

M(7) – 29 JULY 2025

# Ordinary Council Meeting

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Agenda

Notice is hereby given that the next **Ordinary Council Meeting** of the **Alpine Shire Council** will be held in the Bright Council Chambers, 2 Churchill Avenue, Bright on **29 July 2025** commencing at **5:00 pm**.

## 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(6) 24 JUNE 2025

### **RECOMMENDATION**

***That the minutes of M(6) 24 June 2025 as circulated be confirmed.***

# 4 Apologies

Cr Peter Smith - Deputy Mayor

# 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 obituaries and congratulations.

## 6 Declarations by Councillors of Conflict of Interest

### **Report 9.3.1 2025/26 Event Funding Program Report**

Cr Jean-Pierre Ronco declared a general conflict of interest in relation to all events held across the Alpine Shire.

Cr John Andersen declared a general conflict of interest in relation to the Brighter Days Festival.

Cr Dave Byrne declared a general conflict of interest in relation to the Myrtleford Lions Golden Spurs Rodeo and Mental Wellbeing Week 2026.

Cr Noah Tanzen declared a general conflict of interest in relation to the Mount Beauty Oktoberfest & Dachshund Derby.

### **Report 9.3.2 2025/26 Community Grants Program Report**

Cr Gareth Graham declared a general conflict of interest in relation to the Myrtleford RSL community grant application.

Cr Peter Smith declared a general conflict of interest in relation to the Bright Football and Netball Club community grant application.

Cr John Andersen declared a general conflict of interest in relation to the Bright Football and Netball Club community grant application.

Cr Dave Byrne declared a general conflict of interest in relation to the Myrtleford RSL Sub-Branch community grant application.

Cr Jean-Pierre Ronco declared a general conflict of interest in relation to Alpine Cycling Club and the Bright and District Chamber of Congress community grant application.

Cr Sarah Nicholas declared a general conflict of interest in relation to the Upper Ovens Valley Landcare Group community grant application.

## 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](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to questions.

## 8 Mayor's Report

### 8.1 CHIEF EXECUTIVE OFFICER - PERFORMANCE PLAN

#### **INTRODUCTION**

The purpose of the report is to consider the Chief Executive Officer (CEO) Annual Performance Plan 2023/24 and to adopt the Annual Performance Plan 2025/26 which is aligned with the draft Council Plan 2025-2029.

#### **RECOMMENDATION**

***That Council:***

- 1. Notes the assessment of the CEO's performance against the Key Performance Indicators in the Annual Performance Plan 2024/25 carried out the CEO Employment and Remuneration Committee;***
- 2. Adopts the Chief Executive Officers Annual Performance Plan 2025/26 and***
- 3. Reviews the CEO's Annual Performance Plan in May 2026 with recommendations being presented to the June Ordinary Council Meeting for consideration.***

#### **BACKGROUND**

Council's CEO Employment and Remuneration Policy was adopted at the December 2021 Council Meeting. The Policy sets out the responsibilities for ensuring that the CEO's Annual Performance Plan and KPI's are in place in accordance with the CEO Employment and Remuneration Committee (the Committee):

*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.*

The Committee is an advisory committee to Council, and is tasked with considering and making recommendations to Council in relation to:

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

All Councillors are invited to be involved in assessing the performance of the CEO.

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

1. Exceeds Performance Requirements
2. Meets Performance Requirements
3. Does not meet Performance Requirements
4. Unable to Rate

Key Performance Area	Focus	Average Score
<b>KPA 1</b>	<b>Leadership and Culture</b>	<b>1.9</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>2.4</b>
Deliver consistently high-quality engagement and communication with Council, the community and other key stakeholders.		
<b>KPA 3</b>	<b>Governance</b>	<b>1.90</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>2.2</b>
Execute Council resolutions, policies, and plans using resources and managing risks effectively and efficiently.		

Councillors are confident in the CEO's ability and capacity to lead the organisation and to continue to make improvements to customer service and planning as part of delivering the Council Plan 2025 -2029.

## 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].*

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

Councillors and the CEO participated in a discussion on 8 July 2025, to finalise the CEO Annual Performance Plan 2025/26 which was developed by the members of the Committee in collaboration with the CEO. The Committee consists of an Independent Chairperson, and at least three Councillors, one of whom must be the Mayor.



Following this meeting, the Annual Performance Plan 2025/26 is now presented to Council for consideration and adoption.

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

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

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

Key Performance Indicators in the CEO Annual Performance Plan are linked closely to the draft Council Plan 2025-2029.

## **POLICY IMPLICATIONS**

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

5.3 Bold leadership, strong partnerships and effective advocacy

## **FINANCIAL AND RESOURCE IMPLICATIONS**

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 June 2024 to June 2025 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 2025/26 sets out the Key Performance Indicators for the period 1 July 2025 to 30 June 2026. Adoption of this plan 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
- Governance Officer
- Executive Assistant (CEO)

## **ATTACHMENT(S)**

1. **8.1.1** Alpine CEO Key Performance Indicators 2025-26 (Final)

## 8.2 CHIEF EXECUTIVE OFFICER - EMPLOYMENT AND REMUNERATION

### INTRODUCTION

This report relates to the findings of the Chief Executive Officer (CEO) Employment and Remuneration Committee annual review in relation to the CEO's remuneration.

### **RECOMMENDATION**

*That:*

- 1. The Chief Executive Officer be offered a \_\_\_\_\_% increase to his base salary; and**
- 2. The payment takes effect from 1 July 2025.**

### BACKGROUND

The CEO Employment and Remuneration Committee (Committee) comprises of an independent chair and at least three councillors, one of whom must be the Mayor.

The Committee is responsible for the review and performance of the CEO against a set of formulated Key Responsible Performance Indicators (KPI's). Meetings are held on a quarterly basis. The CEO's total remuneration package forms part of the Committee's annual review in accordance with section 3 of the Act.

There is no clear formula or agreed sector-wide approach to establishing CEO salaries and annual increases to guide the Committee. In the development of the recommendations regarding the CEO remuneration, the following factors have been taken into consideration:

- CEO's performance
- CEO salaries for similar sized councils
- 2025/26 Rate Cap set by the Victorian Government at 3%.
- In July 2024 the Victorian Independent Remuneration Tribunal Determination M. 01/2024 determined to apply an increase of between 4 - 4.5% to the notional salary component of the remuneration bands for executives employed in public service bodies.

Council at its Ordinary Council Meeting held in June 2025 noted the assessment of the CEO's performance against KPIs documented in the CEO Annual Performance Plan 2024/2025 and adopted the CEO Annual Performance Plan 2025/2026.

The Committee endorses the proposed variation to the CEO's Remuneration Package and presents this recommendation to Council for consideration.

### ISSUES

Nil.

## POLICY IMPLICATIONS

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

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

5.3 Bold leadership, strong partnerships and effective advocacy

## FINANCIAL AND RESOURCE IMPLICATIONS

The Remuneration Package provided to the CEO is in accordance with Section 45(3) of the Act.

## 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>Review and amend 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 submits an Annual Review Report in June each year and makes recommendations for any variation to the CEO's Remuneration Package at that time.

## CONCLUSION

That Council considers the recommendations of the Committee to increase the CEO's Remuneration Package 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
- Governance Officer
- Executive Assistant (CEO)

## **ATTACHMENT(S)**

Nil

## 9 Presentation of reports by officers

### 9.1 CHIEF EXECUTIVE OFFICER - WILL JEREMY

#### 9.1.1 Contracts approved under delegation by the CEO

##### **RECOMMENDATION**

***That the Capital Project Contracts approved under delegation by the CEO be noted.***

<b><i>Contract No:</i></b>	<b><i>CQ26127</i></b>	<b><i>Process:</i></b>	<b><i>QRR</i></b>
<b><i>Title:</i></b>	<b><i>Repairs to Level 2 Bridge Defects</i></b>		
<b><i>Tenderer:</i></b>	<b><i>West Pacific Group</i></b>		
<b><i>Budget (\$ excl GST):</i></b>	<b><i>\$130,000</i></b>		
<b><i>Contract (\$ excl GST):</i></b>	<b><i>\$111,250</i></b>		

## 9.1.2 Community Satisfaction Survey 2025

### INTRODUCTION

This report shares the results of the 2025 Community Satisfaction Survey for Alpine Shire Council.

### **RECOMMENDATION**

***That Council notes Alpine Shire Council's results for the 2025 Community Satisfaction Survey.***

### BACKGROUND

Alpine Shire Council participates in the annual Community Satisfaction Survey coordinated by Local Government Victoria. The survey is optional for councils across Victoria, noting that three (3) of the measures in the survey are required under the Local Government Performance Reporting Framework (LGPRF).

The survey consisted of phone interviews with 400 residents selected to match the demographic profile of the Alpine Shire according to the most recently available Australian Bureau of Statistics estimates. Up to 60% of the survey calls were made to mobile phone numbers. Surveying was carried out quarterly, with 100 surveys conducted in each of June 2024, September 2024, November 2024 and February 2025, totalling 400 surveys by the end of the year.

Results are summarised through an 'Index Score' which is a weighted average of how many respondents responded against each possible survey response to each question, including 'very good', 'good', 'average', 'poor' and 'very poor'. Survey responses of 'can't say' were excluded from the Index Score. A higher index score indicates a more positive weighted response.

### RESULTS

Measures	Alpine 2025	Alpine 2024	Alpine 2023	Small Rural 2025	State-wide 2025
<b>OVERALL PERFORMANCE</b>	<b>47</b>	50	52	54	53
<b>VALUE FOR MONEY</b>	<b>43</b>	45	47	47	47
<b>OVERALL COUNCIL DIRECTION</b>	<b>38</b>	39	41	46	46
<b>CUSTOMER SERVICE</b>	<b>55</b>	59	62	65	66
<b>% respondents having contact with Council</b>	<b>65%</b>	65%	65%	63%	61%
<b>WASTE MANAGEMENT</b>	<b>60</b>	56	62	66	65

Measures	Alpine 2025	Alpine 2024	Alpine 2023	Small Rural 2025	State- wide 2025
<b>COMMUNITY DECISIONS</b>	<b>45</b>	45	51	50	49
<b>CONSULTATION AND ENGAGEMENT</b>	<b>46</b>	46	50	51	50
<b>SEALED LOCAL ROADS</b>	<b>45</b>	41	49	44	45

## ISSUES

### **State-wide results**

The State-wide report (see link in attachments) compiles Community Satisfaction Survey (CSS) results across all participating councils. The report states that in 2025 around half of the councils that participated received lower *overall performance* index scores than in 2024. This continues a trend seen in previous years, however performance of the Small Rural group (which Alpine forms part of) has improved compared to 2024.

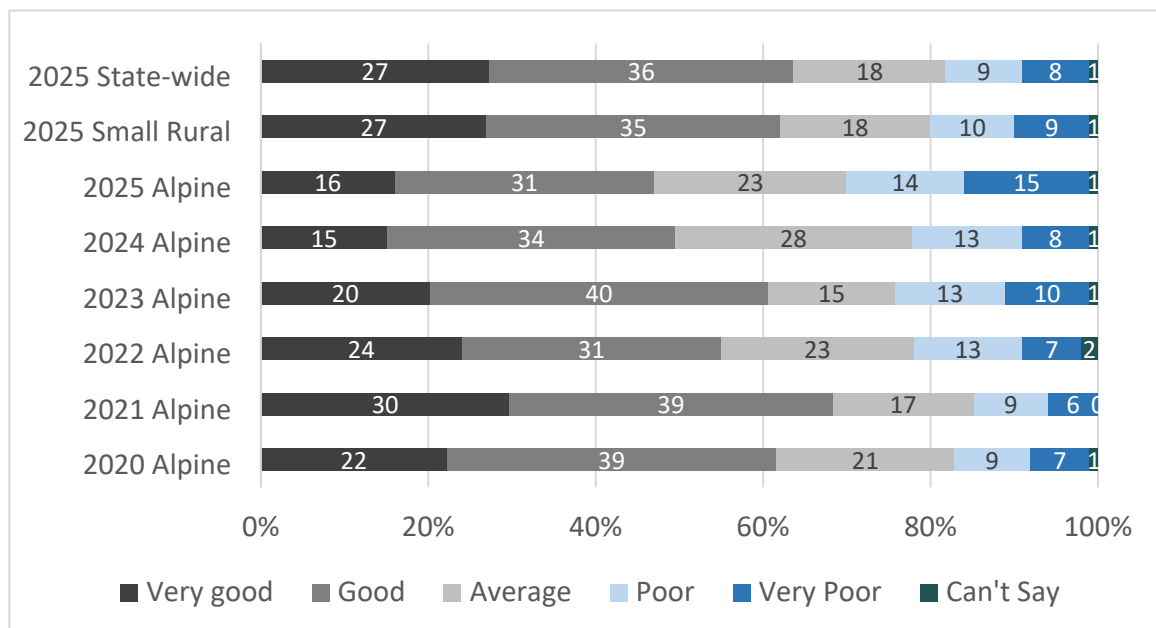
The report suggests that external factors affecting individual councils or the local government sector more broadly may be driving some of this downward trend, including: rate increases, changes to delivery of council services, negatively viewed decisions and actions on infrastructure and development, or perceived poor value for money for council services in the context of high and worsening cost of living pressures.

### **Alpine Shire Council results**

#### ***Customer Service***

Satisfaction with *customer service* decreased from 59 in 2024 to 55 in 2025 and was significantly lower than the State-wide and Small Rural Council averages. Two-thirds of residents have had contact with Council in the past 12 months, relatively steady on the previous year. 47% of residents considered customer service to be 'very good' or 'good' in 2025, which was a decrease compared to 49% in 2024.





### ***Other results***

Two areas where Council's results improved were *waste management* (up from 56 in 2024 to 60 in 2025) and *sealed local roads* (up from 41 in 2024 to 45 in 2025).

*Consultation and engagement*, and *community decisions* remained static, while all other indicators were lower than in 2025.

### ***Areas for focus***

The report notes that Council's *overall performance* is now the lowest overall rating in 10 years, with more than four times as many residents feeling that the direction of Council's *overall performance* has deteriorated than improved in the last 12 months.

While perceptions of *consultation and engagement*, and *community decisions*, have stabilised in 2025, performance still remains significantly lower than the Small Rural Council average. Residents of the Upper Ovens (Porepunkah - Dinner Plain) rate Council significantly lower than average in both areas, which is consistent with previous year results.

Council elected to continue a process of quarterly surveying (undertaken for the first time in 2023/24), rather than the single period of January-March. This aimed to reduce seasonal / single issue impacts on the results. This practice will be reviewed before the 2026 survey commences.

### ***Full reports***

- Council's full report and more in-depth analysis of results can be found in the attachments to this report.
- A link to State-wide comparative results can be found in the attachments to this report.

### **POLICY IMPLICATIONS**

While undertaking the Community Satisfaction Survey is not mandatory, the linkage between results for *consultation and engagement*, *community decisions* and *sealed local roads* with the Local Government Performance Reporting Framework (LGPRF) has meant that undertaking it not only gives Council an insight as to how the community thinks it is performing but means that Council is able to meet its annual reporting requirements.

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

5.1 Effective communication and engagement

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The annual cost to Council for the Community Satisfaction Survey was \$9,000 excluding GST.

### **RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to report on three LGPRF measures in Council's annual report	Unlikely	Minor	<ul style="list-style-type: none"> <li>• Council undertakes the Community Satisfaction Survey at least annually.</li> </ul>
Failure to respond to results	Possible	Moderate	<ul style="list-style-type: none"> <li>• Council considers the results of the annual Community Satisfaction Survey and updates performance metrics as appropriate.</li> </ul>

## **CONSULTATION**

Four hundred residents were surveyed on behalf of Alpine Shire Council to gather the data for this survey. All interviews were conducted by phone. Surveys were conducted across four quarters in June 2024, September 2024, November 2024, and February 2025.

## **CONCLUSION**

Perceptions of Council's overall performance continued to decline in 2025. The report suggests that Council will need to focus on decisions made in the interest of the community, community consultation and engagement, and customer service in 2025/26 to address the decline in performance this year.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Chief Executive Officer
- Governance Officer

## **ATTACHMENT(S)**

1. **9.1.2.1** Community Satisfaction Survey Report 2025 - Alpine Shire Council
2. **9.1.2.2** [Community Satisfaction Survey Report 2025 - State-wide Results](#)

## 9.2 DIRECTOR ASSETS - SARAH BUCKLEY

### 9.2.1 Sealing of Unsealed Roads Policy

#### INTRODUCTION

The Sealing of Unsealed Roads Policy No.38 (Version 4) has been developed and, following public exhibition, can be considered for adoption by Council.

#### **RECOMMENDATION**

***That Council:***

- 1. Notes that following the release of the draft Sealing of Unsealed Roads Policy for public exhibition, four external submissions were received which did not impact the intent of the Policy;***
- 2. Adopts the Sealing of Unsealed Roads Policy No.38 (Version 4);***
- 3. Revokes the Sealing of Unsealed Roads Policy No. 38 (Version 3); and***
- 4. Signs and Seals the Sealing of Unsealed Roads Policy No.38 (Version 4) at the appropriate stage of this meeting.***

#### BACKGROUND

The proposed Sealing of Unsealed Roads Policy aims to provide a clear framework for the prioritisation, selection, and management of unsealed roads to be sealed within the municipality. The Policy is necessary to ensure a consistent, transparent and equitable approach to the prioritisation of road sealing projects for potential inclusion in Council's Road Upgrade Program.

The draft Policy was placed on public exhibition at the 29 March 2025 Ordinary Council Meeting. After a four-week period, feedback was collated and considered prior to the final development of the Policy for adoption by Council.

#### ISSUES

This policy applies to all road sealing requests relating to roads listed in Council's Register of Public Roads, including requests received from individuals, businesses and other Government organisations. Council will also identify segments of roads as part of the Council Road Inspection Program.

The Sealing of Unsealed Roads Policy enables Council to assess and establish if a road meets the minimum requirements to be considered for sealing on Council's Road Upgrade Program Prioritisation List. The assessment of road sealing requests is based predominantly on the principle that the standard to which a road is to be constructed and maintained is directly related to the amount and type of traffic using the road.

A three-step process is used to assess road sealing requests and to prioritise eligible road sealing projects for future delivery. The steps in this process are:

1. Establish whether the traffic volumes on the road exceed the minimum comparative score of 100.
2. For road sealing requests where the comparative score exceeds 100, establish a provisional prioritisation for the delivery of the road upgrade program relative to the existing projects in the Road Upgrade Program Prioritisation List.
3. Validate the prioritisation of the road upgrade program in the Road Upgrade Program Prioritisation List.

The projects listed on the Road Upgrade Program Prioritisation List will always be subject to availability of funding and Council discretion through the annual Capital Works budgeting process.

A total of four submissions were received during the public consultation period with the key requests and responses summarised as follows:

Submission Number	Request Summary	Response Summary
<b>Submission 1</b>	What is the point of traffic Counts in the Low Season. Measuring in the low season is benefiting Council. 100 cars should not be the maximum it is dust that is the issue.	<ul style="list-style-type: none"> <li>Council undertakes traffic counts in accordance with the Unsealed Roads Manual-Guide to Good Practice which outlines the key principles for assessment traffic counts. Council will consider reviewing its methodology in the future to ensure it is recording the most accurate data possible.</li> </ul>
	Signage to go slower is not a deterrent. Traffic calming devices have been suggested previously.	<ul style="list-style-type: none"> <li>Council does not support the installation of speed humps as they are difficult to maintain and may be hazardous due to loose shifting gravel. This makes it harder for Councils grading maintenance team to grade the road.</li> </ul>
	It is inappropriate to seek contributions from residents for the sealing of their roads.	<ul style="list-style-type: none"> <li>Sealing an unsealed road is considered as an upgrade rather than maintenance. The Policy allows for residents to make a financial contribution towards upgrading, sealing or addition of dust suppressant as an option.</li> </ul>

Submission Number	Request Summary	Response Summary
	Council's Policy has changed to suit your budget.	<ul style="list-style-type: none"><li>• A full review of the Sealing of Unsealed Roads Policy was undertaken on an objective basis and to allow Council to prioritise road upgrades / requests to ensure maximum benefit for the whole community and to assess requests according to a three step process in accordance with the Road Project Prioritisation List.</li></ul>

Submission Number	Request Summary	Response Summary
<b>Submission 2</b>	Request for sealing of roads in Bright and Wandiligong region.	<p>General Process</p> <ul style="list-style-type: none"> <li>• The assessment within the Policy is a three step process and is utilised to assess road sealing requests and to prioritise eligible internal road sealing projects for future delivery.</li> <li>• Those roads that score greater than 100 points are moved onto a Road Project Prioritisation List where a further assessment is completed that includes a cost-benefit analysis in order to establish the provisional prioritisation of the road upgrade project relative to existing projects in the Road Project Prioritisation List.</li> <li>• The Road Project Prioritisation List includes all roads across the municipality that require an upgrade. This list not only includes unsealed roads but additionally sealed roads that may require widening drainage etc. As Council has a limited annual budget for these road prioritisation 'Upgrade' projects they need to be ordered in highest to lowest priority.</li> <li>• The Road Project Prioritisation List is scored and prioritised utilising a cost benefit analysis (detailed in the feedback).</li> </ul>

Submission Number	Request Summary	Response Summary
	Specific request of a road in Wandiligong - Morses Creek Road. Concerns of dust and reducing the risk of silicosis, road safety. Sealing roads provides an increase in liveability and it will reduce the ongoing maintenance.	<ul style="list-style-type: none"> <li>Morses Creek Road has a total score of 115. This score of greater than 100 resulted in the road transferring to the Road Project Prioritisation List. It is currently sitting at number 12 on the priority list against all other roads across the municipality for upgrade. Council generally achieves 1-2 road upgrade projects (funding dependent) each year with its annual road upgrade program.</li> </ul>
<b>Submission 3</b>	Can we ensure cars don't deliberately increase the amount they drive up and down the road when traffic counters are placed out.	<ul style="list-style-type: none"> <li>It is challenging to ensure this doesn't happen, but Council generally implements the surveys without notifying the public. Council also reviews the data in comparison with previous surveys and any changes in circumstance to gain confidence that there is not an unrealistic increase in traffic numbers.</li> </ul>
	Would it be helpful for residents to understand the economics of sealing a road and the maintenance costs that may or may not be saved in comparison to an unsealed road.	<ul style="list-style-type: none"> <li>This varies considerably depending on the individual circumstances and condition of the subject road. Once the Policy is adopted Council will consider providing generalised examples of a cost benefit analysis on its Council Road webpage which will form part of the explanation.</li> </ul>



Submission Number	Request Summary	Response Summary
	<p>What are some ballpark costs for sealing an existing gravel road to a single lane sealed road? Is there a rule of thumb/ballpark cost for this to inform people's thinking (if they wanted to pay for sealing a section of road). I understand that costs change over time so it may be difficult to do this but even some indications in 2025 dollars might be useful, with appropriate disclaimers.</p>	<ul style="list-style-type: none"> <li>As per the Policy the cost benefit analysis process is outlined, and this is applied on a case by case basis. The costs vary considerably, as the true cost is not just a m2 rate for sealing a pavement. Depending on a number of factors, a higher level of preparation, including upgrades to drainage or pavement may be required for some roads and not others. In 25/26 FY Council will be publishing a new Projects Dashboard that will include each Capital Works Project, the location, timeline, progress and total cost. Council will consider publishing a m2 rate (where relevant) for the total project of the Policy.</li> </ul>

Submission Number	Request Summary	Response Summary
<b>Submission 4</b>	Vehicle is not defined in the Policy. Please consider creating sealed road riding routes for example Quinns Gap.	<ul style="list-style-type: none"> <li>The definition of vehicle is a standard definition considered to mean "a thing used or capable of being used for transportation on land."</li> <li>Council does not delineate between cars, trucks and bicycles as part of this policy. Bicycles are included as part of the traffic counts on roads when being assessed.</li> <li>Additionally, if it were a major cyclist route being considered this is taken into account when calculating the comparative score F1 "known seasonal traffic". For major on road bicycle routes this will influence the score.</li> <li>Additionally in 2022 Council adopted the Bright Strategic Road and Movement Strategy Action Plan which lists specific actions relating to on road cycling and Council committed to develop minimum standards for road repairs on roads subject to high cyclist volumes.</li> </ul>

## POLICY IMPLICATIONS

Gender Impact Assessments are a requirement under the *Gender Equality Act 2020* and are an important way for Council to ensure all people have equal access to opportunities and resources.

The implications of this policy were assessed in accordance with the requirements of the *Gender Equality Act 2020*. As a result of the assessment, gender and intersectional issues are not seen to either limit or change the way in which all persons are affected by the Policy. No further gender or intersectional analysis was deemed to be required.

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

4.5 Assets for our current and future needs

## FINANCIAL AND RESOURCE IMPLICATIONS

Council has limited funds to spend on upgrading its road network, and road sealing projects will always be subject to availability of funding and the support of Council through the annual capital works budgeting process.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Not having a Policy in place could mean roads are sealed when it is not a viable investment for Council.	Unlikely	Moderate	<ul style="list-style-type: none"> <li>Implement a Policy that establishes a clear framework for the prioritization, selection of roads to be upgraded.</li> </ul>
The cost of a road upgrade is too expensive for Council to achieve annually.	Very Likely	Moderate	<ul style="list-style-type: none"> <li>The Council will prioritize roads based on the established criteria and seek external funding where available.</li> </ul>

## CONSULTATION

The current policy was developed through consultation with adjacent councils and has been reviewed by key members of Council's Assets and Waste Department who hold responsibility for assessing road sealing requests and delivering road sealing/upgrade projects.

This Sealing of Unsealed Roads Policy No.38 (Version 3.1) was on public exhibition for four weeks and received four submissions which did not impact the intent of the Policy.

## **CONCLUSION**

The Sealing of Unsealed Roads Policy has been developed for consideration by Council for adoption. The Policy outlines the process to be followed when assessing road sealing requests, and for roads where traffic volumes exceed the minimum threshold to be considered for sealing, to establish the relative priority compared to other projects in the Road Upgrade Program Prioritisation List.

It is recommended Council adopts the Sealing of Unsealed Roads Policy No.38 (Version 4)

## **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 Assets and Waste

## **ATTACHMENT(S)**

1. **9.2.1.1** 038 Sealing of Unsealed Roads V 4 for adoption

## 9.2.2 Road Management Plan

### INTRODUCTION

The Road Management Plan 2025 (Version 6) has been developed and following public exhibition, can be considered for adoption by Council.

### **RECOMMENDATION**

*That Council:*

- 1. Notes that following the release of the draft Road Management Plan for public exhibition, one external submission was received which did not impact the intent of the Plan;***
- 2. Adopts the Road Management Plan 2025 (Version 6);***
- 3. Revokes the Road Management Plan 2021 (Version 5); and***
- 4. Signs and seals the Road Management Plan (Version 6) at the appropriate stage of this 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.

The draft Road Management Plan was placed on public exhibition at the 27 May Ordinary Council Meeting. After four-week period of public exhibition feedback was collated and considered prior to the final development of the Policy for adoption by Council.

## **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, the MAV has advised Council 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 times, 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 (held in October 2024).

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 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.

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"> <li>Administrative change to align with MAV's recommended format, improving consistency and reducing legal ambiguity across Victorian councils.</li> </ul>
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"> <li>Increases transparency and helps distinguish between assets that are actively managed under the RMP and those maintained reactively.</li> </ul>
Attachment 1 & 2	Road hierarchy	Road category structure revised to align with MAV rural and urban definitions	<ul style="list-style-type: none"> <li>Reflects current best practice and provides clearer hierarchy for managing risk, maintaining defensibility, and supporting efficient resourcing.</li> </ul>
Attachment 3	Footpaths and Shared/Bicycle Pathways	Reclassified hierarchy into two categories (High Use and Low–Moderate Use)	<ul style="list-style-type: none"> <li>Simplified from MAV's original three categories. Supports a scalable inspection approach while maintaining compliance with the Road Management Act.</li> </ul>



Section of RMP	Description	Proposed Change	Explanation
Attachment 3	Kerb & Channel	Introduced prescribed hierarchy, inspection, and intervention levels for high-use kerb only	<ul style="list-style-type: none"> <li>Focus placed on high-exposure, higher-risk kerb assets. Remaining assets are maintained reactively. This balances legal responsibility with resource realities.</li> </ul>
Attachment 3	Bridges	Removed legacy bridge hierarchy classifications	<ul style="list-style-type: none"> <li>Assessment found previous levels of service to be excessive. Current risk profile supports a more appropriate and efficient management model.</li> </ul>
Maintenance considerations	Bogong High Plains Road	Removed from managed network	<ul style="list-style-type: none"> <li>Council is no longer the coordinating authority. Removal clarifies responsibilities and eliminates unnecessary obligations.</li> </ul>
Attachment 5	Inspection timetables	Updated proactive, reactive, and night inspection timeframes	<ul style="list-style-type: none"> <li>Reflects MAV recommendations. Adjustments support a risk-based approach and enable better resource planning without compromising safety.</li> </ul>

Section of RMP	Description	Proposed Change	Explanation
Attachment 6	Intervention levels and response times	Updated tables to reflect revised service levels and asset coverage	<ul style="list-style-type: none"> <li>Clearer response frameworks enable defensible decision-making and prioritisation of critical infrastructure.</li> </ul>
Section 4	Road register review	Identified and reviewed additional road segments	<ul style="list-style-type: none"> <li>Standalone review corrected mapping and classification inconsistencies. Public consultation supported transparent adoption process.</li> </ul>

## POLICY IMPLICATIONS

The requirements of the Road Management Plan are specified under the *Road Management Act 2004* and the Road Management (General) Regulations 2016.

Gender Impact Assessments are a requirement under the *Gender Equality Act 2020* and are an important way for Council to ensure all people have equal access to opportunities and resources.

The Road Management Plan template provided by the Municipal Association of Victoria did not provide for a section requiring a gender impact assessment. Therefore, Council will be completing the Gender Impact Assessment as part of its draft Road Asset Plan currently being developed. This will ensure all road investments Shire wide will be considered with a gender lens into the future as part of the process adopted in the Road Asset Plan.

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"> <li>• Resource/budget planning built into Council's long term financial plan.</li> </ul>
Council does not approve the changes recommended in the RMP review.	Possible	Major	<ul style="list-style-type: none"> <li>• Council Officers provide significant details on the requirement to align with the Road Management Act and ramifications of non-compliance.</li> </ul>

## 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.

This review of the RMP has been undertaken in accordance with the *Road Management Act 2004* and the *Road Management (General) Regulations 2016*. In accordance with these regulations this version of the RMP was released for a 28-day public exhibition period following the May 2025 Council Meeting, and submissions closed on Friday 27 June 2025.

One submission was received regarding the Road Management Plan, summarised as follows:

Summary	Comments
<p>The unsealed section of Growlers Creek Road does not meet the criteria outlined in the infrastructure design manual adopted by Alpine Shire Council. The road does not comply to the IDM for two-way traffic. The road does not comply to the current CFA guidelines for emergency access. The road has an extreme steep drop off along one side of it, unsealed with sharp curves, blind corners, potholes and narrow access not suitable for two-way traffic and no pull over bays. The road has heavy waste vehicles weekly visiting this road. There have been occasions of vehicles meeting head on resulting in cars required to reverse blindly around corners.</p> <p>There are three (3) properties on the unsealed section and one operating a commercial accommodation business. Beyond the residential properties there is a frequently visited campground in state forest.</p> <p>It is a great safety risk to the residents, public road users and waste truck operators that frequently use the road.</p>	<p>The submitter has been informed that this enquiry sits outside the Road Management Plan in relation to the upgrade of the road. This enquiry is being dealt with as a separate matter with Council's Engineering Team and the Director Assets.</p>

## 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 recommended that the review of the Alpine Shire Council Road Management Plan (Version 6) is now complete, and the revised plan presented to Council for adoption.

## 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 Assets and Waste
- Asset Management Coordinator

## ATTACHMENT(S)

1. **9.2.2.1** Alpine Shire Council Road Management Plan 2025 Version 6
2. **9.2.2.2** Register of Public Roads 2025
3. **9.2.2.3** Register of Footpath 2025
4. **9.2.2.4** Register of Kerb & Channel 2025

## 9.2.3 Lease of Hangar at Porepukah Airfield

### INTRODUCTION

This report relates to a new lease for Site 7 at the Porepukah Airfield on Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road, Porepukah. A lease has previously been prepared for any aircraft hangar on these sites for a 10-year term with an option for an additional 10 years.

### **RECOMMENDATION**

*That Council:*

- 1. Approves and executes a lease for Site 7 of Lot 1, Plan of Subdivision PS612929, 266 Buckland Valley Road, Porepukah for an aircraft hangar; and**
- 2. Signs and seals the lease of Site 7 of Lot 1, Plan of Subdivision PS612929, 266 Buckland Valley Road, Porepukah at the appropriate stage of the meeting.**

### BACKGROUND

The Porepukah Aerodrome Master Plan was considered by Council at the Ordinary Council Meeting held in June 2006. A recommendation of the Master Plan was that Council negotiates with the adjoining landowner of the airfield with the intention to acquire land to allow for the relocation of existing aircraft hangars and the construction of new hangars.

Following investigations, at the Ordinary Council Meeting held in July 2007, Council resolved to proceed with the acquisition of an adjoining strip of land at the Porepukah Airfield. The land was subsequently acquired in 2008. A new entrance to the airfield was created on this land with the remaining land set aside for hangars and taxi way. Site 7 is contained on Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road, Porepukah.

Lease documentation was previously prepared for the purpose of entering into long term hangar leases on this land. The length of each lease is 10 years, plus an option for a further 10 years. Commencement rent for each of the attached leases will be \$1,294 (GST exclusive) per annum calculated based on the square meterage of the sites.

This report sets out the proposals for issuing the proposed future leases for hangars consulted on in September 2018 with 10 (plus 10) year terms.

### ISSUES

Under Section 115 of the *Local Government Act 2020* (the Act):

- (1) A Council's power to lease any land to any person is limited to leases for a term of 50 years or less.

- (2) Subject to any other Act, and except where Section 116 applies, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.
- (3) A Council must include any proposal to lease land in a financial year in the budget, where the lease is—
  - (a) for one year or more and -
    - (i) the rent for any period of the lease is \$100 000 or more a year; or
    - (ii) the current market rental value of the land is \$100 000 or more a year; or
  - (b) for 10 years or more.
- (4) If a Council proposes to lease land that is subject to subsection (3) and that was not included as a proposal in the budget, the Council must undertake a community engagement process in accordance with the Council's community engagement policy in respect of the proposal before entering into the lease.

In September 2018, and in accordance with Section 190 of the *Local Government Act 1989*, Council posted public notices notifying of proposed future leases at the airfield and invited submissions in accordance with Section 223 (Section 190(3b) & (4)) of the *Local Government Act 1989* against such future leases. No submissions were received.

The intent and terms of these leases have not changed (save for Consumer Price Index (CPI) adjustments to annual rents). Council has, therefore, previously communicated its intention to enter into leases for aircraft hangars at the site and met its obligation under the *Local Government Act 1989*, which applied at the time.

## **POLICY IMPLICATIONS**

The process adopted by Council for the awarding of future leases at the Porepunkah Airfield was in accordance with obligations under the *Local Government Act 1989* and the Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land June 2009 at that time. This lease is to be awarded as a result of these processes.

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

4.5 Assets for our current and future needs

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The commencement annual lease income for a lease will be \$1,294 (GST exclusive).

Forward lease charges are indexed to CPI annually and subject to a market review after the first 10 years of the lease. Income collected from aircraft hangar rentals at the airfield is paid to the Porepunkah Airfield Association to assist it in fulfilling its responsibilities to operations and day-to-day maintenance of the airfield.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Non-Compliance of Lease requirements	Unlikely	Minor	<ul style="list-style-type: none"> <li>Termination of lease</li> </ul>

## CONSULTATION

In accordance with Section 190 of the *Local Government Act 1989*, public notices were posted in September 2018 notifying of the proposed future leases at the site and inviting submissions in accordance with Section 223 (Section 190(3b) & (4)) of the act. No submissions were received at that time.

Council has, therefore, previously communicated its intension to enter into leases for aircraft hangars at the site and met its obligation under the *Local Government Act 1989*, which applied at that time. The current lease has been developed under the same terms (save for CPI adjustments to annual rent) and, therefore, it is not considered necessary to undertake further community engagement relating to such leases at the airfield.

The Porepunkah Airfield Association was consulted with and is supportive of the issuing of the lease.

## CONCLUSION

Having previously met Council's obligations under the *Local Government Act 1989*, Council, in relation to issuing leases at the airfield, does not require further community engagement and this lease (Site 7 of Lot 1 of Plan of Subdivision PS612929), is executed by Council under the terms of Section 115 of the *Local Government Act 2020*.

## 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 Council officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Growth and Future
- Property and Contracts Coordinator

## ATTACHMENT(S)

Nil



## 9.2.4 Draft Back Porepukah Road Safety Strategy 2025

### INTRODUCTION

The Draft Back Porepukah Road Strategy 2025 is a safety strategy for the Back Porepukah Road, which connects the townships of Bright and Porepukah. This report recommends that Council notes the draft Strategy and endorses an engagement process for community consultation. Once consultation is complete, Council will be asked to consider any feedback received ahead of adopting a final Back Porepukah Road Strategy.

### **RECOMMENDATION**

*That Council:*

- 1. Notes that the Draft Back Porepukah Road Safety Strategy 2025 has been developed in accordance with the Victorian Government's Safe Systems principles;**
- 2. Endorses an engagement process to seek community feedback on the Draft Back Porepukah Road Safety Strategy 2025 for a period of four weeks; and**
- 3. Notes that Council officers will consider community feedback and report back to Council at a future council meeting.**

### BACKGROUND

Back Porepukah Road is the key secondary connector road between Bright and Porepukah that serves as an alternative route to the Great Alpine Road. It sees around 1,970-2,200 vehicle movements per day and is a key thoroughfare for cyclist movements between the townships. While most cyclists use the adjacent Murray to Mountains Rail Trail, the road does cater for on-road cyclists and is identified as the preferred secondary route for cyclists in the Alpine Shire Cycling Safety Strategy 2019.

Traffic volumes are likely to grow on Back Porepukah Road in the future given the continued growth in tourism, and the planned for future population growth for Bright and Porepukah identified in the Alpine Shire Land Development Strategy 2024.

Council officers identified the poor on-road infrastructure along Back Porepukah Road, including the lack of shoulders, footpaths and other segregated infrastructure. This creates a safety hazard for vulnerable road users such as pedestrians and cyclists, with the potential for accidents involving vehicles at high speeds.

Back Porepukah Road has had four recorded incidents between 2014 and 2024, including one between a motor vehicle and a cyclist.

### ISSUES

The TAC Local Government Grant Program supports Victorian councils to enhance road safety within their local road networks. The grant focuses on identifying road safety issues affecting pedestrians and cyclists, and developing concepts for speed

management and infrastructure improvements in alignment with the Victorian Government's Safe Systems principles.

Council received a grant of \$13,500 (excluding GST) under the Local Government Grant Program's Analysis stream to prepare the Back Porepunkah Road Safety Strategy.

The objectives of the draft strategy are to:

- assess Back Porepunkah Road and its alignment with Safe System principles;
- document concerns that do not align with Safe System principles; and
- identify recommendations that will produce or move Back Porepunkah Road toward a Safe System outcome.

The draft strategy provided a series of recommendations for safety improvements along Back Porepunkah Road, which can be found in Appendix A of the document.

A final strategy with clear recommendations, that has demonstrated community and referral agency and authority consultation, will ensure Council is well placed to apply for road safety grant funding opportunities to implement the outcomes of any final strategy in the future.

## **POLICY IMPLICATIONS**

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
- 4.5 Assets for our current and future needs

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The Draft Back Porepunkah Road Safety Strategy 2025 is being funded through a \$13,500 (excluding GST) grant under the TAC's Local Government Grant Program. Undertaking community engagement on this draft strategy will not result in any financial implications for Council.

## **RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Lack of community feedback on the draft strategy or safety issues on Back Porepunkah Road.	Possible	Minor	Create an engagement plan with appropriate tools for the community to provide feedback, including through the Engage Alpine website and drop-in sessions.

Risk	Likelihood	Impact	Mitigation Action / Control
Community opposition to the recommendations for the Draft Back Porepunkah Road Safety Strategy 2025	Possible	Minor	<p>Manage community expectations during the engagement process in accordance with the engagement plan.</p> <p>Council officers will consider all feedback received.</p>

## CONSULTATION

Council officers are proposing to undertake a targeted community engagement process for four weeks. After engagement, Council officers will consider feedback and update the strategy where appropriate. Community feedback and the final Back Porepunkah Road Safety Strategy will be considered by Council at a future council meeting.

This engagement process will take one month, and will include a mailout, survey and feedback box on the Engage Alpine website, and a community pop-up session.

## CONCLUSION

It is recommended that Council notes the draft Back Porepunkah Road Safety Strategy 2025 and supports proceeding to community consultation.

## 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
- Strategic Planning Coordinator Senior Strategic Planner

## ATTACHMENT(S)

1. **9.2.4.1** Draft Back Porepunkah Road Safety Strategy 2025

## 9.3 DIRECTOR CORPORATE AND COMMUNITY - NATHALIE COOKE

### 9.3.1 2025/26 Event Funding Program

#### INTRODUCTION

This report relates to the allocation of funding through Council's 2025/26 Event Funding Program.

#### **RECOMMENDATION**

*That Council:*

- Endorses the recommendation of the Event Funding Assessment Panel to allocate funding to events as follows:***

***Table 1: Events recommended for funding***

<b><i>Event Name</i></b>	<b><i>Applicant</i></b>	<b><i>Total funding request</i></b>	<b><i>Panel recommendation sponsorship</i></b>
<b><i>ACC Gravity Enduro</i></b>	<b><i>Alpine Cycling Club</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Alpe de Buffalo</i></b>	<b><i>Alpine Cycling Club</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Alpine Brass Festival</i></b>	<b><i>Skunkworks Community Limited</i></b>	<b><i>\$4,659</i></b>	<b><i>\$2,000</i></b>
<b><i>Bright Alpine Climb - 4 Peaks</i></b>	<b><i>Thought Sports Pty Ltd</i></b>	<b><i>\$10,000</i></b>	<b><i>\$5,000</i></b>
<b><i>Bright Autumn Festival</i></b>	<b><i>Bright Autumn Festival - sub-committee of the Bright and District Chamber of Commerce</i></b>	<b><i>\$5,000</i></b>	<b><i>\$5,000</i></b>
<b><i>Bright Cabaret &amp; Comedy Festival</i></b>	<b><i>Bright Cabaret &amp; Comedy Festival Inc.</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Bright Fun Run - Trail Fest 2026</i></b>	<b><i>The Bright Fun Run - Bright P-12 College</i></b>	<b><i>\$5,000</i></b>	<b><i>\$5,000</i></b>
<b><i>Bright Make it Bake it Grow it Market</i></b>	<b><i>Bright and District Chamber of Commerce</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>

<b><i>Event Name</i></b>	<b><i>Applicant</i></b>	<b><i>Total funding request</i></b>	<b><i>Panel recommendation sponsorship</i></b>
<b><i>Bright Open 2026</i></b>	<b><i>North East Victoria Hang Gliding Club</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Bright Rotary Markets</i></b>	<b><i>The Rotary Club of Bright</i></b>	<b><i>\$8,500</i></b>	<b><i>\$3,000</i></b>
<b><i>Bright Twilight Tastings</i></b>	<b><i>Bright Twilight Tastings - part of Bright and District Chamber of Commerce</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Bright Winter Festival 2026</i></b>	<b><i>Bright and District Chamber of Commerce</i></b>	<b><i>\$5,000</i></b>	<b><i>\$5,000</i></b>
<b><i>Buffalo Stampede Festival 2026</i></b>	<b><i>Single Track Events Pty Ltd</i></b>	<b><i>\$10,000</i></b>	<b><i>\$10,000</i></b>
<b><i>Christmas Market 2025</i></b>	<b><i>Bright Lights Winter Nights</i></b>	<b><i>\$3,050</i></b>	<b><i>\$1,000</i></b>
<b><i>Great Alpine Classic</i></b>	<b><i>Myrtleford Golf Club</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Harrietville Bush Markets</i></b>	<b><i>Harrietville Historical Society</i></b>	<b><i>\$3,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Harrietville Half</i></b>	<b><i>Harrietville Primary School</i></b>	<b><i>\$3,000</i></b>	<b><i>\$3,000</i></b>
<b><i>La Fiera Italian Festival Myrtleford</i></b>	<b><i>Myrtleford Chamber of Commerce &amp; Industry Inc</i></b>	<b><i>\$10,000</i></b>	<b><i>\$10,000</i></b>
<b><i>Mount Beauty Running Festival</i></b>	<b><i>Kangaroo Hoppet Inc</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Mount Beauty Writers Festival</i></b>	<b><i>Upper Kiewa Valley Regional Arts Inc</i></b>	<b><i>\$5,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Myrtleford Bush Market</i></b>	<b><i>Myrtleford Chamber of Commerce &amp; Industry Inc</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Myrtleford DEKA Trifecta Weekend</i></b>	<b><i>Spartan Aus 3.0</i></b>	<b><i>\$10,000</i></b>	<b><i>\$5,000</i></b>

<b><i>Event Name</i></b>	<b><i>Applicant</i></b>	<b><i>Total funding request</i></b>	<b><i>Panel recommendation sponsorship</i></b>
<b><i>Myrtleford Farmers Market</i></b>	<b><i>The Tobacco &amp; Associated Farmers Co-operative Ltd</i></b>	<b><i>\$3,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Myrtleford Show</i></b>	<b><i>Myrtleford and Districts Agriculture and Pastoral Society</i></b>	<b><i>\$10,000</i></b>	<b><i>\$10,000</i></b>
<b><i>Myrtleford Summer Series</i></b>	<b><i>The Myrtleford Chamber of Commerce &amp; Industry Inc</i></b>	<b><i>\$6,601</i></b>	<b><i>\$5,000</i></b>
<b><i>Quad Crown - Mystic Yak</i></b>	<b><i>Quad Events Pty Ltd</i></b>	<b><i>\$5,000</i></b>	<b><i>\$5,000</i></b>
<b><i>Ride Her Way - Come and Try Day</i></b>	<b><i>Alpine Cycling Club</i></b>	<b><i>\$1,000</i></b>	<b><i>\$2,000 *</i></b>
<b><i>Tour of Bright Criterium</i></b>	<b><i>Alpine Cycling Club Inc</i></b>	<b><i>\$10,000</i></b>	<b><i>\$10,000</i></b>
<b><i>Twilight Christmas Carols '25</i></b>	<b><i>Into Our Hands Community Foundation</i></b>	<b><i>\$2,000</i></b>	<b><i>\$2,000</i></b>
<b><i>Victorian Downhill Series Round Mount Beauty</i></b>	<b><i>Team Mount Beauty</i></b>	<b><i>\$5,000</i></b>	<b><i>\$3,000</i></b>
<b><i>Victorian Veterans 4BBB Championship</i></b>	<b><i>Myrtleford Golf Club</i></b>	<b><i>\$1,500</i></b>	<b><i>\$1,500</i></b>
<b><i>Wandi Cross</i></b>	<b><i>Wandi Trail Runners Inc</i></b>	<b><i>\$5,000</i></b>	<b><i>\$5,000</i></b>
<b><i>Wandiligong Nut Festival</i></b>	<b><i>Wandiligong Nut Festival</i></b>	<b><i>\$10,000</i></b>	<b><i>\$10,000</i></b>

***\* Recommended amount higher than funding request to support women's participation in sport.***

**Table 2: Events recommended for funding**

<b>Event Name</b>	<b>Applicant</b>	<b>Total funding request</b>	<b>Panel recommendation sponsorship</b>
<b>Mental Wellbeing Week 2026</b>	<b>Myrtleford Football Netball Club</b>	<b>\$5,000</b>	<b>\$2,000</b>
<b>Myrtleford Lions Golden Spurs Rodeo</b>	<b>Myrtleford Lions Golden Spurs Rodeo</b>	<b>\$10,000</b>	<b>\$5,000</b>

**Table 3: Events recommended for funding**

<b>Event Name</b>	<b>Applicant</b>	<b>Total funding request</b>	<b>Panel recommendation sponsorship</b>
<b>Mount Beauty Oktoberfest &amp; Daschshund Derby</b>	<b>West Peal Pty Ltd T/A Mountain Mont Brewers</b>	<b>\$5,000</b>	<b>\$5,000</b>

**Table 4: Events recommended for in-kind funding**

<b>Event Name</b>	<b>Applicant</b>	<b>Total funding request</b>	<b>Panel recommendation in-kind (up to)</b>	<b>Comments</b>
<b>Bright Rod Run</b>	<b>Bright Rod &amp; Kustom Club Inc</b>	<b>\$10,000</b>	<b>\$8,000</b>	<b>In-kind; traffic management (up to \$5000), waste (up to \$3000)</b>
<b>Dederang Picnic Races</b>	<b>Dederang Picnic Race Club</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>In-kind; traffic management and slashing</b>
<b>Mountaingrass</b>	<b>Australasian Bluegrass and Old Time Music Association</b>	<b>\$5,000</b>	<b>\$1,000</b>	<b>In-kind; facility hire fees</b>

<b><i>Event Name</i></b>	<b><i>Applicant</i></b>	<b><i>Total funding request</i></b>	<b><i>Panel recommendation in-kind (up to)</i></b>	<b><i>Comments</i></b>
<b><i>Myrtleford Lawn Tennis Club Easter Tournament</i></b>	<b><i>Myrtleford Lawn Tennis Club</i></b>	<b><i>\$5,000</i></b>	<b><i>\$1,000</i></b>	<b><i>In-kind; waste</i></b>

- 2. Supports the provision of financial assistance to community volunteer-run, not-for-profit events to cover the cost of their event waste management for the 2025/26 financial year;***
- 3. Delegates authority to the Chief Executive Officer to distribute residual or unspent funds from the Event Funding Program;***
- 4. Notes that a further \$60,000 is budgeted for the implementation of the Bright Rod Run Central Business District Traffic and Safety Management Plan to mitigate risks to the public;***
- 5. Notes that \$2,500 of the \$5,000 allocation in the 2025/26 round for the Bright Chamber of Commerce, 2026 Bright Winter Festival, is to be available in 2026/27; and***
- 6. Allocates \$4,000 from the Dinner Plain budget for the Dinner Plain Community Association event, It's A Long Way To The Top.***

## **BACKGROUND**

The Event Funding Program was open for submissions between 5 May 2025 to 16 June 2025. A total of 46 applications were received with a total request of \$224,860 in funding, along with one application for the Dinner Plain Event Funding program requesting \$5,000 in sponsorship.

Council adopted the Alpine Shire Events Strategy in November 2021, including the Events Permitting and Funding Framework. This framework came into effect on 1 July 2022. The Strategy identifies the needs and priorities of the community and provides a clear and realistic framework for Council.

Council's Event Officers carried out a preliminary assessment of each application against event eligibility criteria listed in the framework, including considerations of the anticipated social, environmental, and economic impact of the event.

Guided by the preliminary assessment, the applications were then reviewed by an assessment panel comprising:

- A representative of the Bright and District Chamber of Commerce
- A representative of the Myrtleford Chamber of Commerce
- A representative of the Mount Beauty Chamber of Commerce
- Three Councillors
- Chief Executive Officer



- Manager Customer Experience

The panel recommended that 40 applicants receive support through the Event Funding Program, totalling \$143,500 of funding and \$15,500 of in-kind support; and one applicant receive support through the Dinner Plain Event Funding Program, totalling \$4,000 in funding. Six applicants were not recommended for funding.

## ISSUES

The applications in the table below have not been recommended for funding through the Event Funding Program:

**Table 3: Events not funded through the Events Funding Program**

Event Name	Applicant	Funding request	Comments
Bright Criterium Market	Bright and District Chamber of Commerce	\$1,050	Not supported; funded through Tour of Bright Criterium
Bright Running Festival	Perseverance Events Pty Ltd	\$2,000	Not supported; lack of growth
Brighter Days Festival	Brighter Days Festival	\$5,000	Not supported; strong event budget and income
Darker Days 2026	Bright Brewery	\$5,000	Not supported; out of seed funding
Myrtleford Community Christmas	The Myrtleford Chamber of Commerce	\$2,500	Not supported; funded through Myrtleford Farmers Market
Mystic Trail Wake	Elevation Mystic Operations	\$5,000	Not supported; for-profit event.

## POLICY IMPLICATIONS

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

2.1 Diverse reasons to visit

## FINANCIAL AND RESOURCE IMPLICATIONS

Council's 2025/26 budget includes provision of \$247,000 to support the annual Event Funding Program. This includes \$170,000 for events in general, \$60,000 for the Bright Rod Run CBD Traffic and Safety Management, and \$17,000 for Civic Events. Dinner Plain events have a separate budget of \$30,000. This includes an allocation of \$17,000 for events coordinated by Council and \$13,000 for events in general held at Dinner Plain.

The total of \$159,000 is recommended to support the delivery of events through the 2025/26 Event Funding Program. Of this total, \$2,500 must be held for distribution in 2026/27 due to the scheduling of the Bright Winter Festival in July 2026. A total of \$4,000 is recommended to support the delivery of events in Dinner Plain through the 2025/26 Dinner Plain Event Funding Program, with a second round to be offered later in 2025.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Events unsupported by funding may not operate	Unlikely	Minor	<ul style="list-style-type: none"> <li>Fund local and community events</li> </ul>
Funds are spent outside the parameters of the grant guidelines	Unlikely	Minor	<ul style="list-style-type: none"> <li>Applicants must provide evidence of their progress before grant payments are made</li> <li>Applicants are required to provide an acquittal reporting on the completion and outcomes of their grant</li> <li>Applicants will be required to repay any unused grant funds</li> <li>Applicants are not eligible for future grants until previous grant has been fully acquitted.</li> </ul>

## CONSULTATION

The Event Funding Program was advertised in the local media, on Council's website and social media, and the details were emailed directly to all existing event organisers. Event organisers had the opportunity to engage with Council's Events Team for support and advice through the application period.

An assessment panel including three Councillors, the Chief Executive Officer, one Manager, one Coordinator, two Council Officers and three representatives from the community assessed the applications and provided the recommendations contained in this report.

## **CONCLUSION**

Events are important to the Alpine Shire, providing an economic injection, cultural enrichment, and promoting community connection and well-being.

The recommendations put forward by the assessment panel support events that align with the regional tourism brand and Council's Events Strategy, encourage repeat visitation, contribute to a diverse events calendar, have a positive impact for the community and may be sustainable over a long period of time.

## **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 Customer Experience
- Events Coordinator
- Development Officer (Event Operations)

Declarations of Conflict of Interest were made by assessment panel members. Panel members removed themselves from assessment of the relevant event funding applications and any panel discussions relevant to the applications.

Cr Andersen declared a general conflict of interest in relation to the Brighter Days Festival.

Cr Byrne declared a general conflict of interest in relation to the Myrtleford Lions Golden Spurs Rodeo and Mental Wellbeing Week 2026.

Cr Tanzen declared a general conflict of interest in relation to the Mount Beauty Oktoberfest and Dachshund Derby.

## **ATTACHMENT(S)**

Nil

### 9.3.2 2025/26 Community Grants Program

#### INTRODUCTION

This report relates to the allocation of funding through Council's 2025-26 Community Grants Program.

#### **RECOMMENDATION**

***That Council:***

***1. Endorses the recommendation of the Community Grants Assessment Panel to allocate funding as follows:***

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Total cost of Project</i></b>	<b><i>Grant Request</i></b>	<b><i>Grant Recommended</i></b>
<b><i>Albury Wodonga Regional FoodShare</i></b>	<b><i>FoodShare Hub Planning</i></b>	<b><i>\$100,500.00</i></b>	<b><i>\$5,360.00</i></b>	<b><i>\$2,500.00</i></b>
<b><i>Alpine Valleys Autism Community</i></b>	<b><i>Improving Autistic Wellbeing Learning Sessions</i></b>	<b><i>\$13,885.00</i></b>	<b><i>\$8,950.00</i></b>	<b><i>\$8,950.00</i></b>
<b><i>Bright Food Co- op</i></b>	<b><i>Cultivating Community - volunteer engagement</i></b>	<b><i>\$8,325.00</i></b>	<b><i>\$6,125.00</i></b>	<b><i>\$5,325.00</i></b>
<b><i>Bright P/12 College</i></b>	<b><i>Bright P12 Hydroponics and Aeroponics educational resource</i></b>	<b><i>\$6,378.00</i></b>	<b><i>\$4,778.00</i></b>	<b><i>\$2,300.00</i></b>
<b><i>Bright Theatre Company Incorporated</i></b>	<b><i>Enhancing Community Theatre</i></b>	<b><i>\$6,417.43</i></b>	<b><i>\$4,767.43</i></b>	<b><i>\$4,767.43</i></b>
<b><i>Gapsted Public Hall - Committee of Management Inc</i></b>	<b><i>Gapsted Hall - Heating Upgrade</i></b>	<b><i>\$6,690.40</i></b>	<b><i>\$4,990.40</i></b>	<b><i>\$4,990.00</i></b>
<b><i>Gapsted Recreation Reserve</i></b>	<b><i>Growing Gapsted Recreation Reserve:</i></b>	<b><i>\$6,322.00</i></b>	<b><i>\$4,052.00</i></b>	<b><i>\$4,052.00</i></b>

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Total cost of Project</i></b>	<b><i>Grant Request</i></b>	<b><i>Grant Recommended</i></b>
	<b><i>Groundwork for Generations</i></b>			
<b><i>Havilah Cemetery Trust</i></b>	<b><i>Havilah Cemetery Visitor Information</i></b>	<b><i>\$12,187.00</i></b>	<b><i>\$7,947.00</i></b>	<b><i>\$7,947.00</i></b>
<b><i>Little Stitches MTB Inc</i></b>	<b><i>Little Stitches Sewing Club</i></b>	<b><i>\$6,321.99</i></b>	<b><i>\$4,701.99</i></b>	<b><i>\$2,000.00</i></b>
<b><i>Lodge Of Unity No. 54</i></b>	<b><i>Improved carpark access</i></b>	<b><i>\$8,549.00</i></b>	<b><i>\$6,412.00</i></b>	<b><i>\$2,100.00</i></b>
<b><i>Mount Beauty Golf Club Inc</i></b>	<b><i>Ability Based Tee Boxes</i></b>	<b><i>\$6,690.00</i></b>	<b><i>\$4,790.00</i></b>	<b><i>\$4,790.00</i></b>
<b><i>Mount Beauty Market Inc</i></b>	<b><i>Mount Beauty Market Revitalisation Project</i></b>	<b><i>\$4,623.75</i></b>	<b><i>\$3,423.75</i></b>	<b><i>\$1,066.27</i></b>
<b><i>Mount Beauty Playgroup</i></b>	<b><i>Mount Beauty Playgroup on the Move</i></b>	<b><i>\$2,824.00</i></b>	<b><i>\$1,792.00</i></b>	<b><i>\$1,792.00</i></b>
<b><i>Mount Beauty Toy Library</i></b>	<b><i>New Shed for Outdoor Toys</i></b>	<b><i>\$11,700.00</i></b>	<b><i>\$6,000.00</i></b>	<b><i>\$6,000.00</i></b>
<b><i>Myrtleford &amp; District Historical Society Inc</i></b>	<b><i>Upgrading display units</i></b>	<b><i>\$5,853.02</i></b>	<b><i>\$4,389.76</i></b>	<b><i>\$3,200.00</i></b>
<b><i>Myrtleford Golf Club Inc</i></b>	<b><i>Golf Club New Workshop Enclosure</i></b>	<b><i>\$7,590.00</i></b>	<b><i>\$5,240.00</i></b>	<b><i>\$5,240.00</i></b>
<b><i>Myrtleford Savoy Soccer Club Inc</i></b>	<b><i>Turf Maintenance Equipment</i></b>	<b><i>\$18,000.00</i></b>	<b><i>\$6,750.00</i></b>	<b><i>\$6,750.00</i></b>
<b><i>St Paul's Hall (Lillis Community Hall)</i></b>	<b><i>Sustainable Hot Water Supply</i></b>	<b><i>\$5,952.00</i></b>	<b><i>\$4,452.00</i></b>	<b><i>\$4,152.00</i></b>

<i><b>Applicant</b></i>	<i><b>Project Title</b></i>	<i><b>Total cost of Project</b></i>	<i><b>Grant Request</b></i>	<i><b>Grant Recommended</b></i>
<i><b>Sustainable Upper Ovens Inc</b></i>	<i><b>Social media video promotions</b></i>	<i><b>\$9,607.00</b></i>	<i><b>\$7,147.00</b></i>	<i><b>\$4,600.00</b></i>
<i><b>U3A Myrtleford and District Inc</b></i>	<i><b>Myrtleford Senior Citizens Centre Acoustics</b></i>	<i><b>\$16,644.00</b></i>	<i><b>\$7,500.00</b></i>	<i><b>\$6,000.00</b></i>

**2. Endorses the recommendation of the Community Grants Assessment Panel to allocate funding as follows:**

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Total cost of Project</i></b>	<b><i>Grant Request</i></b>	<b><i>Grant Recommended</i></b>
<b><i>Bright and District Chamber of Congress</i></b>	<b><i>World Chamber Congress</i></b>	<b><i>\$10,454.00</i></b>	<b><i>\$6,454.00</i></b>	<b><i>\$3,000.00</i></b>

**3. Endorses the recommendation of the Community Grants Assessment Panel to allocate funding as follows:**

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Total cost of Project</i></b>	<b><i>Grant Request</i></b>	<b><i>Grant Recommended</i></b>
<b><i>Myrtleford RSL Sub-Branch Inc</i></b>	<b><i>Securing Historic Memorabilia</i></b>	<b><i>\$6,456.22</i></b>	<b><i>\$4,563.64</i></b>	<b><i>\$4,563.64</i></b>

**4. Endorses the recommendation of the Community Grants Assessment Panel to allocate funding as follows:**

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Total cost of Project</i></b>	<b><i>Grant Request</i></b>	<b><i>Grant Recommended</i></b>
<b><i>United Bright Football and Netball Club</i></b>	<b><i>Netball Court wifi</i></b>	<b><i>\$3,435.17</i></b>	<b><i>\$1,717.57</i></b>	<b><i>\$1,717.57</i></b>

**5. Endorses the recommendation of the Community Grants Assessment Panel to allocate funding as follows:**

<b><i>Applicant</i></b>	<b><i>Project Title</i></b>	<b><i>Total cost of Project</i></b>	<b><i>Grant Request</i></b>	<b><i>Grant Recommended</i></b>
<b><i>Upper Ovens Valley Landcare Group</i></b>	<b><i>Threatened Species and Fire Recovery Workshop</i></b>	<b><i>\$9,500.00</i></b>	<b><i>\$2,000.00</i></b>	<b><i>\$2,000.00</i></b>

***6. Delegates authority to the Chief Executive Officer to distribute residual or unspent funds from the Community Grant Program.***

**BACKGROUND**

Council's Community Grants Program is a long-established funding program supporting community groups and organisations to deliver community focussed projects, programs and initiatives in the Alpine Shire.

Twenty-seven eligible applications were received for the 2025-26 Community Grants Program, with a cumulative funding request of \$162,853.54.

The assessment panel has recommended that 24 applicants receive funding, with 13 applications to receive the full amount of funding requested and 11 to receive funding at a reduced level.

Applications for the 2025-26 Community Grants Program were open between 10 May and 16 June 2025.

Applications were assessed against the following criteria:

- the degree of benefit to the community;
- the degree to which projects can be maintained and are sustainable;
- the impact on environmental, economic, social, built, recreational and wellbeing criteria;
- the geographical spread of funding allocation across the Shire.

Applications were also assessed for their alignment to the Council Plan and Municipal Public Health and Wellbeing Plan.

**ISSUES**

Three applications have not been recommended for funding through the Community Grants Program:

Applicant	Project Title	Grant Request	
Alpine Cycling Club	Developing a pathway for inclusion at Gravity Enduro 2026	\$24,350.00	Project outside the scope of this funding round.
Gapsted Public Hall Committee of Management Inc.	Purchase of commercial dishwasher	\$4,200.00	Applicant has been successful for another grant application.
Tawonga & District Community Association	Realising the ABP - Tawonga Play space	\$10,000.00	Project will be referred to Council's Capital Project Team.



## POLICY IMPLICATIONS

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

- 1.1 A community that is active, connected and supported
- 1.3 A caring community

## FINANCIAL AND RESOURCE IMPLICATIONS

The 2025-26 Council budget contains a budget allocation of \$100,000 for the Community Grants Program.

The recommended allocation of \$99,802.91 for Community Grants fits within the allocated budget.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Funds are spent outside the parameters of the grant guidelines	Unlikely	Minor	<ul style="list-style-type: none"> <li>Applicants must provide evidence of their progress before grant payments are made</li> <li>Applicants are required to provide an acquittal reporting on the completion and outcomes of their grant</li> <li>Applicants will be required to repay any unused grant funds</li> <li>Applicants are not eligible for future grants until previous grant has been fully acquitted.</li> </ul>

## CONSULTATION

The Community Grants Program was advertised in the local media, on Council's website and social media and emailed directly to community groups. Community groups had the opportunity to engage with Council's Community Development Team for support and advice through the application period.

Applications were reviewed by an assessment panel comprising:

- Two members of the Kiewa Valley community;
- Two members of the Myrtleford community;
- One member of the Bright community;
- Two Councillors; and
- Acting Director Customer and Community.

## **CONCLUSION**

The recommendations proposed by the assessment panel support strategic objectives of the Council Plan 2021-25 incorporating the Municipal Public Health and Wellbeing Plan, community participation, contribute to the building of healthy and strong communities and represent a diversity of projects across the Shire.

## **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 Community Development
- Community Development Coordinator

Declarations of Conflict of Interest were made by assessment panel members. Panel members removed themselves from assessment of the relevant funding applications and any panel discussions relevant to those applications.

Cr Smith declared a general conflict of interest in relation to the United Bright Football and Netball Club funding application.

Cr Graham declared a general conflict of interest in relation to the Myrtleford RSL funding application.

## **ATTACHMENT(S)**

Nil

### 9.3.3 Councillor Gift Policy Review

#### INTRODUCTION

The Councillor Gift Policy is an important means of ensuring that Councillors are appropriately managing conflicts of interest associated with the offer and receipt of gifts, benefits, and hospitality. The policy is a requirement of the *Local Government Act 2020*, and was first adopted in 2021. This report provides for the review and update of the Councillor Gift Policy.

#### **RECOMMENDATION**

***That Council:***

- 1. Notes that a review of the Councillor Gift Policy (V1) was undertaken, with several additions proposed that improve the processes associated with the offer and receipt of gifts;***
- 2. Adopts the Councillor Gift Policy (V2);***
- 3. Revokes the Councillor Gift Policy (V1); and***
- 4. Signs and seals the Councillor Gift Policy (V2) at the appropriate stage of this meeting.***

#### BACKGROUND

Council first adopted the Councillor Gift Policy in 2021, meeting the requirements of section 138 of the *Local Government Act 2020*. This replaced the previous policy, which had applied to both Councillors and employees.

The Councillor Gift Policy provides for:

- All gifts offered to Councillors valued greater than \$50 be declared in the Councillor Gift Register, whether accepted or declined.
- All gifts offered to Councillors valued greater than \$200 be declared in the Councillor Gift Register, but must be submitted to the Mayor for consideration before they may be accepted. The gift offer must be declared and registered in the Councillor Gift Register, whether accepted or declined.
- A Councillor Gift Register must be maintained, and made available on Council's website (which will be made available once a declaration has been made in the current financial year).

The Councillor Gift Policy also provides additional definitions and guidance for Councillors to assist them in determining whether a gift is acceptable or must be declined. It is important that where a Councillor considers that accepting a gift may constitute a conflict of interest, that the gift is declined. The policy requires that any gift offered to Councillors that they believe is an attempt to bribe is declined and reported immediately to the Mayor and CEO.

## ISSUES

Officers have undertaken a desktop review of policies adopted by other councils to determine what is considered best practice amongst the sector. There is a range in how councils deal with the offer of gifts, with some councils only allowing 'token gifts' valued <\$50, while others take an approach similar to Alpine in that they allow 'non-token' gifts valued >\$50 but require them to be declared and appear in a Councillor Gift Register.

It is noted that there was an Independent Broad-based Anti-corruption Commission (IBAC) report commissioned in 2019 that reviewed Local Government Integrity Frameworks. The report identified that the acceptance of gifts, benefits, and hospitality can create perceptions that the recipient's integrity has been compromised.

### ***Improvements proposed***

The following improvements have been proposed to the Councillor Gift Policy (V2):

- Part 3.3.2: Addition of gifts that must be refused to include:
  - Cash equivalents including gift vouchers.
  - Gifts from parties involved in a regulatory or compliance process (including but not limited to planning permit applications, building permit applications, VCAT proceedings, infringement appeals).
  - Gifts from property developers or persons or organisations involved in the prospective or current development of land or property within the Alpine Shire.
  - Gifts from persons or organisations with a primary purpose to lobby Council, Councillors, or staff.

These items are in addition to items already in the policy which include cash, supplier goods at no cost, gifts from current or potential suppliers who are in the process of tendering for provision of goods / services to Council, invitations to supplier Christmas parties or functions, and gifts extended to family that could constitute a conflict of interest.

- Part 3.4.1: Determining whether to accept a gift
  - Councillors should make the person or organisation offering the gift aware that the Councillor is bound by this policy, and that a written declaration of the gift offer will be made in accordance with parts 3.4.3 and 3.5 of the policy.
- Part 3.5: Gifts register
  - Requirement that an extract of the Councillor Gift Register be presented annually to the Audit and Risk Committee (which is in addition to an extract being placed on Council's website).

- Part 3.6: Disposal of gifts
  - Clarification of process for surrendering gifts (anonymous gifts; gifts that don't meet the policy; or gifts the Councillor feels uncomfortable about) to the CEO for appropriate and transparent disposal – which will be recorded in the gift register.

While not included expressly in the Councillor Gift Policy, Council has also ensured that the offer and receipt of gifts is included as a risk in Council's Risk Register.

## POLICY IMPLICATIONS

Council is required to adopt and maintain a Councillor Gift Policy in accordance with section 138 of the *Local Government Act 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

The policy scope applies to Councillors of the Alpine Shire Council, and therefore does not impact on the finances of Council. Resource implications include the oversight and recording of gifts by Council officers, and the newly introduced oversight by the Audit and Risk Committee.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Councillors are not aware of the Councillor Gift Policy and accept gifts that constitute a conflict of interest.	Possible	Moderate	<ul style="list-style-type: none"> <li>• Ensure that the management of gifts is covered as part of the annual Councillor Professional Development program to keep the awareness of gifts and the potential for conflicts of interest at the forefront of Councillor minds.</li> </ul>

## CONSULTATION

Councillors have been briefed on the Councillor Gift Policy review and proposed new additions. There is no requirement to consult with the community, as the policy

affects only Councillors, and the proposed changes are improving the processes and transparency involved in the management of gifts offered to Councillors. Once the policy is adopted, it will be made available on Council's website.

## **CONCLUSION**

Council is required to maintain a Councillor Gift Policy, and review and update it regularly. The adoption of version 2 of the policy will provide increased levels of scrutiny when it comes to management of gifts and their associated conflicts of interest.

## **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. **9.3.3.1** Councillor Gift Policy (V2)

**9.3.4 P.2020.153 - 1 Riverside Avenue, Bright**

<b>Application number:</b>	<b><i>P.2020.153</i></b>
<b>Proposal:</b>	<b><i>Use and development of land for a Food and drink premises (café) and staged development (3 stages) of land with fourteen (14) dwellings on a lot.</i></b>
<b>Applicant's name:</b>	<b><i>Human Habitats</i></b>
<b>Owner's name:</b>	<b><i>Alpine Spa Resorts Pty Ltd</i></b>
<b>Address:</b>	<b><i>1 Riverside Avenue and 4 Star Road, Bright VIC 3741</i></b>
<b>Land size:</b>	<b><i>4,327 square metres (approximate)</i></b>
<b>Current use and development:</b>	<b><i>Accommodation (dwellings/units)</i></b>
<b>Site features:</b>	<b><i>Discussed in report - see Subject land and surrounds</i></b>
<b>Why is a permit required?</b>	<p><b><i>Under clause 32.08 (GRZ):</i></b></p> <p><b><i>A permit is required to use the land for a 'Food and drink premises' (section 2 use)</i></b></p> <p><b><i>A permit is required for buildings and works associated with the 'Food and drink premises' (as a section 2 use)</i></b></p> <p><b><i>A permit is required to construct two or more dwellings on a lot</i></b></p> <p><b><i>A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.</i></b></p> <p><b><i>Under clause 44.06 (BMO):</i></b></p> <p><b><i>A permit is required to construct a building or construct or carry out works associated with use of the land for 'Accommodation' (which includes 'Dwelling') and for 'Retail premises' (which includes 'Food and drink premises')</i></b></p>
<b>Zoning:</b>	<b><i>General Residential Zone (GRZ)</i></b>
<b>Overlays:</b>	<b><i>Bushfire Management Overlay Schedule 1 (BMO1)</i></b>
<b>Restrictive covenants on the title?</b>	<b><i>Nil</i></b>
<b>Date received:</b>	<b><i>1 October 2020</i></b>
<b>Statutory days:</b>	<b><i>182 days (as of 13 July 2025)</i></b>
<b>Planner:</b>	<b><i>Matt Novacevski, Statutory Planning Coordinator</i></b>

## **RECOMMENDATION**

***That a Notice of Refusal to Grant a Planning Permit be issued on the following grounds:***

- 1. The proposal includes poorly sited and designed buildings that will reduce the quality of views from scenic lookout and vantage points along the Ovens River corridor and other public land, and it fails to protect the significance, attractiveness and environmental qualities of the Ovens River corridor, in contravention of clause 02.03-2 Environmental and landscape values.***
- 2. The proposal fails to provide high quality architectural standards that will protect and improve the aesthetics and streetscape in this locality, in contravention of clause 02.03-5 Built environment and heritage.***
- 3. The proposal fails to maintain and enhance the natural environment of waterway systems by minimising the visual intrusion of development on the natural landscape views from public open space, recreation trails and within waterway systems themselves; fails to ensure development is visually subordinate to the local landscape setting, including through the use of vegetation to filter views of development; and fails to ensure development adjacent to waterways adopts high quality materials and respectful design and siting, in contravention of clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs.***
- 4. The proposal includes a design, siting, scale, form, and materiality that will cause visual intrusion and will detract from the values of Ovens River corridor and adjacent public land in contravention of clause 12.05-1L Public and private land interfaces.***
- 5. The proposal will detract from the natural qualities and aesthetic values of the landscape, does not demonstrate a high level of visual management, does not ensure that all structures blend in with the surrounding environment, and does not retain mature vegetation which provides a backdrop for any development, in contravention of clause 12.05-2S Landscapes and clause 12.05-2L Landscapes.***
- 6. The proposal fails to ensure the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, are of a high standard and create a safe environment for users and enables easy and efficient use; fails to limit the height of buildings to reflect the current character and urban design and to maintain rural and mountain vistas, and fails to respond to the scale, mass, form, roof pitch, height, materials and colour of surrounding buildings, in contravention of clause 15.01-1S Urban design and Clause 15.01-1L Urban design.***
- 7. The proposal fails to ensure the form, scale, and appearance of development enhances the function and amenity of the public realm, fails to ensure the development is designed to protect and enhance valued landmarks, views and vistas, and does not retain existing vegetation, in contravention of clause 15.01-2S Building design.***



- 8. The proposal will introduce an architectural form that fails to respond to the site's context, the important sense of place established along the Ovens River corridor and adjacent public land, and the valued features and characteristics of the Bright township, in contravention of clause 15.01-55 Neighbourhood character.**
- 9. The proposal is not consistent with the first purpose and second purpose of the General Residential Zone at clause 32.08.**
- 10. The proposal does not meet the Objectives of clause 55.02-1 Street setback, clause 55.02-2 Building height, clause 55.02-3 Side and rear setbacks, clause 55.02-4 Walls on boundaries, clause 55.02-7 Tree canopy, clause 55.03-3 Street integration, clause 55.03-7 Functional layout, clause 55.03-8 Room depth, clause 55.03-11 Storage, and clause 55.05-5 Waste and recycling.**

## PROPOSAL

The proposal is to use and develop the land for a Food and drink premises, and to develop the land in three (3) stages for fourteen (14) dwellings. The use and development is proposed to occur on two adjoining allotments totalling 4233m<sup>2</sup>, at 4 Star Road and 1 Riverside Avenue, Bright. While the site is suitable for redevelopment, the proposal before Council is not considered to respond appropriately to the riverfront context or offer an appropriate urban design response in recognition of the location and local character.

The proposed development is shown in the plans that form Attachment 1 to this report.

Key features of the proposal follow:

### Overall development plan

- The development comprises a building area of 1230 square metres, 1155 square metres dedicated to car parking and driveways (excluding areas under buildings), and 36 square metres of impermeable walkway. The total area covered by buildings is to be 2421 square metres equating to 56% of the site (the remaining 44% is to be permeable).
- The development includes three new buildings to be constructed in three (3) stages.
  - Stage one includes three (3) dwellings (units 1-3) in the location of an existing one-storey dwelling on 4 Star Road. The new building would be constructed across three levels and will include a new vehicle access from Star Road, car parking at ground level, and three (3) two-storey dwellings above the car parking.
  - Stage two includes nine (9) dwellings (units 4-12), to be located partly on vacant land and partly in the location of two existing dwellings (1 x double-storey, 1 x single-storey) and associated recessed, undercroft car parking. The new building would be constructed across three levels, comprising car parking at ground level and nine (9) two-storey dwellings above the car parking. Units

4-9 are to be constructed on the Star Road allotment. Units 10-12 are to be constructed on the Riverside Avenue allotment.

- Stage three is the building to be used for a cafe and two (2) apartments, to be located on the southeastern corner of the Riverside Avenue allotment and facing on to the Ovens River walking trail. The café would measure approximately 335 square metres, combining indoor (145 square metres floor area) and outdoor dining areas (decking). The cafe will be located on a podium-level accessible to the public and will include a large deck area. Two (2), two-storey apartments will be constructed above the café (units 13 and 14), and a car park will be constructed below the cafe, at ground level.
- Decking is to be constructed as follows:
  - On the northeastern frontage of units 1-3, built within private land.
  - On the southern frontage of units 4-8, built within private land.
  - On the southern frontage of unit 9, built partly within private land and partly over public land.
  - On the southern frontage of units 10-12, built over public land.
  - On the northern side of the café building, built over private land.
  - On the southern side of the café building, built over public land.
- A private walkway is to be constructed between Units 1-3 and walkway is proposed to be constructed on public land along the Star Road frontage, in front of Units 4-6.
- A public walkway is to be constructed between Star Road and the café at the eastern end of the Riverside Avenue allotment, entirely within public land.

#### New dwellings (summary)

The fourteen (14) dwellings include nine (9) two-bedroom dwellings, two (2) three-bedroom dwellings and three (3) four-bedroom dwellings.

#### New land use - Food and drink premises (café)

- Internal floor area of 145 m<sup>2</sup> (approximate)
- Hours of operation – 8:00 am till 10:00 pm Monday to Sunday
- Maximum of 108 patrons at any one time
- Maximum of three staff at any one time

#### Vehicle access

Vehicles would access the site via an upgraded crossover and driveway onto the Riverside Avenue frontage, in the southern corner of the subject land (just east of the Star Road intersection).

#### Car parking

- Provision of thirty five (35) car parking spaces including:
  - Twenty nine (29) car spaces for residential use, including two (2) disabled car spaces and two (2) visitor car spaces.

- Six (6) car spaces for the cafe
- All car parking to be located internal to the site and within recessed, undercroft areas below the buildings.

#### Associated works

- Demolition of existing buildings on-site (no permit required).
- Vegetation removal to provide defensible space (no permit required, subject to operation of Clause 52.12-5).
- Landscaping in accordance with a submitted plan.

### **SUBJECT LAND AND SURROUNDS**

The subject land comprises two adjoining allotments: 4 Star Road, and 1 Riverside Avenue, Bright.

No. 4 Star Road comprises of an area of 2,995 metres (Lot 1 on Title Plan 744564). It is currently used for tourism accommodation and contains a two-storey brick building comprising four (4) units and a single-storey building comprising three (3) units. The buildings are set around a large, landscaped garden that contains a variety of exotic mature trees. There is provision of existing parking for each unit as well as ancillary facilities.

No. 1 Riverside Avenue comprises of an area of 1,332 square metres (Lot 1 on Title Plan 119249K). It is currently used for a manager's residence associated with the tourism accommodation. The manager's residence is a two-storey brick building with a balcony on the north side. An outbuilding is located in the northeast corner of the lot.

The combined area of the two allotments is 4,327 square metres. It is irregularly shaped, with road frontages to Star Road to the west and Riverside Avenue to the south, and access to the Ovens River corridor and parkland to the north and east.

The land falls approximately six (6) metres from the southern boundary to the northern boundary, towards the Ovens River. It features dense patches of remnant and introduced vegetation, and there has been significant ground disturbance.

Access is currently gained via Riverside Avenue (one crossover to each parcel). Reticulated services are connected.

The subject land is in the General Residential Zone (GRZ). Land abutting to the north and east is zoned in the Public Park and Recreation Zone (PPRZ) and forms the Ovens River riverside and Centenary Park. On the north side of the Ovens River is the Bright Riverside Holiday Park, which is in the General Residential Zone 1. To the west, across Star Road and along the continuation of Riverside Avenue, land is zoned General Residential and is developed with detached dwellings and units with river frontages.

Land to the south, south-east and south-west is zoned Commercial 1 Zone and forms Bright's main commercial area. It includes a number of retail premises (shops, food and drink premises) and a small number of existing dwellings.

The subject land is affected by the Bushfire Management Overlay Schedule 1 (BMO1). It is also located within:

- A Bushfire Prone Area (BPA) under the *Building Act 1993*;
- The Ovens River (Wangaratta) special water supply catchment area under the Catchment and *Land Protection Act 1994*; and
- An area of identified Aboriginal cultural heritage sensitivity under the *Aboriginal Heritage Act 2006*.

**Figure 1: Aerial image of the subject land and surrounding area (Source: Metromap)**



Figure 2: Existing conditions



Figure 3: Zoning map showing subject land (centre)





## PUBLIC NOTIFICATION

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987*. Notice was provided to adjoining and adjacent landholders and occupiers, and a sign was placed on the subject land.

Three objections were received during the notice period. As summary of the objections follows:

- **Objection 1:** Concerned about congestion and safety; car parking; loss of trees; loss of amenity; accuracy and detail on architectural plans.
- **Objection 2:** Concerned about increased traffic and congestion; lack of traffic impact assessment in application; overdevelopment of site; visual bulk; loss of amenity; poor design interfaces; impact on river corridor; car parking; noise from café; overlooking and loss of privacy.
- **Objection 3:** Concerned about vehicle access to the site; increased traffic in the area; impacts of traffic on pedestrians and riders.

On 16 November 2022, Council facilitated a Planning Forum involving the applicant and the objectors. There was no change to any objection as a consequence of the forum.

## REFERRALS

The application was referred in accordance with section 55 of the *Planning and Environment Act 1987* to the following authorities:

Referrals / Notice	Authority	Advice / Response / Conditions
Section 55 referrals	Country Fire Authority	Consent with conditions
	Department of Transport and Planning	Consent with conditions
	Goulburn Murray Water	Consent with conditions
Section 52 notice	AusNet (Transmission)	No response
	North East Catchment Management Authority	Consent with conditions
	North East Water	Consent with no conditions
	Department of Energy, Environment and Climate Action (formerly DELWP)	Consent with conditions
Council / Internal advice	Engineering	Consent with conditions
	Environmental Health	Consent with conditions

Referrals / Notice	Authority	Advice / Response / Conditions
	Governance	As the Public Land Manager, Council does not consent to buildings and works in Crown Land being managed by Council.

### ***ABORIGINAL HERITAGE ACT 2006***

The subject land is in an area of Aboriginal cultural heritage sensitivity under the *Aboriginal Heritage Act 2006*.

Under Division 5 Regulations 46 of the *Aboriginal Heritage Regulations 2018*, the use and development of land for a retail premises (includes food and drink premises) is a high impact activity.

Under Division 5 Regulation 48, the construction of three (3) or more dwellings on a lot or allotment is a high impact activity.

Under Division 5 Regulation 58(1), use of the land for a purpose specified in regulation 46(1)(b) is a high impact activity if a statutory authorisation is required to change the use of the land for that purpose. This Regulation applies to the proposed new retail (Food and drink premises) use.

Under Division 5 Regulation 58(3), the use of a lot or allotment for three (3) or more dwellings is a high impact activity if a statutory authorisation is required to use the lot or allotment for 3 or more dwellings. This Regulation applies to the proposed new dwellings.

Under Division 3 Regulation 26(1), a waterway or land within 200 metres of a waterway is an area of cultural heritage sensitivity. However, under Regulation 26(2), if part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

Regulation 7 of the Aboriginal Heritage Regulations 2018 states:

*A cultural heritage management plan is required for an activity if—*

- a. all or part of the activity area for the activity is an area of cultural heritage sensitivity and*
- b. all or part of the activity is a high impact activity.*

In accordance with section 52(1) of the *Aboriginal Heritage Act 2006*, if a cultural heritage management plan (CHMP) is required, Council cannot issue a statutory authorisation (planning permit) until it receives a copy of an approved CHMP.

In addition, subject to section 52(3) of the *Aboriginal Heritage Act 2006*, if a planning application is inconsistent with an approved CHMP, a planning permit cannot be granted.

The proponent submitted a Preliminary Aboriginal Heritage Assessment Test (PAHT 488) which was certified by the Secretary Department and Cabinet on 27 December 2024. The PAHT was submitted to Council on 13 January 2025.

The PAHT encompassed the area contained within the freehold parcels of land only and did not extend to the footprint proposed within the area of crown land to the south.

### **WORKS ON PUBLIC LAND**

Plans submitted with the permit application indicate public land will be developed to provide decking to some dwellings and for the purpose of a walkway between different parts of the development site.

Specifically, the development plans indicate that decking will be constructed:

- On the southern frontage of unit 9, partly over public land.
- On the southern frontage of units 10-12, entirely over public land.
- On the northern side of the café building, entirely over private land.
- On the southern side of the café building, entirely over public land.

The development plans also indicate that a walkway will be constructed along the entire southern edge of the development, within public land that forms the Riverside Avenue road reserve. This walkway will extend from Star Road at the western end of the property to the cafe at the eastern end of the property.

The proponent has not submitted a formal request to Council to use and develop public land for these purposes. Council has become aware of the proposal to use and develop public land only through notations included on development plans.

The land is also subject to the Taungurung Land Use Activity Agreement. Public Land Manager Consent has not been provided nor have the necessary steps in response to the LUAA been undertaken to facilitate development on the crown land.

Any proposed use of public land to facilitate private development must be carefully considered by Council, with consideration given to questions of public benefit and how the private use of public land will either contribute to, or detract from, the public realm.



The Alpine Planning Scheme also includes policies that manage the interface between public and private land and discourage private developments spilling onto public land. As is discussed in the next section of this report, the proposed interfaces and use of public land do not provide an acceptable level of community benefit.

## **PLANNING SCHEME ASSESSMENT**

### **MUNICIPAL PLANNING STRATEGY (MPS)**

The proposal is to be assessed against the following policies contained in the Municipal Planning Strategy of the Alpine Planning Scheme:

#### **CLAUSE 2**

**Clause 02.03-1 Settlement** includes strategic directions for the Shire's townships, settlement and growth. It states:

- *Opportunities for development within the shire are limited by the environmental capacity of the surrounding land and influenced by proximity to road infrastructure and community, health and recreational opportunities.*

**Clause 02.03-2 Environmental and landscape value** includes strategic directions for the Shire's river corridors and waterways, public and private land interfaces, and landscapes.

With respect to the Shire's river corridors and waterways, the clause notes that the Ovens River is one of Victoria's major rivers. It states:

- *The continued health of these catchments is not only important to the long term sustainability of the Shire and the economic wellbeing of the Shire's industry, agriculture, and settlements, but also other downstream communities.*

With respect to the Shire's public and private land interfaces, the clause states:

- *Avoid private land uses, pest plants and animals spilling or merging into adjacent public land.*

With respect to the Shire's landscapes, the clause states:

- *There is a significant variety of landscapes across the Shire from the fertile valleys and terraces along the Kiewa, Ovens and Buffalo Rivers to the spectacular mountain ranges and alpine areas of the Great Dividing Range.*
- *The quality and appearance of the natural environment has a major impact on the prosperity and well-being of the community. Many people choose to live, invest or visit the Alpine Shire because of the spectacular rural and mountain scenery, as well as proximity to clean rivers, forests and open space.*
- *Key landscapes across the Shire can be regarded as being of the highest level of public concern for visual management. Such areas are highly sensitive to visual intrusion by poorly sited development that interrupts the landscape (such as development on ridgelines) or sight lines from key viewing points (such as along major roads).*

Landscape strategic directions include:

- *Protect the significance, attractiveness and environmental qualities of the Shire's natural landscapes from inappropriate located use and development that detracts from these qualities.*
- *Avoid poorly sited and designed buildings and changes in land management practices that reduce the quality of views from the Shires' various scenic lookout and vantage points.*

**Clause 02.03-5 Built environment and heritage** notes that:

- *Bright is characterised by deciduous European alpine and avenue plantings including significant avenues in Delany Avenue, Cobden Street and Wood Street which create strong linear spaces within the public realm in the town centre.*
- *The pedestrian scale of Bright is a legacy of the township's settlement in the mid 1800's.*

Strategic directions for the Shire's built environment and heritage include:

- *Ensure new development responds to built and natural landscapes, high quality architectural standards to protect and improve the aesthetics and liveability of the Shire.*
- *Avoid development that undermines the existing character of townships and settlements.*
- *Promote environmentally sustainable development.*

**Clause 02.03-7 Business** includes the following relevant strategic directions:

- *Maintain active and attractive retail centres in townships.*
- *Encourage economic diversity and emerging shifts in economic activity.*

Planning assessment against clause 2 of the MPS

The subject land is centrally located in Bright with very good access to existing road and community infrastructure and proximity to recreational opportunities, particularly along the Ovens River corridor. As the subject land is zoned General Residential and adjoins commercially-zoned land, it is a good location for an intensive, mixed use-type development. However, the site context and environs demand a more contextually appropriate design response.

The accommodation buildings are designed to take advantage of the large lot size and sloping land form:

- Units 1-3 will be contained in one building in the northern section of the subject land, with recessed, undercroft car parking provided at ground level and the dwellings constructed above, over two levels.
- Units 4-12 will be contained in one building along the southern boundary of the subject site. The dwellings will be oriented on a north-south axis, with recessed, undercroft car parking at ground level and accessible from the north, and decking constructed to the property boundaries - and in some cases, exceeding the property boundaries and protruding into public land - to the south.

- A third building will contain the new food and drink premises (cafe), with units 13 and 14 to be constructed on the two floors above the cafe. This building will be one floor taller than the other two buildings: the cafe will be accessible from a deck area on the southern boundary; the dwellings will be above the cafe; car parking will be below the cafe, in a recessed, undercroft area accessible from the north.

The subject land presents a number of sensitivities and developmental constraints: it is in a very prominent location in central Bright, with high pedestrian and vehicle traffic on Star Road and Riverside Avenue, and along the river frontage and adjoining parkland. The land is currently heavily vegetated and forms part of a green corridor along the southern bank of the Ovens River and this proposal seeks to remove mature trees that form part of the area's landscape character. The land has a direct interface with the river corridor and adjoining park land; and the land falls approximately 6 metres from the southern boundary to the northern boundary, in the direction of the river.

Any intensive redevelopment of this site needs to strike a careful balance between optimising the central location while preserving important natural features (tree canopy, topography), sensitively managing the interface between private and public land, and introducing an architectural style and built form that positively contributes to the township, landscape and established neighbourhood character.

While the proposal offers potential settlement benefits in terms of housing supply and diversity, and a new retail development to activate the Riverside Avenue frontage, key elements of the current design, particularly those relating to built form expression, ground-level integration, and the interaction between private and public land, require significant improvement to achieve a more contextually responsive outcome, befitting a site of this significance.

## **PLANNING POLICY FRAMEWORK (PPF)**

### **CLAUSE 12**

The proposal is to be assessed against the following policies contained in the Planning Policy Framework (Note – 'S' is state policy, 'R' is regional policy, 'L' is local policy) of the Alpine Planning Scheme:

**Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs** has the objective to protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs. Relevant strategies include:

- Protect the environmental, cultural, landscape values of all waterway systems as significant economic, environmental and cultural assets.
- Sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems.
- Enhance a sense of place and landscape identity by:

- Protecting existing topographic features and maintaining a sense of naturalness through sensitive design and siting.
- Retain and enhance the recreation and amenity values along waterway systems by:
  - Discouraging privatisation of spaces that interface with or provide access to waterway systems.
  - Avoiding overshadowing of waterway systems, their banks and adjacent public open space.
  - Promoting safety by maximising visibility and passive surveillance and providing good connections and access.
- Design and site development to maintain and enhance the natural environment of waterway systems by:
  - Minimising the visual intrusion of development on the natural landscape views from major roads, bridge crossings, public open space, recreation trails and within waterway systems themselves.
  - Ensuring development is visually subordinate to the local landscape setting, including through the use of vegetation to filter views of development.
  - Ensuring development adjacent to waterways adopts high quality materials and respectful design and siting.
  - Directing growth to established settlements where water and wastewater can be managed.

**Clause 12.05-1L Public and private land interfaces** applies to all areas where publicly owned or managed land and privately owned land interface. It has the objective to ensure development of private land adjacent to public land minimises impacts on environmental values of public land.

Relevant strategies include:

- *Ensure development is compatible with and does not detract from the values of and management plans for the national park or nature reserve.*
- *Ensure development is designed and sited to minimise visual intrusion when viewed from vantage points within the national park or nature reserve.*
- *Ensure environmental risks that may arise from the proposed development are identified and strategies for managing the risk are prepared.*

**Clause 12.05-2S Landscapes** has the objective to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Relevant strategies include:

- *Ensure development does not detract from the natural qualities of significant landscape areas.*
- *Recognise the natural landscape for its aesthetic value and as a fully functioning system.*

**Clause 12.05-2L Landscapes** has the objective to protect the Shire's significant valley and alpine landscapes by minimising visual impacts landscapes, especially from major viewing areas.

Relevant strategies include:

- *Maintain the scenic landscapes throughout the valley.*
- *Support development that maintains scenic qualities and landscape qualities of the area and demonstrates high levels of visual management.*
- *Minimise the impact of development on private land on the landscape values of adjacent national parks.*
- *Locate developments so rooflines do not protrude above ridgelines when viewed from any road or public land.*
- *Ensure that all structures blend in with the surrounding environment.*
- *Retain mature vegetation which provides a backdrop for any development.*
- *Ensure external finishes are non-reflective and of colours that blend with the surrounding landscape.*
- *Ensure that external cladding of buildings is in a muted tone except in instances where the buildings are not readily visible from roads, public land or adjoining properties due to the topography or existing vegetation.*

Planning assessment against clause 12 of the PPF

As noted, the subject land is centrally located in Bright and adjoins the Oven Rivers corridor to the north and parkland to the east. This area is very popular with residents and visitors who walk and ride on pathways, swim in the river, visit local shops and explore local sites. Star Road carries a considerable amount of vehicle traffic, connecting the township to residential areas and accommodation facilities on the north side of the river; Riverside Avenue is a local road that connects Star Road to sites further to the east along the river, including the Bright brewery, a number of cafes and retail shops, and on some weekends, markets held in the public park.

The development plan includes the construction of three new buildings that are designed and oriented to take advantage of the sloping land form and views towards the river corridor.

Units 4-12 (in one building) and units 13-14 (in a separate building) are designed for access at ground level from the southern frontage, via decking and a public walkway to be constructed over public land. When viewed from the south, these buildings have a boxy, industrial form that is not consistent with the existing built form or materials used in adjoining commercial or residential areas. The elevated walkway further contributes to this disconnect, removing opportunities for meaningful interaction and activation at ground level.

When viewed from the north, at the riverfront and interface between public and private land, the full height, mass and materials of the three buildings becomes most apparent and is most concerning.

Within the development, the ground-level environment is dominated by accessways and undercroft parking, resulting in a visually inactive and car-oriented internal realm.

This configuration limits opportunities for a comfortable, human-scale experience and weakens the connection between private dwellings and communal spaces. The ground plane lacks activation and amenity, giving it a utilitarian and uninviting character. To soften the dominance of vehicle circulation, additional landscaping could have been incorporated to provide visual relief and support a more welcoming residential setting.

### *Landscape*

The proposal appears to involve the removal of 29 trees. The number of replacement trees indicated does not appear to match the scale of this removal, resulting in a net loss of canopy coverage. Further, many of the trees are currently located near the edges of the site, softening interfaces to the riverfront. This outcome is inconsistent with planning objectives that seek to retain and enhance vegetation as part of new development and policies that seek to protect landscape character.

Given the site's location adjacent to the Ovens River, the preservation and reinforcement of its green, vegetated character is particularly important. A stronger landscape response would help to maintain the natural setting and visual amenity of the river corridor. The landscape plan could also have included a greater number of canopy trees to offset tree loss and to ensure the development contributes to long-term landscape quality and environmental resilience.

## **CLAUSE 13**

**Clause 13.02-1S Bushfire planning** has the objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Relevant strategies include:

- *Prioritising the protection of human life over all other policy considerations.*
- *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

**Clause 13.02-1L Bushfire planning** requires Council to avoid residential development of land that is identified as Bushfire Prone Land where residential development and use of land will intensify the risk or require a Bushfire Attack Level rating in excess of 29.

**Clause 13.05-1S Noise** has the objective to assist the management of noise effects on sensitive land uses.

Relevant strategies include:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*

- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

**Clause 13.07-1S Land use compatibility** has the objective to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Relevant strategies include:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

#### Planning assessment against clause 13 of the PPF

The application included development plans and a bushfire management statement and plan that demonstrate compliance with the requirements of clause 13.02-1S and clause 13.02-1L. This information was referred to the Country Fire Authority, and the CFA has consented to the development subject to the bushfire management plan (prepared by Mountain Planning, Rev A, 30 March 2022) being endorsed to any permit issued by Council.

With respect to noise and land use compatibility, consideration needs to be given to the close proximity of living areas and bedrooms in units 13 and 14 and the cafe and car parking areas to be constructed below these two units.

Units 13 and 14 are proposed to include one bedroom and a living area on the first floor above the cafe, along with a balcony constructed directly above the cafe deck. A loft room and two further two bedrooms are to be located on the second floor of each unit.

The development plans indicate the cafe will have an internal floor area of 145 square metres, but will also include a large deck area with external seating on the north side. Access to the cafe will be via a deck constructed over public land on the south side.

The proposed cafe will accommodate over 100 patrons and is proposed to trade each day of the week, from 8 am to 10 pm. The operating hours, and the location of the cafe, raise concerns that noise and other amenity issues may arise for residents occupying units 13 and 14.

It is considered generally appropriate that a cafe be included within this proposed development scheme; the subject site is centrally located and adjoins the commercial area, it is a highly visible and heavily visited tourist area, and the planning scheme encourages investment in new retail and tourism business in such locations.

Mixed use developments - where retail and residential uses are co-located, often in the same building - are inherently more likely to raise noise and other amenity issues for residents, and it is assumed that potential residents consider these issues before entering into leases or contracts of sale.

That notwithstanding, Council must consider the amenity impacts future residents and provide protection against unreasonable noise and amenity impacts arising from the cafe.

If the use and development is approved, it is recommended that strict conditions be placed on the permit to limit the cafe's operating hours to those proposed in the permit application; to ensure the cafe operators have an appropriate management plan to ensure patrons and staff entering and exiting the cafe premises early and late in the day do so with the awareness that people reside directly above the cafe; to ensure deliveries to the cafe are limited to reasonable business hours only; and to ensure that storage areas associated with the cafe can be readily accessed by staff without causing unreasonable noise impacts on nearby residents.

## **CLAUSE 15**

**Clause 15.01-1S Urban design** has the objective to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Relevant strategies include:

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*



**Clause 15.01-1L Urban design** has strategies including:

- *Limit the height of buildings to reflect the current character and urban design and to maintain rural and mountain vistas.*
- *Ensure new housing development responds to:*
  - *The scale, mass, form, roof pitch, height, materials and colour of surrounding buildings.*
  - *Surrounding landscape features.*
  - *Maintaining view lines from the local environs.*
  - *Incorporate landscaping into commercial development where there are setbacks provided.*

**Clause 15.01-2S Building design** has the objective to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Relevant strategies include:

- *Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Improve the energy performance of buildings through siting and design measures that encourage:*
  - *Passive design responses that minimise the need for heating, cooling and lighting.*
  - *On-site renewable energy generation and storage technology.*
  - *Use of low embodied energy materials.*
- *Restrict the provision of reticulated natural gas in new dwelling development.*
- *Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.*
- *Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
- *Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*

- *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*

**Clause 15.01-5S Neighbourhood character** has the objective to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Relevant strategies include:

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*
  - *Pattern of local urban structure and subdivision.*
  - *Underlying natural landscape character and significant vegetation.*
  - *Neighbourhood character values and built form that reflect community identity.*

#### Planning assessment against clause 15 of the PPF

##### *Urban design, building design, and neighbourhood character*

The proposed buildings adopt an architectural style with a strong commercial aesthetic that borders on industrial, characterised by a boxy built form and limited articulation, particularly along the Riverside Avenue frontage. This contrasts with the low-scale, more articulated forms that define the surrounding residential context. The southern façade of the rear apartments presents more like a back elevation than a primary street frontage, with unsheltered and undefined entries that create a poor interface with the street.

The space beneath the café deck on the southern side creates a void that appears unusable and may be difficult to maintain, collect debris, and detract from the café's presentation to the street.

The recessed undercroft parking areas diminish passive surveillance, as they are visually and physically separated from habitable rooms. This lack of oversight may reduce perceptions of safety and contribute to a poorly monitored space.

The location of bin enclosures and storage cages for individual units is not shown on the plans. These are critical to the day-to-day functioning of the development and should be clearly identified and sensitively integrated into the design to avoid negative impacts on circulation and amenity.

Overall, there is no clear narrative demonstrating how the proposed architectural form responds to the existing neighbourhood character, which weakens the justification for the design response. Further, the car dominance of the interior of the site compromises internal amenity in a way that would require a redesign to address. A more contextually sensitive approach is required to better integrate the development with its surroundings and support a more sympathetic built form outcome.

Given the site's prominent location adjacent to the Ovens River, a valued public asset known for its natural beauty and recreational use, it is especially important that the development achieves a high standard of architectural resolution and visual integration with both the natural and built environment. The proposed development fails to meet this high standard.

#### *Roof pitch*

Due to its location in the foothills of the Victorian Alps, Bright experiences higher than average annual rainfall and occasional snowfall. In this context, the proposed 2-degree roof pitch is considered marginal in terms of its functional performance, as such a shallow pitch is not well suited to climates with prolonged rainfall and freeze / thaw conditions. It increases the likelihood of:

- Water ponding and slow runoff during heavy rain;
- Leaf litter buildup, particularly given the prevalence of surrounding deciduous tree cover, which may lead to blocked drainage and increased maintenance.

To mitigate some of these risks, roof drainage systems should be designed with high-capacity gutters and incorporate overflow provisions to manage blockages or excessive runoff.

A steeper roof pitch of 5 to 7 degrees would offer significantly better performance in terms of runoff and snow shedding. However, this would increase overall building height which may present further challenges in balancing design functionality with sensitivity to neighbourhood character and scale. Most dwellings in the area are low-scale residential buildings with pitched roofs. The proposed low-pitch roof form therefore diverges from the prevailing roof character and is inconsistent with the established built form. Any approval of the development would require conditions to revise the roof pitch.

#### *Materials and finishes*

The material palette, comprising off-form concrete, Matrix panels, and glazing, reinforces the commercial character of the design. This contrasts with the predominantly brick and timber materials used in surrounding dwellings, which contribute to a warmer and more traditional residential character.

Off-form concrete requires careful detailing and high construction standards, as its visual quality depends heavily on the formwork material and workmanship. Detailing of tie holes, joints, and service penetrations will be critical to achieving a high-quality finish.

Matrix panels, which rely on expressed joints as part of their design, can be vulnerable to poor sealing, inadequate flashing, and thermal movement. These issues may affect the long-term durability and appearance of the façade.

If the proposed development is approved, clarification is required regarding the cladding material proposed for the south elevation of the café/apartment building. A full coloured materials schedule for the entire development should also be provided to support a more comprehensive assessment of visual impact, material consistency, and alignment with the surrounding character.

## **CLAUSE 16**

**Clause 16.01-S Housing** supply has the objective to facilitate well-located, integrated and diverse housing that meets community needs.

Relevant strategies include:

- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Encourage the development of well-designed housing that:*
  - *Provides a high level of internal and external amenity.*
  - *Incorporates universal design and adaptable internal dwelling design.*
- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*
- *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

### Planning assessment against clause 16 of the PPF

As has been established, the site is centrally located, zoned appropriately for residential development, and is of an appropriate size and location to support a high-density mixed use-type development.

The proposal includes fourteen (14) new dwellings clustered in separate three buildings, configured as 9 x 2-bedroom dwellings, 2 x 3-bedroom dwellings (above the cafe) and 3 x 4-bedroom dwellings.

There is significant policy support for an increase in housing supply and diversity in Bright; however, as is being communicated, the design raises concerns relating to urban design, building design and neighbourhood character, along with concerns relating to interface between private land and public land in the Ovens River Corridor. While additional housing should generally be supported, it is vital that the project in

this location is supported by high quality urban design and building design. In its current configuration, the project stands to contribute housing while subtracting considerably from the natural landscape, built form, and amenity of the area.

#### *Internal planning and amenity*

The house designs present compromises in amenity, particularly in bedrooms, some of which lack natural light and storage. At approximately 8 square metres, the single bedrooms on the upper floor of the rear units (drawing A304) are very small and lack built-in storage, which will limit functionality and amenity.

In Units 9, 10 and 11, the bedrooms appear to have no access to natural daylight due to the way the dwellings abut one another along the full length of the building. The amount of daylight access for the upper-floor single bedrooms in the other rear units is also unclear based on the information provided.

The section drawing for the apartments above the cafe (drawing A303.5.1) indicates that the internal ceiling height of the loft-level apartment bedrooms may fall below the minimum height required for habitable rooms. Habitable rooms, including bedrooms, must have a ceiling height of not less than 2.4 metres over at least two-thirds of the floor area.

In general, the development is consistent with strategies that seek to encourage infill development, but if approved, design changes (via amended plans) will be required to ensure greater compliance with internal planning and amenity standards, particularly relating to natural daylight to bedrooms and ceiling heights.

### **CLAUSE 17**

**Clause 17.01-1S Diversified economy** has the objective to strengthen and diversify the economy.

Relevant strategies include:

- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- *Improve access to jobs closer to where people live.*

**Clause 17.01-1L Diversified economy** has strategies including:

- *Protect the unique tourism attributes of the Shire from impacts from inappropriate commercial and industrial land use and development.*
- *Reinforce the important commercial, service and employment roles played by large townships.*

**Clause 17.02-1S Business** has the objective to encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Relevant strategies include:

- *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*

- *Locate commercial facilities in existing or planned activity centres.*
- *Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.*
- *Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.*

Planning assessment against clause 17 of the PPF **Clause 17.04-1S Facilitating tourism** has the objective to encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Relevant strategies include:

- *Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.*
- *Seek to ensure that tourism facilities have access to suitable transport.*
- *Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.*
- *Encourage investment that meets demand and supports growth in tourism.*

**Clause 17.04-1L Tourism** has the objective to enhance and expand the tourism industry, while protecting the environmental, landscape and cultural values of the Shire and the lifestyle of its residents.

Relevant general strategies include:

- *Encourage a diverse range of tourist activities, accommodation, eating establishments and facilities in appropriate locations to:*
- *Meet changing visitor needs.*
- *Generate increased visitation, yield, length of stay, and visitation dispersal.*
- *Spread tourism activity across the Shire more evenly, both geographically and seasonally.*
- *Locate tourist development in areas with support services and facilities where possible.*
- *Minimise the transport impact of proposed development on the amenity of the area and the operation of any agricultural uses nearby.*

A primary intent of clause 17 is to strengthen and diversify the regional and local economy, improve access to jobs, and support rural economies to grow and diversify. More specifically, Clause 17.01-1L seeks to reinforce the important commercial, service and employment roles played by large townships, such as Bright.

Bright plays an important service role to the tourism industries of the municipality. As identified in the Municipal Planning Strategy, tourism is a major driver of the economy and encompasses year-round nature; adventure based activities, and the area's environmental values, scenic landscape qualities, high quality wine and food

establishments, and a wide range of accommodation offerings, act as significant draw cards for tourism expenditure.

The proposal includes a new café that will assist in supporting the local tourism industry and economy more broadly. The proposal will contribute to the economic diversity and growth of Bright and the surrounding Alpine region as well as provide jobs and services to the local community.

The site is adjacent to the activity centre and surrounded by complementary land uses, and would provide greater accommodation options and choice, as sought by Clause 17.02-1S.

The development therefore supports implementation of each of the relevant clause 17 policies.

### **SUMMARY - COMPLIANCE WITH MPS AND PPF**

The table below provides a snapshot summary of this proposal's compliance with the MPS and PPF.

Complies		Does not Comply
MPS	Clause 02.03 - 1 Settlement	Clause 02.03-2 Environmental and landscape value
		Clause 02.03-5 Built environmental and heritage
	Clause 02.03-7 Business	
PPF		Clause 12.03-1S River and riparian corridors, waterways, lakes, wetlands and billabongs Clause 12.05-1L Public and private land interfaces Clause 12.05-2S Landscapes Clause 12.05-2L Landscapes

Complies		Does not Comply	
	Clause 13.02-1S Bushfire Planning Clause 13.02-1L Bushfire Planning Clause 13.05-1S Noise Clause 13.07-1S Land use compatibility		
		Clause 15.01-1S Urban Design Clause 15.01-1L Urban Design Clause 15.01-2S Building Design Clause 15.01-5S Neighbourhood character	
	Clause 16.01-S Housing Supply Clause 17.01-1S Diversified economy Clause 17.01-1L Diversified economy Clause 17.02-1S Business Clause 17.04-1S Facilitating tourism Clause 17.04-1L Tourism		

## ZONE, OVERLAY AND PARTICULAR PROVISIONS

The proposal is to be assessed against the following zone, overlay and particular provisions in the Alpine Planning Scheme:

### Clause 32.08 General Residential Zone

The subject land is located within the General Residential Zone. The purposes of this zone are to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Encourage development that respects the neighbourhood character of the area.*
- *Encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *Allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*



### *Land use*

Under clause 32.08-2 (Table of uses), a 'Food and drink premises' is a section 2 use that requires a planning permit.

### *Development*

Under clause 32.08-10, a permit is required for buildings and works associated with the 'Food and drink premises' (as a section 2 use).

### *Two or more dwellings on a lot*

Under clause 32.08-7, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

### Planning assessment against the GRZ

The proposal has been assessed against the relevant clauses of the MPS and PPF.

The site is an appropriate location for a high density residential and retail development.

The proposal is consistent with MPS and PPF policies relating to urban consolidation, housing supply, economic and tourism development, and land use compatibility and noise.

The proposal is inconsistent with MPS and PPF policies relating to environmental and landscape values, private and public land interfaces, urban design, building design and neighbourhood character. In addition, the design response falls significantly short of achieving high quality urban design and high quality building design outcomes, and does not make a strong, positive contribution to the Ovens River corridor landscape and or to Bright's township neighbourhood character.

On balance, the proposal fails to implement the first purpose and second purpose of the General Residential Zone.

As required by the zone, the proposal must be assessed against the relevant provisions of clause 55. A full assessment is provided in Attachment 2.

### **Clause 44.06 Bushfire Management Overlay**

The subject land is located in the Bushfire Management Overlay Schedule 1. The purpose of the BMO is to:

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

### *Permit requirement*

Under clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with use of the land for 'Accommodation'.

An application must be accompanied by:

- *A bushfire hazard site assessment*
- *A bushfire hazard landscape assessment*
- *A bushfire management statement*

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

### *BMO Schedule 1 – additional requirements*

Under clause 4 of Schedule 1, an application under the BMO1 must include a bushfire management plan that:

- *Shows all of the required bushfire protection measures specified in this schedule,*
- *Includes written conditions that implement the required bushfire protection measures,*
- *Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and*
- *Details vehicle access.*

Under clause 8 of Schedule 1, an application must also include the mandatory conditions as specified in Clause 44.06-5 (for buildings and works).

Clause 53.02 Bushfire planning applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.

Applications under clause 44.06 are referred to the Country Fire Authority for assessment. It considers relevant provisions in the clause, including:

- *Objectives*
- *Approved measures*
- *Alternative measures*
- *Decision guidelines*

### Planning assessment against clause 44.06 and clause 53.02

The proponent submitted information to address the requirements of the BMO and clause 52.03.

All assessments and plans were referred to the CFA, and the CFA has consented to the development proceeding subject to one condition.

The proposal complies with clause 44.06 and clause 53.02.

#### Clause 52.06 Car parking

Under clause 52.06-2, before a new use commences, the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- *on the land; or*
- *in accordance with a permit issued under Clause 52.06-3; or*
- *in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.*
- *If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.*

Under clause 52.06-5, the number of car parking spaces to be provided is as follows:

Use	Car parking rate required by Alpine Planning Scheme	Proposed car parking to be provided
Dwelling	<p>1 car parking space to each one or two bedroom dwellings, plus</p> <p>2 car parking spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom) plus</p> <p>1 car parking space for visitors to every 5 dwellings for developments of 5 or more dwellings</p> <p><math>9 + 10 + 3 = 22</math> spaces required</p>	<p>29 for residential use, including two (2) disabled car spaces and two (2) visitor spaces</p> <p>Complies</p>
Food and drink premises	<p>4 car parking space to each 100 sqm of leasable floor area</p> <p>4 spaces required</p>	<p>6</p> <p>Complies</p>

*Under clause 52.06-8, plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:*

- *a new use commences; or*
- *the floor area or site area of an existing use is increased; or*
- *an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.*

*The plans must show, as appropriate:*

- *All car parking spaces that are proposed to be provided (whether on the land or on other land).*
- *Access lanes, driveways and associated works.*
- *Allocation of car parking spaces to different uses or tenancies, if applicable.*
- *Any landscaping and water sensitive urban design treatments.*
- *Finished levels, if required by the responsible authority.*
- *Any other matter specified in a schedule to the Parking Overlay.*

*Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.*

*Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.*

*Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.*

*Under clause 52.06-9, plans prepared in accordance with clause 52.06-8 must meet the design standards at clause 52.06-9 unless the responsible authority agrees otherwise. Design standards apply for:*

- *Accessways*
- *Car parking spaces*
- *Gradients*
- *Mechanical parking*
- *Urban design*
- *Safety*
- *Landscaping*

*Under clause 52.06-11, where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:*

- *constructed and available for use in accordance with the plan approved by the responsible authority; and*
- *formed to such levels and drained so that they can be used in accordance with the plan; and*
- *treated with an all-weather seal or some other durable surface; and*
- *line-marked or provided with some other adequate means of showing the car parking spaces,*

*before any of the following occurs:*

- *the new use commences; or*
- *the floor area or site area of the existing use is increased; or*

- *the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.*

#### Planning assessment against clause 52.06

The proposal generates a requirement for twenty two (22) car spaces for the accommodation and four (4) car spaces for the Food and drink premises.

The development plans indicate that thirty five (35) car parking spaces will be provided on site, including twenty nine (29) for the accommodation (inclusive of two disabled spaces and two visitor spaces) and six (6) car spaces for the Food and drink premises.

This over-provision of car parking is largely made possible by utilising land underneath each of the accommodation buildings (for recessed, undercroft car parking) and comprises internal amenity.

In support of its proposal, the applicant provided a Traffic Impact Assessment Report by Impact Traffic Engineering Pty Ltd (dated 23/05/2023). This report was referred to Council's Engineering department, which advised that the car parking plan meets the requirements of clause 52.06-7.

In addition, an assessment must be undertaken against the design standards for car parking contained at Clause 52.06-9:

Design Standard	Compliance
Design Standard 1 – Accessways	<p>Complies with conditions</p> <p>Vehicles would be able to enter and exit the site in a forward direction.</p> <p>The accessway is at least 3 m wide and would provide a minimum trafficable width of 6.4 m for a length of 90.0 m (approx.).</p> <p>There is no passing area at the entrance at least 6.1 metres wide and 7 metres long that is within the subject land. The application proposes this within the road reserve (outside of the subject land), which is not satisfactory. A condition of permit will require the requisite passing area to be shown on the subject land as required by this Clause.</p> <p>The plans do not demonstrate that pedestrian sight line / corner splay requirements have been met. However, upon inspection of the plans, it is found that the pedestrian sight line / corner splay requirements can be met sufficiently.</p>

Design Standard	Compliance
Design Standard 2 – Car parking spaces	Complies The proposed car parking space dimensions and associated accessway widths are satisfactory.
Design Standard 3 – Gradients	Complies
Design Standard 4 – Mechanical Parking	Not applicable No mechanical parking is proposed.
Design Standard 5 – Urban Design	Complies The design and layout of the car parking areas is not visually dominant from the streetscape, which is considered to be a positive urban design outcome.
Design Standard 6 – Safety	Complies The design and layout of the car parking areas would allow for passive surveillance to be generally achieved whilst also recessing it from the streetscape – which is considered to be a positive safety and urban design outcome. Lighting detail has not been provided with the application. Conditions will be included on any permit issued for lighting details along the accessway to ensure a reasonable level of safety and amenity for residents. All car parking spaces are located in a close and convenient location relative to the dwellings and commercial premises.
Design Standard 7 – Landscaping	Complies Sufficient landscaping would be afforded to the site, including the car parking and accessway areas (although within the limitations imposed by the relevant bushfire provisions) to soften the appearance of hard paved surfaces and assist with climate control.

If the use and development is approved, conditions will be applied to the planning permit at the request of Council's Engineering department (requiring minor design changes).

Subject to those changes being made, the proposed car parking plan and detailed design can be shown to comply with the requirements of clause 52.06.

**Clause 55 Two or more dwellings on a lot and residential buildings** has as its purposes:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that responds to the site and the surrounding area.*

The clause contains Objectives that describe an outcome to be achieved in the completed development, and Standards which contain the requirements to meet the corresponding objectives. A development must meet all of the applicable objectives contained in this clause.

If a development meets a standard:

- *The corresponding objective is deemed to be met;*
- *The responsible authority is not required to consider the corresponding decision guidelines.*

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Planning assessment against clause 55

A detailed assessment against the requirements of clause 55 is provided in Attachment 2.

## **ANALYSIS OF ISSUES RAISED BY OBJECTORS**

Three objections were received in response to the application. An assessment of these is provided as follows:

Summary of concerns	Council Officer response
Congestion and safety	Council's Engineering team have reviewed the application and determined that it is an acceptable response having regard to road safety and the capacity of existing road infrastructure, subject to appropriate permit conditions being included on any permit issued. While traffic volumes along the surrounding road network would increase by virtue of the proposed use and development, the expected total traffic volumes would be lower than the nominal maximums considered appropriate for these streets.

Summary of concerns	Council Officer response
Car parking	<p>The proposed designs make provisions for the required number of car spaces in accordance with the requirements of clause 52.06.</p> <p>Note, in the Tribunal decision of Phoenix 9403 Pty Ltd v Latrobe CC [2016] VCAT 275 (26 February 2016), Member Watson contended that, where car parking was provided in accordance with the Scheme, there is no ambit of discretion to provide more than what the Scheme requires.</p> <p>As the proposal complies with car parking requirements in the Scheme, there is no discretion for Council to require the proponent provide more parking or a different car parking design.</p>
Vegetation and river / riparian impact	<p>Pursuant to clause 52.12-5 of the Alpine Planning Scheme, the application is exempt from the requirement to obtain a planning permit to remove, destroy or lop native vegetation (that would otherwise trigger the need for a planning permit under Clause 52.17 of the Scheme) to enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defensible space where it is in the BMO, zoned in a residential zone (i.e. the GRZ1), and complies with the requirements of Table 1 to Clause 53.02-3 of the Scheme (or as otherwise determined by the relevant building surveyor).</p> <p>It is noted that no planning controls apply to this site under the Alpine Planning Scheme which would otherwise trigger the requirement to obtain a planning permit for any removal, destruction or lopping of planted and/or non-indigenous (native) vegetation that does not require a planning permit.</p> <p>That notwithstanding, the proposal involves removal up to 29 trees from the site and does not include a plan to vegetate the site to mitigate the loss of canopy trees.</p> <p>The application has been assessed as not complying with relevant State and Local policy relating to Landscapes (clauses 12.05-2S and 12.05-2L), and also does not comply with the Tree Canopy requirements at Standard B2-7 (clause 55.02-7).</p> <p>With respect to waterways and riparian environments, the application was referred to GMW, NEW and NECMA, each of which consented to the development subject to conditions.</p>



Summary of concerns	Council Officer response
Construction issues	A condition of any permit issued will require the submission of a construction management plan post-permit and prior to the commencement of any buildings and works. Any consideration outside of this is beyond the ambit of discretion.
Visual bulk / over-development	As discussed throughout this report, the proposed design does not comply with relevant State and Local planning policies relating to urban design, building design, landscapes, and neighbourhood character.
Café is not a Section 1 Use in the GRZ1 and should be refused	<p>A Food and drink premises is a section 2 Use (Permit Required) under the GRZ1.</p> <p>Accordingly, a permit can be sought for that land use, and Council cannot outright prohibit the use.</p> <p>Council has considered whether it is appropriate to locate a non-residential land use in this location; on balance, Council finds that the site is suitable, and a cafe could operate alongside a high density development (while also noting that, separately, the overall design of the development is inappropriate and not an acceptable outcome in this location).</p>
Amenity (noise)	<p>Council is concerned that the proposed cafe includes an outdoor deck that will be located directly underneath two dwellings, and that noise from the cafe - including patrons, staff entering and exiting the building (and setting up the outdoor dining area), and deliveries - will generate noise and that noise may impact occupants above the cafe.</p> <p>If a permit is approved, conditions will be applied to ensure operating hours are as proposed, and that measures are taken to monitor and manage noise levels in accordance with relevant Codes and legislation.</p>
Amenity (views)	<p>As has been noted earlier in this report, Council staff hold serious concern about the architectural character, built form, materials and finishes, and proposed landscaping included in this development proposal.</p> <p>Council staff are not satisfied that this proposal achieves an appropriately high quality of urban design and high quality of building design befitting the significance of the site, and it is not satisfied that the development will make a strong, positive contribution to the Bright streetscape.</p>

Summary of concerns	Council Officer response
Amenity (overlooking)	The proposal has been assessed against Clause 55 - which includes detailed design requirements for multi-unit development - and it complies with the Overlooking objective and standard in clause 55.05-4 (Standard B4-4).
Property devaluation	Property values are not a relevant planning consideration and cannot factor into Council's decision on this application.
Likely occupation of housing for short term rentals (e.g. AirBnB)	The proponent has applied for a planning permit to use and develop the land for 14 dwellings.  Group accommodation (e.g. AirBnB) is a separate land use that requires planning approval.

### Clause 65 Decision guidelines

#### Planning assessment against clause 65

Decision Guideline	Planning assessment
The matters set out in Section 60 of the Act.	These matters have been considered.
Any significant effects the environment, including the contamination of land, may have on the use or development.	Significant environmental issues include bushfire risk and the proximity of the Ovens River corridor to the site. These issues have been fully considered in this report.
The Municipal Planning Strategy and the Planning Policy Framework.	The application has been assessed against all applicable clauses in the MPS and PPF.  On balance, the site is found to be suitable for a high density development of the type proposed, but the development proposal falls short of satisfying numerous State and Local planning policies relating to environments and landscapes, built environments and heritage, riparian environments, public-private land interfaces, urban design, building design, landscapes, and neighbourhood character.
The purpose of the zone, overlay or other provision.	The purpose of the GRZ, BMO and relevant particular provisions has been considered.  The proposal does not comply with the purposes of the GRZ; it does comply with the purposes of the BMO; it partly complies

Decision Guideline	Planning assessment
	with the purposes of the relevant particular provisions.
Any matter required to be considered in the zone, overlay or other provision.	Matters raised in the GRZ, BMO and particular provisions have been considered and detailed in this assessment report.
The orderly planning of the area.	Council finds that, on balance, the development proposal does not represent orderly planning for the area. The development will not achieve a high quality urban design or high quality building design outcome; it will have unacceptable impacts on the Ovens River corridor landscape, unacceptable impacts on the interface between public and private land, and does not integrate with the prevailing neighbourhood character.
The effect on the environment, human health and amenity of the area.	<p>The development's design has an unacceptable impact on the environment and amenity of the area.</p> <p>There is potential for some impacts on human health arising from the cafe being located below two dwellings, but these issues could be managed via permit conditions.</p>
The proximity of the land to any public land.	<p>The proposal seeks to use public land for the purpose of private decking and a walkway. This is an unacceptable proposal that is not supported by Council.</p> <p>The development's design is generally poorly conceived in respect of its interface with the Ovens River corridor and adjoining parkland.</p>
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	These matters have been considered.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	Stormwater has been considered and can be appropriately managed if the use and development is approved.

Decision Guideline	Planning assessment
The extent and character of native vegetation and the likelihood of its destruction.	No native vegetation is to be removed.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Not applicable.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	The site is affected by the BMO1 - appropriate analyses were undertaken and assessed by the CFA, and consent for the development has been provided.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	These matters were considered as part of the traffic management plan assessed by Council's Engineering department.
The impact the use or development will have on the current and future development and operation of the transport system	If the use and development is supported, the impacts on the transport system will be negligible.

## CONCLUSION

Permit application P.2020.153 has been assessed against the relevant clauses of the Alpine Planning Scheme, including the Municipal Planning Strategy, the Planning Policy Framework, the General Residential Zone, the Bushfire Management Overlay, and the Particular Provisions and General Provisions.

The proposed land use and development is consistent with planning policies relating to urban consolidation, housing supply, economic and tourism development, land use compatibility, and noise.

The proposed use and development is inconsistent with planning policies relating to environmental and landscape values, built environment and heritage, riparian environments, private and public land interfaces, urban design, building design, and neighbourhood character.

The proposed use and development is inconsistent with the first and second purposes of the GRZ, and fails to meet numerous objectives in clause 55.

While Council finds that the subject site is an appropriate location for a residential and retail development, the proposal:

- Does not achieve a high quality of urban design or building design;
- Does not appropriately integrate with the site, the landscape, or the prevailing neighbourhood character in Bright's commercial area;

- Does not achieve an acceptable public-private land interface and will detrimentally impact public land access in this location;
- Does not protect important and sensitive environments, view lines and tree canopy in the Ovens River corridor; and
- Does not overall represent a good planning outcome for Bright.

It is on this basis that Council should determine to issue a Notice of Refusal to Issue a Planning Permit.

### **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
- Statutory Planning Coordinator

### **ATTACHMENT(S)**

1. **9.3.4.1** P 2020153 Attachment 1 Development Plans
2. **9.3.4.2** P.2020.153 Attachment 2 Clause 55 Assessment

## 10 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 June / July 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
24 June	Briefing Session
1 July	Events Grants Funding Panel
1 July	Community Grants Funding Panel
1 July	Briefing Session
8 July	Briefing Session
15 July	Briefing Session
22 July	Briefing Session

### ATTACHMENT(S)

1. **10.1.1** Informal Meeting of Councillors - 20250624(F)
2. **10.1.2** Informal Meeting of Councillors - EGFP 20250701(F)
3. **10.1.3** Informal Meeting of Councillors - CGFP 20250701(F)
4. **10.1.4** Informal Meeting of Councillors - 20250701 (F)
5. **10.1.5** Informal Meeting of Councillors - 20250708 (F)
6. **10.1.6** Informal Meeting of Councillors - 20250715 (F)

7. **10.1.7** Informal Meeting of Councillors - 20250722 ( F)

## 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 signing and sealing

### **RECOMMENDATION**

*That the following documents be signed and sealed.*

- 1. Councillor Gift Policy (Version 2)**
- 2. Sealing of Unsealed Roads Policy No. 038 (Version 4)**
- 3. Road Management Plan (Version 6)**
- 4. Lease of Site 7 on Lot 1, Plan of Subdivision PS612929, 266 Buckland Valley Road, Porepunkah.**

## 16 Closure of meeting

There being no further business, the Chairperson declared the meeting closed at \_\_\_\_\_pm.