250	-	0%	
Dinner Plain Activation	-	1,250	1,250	-	0%	
Dinner Plain Snowmaking	100	200	200	-	0%	
Alpine View Childcare Centre	-	400	400	-	0%	
Nimmo Pedestrian Bridge	-	487	479	(8)	-2%	
Tawonga Caravan Park Upgrade	-	700	700	-	0%	
Myrtleford Savoy Soccer Club Upgrade	-	250	250	-	0%	
Ablett Pavilion Myrtleford Upgrade	-	300	300	-	0%	
Mount Beauty Stadium Renewable Energy Upgrade	-	200	200	-	0%	
Myrtleford Splash Park	-	200	200	-	0%	
<b>Expenses</b>						
Mountain View Childrens Centre Upgrade	-	150	150	-	0%	
Dargo High Plains Road Upgrade	-	2,250	2,250	-	0%	
Dinner Plain Activation	28	1,450	1,450	-	0%	
Alpine View Childrens Centre Expansion	193	400	400	-	100%	
Nimmo Pedestrian Bridge	4	487	456	(31)	100%	
Myrtleford Savoy Soccer Club Upgrade	5	250	250	-	100%	
Dinner Plain Snowmaking	8	500	500	-	0%	
Mount Beauty Airport Upgrade	4	370	1,000	630	170%	1
Tawonga Caravan Park Upgrade	118	700	700	-	0%	
Energy Efficient Street Lighting	3	500	927	427	85%	2
Ablett Pavilion Myrtleford Upgrade	3	300	300	-	0%	
Mount Beauty Stadium Renewable Energy Upgrade	-	200	200	-	0%	
Myrtleford Splash Park	-	200	200	-	0%	
Myrtleford Sport and Active Recreation Master Plan	-	160	160	-	0%	
Myrtleford Landfill Rehabilitation	19	980	20	(960)	-98%	3
Mount Beauty Education and Sport Precinct Masterplan	4	120	120	-	0%	

### Capital Works Summary – Explanation of Full Year Variances

Ref	Item	Explanation
1.	Mount Beauty Airport Upgrade Expenditure	Delays in planned works in 2021/22 resulted in a carry forward program that is expected to be completed by Christmas 2022 (subject to weather). The higher than budgeted spend (\$630k) is still within the overall project budget.
2.	Energy Efficient Street Lighting Expenditure	The variance to 2022/23 planned expenditure is the carry forward budget from 2021/22 for hardware (\$427k).

Ref	Item	Explanation
3.	Myrtleford Landfill Rehabilitation Expenditure	The delayed design completion is currently waiting EPA approval. This process may take 4 months, after which a contractor will be appointed. Work to commence in the 2023/24 financial year.

## 7. Balance Sheet

	Actual YTD September \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance	
				\$'000	%
<b>Assets</b>					
<b>Current assets</b>					
Cash and cash equivalents	1,447	2,529	3,439	910	36%
Trade and other receivables	14,814	2,001	1,785	(216)	-11%
Financial assets	38,899	22,000	18,000	(4,000)	-18%
Inventories	102	103	72	(31)	-30%
Other assets	128	326	158	(168)	-52%
<b>Total current assets</b>	<b>55,390</b>	<b>26,959</b>	<b>23,454</b>	<b>(3,505)</b>	<b>-13%</b>
<b>Non-current assets</b>					
Investment properties	3,775	3,775	4,153	378	
Investment in shared services	-	123	-	(123)	-100%
Property, infrastructure, plant & equipment	254,389	248,242	267,783	19,541	8%
Intangible assets	188	193	134	(59)	-31%
Inventories	-	-	-	-	0
<b>Total non-current assets</b>	<b>258,352</b>	<b>252,333</b>	<b>272,070</b>	<b>19,737</b>	<b>8%</b>
<b>Total assets</b>	<b>313,742</b>	<b>279,292</b>	<b>295,524</b>	<b>16,232</b>	<b>6%</b>
<b>Liabilities</b>					
<b>Current liabilities</b>					
Trade and other payables	4,463	2,378	4,711	2,333	98%
Trust funds and deposits	216	318	225	(93)	-29%
Provisions	4,319	2,971	4,755	1,784	60%
Income received in advance	21,728	33	3,672	3,639	11027%
Interest-bearing loans and borrowings	-	-	-	-	-
<b>Total current liabilities</b>	<b>30,726</b>	<b>5,700</b>	<b>13,363</b>	<b>7,663</b>	<b>134%</b>
<b>Non-current liabilities</b>					
Provisions	2,110	2,426	2,726	300	12%
Income received in advance	385	6,901	6,501	(400)	-6%
Interest-bearing loans and borrowings	-	-	-	-	-
<b>Total non-current liabilities</b>	<b>2,495</b>	<b>9,327</b>	<b>9,227</b>	<b>(100)</b>	<b>-1%</b>
<b>Total liabilities</b>	<b>33,221</b>	<b>15,027</b>	<b>22,590</b>	<b>7,463</b>	<b>50%</b>
<b>Net assets</b>	<b>280,521</b>	<b>264,265</b>	<b>272,934</b>	<b>8,669</b>	<b>3%</b>
<b>Equity</b>					
Accumulated surplus	131,239	133,916	132,592	(1,324)	-1%
Reserves	149,282	130,349	140,342	9,993	8%
<b>Total equity</b>	<b>280,521</b>	<b>264,265</b>	<b>272,934</b>	<b>8,669</b>	<b>3%</b>

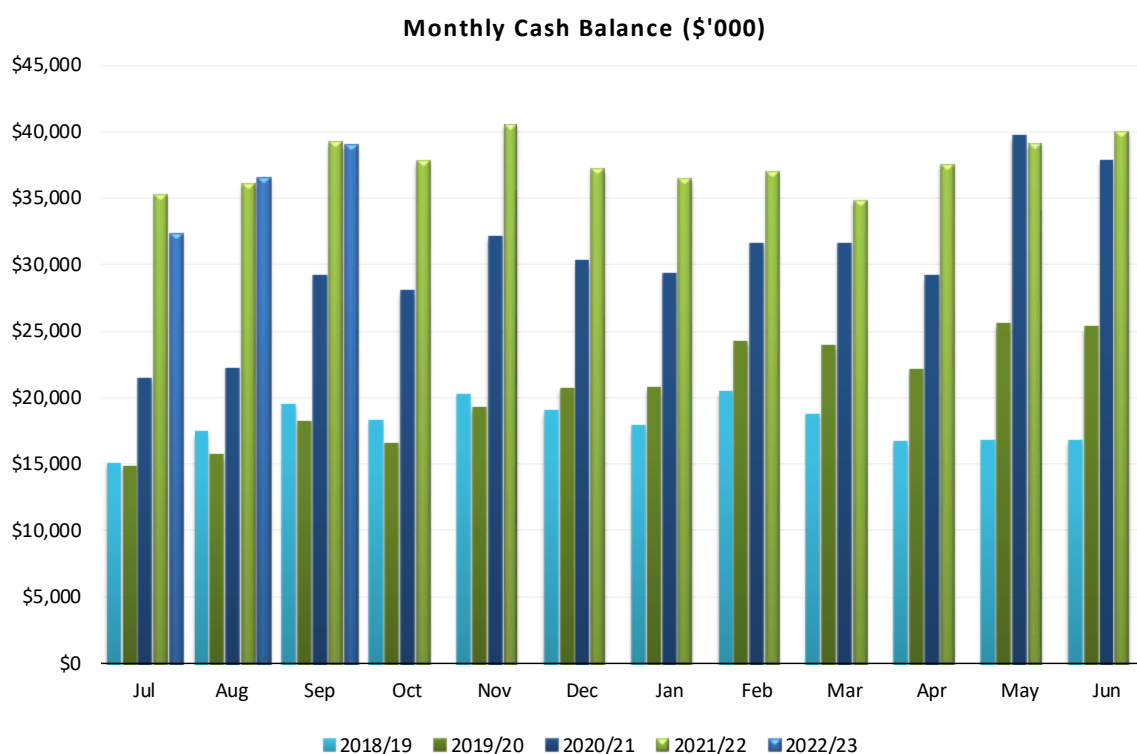


## 8. Dinner Plain Reserve

	Actual YTD September \$'000	Budget Full Year \$'000	Forecast Full Year \$'000	Variance	
				\$'000	%
<b>Balance as at 1 July 2022</b>	<b>846</b>	<b>846</b>	<b>846</b>	-	
Income	278	1,320	1,362	42	3%
Expenditure	372	1,333	1,318	(15)	-1%
<b>Net Movement</b>	<b>(93)</b>	<b>(12)</b>	<b>44</b>	<b>56</b>	<b>128%</b>
<b>Balance</b>	<b>753</b>	<b>834</b>	<b>890</b>	<b>56</b>	<b>6%</b>

The Dinner Plain Reserve is forecast to be \$890k at 30 June 2023. This is \$56k higher than budgeted primarily as a result of higher than budgeted income and lower than expected expenditure.

## 9. Cash and Investments



The cash balance was \$39.0m at 30 September 2022, of which \$31.5m was invested in term deposits. This was \$1.0m lower than the 2021/22 end of year cash balance of \$40.0m.

The main contributing factor to the minimal reduction in the cash balance, was capital works supplier payments made during the period.

# Quarterly Performance Report

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Ending 30 September 2022

ORDINARY COUNCIL MEETING M(12) - 13 DECEMBER 2022  
 8.3.2.A Q1 PERFORMANCE STATEMENT  
**Strategic Driver 1: For those who live and visit**

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

Annual Actions 2022/23	Progress to 30 September 2022
<b>Strategic Objective 1.1 A community that is active, connected and supported</b>	
Ongoing engagement with community groups	Engagement with our community has continued this quarter with the roll out of the facilities booking system.
Deliver the annual Community Grants program	The 2022/23 Community Grants program was awarded at the August 2022 Ordinary Council Meeting. Twenty-one successful applicants were awarded a total of \$71,275 in community grants, enabling community projects valued at \$222,000 to go ahead during 2022/23.
<b>Strategic Objective 1.2 Services and resources that enhance health and wellbeing</b>	
Provide contemporary library services	The Branch Libraries offered Rural Womens Online Open Day, Author Talks, and School Holiday Programs, in addition to the standard library services.
Implement Library Services Plan	Analysed the results of the Victorian Public Libraries Annual Survey to draw relevance and actions into the implementation of the Library Services Plan.
Provide services for critical life stages, including Maternal and Child Health, Immunisations, Supported Playgroups, Seniors Week, and Youth services	No specific projects but this work is ongoing with a fully resourced team planning for work across the rest of the financial year.
Implement the Alpine Shire Council Access and Inclusion Plan 2021-2025	Contract award for Master Planning work at Alpine Shires key Sports and Recreation precincts. Part of the scope is consideration of access across the groups identified in the Access and Inclusion Plan.
INDICATOR: Active library borrowers in municipality	11.86% of the Alpine Shire population are active library borrowers.
INDICATOR: Cost of library service per population	Calculated at End of Financial Year
INDICATOR: Participation in the Maternal Child Health Service	57.31% of enrolled children had participated in the MCH service.
INDICATOR: Aboriginal participation in the MCH service	66.67% of enrolled First Nations children had participated in the MCH service.
INDICATOR: Participation in supported playgroups	No reporting available in Q1
<b>Strategic Objective 1.3 A caring community</b>	
Adoption of Reflect Reconciliation Action Plan	The draft Reflect Reconciliation Action Plan has incorporated feedback from First Nations Peoples, and returned to Reconciliation Australia for approval.
Deliver Youth services including FreeZa, Youth Awards and Engage!	Engagement with L2P mentors and Youth Peer Workers was undertaken. A draft Alpine Shire Youth Strategy was presented to Council. The annual Youth Awards were delivered in September, and a number of Youth events including a ski day at Falls Creek were delivered.

ORDINARY COUNCIL MEETING M(12) - 13 DECEMBER 2022

Annual Actions 2022/23	
Completion of the Key Worker Housing Pilot Program, and development of the Affordable Housing Analysis Action Plan	The Key Worker Housing Project has been completed.
Deliver the 16 Days of Activism program	This falls in quarter 2 and will be reflected in the next performance report.
Strategic Objective 1.4 Increasing healthy eating and active living	
Review Council's aquatic facilities	A Community Network Forum has been created to enable Council to understand what the key community groups require at Council's aquatic and gymnasium facilities, and to increase engagement. This is being led by Belgravia Leisure who hold the aquatic contract.
INDICATOR: Number of visits to aquatic facilities per head of population	No reporting available in Q1
Strategic Objective 1.5 Improving mental wellbeing	
Investigate feasibility for hybrid Council Meetings utilising appropriate and reliable technology	Investigation into technology requirements to support hybrid (in person and online attendance) Council Meetings has commenced. However, hybrid meetings making use of existing technology have taken place successfully.
Strategic Objective 1.6 Preventing all forms of violence	
Deliver the 16 Days of Activism program	This falls in quarter 2 and will be reflected in the next performance report.

## 8.3.2.A Q1 PERFORMANCE STATEMENT

### Strategic Driver 2: For a thriving economy

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

Annual Actions 2022/23	Progress to 30 September 2022
<b>Strategic Objective 2.1 Diverse reasons to visit</b>	
Facilitate events on Council land over the year, and support the annual Event Funding Program	The 2022/23 Event Funding Program was awarded at the August Ordinary Council Meeting. Thirty-two successful applicants were awarded a total of \$132,000 in sponsorship and logistics support, with a further \$102,350 to support events that were unable to proceed in previous years due to COVID-19 restrictions.
Implement the Alpine Shire Council Events Strategy	The Events Strategy Permitting and Funding Framework was implemented from 1 July 2022. The criteria were applied to the 2022/23 Event Funding Program.
INDICATOR: Number of permitted festivals and events in the Shire	No reporting available in Q1
INDICATOR: Number of overnight and day trip visitors	No reporting available in Q1
<b>Strategic Objective 2.2 Innovative and sustainable business development that supports year-round benefit</b>	
Implement the Alpine Shire Council Economic Development Strategy	No reporting available in Q1
INDICATOR: Number of small businesses and light industry in the Shire	No reporting available in Q1
<b>Strategic Objective 2.3 Access to technology that meets our evolving needs</b>	
Develop a Telecommunications Strategy	A draft Telecommunications Strategy has been developed, with action items allocated across the organisation.

## 8.3.2 A Q1 PERFORMANCE STATEMENT

### Strategic Driver 3: For the bold protection of our future

*Vision: Our natural environment is protected and preserved*

Annual Actions 2022/23	Progress to 30 September 2022
<b>Strategic Objective 3.1 Decisive leadership to address the impacts and causes of climate change</b>	
Commence Community Climate Action Plan	Council's Sustainability web page has been drafted. Once the page is published, it will provide guidance and links to community climate action, energy efficiency and general sustainability.
Explore Environmentally Sustainable Design options	Recycled asphalt was utilised for the Mount Beauty Airport and Big Hill Car Park.
INDICATOR: Net Zero Greenhouse Gas Emissions - 2023	No reporting available in Q1
<b>Strategic Objective 3.2 Stewardship and care of our natural environment</b>	
Utilise Water Sensitive Urban Design	No reporting available in Q1
<b>Strategic Objective 3.3 Responsible management of waste</b>	
Prepare for the implementation of a Food Organics Garden Organics (FOGO) collection service	Community engagement has commenced ahead of the introduction of a FOGO service, including an information leaflet included with the 2022/23 rates notices. A project manager has been engaged to assist with successful delivery.
Identify sites for Container Deposit Scheme (CDS) across the Alpine Shire	Discussions with CDS service provider have commenced to identify sites for CDS units across the Alpine Shire.
Implementation of the Event Waste Management Plan	Events are required to adhere to the Events Waste Management Plan. An analysis has been completed on the use of a dish / utensils trailer for hire at community events to reduce single use packaging.
Develop Council Waste Management Plan	Forming part of the work related to the Waste Policy for the implementation of FOGO.
Participation in regional procurement of municipal glass collection and processing services	Council is participating in the Collaborative Procurement Hume Collective Councils for the provision of all waste contract.
Implement recommendations from Closed Landfill Risk Assessment	Council has progressed landfill capping designs for Porepunkah and Myrtleford Landfills and engaged a contractor for Porepunkah Landfill.
INDICATOR: Community satisfaction with waste management performance - Target 70	Index score of 70 in 2022.
INDICATOR: Kerbside collection waste diverted from landfill	38.29% of the kerbside collection was diverted from landfill at the end of Q1
<b>Strategic Objective 3.4 A community that is prepared for, can respond to, and recover from emergencies</b>	
Implement Resilience Month activities	Community Resilience Committee has been disbanded. A new group the Alpine Resilience Partnership has convened and meets regularly to plan and execute resilience activities and events.
<b>Strategic Objective 3.5 Reducing the impact of climate change on health</b>	
Develop Community Climate Action Roadmap	Council's Sustainability web page has been drafted. Once the page is published, it will provide guidance and links to community climate action, energy efficiency and general sustainability.

ORDINARY COUNCIL MEETING M(12) - 13 DECEMBER 2022

Annual Actions 2022/23	PERFORMANCE STATEMENT Progress to 30 September 2022
Implement Alpine Active Plan	No reporting available in Q1
Support local and regional initiatives relating to Climate Change	Council officers have attended Sustainability Upper Ovens meetings to inform members of upcoming Council initiatives. Input has been provided to Indigo Powers Community Battery Feasibility Study. Site location and agreement has been developed for a public EV charging station in the township of Bright.



## Strategic Driver 4: For the enjoyment and opportunities of our lifestyle

*Vision: The connection between people and place is strengthened*

Annual Actions 2022/23	Progress to 30 September 2022
Strategic Objective 4.1 Conservation and promotion of the distinct character across the Shire	
No actions in 2022/23	No reporting available in Q1
Strategic Objective 4.2 Planning and development that reflects the aspirations of the community	
Develop the Alpine Shire Council Land Development Strategy	Significant community engagement has been undertaken to support the community to understand the constraints to development across Alpine Shire.
Develop the Alpine Shire Council Housing Affordability Strategy	Funded projects relating to housing in Alpine Shire have continued. Recommendations of subsequent actions will come to future Ordinary Council Meeting
INDICATOR: Time taken to decide planning applications - Target 60 days	The average statutory planning permit took 148 days to complete at the end of Q1.
INDICATOR: Planning applications decided within required timeframes - 70%	33.9% of all statutory planning applications were decided within required time frames at the end of Q1.
INDICATOR: Council planning decisions upheld at VCAT	0% of Council planning decisions appealed to VCAT were upheld. One decision was appealed, with the decision set aside and an amended permit directed to be issued.
Strategic Objective 4.3 Accessible parks that promote active and passive recreation	
Implement the Alpine Shire Council Sports and Active Recreation Plan	No reporting available in Q1
Strategic Objective 4.4 Diverse arts and cultural experience	
No actions in 2022/23	No actions in 2022/23
Strategic Objective 4.5 Assets for our current and future needs	
Dargo High Plains Road upgrade	Awarded a contract and prepared to mobilise for works.
Dinner Plain activation	Concept designs approved. Contract awarded for Scrubber Hut.
Mount Beauty Airport upgrade	Works did not take place over the winter months.
INDICATOR: Community satisfaction with sealed local roads - Target 60	Index score of 61 in 2022.
INDICATOR: Sealed local roads maintained to condition standards	98.83% of Council's sealed local road network was maintained to condition standards at the end of Q1.

## 8.3.2 A Q1 PERFORMANCE STATEMENT

### Strategic Driver 5: For strong and informed leadership

*Vision: Collaborative, bold and evidence-based decision making*

Annual Actions 2022/23	Progress to 30 September 2022
<b>Strategic Objective 5.1 Effective communication and engagement</b>	
Improve community engagement participation and access	Significant engagement relating Alpine Better Placed Tawonga and the Alpine Shire Land Development Strategy.
Deliberative engagement panel involvement in key strategic projects	The Land Development Strategy will utilise a Community Reference Group to assist with deliberative engagement.
Implementation of online Customer Service and engagement application	Alpine Shire launched MyAlpine, an online portal for submitting questions, compliments and complaints direct to Council.
INDICATOR: Community satisfaction with Council's community consultation and engagement performance - Target 60	Index score of 55 in 2022.
<b>Strategic Objective 5.2 A responsible, transparent and responsive organisation</b>	
Maintain transparent decision making	Council meetings are live-streamed (when held in Bright), and recordings are available after the event.
Refresh Risk Policy, Framework and Register	Risk Policy / Framework and Risk appetite statement adopted.
Gender Equality Action Plan implementation	Gender Impact Assessments form part of project initiation paperwork and significant policy changes.
Explore alternative income stream opportunities	No reporting available in Q1
Implement Workforce Plan	A review of the workforce will be undertaken in late Q1 and Q2. This work will includes a review of the current organisational structure.
INDICATOR: Council decisions made at meetings closed to the public	1.67% of Council decisions in Q1 were made at meetings closed to the public.
INDICATOR: Councillor attendance at council meetings	Councillor attendance at Council meetings was 96.43% in Q1.
INDICATOR: Satisfaction with Council decisions	Index score of 56 in 2022.
INDICATOR: Community satisfaction with Council's overall performance - Target 70	Index score of 59 in 2022.
INDICATOR: Working capital (current assets as percentage of current liabilities)	Calculated at End of Financial Year.
<b>Strategic Objective 5.3 Bold leadership, strong partnerships and effective advocacy</b>	
Participate in regional partnerships and groups	No reporting available in Q1
Engage with State and Federal Governments	Engagement with local members of parliament is ongoing, ensuring that opportunities for the Alpine Shire are advocated for and funding pursued.



INSTRUMENT OF DELEGATION

# Council to Members of Council Staff

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13 December 2022

## Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

DELEGATE	TITLE
ACC	Accountant
AOBEH	Administration Officer (Building and Environmental Health)
AOP	Administration Officer (Planning)
AOSLL	Administration Officer (Subdivision and Local Laws)
BC	Building Coordinator
BI	Building Inspector
BSL	Building Surveyor Limited
BSU	Building Surveyor Unlimited
BSM	Municipal Building Surveyor
CEO	Chief Executive Officer
CPC	Compliance Coordinator
CRC	Community and Recreation Coordinator
CRO	Community and Recreation Officer
CWC	Civil Works Coordinator
DA	Director Assets
DCP	Director Corporate Performance
EACEO	Executive Assistant (CEO)
EC	Engineering Coordinator
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
EMC	Emergency Management Coordinator
FO	Finance Officer
GISAO	GIS and Assets Officer
GO	Governance Officer
HSRO	Health, Safety and Risk Officer
LLO	Local Laws Officer
LLO2	Local Laws Officer
MAD	Manager Asset Development
MAM	Manager Asset Maintenance
MC	Manager Corporate

DELEGATE	TITLE
MF	Manager Facilities
MPA	Manager Planning and Amenity
PC	Statutory Planning Coordinator
POS	Senior Statutory Planning Officer
PO	Planning Officer
POD	Project Officer (Delivery)
PRO	Prosecutor
PRO2	Prosecutor
RC	Rates Coordinator
SPC	Strategic Planning Coordinator
SP	Strategic Planner
TOA	Technical Officer (Assets)

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **13 December 2022**; and

3.2 the delegation:

3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

3.3.1 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;

3.3.2 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

(a) policy; or

(b) strategy

adopted by Council; or

3.3.3 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; or

3.3.4 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 or delegated committee.

**Instrument of Delegation to Members of Council Staff – 13 December 2022**

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed this 13th day of  
December 2022  
in the presence of:

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
CHIEF EXECUTIVE OFFICER NAME

.....  
SIGNATURE

## SCHEDULE

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**CEMETERIES AND CREMATORIA ACT 2003**

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCP, MF	<i>Note: Alpine Shire Council is defined as a Class B cemetery trust - only those clauses that apply to this class is delegated in this document.</i>
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for	DCP, MF	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its	DCP, MF	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	not delegated	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	not delegated	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DCP, MF	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	not delegated	
s 15(4)	Duty to keep records of delegations	DCP, MF	
s 17(1)	Power to employ any persons necessary	not delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DCP, MF	
s 17(3)	Power to determine the terms and conditions of employment or engagement	not delegated	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	DCP, MF	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	not delegated	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	not delegated	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	not delegated	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	not delegated	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	not delegated	Where Council is a Class A cemetery trust

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	not delegated	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	not delegated	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	not delegated	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	not delegated	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	not delegated	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	not delegated	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	not delegated	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	not delegated	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	not delegated	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	not delegated	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	not delegated	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	not delegated	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	not delegated	Where Council is a Class A cemetery trust

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	not delegated	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	not delegated	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	DCP, MF	
s 20(1)	Duty to set aside areas for the interment of human remains	DCP, MF	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DCP, MF	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	DCP, MF	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	not delegated	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	not delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	not delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	DCP, MF	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	not delegated	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCP, MF	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	DCP, MF	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DCP, MF	
s 60(2)	Power to charge fees for providing information	DCP, MF	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DCP, MF	
s 64B(d)	Power to permit interments at a reopened cemetery	DCP, MF	

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	not delegated	The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DCP, MF	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	DCP, MF	
s 70(2)	Duty to make plans of existing place of interment available to the public	DCP, MF	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DCP, MF	
s 71(2)	Power to dispose of any memorial or other structure removed	DCP, MF	
s 72(2)	Duty to comply with request received under s 72	DCP, MF	
s 73(1)	Power to grant a right of interment	DCP, MF	
s 73(2)	Power to impose conditions on the right of interment	DCP, MF	
s 74(3)	Duty to offer a perpetual right of interment	DCP, MF	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DCP, MF	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DCP, MF	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DCP, MF	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DCP, MF	
s 80(2)	Function of recording transfer of right of interment	DCP, MF	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCP, MF	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCP, MF	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DCP, MF	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DCP, MF	

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	DCP, MF	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	DCP, MF	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	DCP, MF	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	DCP, MF	
84I(6)(a)	Power to remove any memorial on the place of interment	DCP, MF	
s 84I(6)(b)	Power to grant right of interment under s 73	DCP, MF	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DCP, MF	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	DCP, MF	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	DCP, MF	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DCP, MF	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DCP, MF	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DCP, MF	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DCP, MF	

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	DCP, MF	
s 86(5)	Duty to provide notification before taking action under s 86(4)	DCP, MF	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DCP, MF	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DCP, MF	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DCP, MF	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DCP, MF	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DCP, MF	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	DCP, MF	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DCP, MF	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DCP, MF	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DCP, MF	
s 100(1)	Power to require a person to remove memorials or places of interment	DCP, MF	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	DCP, MF	
s 100(3)	Power to recover costs of taking action under s 100(2)	DCP, MF	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCP, MF	

**CEMETERIES AND CREMATORIA ACT 2003**

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	DCP, MF	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DCP, MF	
s 103(1)	Power to require a person to remove a building for ceremonies	DCP, MF	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DCP, MF	
s 103(3)	Power to recover costs of taking action under s 103(2)	DCP, MF	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	DCP, MF	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DCP, MF	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DCP, MF	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	DCP, MF	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCP, MF	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DCP, MF	
s 108	Power to recover costs and expenses	DCP, MF	
s 109(1)(a)	Power to open, examine and repair a place of interment	DCP, MF	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DCP, MF	Where the holder of right of interment or responsible person cannot be found



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Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DCP, MF	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	DCP, MF	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent	DCP, MF	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DCP, MF	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DCP, MF	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCP, MF	
s 112	Power to sell and supply memorials	DCP, MF	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DCP, MF	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DCP, MF	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DCP, MF	
s 119	Power to set terms and conditions for interment authorisations	DCP, MF	
s 131	Function of receiving an application for cremation authorisation	DCP, MF	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	DCP, MF	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DCP, MF	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCP, MF	Subject to the approval of the Secretary

**CEMETERIES AND CREMATORIA ACT 2003**

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCP, MF	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCP, MF	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DCP, MF	
s 151	Function of receiving applications to inter or cremate body parts	DCP, MF	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DCP, MF	
SCHEDULE 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DCP, MF	
SCHEDULE 1 cl 8(8)	Power to regulate own proceedings	DCP, MF	Subject to cl 8
SCHEDULE 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	not delegated	Where Council is a Class A cemetery trust
SCHEDULE 1A cl 8(8)	Power to regulate own proceedings	not delegated	Where Council is a Class A cemetery trust. Subject to cl 8.

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCP, MF	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCP, MF	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	not delegated	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	not delegated	
r 28(2)	Duty to ensure any fittings removed or are disposed in an appropriate manner	not delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	not delegated	
r 30(2)	Power to release cremated human remains to certain persons	not delegated	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	not delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	not delegated	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	not delegated	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	not delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DCP, MF	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DCP, MF	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DCP, MF	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	DCP, MF	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	not delegated	

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 40	Power to approve a person to play sport within a public cemetery	DCP, MF	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DCP, MF	
r 42(1)	Power to approve hunting within a public cemetery	DCP, MF	
r 43	Power to approve camping within a public cemetery	DCP, MF	
r 45(1)	Power to approve the removal of plants within a public cemetery	DCP, MF	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCP, MF	
r 47(3)	Power to approve the use of fire in a public cemetery	DCP, MF	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DCP, MF	
<b>Note: SCHEDULE 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules</b>			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DCP, MF	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DCP, MF	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DCP, MF	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCP, MF	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCP, MF	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCP, MF	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCP, MF	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DCP, MF	See note above regarding model rules

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCP, MF	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCP, MF	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DCP, MF	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DCP, MF	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCP, MF	See note above regarding model rules

**DOMESTIC ANIMALS ACT 1994**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s 41A(1)	Power to declare a dog to be a menacing dog	DCP, MPA, LLO, LLO2, CPC	Council may delegate this power to a Council authorised officer

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCP, MPA, EHC, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	DCP, MPA, EHC, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	DCP, MPA, EHC, EHO	If s 19(1) applies. Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DCP, MPA, EHC, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCP, MPA, EHC, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCP, MPA, EHC, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	DCP, MPA, EHC, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	DCP, MPA, EHC, EHO	Where Council is the registration authority



**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19EA(3)	Function of receiving copy of revised food safety program	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCP, MPA, EHC, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	DCP, MPA, EHC, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCP, MPA, EHC, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	DCP, MPA, EHC, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DCP, MPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	DCP, MPA, EHC, EHO	Where Council is the registration authority
---	Power to register, or renew or transfer the registration of a food premises	DCP, MPA, EHC, EHO	Where Council is the registration authority Refusal to grant/ or renew/transfer the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	DCP, MPA, EHC, EHO	Where Council is the registration authority.
s36B	Duty to pay the charge for use of online portal	DCP, MPA, EHC, EHO	Where Council is the registration authority.
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DCP, MPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	DCP, MPA, EHC, EHO	Where Council is the registration authority. Not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	DCP, MPA, EHC, EHO	Where Council is the registration authority.
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DCP, MPA, EHC, EHO	Where Council is the registration authority.
39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a or transfer food premises despite minor defects	DCP, MPA, EHC, EHO	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	DCP, MPA, EHC, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	DCP, MPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	DCP, MPA, EHC, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	DCP, MPA, EHC, EHO	
s 40F	Power to cancel registration of food premises	DCP, MPA, EHC, EHO	Where Council is the registration authority.
s 43	Duty to maintain records of registration	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	DCP, MPA, EHC, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	DCP, MPA, EHC	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	DCP, MPA, EHC, EHO, PRO	Where Council is the registration authority

**HERITAGE ACT 2017**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	Must first obtain Executive Director's written consent. Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

**LOCAL GOVERNMENT ACT 1989**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	<a href="#">CEO[1]</a>	

[1] [The only member of staff who can be a delegate in Column 3 is the CEO.](#)

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DCP, MPA, PC, SPC, SP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DCP, MPA, PC, SPC, SP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DCP, MPA, PC, SPC, SP	
s 8A(5)	Function of receiving notice of the Minister's decision	DCP, MPA, PC, SPC, SP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DCP, MPA, PC, SPC, SP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DCP, MPA, PC, SPC, SP	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, DCP, MPA, PC, SPC, SP	



**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12B(1)	Duty to review planning scheme	CEO, DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 17(1)	Duty of giving copy amendment to the planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 17(2)	Duty of giving copy s 173 agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s197B of the Act	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 28(1)	Duty to notify the Minister if abandoning an amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DCP, MPA, PC, POS, PO, HSRO,AOSLL, AOP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DCP, MPA, PC, POS, PO, HSRO,AOSLL, AOP	
s 30(4)(a)	Duty to say if amendment has lapsed	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30(4)(b)	Duty to provide information in writing upon request	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 32(2)	Duty to give more notice if required	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 33(1)	Duty to give more notice of changes to an amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 36(2)	Duty to give notice of approval of amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 38(5)	Duty to give notice of revocation of an amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DCP, MPA, PC, SPC, SP	
s 40(1)	Function of lodging copy of approved amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DCP, MPA, PC, SPC, SP, AOSLL, AOP	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	not delegated	Where Council is a responsible public entity and is a planning authority. Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils - <i>and does not affect Alpine Shire Council.</i>
s 46AW	Function of being consulted by the Minister	DCP, MPA, SPC, PC	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy. Power to endorse the draft Statement of Planning Policy	DCP, MPA, SPC, PC	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DCP, MPA, SPC, PC	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DCP, MPA, SPC, PC	Where Council is a responsible public entity

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	not delegated	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency.  <i>There are no Development Contribution Plans incorporated in the Alpine Planning Scheme. Currently, Infrastructure Contribution Plans only apply to the Metropolitan Greenfield Growth Area surrounding Melbourne. Therefore, no delegations are made regarding these provisions for Alpine Shire Council.</i>
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	not delegated	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	not delegated	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	not delegated	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	not delegated	
s 46GP	Function of receiving a notice under s 46GO	not delegated	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	not delegated	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	not delegated	
s 46GR(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister	not delegated	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	not delegated	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	not delegated	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	not delegated	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	not delegated	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	not delegated	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	not delegated	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution. Power to specify the manner in which the payment is to be made	not delegated	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	not delegated	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	not delegated	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	not delegated	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	not delegated	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	not delegated	Where Council is the collecting agency

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	not delegated	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	not delegated	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	not delegated	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	not delegated	Where the Council is the planning authority. This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	not delegated	Where Council is the development agency specified in the approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	not delegated	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4). Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Function of receiving the fee simple in the land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	not delegated	If the VPA is the collecting agency under an approved infrastructure contributions plan. Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	not delegated	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	not delegated	Where Council is the collection agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	not delegated	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	not delegated	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	not delegated	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	not delegated	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	not delegated	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	not delegated	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	not delegated	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	not delegated	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	not delegated	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	not delegated	
s 46Q(1)	Duty to keep proper accounts of levies paid	not delegated	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	not delegated	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	not delegated	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	not delegated	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	not delegated	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	not delegated	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	not delegated	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	not delegated	
s 46QD	Duty to prepare report and give a report to the Minister	not delegated	Where Council is a collecting agency or development agency.
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	not delegated	<i>Does not apply to Alpine Shire Council</i>

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribed fee, after the inspection period	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public availability requirements	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46Y	Duty to carry out works in conformity with the approved strategy plan	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 47	Power to decide that an application for a planning permit does not comply with that Act	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 50(4)	Duty to amend application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEL	
s 50(5)	Power to refuse to amend application	DCP, MPA, PC, SPC, SP, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(6)	Duty to make note of amendment to application in register	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 50A(1)	Power to make amendment to application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 50A(4)	Duty to note amendment to application in register	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	



**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 52(3)	Power to give any further notice of an application where appropriate	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54(1)	Power to require the applicant to provide more information	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54(1B)	Duty to specify the lapse date for an application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time und s 54A(3)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DCP, MPA	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57A(5)	Power to refuse to amend application	DCP, MPA, PC, SPC, SP, CPC	
64	Duty to note amendments to application in register	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57B(1)	Duty to determine whether and to whom notice should be given	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57C(1)	Duty to give copy of amended application to referral authority	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 58	Duty to consider every application for a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 58A	Power to request advice from the Planning Application Committee	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 60	Duty to consider certain matters	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 60(1A)	Duty to consider certain matters	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DCP, MPA, PC, CPC, POS, PO, HSRO	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DCP, MPA, PC, CPC, POS, PO, HSRO	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	not delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	not delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DCP, MPA, PC, POS, PO, HSRO, CPC	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(2)	Power to include other conditions	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75 <i>Where there are objections, the decision regarding the permit is presented to a Council meeting.</i>
s 64(3)	Duty not to issue a permit until after the specified period	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	DCP, MPA, PC, CPC, POS, PO, HSRO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DCP, MPA, PC, CPC, POS, PO, HSRO, CPC, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 69(1)	Function of receiving application for extension of time of permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 69(1A)	Function of receiving application for extension of time to complete development	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 69(2)	Power to extend time	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 70	Duty to make copy permit available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 71(1)	Power to correct certain mistakes	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 71(2)	Duty to note corrections in register	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 73	Power to decide to grant amendment subject to conditions	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 74	Duty to issue amended permit to applicant if no objectors	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83	Function of being respondent to an appeal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 83B	Duty to give or publish notice of application for review	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84AB	Power to agree to confining a review by the Tribunal	not delegated	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 91(2)	Duty to comply with the directions of VCAT	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 93(2)	Duty to give notice of VCAT order to stop development	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 95(3)	Function of referring certain applications to the Minister	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 95(4)	Duty to comply with an order or direction	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DCP, MPA	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96F	Duty to consider the panel's report under s 96E	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96H(3)	Power to give notice in compliance with Minister's direction	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96J	Duty to issue permit as directed by the Minister	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97C	Power to request Minister to decide the application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97Q(4)	Duty to comply with directions of VCAT	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 101	Function of receiving claim for expenses in conjunction with claim	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 103	Power to reject a claim for compensation in certain circumstances	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 107(1)	Function of receiving claim for compensation	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 107(3)	Power to agree to extend time for making claim	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 114(1)	Power to apply to the VCAT for an enforcement order	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	Except Crown Land
s 129	Function of recovering penalties	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 130(5)	Power to allow person served with an infringement notice further time	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 149A(1)	Power to refer a matter to the VCAT for determination	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, HSRO, CPC	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	



**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 171(2)(g)	Power to grant and reserve easements	CEO, DCP, MPA	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	not delegated	Where Council is a development agency specified in an approved infrastructure contributions plan <i>As previously stated, ICPs do not apply to Alpine Shire Council.</i>
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	not delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	not delegated	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DCP	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	not delegated	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DCP, MPA	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178A(1)	Function of receiving application to amend or end an agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178A(5)	Power to propose to amend or end an agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B.
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(d)	Power to refuse to amend or end the agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 182	Power to enforce an agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184G(2)	Duty to comply with a direction of the Tribunal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184G(3)	Duty to give notice as directed by the Tribunal	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 198(1)	Function to receive application for planning certificate	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 199(1)	Duty to give planning certificate to applicant	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 201(1)	Function of receiving application for declaration of underlying zoning	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 201(3)	Duty to make declaration	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
-	Power to give written authorisation in accordance with a provision of a planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

**PLANNING AND ENVIRONMENT REGULATIONS 2015**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is the responsible authority
r 25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DCP, MPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.



**PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016**

		Column 3	
Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED		CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DCP, MPA	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DCP, MPA	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	DCP, MPA	

**RESIDENTIAL TENANCIES ACT 1997**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, DCP, MPA, MF, LLO, LLO2, CPC, EHC, EHO, EMC, CRC, CRO, EC	
s 522(1)	Power to give a compliance notice to a person	CEO, DCP, MPA, MF, EHC, EHO, CRC, CRO, EC	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	GO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	MPA, MF, EHC, EHO, AOBEL, CRC, CRO	
s 526A(3)	Function of receiving report of inspection	CEO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

## RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	DCP, MPA, CPC, EHC, EHO	
r 10	Function of receiving application for registration	MPA, EHC, EHO, AOBEH	
r 11	Function of receiving application for renewal of registration	MPA, EHC, EHO, AOBEH	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DCP, MPA, EHC, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCP, MPA, EHC, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DCP, MPA, EHC, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCP, MPA, EHC, EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO, DCP, MPA, EHC, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DCP, MPA, EHC, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	MPA, BSM, BSL, BSU, EHC, EHO, AOBEH	
r 14(3)	Power to determine where notice of transfer is displayed	MPA, EHC, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	MPA, EHC, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	MPA, EHC, EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MPA, EHC, EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MPA, EHC, EHO	

## RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 17	Duty to keep register of caravan parks	MPA, BSM, BSL, BSU, EHC, EHO, AOBEH	
r 18(4)	Power to determine where the emergency contact person's details are displayed	MPA, EHC, EHO, AOBEH	
r 18(6)	Power to determine where certain information is displayed	DCP, MPA, CPC, EHC, EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MPA, EHC, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	MPA, EHC, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MPA, EHC, EHO, BSM, BSL, BSU	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MPA, EHC, EHO, BSM, BSL, BSU	
r 25(3)	Duty to consult with relevant floodplain management authority	MPA, EHC, EHO, BSM, BSL, BSU	
r 26	Duty to have regard to any report of the relevant fire authority	MPA, EHC, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DCP, MPA, EHC, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MPA, BSM, BSL, BSU EHC, EHO, AOBEH	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DCP, MPA, CPC, EHC, EHO	
r 41(4)	Function of receiving installation certificate	MPA, BSM, BSL, BSU, EHC, EHO, AOBEH	

## RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MPA, BSM, BSL, BSU, EHC, EHO	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MPA, EHC, EHO	

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO	
s 11(9)(b)	Duty to advise Registrar	DA, DCP, MAD, MAM, MPA	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DA, DCP, MAD, MAM, MPA	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DA, DCP, MAD, MAM, MPA	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, DA	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, DA, MAD, MAM	Power of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, DA, MAD, MAM	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CEO, DA, MAD, MAM	Function of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DA, MAD, MAM	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(10)	Duty to notify of decision made	DA, MAD, MAM	Duty of coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, DA, MAD, MAM	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, DA	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, DA	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DA	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, DA	
s 15(2)	Duty to include details of arrangement in public roads register	DA, MAM, GISAO, EC, ED	
s 16(7)	Power to enter into an arrangement under s 15	CEO, DA, DCP	
s 16(8)	Duty to enter details of determination in public roads register	DA, MAM, GISAO, EC, ED	
s 17(2)	Duty to register public road in public roads register	DA, MAM, GISAO, EC, ED	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DA	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DA, MAM, GISAO, EC, ED	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, DA, DCP	Where Council is the coordinating road authority

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	DA, MAM, GISAO, EC, ED	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DA	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	DA, MAM, GISAO, EC	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DA, MAM, GISAO, EC	
s 19(4)	Duty to specify details of discontinuance in public roads register	DA, MAM, GISAO, EC, ED	
s 19(5)	Duty to ensure public roads register is available for public inspection	DA, MAM, GISAO, EC	
s 21	Function of replying to request for information or advice	CEO, DA, MAD, MAM	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DA, MAD, MAM	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	CEO, DA, MAD, MAM, GO	
s 22(5)	Duty to give effect to a direction under s 22	CEO, DA MAD, MAM	
s 40(1)	Duty to inspect, maintain and repair a public road	DA, MAM, CWC, EC	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DA, MAM, CWC, EC	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DA, MAM, MAD, EC, ED, POD	



**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(1)	Power to declare a public road as a controlled access road	CEO, DA	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, DA	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DA, MAM	Where Council is the coordinating road authority. If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, DA	Where Council is the coordinating road authority. If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DA, MAD, MAM	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DA, DCP, MAD, MAM, MP	
s 49	Power to develop and publish a road management plan	CEO, DA, MAM	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, DA, MAM	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DA	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, DA, MAM	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, DA, MAM	
s 54(6)	Power to amend road management plan	CEO, DA, MAM	
s 54(7)	Duty to incorporate the amendments into the road management plan	DA, MAM	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DA, MAM	
s 63(1)	Power to consent to conduct of works on road	DA, MAM, EC, MAD	Where Council is the coordinating road authority

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO, DA, MAM, CWC, EC, ED, TOA	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DA, MAD, MAM	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DA, DCP, MAD, MAM, MPA, LLO, CPC	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DA, DCP, MAD, MAM, MPA, LLO, CPC	Where Council is the coordinating road authority
s 67(3)	Power to request information	DA, DCP, MAD, MAM, MPA, LLO, CPC	Where Council is the coordinating road authority
s 68(2)	Power to request information	DA, DCP, MAD, MAM, MPA, LLO, CPC	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	MC, GO	
s 85	Function of receiving report from authorised officer	DA, DCP, MAD, MAM, MPA, GO	
s 86	Duty to keep register re s 85 matters	MAD, MAM, MC, GO	
s 87(1)	Function of receiving complaints	CEO, DA	
s 87(2)	Duty to investigate complaint and provide report	CEO, DA, DCP, MAM, MAD	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 112(2)	Power to recover damages in court	CEO, DA	
s 116	Power to cause or carry out inspection	DA, MAD, MAM	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DA, MAD, MAM	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DA, MAD, MAM	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DA, MAD, MAM	
s 121(1)	Power to enter into an agreement in respect of works	DA, MAD, MAM	
s 122(1)	Power to charge and recover fees	DA, DCP, MAM, MPA, MC	
s 123(1)	Power to charge for any service	DA, DCP, MAM, MPA, MC	
SCHEDULE 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, DA	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, DA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, DA	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DA	
sch 2 cl 5	Duty to publish notice of declaration	CEO, DA	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DA, MAD, MAM	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DA, MAD, MAM	Where Council is the infrastructure manager or works manager
SCHEDULE 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DA, MAD, MAM, EC, ED	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure

**ROAD MANAGEMENT ACT 2004**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DA, MAD, MAM, POD, EC, ED, GISAO	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DA, MAD, MAM, POD, EC, ED, GISAO	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DA, DCP, MAD, MAM, MC, ACC	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DA, MAD, MAM, POD, EC, ED	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, DA	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DA, MAD, POD, MAM, POD, EC, ED	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
SCHEDULE 7A cl 2	Power to cause street lights to be installed on roads	DA, MAD, MAM, POD, EC, ED	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DA, MAD, MAM, MC, ACC	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DA, MAD, MAM, MC, ACC	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DA, MAD, MAM, MC, ACC	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

**ROAD MANAGEMENT (GENERAL) REGULATIONS 2016**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DA, MAM	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DA, MAM	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DA, MAM	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DA, MAM	
r 13(1)	Duty to publish notice of amendments to road management plan	DA, MAM	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	DA, MAM	
r 16(3)	Power to issue permit	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DA, DCP, MAD, MAM, MPA	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) <i>Road Management Act</i>	DA, DCP, MC	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DA, MAD, MAM, TOA, CWC, BC, LLO, LLO2, CPC, EC, ED, POD	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DA, DCP, MAM, MC, MAD	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DA, DCP, MAM, MC, MAD	

**ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DA, DCP, MAD, MAM, MC	Where Council is the coordinating road authority



INSTRUMENT OF DELEGATION

# Council to Members of Council Staff

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9 January 2023



## Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

DELEGATE	TITLE
ACC	Accountant
AMC	Asset Management Coordinator
AOBEH	Administration Officer (Building and Environmental Health)
AOP	Administration Officer (Planning)
AOSLL	Administration Officer (Subdivision and Local Laws)
BC	Building Coordinator
BI	Building Inspector
BSL	Building Surveyor Limited
BSU	Building Surveyor Unlimited
BSM	Municipal Building Surveyor
CEO	Chief Executive Officer
CPC	Compliance Coordinator
CRO	Community and Recreation Officer
CWC	Civil Works Coordinator
DA	Director Assets
DCC	Director Customer and Community
EACEO	Executive Assistant (CEO)
EC	Engineering Coordinator
ED	Development Engineer
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
EMC	Emergency Management Coordinator
FO	Finance Officer
GISAO	GIS and Assets Officer
GO	Governance Officer
LLO	Local Laws Officer
LLO2	Local Laws Officer
MC	Manager Corporate
MCD	Manager Community Development
MCE	Manager Customer Experience

DELEGATE	TITLE
MEA	Manager Engineering and Assets
MGF	Manager Growth and Future
MO	Manager Operations
MSPA	Manager Statutory Planning and Amenity
PC	Statutory Planning Coordinator
POS	Senior Statutory Planning Officer
PO	Planning Officer
POD	Project Officer (Delivery)
PRCC	Property and Contracts Coordinator
PRO	Prosecutor
PRO2	Prosecutor
RC	Rates Coordinator
SPC	Strategic Planning Coordinator
SP	Strategic Planner
TOA	Technical Officer (Assets)

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **13 December 2022**; and

3.2 the delegation:

3.2.1 comes into force on **9 January 2023**;

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

3.3.1 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;

3.3.2 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

(a) policy; or

(b) strategy

adopted by Council; or

3.3.3 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; or

3.3.4 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 or delegated committee.

**Instrument of Delegation to Members of Council Staff – to come into force on  
9 January 2023**

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed this 13th day of  
December 2022  
in the presence of:

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
CHIEF EXECUTIVE OFFICER NAME

.....  
SIGNATURE

## SCHEDULE

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**CEMETERIES AND CREMATORIA ACT 2003**

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DA, MO, PRCC	<i>Note: Alpine Shire Council is defined as a Class B cemetery trust - only those clauses that apply to this class is delegated in this document.</i>
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for	DA, MO, PRCC	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its	DA, MO, PRCC	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	not delegated	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	not delegated	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DA, MO, PRCC	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	not delegated	
s 15(4)	Duty to keep records of delegations	DA, MO, PRCC	
s 17(1)	Power to employ any persons necessary	not delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DA, MO, PRCC	
s 17(3)	Power to determine the terms and conditions of employment or engagement	not delegated	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	DA, MO, PRCC	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	not delegated	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	not delegated	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	not delegated	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	not delegated	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	not delegated	Where Council is a Class A cemetery trust

**CEMETERIES AND CREMATORIA ACT 2003**

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	not delegated	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	not delegated	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	not delegated	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	not delegated	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	not delegated	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	not delegated	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	not delegated	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	not delegated	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	not delegated	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	not delegated	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	not delegated	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	not delegated	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	not delegated	Where Council is a Class A cemetery trust

**CEMETERIES AND CREMATORIA ACT 2003**

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	not delegated	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	not delegated	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	DA, MO, PRCC	
s 20(1)	Duty to set aside areas for the interment of human remains	DA, MO, PRCC	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DA, MO, PRCC	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	DA, MO, PRCC	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	not delegated	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	not delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	not delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	DA, MO, PRCC	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	not delegated	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DA, MO, PRCC	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	DA, MO, PRCC	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DA, MO, PRCC	
s 60(2)	Power to charge fees for providing information	DA, MO, PRCC	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DA, MO, PRCC	
s 64B(d)	Power to permit interments at a reopened cemetery	DA, MO, PRCC	

**CEMETERIES AND CREMATORIA ACT 2003**

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	not delegated	The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DA, MO, PRCC	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	DA, MO, PRCC	
s 70(2)	Duty to make plans of existing place of interment available to the public	DA, MO, PRCC	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DA, MO, PRCC	
s 71(2)	Power to dispose of any memorial or other structure removed	DA, MO, PRCC	
s 72(2)	Duty to comply with request received under s 72	DA, MO, PRCC	
s 73(1)	Power to grant a right of interment	DA, MO, PRCC	
s 73(2)	Power to impose conditions on the right of interment	DA, MO, PRCC	
s 74(3)	Duty to offer a perpetual right of interment	DA, MO, PRCC	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DA, MO, PRCC	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DA, MO, PRCC	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	DA, MO, PRCC	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DA, MO, PRCC	
s 80(2)	Function of recording transfer of right of interment	DA, MO, PRCC	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DA, MO, PRCC	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	DA, MO, PRCC	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DA, MO, PRCC	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DA, MO, PRCC	



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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	DA, MO, PRCC	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	DA, MO, PRCC	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	DA, MO, PRCC	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	DA, MO, PRCC	
84I(6)(a)	Power to remove any memorial on the place of interment	DA, MO, PRCC	
s 84I(6)(b)	Power to grant right of interment under s 73	DA, MO, PRCC	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DA, MO, PRCC	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	DA, MO, PRCC	Does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	DA, MO, PRCC	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DA, MO, PRCC	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DA, MO, PRCC	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DA, MO, PRCC	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DA, MO, PRCC	

**CEMETERIES AND CREMATORIA ACT 2003**

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	DA, MO, PRCC	
s 86(5)	Duty to provide notification before taking action under s 86(4)	DA, MO, PRCC	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DA, MO, PRCC	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DA, MO, PRCC	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DA, MO, PRCC	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DA, MO, PRCC	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DA, MO, PRCC	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	DA, MO, PRCC	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DA, MO, PRCC	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DA, MO, PRCC	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	DA, MO, PRCC	
s 100(1)	Power to require a person to remove memorials or places of interment	DA, MO, PRCC	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	DA, MO, PRCC	
s 100(3)	Power to recover costs of taking action under s 100(2)	DA, MO, PRCC	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DA, MO, PRCC	

**CEMETERIES AND CREMATORIA ACT 2003**

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	DA, MO, PRCC	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DA, MO, PRCC	
s 103(1)	Power to require a person to remove a building for ceremonies	DA, MO, PRCC	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DA, MO, PRCC	
s 103(3)	Power to recover costs of taking action under s 103(2)	DA, MO, PRCC	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	DA, MO, PRCC	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DA, MO, PRCC	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DA, MO, PRCC	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	DA, MO, PRCC	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DA, MO, PRCC	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	DA, MO, PRCC	
s 108	Power to recover costs and expenses	DA, MO, PRCC	
s 109(1)(a)	Power to open, examine and repair a place of interment	DA, MO, PRCC	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DA, MO, PRCC	Where the holder of right of interment or responsible person cannot be found

**CEMETERIES AND CREMATORIA ACT 2003**

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	DA, MO, PRCC	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	DA, MO, PRCC	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent	DA, MO, PRCC	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DA, MO, PRCC	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	DA, MO, PRCC	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DA, MO, PRCC	
s 112	Power to sell and supply memorials	DA, MO, PRCC	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DA, MO, PRCC	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DA, MO, PRCC	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DA, MO, PRCC	
s 119	Power to set terms and conditions for interment authorisations	DA, MO, PRCC	
s 131	Function of receiving an application for cremation authorisation	DA, MO, PRCC	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	DA, MO, PRCC	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DA, MO, PRCC	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DA, MO, PRCC	Subject to the approval of the Secretary

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<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DA, MO, PRCC	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DA, MO, PRCC	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	DA, MO, PRCC	
s 151	Function of receiving applications to inter or cremate body parts	DA, MO, PRCC	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DA, MO, PRCC	
SCHEDULE 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	DA, MO, PRCC	
SCHEDULE 1 cl 8(8)	Power to regulate own proceedings	DA, MO, PRCC	Subject to cl 8
SCHEDULE 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	not delegated	Where Council is a Class A cemetery trust
SCHEDULE 1A cl 8(8)	Power to regulate own proceedings	not delegated	Where Council is a Class A cemetery trust. Subject to cl 8.

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCC, MO, PRCC	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCC, MO, PRCC	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	not delegated	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	not delegated	
r 28(2)	Duty to ensure any fittings removed or are disposed in an appropriate manner	not delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	not delegated	
r 30(2)	Power to release cremated human remains to certain persons	not delegated	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	not delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	not delegated	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	not delegated	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	not delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DCC, MO, PRCC	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DCC, MO, PRCC	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DCC, MO, PRCC	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	DCC, MO, PRCC	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	not delegated	

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	DELEGATE	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 40	Power to approve a person to play sport within a public cemetery	DCC, MO, PRCC	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DCC, MO, PRCC	
r 42(1)	Power to approve hunting within a public cemetery	DCC, MO, PRCC	
r 43	Power to approve camping within a public cemetery	DCC, MO, PRCC	
r 45(1)	Power to approve the removal of plants within a public cemetery	DCC, MO, PRCC	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCC, MO, PRCC	
r 47(3)	Power to approve the use of fire in a public cemetery	DCC, MO, PRCC	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	DCC, MO, PRCC	
<b>Note: SCHEDULE 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules</b>			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	DCC, MO, PRCC	See note above regarding model rules

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act* 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

<b>Column 1</b>	<b>Column 2</b>	<b>DELEGATE</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DCC, MO, PRCC	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCC, MO, PRCC	See note above regarding model rules



**DOMESTIC ANIMALS ACT 1994**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s 41A(1)	Power to declare a dog to be a menacing dog	DCC, MSPA, LLO, LLO2, CPC	Council may delegate this power to a Council authorised officer

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCC, MSPA, EHC, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	DCC, MSPA, EHC, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	DCC, MSPA, EHC, EHO	If s 19(1) applies. Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DCC, MSPA, EHC, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCC, MSPA, EHC, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCC, MSPA, EHC, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	DCC, MSPA, EHC, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	DCC, MSPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19EA(3)	Function of receiving copy of revised food safety program	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCC, MSPA, EHC, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	DCC, MSPA, EHC, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DCC, MSPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority
---	Power to register, or renew or transfer the registration of a food premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority Refusal to grant/ or renew/transfer the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	DCC, MSPA, EHC, EHO	Where Council is the registration authority.
s36B	Duty to pay the charge for use of online portal	DCC, MSPA, EHC, EHO	Where Council is the registration authority.
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DCC, MSPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	DCC, MSPA, EHC, EHO	Where Council is the registration authority. Not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority.
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DCC, MSPA, EHC, EHO	Where Council is the registration authority.
39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a or transfer food premises despite minor defects	DCC, MSPA, EHC, EHO	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	DCC, MSPA, EHC, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	DCC, MSPA, EHC, EHO	Where Council is the registration authority

**FOOD ACT 1984**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	DCC, MSPA, EHC, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	DCC, MSPA, EHC, EHO	
s 40F	Power to cancel registration of food premises	DCC, MSPA, EHC, EHO	Where Council is the registration authority.
s 43	Duty to maintain records of registration	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	DCC, MSPA, EHC, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	DCC, MSPA, EHC	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	DCC, MSPA, EHC, EHO, PRO	Where Council is the registration authority

**HERITAGE ACT 2017**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO	Must first obtain Executive Director's written consent. Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

**LOCAL GOVERNMENT ACT 1989**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	<a href="#">CEO[1]</a>	

[1] [The only member of staff who can be a delegate in Column 3 is the CEO.](#)



**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DA, DCC, MGF, MSPA, PC, SPC, SP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DA, DCC, MGF, MSPA, PC, SPC, SP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP	
s 8A(5)	Function of receiving notice of the Minister's decision	DA, DCC, MGF, MSPA, PC, SPC, SP	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	DA, DCC, MGF, MSPA, PC, SPC, SP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DA, DCC, MGF, MSPA, PC, SPC, SP	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, DA, DCC, MGF, MSPA, PC, SPC, SP	
s 12B(1)	Duty to review planning scheme	CEO, DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 17(1)	Duty of giving copy amendment to the planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(2)	Duty of giving copy s 173 agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	Where Council is a planning authority

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s197B of the Act	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 28(1)	Duty to notify the Minister if abandoning an amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DA, DCC, MGF, MSPA, PC, POS, PO, HSRO,AOSLL, AOP	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DA, DCC, MGF, MSPA, PC, POS, PO, HSRO,AOSLL, AOP	
s 30(4)(a)	Duty to say if amendment has lapsed	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 30(4)(b)	Duty to provide information in writing upon request	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 32(2)	Duty to give more notice if required	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 33(1)	Duty to give more notice of changes to an amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 36(2)	Duty to give notice of approval of amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38(5)	Duty to give notice of revocation of an amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DA, DCC, MGF, MSPA, PC, SPC, SP	
s 40(1)	Function of lodging copy of approved amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DA, DCC, MGF, MSPA, PC, SPC, SP, AOSLL, AOP	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	not delegated	Where Council is a responsible public entity and is a planning authority. Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils - <i>and does not affect Alpine Shire Council.</i>
s 46AW	Function of being consulted by the Minister	DA, DCC, MGF, MSPA, SPC, PC	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy. Power to endorse the draft Statement of Planning Policy	DA, DCC, MGF, MSPA, SPC, PC	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DA, DCC, MGF, MSPA, SPC, PC	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DA, DCC, MGF, MSPA, SPC, PC	Where Council is a responsible public entity



**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	not delegated	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency.  <i>There are no Development Contribution Plans incorporated in the Alpine Planning Scheme. Currently, Infrastructure Contribution Plans only apply to the Metropolitan Greenfield Growth Area surrounding Melbourne. Therefore, no delegations are made regarding these provisions for Alpine Shire Council.</i>
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	not delegated	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	not delegated	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	not delegated	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	not delegated	
s 46GP	Function of receiving a notice under s 46GO	not delegated	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	not delegated	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	not delegated	
s 46GR(2)	Power to consider a late submission. Duty to consider a late submission if directed to do so by the Minister	not delegated	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	not delegated	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	not delegated	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	not delegated	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	not delegated	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	not delegated	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution. Power to specify the manner in which the payment is to be made	not delegated	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	not delegated	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	not delegated	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	not delegated	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	not delegated	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	not delegated	Where Council is the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	not delegated	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	not delegated	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	not delegated	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	not delegated	Where the Council is the planning authority. This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	not delegated	Where Council is the development agency specified in the approved infrastructure contributions plan. This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	not delegated	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4). Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Function of receiving the fee simple in the land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	not delegated	If the VPA is the collecting agency under an approved infrastructure contributions plan. Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	not delegated	Where Council is the development agency under an approved infrastructure contributions plan.
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan.
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	not delegated	Where Council is the collection agency under an approved infrastructure contributions plan. This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	not delegated	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	not delegated	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	not delegated	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	not delegated	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	not delegated	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	not delegated	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	not delegated	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	not delegated	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	not delegated	
s 46Q(1)	Duty to keep proper accounts of levies paid	not delegated	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	not delegated	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	not delegated	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	not delegated	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	not delegated	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister.
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	not delegated	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	not delegated	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	not delegated	
s 46QD	Duty to prepare report and give a report to the Minister	not delegated	Where Council is a collecting agency or development agency.
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	not delegated	<i>Does not apply to Alpine Shire Council</i>



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribed fee, after the inspection period	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public availability requirements	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 46Y	Duty to carry out works in conformity with the approved strategy plan	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 47	Power to decide that an application for a planning permit does not comply with that Act	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50(4)	Duty to amend application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 50(5)	Power to refuse to amend application	DA, DCC, MGF, MSPA, PC, SPC, SP, CPC	
s 50(6)	Duty to make note of amendment to application in register	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 50A(1)	Power to make amendment to application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 50A(4)	Duty to note amendment to application in register	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 52(3)	Power to give any further notice of an application where appropriate	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(1)	Power to require the applicant to provide more information	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54(1B)	Duty to specify the lapse date for an application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time und s 54A(3)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP, AOBEH	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DA, DCC, MGF, MSPA	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availaibility requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57A(5)	Power to refuse to amend application	DA, DCC, MGF, MSPA, PC, SPC, SP, CPC	
64	Duty to note amendments to application in register	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57B(1)	Duty to determine whether and to whom notice should be given	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 57C(1)	Duty to give copy of amended application to referral authority	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 58	Duty to consider every application for a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 58A	Power to request advice from the Planning Application Committee	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 60	Duty to consider certain matters	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 60(1A)	Duty to consider certain matters	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	not delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	not delegated	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DA, DCC, MGF, MSPA, PC, POS, PO, HSRO, CPC	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(2)	Power to include other conditions	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75 <i>Where there are objections, the decision regarding the permit is presented to a Council meeting.</i>
s 64(3)	Duty not to issue a permit until after the specified period	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DA, DCC, MGF, MSPA, PC, CPC, POS, PO, HSRO, CPC, SPC, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 69(1A)	Function of receiving application for extension of time to complete development	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 69(2)	Power to extend time	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 70	Duty to make copy permit available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 71(1)	Power to correct certain mistakes	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(2)	Duty to note corrections in register	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 73	Power to decide to grant amendment subject to conditions	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 74	Duty to issue amended permit to applicant if no objectors	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 83	Function of being respondent to an appeal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 83B	Duty to give or publish notice of application for review	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 84AB	Power to agree to confining a review by the Tribunal	not delegated	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(2)	Duty to comply with the directions of VCAT	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 93(2)	Duty to give notice of VCAT order to stop development	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 95(3)	Function of referring certain applications to the Minister	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 95(4)	Duty to comply with an order or direction	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DA, DCC, MGF, MSPA	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96F	Duty to consider the panel's report under s 96E	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96H(3)	Power to give notice in compliance with Minister's direction	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96J	Duty to issue permit as directed by the Minister	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97C	Power to request Minister to decide the application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97Q(4)	Duty to comply with directions of VCAT	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 101	Function of receiving claim for expenses in conjunction with claim	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 103	Power to reject a claim for compensation in certain circumstances	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 107(1)	Function of receiving claim for compensation	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 107(3)	Power to agree to extend time for making claim	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 114(1)	Power to apply to the VCAT for an enforcement order	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	Except Crown Land
s 129	Function of recovering penalties	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 130(5)	Power to allow person served with an infringement notice further time	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149A(1)	Power to refer a matter to the VCAT for determination	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, HSRO, CPC	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 171(2)(g)	Power to grant and reserve easements	CEO, DA, DCC, MGF, MSPA	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	not delegated	Where Council is a development agency specified in an approved infrastructure contributions plan <i>As previously stated, ICPs do not apply to Alpine Shire Council.</i>
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	not delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	not delegated	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DCC	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	not delegated	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DA, DCC, MGF, MSPA	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178A(1)	Function of receiving application to amend or end an agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	



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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178A(5)	Power to propose to amend or end an agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	If no objections are made under s 178D. Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B.
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	After considering objections, submissions and matters in s 178B

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 182	Power to enforce an agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 184G(2)	Duty to comply with a direction of the Tribunal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 184G(3)	Duty to give notice as directed by the Tribunal	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 198(1)	Function to receive application for planning certificate	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 199(1)	Duty to give planning certificate to applicant	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 201(1)	Function of receiving application for declaration of underlying zoning	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 201(3)	Duty to make declaration	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	

**PLANNING AND ENVIRONMENT ACT 1987**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
-	Power to give written authorisation in accordance with a provision of a planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	

**PLANNING AND ENVIRONMENT REGULATIONS 2015**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, CPC, AOSLL, AOP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is the responsible authority
r 25(b))	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DA, DCC, MGF, MSPA, PC, SPC, SP, POS, PO, HSRO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.



**PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DA, DCC, MGF, MSPA	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DA, DCC, MGF, MSPA	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	DA, DCC, MGF, MSPA	

**RESIDENTIAL TENANCIES ACT 1997**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, DCC, DA, MCD, EMC, MSPA, BSM, EHC, EHO, CPC, MO, PRCC	
s 522(1)	Power to give a compliance notice to a person	CEO, DCC, MSPA, MCE, EHC, EHO, PRCC, CRO, EC	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	GO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	MSPA, MCE, EHC, EHO, AOBEL, PRCC, CRO	
s 526A(3)	Function of receiving report of inspection	CEO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

## RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	DCC, MSPA, CPC, EHC, EHO	
r 10	Function of receiving application for registration	MSPA, EHC, EHO, AOBEH	
r 11	Function of receiving application for renewal of registration	MSPA, EHC, EHO, AOBEH	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DCC, MSPA, EHC, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCC, MSPA, EHC, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DCC, MSPA, EHC, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCC, MSPA, EHC, EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO, DCC, MSPA, EHC, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DCC, MSPA, EHC, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	MSPA, BSM, BSL, BSU, EHC, EHO, AOBEH	
r 14(3)	Power to determine where notice of transfer is displayed	MSPA, EHC, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	MSPA, EHC, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	MSPA, EHC, EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MSPA, EHC, EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MSPA, EHC, EHO	

## RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 17	Duty to keep register of caravan parks	MSPA, BSM, BSL, BSU, EHC, EHO, AOBEH	
r 18(4)	Power to determine where the emergency contact person's details are displayed	MSPA, EHC, EHO, AOBEH	
r 18(6)	Power to determine where certain information is displayed	DCC, MSPA, CPC, EHC, EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MSPA, EHC, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	MSPA, EHC, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MSPA, EHC, EHO, BSM, BSL, BSU	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MSPA, EHC, EHO, BSM, BSL, BSU	
r 25(3)	Duty to consult with relevant floodplain management authority	MSPA, EHC, EHO, BSM, BSL, BSU	
r 26	Duty to have regard to any report of the relevant fire authority	MSPA, EHC, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DCC, MSPA, EHC, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MSPA, BSM, BSL, BSU EHC, EHO, AOBEH	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DCC, MSPA, CPC, EHC, EHO	
r 41(4)	Function of receiving installation certificate	MSPA, BSM, BSL, BSU, EHC, EHO, AOBEH	

## RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MSPA, BSM, BSL, BSU, EHC, EHO	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MSPA, EHC, EHO	

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO	
s 11(9)(b)	Duty to advise Registrar	DA, DCC, MEA, MSPA	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DA, DCC, MEA, MSPA	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DA, DCC, MEA, MSPA	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, DA	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, DA, MEA,	Power of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, DA, MEA	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CEO, DA, MEA	Function of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DA, MEA	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(10)	Duty to notify of decision made	DA, MEA	Duty of coordinating road authority where it is the discontinuing body. Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, DA, MEA	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, DA	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, DA	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DA	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, DA	
s 15(2)	Duty to include details of arrangement in public roads register	DA, MO, GISAO, EC, ED, AMC	
s 16(7)	Power to enter into an arrangement under s 15	CEO, DA, DCC	
s 16(8)	Duty to enter details of determination in public roads register	DA, MO, GISAO, EC, ED, AMC	
s 17(2)	Duty to register public road in public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DA	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, DA, DCC	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DA	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	DA, MO, GISAO, EC, ED, AMC	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DA, MO, GISAO, EC, ED, AMC	
s 19(4)	Duty to specify details of discontinuance in public roads register	DA, MO, GISAO, EC, ED, AMC	
s 19(5)	Duty to ensure public roads register is available for public inspection	DA, MO, GISAO, EC, ED, AMC	
s 21	Function of replying to request for information or advice	CEO, DA, MEA, MO	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DA, MEA, MO	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	CEO, DA, MEA, MO, GO	
s 22(5)	Duty to give effect to a direction under s 22	CEO, DA, MEA, MO	
s 40(1)	Duty to inspect, maintain and repair a public road	DA, MO, MEA, CWC, EC, DE, TOA	



**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DA, MO, MEA, CWC, EC, DE, TOA	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DA, MEA, EC, ED, AMC	
s 42(1)	Power to declare a public road as a controlled access road	CEO, DA	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, DA	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	DA, MO	Where Council is the coordinating road authority. If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, DA	Where Council is the coordinating road authority. If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DA, MEA, MO	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DA, DCC, MEA, MO, MSPA, MGF	
s 49	Power to develop and publish a road management plan	CEO, DA, MEA, AMC	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, DA, MEA, AMC	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DA	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, DA, MEA, AMC	

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, DA, MEA, AMC	
s 54(6)	Power to amend road management plan	CEO, DA, MEA, AMC	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, DA, MEA, AMC	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, DA, MEA, AMC	
s 63(1)	Power to consent to conduct of works on road	CEO, DA, MEA, AMC, EC, TOA	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO, DA, MEA, MO, CWC, EC, ED, TOA	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DA, MEA, MO	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DA, DCC, MEA, MO, MSPA, LLO, CPC	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DA, DCC, MEA, MO, MSPA, LLO, CPC	Where Council is the coordinating road authority
s 67(3)	Power to request information	DA, DCC, MEA, MO, MSPA, LLO, CPC	Where Council is the coordinating road authority
s 68(2)	Power to request information	DA, DCC, MEA, MO, MSPA, LLO, CPC	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 72	Duty to issue an identity card to each authorised officer	MC, GO	
s 85	Function of receiving report from authorised officer	DA, DCC, MEA, MO, MSPA, GO	
s 86	Duty to keep register re s 85 matters	DA, DCC, MEA, MO, MSPA, GO	
s 87(1)	Function of receiving complaints	CEO, DA, MEA, MO	
s 87(2)	Duty to investigate complaint and provide report	CEO, DA, DCC, MO, MEA	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO	
s 112(2)	Power to recover damages in court	CEO, DA	
s 116	Power to cause or carry out inspection	DA, MEA, MO	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DA, MEA, MO	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DA, MEA, MO	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	DA, MEA, MO	
s 121(1)	Power to enter into an agreement in respect of works	DA, MEA, MO	
s 122(1)	Power to charge and recover fees	DA, DCC, MO, MSPA, MC	
s 123(1)	Power to charge for any service	DA, DCC, MO, MSPA, MC	
SCHEDULE 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, DA	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, DA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, DA	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DA	

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 5	Duty to publish notice of declaration	CEO, DA	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	DA, MEA, MO	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DA, MEA, MO	Where Council is the infrastructure manager or works manager
SCHEDULE 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DA, MEA, MO, EC, ED	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DA, MEA, MO, POD, EC, ED, GISAO, AMC	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DA, MEA, MO, POD, EC, ED, GISAO, AMC	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DA, DCC, MEA, MO, MC, ACC	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DA, MEA, MO, POD, EC, ED	Where Council is the works manager

**ROAD MANAGEMENT ACT 2004**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 13(2)	Power to vary notice period	CEO, DA	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DA, MEA, POD, MO, POD, EC, ED	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority

**ROAD MANAGEMENT ACT 2004**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
SCHEDULE 7A cl 2	Power to cause street lights to be installed on roads	DA, MEA, MO, POD, EC, ED	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DA, MEA, MO, MC, ACC	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DA, MEA, MO, MC, ACC	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	DA, MEA, MO, MC, ACC	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

**ROAD MANAGEMENT (GENERAL) REGULATIONS 2016**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DA, MEA, AMC	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DA, MEA	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	DA, MEA	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	DA, MEA	
r 13(1)	Duty to publish notice of amendments to road management plan	DA, MEA	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	DA, MEA	
r 16(3)	Power to issue permit	DA, MO, MEA, POD, EC, ED, TOA	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DA, MO, MEA, POD, EC, ED	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DA, DCC, MO, MEA, MSPA	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) <i>Road Management Act</i>	DA, DCC, MC	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DA, MO, MEA, TOA, CWC, BC, LLO, LLO2, CPC, EC, ED, POD	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	DA, DCC, MEA, MC, MO	Where Council is the responsible road authority

**ROAD MANAGEMENT (GENERAL) REGULATIONS 2016**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DA, DCC, MEA, MC, MO	



**ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DA, MEA, MO, POD, EC, ED	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	DA, DCC, MEA, MO, MC	Where Council is the coordinating road authority



INSTRUMENT OF SUB-DELEGATION

**Council to**

**Members of Council Staff**

*(Environment Protection Act 2017)*

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9 January 2023

## Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. record that references in the Schedule are as follows

DELEGATE	TITLE
CPC	Compliance Coordinator
DCC	Director Customer and Community
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
LLO	Local Laws Officer
LLO2	Local Laws Officer
MSPA	Manager Statutory Planning and Amenity

3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on **13 December 2022** pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force on **9 January 2023**;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
  - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
    - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
    - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:
  - 6.1.1 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;

- 6.1.2 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
  - (a) policy; or
  - (b) strategyadopted by Council;
- 6.1.3 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; or
- 6.1.4 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.

**Instrument of Sub-Delegation to Members of Council Staff (Environment Protection Act 2017)– 9 January 2023**

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed this 13th day of  
December 2022 in the presence of:

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
CHIEF EXECUTIVE OFFICER NAME

.....  
SIGNATURE

## **SCHEDULE**

*ENVIRONMENT PROTECTION ACT 2017* ..... **1**

<b>ENVIRONMENT PROTECTION ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 271	Power to issue improvement notice	DCC, MSPA, CPC, EHC, ECHO, LLO, LLO2	
s 272	Power to issue prohibition notice	DCC, MSPA, CPC, EHC, ECHO, LLO, LLO2	
s 279	Power to amend a notice	DCC, MSPA, CPC, EHC, ECHO, LLO, LLO2	
s 358	Functions of the Environment Protection Authority	DCC, MSPA, CPC, EHC, ECHO, LLO, LLO2	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	DCC, MSPA, CPC, EHC, ECHO, LLO, LLO2	
s 359(2)	Power to give advice to persons with duties or obligations	DCC, MSPA, CPC, EHC, ECHO, LLO, LLO2	

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

# Planning Officer

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Achy Kalinga – December 2022

## Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

OFFICER	TITLE	NAME
PO	Planning Officer	Achy KALINGA

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

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

**It is declared that this Instrument -**

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

This Instrument is authorised by a resolution of the Alpine Shire Council made on **14 December 2022**.

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed 14<sup>th</sup> day of  
December 2022 in the presence of:

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
CHIEF EXECUTIVE OFFICER NAME

.....  
SIGNATURE



INSTRUMENT OF APPOINTMENT AND  
AUTHORISATION

*(PLANNING AND ENVIRONMENT  
ACT 1987)*

**Health, Safety and Risk  
Officer**

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Kirsten McDonald – December 2022

## Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

OFFICER	TITLE	NAME
HSRO	Health, Safety and Risk Officer	Kirsten McDONALD

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

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

**It is declared that this Instrument -**

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

This Instrument is authorised by a resolution of the Alpine Shire Council made on **14 December 2022**.

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed 14<sup>th</sup> day of  
December 2022 in the presence of:

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
COUNCILLOR NAME

.....  
SIGNATURE

.....  
CHIEF EXECUTIVE OFFICER NAME

.....  
SIGNATURE



## Informal Meeting of Councillors

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

**Meeting Title:** Briefing Session  
**Date:** 8 November 2022  
**Location:** Briefing Session – Bright Committee Room & MS Teams  
**Start Time:** 2.00pm  
**Finish Time:** 5.00pm  
**Chairperson:** Will Jeremy, Chief Executive Officer

### Councillor and staff attendees:

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

### Councillor and staff apologies:

Name	Position

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items

Item
Acknowledgement of Traditional Owners
Community Engagement update
Destination Collective update
Strategic Planning update
General Business



## Informal Meeting of Councillors

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

**Meeting Title:** Briefing Session  
**Date:** 15 November 2022  
**Location:** Briefing Session – Bright Committee Room & MS Teams  
**Start Time:** 2.00pm  
**Finish Time:** 5.00pm  
**Chairperson:** Will Jeremy, Chief Executive Officer

### Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Sarah Buckley	A/Director Corporate Performance
Cr Katarina Hughes	Councillor	Alan Rees	Director Assets
Cr Ron Janas	Councillor		
Cr Simon Kelley	Councillor		
Cr Sarah Nicholas	Mayor		
Cr Kelli Prime	Councillor		

### Councillor and staff apologies:

Name	Position
Helen Havercroft	Director Corporate Performance

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items

Item
Acknowledgement of Traditional Owners
Land Development Strategy update
Planning Scheme Gap Analysis update
Reflect Reconciliation Action Plan
Telecommunications Strategy
Unbudgeted Projects
General Business



## Informal Meeting of Councillors

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

- Meeting Title:** Planning Objectors Forum for Planning Application P.2020.153 – 4 Star Road & 1 Riverside Avenue Bright
- Date:** Wednesday 16 November 2022
- Location:** Bright Committee Room and MS Teams
- Start Time:** 11am – 12pm (noon)
- Chairperson:** James Turner – Manager Planning & Amenity

### Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Sarah Buckley	A/Director Corporate Performance
Cr Katarina Hughes	Councillor	James Turner	Manager Planning and Amenity
Cr Ron Janas	Councillor		

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items discussed

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

**Item**

Planning Forum for the proposed Building and Works for a Food and Drinks Premises, Car Parking Waiver, Buildings and Works for the Construction of 14 Dwellings at 4 Star Road, Bright & 1 Riverside Avenue, Bright





## Informal Meeting of Councillors

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

**Meeting Title:** Planning Objectors Forum for Planning Application P.2021.246 – 148 Centenary Avenue Wandiligong

**Date:** Wednesday 16 November 2022

**Location:** Bright Committee Room and MS Teams

**Start Time:** 2pm – 3pm

**Chairperson:** James Turner -Manager Planning & Amenity

### Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Sarah Buckley	A/Director Corporate Performance
Cr Ron Janas	Councillor	James Turner	Manager Planning and Amenity

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items discussed

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

Item
Planning Forum for the proposed Buildings and Works for Group Accommodation at 148 Centenary Avenue, Wandiligong.



## Informal Meeting of Councillors

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

**Meeting Title:** Planning Objectors Forum for Planning Application P.2022.24 – 7603B  
Kiewa Valley Highway Tawonga South

**Date:** Wednesday 16 November 2022

**Location:** Bright Committee Room and MS Teams

**Start Time:** 1pm – 2pm

**Chairperson:** James Turner -Manager Planning & Amenity

### Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Sarah Buckley	A/Director Corporate Performance
Cr Kelli Prime	Councillor	James Turner	Manager Planning and Amenity
Cr Ron Janas	Councillor		
Cr Sarah Nicholas	Councillor		

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items discussed

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

**Item**

Planning Forum for the proposed Three (3) Lot Subdivision, Subdivision of land adjacent to a road in a Transport Zone 2 and Creation of two (2) new access to a road in a Transport Zone 2 at 7603B Kiewa Valley Highway, Tawonga South.



## Informal Meeting of Councillors

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

**Meeting Title:** Briefing Session  
**Date:** 22 November 2022  
**Location:** Briefing Session – Bright Committee Room & MS Teams  
**Start Time:** 2.00pm  
**Finish Time:** 5.00pm  
**Chairperson:** Will Jeremy, Chief Executive Officer

### Councillor and staff attendees:

Name	Position	Name	Position
Cr John Forsyth	Mayor	Will Jeremy	Chief Executive Officer
Cr Tony Keeble	Deputy Mayor	Sarah Buckley	A/Director Corporate Performance
Cr Katarina Hughes	Councillor	Alan Rees	Director Assets
Cr Ron Janas	Councillor		
Cr Simon Kelley	Councillor		
Cr Sarah Nicholas	Mayor		
Cr Kelli Prime	Councillor		

### Councillor and staff apologies:

Name	Position
Helen Havercroft	Director Corporate Performance

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items

Item
Acknowledgement of Traditional Owners
Housing
Bright Strategic Traffic Assessment
Community Planning Applications
P.2021.173 – 25 Toorak Road, Amendment
Appointment of Councillors to Committees
General Business



## Informal Meeting of Councillors

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

**Meeting Title:** Briefing Session  
**Date:** 29 November 2022  
**Location:** Briefing Session – Bright Committee Room & MS Teams  
**Start Time:** 2.00pm  
**Finish Time:** 5.00pm  
**Chairperson:** Will Jeremy, Chief Executive Officer

**Councillor and staff attendees:**

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

**Councillor and staff apologies:**

Name	Position

### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items

Item
Acknowledgement of Traditional Owners
Presentation by Maternal Child Health
Dinner Plain Bus
Capital Projects to be deferred
Organisational restructure update
General Business



## Informal Meeting of Councillors

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

**Meeting Title:** Briefing Session  
**Date:** 6 December 2022  
**Location:** Briefing Session – Bright Committee Room & MS Teams  
**Start Time:** 2.00pm  
**Finish Time:** 5.00pm  
**Chairperson:** Will Jeremy, Chief Executive Officer

### Councillor and staff attendees:

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

### Councillor and staff apologies:

Name	Position



### 1. Conflict of interest disclosures

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

N/A

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

N/A

### 3. Items

Item
Acknowledgement of Traditional Owners
External presentation TAFCO
FOGO communications and engagement plan
Maternal and Child Health
Alpine Better Places – Tawonga
Contracts for Award
December Ordinary Council Meeting Agenda review
General Business