

M(6) – 27 JUNE 2023

# Ordinary Council Meeting

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Agenda

Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Council Chambers, Great Alpine Road, Bright on **27 June 2023** commencing at **5:00pm**.

## Agenda

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## 1. Recording and livestreaming of Council meetings

*The CEO will read the following statement:*

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

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

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.

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

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

Alpine Shire Council acknowledges the Taungurung peoples as the Traditional Owners of the lands on which we are meeting today. Council also acknowledges all of the Traditional Owners of the wider lands of the area known as the Alpine Shire.

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

## 3. Confirmation of minutes

### 3.1 ORDINARY COUNCIL MEETING – M(5) – 30 MAY 2023

#### **RECOMMENDATION**

***That the minutes of Ordinary Council Meeting M(5) held on 30 May 2023 as circulated be confirmed.***

## 4. Apologies

Cr Kelly Prime

## 5. Obituaries / congratulations

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

## **6. Declarations by Councillors of conflict of interest**

## **7. Public questions**

Questions on Notice 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.

## 8. Mayors Report

### 8.1.1 Chief Executive Officer - Performance Plan

#### INTRODUCTION

This report relates to the CEOs Annual Performance Plan.

#### **RECOMMENDATIONS**

*That Council:*

- 1. Notes the assessment of the CEO's performance against the KPIs in the Annual Performance Plan 2022/23 carried out by the CEO Employment and Remuneration Committee;**
- 2. Adopts the Chief Executive Officer Annual Performance Plan 2023/24;**
- 3. Considers recommendations at the June 2024 Ordinary Council Meeting resulting from a review of the CEOs Annual Performance Plan, with this review commencing in May 2024 and being conducted by the CEO Employment and Remuneration Committee.**

#### BACKGROUND

Council's CEO Employment and Remuneration Policy was adopted at the December 2021 Council Meeting. This Policy states:

*That Council will adopt an Annual Performance Plan for the CEO, which will include KPIs. [Key Performance Indicators]. The Performance Plan must be developed collaboratively between the CEO and the Committee.*

At the November 2022 Council Meeting the following resolutions were carried:

*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.*

The adopted CEOs Annual Performance Plan for the 2023 financial year was published on Council's website in November 2022, in the interests of providing transparency to the public.

The CEO Employment and Remuneration Committee conducted a review of the CEOs performance in May 2023, after the CEO had been working in the role for ten months.

The CEOs performance against each Key Performance Indicator (KPI) was rated on the following scale:

1. Not met
2. Working towards
3. Meeting
4. Exceeding

The average score in each of the four key performance areas (KPA) was then calculated as follows:

Key Performance Area	Focus	Average Score
<b>KPA 1</b>	<b>Leadership and Culture</b>	<b>2.45</b>
Lead a high-performing organisation with a strong focus on effectiveness, accountability, and continuous improvement.		
<b>KPA 2</b>	<b>Engagement and Communication</b>	<b>2.65</b>
Deliver consistently high-quality engagement and communication with Council, the community and other key stakeholders.		
<b>KPA 3</b>	<b>Governance</b>	<b>2.60</b>
Ensure good governance practices to fulfil legislative obligations, improve decision making and promote community confidence in Council.		
<b>KPA 4</b>	<b>Delivery Performance</b>	<b>2.60</b>
Execute Council resolutions, policies, and plans using resources and managing risks effectively and efficiently.		

## 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 collaboratively between the CEO and the Committee [being the CEO Employment and Remuneration Committee].*

### ***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 recommendations are 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**

There are no financial implications associated with the recommendations contained within this report.

### **RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Poor performance by the CEO in delivering for Council in accordance with section 46 of the Local Government Act.	Unlikely	Major	<ul style="list-style-type: none"> <li>• Adoption of the CEO Employment and Remuneration Policy</li> <li>• Establishment of an Annual Performance Plan and periodic assessment and reporting against this Plan.</li> </ul>

### **CONSULTATION**

The CEO Employment and Remuneration Committee is responsible for ensuring that the CEO Annual Performance Plan and KPIs are in place in accordance with the CEO Employment and Remuneration Policy.

The CEO Employment and Remuneration Committee is required to submit an Annual Review Report to Council, following a meeting with the CEO to discuss the Committee's proposed recommendations.



## **CONCLUSION**

The CEOs performance through the period July 2022 to May 2023 has been reviewed in accordance with section 4.6 of the CEO Employment and Remuneration Policy, and the results of the review are summarised in this report for noting.

The CEO Annual Performance Plan 2023/24 sets out the Key Performance Indicators for the period 1 July 2023 to 30 June 2024. 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.

- Mayor
- EA to CEO

## **ATTACHMENT(S)**

8.1.1. CEO Annual Performance Plan 2023/24

## 9. Presentation of reports by officers

### 9.1 DIRECTOR ASSETS – ALAN REES

#### 9.1.1 Residual Greenhouse Gas Offsets

##### **INTRODUCTION**

This report relates to the approach for offsetting residual Greenhouse Gas (GHG) to meet the net zero target set in Council's Climate Action Plan 2021-2024.

##### **RECOMMENDATIONS**

*That Council;*

- 1. Commits to offsetting residual emissions from the 2022/23 Financial Year (22/23 FY);**
- 2. Notes that the final calculation of 22/23 FY offsets will likely be available from October 2023;**
- 3. Continues to investigate the opportunity to deliver offsets within the Alpine Shire in a cost-effective way; and**
- 4. Considers a recommendation on the approach to offsetting the 22/23 FY residual emissions at a future Council Meeting.**

##### **BACKGROUND**

Council's Climate Action Plan 2021-2024 was adopted by Council on 7 September 2021. In the Climate Action Plan it is stated:

*We are committed to the ambitious target of achieving net zero greenhouse gas emissions from Council operations by July 2023.*

*Residual emissions will be offset through purchasing of carbon credits to achieve net zero from July 2023.*

Emissions abatement activities conducted to date have reduced Council's corporate emissions from the baseline year by approximately 60%, leaving in the order of 900 t CO<sub>2</sub>-e residual emissions to be offset for the FY 22/23.

Council's carbon accounting assesses emissions each financial year and the exact total emissions for the first year from 1 July 2022 to 30 June 2023 will be confirmed once the data is collated for FY 22/23, likely by October 2023.

The emissions reduction hierarchy in the Climate Action Plan prioritises emissions abatement activities over offsetting residual emissions. The biggest residual emitters from Council operations are the closed landfill sites and heavy fleet operation. Abatement in these areas is constrained by available technology and prohibitive pricing. Residual emissions must therefore be offset to achieve the net zero target.

Recent media scrutiny of carbon credits and offsets have identified flaws in the industry, questioning the integrity of purchasing offsets. The projects must be measurable,

permanent (for a minimum of 25 years) and additional or otherwise unclaimed for offset investment to be valid.

The recommended hierarchy for offsetting residual emissions from highest to lowest is:

- Insets - offsetting emissions through carbon reduction or removal projects within the shire boundary directly funded by Council e.g., planting indigenous vegetation locally to sequester carbon or funding community renewable energy projects.
- Directly funding projects that create offsets - offsetting emissions through participating in carbon reduction or removal projects within Australia.
- Australian Carbon Credit Units (ACCUs) - offsetting emissions through investing in carbon reduction projects reviewed and approved by Climate Active Australia.

Investment in local planting projects generates numerous co-benefits including ecology enhancement, investment in the local economy, community involvement through volunteer planting opportunities and completed site enjoyment, reduced requirement for invasive weed removal. Investigations will continue into suitable opportunities for future residual emissions offsetting through development of a diverse plan of suitable planting sites.

Investment in local community power can benefit the community by enhancing local energy resilience and keeping money paid for electricity within the community, while also offering an ongoing return on investment for ratepayers' money. Opportunities to maximise the return on investment to ratepayers through investment in community power will be investigated further following the completion of other related projects currently in progress.

## **ISSUES**

The commitment made by Council through adoption of the Climate Action Plan can be interpreted in two different ways:

1. That carbon credits are purchased in order to offset the residual carbon emissions which are generated through the 2022/23 financial year; or
2. That carbon credits are purchased in order to offset the residual carbon emissions which are generated through the 2023/24 financial year.

Consultant advice has confirmed that, as Council is not targeting net zero certification, the year in which the planting is conducted is irrelevant as long as the commitment has been made during the year in which the emissions were offset. In line with this advice, the recommendations in this report are based on the first interpretation.

## **POLICY IMPLICATIONS**

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

- 3.1.1 Achieve net-zero greenhouse gas emissions from Council activities by 2023

## FINANCIAL AND RESOURCE IMPLICATIONS

The financial and resource implications are being investigated and will form part of a subsequent recommendation to Council.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Residual emissions for 22/23 are higher than expected	Unlikely	Moderate	Ongoing monitoring of emissions tracking suggests this is on track

## CONSULTATION

The Climate Action Plan net zero target is a corporate commitment and community consultation has not been conducted.

## CONCLUSION

It is recommended that Council commits to offsetting FY 22/23 residual emissions, notes that the final calculation of 22/23 FY offsets will likely be available from October 2023, continues to investigate the opportunity to deliver offsets within the Alpine Shire in a cost-effective way; and considers a recommendation on the approach to offsetting the 22/23 FY residual emissions at a future Council Meeting.

## 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
- Sustainability Coordinator

## ATTACHMENT(S)

Nil

## 9.1.2 Bright Valley Development Project Management and Strategic Advisory Services

File Number: CT23018

### **INTRODUCTION**

This report relates to the award of a Contract for project management and strategic advisory services for the Bright Valley Development.

### **RECOMMENDATION**

***That Council awards Contract number CT23018 for Bright Valley Development Project Management and Strategic Advisory Services to Mesh Planning for the upper limiting value of \$350,000 Ex GST.***

### **BACKGROUND**

The Bright Valley Development is a multi-stage residential development on a 41-hectare site on the western outskirts of Bright.

A Residential Land Review carried out by Council in 2005 identified that Bright had nine years of residential land supply available. The site, now known as the Bright Valley Development, was identified as the preferred area for urban growth for Bright.

The Residential Land Review was adopted by Council on 7 June 2005. The Alpine Planning Scheme was amended in 2011 to include the recommendations of the Residential Land Review.

In 2015 the Bright Valley Development site was rezoned from Farming Zone to General Residential Zone through Amendment C34 to the Alpine Planning Scheme.

The amendment also applied a Development Plan Overlay (DPO) on the site, to guide the overall development of the land. This overlay was put in place to ensure the coordinated use and development of the land.

Development plans outline the broad directions for future land use, development, subdivision and servicing of an area. A Development Plan for this site was approved by Council in July 2022.

In November 2022, a planning application for Stage 1 of the development was received by Council and is currently being assessed. The application is for a residential subdivision of 78 lots.

The Tender was advertised in the Herald Sun on 3 May 2023, as well as on Tenders.net and the Alpine Shire Council website.

More than 60 prospective tenderers viewed the advert on Tenders.net, 52 tenders downloaded the document and two submitted a tender.

## **EVALUATION**

The evaluation panel consisted of the Project Officer (Strategic Planning), Strategic Planning Coordinator, Manager Statutory Planning and the Director Assets.

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

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

Following the assessment of the tenders, it was determined that the tender from Mesh Planning best fulfilled the requirements of the selection criteria.

## **ISSUES**

The Bright Valley Development is strategically important to the community and Council.

A multi-disciplinary team of subject matter experts is required to manage Council's interests and oversee the strategic and statutory management of the Bright Valley Development and associated infrastructure projects and to ensure the best outcome for the community.

The team's skills will include project management, civil and design engineering, town planning (strategic and statutory), arborist, landscape architect and compliance.

## **POLICY IMPLICATIONS**

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

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

- 4.2 Planning and development that reflects the aspirations of the community

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Council has adequate financial resources to award this contract.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Council and Community interests not managed	Possible	Moderate	<ul style="list-style-type: none"> <li>Engage the services of an experienced, multi-disciplinary team to manage Council and Community interests</li> </ul>

**CONSULTATION**

Extensive consultation has been undertaken with relevant Council departments, including statutory planning, strategic planning, engineering, communications and engagement, open spaces, civil works and local laws.

**CONCLUSION**

Following a comprehensive assessment, the Tender from Mesh Planning 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
- Manager Statutory Planning
- Strategic Planning Coordinator
- Project Officer

**ATTACHMENT(S)**

Nil

## 9.2 DIRECTOR CUSTOMER AND COMMUNITY – HELEN HAVERCROFT

### 9.2.1 Submissions to the Draft 2023/24 Budget

#### INTRODUCTION

The purpose of this report is to respond to the submissions received that relate to the draft 2023/24 Budget.

#### **RECOMMENDATIONS**

***That Council:***

- 1. Considers verbal and written submissions received pursuant to Council's Community Engagement Policy, in relation to the Alpine Shire Council Draft 2023/24 Budget;***
- 2. Makes the following amendments to the Draft 2023/24 Budget:***
  - a. Capital Expenditure***

<b><i>S#</i></b>	<b><i>Submission / amendment</i></b>	<b><i>Submission</i></b>	<b><i>Budget FY2023/24</i></b>
<b><i>a</i></b>	<b><i>Community Submission - Pebble Beach Public Toilet</i></b>	<b><i>\$80,000</i></b>	<b><i>\$80,000</i></b>
<b><i>b</i></b>	<b><i>Community Submission - Cobden Street Upgrade Planning</i></b>	<b><i>\$25,000</i></b>	<b><i>\$25,000</i></b>
<b><i>c</i></b>	<b><i>Community Submission - Big Hill Trailhead Power Upgrade</i></b>	<b><i>\$10,000</i></b>	<b><i>\$10,000</i></b>
<b><i>d</i></b>	<b><i>State Road Grading Program</i></b>	<b><i>\$290,000</i></b>	<b><i>\$290,000</i></b>
<b><i>e</i></b>	<b><i>Mountain View Childrens Centre (Concept Design)</i></b>	<b><i>\$95,000</i></b>	<b><i>\$95,000</i></b>
<b><i>f</i></b>	<b><i>Porepunkah Landfill Rehabilitation Stage 2</i></b>	<b><i>\$1,189,000</i></b>	<b><i>\$1,189,000</i></b>
<b><i>g</i></b>	<b><i>Landfill Rehabilitation Planning and Scoping</i></b>	<b><i>\$100,000</i></b>	<b><i>\$100,000</i></b>
<b><i>h</i></b>	<b><i>Porepunkah Bridge Holiday Park</i></b>	<b><i>\$80,000</i></b>	<b><i>\$80,000</i></b>
<b><i>i</i></b>	<b><i>Pioneer Park Basketball Court Upgrade</i></b>	<b><i>\$65,000</i></b>	<b><i>\$65,000</i></b>



<b>S#</b>	<b>Submission / amendment</b>	<b>Submission</b>	<b>Budget FY2023/24</b>
<i>j</i>	<i>Renewable Energy Upgrades</i>	<i>\$(50,000)</i>	<i>\$100,000</i>
<i>k</i>	<i>Mount Beauty Pump Track</i>	<i>\$30,000</i>	<i>\$30,000</i>

**b. Operational Expenditure**

<b>S#</b>	<b>Submission / amendment</b>	<b>Submission</b>	<b>Budget FY2023/24</b>
<i>a</i>	<i>Draft Budget Submission - Dinner Plain Mountain Bike Track Maintenance</i>	<i>\$5,000</i>	<i>\$5,000</i>
<i>b</i>	<i>Draft Budget Submission - Alpine Outreach Inc Mobile Health Facility</i>	<i>\$20,000</i>	<i>\$20,000</i>
<i>c</i>	<i>Senior Citizen Centres</i>	<i>\$12,000</i>	<i>\$12,000</i>
<i>d</i>	<i>NE Flood 2022</i>	<i>\$280,000</i>	<i>\$280,000</i>
<i>e</i>	<i>Prevention of Family Violence</i>	<i>\$15,000</i>	<i>\$15,000</i>
<i>f</i>	<i>Event Support and Facilitation</i>	<i>\$30,000</i>	<i>\$290,000</i>
<i>g</i>	<i>Community Engagement Platform</i>	<i>\$25,000</i>	<i>\$25,000</i>
<i>h</i>	<i>Offsetting GHG Emissions</i>	<i>\$35,000</i>	<i>\$35,000</i>
<i>i</i>	<i>Strategic Planning Advice</i>	<i>\$50,000</i>	<i>\$50,000</i>
<i>j</i>	<i>Replacement Liners and Caddies (FOGO)</i>	<i>\$100,000</i>	<i>\$100,000</i>
<i>k</i>	<i>Mount Beauty Airport Operations</i>	<i>\$75,000</i>	<i>\$75,000</i>
<i>l</i>	<i>Enterprise Agreement</i>	<i>\$35,000</i>	<i>\$35,000</i>
<i>m</i>	<i>Structure Planning Studies</i>	<i>\$300,000</i>	<i>\$300,000</i>
<i>n</i>	<i>Harrietville Green Waste</i>	<i>\$2,000</i>	<i>\$7,682</i>

<i>S#</i>	<i>Submission / amendment</i>	<i>Submission</i>	<i>Budget FY2023/24</i>
<i>o</i>	<i>Closed Landfill Risk Assessment Implementation</i>	<i>\$30,000</i>	<i>\$30,000</i>
<i>p</i>	<i>Engineering Solutions</i>	<i>\$100,000</i>	<i>\$100,000</i>
<i>q</i>	<i>Rate Debt Recovery Process</i>	<i>\$13,000</i>	<i>\$38,000</i>
<i>r</i>	<i>Data Engineer</i>	<i>\$(60,000)</i>	<i>\$-</i>
<i>s</i>	<i>Council Website</i>	<i>\$(5,000)</i>	<i>\$-</i>

**c. Income**

<i>S#</i>	<i>Submission / amendment</i>	<i>Submission</i>	<i>Budget FY2023/24</i>
<i>a</i>	<i>Rates Valuations</i>	<i>\$43,000</i>	<i>\$16,694,000</i>
<i>b</i>	<i>Rates Valuations (2)</i>	<i>\$(7,672)</i>	<i>\$2,168,710</i>
<i>c</i>	<i>Waste Charge Amendment</i>	<i>\$(324,568)</i>	<i>\$1,780,689</i>
<i>d</i>	<i>Dinner Plain Rates and Charges</i>	<i>\$(64,000)</i>	<i>\$882,000</i>
<i>e</i>	<i>Dinner Plain Waste Charge</i>	<i>\$(59,740)</i>	<i>\$255,178</i>

**d. Wages**

<i>S#</i>	<i>Submission / amendment</i>	<i>Submission</i>	<i>Budget FY2023/24</i>
<i>a</i>	<i>Growth and Future Wages (Strategic Planning)</i>	<i>\$250,000</i>	<i>\$1,021,389</i>

**3. The following submissions may be further assessed or managed by the Alpine Shire Council as per comment detail, however, do not result in changes to the Alpine Shire Council Budget 2023/24 for the stated reasons:**

<i>Submission</i>	<i>Submission</i>	<i>Rationale and Approach</i>
<b><i>Questions in relation to Economic Development and Tourism staffing numbers</i></b>	<b><i>N/A</i></b>	<b><i>A written response will be provided.</i></b>
<b><i>Prioritisation and update on Capital projects in Tawonga:</i></b> <ul style="list-style-type: none"> <li><b><i>– Pioneer Car Park</i></b></li> <li><b><i>– Footpaths, and</i></b></li> <li><b><i>– Shared trail Tawonga to Mount Beauty</i></b></li> </ul>	<b><i>NA</i></b>	<b><i>A written response will be provided.</i></b>
<b><i>Dinner Plain TV and Mountain Bike Trail Upgrades</i></b>	<b><i>\$16,000 and \$5,000</i></b>	<b><i>Mountain Bike Trail Upgrades are included in the recommendation to this report.</i></b>
<b><i>Lighting Upgrade for Mount Beauty Tennis Courts</i></b>	<b><i>\$26,365</i></b>	<b><i>Further information is being sought relating to this submission.</i></b>
<b><i>Alpine Outreach Project- Mobile Medical Facility</i></b>	<b><i>\$20,000 plus \$5,000 annual contribution</i></b>	<b><i>Upfront cost has been included in the recommendation to this report.</i></b>

- 4. Notifies in writing each person or persons who made a submission to the Draft 2023/24 Budget of the decision and the reasons for that decision, whilst noting that each person or persons who made a Community Budget Submission has already received written feedback.***

## **BACKGROUND**

Council has prepared a Budget for 2023/24 which is aligned to the vision in the Council Plan 2021-2025.

Through continued strong cost management, the Budget provides a prudent financial position which enables Council to continue to deliver critical services and projects as conditions evolve.

Key budget information is provided in the Budget 2023/24 including details of the rate increase, the strategic objectives of the Council, the operating result, ongoing service provision, capital works projects and the Council's financial position.

## ISSUES

### ***Previous Community Budget submissions***

Council undertook a Community Budget process in December 2022, with 41 submissions received by close of submissions on 12 February 2023. Submissions were presented to the Ordinary meeting of Council in April 2023. Four projects were nominated for inclusion in the draft Budget, and 14 were noted as being assessed or to be progressed without specific budget in 2023/24.

### ***Draft Budget submissions***

Section 96(1) of the *Local Government Act 2020* provides for Council to develop the budget in accordance with financial management principles and Council's Community Engagement Policy.

Council elected to mirror the public submissions process for the Budget to that required for the Dinner Plain Special Rate, under s223 of the *Local Government Act 1989*. This included a minimum 28-day public submissions process, with the draft 2023/24 Budget available for inspection at the Council office and accessible through Council's website.

Council Officers have also made internal submissions. The purpose of an internal submission is to ensure that relevant information arising after the draft Budget has been placed on exhibition for public comment is considered by Council for inclusion in the final Budget.

Submissions from the public are marked as Community or Budget Submissions in the recommendations to this report. All submissions were treated in accordance with Section 223 requirements and Council's Community Engagement Policy.

## POLICY IMPLICATIONS

The Budget is prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*. Submissions have been governed by Council's Community Engagement Policy, effectively mirroring the s223 *Local Government Act 1989* process.

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

- 5.2 A responsible, transparent and responsive organisation

## FINANCIAL AND RESOURCE IMPLICATIONS

The net impact of the submissions which are recommended for incorporation into the Budget 2023/24 is as follows:

- Capital Expenditure      Increase \$1,914,000
- Operational Expenditure   Increase \$1,127,000
- Income amendments      Decrease \$ 412,980
- Wages amendments      Increase \$ 250,000
- Overall, the projected budget surplus is reduced to \$2.67m.

## RISK MANAGEMENT

Detail the key risks of the matter being addressed by the report and mitigation action / control.

Risk	Likelihood	Impact	Mitigation Action / Control
Budget adopted without community engagement	Rare	Minor	<ul style="list-style-type: none"> <li>Ensure participation through wide advertising campaign.</li> </ul>

## CONSULTATION

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

The draft 2023/24 Budget was released for public comment following the April Ordinary Council Meeting. Public submissions formally closed on Wednesday 31 May.

Those that requested to be heard in support of their written submission attended a committee of Council on Tuesday 13 June which was formed for the purpose of hearing 2023/24 Budget submissions.

## CONCLUSION

All submissions have been considered by Council. This report reflects the Officers' recommendations to Council following a review of the cost and scope of each submission, and overall deliverability of the full scope of 2023/24 work.

## 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 Customer and Community
- Governance Officer
- Financial Accountant

## ATTACHMENT(S)

Nil

## 9.2.2 Adoption of 2023/24 Rates and Charges

### INTRODUCTION

The purpose of this report is to adopt the rates and charges of Alpine Shire Council for the 2023/24 financial year for the period 1 July 2023 to 30 June 2024.

### **RECOMMENDATIONS**

#### ***That Council:***

- 1. Declares rates and charges of \$22,00,0577 be raised in the 2023/24 financial year and featuring a 3.5% rate increase, for the purpose of section 94(1) of the Local Government Act 2020, based on setting the 'rate in the dollar' and 'charges' as follows:***
  - a. General (residential) rate (0.002246)***
  - b. General (residential) rate Dinner Plain (0.002246)***
  - c. Commercial/Industrial differential rate (0.003213)***
  - d. Farm differential rate (0.001640)***
  - e. Dinner Plain Special rate (0.000996)***
  - f. Waste – 80 litre bin (weekly) \$83.09***
  - g. Waste – 240 litre bin (weekly) \$146.30***
  - h. Waste – 240 litre bin (fortnightly) \$146.30***
  - i. Recycling – 140 litre bin (fortnightly) \$60.08***
  - j. Recycling – 240 litre bin (fortnightly) \$69.75***
  - k. Recycling – 360 litre bin (fortnightly) \$81.35***
  - l. Recycling – 240 litre bin (weekly) \$139.50***
  - m. Recycling – 360 litre bin (weekly) \$162.70***
  - n. Food Organics Green Organics 240 litre bin (weekly) \$100.71***
  - o. Dinner Plain standard waste service \$603.00***
  - p. Dinner Plain commercial waste service \$1400.00***
  - q. Waste Management Charge \$274.00***
- 2. Declares that rates and charges must be paid by four instalments on or before 30 September 2023, 30 November 2023, 28 February 2024 and 31 May 2024 in accordance with Section 167 of the Local Government Act 1989.***

### BACKGROUND

Based on ongoing community consultation, Council has prepared a Budget for 2023/24 which is aligned to the Community Vision 2040 and the Council Plan 2021-2025.

Through continued strong cost management, the rates and charges to be levied and which form part of the 2023/24 Budget provides a prudent financial position which enables Council to continue to deliver critical services and projects as conditions evolve.

## ISSUES

The Budget 2023/24 projects a surplus of \$2.67m which is influenced by:

- a. A Rate increase of 3.5%, in line with the Fair Go Rates System which caps Victorian Council rate increases;
- b. Capital works expenditure totalling \$14.6m, a significant Capital Works Program reflecting a steady pipeline of asset renewal and increased development activity from successful grant applications totalling \$6.6m;
- c. An increased material and services budget reflecting inflationary impact on costs and the costs of the new Food Organics and Garden Organics (FOGO) kerbside waste service; and
- d. A modest increase in staff numbers resulting from an organisational restructure implemented in January 2023.

In accordance with Section 94(1) of the *Local Government Act 2020*, Council is required to declare rates and charges it intends to raise by 30 June for the following financial year.

The total quantum of rates and charges raised complies with the State Government rate cap which limits the total increase in the average rates assessment revenue to 3.5%.

Council will continue to raise, collect, and pass on the Fire Services Property Levy to the State Government in accordance with the *Fire Services Property Levy Act 2012*. This process is an outcome from the 2009 Bushfires Royal Commission recommendations.

The Annual Rate Notice will be issued to all rateable and non-rateable properties in early August 2023, together with the annual Council Rates and Valuations information (including registration for electronic notices).

The adoption of the 2023/24 Budget will be considered as a separate report at this Ordinary Council Meeting.

## POLICY IMPLICATIONS

The 2023/24 Budget is prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Budget covers a four-year period, including the budget year 2023/24, and the subsequent three financial years.

Rating provisions remain in the *Local Government Act 1989*. The Victorian government has released the final report and government response on the Local Government Rating System Review; however, this has not yet translated to legislative change.

The 2023/24 Budget is aligned to the five Strategic Drivers and 22 Strategic Objectives identified in the Council Plan 2021-2025. Major Initiatives are identified that will contribute to the delivery of the Strategic Objectives.

Council's progress in the delivery of these major initiatives will be reported in the corresponding Annual Report.

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

- 5.2 A responsible, transparent and responsive organisation

## FINANCIAL AND RESOURCE IMPLICATIONS

Council prepares its Budget with the objective of balancing long term financial sustainability and prioritised delivery against community needs. The Alpine Shire Council 2023/2024 Budget forecasts an operating surplus of \$2.67 million and a working capital ratio of 3.49.

## RISK MANAGEMENT

Detail the key risks of the matter being addressed by the report and mitigation action / control.

Risk	Likelihood	Impact	Mitigation Action / Control
Breach of Rate Cap	Unlikely	Moderate	<ul style="list-style-type: none"> <li>• Accurate rates modelling.</li> </ul>

## CONSULTATION

Section 96(1) of *the Local Government Act 2020* provides for Council to develop the budget in accordance with the financial management principles, and Council's Community Engagement Policy.

Special Rates remain governed by the requirements of the *Local Government Act 1989* and must include a statutory public consultation process, including the ability for a submitter to request to be heard in person. It was considered prudent that Council mirror this process for public consultation and submissions regarding the draft 2023/24 Budget, as the draft 2023/24 Budget contains assumptions based on the inclusion of a Dinner Plain Special Rate.

Council officers undertake community engagement processes throughout the year to assist with the development of the budget. The final step is for Council to adopt the budget after receiving and considering all submissions from interested parties. The budget is required to be adopted by 30 June 2023.



## **CONCLUSION**

Council Officers recommend the adoption of the proposed rates and charges noting their alignment with Council's 2023/24 Budget and Council's Revenue and Rating Plan.

## **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 Customer and Community
- Financial Accountant

## **ATTACHMENT(S)**

Nil

## 9.2.3 Declaration of the Dinner Plain Special Rate (2023/24)

File Number: 600.03

### INTRODUCTION

The purpose of this report is to declare a special rate for the Dinner Plain village (the "Dinner Plain Special Rate") applicable to Commercial / Industrial land only for the period 1 July 2023 to 30 June 2024.

### **RECOMMENDATIONS**

#### ***That Council:***

- 1. Notes that one submission was received regarding the proposed declaration of the Dinner Plain Special Rate (2023/24), with no amendment made in response;***
- 2. Declares the Dinner Plain Special Rate (2023/24) for the period 1 July 2023 to 30 June 2024 as follows:***
  - a. a special rate (the Dinner Plain Special Rate) be declared for the purpose of defraying any expenses in relation to the provision of services of special benefit to the owners of Commercial / Industrial land within the Dinner Plain village;***
  - b. the Dinner Plain Special Rate will apply to Commercial / Industrial land within the Dinner Plain village as defined in attachment 9.2.3;***
  - c. the definition of Commercial / Industrial land is the definition provided in the Alpine Shire Council Revenue and Rating Plan;***
  - d. the amount of the Dinner Plain Special Rate to be levied is determined as 43% of the general rate as provided in the Alpine Shire Council draft Budget Report for the financial year 2023/2024;***
  - e. the amount of the Dinner Plain Special Rate to be levied for the period 1 July 2023 to 30 June 2024 is estimated to be \$156,000, or such other amount as is lawfully raised as a consequence of this Resolution;***
  - f. the amount of the Special Rate will be the amount shown as due and payable in any notice sent to a person required to pay the Dinner Plain Special Rate;***
  - g. each person liable to pay the Dinner Plain Special Rate is to pay by instalments in line with Council's general rate payment requirements each year; and***
  - h. the total cost of the performance of this function is estimated to be \$290,000 over one year, and based on inclusion of the following services:***
    - i. The Dinner Plain to Hotham winter bus service \$140,000;***
    - ii. Marketing for Dinner Plain \$90,000; and***
    - iii. Events support to Dinner Plain \$60,000.***

## BACKGROUND

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

The Dinner Plain village has for some time been subject to a Special Rate to defray the expenses associated with services of special benefit to Dinner Plain Commercial / Industrial ratepayers.

In 2018/19, the Special Rate was aligned to the differential rate for Commercial / Industrial Land in the rest of the shire and was only paid by ratepayers who own Commercial / Industrial land in the Dinner Plain village (including holiday lets).

This approach continues. In the Alpine Shire Council's 2023/24 Budget, income of an estimated \$156,000 will be received and this will be allocated to defray the following expenses:

- the Dinner Plain to Hotham winter bus service (\$140,000);
- marketing for Dinner Plain (\$90,000); and
- events support to Dinner Plain (\$60,000).

## ISSUES

### ***Proposed Rating Approach***

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

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

this is allocated to a reserve, namely the 'Dinner Plain Reserve'.

Therefore, the Dinner Plain Special Rate and the expenses it is raised to meet are all placed in the Dinner Plain Reserve.

This is inclusive of all relevant income and costs, including, for example, the general rates paid by Dinner Plain ratepayers; an apportionment of general Council grants; Council services relevant to Dinner Plain (including roadways snow clearing and cross-country snow grooming); an apportionment of Council overheads; all Special Rate costs; and all capital works expenditure in Dinner Plain.

Based on current forecasts, Dinner Plain expenditure will continue to exceed income in 2023/2024.

On 30 June 2024, the Dinner Plain Reserve is estimated to be \$574k.

### ***Submissions Received***

At the April 2023 Ordinary Council Meeting, Council resolved to give notice of its intention to declare a special rate for the provision of services of special benefit to the Dinner Plain village for the period 1 July 2023 to 30 June 2024.

One submission was received throughout the public exhibition period, as follows:

Submission #	Submission details	Council response
1	1. Agreement with the Special Rate on commercial properties.	1. Noted.
	2. Concern that some properties used for staff and short term holiday accommodation are not paying the Special Rate.	2. Council Officers routinely review properties that are available for rent on various websites and carry out follow up investigations to gain compliance with the Revenue and Rating Plan.
	3. Suggest moving to a standardised 'commercial rate' across the Shire	3. It is anticipated that during the Financial Year 2023/24 Council will undertake a review of the Revenue and Ratings Plan. How rates are applied across the Shire will be considered and consulted on.

### **POLICY IMPLICATIONS**

The preparation of the Dinner Plain Special Rate 2023/24 is in accordance with the:

- Special Rates and Charges, Ministerial Guidelines, September 2004
- *Local Government Act 1989*
- Council's Revenue and Rating Plan.

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

- 5.2 A responsible, transparent and responsive organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Based on current property valuations across the Alpine Shire, the Dinner Plain Special Rate for 2023/2024 is estimated to raise \$156,000 over the 12-month period.

This is significantly less revenue than the cost of the Special Rate services which are estimated to cost \$290,000 over the same period.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
The Dinner Plain Special Rate declaration is not undertaken in accordance with the Act, invalidating the Rate charge.	Unlikely	Moderate	<ul style="list-style-type: none"> <li>Each stage of the declaration process is checked to ensure it meets the requirements of the Act, Revenue and Ratings plan and Ministerial Guidelines.</li> </ul>

## CONSULTATION

Under Section 163 of the *Local Government Act 1989*, a Council must give public notice of its intention to make a special rate declaration at least 28 days before making the declaration and that notice must contain information detailed in the Act.

Under Section 223 of the *Local Government Act 1989* a person has a right to make a submission on the proposed Dinner Plain Special Rate for 2023/2024 and any submission must be considered before adoption of the budget by Council.

The Dinner Plain Special Rate 2023/24 was released for public comment following the April Ordinary Council Meeting. A copy of the public notice was issued to each person liable to pay the special rate. Public submissions formally closed on Wednesday 31 May 2023. No submissions were received.

## CONCLUSION

Council can now declare the Dinner Plain Special Rate (2023/24) in line with the requirements of the *Local Government Act 1989*.

## 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 Customer and Community
- Rates Coordinator

## ATTACHMENT(S)

9.2.3 Dinner Plain Village Rate Map

## 9.2.4 Adoption of 2023/24 Budget

### INTRODUCTION

The purpose of this report is to adopt the 2023/24 Budget for the Alpine Shire Council, incorporating the rates and charges for the 2023/24 financial year.

### **RECOMMENDATIONS**

***That Council:***

- 1. Adopts the Alpine Shire Council 2023/24 Budget incorporating the amendments adopted by Council in the budget submissions report (agenda item 9.2.4 of this Council Meeting);***
- 2. Authorises the Chief Executive Officer to give public notice of adoption of the Budget 2023/24; and***
- 3. Delegates authority to the Chief Executive Officer to reflect any changes made by Council at this meeting, which are not reflected in the Budget document as attachment 9.2.4 and to make minor typographical corrections.***

### BACKGROUND

Alpine Shire Council endorsed the draft budget for public exhibition at its April 2023 Ordinary Council Meeting. Following a period of public exhibition and internal submissions amendments and refinements have been made to produce the Alpine Shire Council Budget 2023/24.

### ISSUES

Council has prepared the Alpine Shire 2023/24 Budget. It is aligned to the Community Vision 2040 in the Alpine Shire Council Plan 2021-2025.

Through continued strong cost management, the draft Budget provides a prudent financial position which enables Council to continue to deliver services and projects as conditions evolve.

This Budget projects a surplus of \$2.67m which is influenced by:

- a. A Rate increase of 3.5%, in line with the Fair Go Rates System which caps Victorian Council rate increases;
- b. Capital works expenditure totalling \$14.6m, a significant Capital Works Program reflecting a steady pipeline of asset renewal and increased development activity from successful grant applications totalling \$6.6m;
- c. An increased material and services budget reflecting inflationary impact on costs and the costs of the new Food Organics and Garden Organics (FOGO) kerbside waste service totalling \$0.7m; and
- d. A modest increase in staff numbers resulting from an organisational restructure implemented in January 2023.

Council is introducing a new kerbside collection service from July 2023. Council has entered long-term contracts following a collaborative procurement process to provide waste services for the community. All kerbside services are being charged to ratepayers on a cost recovery basis in conjunction with a Waste Management Charge covering investment in, amongst other waste expenditure, waste infrastructure and remediation of the closed landfill sites.

In addition, a review of Council fees and charges has been conducted. Fees have been increased in line with movements in the actual costs to provide various services and to reflect a general increase in cost of materials and services.

Further detail on the operating result, strategic objectives, services, cash position and investments, capital works, financial sustainability, and rates, charges and fees can be viewed in attachment 9.2.4 Alpine Shire Council Budget 2023/24.

## **BUDGET HIGHLIGHTS**

As part of the 2023/24 Budget, Council will deliver another significant capital expenditure program totalling \$14.6 million, supported by Government grant funding of \$6.6 million.

### ***Major projects include:***

- Annual Road Renewal Program (\$2m)
- Dinner Plain Activation (\$1.1m)
- Dinner Plain Snowmaking (\$1m)
- Myrtleford Splashpark (\$0.86m)
- Myrtleford Savoy Soccer Club Upgrade (\$0.76m)
- Nimmo Pedestrian Bridge (\$0.75m)
- Ablett Pavilion Upgrade (\$0.72m)
- Myrtleford Memorial Hall (\$0.51m)
- Tawonga Memorial Hall Upgrade (\$0.2m)
- Tronoh Dredge Hole Precinct design (\$0.17m)
- East Ovens Pedestrian Bridge (\$0.18m)

Many of the projects listed above are being delivered across multiple financial years, and the figures listed above are for the budgeted expenditure in the 2023/24 financial year only, and not the total project budget.

Further supporting Council's commitment to climate change mitigation and reduction of greenhouse gas emissions, a number of key projects will be delivered to improve the efficiency and environmental impacts of Council infrastructure.

These projects include:

- Energy efficient projects (\$0.2m)
- Vehicle renewal including \$0.13m of EV upgrades (\$0.28m)
- Mount Beauty Landfill Rehabilitation Design (\$0.15m); and
- The roll out of the kerbside collection service for FOGO.

## POLICY IMPLICATIONS

The Alpine Shire Council 2023/24 Budget is prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Budget covers a four-year period, including the budget year 2023/24, and the subsequent three financial years.

Rating provisions remain in the *Local Government Act 1989*.

The Budget is aligned to the Strategic Objectives identified in the Alpine Shire Council Plan 2021-2025. Major Initiatives are identified that will contribute to the delivery of the Strategic Objective. Council's progress in the delivery of these major initiatives will be reported in the corresponding Annual Report.

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

- 5.2 A responsible, transparent and responsive organisation

## FINANCIAL AND RESOURCE IMPLICATIONS

Council prepares its Budget with the objective of balancing long term financial sustainability and prioritised delivery against community needs. The Alpine Shire Council 2023/24 Budget forecasts an operating surplus of \$2.67 million and a working capital ratio of 3.49.

Materials and services expenditure has increased reflecting inflationary impact on costs and the costs of the new FOGO kerbside waste service. Departmental budgets reflect the range of service deliverables in 2023/24.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Financial Instability	Unlikely	Major	<ul style="list-style-type: none"> <li>• Scrutiny of each account.</li> <li>• Quarterly reporting.</li> <li>• Maintenance of Long-Term Financial Plan.</li> </ul>
Inability to fund services in rising cost environment	Unlikely	Major	<ul style="list-style-type: none"> <li>• Adaptability to refine project scope to maintain budgetary constraint.</li> </ul>



## **CONSULTATION**

Section 96(1) of the *Local Government Act 2020* provides for Council to develop the budget in accordance with the financial management principles and Council's Community Engagement Policy.

Special Rates remain governed by the requirements of the *Local Government Act 1989* and must include a statutory public consultation process, including the ability for a submitter to request to be heard in person. It was considered prudent that Council mirrors this process for public consultation and submissions.

Council commenced a Community Budget consultation process on the budget for 2023/24 in December 2022. A further period of public consultation commenced for the draft Budget 2023/24, resulting in the submissions received in agenda item 9.2.1 of this meeting.

## **CONCLUSION**

All submissions received have been considered by Council.

The Alpine Shire Council Budget 2023/24 reflects the Officers' recommendations to Council following a review of the cost and scope of each submission.

The budget sets out the projects and services to be delivered presenting a surplus of \$2.67m with capital expenditure totalling over \$14m, partly funded by Grants of over \$6.6m.

## **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 Customer and Community
- Financial Accountant

## **ATTACHMENT(S)**

9.2.4 Alpine Shire Council Budget 2023/24

## 9.2.5 Reappointment of Independent Audit and Risk Committee Member

### INTRODUCTION

The Alpine Shire Council Audit and Risk Committee established under section 53(1) of the *Local Government Act 2020* (the Act) comprises Councillor and independent members. This report recommends the reappointment of an independent member to Council's Audit and Risk Committee for a further three-year term.

### **RECOMMENDATION**

***That Council reappoints Julie Guest to the Audit and Risk Committee for a three-year term expiring 27 June 2026.***

### BACKGROUND

The Audit and Risk Committee Charter (the Charter) requires that the Committee comprises a minimum of five members:

- no more than two Councillors nominated and appointed by Council, and
- at least three or more independent persons.

The Audit and Risk Committee currently consists of six members: two Councillors and four independent members.

The Charter provides for independent members to be appointed for an initial term of up to three-years.

Independent member Julie Guest was appointed in July 2021 for an initial two-year term.

### REPORT

#### ***Reappointment of independent members***

At the completion of an appointed term, section 3.4 of the Charter provides for independent members to apply for reappointment to the Committee with a maximum of three consecutive terms.

Julie Guest has made application to be reappointed to the Committee for a second term.

#### ***Expertise and experience***

Section 53(b) of the Act specifies that independent Committee members have, collectively, expertise in financial management and risk, and experience in public sector management. The Charter further specifies collective knowledge and strategic skills in the areas of audit, governance, control, and compliance and preference for at least one independent member to be a member of CPA Australia (CPA status), the Institute of Chartered Accountants Australia (CA status) and/or the Institute of Internal Auditors.

As the focus and responsibilities of the Committee respond to emerging needs and regulatory, economic, and reporting developments, members' competencies, and the

overall balance of skills on the Committee is re-evaluated in the appointment of new and returning members.

Julie Guest has been a valuable member of the Committee over the past two years and brings direct finance, accounting and local government audit and risk committee experience to the Committee.

### ***Terms of appointment***

The terms of appointment for each member are, where possible, arranged to provide an orderly rotation of membership. Current independent member terms expire in 2024 and 2025 so a three-year term expiring in 2026 provides for stability and continuity on the Committee going forward.

### **POLICY IMPLICATIONS**

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

- 5.2 A responsible, transparent and responsive organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Independent Audit and Risk Committee members receive a set fee for each meeting attended in accordance with the Audit and Risk Committee Charter and as set by Council in its annual budget. The fee is indexed annually by CPI All Groups Melbourne June Quarter to June Quarter.

### **CONCLUSION**

It is recommended that Council reappoints Julie Guest to the Audit and Risk Committee for a further three-year term.

### **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 Customer and Community
- Health, Safety and Risk Officer

### **ATTACHMENT(S)**

Nil

## 9.2.6 Audit and Risk Committee Meeting Minutes and Recommendations

### INTRODUCTION

The purpose of the report is to present the minutes of the Audit and Risk Committee meeting No.2022/23-05 held on 26 May 2023.

The key items presented to and considered by the Audit and Risk Committee (Committee) at this meeting related to:

- Review of the Procurement Policy and associated financial delegations and the Financial Investments Policy.
- Key risks associated with Council's capital works program
- Nomination of Committee Chair for 2023/24.

Council's regular quarterly reports were also presented to the Committee as well as an overview of governance matters being overseen by monitors appointed by the Minister for Local Government.

### **RECOMMENDATIONS**

#### ***That Council:***

- 1. Receives and notes the unconfirmed minutes of the Audit and Risk Committee meeting No.2022/23-05 held on Friday 26 May 2023; and***
- 2. If it reappoints independent member Julie Guest to the Audit and Risk Committee, accept the Committee's nomination and recommendation for Committee Chair and appoints independent member Julie Guest to the role for the 2023/24 financial year.***

### REPORT

#### ***Policy and financial delegations' reviews***

The Committee received reports on the scheduled review of two policies, Procurement Policy, and Financial Investments Policy, as well as the financial delegations from Council to the Chief Executive Officer to support the implementation of the Procurement Policy. The Committee provided suggestions to Council around regular conflict of interest training for staff and requested quarterly reporting on investments.

#### ***Capital works program - key risks***

The Committee received a report on the key risks associated with the effective delivery of Council's Capital Works Program and the current and future actions Council is taking to mitigate these risks.

The Committee acknowledged the risks identified by Council and discussed the current environment in which construction contractors are going into liquidation and the measures that Council has in place to be aware of and monitor this.

The issue of increasing expectation and cost shifting of capital improvements on Department of Energy, Environment, and Climate Action (DEECA) land and reserves where Council is not the DEECA appointed committee of management was also discussed.

### ***Nomination and Recommendation of Committee Chair***

The Alpine Shire Council Audit and Risk Committee Charter, V4.0 August 2020, sets out the requirements for the appointment of the Chair of the Audit and Risk Committee.

Section 3.8 of the Charter stipulates that:

*“The Chair of the Committee must be an independent member (section 53(4)).*

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

*Council will formally appoint the Committee Chair”.*

On the assumption that Council reappoints independent member Julie Guest to the Committee for a further term, the Committee nominated, and recommends to Council for appointment, independent member Julie Guest as Chair of the Committee for 2023/24.

### **POLICY IMPLICATIONS**

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

- 5.2 A responsible, transparent and responsive organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Independent Audit and Risk Committee members receive a set fee for each meeting attended in accordance with the Audit and Risk Committee Charter and as set by Council in its annual budget. The fee is indexed annually by CPI All Groups Melbourne June Quarter to June Quarter.

### **RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to meet reporting requirements of <i>Local Government Act 2020</i> and Audit and Risk Committee Charter	Unlikely	Minor	<ul style="list-style-type: none"> <li>• Standing items on ARC agenda</li> <li>• Documented annual ARC meeting program</li> </ul>

## **CONCLUSION**

The Audit and Risk Committee, being satisfied with the detail provided in its agenda and the officer reports, submits the unconfirmed minutes of its meeting No.2022/23-04 held on 26 May 2023 to Council for noting and recommends to Council that independent member Julie Guest be appointed Committee Chair for 2023/24.

## **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 Customer and Community
- Health, Safety and Risk Officer

## **ATTACHMENT(S)**

- 9.2.6 Minutes (unconfirmed) of Audit and Risk Committee Meeting No.2022/23-05,  
26 May 2023

## 9.2.7 Procurement Policy

### INTRODUCTION

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

The purpose of this report is to propose amendments to Council's Procurement Policy and adopt the revised Policy in accordance with the *Local Government Act 2020 and relevant legislation*.

### **RECOMMENDATIONS**

***That Council:***

- 1. Notes that the Procurement Policy (No.089) has been reviewed in accordance with the Local Government Act 2020 (LGA 2020), with the following amendments proposed in Version 10:***
  - a. Inclusion of Modern Slavery Act 2018, Gender Equality Act 2020 and Council's commitment to maintaining a child safe organisation;***
  - b. Inclusion of other supporting documents and guidelines referenced to be read in conjunction with this policy;***
  - c. Amendments to all thresholds to improve best value outcomes based on spend and resources.***
- 2. Revokes Procurement Policy No. 089, Version 9;***
- 3. Adopts Procurement Policy No. 089, Version 10; and***
- 4. Signs and Seals Procurement Policy No. 089, Version 10 at the appropriate stage of the meeting.***

### BACKGROUND

The Procurement Policy (the Policy) is a key instrument in supporting Council to achieve best value outcomes. The Policy supports Council's purchasing objectives and must comply with the requirements of the *LGA 2020*, while being clear and easy to understand and be fit-for-purpose given the obligations it sets out for people undertaking procurement on behalf of Council.

The legislation governing Council procurement transitioned to sections 108 and 109 of the *LGA 2020* on 1 July 2021. Council continues to review its policy regularly to ensure it meets legislative requirements.

In accordance with s108 of the *LGA 2020*, Council's Procurement Policy must include:

- a. the contract value above which the Council must invite a tender or seek an expression of interest;
- b. a description of the criteria to be used by the Council to evaluate whether a proposed contract provides value for money;
- c. a description of how the Council will seek collaboration with other Councils and public bodies in the procurement of goods or services;

- d. the conditions under which the Council may purchase goods or services without inviting a public tender or expression of interest;
- e. a description of the process to be undertaken in inviting a public tender or expression of interest;
- f. any other matters prescribed by the regulations.

## ISSUES

### ***Assessment criteria***

The policy sets out the following procurement principles: value for money; open, fair, and unbiased; social value; probity, transparency, and accountability; risk management; environmental sustainability; continuous improvement; and collaboration.

Value for money is set as the primary evaluation driver allowing for cost and non-cost elements. Factors such as quality, quantity, risk, and experience will be assessed alongside social impact, environmental sustainability, timeliness, and cost on a whole of contract and whole of asset life basis.

### ***Procurement thresholds and contract values***

The *LGA 2020* requires Councils to set their own threshold limits, that are reflective of the needs of each Council. As Alpine Shire Council is a Small Rural Council, it is proposed to set the threshold for formal Invitations to Tender (ITTs) for public tendering of goods, services, and works at \$200,000 Ex GST.

Procurement of goods, services, and works valued less than \$200,000 Ex GST are not required to be procured through public tenders but have requirements for procurement processes such as written quotations, and formal Requests for Quotation (RFQs) (Table 1).

**Table 1: Procurement thresholds and purchasing conditions outlined in the Procurement Policy**

Procurement Threshold (GST exclusive)	Purchasing Conditions
Up to \$3K	Seek and receive at least one quote OR purchase using approved collaborative procurement. No purchase order required.
>\$3K-\$20K	Seek and receive at least one quote OR purchase using approved collaborative procurement. Purchase order required.
>\$20K- \$50K	Seek and receive at least two quotes OR purchase using approved collaborative procurement. Purchase order required.



Procurement Threshold (GST exclusive)	Purchasing Conditions
>50K - \$80K	Seek and receive at least three quotes OR request for Quotation (RFQ) published on Council's tender website and open to response from any supplier OR purchase using approved collaborative procurement. Purchase order required.
>\$80K - \$200K	RFQ published on Council's tender website and open to response from any supplier OR purchase using approved collaborative procurement. Written contract required.
>\$200K	Invitation to Tender (ITT) published on Council's tender website and open to response from any supplier OR purchase using approved collaborative procurement. Written contract required.

### ***Financial delegations***

Changes to financial delegations for Managers, Directors and Chief Executive Officer are proposed to align with the new procurement thresholds. These changes are reflected in the report presented at this Council meeting for S5 Instrument of Delegation to the CEO.

### **POLICY IMPLICATIONS**

The Policy has been reviewed in accordance with Sections 108 and Section 109 of the *LGA 2020* to reflect these amended provisions which came into effective on 1 July 2021, with the Procurement Policy due for adoption by 31 December 2021.

These recommendations are in accordance with the following Strategic Objective of the 2021-25 Council Plan:

- 5.2 A responsible, transparent and responsive organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

It is noted that the proposed amendments will improve efficiency and best value outcomes for Council.

Council will increase the frequency of procurement process audit including a comprehensive internal audit program every two years.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Non-compliance with Procurement Policy requirements	Possible	Minor	<ul style="list-style-type: none"> <li>• Council will increase audit activities on Procurement processes including a comprehensive internal audit program every two years.</li> <li>• Staff training on procurement practices and expectations</li> <li>• Auditing and monitoring of procurement activities and reporting to Audit and Risk Committee</li> </ul>

## CONSULTATION

The proposed Policy amendments have been based on consultation with senior Council officers and feedback from staff.

## CONCLUSION

The Procurement Policy (Version 10) ensures compliance with legislative requirements and maximises efficiencies in Council's purchasing practises to ensure best value is obtained for ratepayers.

## 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 Customer and Community
- Commercial Officer

## ATTACHMENT(S)

9.2.7 Alpine Shire Council Procurement Policy No.089 version 10

## 9.2.8 Instruments of Delegation

File Number: Delegations Register

### INTRODUCTION

Instruments of Delegation are an important means of Council ensuring its officers hold the appropriate legislative powers for the various Acts and Regulations that Council administers. This report refreshes delegations to the Chief Executive Officer, and to members of Council staff.

### **RECOMMENDATIONS**

***That Council:***

- 1. Exercises the powers conferred by section 11(1)(b) of the Local Government Act 2020, so that:***
  - a. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in attachment 9.2.7 "S5 - Instrument of Delegation from Council to the Chief Executive Officer" (instrument S5), subject to the conditions and limitations specified in that instrument;***
  - b. Instrument S5 be signed and sealed at the appropriate stage of this meeting;***
  - c. Instrument S5 comes into force immediately the common seal of Council is affixed to the instrument;***
  - d. On the coming into force of instrument S5, all previous delegations to the Chief Executive Officer are revoked; and***
  - e. The duties and functions set out in instrument S5 must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.***

### BACKGROUND

Many legislative Acts and Regulations provide Council with specific powers, duties or functions. To enable Council as an organisation to run smoothly, many of these powers, duties and functions are delegated to the Chief Executive Officer (CEO), who can then further sub-delegate these duties to Staff. This ensures that decisions are made on a timely basis, without the need for every legislative decision being presented to a Council meeting.

Council's S5 Instrument of Delegation to the CEO passes on Council's powers directly to the CEO. For instances where decisions are required that are not within the CEO's delegation, these must be presented directly to Council - for example, where a purchase exceeds the CEO's financial delegation.

Where legislation allows it, the CEO then sub-delegates specific legislative duties to staff, via a separate Instrument. Some legislation does not allow sub-delegation via the CEO,

so Council must delegate these powers directly to staff using the S6 Instrument of Delegation to Council Staff.

The S5 Instrument of Delegation to the CEO was most recently updated in April 2022.

## ISSUES

### ***Changes to CEO financial delegation***

In line with changes to the template for the S5 Instrument of Delegation to the CEO, the financial delegation to the CEO has been split into the power to award contracts, and the power to approve expenditure.

Proposed changes to Council's Procurement Policy increase the value above which officers must issue an Invitation to Tender from \$150,000 (excluding GST) to \$200,000 (excluding GST). To mirror this change, the CEO's power to award contracts has also been increased from \$150,000 (excluding GST) to \$200,000 (excluding GST).

The S5 Instrument of Delegation now stipulates the ability for the CEO to approve expenditure associated with contracts already entered into (approved by Council). It also includes the ability to make larger expenditure payments / transactions for items required under legislation (which are non-discretionary) such as Insurance, WorkCover, and transferring the Fire Property Services Levy to the State Revenue Office. This formalises processes associated with larger expenditure payments, reducing the need for these non-discretionary items to be presented to Council.

No other changes have been made to the CEO delegation.

## POLICY IMPLICATIONS

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

- 5.2 A responsible, transparent and responsive organisation

## FINANCIAL AND RESOURCE IMPLICATIONS

Council has an annual subscription for Maddocks delegations and authorisations service that is allowed for in Council's annual budget. Appropriate delegations and authorisations allow Council and Council staff to operate effectively within legislative frameworks.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Delegations are not in place or are out of date	Possible	Moderate	Ensure that all Council approved delegations are up-to-date to ensure that staff can undertake their statutory duties.

Risk	Likelihood	Impact	Mitigation Action / Control
Financial delegations do not reflect Procurement Policy	Possible	Moderate	Ensure that CEO financial delegations reflect the current Procurement Policy, and ensure necessary administrative steps are in place to support these.

### **CONSULTATION**

No external consultation is required. Council to CEO delegations have been discussed with the relevant Manager, Director and CEO.

### **CONCLUSION**

A review and update of the S5 Instrument of Delegation to the CEO, will ensure that the CEO can undertake the powers, duties and functions relating to their role, and the CEO's financial delegations are matched to the updated Procurement 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.

- Director Customer and Community
- Governance Officer

### **ATTACHMENT(S)**

9.2.8 S5 - Instrument of Delegation from Council to the Chief Executive Officer - June 2023

## 9.2.9 Brights Iconic Rod Run - Designation of restriction

### INTRODUCTION

This report details the proposed alcohol restrictions designated under Alpine Shire Community Local Law 2019 Clause 2.2.1 from 10pm Thursday 9 November to 7am Monday 13 November 2023.

### RECOMMENDATIONS

#### *That Council:*

1. ***Approves an alcohol restriction during the period 10pm Thursday 9 November 2023 to 7am Monday 13 November 2023 under Clause 2.2.1 of the Community Local Law 2019 as per attachment 9.2.9 Alcohol Restrictions Map***
2. ***Notes that:***
  - a. ***Bright Iconic Rod and Custom Club Inc hold a ticketed event in Pioneer Park which is yet to be permitted by Council.***
  - b. ***The Alpine Hotel must apply for a separate event permit to extend their redline to the front of the Hotel.***
  - c. ***Council officers will work with licensed operators in the restricted area to support them to operate within their red line area in line with event permit requirements.***

### BACKGROUND

Council first introduced restrictions on the consumption of liquor on Council land for the duration of the 2019 Rod Run event, under Clause 2.2.1 of the Community Local Law 2019. These restrictions were based on the recommendation of the Events Risk Assessment Panel consisting of Council officers, Victoria Police, Ambulance Victoria, Alpine Health and other emergency service agencies.

In planning for the 2021 event, the Bright Rod and Kustom Club made a request for the footprint of the consumption of alcohol restricted area to be reduced to a smaller area which was endorsed by Council. This same restricted area was also endorsed by Council for the 2022 event.

### ISSUES

#### ***Alcohol restriction area:***

In pre-planning for the 2023 event, the Bright Rod and Kustom Club has not requested any further change to the alcohol consumption restricted area as endorsed in 2022.

#### ***Changes to Bright town centre event management:***

In preparing for the 2023 event, Council staff will take a different approach to the management of road closures and traffic detours within the Bright town centre.

For past events the Bright Rod and Kustom Club has been considered responsible for traffic management in Bright town centre, which has been facilitated and funded by Council as in-kind event support through the annual Events Funding Program.

This year Council will apply for funding through the Events Funding Program to coordinate the town centre-based aspects of the weekend, recognising that the unofficial attendees for the weekend are often not connected to the Bright Rod and Kustom Club event in Pioneer Park.

This approach will separate the formal Bright's Iconic Rod Run event organised by the Bright Rod and Kustom Club from the informal attendance of car enthusiasts who do not pay to be involved in the formal event but cause significant changes to how the town centre operates.

### ***Remembrance Day:***

Remembrance Day will be held at Mafeking Square in the centre of Bright on Saturday, 11 November.

Traffic management will close Ireland Street from 10pm Friday through to 12pm Saturday to support the safe operation of the Remembrance Day Service. There will be no movement of vehicles or parking up for the Show n' Shine during this time.

## **POLICY IMPLICATIONS**

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

- 1.2 Services and resources that enhance health and wellbeing

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Prominent temporary signage and advertising will be used to ensure that the alcohol restrictions designation is well communicated to event attendees.

Additional Local Law officers, sourced from an external contractor, will be utilised to monitor the Bright town centre during the restriction period and take necessary enforcement action.

Traffic management costs are anticipated to be approximately \$35,000.

## **RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Increased incidence of public misdemeanours	Possible	Minor	<ul style="list-style-type: none"> <li>• Designated alcohol restrictions for Bright town centre</li> <li>• Victoria Police in attendance</li> <li>• Local Laws Officers on duty</li> </ul>

Risk	Likelihood	Impact	Mitigation Action / Control
Vehicle/ Pedestrian accidents	Possible	Minor	<ul style="list-style-type: none"> <li>Encourage use of designated road crossings.</li> </ul>
Interruptions to Bright Remembrance Day Service.	Unlikely	Minor	<ul style="list-style-type: none"> <li>Complete road closure to support the safe operation of Remembrance Day service.</li> </ul>

## CONSULTATION

Pre-planning for the 2023 event between Council officers and members of the Bright Rod and Kustom Club has commenced to discuss early plans for the event that organically occurs in the Bright town centre and the official event hosted at Pioneer Park. This includes the delineation of the event, who is managing each section of the event funding and the declaration of consumption of alcohol restrictions for 2023.

The Events Risk Assessment Panel consisting of Council officers, Victoria Police, Ambulance Victoria, Country Fire Authority, State Emergency Services and Alpine Health have also been consulted on the plans for the 2023 event, including the designation of the restricted area for alcohol consumption being implemented as per the 2022 event.

As in previous years, Council will offer exemptions to the restrictions to licensed premises that hold the appropriate licence to sell alcohol outside their premises (i.e. within a current red line area) with the understanding that the premises must manage patrons within their venue and red line area.

The Alpine Hotel is anticipated to apply for an event permit and occupation of Council Land to utilise Council land in front of the Alpine Hotel over the duration of the event restrictions. The permit application will be reviewed by the Event Risk Assessment Panel.

Council officers responsible for organising the town centre event will apply for funding from Council under the 'signature event' requirement of the Events Strategy.

This funding will support traffic and waste management, extra Local laws service provision, permitting requirements and any further costs for event operation.

## CONCLUSION

The proposed designation of restrictions will support safe management for patrons, the public and emergency services. The Bright Rod and Kustom Club will continue to plan their event, including activities to be held at Pioneer Park.



Council's events team will apply for funding to support the delivery of traffic and waste management within the Bright town centre over the course of the weekend and coordinate the delivery of the 'informal' rod run in and around the town centre.

This will allow the Bright Rod and Kustom Club to focus on the delivery of their event within Pioneer Park and beyond for their registered event attendees.

### **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 Customer and Community
- Manager Customer Experience
- Development Officer (Events)

### **ATTACHMENT(S)**

9.2.9 Alcohol Restrictions Map (9-13 November 2023)

## 10. 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.

### **RECOMMENDATION**

***That the summary of informal meetings of Councillors for May / June 2023 be received.***

### Background

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

Date	Meeting
30 May	Briefing Session
13 June	Briefing Session
20 June	Briefing Session

### Attachment(s)

- 9.0 Informal meetings of Councillors – May / June 2023

**11. Presentation of reports by delegates**

**12. General business**

**13. Motions for which notice has previously been given**

**14. Reception and reading of petitions**

## 15. Documents for sealing

### **RECOMMENDATION**

*That the following documents be signed and sealed.*

- 1. Procurement Policy No. 089 (version 10)*
- 2. Instrument S5 be signed and sealed.*

There being no further business the Chairperson declared the meeting closed at \_\_\_\_\_p.m.

.....

Chairperson