

M(5) – 27 MAY 2025

Ordinary Council Meeting

Agenda

Notice is hereby given that the next **Ordinary Council Meeting** of the **Alpine Shire Council** will be held in the Mount Beauty Community Centre, 21 Kiewa Crescent, Mount Beauty on **27 May 2025** commencing at **5:00 pm**.

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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 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(4) 29 APRIL 2025

RECOMMENDATION

That the minutes of M(4) 29 April 2025 as circulated be confirmed.

4 Apologies

5 Obituaries / Congratulations

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

6 Declarations by Councillors of Conflict of Interest

7 Public Questions

Public Question time will be held in accordance with the following provisions of Council's Governance Rules:

G5 Public Question Time

GS3. Questions submitted to Council may be:

Submitted as a "Question on Notice" to the Chief Executive Officer in writing by 5pm on the day prior to the Council meeting, stating the name and contact details of the person submitting the question; or

During meetings held wholly in-person, at the Chairperson's discretion, asked directly by a member of the public gallery at the Council meeting during public question time.

GS4. No person may submit or ask more than two questions at any one meeting.

GS7. Questions should be limited to items of public interest, and are not intended to replace Council's ordinary Customer Request process. A question may be disallowed by the Chairperson if the Chairperson determines that it:

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

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

8 Presentation of reports by officers

8.1 CHIEF EXECUTIVE OFFICER - WILL JEREMY

Nil

8.2 DIRECTOR CORPORATE AND COMMUNITY - NATHALIE COOKE

8.2.1 PA2403346 Battery Energy Storage System (BESS) ('Utility Installation')

INTRODUCTION

This report is presented to Council to provide information to form a position on whether to formally object or make a submission of support to an application for the use and development of the land for a utility installation (Battery Energy Storage System (BESS)), removal of native vegetation, development of signage and ancillary buildings and works on the at land known as 1452 and 1402 Yackandandah – Dederang Road, Dederang.

RECOMMENDATION

That Council endorses the lodgement of a formal submission to the Minister for Planning objecting to Planning Application PA2403346 for the use and development a utility installation (Battery Energy Storage System - BESS), removal of native vegetation, development of signage and ancillary buildings and works on the land known as 1452 & 1402 Yackandandah – Dederang Road, Dederang on the following grounds:

- 1. Insufficient information has been provided with the application to make an informed and complete assessment as to the potential impact the proposed use and development may have on the visual landscape and natural environment.*
- 2. The development will cause a detrimental visual intrusion on the significant Kiewa Valley landscape as a consequence of its scale and siting in an elevated area of the property which is inconsistent with Clause 02.03-2 - Environmental and landscape values' and 'Landscapes' of the Municipal Strategy; Clause 12.05 - 'Significant environments and landscapes' and Clause 12.05-2S – 'Landscapes' of the Planning Policy Framework; and purpose and objectives of Clause 42.03 - Significant Landscape Overlay.*
- 3. The proposal fails to provide justification to the siting of the development proximate to the Bushfire Management Overlay or articulate how bushfire risk will be mitigated and managed both internally to and externally to the site, contrary to Clause 02.03-3 - 'Environmental risk and amenity' of the Municipal Planning Strategy and Clause 13.02-1S – 'Bushfire planning' of the Planning Policy Framework.*

BACKGROUND

Planning application PA2403346 was lodged with the Department of Transport and Planning (DTP) on 16 November 2024 for the use and development of the land for a utility installation (Battery Energy Storage System (BESS)), removal of native vegetation, development of signage and ancillary buildings and works on the land known as 1452 and 1402 Yackandandah – Dederang Road, Dederang.

Pursuant to Clause 72.01-1 of the Alpine Planning Scheme, the Minister for Planning (the Minister) is the Responsible Authority for a utility installation used to:

- Transmit or distribute electricity.
- Store electricity if the installed capacity is 1 megawatt or greater.

The application was advertised to the Alpine Shire on 4 April 2025 in accordance with Section 52(1)(b) of the *Planning and Environment Act 1987*.

The Minister has advised that no decision will be made on the application prior to 8 May 2025. Submissions can be made to an application up until the time a decision is made on an application regardless of when the public notice formally concludes.

Pursuant to Clause 53.22 of the Alpine Planning Scheme, a utility installation used to transmit or distribute electricity or store electricity with an installed capacity of 1 megawatt or greater, is designated as a significant economic development.

While the Minister has advertised the application to Council and adjoining property owners and occupiers, Clause 53.22-4 exempts the application from the decision requirements of Sections 64(1), (2) and (3), and the review rights of Sections 82(1) of the *Planning and Environment Act 1987*. Section 64 of the Act covers the issuing of a Notice of Decision to any parties that make a submission to an application and Section 82 permits applications for review to be made with the Victorian Civil and Administrative Tribunal. In short, while Council and other parties have been notified of the application, it is important to highlight that any decision made by DTP or the Minister on this application is not able to be challenged at VCAT by an objector.

Further, the application has been accepted by DTP under their Development Facilitation Program for expedited assessment. Therefore, this report has been brought to the May Council Meeting to ensure that Council's position on the application can be included in DTP's consideration of the application.

PROPOSAL

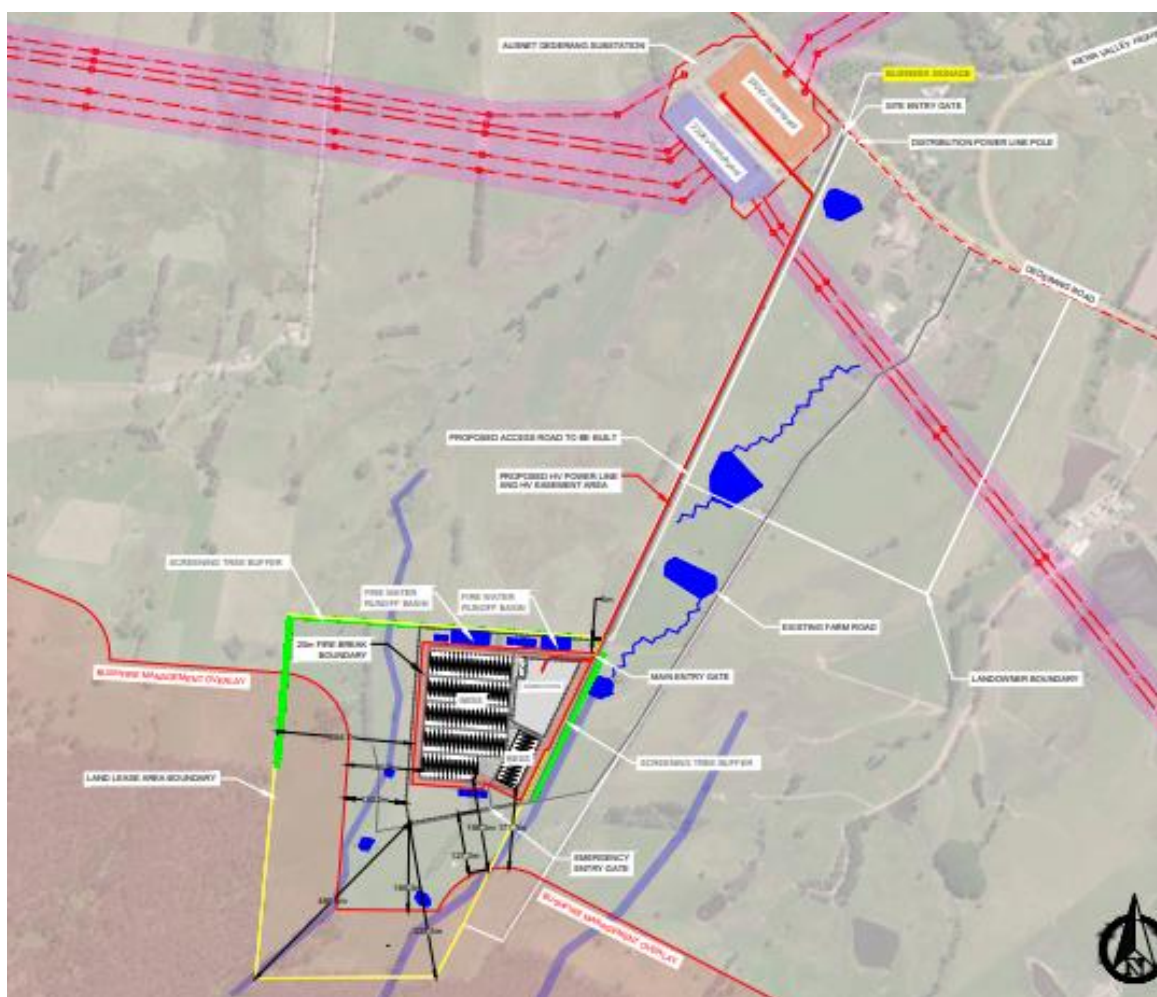
The application before the Minister seeks approval for the use and development of a utility installation with an indicative installed capacity of 500MW/1,000MWhh. The proposal is known as the Kiewa Valley BESS.

The subject site is located approximately 2.8 kilometres to the northwest of the Dederang township. The report submitted with the application identifies that an area of approximately 13.2 hectares will comprise of the site area; with the BESS comprising of 6.0 hectares and the onsite substation comprising of 2.2 hectares.

The particulars of the proposal are as follows:

- BESS modules, inverters and transformers.
- Civil and structural works including the laying of crushed rock including internal access tracks.
- Construction of 2.9 kilometres of internal access roads.
- Underground cabling (33kV) to provide connection between the battery modules and inverters and onsite substation.

- On-site substation including transformer.
- Underground cabling to connect the onsite substation to the adjoining Dederang Terminal Station.
- Permanent operations and maintenance facility.
- Water storage (including firefighting water supply and fire water runoff containment).
- Temporary construction compound and laydown and work areas.
- Security fencing.
- Carparking; and
- Business identification signage at the site entry.



The BESS will comprise of approximately 576 battery containers and 192 inverters, each of which will be positioned between the two seasonal water courses, in an area approximately 1.1 kilometres to the south of the Dederang Terminal Substation.

The development also involves the construction of an onsite substation which will be positioned at the north east corner of the footprint.

No elevations or details regarding the proposed height of the infrastructure have been provided with the documentation submitted with the application. Details have not been

provided regarding the external materials or colours which will be incorporated into the development, or the level of earthworks required to accommodate the BESS, onsite substation or accessways.

The application also seeks approval for the creation of access to the Yackandandah Dederang Road which is a Transport 2 Zone.

In order to create access to the site, the proponent is seeking approval for the removal of native vegetation. The quantity of vegetation identified for removal comprises of 0.127 hectares.

The vegetation removal comprises of up to five large trees, being two large scattered trees located in the subject site and three large patch trees in the access road.

This development area includes scattered patches of EVC 47 - Valley Grassy Forest which is which is characterised as an endangered.

A link to the proposal plans as advertised on the DTP website as Ministerial permit: PA2403336.

In addition to the plans, the proponent has submitted the following technical reports with the application:

- Ecological Assessment prepared by NGH dated September 2024;
- Traffic Impact Assessment prepared by NGH Consulting dated 26 September 2024;
- Landscape and Visual Assessment prepared by GbLA Landscape Architects dated 9 October 2024;
- Noise Impact Assessment prepared by ADP Consulting dated 26 September 2024;
- Risk Management Plan prepared by Fire Risk Consultants dated April 2025;
- Flood Risk and Impact Assessment Report prepared by Water Technology dated 14 November 2024;
- Community Engagement Summary – Kiewa Valley BESS prepared by NGH dated 11 October 2024.

SUBJECT LAND AND SURROUNDS

The subject site is situated approximately 2 kilometres northwest of the Dederang township to the south of the intersection of the Yackandandah Dederang Road and Dederang Link Road. The site, which is the subject of the application, comprises of four parcels which total an area of 91.67 hectares and form an irregular configuration.

The northern portion of the subject site comprises of mostly cleared grazing land which features seasonal watercourses which traverse the site from the south down towards Glenn Creek to the north.

Two dwellings and a number of farm buildings are located on the northern portion of the land, adjacent to the Yackandandah – Dederang Road.

The surrounding area is characterised by grazing land. A notable feature of the landscape are the state parks which are located to the distant north and immediate south of the site.

The Dederang Terminal Substation is located towards the north west of the site.



The closest dwelling is located 650 metres north west of the BESS site, at the end of Goonans Lane. Other dwellings are located approximately 950 metres to the northeast of the proposed BESS and substation site.

SCOPE OF CONSIDERATION

The application has been referred to Alpine Shire Council by the Minister for Planning pursuant to Section 52(1)(b) of the *Planning and Environment Act 1987*.

Council's role in the consideration of this application is only to provide comment to DTP in relation to the matters pertaining to planning policy as well as the zones and overlays which are applicable to the land. However, Council has also invited submitters to share a copy of any submission made to DTP in relation to the proposal. This will provide Councillors the opportunity to understand the feedback and views of the community in relation to the proposed use and development prior to making a decision on the technical assessment presented in this report.

Similarly, DTP have also referred the application to other departments and authorities pursuant to Clause 66 – 'Referral and Notice Provisions' of the Alpine Planning Scheme. These departments will provide DTP with their own response in relation to aspects of this proposal which fall within their realm of authority.

PLANNING ASSESSMENT

There are a number of policies which are contained within the Municipal Planning Strategy and the Planning Policy Framework which are relevant in the consideration of this application. The clauses which are applicable are:

Municipal Planning Strategy

Clause 02.03-2 - Environmental and landscape values

Clause 02.03-3 - Environmental risk and amenity

Clause 02.03-4 - Natural resource management

Planning Policy Framework

Clause 12 – Environmental and Landscape Values

Clause 12.05 – Significant Environments and Landscapes

Clause 12.05-2S – Landscapes

Clause 12.05-2L - Landscapes

Clause 13.02 -Bushfire

Clause 13.02-1S -Bushfire Planning

Clause 14.01-1S -Protection of Agricultural Land

Clause 14.01-2S -Sustainable Agricultural Land Use

Clause 14.01-2R - Agricultural productivity – Hume

Clause 19.01-1S – Energy supply

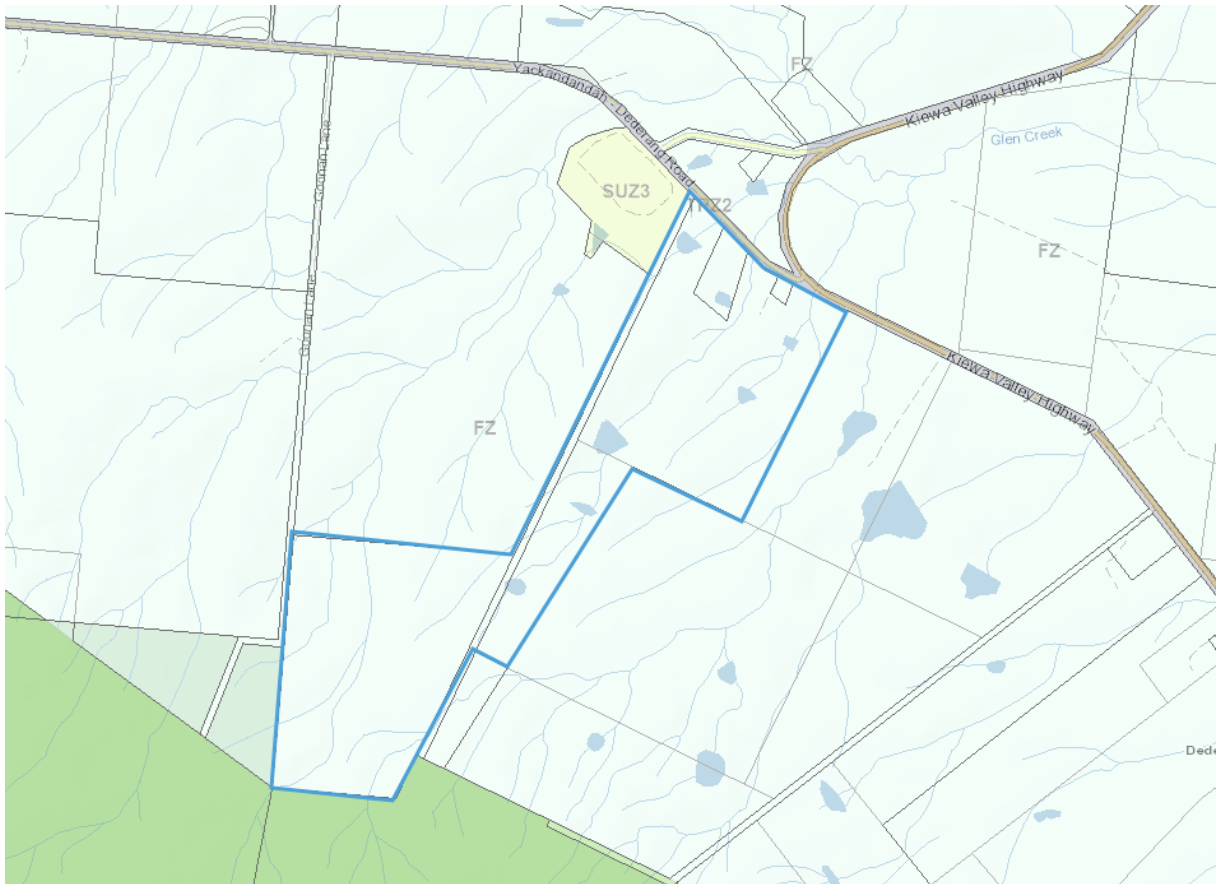
Clause 19.01-2S – Renewable Energy

Clause 19.01-2R - Renewable energy – Hume

All applicable policies mentioned above are provided as an attachment to this report.

Zoning and Overlays

Under the Alpine Planning Scheme, the site in which is the BESS and onsite substation are located is zoned Farming.



The purpose of the Farming Zone is:

- *'To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.'*

Pursuant to Clause 35.07-1, a planning permit is required for the use of a utility installation.

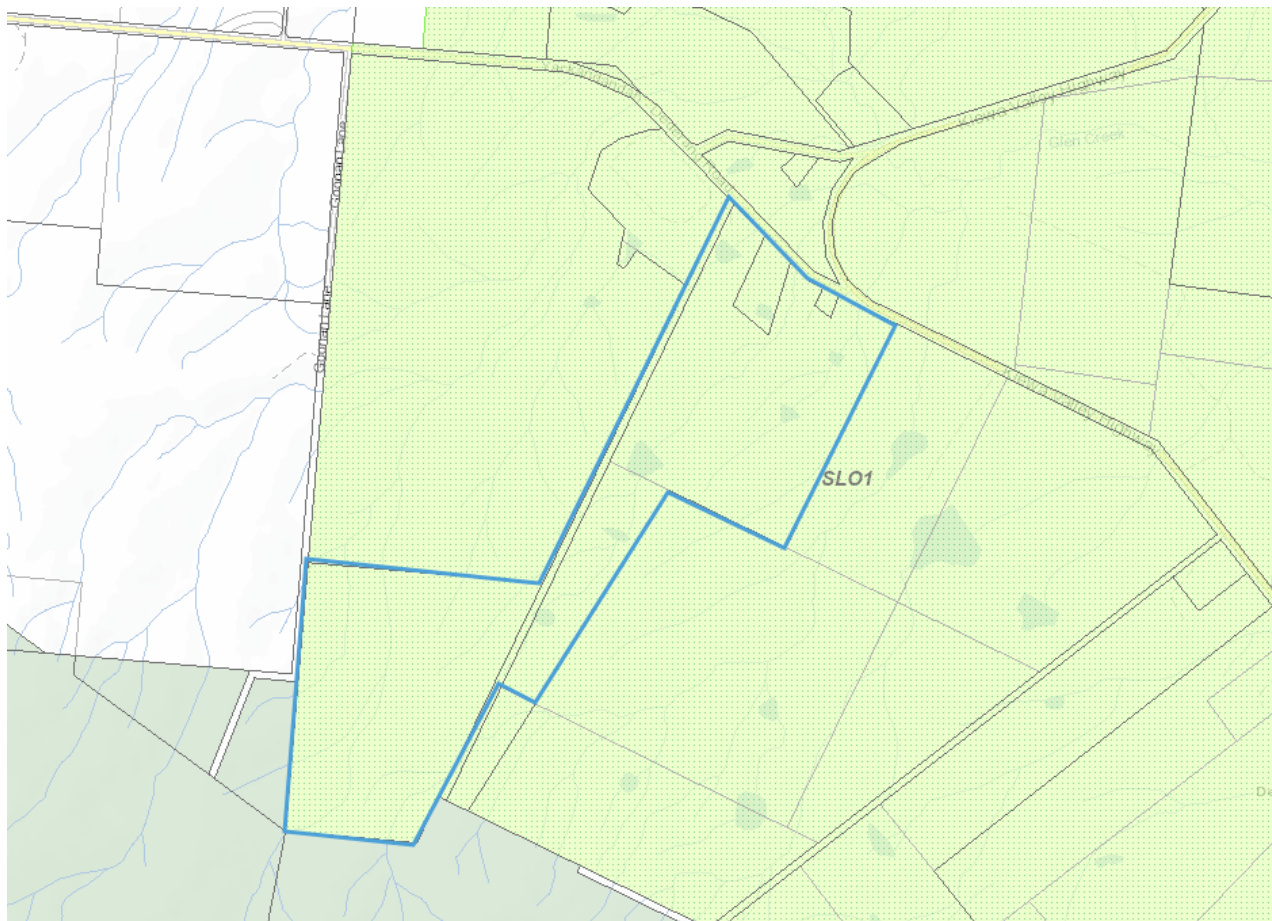
Pursuant to Clause 35.07-4, a planning permit is required for buildings and works:

- Associated with a utility installation; and
- Within 100 metres of a waterway.

Additional works are also proposed within the Dederang Terminal Substation which is zoned Special Use (Schedule 3). A planning permit is not required to construct a

building or carry out works associated with a utility station that is used for the transmission or distribution of electricity.

The land is covered by a Significant Landscape Overlay (Schedule 1 – Upper Kiewa Valley Landscape Area).



The schedule to the overlay provides the '*Statement of nature and key elements of landscape*' as follows:

'The landscape of the Upper Kiewa Valley has a distinct character with significant contrasts between the cleared flat to undulating valley floor and the steep treed mountains. The valley narrows in the upper reaches and the contrast is emphasised. The visual boundaries are definite in this landscape not only between natural features but also the townships which are generally well contained with little urban sprawl. A key element of this landscape is the majestic views across the cleared valley floor to Mount Bogong.'

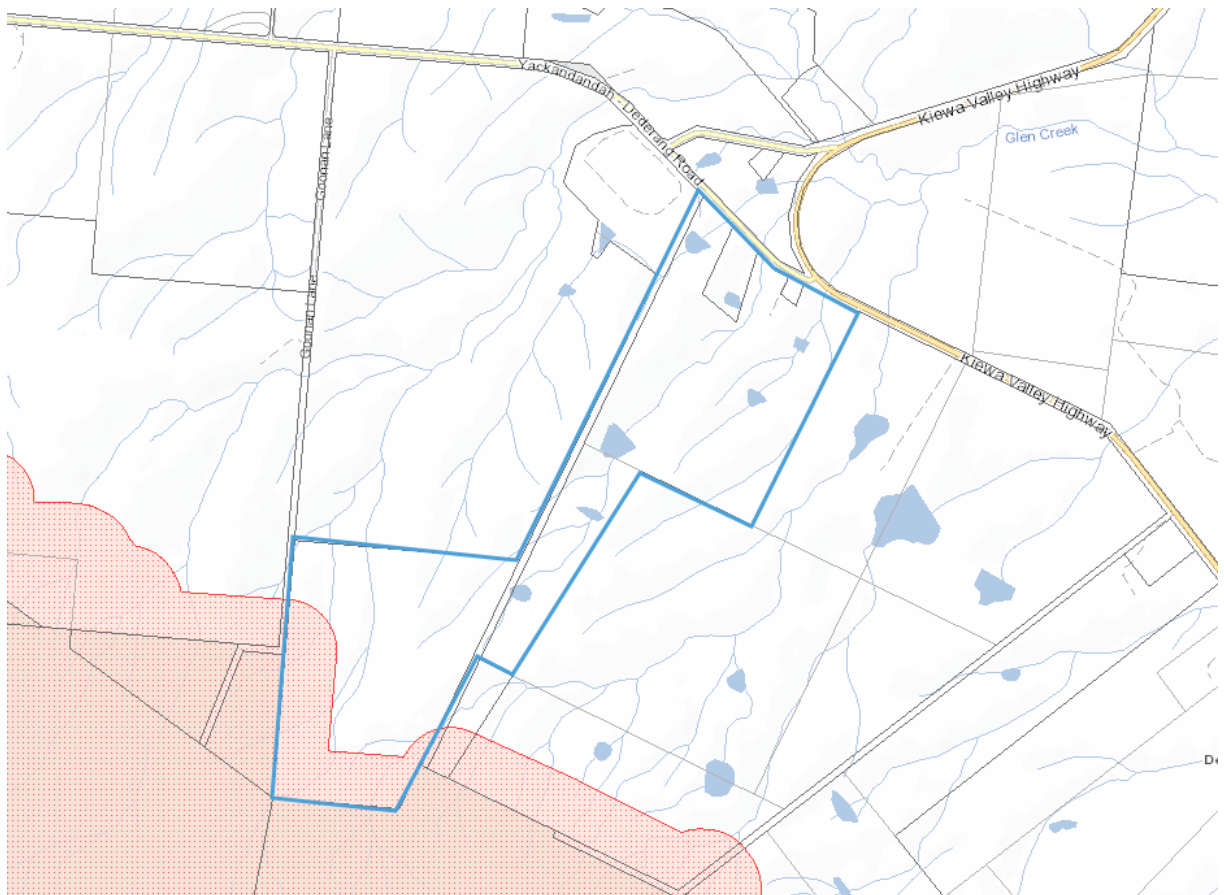
The Landscape character objectives to be achieved are as follows:

- *'Contain urban development, specifically housing, to existing townships with definite visual boundaries.*
- *Encourage appropriately sited development to reduce ribbon development along the Kiewa Valley Highway.*
- *Encourage rural development of a "human" scale and form.*

- *Maintain existing vegetation on the steeper slopes of the valley to maintain its integrity.*
- *Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls.*
- *Maintain the existing rural landscape.'*

Pursuant to Clause 42.03-2, a planning permit is required to construct a building or carry out works.

The land is covered by a Bushfire Management Overlay.



The purpose of the Bushfire Management Overlay is:

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

Pursuant to Clause 44.06-2 proposed development does not trigger a planning permit.

Particular Provisions

Clause 52.17 Native Vegetation Removal.

The application seeks approval for the removal of native vegetation to provide for the creation of access to the site.

The purpose of Clause 52.17 in relation to Native Vegetation Removal is:

- *'To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*
 4. *Avoid the removal, destruction or lopping of native vegetation.*
 5. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 6. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.'*

Pursuant to Clause 52.17, a planning permit is required 'to remove, destroy or lop native vegetation, including dead native vegetation'.

Clause 52.29 – Land Adjacent to Principal Road Network

The subject site is located adjacent to the Yackandandah Dederang Road which is a Transport 2 Zone.

Pursuant to Clause 52.29-2, a planning permit is required to create or alter access to a road in a Transport Zone 2.

The application will require referral by the Minister to the DTP pursuant to Clause 52.29-4 for comments in relation to the creation of access.

ASSESSMENT

Protection of Agricultural Land

Clause 02-03-4 in relation to 'Agriculture' and Clause 14.01-01S in relation to the 'Protection of agricultural land' set out policy objectives and strategies to manage and protect agricultural land.

These policies seek to ensure that high value and strategically significant agricultural land is not lost as a consequence of development, fragmentation or a change in land use.

The land in which the BESS, substation and ancillary infrastructure are to be situated, is located on the fringe of the Kiewa Valley. The land is not as productive as other farming land located further south in the valley and is considered as having a low level of agricultural land capability, thus generally appropriate for grazing of cattle and sheep.

The need to avoid the removal of this land from agriculture is less of a concern than had the land been assessed as being of high value or strategically significant agricultural land.

While the preservation of any agricultural land is important, it also needs to be acknowledged that there is an informal hierarchy which exists when contemplating making farming zoned land available for other uses. This is particularly the case when the loss simultaneously creates an opportunity to utilise the land for a use or development which is of regional, state or national importance. Examples of this include areas in which extractive industry is established, or critical infrastructure is developed as the Dederang Terminal Substation where land, which is zoned farming, can provide the area necessary to accommodate the scale of such use and development as well as providing the required separation distances from more sensitive uses.

In this instance, the BESS and onsite substation have been sited in an area which is already utilised for critical infrastructure. This opportunity provides advantages for the development in maximising the use of existing infrastructure and reducing the need for renewable energy facilities to be fragmented across the landscape. The use of this farming land for this purpose is considered to have greater value than the land would otherwise have if left for low scale grazing activities.

Impact on the Landscape

The land in which it is proposed that the BESS and ancillary infrastructure is to be situated, is covered by a Significant Landscape Overlay 1 (Upper Kiewa Valley), albeit, on the northwestern edge.

The overlay seeks to provide protection for the Upper Kiewa Vally landscape which is characterised by cleared river flats, gently undulating valleys and steep vegetated mountains. Of particular significance are the views towards Mount Bogong.



Within the vicinity of the area is the existing Dederang Terminal Substation which is a dominant feature in the landscape by virtue of its scale, form and placement adjacent to Yackandandah-Dederang Road. Intersecting these views are a number of transmission lines and associated infrastructure which traverse the landscape and intersect with the Dederang Terminal Substation. This infrastructure includes:

To the north:

- 220 kV Dederang Terminal to Glenrowan Terminal;
- 330 kV South Morang Terminal to Dederang Terminal; and
- 330 kV Wodonga Terminal to Dederang.

To the north and east:

- 330 kV Murray to Dederang Terminal.

Topographically, the subject land features a rise from the Dederang Yackandandah Road at the north up towards the southern portion of the property. The proposed site for the BESS is elevated approximately 90 metres above the level of the road and is in a visually prominent area of the overall site.

The Visual Landscape Assessment which has been prepared by GbLA Landscape Architects presents the BESS facility in tones of green, however further information regarding the use of external materials and tones has not been provided for assessment.



Also to note, the photomontages provided reflect mature landscaping which it is stated is only anticipated after fifteen years.

The proposed siting of the BESS is in an elevated area which is some distance from the Dederang Terminal Substation. It is considered that there may be opportunity to site the facility in an area which is less elevated and more proximate to the Dederang Terminal Substation which could reduce the accumulative visual impact on the landscape.

The policies contained at Clause 02.03-2, 12.05-2S and 12.05-2L highlight the importance of buildings being subordinate to the landscape through the incorporation of muted tones and materials. This is further reiterated in objectives of Clause 42.03 - Significant Landscape Overlay. The proposed siting of the BESS and ancillary infrastructure are not considered to be consistent with these policies. The provision of elevation plans to ascertain the height and bulk of the BESS and onsite substation would enable further assessment to be undertaken as to the impact on the Significant Landscape Overlay.

Environmental Risk

While the property is partially covered by the Bushfire Management Overlay, the actual footprint of the BESS sits outside the overlay and as such does not trigger the need for a Planning Permit under clause 44.06 of the Alpine Planning Scheme.

Regardless, the policy as contained at Clause 13.02-1S and 13.02-1L is still applicable by virtue that the land is located within a Bushfire Prone Area.

There are requirements under the *Country Fire Authority Act 1958* which require proponents to address fire risk associated with renewable energy facilities. These requirements are outlined within the CFA Design Guidelines and Model Requirements - Renewable Energy Facilities v4, August 2023.

The proponent has submitted a Risk Management Plan, prepared by Fire Risk Consultants with the application. The Risk Management Plan provides for a risk assessment posed by a fire in the broader external landscape; as well as a risk assessment a fire being ignited within the facility.

While Council does not have any formal role in providing comment on the application in relation to fire risk or the Risk Management Plan submitted with the application, it does have a role in providing comment in relation to the consistency of the proposal with the policy contained at Clauses 02-02-3 and 13.02-1S.

The broader area of Dederang is considered one of the lower risk bushfire prone areas in the municipality, although the level of risk fluctuates due to topography and the location of forested areas of crown land reserves. The broader landscape is characterised by grassland to the north, east and north west of the proposed BESS site and forested areas to the south and west.

The proposed BESS, onsite substation and ancillary infrastructure have been located to the south of the property, in an area which is at the fringe of the Bushfire Management Overlay and only approximately 250 metres from the forest vegetation. Although the report notes that the impact of an offsite fire impacting the site is unlikely, this risk could

be mitigated further through increasing the separation distance between the BESS and the forested public land areas to the south.

On balance, the proposal is considered to be inconsistent with the policy objectives contained within the Municipal Planning Strategy and Planning Policy Framework.

The subject land feature two seasonal watercourses which are Glen Creek tributaries which run on either side of the site which has been identified to accommodate the BESS and onsite substation. The land not been identified as being subject to inundation or flooding though the application of any such overlays. The application was accompanied by Flood Risk and Impact Assessment Report which as prepared by Water Technology which concluded once developed that:

- *The flood safety hazard would not be increased to detrimental levels,*
- *There would be no increase in flood levels on adjoining properties; and*
- *Access would be maintained.*

The report also noted that part of the development would adhere to a 30 metre offset from each waterway unless encroachment is deemed acceptable by NECMA.

NECMA is the responsible authority for the assessment and provision of conditions for matters relating to the protection of waterways and encroachment of buildings on waterways and will provide its assessment directly to the DTP.

The land also features a fall from the north down towards the south of the property. As such, earthworks will be required to accommodate the footprint of the development. As discussed earlier, the applicant has not submitted plans which show the elevations of the development nor the scale of the earthworks which would be required. In the absence of this information, an assessment of the potential environmental impact from any fill and cut is unable to be undertaken.

Creation of Access and Native Vegetation Removal

The application seeks approval for the removal of native vegetation to provide for the creation of access to the site and for the development of the BESS and onsite substation.

DEECA is the responsible authority for the assessment and provision of conditions for matters relating to the removal of native vegetation and will provide its assessment directly to the DTP.

Similarly, Department of Transport and Planning are also the responsible authority for the creation of access to a Transport 2 Zone and will provide comment directly to the Renewables Team.

POLICY IMPLICATIONS

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

- 2.3 Access to technology that meets our evolving needs
- 3.1 Decisive leadership to address the impacts and causes of climate change
- 4.2 Planning and development that reflects the aspirations of the community

5.3 Bold leadership, strong partnerships and effective advocacy

FINANCIAL AND RESOURCE IMPLICATIONS

There are unlikely to be any financial or resource implications for Council associated with a decision on this matter.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
The Minister for Planning determines the application prior to Council forming a position and making a submission.	Unlikely	Minor	<ul style="list-style-type: none"> Council determines its position on the matter at the Ordinary Council Meeting held in May 2025. Stakeholder engagement undertaken with DTP to communicate Council's timeframes.

CONSULTATION

The Minister for Planning has advertised the application to affected property owners and occupiers pursuant to Section 52(1)(b) of the *Planning and Environment Act 1987*.

Submissions through this process are required to be submitted directly to DTP to inform their overall assessment of the application as the Responsible Authority.

Though a separate process, Council has invited submitters to share a copy of any submission made to DTP in relation to the proposal and has provided the community with the opportunity to discuss their views with Councillors in order that Councillors understand the feedback and views of the community in relation to the proposed use and development prior to making a decision on the technical assessment presented in this report.

OPTIONS FOR CONSIDERATION

Council has three options available to it in response to the notice provided by the Minister, which are:

1. Submit an objection to the application to the Department of Transport and Planning.
2. Submit a submission of support to the application to the Department of Transport and Planning.
3. Make no submission.

CONCLUSION

There is policy support for the development of renewable energy facilities, storage and infrastructure in locations where there is the ability to connect with and add value to the existing electricity grid. It is also recognised that such infrastructure should be sited and designed to minimise the impact on surrounding communities and should avoid being placed in areas where it could lead to the loss of productive state-significant agricultural land, loss of vegetation or habitat or diminish significant landscape values.

The land is not considered as having high agricultural productive capacity and, as such, the loss of such land is outweighed by its value in providing renewable energy infrastructure and meeting policy objectives in relation to the provision of energy supply.

The proposed location of the utility installation (Battery Energy Storage System (BESS)) is in an area which is elevated area within the Significant Landscape Overlay, and which sits at the periphery of the Bushfire Management Overlay.

While the application has been accompanied by a number of technical reports, elevations of the BESS and onsite substation have not been provided to understand the visual scale and height of the development or to ascertain the external materials and tones of the development. This makes an assessment of the level of dominance this development will have on the landscape when viewed in its elevated position difficult. The planning report notes that the vegetation screening presented in the Visual Landscape Assessment provides an image of the potential screening in fifteen years' time (75% through the BESS life cycle), rather than an accurate depiction of how the screening will appear in the short term.

The siting of the facility raises questions in terms of its proximity to the densely vegetated areas of crown land to the south and its location on the fringe of the Bushfire Management Overlay. The subject land comprises of approximately 90 hectares, large areas of which could provide a location with greater separation from the forested areas.

For the reasons outlined in the report, the siting and design of the development is considered to be inconsistent with the policy objectives contained within the Municipal Strategic Plan and Planning Policy Framework pertaining to the protection of significant landscapes and the reduction of risk and impact mitigation from bushfires; well as the purpose of the Significant Landscape Overlay.

While the property benefits from its proximity to the Dederang Terminal Substation and the land being of low agricultural significance; the suitability of the site for the BESS and ancillary infrastructure is outweighed by the bushfire risk and the unnecessary visual impact the elevated location would impose on the surrounding landscape.

It is on this basis that it is recommended that the Council makes a submission of objection in relation to the application for the use and development of the land for a utility installation (Battery Energy Storage System), removal of native vegetation, development of signage and ancillary buildings and works on the land known as 1452 and 1402 Yackandandah – Dederang Road, Dederang on the following grounds:

1. Insufficient information has been provided with the application to make an informed and complete assessment as to the potential impact the proposed use and development may have on the visual landscape and natural environment.
2. The development will cause a detrimental visual intrusion on the significant Kiewa Valley landscape as a consequence its scale and siting in an elevated area of the property which is inconsistent with Clause 02.03-2 - Environmental and landscape values' and 'Landscapes' of the Municipal Strategy; Clause 12.05 - 'Significant environments and landscapes' and Clause 12.05-2S – 'Landscapes' of the Planning Policy Framework; and purpose and objectives of Clause 42.03 - Significant Landscape Overlay.
3. The proposal fails to provide justification to the siting of the development proximate to the Bushfire Management Overlay or articulate how bushfire risk will be mitigated and managed both internally to and externally to the site, contrary to Clause 02.03-3 - 'Environmental risk and amenity' of the Municipal Planning Strategy and Clause 13.02-1S – 'Bushfire planning' of the Planning Policy Framework.

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 and Community
- Manager Regulatory Services

ATTACHMENT(S)

1. **8.2.1.1** Attachment 1 - Municipal Planning Strategy & Planning Policy Framework

8.2.2 Quarterly Performance Report - Council Plan

INTRODUCTION

The Alpine Shire Council Plan 2021-2025 was adopted by Council in October 2021, and set out Council's direction for the following four years. This Quarterly Performance Report is the second update on progress, in the final year of this plan.

RECOMMENDATION

That Council receives and notes the Quarterly Performance Report for the period ending 31 March 2025.

BACKGROUND

The Council Plan was adopted in October 2021, with the plan having effect from 1 July 2021.

The Council Plan lists strategic drivers, strategic objectives, strategies, strategic indicators, major initiatives, guiding legislation, and plans, that collectively provide direction to Council's endeavours during its term.

The Governance and Management Checklist that forms part of the Local Government Performance Reporting Framework (LGPRF) suggests that it is best practice to report on Council Plan progress at least on a six-monthly basis.

Where interim progress reporting of indicators does not generate meaningful results, these are reported at end of financial year as part of the annual report.

This Quarterly Performance Report represents progress across Quarter 3, reporting progress up to 31 March 2025.

Council is currently developing a new Council Plan 2025-2029, with a draft released for public comment at the April Council Meeting. The final version must be adopted by 31 October 2025.

HIGHLIGHTS

Strategic Driver 1: For those who live and visit

- Council recruited and worked with a diverse group of community members to develop the Council Plan 2025-29 in late January through February, bringing them together to form a Community Panel and involve them in the development of the final draft Plan. The Resilient Alpine Youth Squad (RAYS) recruited new members in March to continue advocating for young people in Alpine Shire, and an in-person engagement session was held with the Country Fire Authority in March to support community members in Wandiligong to plan for emergencies in their region.
- More than 18,000 patrons visited Council's library branches (across Bright, Mount Beauty, and Myrtleford) during quarter three, and completed more than 16,000 loans. Libraries continue to run a variety of activities to appeal to all community

members including Rhyme time, Storytime, Move & Grove, LEGO club, Mad Musos, Garden club, scrabble, knitting and book clubs.

Strategic Driver 2: For a thriving economy

- Twenty-seven events were issued with event permits in quarter three (not including monthly markets). This includes five civic events (Australia Day) and one communities-run event (REDI Expo). The Brighter Days, Spartan Trifecta Weekend and Buffalo Stampede were the highlights. Buffalo Stampede had a record attendance 2,888. Peaks Challenge also had record numbers of 2,230 - while the event is held at Falls Creek the overflow benefits Alpine townships.

Strategic Driver 3: For the bold protection of our future

- The "Alpine Tip Shop" located at the Myrtleford Transfer Station was officially opened on 6 March 2025. It is a physical retail outlet where people are invited to donate and purchase items otherwise destined for landfill, including building materials, small kitchen appliances, sports equipment, and furniture.
- The Climate Action Plan 2025-2029 was prepared, and will be presented to the May 2025 Council Meeting.

Strategic Driver 4: For the enjoyment and opportunities of our lifestyle

- The planning scheme amendment to implement the Alpine Planning Scheme Review 2023 was lodged with Department of Transport and Planning (DTP) for authorisation at the end of January 2025. Work has continued on draft planning scheme amendment documentation in relation to the Alpine Shire Land Development Strategy, with the intent to lodge with the DTP in mid-2025.
- The Murray to Mountains Path Trail upgrade and drainage works between Bright and Porepunkah are complete, with the bridge and art installation to be delivered in May 2025. Contracts for landscaping and art installation at the Eurobin Rail Trail Station have been awarded with delivery also due in May.

Strategic Driver 5: For strong and informed leadership

- Councillor Inductions were completed by the statutory due date of 14 March 2025. All Councillors made written declarations stating that they have completed their Induction training. Fourteen Induction sessions were held across November 2024 - March 2025, plus a two-day Mayoral Induction attended by the Mayor and Deputy Mayor in December 2024. Further Professional Development training opportunities will be planned for within the 2025 calendar year.
- Council's Long Term Financial Plan (LTFP) was reviewed as part of developing the 2025/26 Budget process, and work on the 10-year Financial Plan is underway. The Financial Plan must be adopted by 31 October 2025.
- An Advocacy Plan was included in the draft Council Plan 2025-29 (including Municipal Public Health and Wellbeing Plan) and placed on public exhibition in April 2025.

POLICY IMPLICATIONS

The development of a Council Plan is a requirement of the *Local Government Act 2020* and is a guiding document for Council until 30 June 2025.

A new Council Plan must be developed by 31 October 2025, which will guide Council until 30 June 2029.

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

The Council Plan is a key document informing the financial and human resources required to achieve Council's objectives. Resources to support the Council Plan are detailed in the Financial Plan and Annual Budget.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to deliver annual Council Plan commitments	Possible	Moderate	<ul style="list-style-type: none"> Progress reporting ensures that the annual Council Plan commitments are regularly raised as priorities during the year, ensuring that their delivery is prioritised.

CONSULTATION

The Council Plan was established through deliberative engagement with the community and then subject to public exhibition prior to being adopted by Council. Annual actions are detailed in Council's Budget, which is also subject to public exhibition prior to adoption.

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

CONCLUSION

This report provides an update on the progress that is being made in the delivery of key Council Plan actions, with all Strategies identified in the 2021-2025 Council Plan being actioned by 30 June 2025.

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.

- Directors
- Managers
- Governance Officer

ATTACHMENT(S)

1. **8.2.2.1** Quarterly Performance Report - ending 31 March 2025

8.2.3 VEC Election Report - 2024 Local Government Elections

INTRODUCTION

The presentation of the Victorian Electoral Commission's (VEC) report on the 2024 Alpine Shire Council elections is a requirement of *the Local Government (Electoral) Regulations 2020*.

RECOMMENDATION

That Council receives and notes the "Election Report Alpine Shire Council - 2024 Local Government Elections", prepared by the Victorian Electoral Commission.

BACKGROUND

The Victorian Electoral Commission (VEC) is responsible for conducting elections under the *Local Government Act 2020*.

The general election for the Alpine Shire Council was held on 26 October 2024, by postal vote.

ISSUES

Regulation 83 of the *Local Government (Electoral) Regulations 2020* requires the VEC to prepare a report to the Chief Executive Officer (CEO) on the conduct of the election, within the period of 6 months after election day. The report must include a certified record of the number of ballot papers and declarations printed, issued, used, spoiled and returned. It also includes key changes since the last election including those required by the Local Government Act 2020 and details on candidates, ballot packs and voting, election offices, advertising, results and election statistics.

The CEO must ensure that the report is submitted to Council at the earliest practicable meeting of the Council held after the report is received by the CEO. Council received the report on 14 April 2025.

POLICY IMPLICATIONS

The presentation of the VEC's report ensures that Council is compliant with the *Local Government (Electoral) Regulations 2020*.

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 noted a report at the 27 February 2024 council meeting detailing the proposed costs of the local election from the VEC, that Council was expected to absorb.

The cost of the election has been allocated across Council's 2024/25 and 2025/26 Budgets due to expected timing of invoicing. No further costs are associated with the presentation of this report.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
VEC report is not presented to Council	Unlikely	Moderate	<ul style="list-style-type: none"> Presentation of the report to this Council meeting ensures that Council is compliant with the <i>Local Government (Electoral) Regulations 2020</i>. No additional action is required.

CONSULTATION

No consultation was required, as the presentation of this report is a statutory process.

CONCLUSION

As the presentation of the VEC report is a requirement of the *Local Government (Electoral) Regulations 2020*, it is appropriate for Council to receive and note this report.

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 and Community
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

1. **8.2.3.1** Election Report Alpine Shire Council - 2024 Local Government Elections

8.2.4 Instruments of Appointment and Authorisation - Planning and Environment Act 1987

INTRODUCTION

Instruments of Appointment and Authorisation are an important means of Council ensuring that its officers are appropriately authorised under the relevant Acts that Council administers. This report provides for permanent appointments to Council's Statutory Planning Team.

RECOMMENDATION

That Council exercise the powers conferred by section 147(4) of the Planning and Environment Act 1987, so that:

1. *The following members of Council staff referred to in attachments 9.3.2.1 - 9.3.2.3 "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the Instruments) be appointed and authorised as set out in the Instruments;*
 - a. *Statutory Planning Officer*
 - b. *Senior Statutory Planning Officer*
 - c. *Statutory Planning Coordinator*
2. *The Instruments come into force immediately the common seal of Council is affixed to the Instruments, and remain in force until Council determines to vary or revoke them;*
3. *The Instruments be signed and sealed at the appropriate stage of this meeting.*

BACKGROUND

Council officers require current and accurate authorisations to fulfil their duties. The appointment of new members of Council's Statutory Planning team means that new authorisations under the *Planning and Environment Act 1987* are required. The departure of other members of staff also means that their previous authorisations should be revoked.

ISSUES

Authorised officers have statutory powers under relevant legislation. In the case of Council's staff in with planning responsibilities, the attached Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* mean that they are authorised officers for the purposes of that Act.

While Council may delegate its powers, duties or functions to staff, so that a delegate acts on behalf of the Council, staff appointed as authorised officers have their own statutory powers under the relevant Act.

Planning and Environment Act 1987

Section 188(1)(b) of the *Planning and Environment Act 1987* specifies that “a planning authority ... may by instrument delegate any of its powers, discretions or functions under this Act to an officer of the authority”. However Section 188(2)(c) specifically prevents an officer from further sub-delegating any duty, function or power. Therefore, as the responsible authority, Council must authorise staff directly using the “S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987”, rather than via the Chief Executive Officer.

The authorisation of staff with planning responsibilities is a routine process presented to a Council meeting, which occurs as required during the year. Changes in staff and position titles are the reason behind the regular presentation to Council.

Maddocks Delegations and Authorisations Service

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

POLICY IMPLICATIONS

Ensuring authorisations are kept up to date ensures that Council's planning staff can undertake their statutory roles.

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 to the Maddocks delegation and authorisation service that is provided for in Council's annual budget. There are no other financial implications associated with these instruments of appointment and authorisation.

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

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Authorisations are not in place or are out of date	Possible	Moderate	<ul style="list-style-type: none"> Ensure that all Council officers have up-to-date authorisations to ensure that they can undertake their duties.

CONSULTATION

The relevant staff have been consulted during the preparation of the Instruments of Appointment and Authorisation. There is no requirement to consult the community in the preparation of these instruments.

CONCLUSION

The appropriate appointment of authorised officers to enforce the *Planning and Environment Act 1987* is required to ensure that Council officers can undertake their statutory roles.

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 and Community
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

1. **8.2.4.1** S11A Instrument of Appointment and Authorisation - Planning & Environment 1987 - Statutory Planning Officer (a)
2. **8.2.4.2** S11A Instrument of Appointment and Authorisation - Planning & Environment Act 1987 - Senior Statutory Planning Officer (b)
3. **8.2.4.3** S11A Instrument of Appointment and Authorisation - Planning & Environment Act 1987 - Statutory Planning Coordinator (c)

8.3 DIRECTOR ASSETS - ALAN REES

8.3.1 Road Management Plan

INTRODUCTION

This report relates to the draft Road Management Plan (version 6) which has been developed for consideration and approval for release to the community for consultation.

RECOMMENDATION

That Council:

- 1. Approves the draft Road Management Plan (version 6) for community consultation in accordance with its Community Engagement Policy for a period of no less than 28 days;*
- 2. Invites public submissions on the Road Management Plan (version 6);*
- 3. Reviews and considers public submissions; and*
- 4. Considers a recommendation to adopt the Road Management Plan (version 6) at a future Council meeting.*

BACKGROUND

The Victorian Government introduced the Road Management Act (the Act) in 2004. The Act provides the legislative framework for road management plans including the purpose, contents and the review requirements.

A Road Management Plan (RMP) sets out the broad management system and standards for the inspection, maintenance and repair of public roads. It is an important document to provide road authorities with a statutory defence against litigation provided they can demonstrate compliance with their adopted Plan.

Development of a RMP is voluntary under the Act, however, is considered best practice for effective management of a road network in accordance with the legislation.

In December 2004, Council adopted its first Road Management Plan (RMP) which was subsequently reviewed in 2009, 2013, 2017 and 2021.

The Alpine Shire Council RMP:

- Details the management system that Council employs in its duty to inspect, maintain and repair its public road infrastructure.
- Describes Council's road infrastructure and sets out a classification hierarchy for each of the assets.
- Lists road asset inspection frequencies, defect intervention standards and response times required for different types of road infrastructure.
- References Council's Register of Public Roads.

A review of the RMP and the Register of Public Roads, must be completed by 31 October in the year following a general election. Council's last updated Road Management Plan was adopted in the June 2021 Ordinary Council Meeting.

ISSUES

Road Management Plan Review

Council's current RMP 2021 (version 5) has been reviewed against the new Municipal Association of Victoria (MAV) Insurance Road Management Plan Template which has been developed to address the following:

- Ensure all content aligns with current best practice and legal requirements against the Act.
- To set a measurable set of standards so compliance with defect inspections and repairs can be clearly demonstrated.
- Ensure Council can determine its own standards with respect to available resources whilst still ensuring the defect inspection and repairs meet the minimum requirements against the Act.

Council's review of the current RMP against the MAV Insurance Road Management Plan Template will see the following changes:

- Road categories updated to align with MAV, ensuring consistency and clear service levels.
- Inspection frequencies reduced across some asset classes.
- Defect inspections introduced for kerb and channel located along high use pathways/footpaths (16kms).
- Defect repair response times in some categories reduced to align with best practice requirements.
- Unclassified roads classified to appropriate road categories (39.76kms).
- Limited access roads with existing residences reclassified to minor access roads (11kms).
- Defect response times defined for each defect type for roads.

Kerb and Channel Inclusion

Trip hazards on footpaths, kerbs, and channels pose risks to pedestrians. Proactively implementing prescribed inspection and remediation strategies aligns with the Road Management Act 2004, which emphasises the importance of road safety and the duty of road authorities to manage their assets responsibly.

The current review of Council's RMP proposes the inclusion of kerb and channel that exists alongside high use footpaths/pathways. While this integration will necessitate additional inspections overall, Council has been advised by the MAV it is crucial to meet our obligations under the Road Management Act. Council proposes to exclude kerb and channel that exists alongside normal use footpaths/pathways (129kms) until the next review of the RMP when there are available resources.

Inspection Frequency and Response Times

The review of Council's RMP has aligned the inspection frequencies and defect response times with the maximum possible compliant obligations under the Road Management Act. This has resulted in less frequent defect inspections in some instances and shorter response times to repair defects.

The standards documented in the RMP are the benchmarks Council has chosen and will be legally obliged to meet however, this does not prevent Council from responding more efficiently when resources allow or from setting internal targets to rectify defects sooner. By prescribing the longest legally compliant timeframes, Council maintains control over priorities while still ensuring that service levels and risk management remain at the forefront.

Register of Public Roads Review

Council is legislated under the Road Management Act 2004 to keep a Register of Public Roads specifying the public roads of which it is the coordinating road authority and where a decision is made that the road is 'reasonably required for general public use'. The register is required to be reviewed in conjunction with Council's RMP by 31 October following a general election.

The Register is a live document which is periodically updated. Council has the authority to add to the Register or to remove from the Register roads which it has determined are no longer reasonably required for general public use.

The Register details the classification of each public road. The classification provides the link to the RMP, which defines the level of service that each classification of road will receive.

As a result of the review, Council will be registering a further 39.7kms of road that was previously unclassified and unregistered.

Proposed RMP Changes

All changes to Council's RMP are summarised in the table below for consideration prior to public exhibition.

Section of RMP	Description	Proposed Change	Explanation
Whole document	Template review	Updated to Municipal Association of Victoria (MAV) standardised RMP template	<ul style="list-style-type: none"> Administrative change to align with MAV's recommended format, improving consistency and reducing legal ambiguity across Victorian councils.

Road hierarchy references	Level of service clarification	Aligned terminology with MAV hierarchy language and clarified extent of managed networks	<ul style="list-style-type: none"> Increases transparency and helps distinguish between assets that are actively managed under the RMP and those maintained reactively.
Attachment 1 & 2	Road hierarchy	Road category structure revised to align with MAV rural and urban definitions	<ul style="list-style-type: none"> Reflects current best practice and provides clearer hierarchy for managing risk, maintaining defensibility, and supporting efficient resourcing.
Attachment 3	Footpaths and Shared/Bicycle Pathways	Reclassified hierarchy into two categories (High Use and Low–Moderate Use)	<ul style="list-style-type: none"> Simplified from MAV's original three categories. Supports a scalable inspection approach while maintaining compliance with the Road Management Act.
Attachment 3	Kerb & Channel	Introduced prescribed hierarchy, inspection, and intervention levels for high-use kerb only	<ul style="list-style-type: none"> Focus placed on high-exposure, higher-risk kerb assets. Remaining assets are maintained reactively. This balances legal responsibility with resource realities.
Attachment 3	Bridges	Removed legacy bridge hierarchy classifications	<ul style="list-style-type: none"> Assessment found previous levels of service to be excessive. Current risk profile supports a

			more appropriate and efficient management model.
Maintenance considerations	Bogong High Plains Road	Removed from managed network	<ul style="list-style-type: none"> Council is no longer the coordinating authority. Removal clarifies responsibilities and eliminates unnecessary obligations.
Attachment 5	Inspection timetables	Updated proactive, reactive, and night inspection timeframes	<ul style="list-style-type: none"> Reflects MAV recommendations. Adjustments support a risk-based approach and enable better resource planning without compromising safety.
Attachment 6	Intervention levels and response times	Updated tables to reflect revised service levels and asset coverage	<ul style="list-style-type: none"> Clearer response frameworks enable defensible decision-making and prioritisation of critical infrastructure.
Section 4	Road register review	Identified and reviewed additional road segments	<ul style="list-style-type: none"> Standalone review corrected mapping and classification inconsistencies. Public consultation supported transparent adoption process.

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

Roads

In total Council is classifying 39.76 kms of previously unclassified roads to the appropriate road category. The associated costs of these newly classified roads are:

- **Minor Local Access (19.24 kms unsealed)** - the first two financial years (2025/26 and 2026/27) will be reforming works that will be delivered from within Council's typical unsealed road renewal budget allocations. In 2029/30 an additional budget allocation of \$90,000 will be required for grading of these additional minor local access roads. This additional grading cost will then be incurred every three years.
- **Access Lane (1.55 kms sealed)** - a total additional budget of \$7,500 will be required in the 2026/27 financial year to complete sealing and then the resealing costs will be incurred again in approximately 25 years.
- **Limited Access (18.97 kms unsealed)** - there is no associated cost predicted as these roads will only generate reactive requests and if this occurs the works will be delivered from Council's maintenance budget. No residents live on these roads.

It is assumed that the classification of a further 39.76 kms of roads for inclusion on Council's road register will result in further funding from the State Government (Local Roads Grants) and Australian Government (Roads to Recovery) Road Funding Programs. It is difficult to determine the likely funding increase from each program's calculations, however, as they use a formula that considers length of road, volumes and population.

Kerb and Channel

The requirement to now include defect inspections of kerb and channel located along high use footpath/pathways (16 kms) will likely result in the identification of defect repairs. Council has reviewed previous condition assessments of its kerb and channel and it is estimated there will be a cost of approximately \$14,000 required in the 2025/26 FY to complete these outstanding defects. This amount is likely to drop in the following financial years after the initial repairs however the ongoing budget required will be estimated at the end of the 2025/26 FY.

RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Resource requirement not available to meet increased defect repairs	Possible	Moderate	<ul style="list-style-type: none"> • Resource/budget planning built in to Council's long term financial plan.
Council does not approve the changes recommended in the RMP review.	Possible	Major	<ul style="list-style-type: none"> • Council Officers provide significant details on the requirement to align

			with the Road Management Act and ramifications of non compliance.
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CONSULTATION

The equivalent RMP documents of neighbouring councils and other small rural councils have been reviewed as part of the update of Council's RMP. Council officers have consulted with MAV and the Northeast Asset Management Group, with feedback and recommendations included in the review of the RMP.

Relevant Council Officers have been consulted and have provided feedback which has been incorporated into the updated plan.

The RMP report will be made available for copying or inspection as per the Road Management Act s55 and published in the Government Gazette and in a local newspaper for 28 days.

CONCLUSION

The review of Council's RMP has been developed with careful consideration of Council's obligations under the Road Management Act 2004, as well as internal operational capability and known areas of risk.

It is proposed that the Alpine Shire Council Road Management Plan (version 6) be endorsed for public exhibition for public consideration before endorsement 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
- Manager Engineering and Assets
- Asset Management Coordinator

ATTACHMENT(S)

1. **8.3.1.1** Alpine Shire Council Road Management Plan 2025 Version 6 (1)
2. **8.3.1.2** Register of Public Roads 2025
3. **8.3.1.3** Register of Kerb 2025
4. **8.3.1.4** Register of Footpath 2025

8.3.2 Adoption of the Alpine Shire Council Climate Action Plan 2025-2029

INTRODUCTION

The Alpine Shire Council Climate Action Plan 2025-2029 (the CAP) presents a framework for the organisation to continue reducing its operational greenhouse gas (GHG) emissions, and to ensure its assets, operations and services are resilient to climate change impacts. Following an extensive period of review, research, best practice benchmarking and staff consultation, the CAP includes a range of actions to be implemented across the organisation over the next four years. The CAP has been developed to provide clear direction for Alpine Shire Council (Council) to further reduce its corporate GHG emissions and build resilience to climate change over the next four years.

RECOMMENDATION

That Council adopts the Alpine Shire Council Climate Action Plan 2025-2029.

BACKGROUND

In September 2021, Council endorsed the Alpine Shire Council Climate Action Plan 2021-2024 (the CAP 21-24), which provided a framework for the organisation to reduce its GHG emissions and achieve net-zero for scope 1 and 2 GHG emissions by July 2023. Through implementing the CAP 21-24, Council has reduced its corporate emissions from the baseline of 2,384 tonnes of carbon dioxide equivalent (t CO₂-e) per year in the 2018/2019 financial year, to 610 t CO₂-e in the 2023/2024 financial year. This reduction, and our broader net-zero target, has been achieved through significant emissions reduction efforts, combined with the purchase of carbon offsets for our residual emissions.

The updated CAP is a progression of Council's ongoing commitment to climate action. It is Council's renewed commitment to environmental sustainability and represents an updated response to the climate emergency. Refreshing and implementing an updated CAP will allow Council to:

1. evaluate the impact of actions taken in the CAP 21-24;
2. understand its current GHG emissions profile and identify those actions required to progress further emissions reduction efforts;
3. ensure it is prioritising actions that will achieve the most impactful mitigation and adaptation outcomes;
4. ensure it is meeting stakeholder expectations and leading by example;
5. incorporate updated climate science to ensure our approach reflects changing trends and challenges; and
6. ensure alignment with best practice.

Council's net zero commitment in the previous CAP 21-24 was for scope 1 and 2 GHG emissions only. The updated CAP will measure and baseline scope 3 GHG emissions, which include all of our procurement embodied GHG emissions as well as the GHG emissions resulting from the operation of leased facilities. It is anticipated that scope 3

GHG emissions will be greater than scope 1 and 2 GHG emissions. Once a baseline has been determined a realistic and achievable target can be set in the future.

Whilst Council's previous CAP 21-24 focussed primarily on climate change mitigation actions, the new CAP addresses both mitigation and adaptation, to ensure the organisation is resilient to climate change impacts whilst continuing to mitigate its contribution to global warming and climate change.

The commitments in the refreshed CAP are underpinned by Council's declaration of a climate emergency in November 2021, which acknowledges the need for urgent and extensive action to ensure a safe climate for current and future communities and ecosystems.

ISSUES

Through the CAP 21-24, Council has significantly reduced its annual GHG emissions, offset its residual scope 1 and 2 GHG emissions for the 2022/2023 financial year, and committed to offsetting residual scope 1 and 2 GHG emissions into the future. Whilst the organisation aims to reduce its reliance on offsets by progressing efforts to reduce operational GHG emissions further, there are certain financial, resourcing and technological barriers that prevent further sizeable GHG emissions reductions. These include the:

- uneconomic viability of electric car and plant technologies that suit the needs of Council operations beyond a limited small car fleet of Electric Vehicles (EVs);
- upfront financial cost of energy efficiency enhancements, on-site renewable energy generation and electrification preventing comprehensive investment; and
- relatively small scale of fugitive emissions from closed and capped landfill sites deems flaring or conversion to energy uneconomical.

The new CAP expands the GHG emissions reporting to baseline scope 3 GHG emissions, as well as considering climate risks and adaptation and resilience actions. The CAP prioritises actions based on cost, resourcing requirements, impact potential and estimated savings potential. This has allowed us to identify the most valuable/practicable actions based on available resources.

POLICY IMPLICATIONS

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

- 3.1 Decisive leadership to address the impacts and causes of climate change
- 3.4 A community that is prepared for, can respond to, and recover from emergencies
- 3.5 Reducing the impact of climate change on health

Local Government Act 2020

The recommendations are consistent with section 9(2)(c) of the Local Government Act 2020, "councils are required to promote the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks."

Victorian Climate Change Act 2017

The recommendations are also in accordance with the Victorian Climate Change Act 2017, which establishes a state-wide emissions reduction target of net-zero by 2050. The Act also requires local government to consider climate change when preparing its municipal public health and wellbeing plan, including any potential impacts of climate change and potential contribution to Victoria's emissions.

Corporations Act 2001

As of 2025, under section 296A(1) of the Corporations Act 2001, Australian businesses of a specified threshold will be required to prepare a sustainability report as part of their existing annual reporting obligations. Over time, these reporting requirements will be introduced for smaller business types. Reporting must disclose the entity's material climate-related financial risks and opportunities; metrics and targets relating to climate, including scope 1, 2 and 3 emissions; and any information about governance, strategy or risk relating to climate. An entity must also disclose information about its climate resilience assessed under future climate scenarios. Whilst Council is not currently required to meet this reporting obligation, it is anticipated that it will become a requirement in coming years, and the organisation should ensure it is in a position to provide this information when necessary.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resourcing implications associated with the adoption of the Alpine Shire Council Climate Action Plan 2025-29. Individual budget submissions will be made through Council's annual budgeting processes to support the delivery of actions prioritised within the CAP.

To ensure financial sustainability of actions identified in the CAP, establishment of a revolving sustainability fund is proposed to allow net cost savings (for example through a reduction in Council's annual electricity expenditure achieved through the implementation of on-site electricity generation and storage, offsetting the capital investment of Council funds) and/or income from sustainability initiatives to be identified and nominally allocated towards funding future initiatives. This will allow projects that have greater environmental benefit, but a lower financial return on investment, to be funded by projects with the savings generated from projects with a greater financial return.

As with the previous CAP 2021-24, until the revolving sustainability fund is self-sustaining, annual budget submissions will be made for relevant actions prioritised within the CAP.

Budget for some actions has already been allocated in the draft 2025/26 budget, with the most significant budget allocation of \$100,000 for on-site electricity generation and storage.

Some actions have minimal or no financial cost to implement and will be resourced by existing business as usual budget and roles within the organisation.

Australian and Victorian Government funding opportunities regularly arise for both GHG emissions reduction projects as well as climate adaptation and resilience initiatives. Many of these require a 50% co-contribution, which would effectively double the outcome for the same investment, while others have only in-kind co-contributions. The Sustainability Team at Council will continue to pursue these grants, and leverage joint applications, for example through the Goulburn Murray Climate Alliance, as co-contribution resources allow.

RISK MANAGEMENT

The key risks identified in relation to the CAP and mitigation actions are outlined in the below table.

Risk	Likelihood	Impact	Mitigation Action / Control
Reputation - Council lacks direction and drive in climate change mitigation and adaptation and lags other councils across the state	Possible	Moderate	<ul style="list-style-type: none"> Establish an accurate scientific baseline for scope 3 GHG emissions to enable a reduction target to be set in the next iteration of the CAP Develop a climate risk register and prioritise actions to address these risks Continue to meet net zero from scope 1 and 2 GHG emissions in an ethical and transparent manner
Reputation - Council is perceived to not be taking sufficient action to mitigate and adapt to climate change	Possible	Moderate	Approve the CAP and facilitate progress of priority actions through budget allocations

Extreme weather events cause damage to Council assets	Almost certain	Major	Conduct a climate risk assessment and prioritise resilience and adaptation actions on high-risk facilities
GHG emissions reporting become mandatory for Local Government Authorities (LGAs) within the four-year life of this CAP or soon after	Possible	Major	Conduct baselining of scope 3 emissions to ensure Council is prepared for this when it is introduced

CONSULTATION

In developing the actions identified in the CAP, staff from all departments within Council were invited to workshops. These workshops were well attended and very constructive, and the outcomes were used to inform the actions within the CAP. The draft CAP document and actions spreadsheet were shared with all staff for review prior to presenting it to the Executive Team for feedback and, finally, to Councillors. All feedback received from staff and the Executive meeting and Councillor briefings have been incorporated into the final version of the document as well as the actions spreadsheet.

As the CAP is an inward facing document, addressing only corporate GHG emissions and adaptation and resilience of Council facilities, community consultation was not necessary.

CONCLUSION

The adoption of the Alpine Shire Council Climate Action Plan 2025-2029 will allow Council to understand the full scope of its current GHG emissions profile, identify actions required to expand GHG emissions reduction efforts, and ensure actions are prioritised to achieve the most impactful climate change mitigation and adaptation outcomes. It is therefore recommended that the plan be adopted and implemented over the four-year timeframe.

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 Growth and Future
- Sustainability Coordinator

ATTACHMENT(S)

1. **8.3.2.1** ASC Climate Action Plan 2025-2029 6

8.3.3 Myrtleford Landfill Cap Construction Variations

INTRODUCTION

This report relates to an unbudgeted contract variation for the Myrtleford Landfill Rehabilitation Cap Construction of Cell 1 and Cell 2.

RECOMMENDATION

That Council:

- 1. Approves an unbudgeted variation to Contract No. CT26084 Myrtleford Landfill Cap Construction Cells 1 and 2 to Extons Pty Ltd for \$306,250, to be funded from the Waste Reserve; and*
- 2. Delegates authority to the Chief Executive Officer to sign the contract variation at the appropriate time.*

BACKGROUND

A total budget of \$1,100,000 was adopted by Council in the 2024/25 financial year to complete the landfill capping works for Cell 2 only. Council Officers determined that completing Cell 2 and Cell 1 under one contract would achieve compliance with the Environment Protection Authority's (EPA) request to complete the capping at an accelerated rate and would also provide a saving of over \$89,000 to ratepayers. The construction of both Cells will extend over the 2024/25 and 2025/26 financial years.

To take advantage of the discount offered and comply with the EPA requirements, at the December 2024 meeting Council approved unbudgeted expenditure of \$1,375,071 to enable the award of contract CT26084 Myrtleford Landfill Cap Construction of Cell 1 and Cell 2 for \$2,224,670 (GST Exclusive) to Extons Pty Ltd.

ISSUES

Latent Conditions

Latent conditions were encountered when excavation of the landfill cells commenced. The original design approved by the EPA assumed a level of compaction within the existing landfill cell however, onsite conditions showed greater pockets of uncompacted fill and voids between landfill material. As a result, additional fill material needed to be imported, and extra compaction completed to achieve the desired densities of fill material. The cost of rectifying the latent conditions requires further funding of \$289,361.

Additional Traffic Safety Requirements

Council Officers determined that additional safety measures were required to ensure patrons of the transfer station could move around site safely and continue to dispose of all waste types.

The tender documentation only specified a cost for flagging to direct patrons of the transfer station around site. During site establishment for the landfill capping works, it was determined that the directional flagging did not meet safety requirements for

separating the increased volumes of traffic moving around Council's loader and contractor haulage trucks. The Council loader and contractor haulage trucks operate daily during weekdays to ensure kerbside waste is bulk hauled to landfill.

It was determined that a separation bund and roadway would need to be constructed to ensure patron safety. This requires further funding of \$16,889. This safety measure will be retained as an asset post construction as a permanent onsite improvement.

The latent conditions and safety measures were required to be addressed onsite immediately to avoid the contractor claiming stand down costs which would have required significant additional budget on top of the variation costs.

Approval is being sought from Council to retrospectively approve an unbudgeted variation of \$306,250.

POLICY IMPLICATIONS

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

3.3 Responsible management of waste

FINANCIAL AND RESOURCE IMPLICATIONS

A summary of the financials is provided in the table below

Item	Item Amount
Total Original Contract Award for Myrtleford Landfill Capping Works (Extens) over 24/25 and 25/26 FY	\$2,224,670
Variation for Latent Conditions Capping Construction Works	\$289,361
Variation Construction of Upgrading Internal Roads.	\$16,889
Total Value of Works Required (with Variations)	\$2,530,920
Total Unbudgeted Expenditure Required (shortfall)	-\$306,250

The unbudgeted expenditure will be funded from the Waste Reserve. However funding this unbudgeted expenditure is likely require an increase in the general waste charge in the 2026/27 and 2027/28 financial years.

RISK MANAGEMENT

Key risks associated with this report are as follows:

Risk	Likelihood	Impact	Mitigation Action / Control
Reputational Risk of not meeting EPA requirements and not obtaining the EPA approval	Very likely	Major	<ul style="list-style-type: none"> Complete the work per the EPA design-approved requirements
Safety/Environmental Risks of pollution leachate entering groundwater if the design is not constructed in accordance with the EPA-approved design	Very likely	Major	<ul style="list-style-type: none"> Construct as per the EPA-approved design.
Safety of patrons using the landfill during construction	Very likely`	Major	<ul style="list-style-type: none"> Construct additional internal roads.

CONSULTATION

The Environment Protection Authority and relevant members of Council staff have been engaged.

CONCLUSION

The variations associated with latent conditions and traffic management requirements for the Myrtleford Landfill Rehabilitation Cap Construction of Cell 1 and Cell 2 have created a funding shortfall of \$306,250.

In order for the Cap Construction to meet the requirements and standards of the EPA and ensure the site is safe for transfer station patrons, approval is sought from Council for unbudgeted expenditure to be funded from Council's Waste Reserve.

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 Engineering and Assets
- Project Manager

ATTACHMENT(S)

Nil

9 Informal Meetings of Councillors

INTRODUCTION

In accordance with Chapter 8, section A1 of Council's Governance Rules, if there is a meeting of three or more 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 April & May 2025 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 attached to this report.

Date	Meeting
29 April	Briefing Session
6 May	One On One Session with Community Members - Mount Beauty
6 May	One On One Session with Community Members - Dederang
6 May	One On One Session with Community Members - Bright
13 May	Briefing Session
13 May	One On One Session with Community Members - Dederang
20 May	Briefing Session

ATTACHMENT(S)

1. **9.1.1** Informal Meeting of Councillors - 20250429(F)
2. **9.1.2** Informal Meeting of Councillors - Mt. Beauty 20250506(F)
3. **9.1.3** Informal Meeting of Councillors - Dederang 20250506(F) -
4. **9.1.4** Informal Meeting of Councillors - Bright 20250506(F) -
5. **9.1.5** Informal Meeting of Councillors - 20250513(F)
6. **9.1.6** Informal Meeting of Councillors - Dederang 20250513(F) -
7. **9.1.7** Informal Meeting of Councillors - 20250520(F)

10 Presentation of reports by delegates

11 General business

12 Motions for which notice has previously been given

13 Reception and reading of petitions

13.1 Redevelopment and Rezoning - Mummery Road, Myrtleford

- 1. That Council notes and receives the petition containing 45 signatures objecting to the redevelopment and rezoning of land at the end of Mummery Road, Myrtleford*
- 2. That in accordance with Council's Governance Rules, a report be prepared and presented at the next Ordinary Council Meeting.*

13.2 Expansion of the Caravan Park at Myrtleford Recreation Reserve

- 1. That Council notes and receives the petition containing 43 signatures objecting to the expansion of the Caravan Park at Myrtleford Recreation Reserve*
- 2. That in accordance with Council's Governance Rules, a report be prepared and presented at the next Ordinary Council Meeting.*

14 Documents for sealing

RECOMMENDATION

That the following documents be signed and sealed.

1. *S173 Agreement – Brendan Holland and Rosalind Holland*

This Section 173 Agreement is required by conditions 6, 17, 18, 27, 28 and 35 of Planning Permit P.2019.43 which allows for the three lot subdivision of land at 13-17 Mystic Lane, Bright, formally known as Lot 2 on Plan of Subdivision 722959A within Certificate of Title Volume 11502, Folio 558.

Condition 6 is a mandatory requirement of the Bushfire Management Overlay which requires the incorporation of the bushfire protection plan which outlines the bushfire protection measures and provides for an exemption under clause 44.06-2 from the requirement of a planning permit.

Conditions 17 and 18 are a requirement of the Council's Engineering Department to address stormwater management and infrastructure.

Conditions 27 and 28 are mandatory conditions of the Alpine Planning Scheme which outline the requirements of the Bushfire Management Plan in relation to the provision of defendable space and ongoing implementation; and the explicit exclusion of Lot 1 from the exemption provided under the requirements of Clause 44.06-5.

Condition 35 is a requirement of NECMA to ensure that the finished floor levels of any future dwellings meet the minimum heights above the highest 1% AEP flood level.

2. *Instruments of Appointment and Authorisation - Planning and Environment Act 1987 for:*

- a. Statutory Planning Officer*
- b. Senior Statutory Planning Officer*
- c. Statutory Planning Coordinator*

15 Confidential reports

Nil

16 Closure of meeting