

M(5) – 26 MAY 2026

# 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 Myrtleford Memorial Hall, 154-156 Myrtle Street, Myrtleford on **26 May 2026** commencing at **5:00 pm**.

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## 1 Recording and livestreaming of Council meetings

*The CEO will read the following statement:*

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

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

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

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

The full meeting is being streamed live on Council's YouTube channel which is "Alpine Shire Council" and will also be available on the YouTube channel shortly after this meeting.

## 2 Acknowledgement of Traditional Custodians and recognition of all people

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

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

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

## 3 Confirmation of minutes

### 3.1 ORDINARY COUNCIL MEETING M(4) HELD ON 28 APRIL 2026

#### **RECOMMENDATION**

***That the minutes of the Ordinary Council Meeting M(4) held on 28 April 2026 as circulated be confirmed.***

## 4 Apologies

## 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

## 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 Presentation of reports by officers

### 8.1 CHIEF EXECUTIVE OFFICER - WILL JEREMY

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

**RECOMMENDATION**

*That Council:*

- 1. Notes the following Capital Project Contracts approved under delegation by the CEO:**

<b>Contract No: 3402</b>		<b>Process: RFQ</b>
<b>Title:</b>	<b>Tawonga Pioneer Memorial Park - Court Resurfacing</b>	
<b>Tenderer:</b>	<b>Tuff Group Holdings Pty Ltd - Heatherton, Victoria</b>	
<b>Budget (\$ excl GST):</b>	<b>\$60,000.00</b>	
<b>Contract (\$ excl GST):</b>	<b>\$83,633.90</b>	

<b>Contract No: 3608</b>		<b>Process: RFQ</b>
<b>Title:</b>	<b>Tawonga Pioneer Memorial Park - Fence Renewal</b>	
<b>Tenderer:</b>	<b>Tuff Group Holdings Pty Ltd - Heatherton, Victoria</b>	
<b>Budget (\$ excl GST):</b>	<b>\$50,000.00</b>	
<b>Contract (\$ excl GST):</b>	<b>\$34,032.27</b>	

- 2. Notes that a Memorandum of Understanding (MoU) has been executed under CEO delegation between Alpine Shire Council (Council) and Tourism North East (TNE).**

The MoU commits Council, as one of eight Regional Tourism Partners, to a three year partnership over the period 1 July 2026 to 30 June 2029.

The financial commitment associated with the execution of this MoU is \$42,000 of base operational funding in year one, subject to CPI increases in years two and three of the MoU. The year one cost has been included in the draft 2026/27 Budget, which is currently on public exhibition. Additional costs associated with buy-in to activity funding are subject to Council's normal annual budgeting processes.

A copy of the MoU will be made available on Council's website.

## 8.2 DIRECTOR ASSETS - SARAH BUCKLEY

### 8.2.1 Draft Sporting Reserves Maintenance Support Policy 2026

#### **INTRODUCTION**

The Draft Sporting Reserves Maintenance Support Policy 2026 (draft policy) aims to provide an equitable allocation of resources to the sporting reserves managed by committees of management (committees) appointed by the Department of Energy, Environment and Climate Action (DEECA) or community asset committees appointed by Alpine Shire Council (Council).

The draft policy was informed by targeted stakeholder consultation carried out over the last six months with those groups materially affected by this draft.

#### **RECOMMENDATION**

*That Council:*

- 1. Endorses the Draft Sporting Reserves Maintenance Support Policy (Attachment 1);**
- 2. Endorses an engagement process to seek community feedback on the Draft Sporting Reserves Maintenance Support Policy (Attachment 1); and**
- 3. Notes that Council officers will consider community feedback and report back to Council at a future Council meeting.**

#### **BACKGROUND**

The funding arrangements and maintenance responsibilities for sporting reserves across Alpine Shire are currently guided by the Building/Facilities Maintenance Policy 56, adopted at the Ordinary Council Meeting held on 13 December 2005. This policy includes two key components:

- Sporting and Recreation Ground Maintenance; and
- Building Maintenance.

A new draft policy has been developed to specifically review and update the sporting and recreation ground maintenance component. This draft policy reflects the significant changes in the nature of sport and the increased frequency of reserve use since 2005.

The building maintenance policy component is currently also under review and is expected to be considered by Council in mid-2026.

#### **ISSUES**

Several issues have emerged under the existing framework, including:

- Inequities in funding distribution;
- The need to reassess funding levels to determine whether they remain appropriate and reflective of current costs; and

- Council’s desire to introduce greater accountability for reserve committees regarding the use of annual maintenance grants.

The new policy aims to:

- Ensure funding is distributed fairly and consistently across all sporting reserves;
- Promote transparency and accountability in the allocation and use of Council funding;
- Strengthen reserve committee confidence in the equitable management and maintenance of reserves across the Alpine Shire;
- Clearly document Council’s level of support for mowing, spraying, and Verti-draining activities; and
- Provide a policy framework that reflects the current needs and expectations of reserve committees.

**POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

- 3.5 We recognise the importance of high-quality facilities, outdoor spaces, and connected footpaths, tracks, and trails to provide access to key services and support the wellbeing of our communities

**FINANCIAL AND RESOURCE IMPLICATIONS**

Support for the draft policy will remain subject to Council’s annual budget process.

Each reserve will be required to submit a yearly application and acquittal to be eligible for funding. Council officers will assess all applications and use this information to inform the proposed allocations presented as part of each annual budget. The potential funding amounts available to each reserve are listed in the Policy (Attachment 1).

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Those committees involved in targeted engagement do not support draft policy	Unlikely	Minor	All requests received at the targeted engagement stage have been considered in the drafting of this policy

## **CONSULTATION**

Targeted stakeholder consultation with relevant stakeholders was conducted to inform the draft policy.

To engage with those key stakeholders and to consult with the community on the draft policy, Council officers are proposing to undertake community engagement for a four-week period. Methods of engagement will include the draft policy on exhibition on Engage Alpine, with a hard copy made available for viewing during opening hours at the Council office in Bright, and the libraries in Mount Beauty and Myrtleford.

Council officers will consider feedback and update the draft policy, where appropriate, following receipt of feedback, and all feedback and a final Sporting Reserves Maintenance Support Policy is expected to be considered by Council at a future Council meeting.

## **CONCLUSION**

The Draft Sporting Reserves Maintenance Support Policy 2026 is a key mechanism to ensure the equitable support across all sporting reserves managed by committees of management appointed by the DEECA or community asset committees appointed by Council.

Providing this support enables committees of management and community asset committees to continue maintaining high quality community facilities into the future.

It is recommended that Council endorses the draft Policy for public exhibition and community engagement for a four-week period.

## **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
- Property and Contracts Coordinator

## **ATTACHMENT(S)**

1. **8.2.1.1** Final Sporting Reserves Maintenance Policy 2026

## 8.2.2 Lease of land at 5 Elm Court, Bright

### **INTRODUCTION**

This report relates to a new lease for land at Crown Allotment 2E Section C2, Township of Bright and reserved pursuant to an Order in Council published in the Victoria Government Gazette dated 17 November 1971 at page 3637 for public purposes (pre-school centre).

### **RECOMMENDATION**

*That Council:*

- 1. Approves and executes a lease for land at Crown Allotment 2E Section C2, Township of Bright; and***
- 2. Signs and seals the lease for land at Crown allotment 2E Section C2, Township of Bright at the appropriate stage of the meeting.***

### **BACKGROUND**

Council was appointed by the Department of Energy, Environment and Climate Action (DEECA) as Committee of Management (CoM) for the parcel of land known as 5 Elm Court, Bright, shown outlined in red below.

The site formerly accommodated the Bright Kindergarten and was left vacant when the kindergarten relocated to the Alpine View Children's Centre at 23 Deacon Avenue in Bright in January 2013.

A public Expression of Interest (EOI) process for future use of the property was undertaken in April 2013; however, no suitable proposals were received. A subsequent EOI process was conducted in 2015, resulting in Council approving a lease for the use of the property for a dance school for a five-year term with no further options.

Following the end of the lease in 2021, a market review was undertaken to inform the future rent rate for the property in any future lease. An EOI process was undertaken with one submission received from the current tenant who proposed the continued use of the premises as a dance school. Council approved a lease for a two-year term with a further three-year option to extend the lease.

Following consultation with internal stakeholders regarding the future use of the site, it was determined that offering a five-year lease with a further five-year option to extend would be appropriate. In 2026, a further EOI process was undertaken. One submission was received from the current tenant proposing the continued use of the premises as a dance school.

As Council is the CoM over this parcel of Crown Land, any lease is issued under Section 17D of the *Crown Land (Reserves) Act 1978* as a Retail Lease. This document was prepared in conjunction with DEECA.



**Figure 1: The proposed lease area shown outlined in red above.**

**ISSUES**

The proposed five-year lease with a further five-year option to extend is intended to provide sufficient flexibility for Council to respond to the findings and recommendations arising from the draft Alpine Shire Community Infrastructure Needs Assessment 2025, and the Aquatics and Indoor Stadium Feasibility Study 2026. Both documents identify possible future uses for the land, which will be considered in the preparation of a structure plan for Bright later this decade. The proposed lease duration ensures continuity of use while allowing Council to implement any future changes to service delivery or facility requirements identified through the structure planning process.

**POLICY IMPLICATIONS**

The process adopted by Council to enter into a lease is in accordance with the Alpine Shire Council Community Engagement Policy 2024 and Section 115 of the Local Government Act 2020.

In accordance with Section 115 of the Local Government Act 2020, a Council decision is required to enter into a lease of land for ten years or more, regardless of value, and this decision cannot be delegated.

Section 115 of the Local Government Act 2020 states:

- (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 the lease.

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

2.9 We support a strong and sustainable economy across Alpine Shire.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The rental amount for the lease has been incorporated into the 2025-26 Budget with the rate established through a market review in 2021 and a competitive EOI process.

Rental income from this property has been incorporated into Council's 2025-26 Budget and is subject to an annual Consumer Price Index increase.

As per the lease obligations, Council is responsible for any major maintenance and capital repairs or alterations of a capital nature. Council is responsible for the renewal costs associated with the property following approval by DEECA. These associated capital costs have been included in Council's ten-year Asset Plan.

The Elm Court premises has an estimated useful life of 55 years, a total replacement cost of \$519,400 and an annual depreciation of \$9,444. The estimated renewal costs required over the next ten years are estimated at \$103,778.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Lessee is unable to fulfill their obligations.	Rare	Minor	Council follows an EOI process to identify a new tenant or takes on the management of the facility.

## **CONSULTATION**

In October 2025, in accordance with Council's Community Engagement Policy 2024, Council advertised an EOI for a five-year lease with a further five-year option to extend for commercial space at 5 Elm court, Bright. One submission was received from the current tenant.

DEECA was consulted and has given in principle approval for the lease and the operation of the hall as a dancing school.

## **CONCLUSION**

The approval of a lease for the land at Crown Allotment 2E Section C2, Township of Bright will ensure the use of this facility and facilitate a dance school in Bright.

Council has met its obligations under its Community Engagement Policy 2024 and Section 115 of the Local Government Act 2020, and no further community engagement is required.

This lease can now be considered by Council.

## **DECLARATION OF CONFLICT OF INTEREST**

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

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

## **ATTACHMENT(S)**

Nil

## 8.2.3 Lease of various parcels of land to tennis clubs in Bright, Mount Beauty and Myrtleford

### INTRODUCTION

This report relates to three new leases for land comprising a part of:

- land in Crown Allotment 3 Section H Parish of Bright known as the Bright Tennis Club;
- land in Crown Allotment 20A Section E Township of Myrtleford known as the Myrtleford Lawn Tennis Club; and
- Lot 2 LP215137, located at Tennis Court Avenue, Mount Beauty known as the Mount Beauty Tennis Club.

The proposed leases formalise the ongoing use of these sites for tennis by documenting the terms and conditions under which each property has historically been occupied. This ensures clarity regarding responsibilities, asset management, and legal compliance for both Council and the respective lessees.

### **RECOMMENDATION**

***That Council:***

- 1. Approves and executes a Crown lease for:***
  - a. A part of land in Crown allotment 3 Section H Parish of Bright; and***
  - b. A part of land in Crown allotment 20A Section E Township of Myrtleford;***
- 2. Approves and executes a lease on Council land for a part of Lot 2 LP215137, located at Tennis Court Avenue, Mount Beauty; and***
- 3. Signs and seals the leases at the appropriate stage of the meeting.***

### BACKGROUND

Alpine Shire Council (Council), as Committee of Management, is responsible for the management of Crown Allotment 3 Section H, Parish of Bright and Crown Allotment 20A Section E Township of Myrtleford, see Figures One and Two. Council is the landowner of Lot 2 LP215137, located along Tennis Court Avenue, in Mount Beauty, see Figure Three. The three parcels of land serve as tennis courts for three tennis clubs being the Bright Tennis Club Inc., the Mount Beauty Tennis Club Inc. and the Myrtleford Lawn Tennis Club Inc.

The buildings and associated infrastructure at the Bright and Myrtleford Tennis Clubs are tenant improvements. At the Mount Beauty Tennis Club, the building is a Council-owned asset, while the courts and associated infrastructure are tenant improvements. The proposed leases address the current absence of formal, binding agreements governing the occupation and use of the land, ensuring appropriate documentation of responsibilities and compliance requirements for both Council and the respective clubs.



**Figure One: The proposed lease area outlined in red in Bright (Crown Allotment 3 Section H, Parish of Bright).**



**Figure Two: The proposed lease area outlined in red in Myrtleford (Crown Allotment 20A Section E Township of Myrtleford).**



**Figure Three: The proposed lease area outlined in red in Mount Beauty (Lot 2 LP215137, located along Tennis Court Avenue, in Mount Beauty).**

## **ISSUES**

Given the established, long-term occupation and the nature of the facilities, Council had limited opportunity to undertake an Expression of Interest process for these parcels of land.

## **POLICY IMPLICATIONS**

The process adopted by Council to enter into a lease is in accordance with the Alpine Shire Council Community Engagement Policy 2024 and Section 115 of the Local Government Act 2020.

In accordance with Section 115 of the Local Government Act 2020, a Council decision is required to enter into a lease of land for 10 years or more, regardless of value, and this decision cannot be delegated.

Section 115 of the *Local Government Act 2020* states:

- (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 the lease.

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

2.9 We support a strong and sustainable economy across Alpine Shire.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The annual lease fee for each of the parcels of land is \$257.75 (excl GST), which is in accordance with the fees included in the adopted Alpine Shire Council 2025-26 Budget. Rental income from these properties is subject to an annual Consumer Price Index increase.

As outlined in the lease agreements for the Myrtleford and Bright Tennis Clubs, all buildings and associated infrastructure are classified as tenant improvements; therefore, Council has no responsibility for their maintenance or renewal.

As per the lease for the Mount Beauty Tennis Club Inc., the tennis courts and associated court infrastructure are deemed to be tenant improvements; therefore, Council has no responsibility for their maintenance or renewal.

However, the lease obligations stipulate, as the asset owner, Council is responsible for the major maintenance and renewal costs associated with the Tennis Club Rooms. These associated capital costs have been included in Council's ten-year Asset Plan.

The Mount Beauty Tennis Club Room has an estimated useful life of 55 years, a total replacement cost of \$111,152 and an ongoing annual depreciation of \$2,021. The estimated renewal costs required over the next ten years are estimated at \$28,685.

The proposed lessees have managed the sites successfully to date for the benefit of the community. Given the capital investments made by the occupants, the proposed leases are for a 20-year period.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Lessee/s is/are unable to fulfill their obligations.	Rare	Minor	Council may inherit the building/s and nominate a suitable operating model to manage the facility/ies.

**CONSULTATION**

In April 2026, in accordance with Council's Community Engagement Policy 2024, notice was given to inform the public that Council intended to enter into a lease for the three parcels of land with the existing tenants.

The intent of the notice was to inform the community and provide them with the opportunity to comment prior to the lease being executed. No submissions were received.

The Department of Energy, Environment and Climate Action (DEECA) was consulted and is supportive of the issuing of the two crown leases. Approval in principle has been received from DEECA for Bright and Myrtleford.

Consideration has been given to the future use of each site, including the implications of the findings and recommendations of the draft Alpine Shire Community Infrastructure Needs Assessment 2025 (CINA), and the Alpine Sport and Recreation Active Master Plan 2024 (ASRAMP). The CINA and ASRAMP identify the facilities at the Mount Beauty Tennis Club as being in poor condition and recommend that they be identified for future upgrades. Both documents recommended that Council continues to facilitate the use of the land for tennis.

**CONCLUSION**

The lease of the three parcels of land to the three tennis clubs (the Bright Tennis Club Inc., the Mount Beauty Tennis Club Inc. and the Myrtleford Lawn Tennis Club Inc.) will ensure the continued use of these sites as tennis courts helping to facilitate this sport in Alpine Shire.

Council has met its obligations under the Community Engagement Policy 2024 and Section 115 of the Local Government Act 2020, and no further community engagement is required.

These leases can now be considered by Council.

## **DECLARATION OF CONFLICT OF INTEREST**

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

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

## **ATTACHMENT(S)**

Nil

## 8.2.4 Lease of land at Site 5 at the Mount Beauty Airfield on Lot 2 PS705744, Embankment Drive, Mount Beauty

### INTRODUCTION

This report relates to a new lease for Site 5 at the Mount Beauty Airport on Lot 2 PS705744, Embankment Drive, Mount Beauty.

### **RECOMMENDATION**

*That Council:*

- 1. Approves and executes a Lease for Site 5 on Lot 2 Plan of Subdivision PS705744, Embankment Drive, Mount Beauty for an aircraft hangar; and***
- 2. Signs and seals the lease of Site 5 on Lot 2 Plan of Subdivision PS705744 at the appropriate stage of the meeting.***

### BACKGROUND

At its Ordinary Council Meeting held in December 2008, Alpine Shire Council (Council) resolved to approve the leasing of aircraft hangar sites at the Mount Beauty Airport. The aircraft hangar sites are located on Lot 2 on Plan of Subdivision PS705744, Embankment Drive, Mount Beauty. Mount Beauty Airport Management Association (MBAMA) manages the airport on behalf of Council.

In 2012, Council granted a lease on Site 5, shown on Figure One below, for a term of ten-years with a further ten-year option. In 2019, the lease was transferred for the balance of the original lease term.

In April 2026, Council and MBAMA approved the transfer of the lease as part of a proposed sale; however, Council officers and the tenant have been unable to locate the signed lease documentation. As a result, and due to the absence of an executed lease, a new lease agreement is required to be entered into prior to any transfer associated with the sale.

Standard lease documentation has since been prepared for the purpose of formalising a long-term aircraft hangar lease on this land. The proposed lease term is ten years with a further ten year option. Lease fees are calculated based on the square metre area of the leased site and are subject to annual increases in accordance with the Consumer Price Index (CPI).



**Figure One: The proposed lease area for Site 5 at the Mount Beauty Airport on Lot 2 PS705744, Embankment Drive, Mount Beauty is outlined in red.**

## **ISSUES**

In the absence of a signed lease, a new lease agreement must be entered into prior to any transfer associated with the sale. Given this requirement, issuing a new 20-year lease, rather than for only the six years remaining, is the preferred approach, as it provides long-term security of tenure and avoids the need for Council to undertake a further lease renewal process in six years' time.

**POLICY IMPLICATIONS**

The process previously adopted by Council for the awarding of leases at the Mount Beauty Airport was in accordance with the obligations of the Local Government Act 1989 and the Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land June 2009. This lease is to be awarded under these processes.

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

2.9 We support a strong and sustainable economy across Alpine Shire.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The existing hangar is considered a tenant improvement; Council will not be responsible for ongoing maintenance or associated costs.

Forward lease charges will be indexed annually in accordance with the CPI.

Income collected from aircraft hangar rentals at the airport is paid to MBAMA to assist it in fulfilling its responsibilities for safe operation and day-to-day maintenance of the airport.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Non-compliance of lease requirements.	Unlikely	Minor	Termination of lease.

**CONSULTATION**

In accordance with Section 190 of the Local Government Act 1989 (the act), public notices were posted in May 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 intention 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 airport.

MBAMA 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 airport, does not require further community engagement and this lease (Site 5 on Lot 2 of Plan of Subdivision PS705744), can be 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 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

## 8.2.5 Lease of land in Bright, Mount Beauty and Myrtleford to Alpine Children's Service

### INTRODUCTION

This report relates to three leases for premises and associated land at:

- Lot 2 on Plan of Subdivision 21513P, known as the Lake View Children's Centre in Mount Beauty ("Lake View"), and the relevant portion of land described in Certificate of Title Volume 09710 Folio 845;
- Lot 1 and 2 on Title Plan 241095C, known as Mountain View Children's Centre in Myrtleford ("Mountain View"), and the relevant portion of land described in Certificate of Title Volume 08054 Folio 257; and

a sub-lease for:

- the relevant area of the land described in Certificate of Title Volume 1503 Folio 597, Certificate of Title Volume 10205 Folio 525, and Crown Grants Volume 2046 Folio 027 and Volume 10205 Folio 136, known as Alpine View Children's Centre in Bright ("Alpine View").

The proposed leases formalise the ongoing use of these sites for the provision of childcare services by documenting the terms and conditions under which each property has historically been occupied. This ensures clarity regarding responsibilities, asset management, and legal compliance for both Council and the lessee.

### **RECOMMENDATION**

***That Council:***

- 1. Approves and executes a lease for:***
  - a. Lot 2 on Plan of Subdivision 21513P, known as the Lake View Children's Centre in Mount Beauty, and the relevant portion of land described in Certificate of Title Volume 09710 Folio 845;***
  - b. Lot 1 and 2 on Title Plan 241095C, known as Mountain View Children's Centre in Myrtleford, and the relevant portion of land described in Certificate of Title Volume 08054 Folio 257;***
- 2. Approves and executes a sub-lease for the part of the land and the improvements erected on the relevant area of the land described in Certificate of Title Volume 1503 Folio 597 and Title Volume 10205 Folio 525 and Crown Grants Volume 2046 Folio 027 and Volume 10205 Folio 136, known as Alpine View Children's Centre in Bright; and***
- 3. Signs and seals the leases at the appropriate stage of the meeting.***

## **BACKGROUND**

Prior to 2000, childcare services within the municipality were assessed as inefficient and unsustainable. In response, Alpine Children's Services (ACS) was established to provide a coordinated and viable service model.

In July 2012, Alpine Shire Council (Council) and ACS entered into a Memorandum of Understanding (MoU) that outlined the partnership between the parties. The MoU detailed arrangements relating to management support, financial contributions, building and grounds maintenance, insurance responsibilities and obligations associated with former Council staff.

The MoU, which functioned as a tenancy agreement, expired in 2017.

In 2023, Council and ACS commenced discussions to formalise ongoing occupancy arrangements for each site. Both parties have since negotiated the terms of the proposed new leases.

Council officers consider that all relevant clauses and terms of the former MoU have informed the preparation of the proposed leases. Leases are the appropriate instrument to define roles and responsibilities for Council and the lessee for the occupancy of the premises.

## **ISSUES**

Mountain View is no longer considered fit for purpose and has been identified for future renewal. It is anticipated that the existing lease will be reviewed and may be terminated and replaced or varied to align with the future use and redevelopment outcomes of the site.

Council holds a head lease with the Department of Education for the Alpine View site, which expires on 22 October 2034. A clause has been included in the sub-lease confirming that its term is contingent upon a head lease remaining in place.

## **POLICY IMPLICATIONS**

The process adopted by Council to enter into a lease is in accordance with the Alpine Shire Council Community Engagement Policy 2024 and the Local Government Act 2020.

In accordance with Section 115 of the Local Government Act 2020, a Council decision is required to enter into a lease of land for ten years or more, regardless of value, and this decision cannot be delegated to Council officers.

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

2.9 We support a strong and sustainable economy across Alpine Shire

**FINANCIAL AND RESOURCE IMPLICATIONS**

The proposed lessee, ACS, has managed the sites successfully to date. The proposed lease term is five years with two further terms of five years each.

The lease rent for each of the three sites is \$257.75 and is subject to annual Consumer Price Index increase. In relation to the Bright facility, which is owned by the Department of Education, Council leases the facility from the Department of Education for a 21-year term expiring on 22 October 2034 for \$1 per annum.

The rental income and cost for these properties have informed Council's 2025/26 budget and the draft budget for 2026/2027.

ACS and Council officers acknowledge that the proposed lessee is receiving a discounted rent as part of Council's support for the provision of childcare services in the Alpine Shire.

This discounted rate is also under the provision that the proposed lessee allows the operation of the maternal health and immunisations programs from within each of the facilities. This includes access to a room, shared kitchen and toilet facilities. General cleaning and utilities are covered by ACS.

Alpine Shire Council Policy No. 56 Building/Facility, or as updated, applies to this lease.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Lessee is unable to fulfill its obligations	Rare	Minor	Council will follow an expression of interest process for a new tenant or takes on the management of the facility.
Department of Education head lease with Council is not renewed at Alpine View Children's Centre	Rare	Moderate	Sub-lease is cancelled and the responsibility is returned to the Department of Education. The sub-lease has provision for this to occur.

Risk	Likelihood	Impact	Mitigation Action / Control
The Statement of Purpose for ACS is substantially amended to change the nature and operation of the organisation	Unlikely	Minor	Leases have provisions for Council to adjust to a market rent should this occur.

## CONSULTATION

Section 115 of the Local Government Act 2020 states:

- (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 the lease.

In December 2025, in accordance with Council's Community Engagement Policy 2024, notice was given to inform the public that Council intended to enter into a lease for the three parcels of land with the existing tenants.

The intent of the notice was to inform the community and provide them with the opportunity to comment prior to the lease being executed. No submissions were received.

ACS, the proposed lessee, has been consulted with and has confirmed its agreement to the terms of the proposed leases.

Consideration to any possible future uses of each site will be undertaken as part of the preparation of structure plans for each of the townships. The proposed lease terms are intended to provide sufficient flexibility to Council to respond to the findings and recommendations arising from any of the technical background reports that are

currently being undertaken to inform the preparation of structure plans, changes to the provision of childcare, etc.

## **CONCLUSION**

The proposed leases formalise the ongoing use of these three sites for the provision of childcare services ensuring this important community service is provided across Alpine Shire.

Council has met its obligations under the Alpine Shire Council Community Engagement Policy 2024 and Section 115 of the Local Government Act 2020.

The three proposed leases can now be considered by Council.

## **DECLARATION OF CONFLICT OF INTEREST**

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

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

## **ATTACHMENT(S)**

Nil

## 8.2.6 Adoption of Amendment C65alpi to the Alpine Planning Scheme

### INTRODUCTION

This report summarises the outcomes of public exhibition and the independent planning panel associated with Amendment C65alpi to the Alpine Planning Scheme. It recommends that Council adopts the amendment prior to submitting it to the Minister for Planning for approval.

### **RECOMMENDATION**

*That Council:*

- 1. Notes that Amendment C65alpi to the Alpine Planning Scheme received six submissions;**
- 2. Notes the Delegate's Report for Amendment C65alpi, which outlines Council officers' response to the concerns raised in submissions (Attachment One);**
- 3. Adopts the Planning Panel's recommendations as outlined in the Panel Report (Attachment Two);**
- 4. Adopts Amendment C65alpi to the Alpine Planning Scheme with post-exhibition changes (Attachment Three) in accordance with Section 29 of the Planning and Environment Act 1987; and**
- 5. Submits Amendment C65alpi to the Alpine Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the Planning and Environment Act 1987.**

### BACKGROUND

Amendment C65alpi (the amendment) is required to implement the recommendations of the Alpine Planning Scheme Review 2023 (the Review) into the Alpine Planning Scheme.

The Review was finalised in May 2023 as required by Section 12B of the Planning and Environment Act 1987 and was noted by Council at the Ordinary Council Meeting held on 26 April 2023. Council resolved to authorise Council officers to prepare and exhibit a planning scheme amendment to implement the findings of the Review.

The amendment proposes the following changes to the Alpine Planning Scheme:

- introduces new or revised local content into the Municipal Planning Strategy, Planning Policy Framework, and schedules to zones, overlays, particular provisions, general provisions and operational provisions to implement the recommendations of the Review;
- rezone the north part of the properties at 27, 33 and 35 King Street, Myrtleford from General Residential Zone (Schedule 1) to Farming Zone so that each land parcel is no longer in two zones;
- remove Development Plan Overlay (Schedule 1) from the area around Tempo Court, Bright;
- implements the land use and development directions of Council's adopted strategies and documents, including the:

- Alpine Shire Affordable Housing Research and Analysis Paper (Alpine Shire Council, 2022).
  - Alpine Shire Economic Development Strategy (Urban Enterprise Pty Ltd and Alpine Shire Council, 2022).
  - Alpine Shire Events Strategy (Urban Enterprise Pty Ltd, 2021).
  - Alpine Shire Rural Land Use Strategy (Alpine Shire Council, 2015).
  - Alpine Sport and Active Recreation Plan 2022-2033 (Alpine Shire Council, 2022)
  - Community Vision 2040 and Council Plan 2021-25 including the Municipal Public Health and Wellbeing Plan 2021-2024 (Alpine Shire Council, 2021).
  - Myrtleford Resilience Plan (Projectura Pty Ltd, 2019).
- clarifies and improves the style, format, language or grammatical form of content in accordance with the requirements of the Ministerial Direction: the Form and Content of Planning Schemes and principles set out in A Practitioner's Guide to Victoria's Planning Schemes, June 2024 where the intended effect of that clause or any other clause is not changed;
  - updates clause references, department names, legislation names, document references, terminology and statistical data'
  - deletes or adjusts content that conflicts with State planning policy of the Victoria Planning Provisions;
  - removes repetitive content;
  - removes or updates outdated content; and
  - the amendment also introduces policy at Clause 15.01-2L Environmentally Sustainable Design (ESD) of the Alpine Planning Scheme to ensure that development in the Alpine Shire achieves a standard of environmental sustainability, in line with other councils which use an equivalent local policy.

The amendment was exhibited from 18 September to 20 October 2025 in accordance with the requirements of the Planning and Environment Act 1987. The amendment documentation is included as Attachment Three.

## **ISSUES**

The amendment received six submissions during the exhibition period. This included submissions from:

- Two individual residents;
- North East Catchment Management Authority;
- North East Water;
- Agriculture Victoria; and;
- Goulburn Murray Water.

The submission from North East Catchment Management Authority did not object to the amendment. All other submissions provided feedback and requested minor changes to the amendment.

Themes raised in submissions include:

- Bushfire planning policy in Wandiligong, specifically to:

- Insert the following strategy in Clause 13.02-1L: 'Avoid development in urban areas (including townships) where there is only one practical escape route in the event of a landscape scale bushfire.'
- Amend the proposed wording in Clause 11.01-1L to 'Prevent residential development around the settlement of Wandiligong.'
- Changes to Clause 13.07-1L to ensure adequate external buffers around wastewater treatment plants and agricultural uses.
- Changes to Clause 14.01-2L and Clause 14.01-3L to strengthen policy around the protection of agricultural land.
- Changes to Clause 37.01 – Schedule 5 Special Use Zone to reinstate the following wording 'having regard to any comments and directions of the referral authorities.'

### **Post Exhibition Changes**

Based on the feedback received in submissions, Council officers are proposing the following post-exhibition changes to the amendment:

- Insert the following strategy in Clause 13.07-1L:
  - *Ensure adequate external buffers around Agricultural uses are maintained to ensure that sensitive uses such as accommodation do not impact on their continued use.*
  - *Policy documents*  
*Consider as relevant: Separation Distance Guideline (Environment Protection Authority, August 2024)*
- Insert the following wording in Clause 13.07-1L:
  - *Ensure adequate external buffers around water treatment and wastewater treatment plants are maintained to ensure that sensitive uses such as accommodation do not impact on their continued use.*
- Replace the wording 'high quality agricultural land' with 'productive agricultural land' in Clause 14.01-3L.
- Reinstate the following wording in Clause 37.01 – Schedule 5 Special Use Zone; 'having regard to any comments or direction of the referral authorities.'
- Retain the Schedule 2 to the Development Plan Overlay applying to land at Glenbourn Drive, Tawonga South.

Council officers are proposing to retain the Development Plan Overlay 2 (DPO2) at Glenbourn Drive in Tawonga South as it is still considered to have some relevance.

Council officers did not support the requested changes from submissions that relate to wording around development in Wandiligong in Clause 11.01-1L, and bushfire protection in Clause 13.02-1L. These submissions were unresolved, with Council officers determining that Amendment C65alpi must be referred to an independent planning panel for consideration.

The delegate's report considers all submissions and outlines Council officers' responses to submissions and is included as Attachment One.

### ***Independent Planning Panel***

The Directions Hearing for the planning panel took place on 10 February 2026, and the Panel Hearing taking place on 16 March 2026. Council officers received the Panel Report on 14 April 2026.

The Panel found that the amendment will improve the operation of the Alpine Planning Scheme by providing more certainty for users and ensure that the scheme is consistent with relevant Ministerial Directions. The amendment will bring Council in line with state ESD and infrastructure policy.

The Panel is satisfied that the amendment has appropriately dealt with bushfire risk in the short and medium term considering the policy-neutral scope of the amendment, Council's current strategic work program, and engagement with the CFA. Given this, the changes requested by submitters were not supported by the Panel.

The Panel did note that a review of settlement planning policy in high bushfire risk locations may be required to address the overarching bushfire risk for the area and satisfy state planning requirements for bushfire at Clause 13.02-1S. This will be considered as part of the preparation of the Alpine Shire Rural Directions Strategy, which is currently subject to draft consultation.

Overall, the Panel is of the view that the amendment will deliver a net community benefit and sustainable development for Alpine Shire, and recommended that the amendment should be adopted as exhibited with the post-exhibition changes proposed by Council officers at the Panel Hearing.

The Panel Report has been included as Attachment Two.

## **POLICY IMPLICATIONS**

The recommendation is in accordance with the priorities of the Council Plan 2025-2029:

- 2.2 We plan for future risks like bushfire, flooding, landslip, and erosion, while improving planning certainty and sensitively managing township growth to protect local character, amenity, and identity.

The adoption of Amendment C65alpi supports a major initiative of the Council Plan by updating the Alpine Planning Scheme to address key risks to future development and improve planning certainty and decision making across the Alpine Shire.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The Planning and Environment (Fees) Regulations 2016 sets the statutory fees for the preparation, exhibition, and adoption of planning scheme amendments. All costs of the proposed amendment must be met by Council.

A fee of \$546.30 must be paid for the Minister for Planning to consider a request to approve an amendment. Council must pay a fee of \$5,977.76 excl GST for the costs of

the independent planning panel that considered the amendment and all submissions received. The costs for this amendment are included within the adopted 2025/2026 strategic planning budget.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Operating outside legislative / regulatory / statutory / policy obligations - not meeting timeframes associated with the planning scheme amendment process or legislative requirement to undertake a planning scheme review.	Unlikely	Low	If Council adopts Amendment C65alpi and resolves to forward it to the Minister for Planning for approval, Council will have met its obligations under the Planning and Environment Act 1987.

**CONSULTATION**

The amendment was exhibited from 18 September to 20 October 2025 in accordance with the requirements of the Planning and Environment Act 1987. The following notice was provided:

- letters to landowners impacted by the rezoning of 27, 33 and 35 King Street, Myrtleford, and the removal of Development Plan Overlays 1 and 2;
- letters to referral authorities and prescribed ministers;
- a public notice in the Alpine Observer and Myrtleford Times on the 17 September 2025;
- a public notice in the Victoria Government Gazette on 18 September 2025;
- a media release distributed on 18 September 2025;
- setting up a webpage on Engage Alpine that allowed people to view the amendment documentation and to make a submission; and
- social media posts on Council's social media platforms.

**CONCLUSION**

Council is now required under Section 29 Planning and Environment Act 1987 to consider all submissions, the Panel Report, and determine on Amendment C65alpi to the Alpine Planning Scheme. It is recommended that Council adopt the amendment with post-exhibition changes and submit it to the Minister for Planning for approval.

## **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
- Senior Strategic Planner

## **ATTACHMENT(S)**

1. **8.2.6.1** Amendment C65alpi - Delegate's Report Consideration of Submissions
2. **8.2.6.2** Amendment C65alpi - Panel Report
3. **8.2.6.3** Amendment C65alpi - Post-exhibition Amendment Documentation

## 8.2.7 Dinner Plain Bus Service 2026

### INTRODUCTION

This report relates to a Memorandum of Understanding (MoU) between Alpine Shire Council (Council) and Alpine Resorts Victoria (ARV) for the delivery of the Dinner Plain Bus Service for the 2026 winter season.

### **RECOMMENDATION**

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

- 1. Enters into a Memorandum of Understanding with Alpine Resorts Victoria for the provision of the Dinner Plain Bus Service for the 2026 winter season;***
- 2. Provides a financial commitment of \$175,000 (GST exclusive) to Alpine Resorts Victoria to support the operating costs of providing the Dinner Plain Bus Service; and***
- 3. Delegates authority to the Chief Executive Officer to sign the Memorandum of Understanding between Alpine Resorts Victoria for the provision of the Dinner Plain Bus Service for the 2026 winter season.***

### BACKGROUND

In 2023, Council committed a subsidy payment to Mount Hotham Alpine Resort (MHAR) for \$140,000 for the provision of a Dinner Plain Bus Service during the winter season. A review of the 2023 service found that it was well received by the Dinner Plain community and visitors; however, operating costs were higher than initially anticipated.

The service provides access for school children, staff and visitors to move easily and safely between Dinner Plain and MHAR.

To ensure the continued operation of the service for the 2024 winter season, Council increased the subsidy to \$170,000 to support its ongoing financial viability. A further MoU was subsequently entered into for the 2025 season, with the subsidy increased to \$175,000.

A review of the 2025 season indicated strong patronage with a total of 6,579 tickets sold. Based on this performance, it is recommended that Council enters into a further one-year agreement for the 2026 winter season to continue delivery of the Dinner Plain Bus Service with no increase to the subsidy provided in 2025.

### ISSUES

If Council does not support the financial commitment made to ARV for the delivery of the Dinner Plain Bus Service, the service would likely cease to operate in the manner it operates currently, impacting on visitors and residents of Dinner Plain.

The bus service is an on-going approved expenditure item funded from the Dinner Plain Reserve.

**POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

2.9 We support a strong and sustainable economy across Alpine Shire

**FINANCIAL AND RESOURCE IMPLICATIONS**

ARV will establish the bus schedule in order to provide a regular, reliable and safe service to customers.

Council will provide ARV with a licence to accommodate three passenger buses at the Council depot at Dinner Plain in return for a licence fee of \$1. Council will provide ARV with access to a functioning fuel bowser located with the depot.

The costs associated with the delivery of the Dinner Plain Bus Service for 2026 is \$175,000 and will be funded from the Dinner Plain Reserve.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
The service cannot be operated in a way which is cost neutral for ARV, resulting in no service being provided.	Possible	Moderate	Review of the service following each season and renegotiation of an amended or new agreement for subsequent seasons.

**CONSULTATION**

The MoU was established through collaborative engagement between ARV and Council. It is considered to provide a fair outcome for both organisations and, importantly, will result in a positive experience for customers using the service.

**CONCLUSION**

Providing transport between Dinner Plain and MHAR has community and economic benefits. The service provides access for school children, staff and visitors to move easily and safely between Dinner Plain and MHAR.

## **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
- Property and Contracts Coordinator

## **ATTACHMENT(S)**

Nil

## 8.2.8 Process for implementing updated flood controls in the Alpine Planning Scheme

### INTRODUCTION

The purpose of this report is to outline a new opportunity to implement the Myrtleford Flood Study Flood Modelling Report 2025, and the Upper Ovens Regional Flood Mapping Study 2018 and Upper Ovens Flood Modelling Climate Change Update 2025 into the Alpine Planning Scheme. Implementation requires a planning scheme amendment and this report recommends that Council pursues this via the Flood-Related Amendments Standing Advisory Committee (SAC) pathway. This will allow Council to enter into a funding agreement with the Department of Transport and Planning (DTP) to cover cost associated with the amendment process, up to \$100,000.

### **RECOMMENDATION**

*That Council:*

1. *Notes the previous Council resolutions made in item 8.3.1 at the Ordinary Council Meeting held on 24 June 2025 to:*
  - a. *Adopt the Myrtleford Flood Study Flood Modelling Report 2025; and*
  - b. *Prepare and exhibit a planning scheme amendment to implement the Myrtleford Flood Study Flood Modelling Report 2025.*
2. *Notes the previous Council resolutions made in item 8.3.2 at the Ordinary Council Meeting held on 24 June 2025 to:*
  - a. *Adopt the Upper Ovens Regional Flood Mapping Report 2018;*
  - b. *Adopt the Upper Ovens Flood Modelling Climate Change Update 2025 as a technical input to this report for future planning and emergency management purposes; and*
  - c. *Prepare and exhibit a planning scheme amendment to implement the findings of the Upper Ovens Regional Flood Mapping Report 2018 and the Upper Ovens Flood Modelling Climate Change Update 2025.*
3. *Notes the recent advice from the Department of Transport and Planning (DTP) advising that Council needs to resolve to commit to utilising the Flood-Related Amendments Standing Advisory Committee (SAC) pathway for any planning scheme amendment process seeking to implement the flood studies identified in parts 1 and 2 of this resolution;*
4. *Commits to utilising the Flood-Related Amendments SAC pathway, if available, for any planning scheme amendment/s seeking to implement the flood studies identified in parts 1 and 2 of this resolution;*
5. *Authorises the Chief Executive Officer to enter into a funding agreement on behalf of Council with DTP for up to \$100,000 to support costs associated with the SAC pathway process, if required; and*
6. *Notes that any unspent funding must be returned to DTP in the event that the SAC pathway process is not triggered.*

## BACKGROUND

At the Ordinary Council Meeting held on 24 June 2025, two reports were presented to Council. The first being item 8.3.1 which dealt with the Myrtleford Flood Study Modelling Report 2025, and resolved:

*That Council:*

1. *Adopts the Myrtleford Flood Study Flood Modelling Report 2025; and*
2. *Prepares and exhibits a planning scheme amendment to implement the Myrtleford Flood Study Flood Modelling Report 2025.*

The second report presented to the Ordinary Council Meeting held on 24 June 2025, was item 8.3.2 which dealt with the Upper Ovens Regional Flood Mapping Study 2018 and Upper Ovens Flood Modelling Climate Change Update 2025, and resolved:

*That Council:*

1. *Adopt the Upper Ovens Regional Flood Mapping Report 2018;*
2. *Adopt the Upper Ovens Flood Modelling Climate Change Update 2025 as a technical input to this report for future planning and emergency management purposes; and*
3. *Prepares and exhibits a planning scheme amendment to implement the findings of the Upper Ovens Regional Flood Mapping Report 2018 and the Upper Ovens Flood Modelling Climate Change Update 2025.*

These flood studies provide updated flood modelling, mapping and climate change projections to inform land use planning, risk management and future development across the municipality.

Council also resolved to prepare and exhibit a planning scheme amendment to implement both flood studies. Council officers have engaged with the Department of Transport and Planning (DTP) to commence this process of translating the technical outputs of these studies into planning controls through a planning scheme amendment. This work is currently being undertaken by a consultant that is being funded through the Victorian Government's Planning Hub.

DTP has advised Council officers that the Flood-Related Amendments Standing Advisory Committee (SAC) pathway, which provides a streamlined and coordinated process for considering submissions relating to flood-related planning amendments, is available.

## ISSUES

### ***Flood-related Standing Advisory Committee (SAC)***

In response to increasing flood risk across Victoria and the need for more consistent and timelier implementation of flood studies into planning schemes, the Victorian Government has established a streamlined pathway for flood-related planning scheme amendments.

A key component of this pathway is the Flood-related Amendments Standing Advisory Committee (SAC), established by the Minister for Planning. The SAC provides a centralised and consistent forum to consider planning scheme amendments that

introduce or update flood controls, particularly where submissions cannot be resolved through the standard exhibition process.

Historically, planning scheme amendments seeking to apply flood controls have been considered on a case-by-case basis, utilising the planning panel process to consider submissions to the amendment. The SAC model replaces a planning panel with a standing panel of experts, enabling more efficient and coordinated consideration of technical flood matters across multiple municipalities.

The SAC's role is to:

- Review unresolved submissions relating to proposed flood controls;
- Consider the technical evidence underpinning flood studies and mapping;
- Provide independent advice and recommendations to the Minister for Planning.

This approach supports a consistent application of flood planning controls across the state and reduces delays associated with traditional panel processes. It also aligns with broader state initiatives to improve the integration of contemporary flood modelling into planning schemes and strengthen community resilience to flood risk.

For Alpine Shire, progressing flood-related planning scheme amendments via the SAC pathway provides a clear mechanism to manage unresolved community submissions, while ensuring that updated flood information can be incorporated into the planning scheme in a timely and defensible manner.

### ***Flood-Related Amendments SAC Pathway Requirement***

DTP has advised that in order to utilise the Flood-Related Amendments SAC pathway, Council must commit to this approach at the outset of the planning scheme amendment process. The process is not notably different from a community user perspective, and submitters still have the opportunity to present to an independent panel, similar to the planning panels process.

### ***Funding Opportunity***

A key benefit of the SAC process is that Council can access up to \$100,000 in funding to support costs associated with the Flood-Related Amendments SAC process.

Key conditions include:

- Funding will be provided via a formal funding agreement;
- Funding is only provided if unresolved submissions are referred to the Flood-Related Amendments SAC; and
- If no submissions are received, or the Flood-Related Amendments SAC process is not triggered, any funding must be returned to DTP.

This opportunity would represent a significant saving to Council, as traditional planning panels cost approximately \$10,000 dollars per day, and would be expected to take several days per amendment.

**POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

- 2.2 We plan for future risks like bushfire, flooding, landslip, and erosion, while improving planning certainty and sensitively managing township growth to protect local character, amenity, and identity

**FINANCIAL AND RESOURCE IMPLICATIONS**

- Up to \$100,000 in external funding is available from DTP to support the SAC process, representing a significant saving to Council compared to the planning panel process.
- Funding applies only if the Flood-Related Amendments SAC pathway process is triggered.
- No additional cost to Council if funding is not required (subject to return of funds).
- A grant was received through the Planning Hub to cover the translation of the technical documentation into planning scheme ordinance, further saving Council from any financial burden regarding the preparation of the amendment.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Community concern or objection to new flood overlays	Possible	Insignificant	The SAC pathway does not impact the community's ability to submit and be heard by an independent review process
Delays in amendment process	Unlikely	Minor	SAC pathway provides a more streamlined and coordinated process
Financial exposure from panel costs	Unlikely	Minor	SAC related costs covered by DTP funding replace the planning panel process and costs to Council
Misalignment with Victorian government expectations	Rare	Minor	Early commitment to SAC pathway aligns with DTP advice

## **CONSULTATION**

Formal community consultation will occur as part of the planning scheme amendment exhibition process, and unresolved submissions will be heard by the SAC rather than the traditional planning panel process.

## **CONCLUSION**

The Myrtleford and Upper Ovens flood studies will improve flood risk management and inform future land use planning across Alpine Shire.

Progressing these studies into the Alpine Planning Scheme via the SAC process, provides access to funding support, and ensures a streamlined and expert-led process for managing submissions.

It is recommended that Council progresses the amendment through the SAC process.

## **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
- Project Officer (Strategic Planning)

## **ATTACHMENT(S)**

Nil

## 8.3 DIRECTOR CORPORATE AND COMMUNITY - NATHALIE COOKE

### 8.3.1 Provision of a Public Dump Point in the Alpine Shire

#### **INTRODUCTION**

The purpose of this report is to provide a review and update of the analysis presented to the April 2018 Ordinary Council Meeting regarding the provision of a public Recreational Vehicle (RV) dump point site in Bright.

#### **RECOMMENDATION**

***That Council:***

- 1. Notes the updated review and analysis of publicly accessible Recreational Vehicle (RV) dump point provision across the Alpine Shire, including changes to access arrangements, usage trends and operational considerations since the April 2018 Ordinary Council Meeting;***
- 2. Notes that, based on available data, consultation with tourism park operators, and existing infrastructure coverage, and considering the cost of installing and managing this infrastructure, Council officers consider that there is currently insufficient demonstrated demand to warrant delivery of an additional publicly accessible RV dump point within Alpine Shire at this time;***
- 3. Endorses the continued monitoring and collection of data, including customer enquiries, complaints, access constraints and any incidents of illegal dumping, to inform future decision-making should demand materially change;***
- 4. Maintains and communicates information about the availability of existing publicly accessible RV dump points through its website and Visitor Information Centres; and***
- 5. Notes that any future proposal to install an additional publicly accessible RV dump point would be subject to:***
  - a. strategic alignment with the Tourism and Events Strategy (in development),***
  - b. demonstrated demand beyond existing service capacity,***
  - c. full consideration of capital, operational and compliance costs,***
  - d. assessment of environmental and public health risks,***
  - e. community engagement, and***
  - f. a clearly articulated position on user-pays arrangements and the extent of any potential ratepayer subsidy.***

## BACKGROUND

At the April 2018 Ordinary Council Meeting, Council considered an analysis and recommendation regarding the provision of a public Recreational Vehicle (RV) dump point in Bright. At that meeting Council resolved not to support the provision of a public dump point on public land in Bright; to upgrading the existing dump point at facilities at Myrtleford Holiday Park to meet industry best practice; to continue to facilitate public paid access to the facilities at the Myrtleford Holiday Park and to investigate the co-location of a dump point with new amenities in Tawonga South.

Through the 2025/26 Community Budget Submission process, Council committed to directing internal resources to review and update that analysis and the recommendations.

A recreational vehicle (RV) dump point site is a designated, hygienic facility for Recreational Vehicle users to dispose of black water (toilet waste) and grey water (sink/shower waste) into the sewage system.

These sites are found in public and privately operated tourist parks and in other sites such as fuels stations and council operated areas.

## ISSUES

### ***Adequacy and accessibility of existing dump point facilities in Alpine Shire***

In 2018, Council assessed that the availability of publicly accessible RV dump points in and around Bright and Myrtleford was sufficient to accommodate demand from the majority of recreational vehicle users, including during peak tourism periods. This assessment was informed by advice from tourist park operators that members of the public were generally permitted to access dump point facilities within their parks, even during periods of high occupancy.

At that time, the primary cohort identified as being less well catered for were operators of very large RVs or motorhomes with integrated waste tanks, which require hose-based discharge and direct vehicle adjacency to dump point infrastructure.

Since 2018, the number of registered caravans and recreational vehicles has increased significantly across Victoria and nationally. While registration data does not directly translate to visitation levels within Alpine Shire, it indicates a broader growth in RV-based tourism, including self-contained vehicles more reliant on appropriate waste disposal infrastructure.

Updated consultation with tourist park operators indicates that public access to dump points within privately operated facilities has become more limited, particularly during peak periods. These limitations are attributed to:

- Capacity constraints during high-use periods;
- Site congestion and traffic management issues; and

- Physical access limitations for larger RVs.

Currently, publicly accessible dump point facilities available to the general public within or immediately adjacent to Alpine Shire are limited to:

- Dinner Plain (free public access);
- The Park Mount Beauty (public access on a user-pays basis);
- Tawonga Tourist Park (public access on a user-pays basis);
- NRMA Bright (public access on a user-pays basis);
- Mount Buffalo Discovery Park (public access on a user-pays basis);
- Myrtleford Recreation Reserve (public access on a user-pays basis); and
- Myrtleford Holiday Park (public access on a user-pays basis)

Council is the Committee of Management for Myrtleford Holiday Park. Following the 2018 Council resolution, the existing dump point at that facility was upgraded and a condition of the lease includes the ongoing provision of paid public access to the dump point.

The free public dump point at Dinner Plain is also capable of accommodating large RVs. As such, publicly accessible dump points capable of servicing all RV types are located in close proximity to the Great Alpine Road near the northern and southern entry and exit points of the Shire.

Investigation into the potential co-location of a dump point with new amenities in Tawonga South was undertaken and did not progress due to servicing, siting and cost constraints.

While geographic coverage of dump point facilities across the Shire remains adequate, access reliability, particularly during peak periods, has become more constrained, largely due to increasing demand and reduced availability within privately operated facilities.

An assessment has also been made of the installed publicly accessible RV dump points in comparable and adjoining shires confirming that public dump points are available in Corryong, Benalla, Dartmouth, Wangaratta, Wodonga, Chiltern, Rutherglen, Wahgunyah, Walwa and Yarrawonga.

### ***Operational and Cost Considerations***

The provision of an additional public dump point within the Alpine Shire would come at both a capital and an ongoing operational cost. North East Water supports installation of public dump points subject to entering into a standard dump point agreement which places operational and capital requirements on Council and will require the ongoing management and supervision of the dump point.

Implementing a new dump point based on use of a septic tank rather than connection to existing sewerage infrastructure would generally be less cost-effective. The capital cost to install facilities, and the operational costs associated with managing/supervising the operation and periodic emptying and disposal of waste, would exceed that of a system connected to existing sewerage infrastructure. New dump point infrastructure which

installs a contained modular system are becoming more available in Australia, however come at a cost.

Capital expenditure requirements are estimated from between \$25,000 for a basic sewer connected dump point to up to \$75,000 for a heavy vehicle accessible sewer facility and upwards of \$100,000 for a fully contained modular system. The estimated capital allowance advised by North East Water to install a dump point is \$15,000 – \$25,000, with operational costs including health inspections, application and annual discharge fees.

Any future consideration of installing a new publicly accessible dump point in the Alpine Shire should also consider the implementation of a user pays model, and consideration of the extent of desired cross subsidisation of rate payer funds to providing free services to a small user group. Provision of free public infrastructure for a predominantly non-resident user group raises equity considerations regarding ratepayer subsidy.

### ***Supporting analysis***

In order to assess the potential demand for an additional public dump point in the Alpine Shire, a review of data in Council's customer request management system has been undertaken. This has showed that from 2021 to 2026 (2021 is the earliest date that data is available), Council has received only 13 enquires or complaints relating to availability of dump points. 80% of these enquiries were made by non-residents. Within this timeframe two complaints of illegal dumping of RV waste material have been made to Council. Both incidents were investigated, with no further action to be undertaken.

In addition to requests submitted through Council's customer request management system, the topic of public dump point accessibility and the desire for additional 'free' public dump points has periodically been raised through Council's social media channel and on other local community social media channels.

While customer enquiry data likely underrepresents latent or unreported demand from short-stay visitors, the consistently low volume of enquiries over a five-year period, combined with the limited number of reported illegal dumping, suggests that existing facilities are meeting demand at a level commensurate with current use patterns.

Council is currently developing a new Tourism and Events Strategy. This Strategy will help Council build a long-term approach to sustainable tourism, ensuring that growth is managed in a way that respects community expectations, environmental values, and our unique local identity. Any future consideration of new infrastructure to support tourism should be guided by this strategy.

### **POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

2.1 New capital projects and works will be strategically aligned and planned to support long-term sustainability

2.9 We support a strong and sustainable economy across Alpine Shire

3.5 We recognise the importance of high quality facilities, outdoor spaces, and connected footpaths, tracks, and trails to provide access to key services and support the wellbeing of our communities

3.8 We support compliance with regulations to help our community enjoy lifestyles and spaces that are safe and welcoming for all

**FINANCIAL AND RESOURCE IMPLICATIONS**

This report does not commit Council to any capital expenditure at this stage. The research and analysis undertaken was conducted using in house resourcing.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action/ Control
Reduced access to dump point facilities during peak periods due to increased RV tourism and constrained access within private tourist parks	Possible	Visitor dissatisfaction, reputational impact to Council and perceived decline in visitor amenity	<ul style="list-style-type: none"> <li>• Maintain publicly accessible dump points at Myrtleford and Dinner Plain</li> <li>• Require ongoing public access at Myrtleford Holiday Park through lease conditions</li> <li>• Monitor enquiry and complaint data to identify emerging demand pressures</li> </ul>
Potential for illegal dumping of RV waste if access further reduces	Unlikely	Environmental harm, public health risks, regulatory non-compliance and clean-up costs	<ul style="list-style-type: none"> <li>• Continued availability of compliant public dump points at entry/exit points to the Shire</li> <li>• Ongoing liaison with tourist park operators</li> <li>• Responsive investigation of any reported incidents</li> </ul>

Risk	Likelihood	Impact	Mitigation Action/Control
Financial risk associated with capital and ongoing operational costs if an additional dump point were provided	Possible	Unplanned capital expenditure; ongoing operational, inspection and compliance costs impacting ratepayer funds	<ul style="list-style-type: none"> <li>• No additional facility progressed at this time</li> <li>• Future proposals to include full cost-benefit analysis and user-pays consideration</li> <li>• Alignment with Council's long-term financial sustainability objectives</li> </ul>
Occupational health and safety risk associated with operation and maintenance of dump point facilities	Unlikely	Community concern regarding cross-subsidisation and ratepayer equity	<ul style="list-style-type: none"> <li>• Consideration of user-pays models for existing and any future facilities</li> <li>• Transparent reporting of costs and benefits</li> <li>• Continued monitoring before committing additional public funds</li> </ul>
Equity and community perception risk if Council funds infrastructure servicing a small, predominantly non-resident user group	Possible	Community concern regarding cross-subsidisation and ratepayer equity	<ul style="list-style-type: none"> <li>• Consideration of user-pays models for existing and any future facilities</li> <li>• Transparent reporting of costs and benefits</li> <li>• Continued monitoring before committing additional public funds</li> </ul>

Risk	Likelihood	Impact	Mitigation Action/Control
Risk of infrastructure under-utilisation if an additional dump point is constructed without demonstrated demand	Unlikely	Inefficient use of Council resources and assets	Reliance on quantitative enquiry data and trend monitoring <ul style="list-style-type: none"> <li>• Staged decision-making approach</li> <li>• Review triggered only if sustained demand indicators emerge</li> </ul>

**CONSULTATION**

Consultation has been undertaken with North East Water regarding compliance and fees. A review has been undertaken of comparable installations across the region and consultation undertaken with tourism park operators regarding public access to dump points within their facilities.

An updated list of available public dump points is provided on Council's website and is available at Visitor Information Centres.

**CONCLUSION**

A review of publicly accessible dump point infrastructure across Alpine Shire, supported by customer enquiry data and consultation with service providers, indicates that existing facilities continue to provide adequate geographic coverage for recreational vehicle users, including those operating large self-contained vehicles.

Publicly accessible dump points are available near both the northern and southern entry and exit points to the Shire on the Great Alpine Road, providing effective coverage for transient RV travel through the municipality. Quantitative analysis of Council's customer request management system shows consistently low levels of formal enquiries and complaints relating to dump point availability, with no recorded reports of illegal dumping during the review period. Council also acknowledges that informal feedback from members of the community has been received regarding the availability and location of dump points, which, while not reflected in formal reporting data, provides useful contextual insight into community expectations and perceptions.

It is acknowledged that public access to dump points located within privately operated tourist parks has become more limited in recent years, particularly during peak tourism

periods. However, the available evidence does not indicate unmet demand of a scale that currently justifies capital investment in an additional publicly accessible dump point.

Installation of a new dump point would require capital expenditure and ongoing operational, compliance and supervisory costs. Any future consideration of additional provision would also necessitate a clear policy position regarding user-pays arrangements and the extent to which ratepayer funds should subsidise infrastructure primarily servicing a non-resident visitor cohort.

Based on the available evidence, current infrastructure remains fit for purpose at a municipal level. Continued monitoring of enquiry data, visitor trends and access constraints is recommended to ensure Council can respond appropriately should demand materially change or should the outcomes of the Tourism Strategy (in development) indicate reassessment is appropriate. This should be supported by enhancing community education and awareness of existing RV dump point facilities, ensuring that both visitors and residents are well informed about available infrastructure and its locations to support effective utilisation.

### **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
- Environmental Health Coordinator

### **ATTACHMENT(S)**

1. **8.3.1.1 DUMP POINTS WITHIN THE ALPINE SHIRE**

## 8.3.2 Councillor Internal Resolution Procedure

### INTRODUCTION

The Councillor Internal Resolution Procedure is a supporting document to the Model Councillor Code of Conduct and was first adopted in June 2025. This report presents an update to the procedure, which proposes the addition of external mediation to the procedure.

### **RECOMMENDATION**

***That Council:***

- 1. Notes the addition of an External Mediation provision in the Councillor Internal Resolution Procedure;***
- 2. Adopts the Councillor Internal Resolution Procedure (Version 2);***
- 3. Revokes the Councillor Internal Resolution Procedure (Version 1); and***
- 4. Signs and seals the Councillor Internal Resolution Procedure (Version 2) at the appropriate stage of this meeting.***

### BACKGROUND

In October 2024, a Model Councillor Code of Conduct was introduced by section 139 of the *Local Government Act 2020* (LGA 2020), aimed at unifying the requirements that each councillor in Victoria must abide by, regardless of which council they were elected to represent.

The purpose of the Model Councillor Code of Conduct is to: *"include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification"*. Section 140 of the LGA 2020 further requires each Council to implement and adopt the prescribed procedures in relation to dealing with alleged breaches of the Model Councillor Code of Conduct. Regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020* prescribes the requirement for each Council to adopt an internal resolution procedure, which must be followed by Councillors when dealing with alleged breaches of the Model Councillor Code of Conduct.

Council adopted Version 1 of the Councillor Internal Resolution Procedure at its Ordinary Council Meeting held on 24 June 2025.

### ISSUES

#### ***External mediation***

Following the release of the final report of the Commission of Inquiry into Whittlesea City Council, the template for the Councillor Internal Resolution Procedure was updated to include provisions for External Mediation. This is a step previously missing from the procedure, and is seen as a positive step, providing an additional opportunity for dispute

resolution between the informal Internal Conciliation process already defined in the procedure, and the need to call for a formal Internal Arbitration process prescribed in the LGA 2020.

### ***Other modifications***

No other modifications have been made or are proposed to the Councillor Internal Resolution Procedure.

### **POLICY IMPLICATIONS**

The recommendation is in accordance with the requirements of section 140 of the *Local Government Act 2020*, and regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*.

The recommendation is also in accordance with the Priorities of the Council Plan 2025-2029:

2.11 We prioritise effective governance to ensure transparent oversight of our operations

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Council originally purchased the template for Version 1 of the Councillor Internal Resolution from a law firm specialising in Local Government in early 2025. The updated Version 2 template was released by the same law firm, with the cost of purchase provided for within Council's annual Budget. Staff time is the only additional cost for the preparation of Version 2 of the procedure.

As specified in the Councillor Internal Resolution Procedure, it is designed to minimise cost and disruption of disputes to Council and individual Councillors and, where possible, avoid disputes escalating and becoming the subject of an Internal Arbitration. The procedure notes that Council will not pay the costs of legal advice or representation for any Councillor in connection with the procedure.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Council does not have a guiding process for an alleged breach of the Model Councillor Code of Conduct	Unlikely	Moderate	<ul style="list-style-type: none"> <li>Ensure that the Councillor Internal Resolution Procedure is adopted and kept up to date.</li> <li>Ensure that Councillors are aware of the procedure, and also the Internal Arbitration process available under the LGA 2020.</li> </ul>

**CONSULTATION**

Consultation with the community is not required in this instance, as the policy affects only Councillors. Councillors have been briefed on the requirement to adopt a procedure, and on the contents of the procedure itself.

**CONCLUSION**

The adoption of Version 2 of the Councillor Internal Resolution Procedure ensures that Council is legislatively compliant and has a guiding document in place should there be an allegation of a breach of the Model Councillor Code of Conduct. It is recommended that Council adopts the procedure at this 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 Corporate
- Governance Officer

**ATTACHMENT(S)**

1. **8.3.2.1** Councillor Internal Resolution Procedure - Version 2

### 8.3.3 Financial Sustainability Report - Quarter Three 2025/26

#### **INTRODUCTION**

The Financial Sustainability Strategy has been developed to reflect Alpine Shire Council's commitment to long-term planning and sound financial stewardship.

It seeks to address our financial sustainability challenge through a series of strategic and operational actions taken over the current Council cycle. It outlines seven Strategic Levers and a suite of associated actions to deliver Council to a sustainable long-term position.

As part of monitoring and performance, progress against the Financial Sustainability Strategy Action Plan is reported quarterly, aligned to Council's financial reporting.

#### **RECOMMENDATION**

***That Council receives and notes the 'Financial Sustainability Report Quarter Three 2025/26'.***

#### **BACKGROUND**

The *Local Government Act 2020* (the Act) sets out clear objectives for councils to uphold sound financial management, long-term planning, and effective risk oversight to ensure sustainable outcomes for current and future communities.

In addition, Council has an integrated approach to planning, monitoring and performance reporting with a number of core legislated elements of an integrated strategic planning and reporting framework and outcomes. The Financial Sustainability Strategy and associated Action Plan was adopted in October 2025 to underpin all elements within this framework.

#### **ISSUES**

As of March 2026, all year one actions are on track to be completed as they are due.

Three items have been closed:

- 2.1 Optimise Revenue: Benchmark fees and charges against other councils to inform pricing strategy and potential opportunities. This was undertaken as a part of preparing the draft 2026-27 budget.
- 6.1 Strengthen Governance and Financial Control: Consider formally rebudgeting mid-way through 2025. Council's focus had shifted to creating the 2026-27 budget incorporating financial sustainability targets.
- 6.4 Strengthen Governance and Financial Control: Implement unbudgeted spend approval processes and contract variation process. This process was implemented in Q3.

**Summary of Action Status as at March 2026**

Strategic Lever	Status – Closed	Status – Open on Track	Status – Open in Danger	Total
Sustainable Cash Reserves		2		2
Optimise Revenue	1			1
Well Managed Assets		3		3
Strategic Service Delivery		1		1
Improve Finance Systems		1		1
Strengthen Governance and Financial Control	2	5		7
Stakeholder Engagement, Advocacy and Partnerships		3		3
<b>Total</b>	<b>3</b>	<b>15</b>	<b>0</b>	<b>18</b>

Details of progress against each action is included in the attachment.

**Our targets for financial sustainability**

- 0-2 years: Reduce Council's forecast underlying deficit to zero.
- 3-4 years: Start to build unrestricted cash reserves for specified purposes and deliver a new long term financial plan that reflects future financial requirements.

**2025/26 Quarter Three Result (Year 1)**

Measure	General Description	Target	June 2025	March 2026 (Q3) Forecast	Notes
Adjusted underlying result ratio	Ability to generate surplus in the ordinary course of business, excluding non-recurrent capital grants, non-monetary asset contributions and other contributions, to fund capital expenditure from its net result.	>0%	-10.5%	-7.14%	Adjusted underlying result ratio is skewed by the timing of Financial Assistance Grant. Operationally Council have reduced expenditure to result in a more favourable forecasted underlying deficit than the budgeted result of -0.46%.
Availability of Cash	Forecast future 5-year annual average change in the sum of cash and funds held in term deposits.	>\$0M	-\$2M	-\$0.5M	Expected cash decrease has lessened in the budget reforecast.
Working capital ratio	Ability to pay existing liabilities in the next 12 months.	>1.2	3.76	3.10	

**POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

- 2.8 We achieve long-term financial resilience to meet community needs now and into the future.
- 2.10 We systematically identify and manage risks to support informed decision-making and organisational resilience.
- 2.11 We prioritise effective governance to ensure transparent oversight of our operations.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The Financial Sustainability Strategy details a series of strategic and operational actions that are largely reliant on internal resourcing and would form a part of the organisation's work planning processes.

Where budget allocation is required to deliver an action, this allocation is subject to Council's annual budgeting approvals.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Adverse impact on Council's financial sustainability.	Possible	Major	<ul style="list-style-type: none"> <li>• All items listed in the Financial Sustainability Action Plan have been assigned to a responsible officer.</li> <li>• Clear monitoring and review processes have been determined within the Strategy.</li> </ul>

**CONSULTATION**

Progress against actions identified in the Financial Sustainability Strategy have been determined through discussion with Council officers.

## **CONCLUSION**

A core responsibility of Council is to remain financially sustainable, ensuring public funds are managed responsibly and that our assets are maintained for current and future generations.

The Financial Sustainability Strategy has been developed to reflect Council's commitment to long-term planning and sound financial stewardship. It seeks to address our financial sustainability challenge through a series of strategic and operational actions taken over the current Council cycle and outlines seven (7) Strategic Levers and a suite of associated actions to deliver Council to a sustainable long-term position.

The success of the Financial Sustainability Strategy is measured by Council's progress toward meeting financial sustainability indicators and regularly reported on using established mechanisms.

## **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
- Accountant

## **ATTACHMENT(S)**

1. **8.3.3.1** Financial Sustainability Action Plan Status Q 3 2025-26

## 8.3.4 Quarterly Budget Report - Quarter Three 2025/26

### **INTRODUCTION**

The purpose of the 'Quarterly Budget Report - Quarter Three 2025/26' (the 'Report') is to provide Council with an overview of the financial position of Council for the period ending 31 March 2026.

### **RECOMMENDATION**

***That Council receives and notes the 'Quarterly Budget Report - Quarter Three 2025/26' for the period ending 31 March 2026.***

### **BACKGROUND**

The Report provides Council with an overview of the results for the quarter and an update on the forecast financial position against the full year budget. Explanations are provided for variances to budget greater than \$100,000. This Report is prepared quarterly.

### **ISSUES**

Council is forecasting a full year surplus of \$951k, which is \$1,173k lower than budgeted.

The published projected position is lower than budgeted due to several contributing factors, chiefly decreased operating grant income received and recognised, and a higher level of employee costs. This has been offset this year by higher levels of other incomes and reduced expenditure.

Full details can be reviewed in the attachment 'Quarterly Budget Report - Quarter Three 2025/26' for the period ending 31 March 2026.

Forecast reduced income (\$1,225k) is primarily due to a decrease in recurrent operating grant income.

There is a projected decrease in recurrent operating grants due to an early receipt of 2025/26 Financial Assistance Grant from the State Government, which was recognised in June 2025 (\$2,416k).

This has been offset by several income items, including a higher level of non-recurrent grants (\$866k) and supplementary rates received (\$119k).

Forecast reduced expenses incurred (\$52k) is mainly due to conducting planned works and projects in-house instead of procuring contractors, offset by a higher level of employee costs.

### ***Revised Budget***

The *Local Government Act 2020 (LGA 2020)* requires that an assessment be made as to whether a revised budget is required after the half yearly finance report is completed. A revised budget is required under the *LGA 2020* before any of the following can occur:

- A variation to the declared rates or charges;
- Undertaking any borrowings that have not been approved in the budget;
- A change to the budget that the Council considers should be the subject of community engagement.

At the end of the quarter three financial period, none of these three items is forecast to occur, and Council is not required to complete a revised budget for 2025/26.

**POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

- 2.8 We achieve long-term financial resilience to meet community needs now and into the future.
- 2.11 We prioritise effective governance to ensure transparent oversight of our operations.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Council is forecasting a full year surplus of \$951k, which is \$1,173k lower than budgeted.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Poor decision-making impacts on financial sustainability.	Rare	Major	<ul style="list-style-type: none"> <li>• Quarterly reporting provides a snapshot of performance for Council. Maintaining rigour in financial reporting supports Council to make financially sustainable decisions.</li> </ul>

**CONSULTATION**

Consultation has been undertaken with Council officers across the organisation in order to compile this Report. The quarterly financial performance has been briefed to Council no later than one month following the quarterly cut-off, and the Report was presented to the May Audit and Risk Committee.

**CONCLUSION**

The Quarterly Budget Report for the period ending 31 March 2026 is presented for noting.

## **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
- Accountant

## **ATTACHMENT(S)**

1. **8.3.4.1** Quarterly Budget Report Q 3 2025-26

## 8.3.5 Draft Library Services Plan for Community Engagement

### INTRODUCTION

The purpose of this report is to present the draft Library Services Plan 2026 - 2030 to be placed on public exhibition to obtain community feedback for review and consideration for final Plan development.

### **RECOMMENDATION**

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

- 1. Endorses the draft Library Services Plan to be placed on public exhibition for a period of four (4) weeks, in accordance with Council's Community Engagement Policy;***
- 2. Invites public submissions regarding the draft Library Services Plan; and***
- 3. Notes that submissions received as part of the exhibition of the draft Library Services Plan will be considered and the final Plan will be presented to be adopted at a future meeting of Council.***

### BACKGROUND

The Library Services Plan 2026 - 2030 (the Plan) sets a clear strategic direction for Alpine Shire Council's (Council's) delivery of library services for the coming four years. The previous Library Services Plan 2021 - 2025 was adopted in February 2022 and is now due for review.

Development of the plan has been guided by community responses to the library services survey, evidence-based research, industry standards, guidelines and frameworks, and Council's key strategic planning documents, including the Alpine Shire Community Vision and Council Plan 2025 - 2029.

At the heart of the Plan is a clear purpose: to provide knowledge and connection for the people and communities within the Alpine Shire.

### ISSUES

The updated Library Services Plan 2026 -2030 takes into consideration the needs of our local communities in a rapidly changing world, while also defining realistic service delivery capabilities in a small regional library service.

As libraries in Mount Beauty and Myrtleford also act as Customer Service Centres for Council, we must also align with the Customer Charter (under development), ensuring both customer service and library services can be delivered concurrently while still meeting the strategic goals of both.

The previously adopted plan was not implemented to its full potential; this is likely due to staff turnover during the period and a lack of visibility. It is intended that the Plan will be the basis of service delivery over the next four years with strong support from all

library team members, the Manager Customer Experience and the broader Customer Experience department.

**POLICY IMPLICATIONS**

The recommendation is in accordance with the Priorities of the Council Plan 2025-2029:

- 1.3 We use our resources responsibly to deliver efficient, evidence-based services, facilities, and projects that benefit our communities and meet our customer commitments
- 1.4 Our continued engagement will promote community understanding and contribution to decisions that bring positive change across Alpine Shire
- 3.3 We support our communities to access our services and facilities regardless of age, ability, sexuality, gender, ethnicity, or background
- 3.6 We support local community groups, programs, events, and initiatives that activate and celebrate Alpine Shire, build stronger, inclusive, more connected, and resilient communities, and enrich the lives of our diverse community members
- 3.7 We support people of all ages and stages to thrive

**FINANCIAL AND RESOURCE IMPLICATIONS**

The development and implementation of the Plan can be delivered within existing operational budgets. These activities will be managed within current workloads and supported by existing teams.

The primary resource impacts relate to staff time in development and implementation of the Plan.

The minor costs associated with the public release of the Plan, including updates to the website, and communication activities are again limited to staff time. No additional staffing or financial resources will be required.

Ongoing implementation of the Plan, including monitoring, reporting, and periodic review, will be incorporated into existing business processes and budgets. The renewal of Bright Library is a key action that is subject to receiving external funding to deliver.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Limited capacity to deliver new or enhanced services with current resourcing.	Possible	Moderate	<ul style="list-style-type: none"> <li>• Empower team members to use initiative and work within available resource allocations.</li> </ul>

Risk	Likelihood	Impact	Mitigation Action / Control
Community expectations exceed resourcing capacity.	Possible	Moderate	<ul style="list-style-type: none"> <li>• Clear communication on deliverables.</li> <li>• Robust management of Library budgets to achieve the best possible value for money.</li> </ul>

## CONSULTATION

From December 2025 to February 2026 Council sought community feedback through its Library Services Survey. This was available online and in hard copy. The survey received 106 responses, representing approximately 7% of our active users (this distinction highlights users who utilise their membership every month), of which 99% of respondents were satisfied or very satisfied with Alpine Shire Libraries.

The full engagement summary is attached to this report. This includes quantitative and demographic data, as well as qualitative data with responses deidentified and grouped into themes.

Internal consultation was undertaken within the Library Services team, Customer Experience Coordinators and Manager Customer Experience, along with members of the Executive team.

## CONCLUSION

The review of the Library Services Plan provides Alpine Libraries with a clear strategic direction and accountability to continue to provide the best service possible to our community. The Plan highlights our understanding of community needs and our passion for building community connection and promoting wellbeing.

## 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
- Library Services Coordinator

## ATTACHMENT(S)

1. **8.3.5.1** Draft Library Services Plan 2026-2030
2. **8.3.5.2** Draft Library Services Plan Engagement Summary

### 8.3.6 P.2025.131 - 1 Toorak Road, Bright

Application number:	P.2025.131
Proposal:	Buildings and works to construct 120 dwellings
Applicant's name:	Human Habitats
Owner's name:	Chapel Street Developments
Address:	1 Toorak Road, Bright VIC 3741LPGP (Plan of Consolidation 380387M)
Land size:	1.917ha (approx.)
Current use and development:	Single dwelling
Site features:	Heavily vegetated with non-indigenous species. Relatively flat parcel, sloping up to the rear. Single dwelling with outbuildings, swimming pool and private tennis court situated toward the rear of the site.
Why is a permit required?	Clause 32.08-7: Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings (General Residential Zone)  Clause 44.06-2: Buildings and works (Bushfire Management Overlay)
Zoning:	General Residential Zone
Overlays:	Bushfire Management Overlay
Date received:	5/12/2015
Statutory days:	6 days
Planner:	Matt Novacevski, Statutory Planning Coordinator

#### **RECOMMENDATION**

***That Council, having regard to the matters it is required to consider under section 60 of the Planning and Environment Act 1987 and the Alpine Planning Scheme, resolve to issue a Notice of Decision to Refuse Planning Permit Application P.2025.131 for the buildings and works to construct 120 dwellings at Plan of Consolidation 380387M (1 Toorak Road, Bright VIC 3741), for the following reasons:***

- 1. Pursuant to section 55 of the Planning and Environment Act 1987 and referral under Clause 66.02-5 of the Planning Scheme (Special Water Supply Catchment Area), North East Water as a determining referral authority, has objected to the proposal on the basis that there is insufficient capacity within the existing***

***reticulated sewerage network to service the development. Any failure of the reticulated sewerage network risks impacting the Special Water Supply Catchment Area. In accordance with section 61 of the Planning and Environment Act 1987, the Responsible Authority must refuse to grant a permit where a determining referral authority has objected to the application.***

- 2. The proposal fails to demonstrate that it can be adequately serviced by essential infrastructure and does not represent orderly planning.***
- 3. The submitted Transport Impact Assessment Report is inadequate and does not provide sufficient and reliable information to enable a proper assessment of the traffic, transport and road safety impacts of the proposal.***
- 4. The bushfire mitigation measures contained within the application documents do not adequately demonstrate that the proposal responds appropriately to bushfire risk and fails to satisfy the requirements of the Bushfire Management Overlay and Clause 53.02 of the Planning Scheme.***
- 5. The proposal fails to comply with Standard B3-5 at Clause 55.03-5 of the Alpine Planning Scheme, as it does not provide a minimum of 25 square metres of secluded private open space with a minimum dimension of 3 metres for each ground-floor dwelling, resulting in inadequate provision of usable private open space that would unreasonably diminish the amenity of future occupants.***
- 6. The proposal fails to comply with Standard B3-6 at Clause 55.03-6 of the Alpine Planning Scheme, as it does not adequately demonstrate that secluded private open space areas will receive sufficient solar access reducing the functionality, environmental performance and amenity of the private open space areas.***
- 7. The proposal fails to comply with Standard B5-4 at Clause 55.05-4 of the Alpine Planning Scheme, as not all north-facing windows are adequately provided with eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height. The reliance on feature projections at upper levels does not achieve the requirements of the standard or deliver appropriate shading outcomes.***
- 8. The development does not adequately respond to environmentally sustainable design principles and is likely to result in increased energy demand and reduced occupant comfort.***
- 9. The proposal fails to achieve an acceptable planning outcome, is not supported by adequate technical analysis or infrastructure capacity and does not respond appropriately to the relevant provisions of the Alpine Planning Scheme.***

## **PROPOSAL**

The proposal is for the construction of a multi-dwelling residential development comprising 10 three-storey building blocks containing a total of 120 dwellings on the subject land, pursuant to the General Residential Zone (Clause 32.08) and the Bushfire Management Overlay (Clause 44.06) of the Alpine Planning Scheme.

The development comprises 90 two-bedroom apartments and 30 three-bedroom apartments. Each building contains a dedicated entry foyer with stair access, with lift access proposed within three of the ten buildings.

The total building area proposed is 4,747 square metres. Site coverage across the whole 1.917ha site is proposed at 24.8 per cent and permeable area at 37.2 per cent. The maximum building height is 10.85 metres.

Each apartment is designed with open plan living, kitchen and dining areas and includes private open space in the form of a balcony, or an open porch at ground level.

The development is accessed via two vehicle access points from Toorak Road. Internal vehicle circulation is provided by a continuous internal road network forming a perimeter access road and allowing two-way traffic movement throughout the site. A total of 180 car parking spaces are proposed to be distributed along the internal road network.

The Traffic Impact Assessment Report submitted in support of the application, when reviewed by the Department of Transport and Planning, was found to be inadequate to satisfactorily assess the traffic and transport impacts of the proposal, including matters relating to network capacity, trip generation, traffic distribution and peak period assumptions.

Landscaping is proposed throughout the site, including a central communal courtyard and additional planted areas. A 30-metre defendable space setback is proposed along the northern boundary. The submitted bushfire documentation comprising a Bushfire Management Statement and Bushfire Management Plan, when reviewed by the CFA, were identified as not adequately addressing relevant bushfire planning requirements, including matters relating to access, water supply, defendable space, vegetation management and other risk mitigation measures.

The applicant has also submitted that the development can be appropriately serviced by existing infrastructure, including reticulated sewerage. This position is contrary to advice provided by North East Water, which has raised concerns regarding available sewer network capacity and objected to the application in its capacity as the relevant referral authority under the protections put in place to protect against inappropriate development in the Special Water Catchment Supply Area. As North East Water is a determining referral authority under Section 55 of the Planning and Environment Act for applications in a designated Special Water Catchment Supply Area, its objection to the proposal means Council cannot issue a permit. This is discussed further later in this report.

The proposal is illustrated on plans prepared by CK Architecture, Job No. .24005, Revision D, dated 20/02/2026 which can be found in Attachment 8.3.10.1.

The Traffic Impact Assessment Report prepared by WGA, Ref: WGA232058 and WGA232058-RP-TT-0003\_B dated 21 November 2025 can be found in Attachment 8.3.10.2.

The Bushfire Management Statement - Revision B prepared by Human Habitats dated November 2025 can be found in Attachment 8.3.10.3.



Figure 1: Shows the development layout.



Figure 2: A sample of elevations from the architectural plans submitted.



**Figure 3: Artistic impression of development as viewed from Toorak Road**

## **SUBJECT LAND AND SURROUNDS**

The subject site is located on the northern side of Toorak Road, Bright, and has an overall area of approximately 1.92 hectares, with a substantial powerline easement located in the southern corner of the site, and a 3-metre-wide drainage easement to the side of the existing internal driveway along the north-eastern fenceline.

The land currently contains one dwelling, a swimming pool, tennis court and associated outbuildings located generally toward the rear of the site. The balance of the land is maintained as landscaping, with mature exotic vegetation distributed throughout the property.

The site is irregular in configuration and is approximately 119 metres wide at its widest point, with a road frontage to Toorak Road of approximately 106 metres. The site depth varies between approximately 116 metres and 214 metres. The land is generally flat, with an upslope toward the rear (northern) portion of the property.

Vehicular access to the site is presently obtained directly from Toorak Road via an existing crossover and accessway extending along the eastern side of the land. Several established street trees are located within the adjoining road reserve.

The site is located within an area that exhibits a varied residential and mixed-use character, reflecting a pattern of incremental redevelopment and subdivision. Surrounding development includes established detached dwellings on larger allotments, more recent infill residential development providing lots developed predominantly with single dwellings, and tourist accommodation uses. Built form, lot sizes and setbacks vary throughout the locality.

The site adjoins the Bright Porepunkah Plantation to the north. A gravel track extends along the rear boundary of the subject land and adjoining properties, separating residential land from the plantation area. The track continues in a south-westerly direction and connects to Back Porepunkah Road.

Land to the east comprises detached dwellings, including both single and double storey development.

Land on the southern side of Toorak Road includes tourist accommodation uses, including group accommodation known as Bright River Cottage and Bright Riverside Holiday Park. Beyond this area is the Ovens River and the Primary Commercial Activity Area identified in the Bright Structure Plan.

Land to the west contains a detached dwelling on a larger allotment, with the dwelling setback substantially from Toorak Road and mature vegetation throughout the site. Much of this vegetation is exotic, and it is notable that its proposed removal under this development does not trigger planning permit requirements.



**Figure 4: Aerial view of the subject site (red) provided by the Applicant**



have not been satisfied. Accordingly: even if notice were given and objections received, there would be no scope for a third-party merits review.

**REFERRALS**

Referrals / Notice	Advice / Response / Conditions
<p>Section 55 referrals:</p>	<p><u>North East Water (NEW)</u>  NEW, as a determining referral authority, has objected to the proposal on the basis that there is insufficient capacity within the existing reticulated sewerage network to service the development.</p> <p><u>Country Fire Authority (CFA)</u>  CFA has not consented to the proposal in its current form and has required additional information and amendments to planning documents submitted by the applicant.</p> <p><u>Department of Transport and Planning (DTP)</u>  DTP has not consented to the proposal and has required additional information and amendments to planning documents submitted by the applicant.</p> <p><u>Goulburn Murray Water (GMW)</u>  GMW does not object subject to conditions ensuring construction activities, wastewater and stormwater are managed within the recognised requirements, including connection of the development to the reticulated sewerage system.</p> <p><u>AusNet Transmission Group</u>  AusNet Transmission Group does not object to the proposal subject to conditions relating to the exclusion of certain works and activities within the transmission easement on the site.</p>

Referrals / Notice	Advice / Response / Conditions
<p>Section 52 referrals:</p>	<p><u>Department of Energy, Environment and Climate Action (DEECA)</u>                      DEECA were referred the application for advice regarding exemptions for removal of native vegetation. Confirmation was given that the native vegetation sought to be removed is exempt from requiring planning permission.</p> <p><u>Ausnet Electricity Services</u>                      AusNet Electricity Services does not object subject to conditions relevant to the provision of electricity services to the dwellings.</p> <p><u>North East Catchment Management Authority (NECMA)</u>                      NECMA does not object to the proposal or request that any conditions be included on any permit issued.</p>

<p>Internal / external referrals:</p>	<p><u>Engineering</u></p> <p>No response received. Awaiting amended traffic management documentation as requested from the applicant by DTP before providing further comment.</p> <p><u>Strategic Planning</u></p> <p>While recognising that recent changes to the Planning Scheme limit the consideration of strategic issues, commented that the Land Development Strategy does support additional and diverse housing growth in service towns, including Bright. It is unlikely that it envisaged this level of change, however, compliance with ResCode (although note open space does not fully comply) will likely remove much of the consideration from the application.</p> <p>The development, particularly the front setback, is unlikely to be consistent with surrounding or preferred setbacks – but in excess of the minimum 6m.</p> <p>Although higher, and more bulky than the surrounding built form, the site coverage is relatively low. The style of development is slightly reminiscent of an alpine village, minus the topography. This may be some consolation given that the overall scale of the development won't be in accordance with the preferred character in the recently adopted Neighbourhood Character Strategy. Planting, particularly in the front setback may go a long way towards softening the development from the road.</p> <p>Further to the above, it was noted that the landscape plan was a little more sparse towards the front of the site, with heavier planting in the centre of the site. Some more medium canopy trees with the front setback are recommended.</p> <p><u>Building</u></p> <p>Commented that all the buildings will require a building permit as per Building Act &amp; National Construction Code (NCC) requirements and that based on the plans and from a "Building Code" point of view they appear to be 3 storey, Class 2 unit buildings and Type A construction requirements will apply. Type A attracts the highest fire rated construction requirements for buildings of this scope and configuration.</p> <p><u>Arborist</u></p> <p>No comment.</p> <p><u>Waste</u></p> <p>No comment.</p>
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## **PLANNING ASSESSMENT**

Amendment VC267, which came into effect on 31 March 2025, introduced "deemed to comply standards" at Clause 55 of all Victorian planning schemes. These standards, relating to multi-dwelling developments up to three-storeys on single lots in residential zones, reduce local government's discretion in decision-making and third-party appeal rights. The changes also introduced an exemption that states the responsible authority is exempt from and is not required to consider the Municipal Planning Strategy and Planning Policy Framework, the purpose or decision guidelines of the relevant zone, or the decision guidelines in Clause 65 which narrow the scope for local policies to influence decision-making on such applications.

As the site is covered by the Bushfire Management Overlay, consideration of matters relevant to the Bushfire Management Overlay and assessment of the planning permit trigger at Clause 44.06-2, including relevant sections of the Municipal Planning Strategy, the Planning Policy Framework and the decision guidelines at Clause 53.02 and Clause 65, continue to apply.

This application has been assessed accordingly against all the standards of Clause 55 and the aforementioned bushfire policies. The entire Clause 55 assessment can be found in Attachment 8.3.10.4.

## **STATE AND LOCAL PLANNING POLICY FRAMEWORK**

As per the above, bushfire is the only issue in which the state and local policy framework can guide decision making in relation to this application. The following clauses of the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) provide guidance in relation to consideration of bushfire related risks:

02.03-3 - Environmental risks and amenity

13.02-1S - Bushfire planning

13.02-1L - Bushfire planning

An assessment of the above policies does not, on balance support the proposed development. The following response to the specifics of the policies is provided:

- Clauses 02.03-3 identifies that Alpine Shire is regularly affected by significant natural events, particularly bushfire, and significant storm events that cause flooding and landslip in steeper areas, and that large areas of the municipality are affected by the Bushfire Management Overlay. The bushfire risks in both urban and rural areas due to dense vegetation cover, difficulty of access for emergency vehicles, and exposure of development at the rural-urban interface are highlighted. Bushfire mitigation measures proposed do not properly address the bushfire risk to the site, with the CFA not consenting to the proposal, and requesting an amended Bushfire Management Statement and Bushfire Management Plan before the application can be further considered.

- Clause 13.02-1S requires that development in bushfire-prone areas be assessed against a risk-based framework, and that population growth and development be directed to low-risk locations where the impacts of bushfire can be appropriately mitigated. In this case, bushfire mitigation measures proposed have not met CFA requirements, with the CFA not consenting to the proposal, and requesting an amended Bushfire Management Statement and Bushfire Management Plan before the application could further progress. As outlined earlier in the report, critical issues around servicing have led to a determining referral authority objection from North East Water, which means Council would be unable to grant a permit for this proposal.

## **ZONING AND LAND USE**

The subject land is zoned General Residential Zone (GRZ).

While a planning permit is required for the development of two or more dwellings under Clause 32.08-7, the amendments to Planning Scheme to introduce the low-rise code that came into effect on 31 March 2025 remove any requirement for the responsible authority to consider the purpose or decision guidelines of the relevant zone when considering an application requiring assessment under Clause 55.

## **BUSHFIRE MANAGEMENT OVERLAY**

The subject land is affected by the Bushfire Management Overlay (BMO).

A permit is required to for buildings and works for accommodation on land affected by the BMO under Clause 44.06-2. The purpose of the BMO is to implement planning strategies and policies about bushfire management and to ensure that the risk to life and property from bushfire is minimised.

Bushfire mitigation measures proposed do not meet CFA requirements, with the CFA not consenting to the proposal, and requesting an amended Bushfire Management Statement and Bushfire Management Plan before the application can be further considered.

The CFA's referral response required amendments to the bushfire mitigation documents including a revised bushfire-related assessment that properly addresses water supply and access under Clause 53.02-4.3, along with updated responses to Approved Measures 3.1 and 4.2 covering vegetation management and risk management, respectively, including preparation of a Bushfire Emergency Management Plan (BEMP). In addition, a revised Bushfire Management Plan is required to reflect these updates and outline any restrictions on external building materials, supported by clear documentation confirming that fire hydrants will be provided in suitable locations to meet minimum compliance standards.

The bushfire mitigation measures contained within the current application documents do not adequately demonstrate that the proposal responds appropriately to bushfire risk and fails to satisfy the requirements of Clause 53.02 of the Planning Scheme.

## **CLAUSE 55 - TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS OF THREE STOREYS OR LESS**

An assessment of the proposal has been undertaken against the requirements of Clause 55 of the Planning Scheme (Townhouse and Low-Rise Code), as introduced by Amendment VC267. The assessment confirms that the proposal does not meet all of the relevant objectives and associated "deemed to comply" standards, with the non-compliant standards identified below.

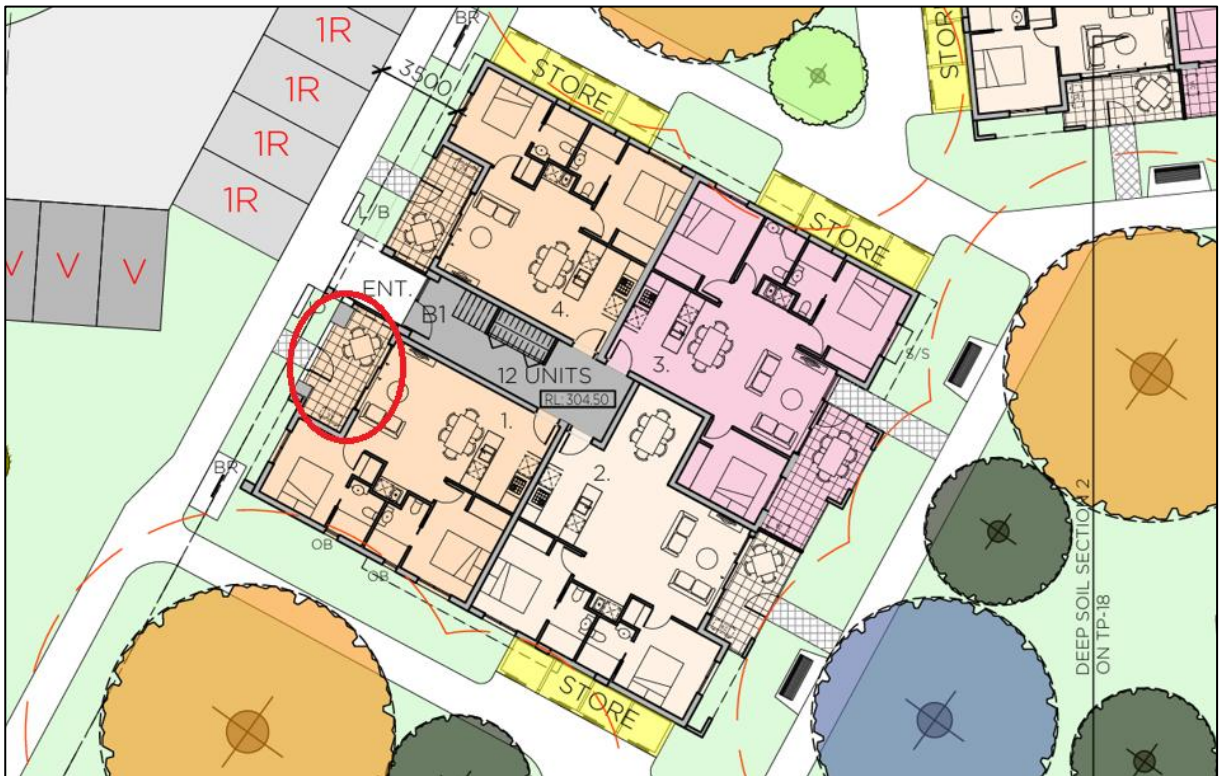
Where a proposal does not meet one or more deemed to comply standards, the application must be assessed against the corresponding objectives having regard to the decision guidelines. In this instance, the extent and nature of the non-compliances identified are considered to result in unacceptable amenity and environmental outcomes.

### Standard B3-5 – Standard of Private Open Space

The proposal fails to comply with Standard B3-5 at Clause 55.03-5 of the Planning Scheme, as it does not provide a minimum of 25 square metres of secluded private open space with a minimum dimension of 3 metres for each ground-floor dwelling. This results in an inadequate provision of usable private open space, which will unreasonably diminish the amenity of future occupants. The applicants position that a ground floor outdoor space can be considered as a balcony is not accepted, as conventional wisdom identifies a balcony as a platform enclosed by a wall or balustrade that is accessed from an upper-floor door.

Until such time that adequate secluded private open space is provided, Council officers are unable to assess whether the Internal Views Objective covered in Standard B4-5 at Clause 55.04-5 is able to be met.

Refer to Figure 5 for an extract of the ground floor plans demonstrating the inadequate extent of secluded private open space areas for ground floor dwellings.

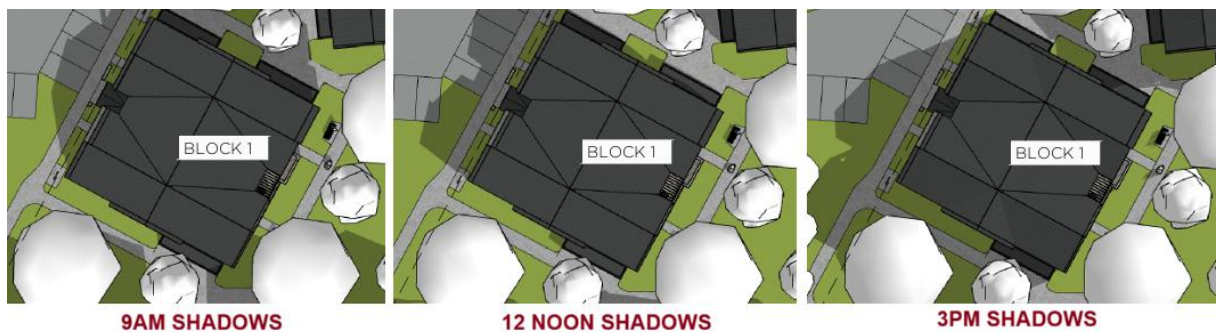


**Figure 6: Ground Floor Plan of Block 1 with an example of the secluded private open space circled**

Standard B3-6 – Solar Access to Open Space

The proposal fails to comply with Standard B3-6 at Clause 55.03-6 of the Planning Scheme, as it does not adequately demonstrate that all dwellings will receive sufficient solar access to their secluded private open space areas, including some ground floor patio areas as well as first and second floor balconies that do not have any access to northern light. This deficiency reduces the functionality, environmental performance, and overall amenity of these spaces.

Refer to Figure 6 for shadow diagrams illustrating an example of the lack of solar access to secluded private open space areas, with the example focusing on the south side of Block 1. The layout for the ground floor of Block 1 is shown above at Figure 5.



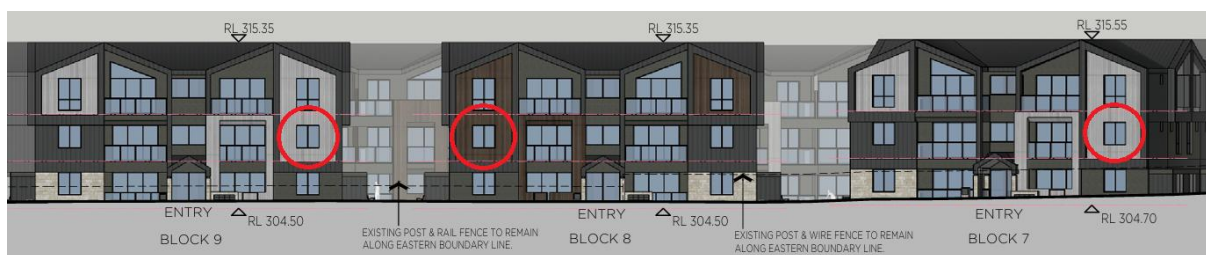
**Figure 7: Shadow diagrams demonstrating lack of solar access to secluded private open space to dwellings on the southern side of Block 1.**

Standard B5-4 – Energy Efficiency (Shading)

The proposal fails to comply with Standard B5-4 at Clause 55.05-4 of the Planning Scheme, as not all north-facing windows are provided with eaves, fixed horizontal shading devices, or fixed awnings with a minimum horizontal depth of 0.25 times the window height. The reliance on upper-level feature projections does not satisfy the requirements of the standard or achieve appropriate shading outcomes.

As a result, the development does not adequately respond to environmentally sustainable design principles and is likely to lead to increased energy demand and reduced occupant comfort.

Refer to Figure 7 for a north-eastern elevation of Blocks 7, 8 and 9 demonstrating the inclusion of north-facing windows with an absence of compliant shading devices.



In summary, while many aspects of the proposal align with the standards set out in Clause 55, the identified departures from key amenity and environmental performance standards are material and warrant the recommendations for refusal set out in this report.

A full Clause 55 assessment for the proposal is included at Attachment 8.3.10.4.

**TRAFFIC IMPACT**

A residential development comprising 60 or more dwellings or lots is required to be referred to the Head, Transport for Victoria as a Section 55 determining referral authority under Clause 66.02-11.

Upon referral of the Traffic Impact Assessment Report prepared by WGA on 21 November 2025 and submitted in support of the application, the Head, Transport for Victoria, as part of the Department of Transport and Planning, found the report to be inadequate to satisfactorily assess the traffic and transport impacts of the proposal, including matters relating to network capacity, trip generation, traffic distribution and peak period assumptions.

DTP's referral response required that the Traffic Impact Assessment Report is amended to include an appropriately detailed traffic assessment focused on the existing road network, especially the Gavan Street / Star Road intersection, including a SIDRA analysis for current conditions and a 10-year future scenario (2037), supported by 7-day traffic surveys conducted during a standard working week. Trip generation estimates should be updated using the latest Transport for NSW guidelines for regional developments, while traffic distribution assumptions should adopt a 70% inbound and 30% outbound split during the PM peak. Additionally, the assumed network peak conditions should be

validated or refined using survey data to ensure they accurately reflect the regional traffic context.

To date, the applicant has not addressed the amendments as required by DTP.

## **CONCLUSION**

The application is inconsistent with the Alpine Planning Scheme and must be refused for the following reason:

1. Pursuant to section 55 of the *Planning and Environment Act 1987* and referral under Clause 66.02-5 of the Planning Scheme (Special Water Supply Catchment Area), North East Water, as a determining referral authority, has objected to the proposal on the basis that there is insufficient capacity within the existing reticulated sewerage network to service the development. Any failure of the reticulated sewerage network risks impacting the Special Water Supply Catchment Area. In accordance with section 61 of the *Planning and Environment Act 1987*, the Responsible Authority must refuse to grant a permit where a determining referral authority has objected to the application.

Further grounds for refusal recommended in addition to the above include:

2. The proposal fails to demonstrate that it can be adequately serviced by essential infrastructure and does not represent orderly planning.
3. The submitted Transport Impact Assessment Report is inadequate and does not provide sufficient and reliable information to enable a proper assessment of the traffic, transport and road safety impacts of the proposal.
4. The bushfire mitigation measures contained within the application documents do not adequately demonstrate that the proposal responds appropriately to bushfire risk and fails to satisfy the requirements of the Bushfire Management Overlay and Clause 53.02 of the Planning Scheme.
5. The proposal fails to comply with Standard B3-5 at Clause 55.03-5 of the Alpine Planning Scheme, as it does not provide a minimum of 25 square metres of secluded private open space with a minimum dimension of 3 metres for each ground-floor dwelling, resulting in inadequate provision of usable private open space that would unreasonably diminish the amenity of future occupants.
6. The proposal fails to comply with Standard B3-6 at Clause 55.03-6 of the Alpine Planning Scheme, as it does not adequately demonstrate that secluded private open space areas will receive sufficient solar access reducing the functionality, environmental performance and amenity of the private open space areas.
7. The proposal fails to comply with Standard B5-4 at Clause 55.05-4 of the Alpine Planning Scheme, as not all north-facing windows are adequately provided with eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height. The reliance on feature projections at upper levels does not achieve the requirements of the standard or deliver appropriate shading outcomes.

8. The development does not adequately respond to environmentally sustainable design principles and is likely to result in increased energy demand and reduced occupant comfort.
9. The proposal fails to achieve an acceptable planning outcome, is not supported by adequate technical analysis or infrastructure capacity and does not respond appropriately to the relevant provisions of the Alpine Planning Scheme.

### **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

### **APPENDICIES**

Development plans prepared by CK Architecture, Job No. .24005, Revision D, dated 20/02/2026 - Attachment 8.3.10.1

Traffic Impact Assessment Report prepared by WGA, Ref: WGA232058 and WGA232058-RP-TT-0003\_B dated 21 November 2025 - Attachment 8.3.10.2

Bushfire Management Statement - Revision B prepared by Human Habitats dated November 2025 - Attachment 8.3.10.3

Assessment of the proposal against Clause 55 objectives and standards - Attachment 8.3.10.4

## 9 Informal Meetings of Councillors

### INTRODUCTION

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

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

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

### **RECOMMENDATION**

***That the summary of informal meetings of Councillors for April and May 2026 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
28 April	Briefing Session
5 May	Briefing Session
12 May	Regional Forum: Corruption Risks in Local Government
19 May	Briefing Session

### ATTACHMENT(S)

1. **9.1.1** Informal Meeting of Councillors 20260428
2. **9.1.2** Informal Meeting of Councillors 20260505
3. **9.1.3** Informal Meeting of Councillors 20260512
4. **9.1.4** Informal Meeting of Councillors 20260519

## 10 Presentation of reports by delegates

## 11 General business

## 12 Motions for which notice has previously been given

### 12. Motions for which notice has previously been given

In accordance with the Council's Governance Rules, Chapter 3, Part F, Section F11 Cr Ronco and Cr Byrne submitted the notice of motion – Rotary Club of Bright Events Strategy Exemption.

#### 12.1 Rotary Club of Bright Events Strategy Exemption

##### **INTRODUCTION**

The Rotary Club of Bright had been successfully operating its markets in Bright CBD for over twenty years.

After the endorsement of the Alpine Shire Event Strategy in November 2021, the Rotary Club of Bright has seen its market relocated over school holidays.

Since relocation at Howitt Park, the Rotary Club of Bright have faced an increase in cost management, and a decline in stallholders and visitor numbers, limiting their ability to make a direct contribution to local community projects.

In April 2026, the Rotary Club of Bright began its advocacy to Council and Councillors to obtain an exemption, allowing them to conduct their market in the Bright CBD.

##### **RECOMMENDATION**

***That Council:***

- 1. Notes a request from the Rotary Club of Bright for an exemption from the Events Strategy to reinstate its street markets within the Bright CBD on school holidays; and***
- 2. Requests the Chief Executive Officer to report to the June 2026 Ordinary Council Meeting outlining considerations for Council in assessing this request, including:***
  - (a) Whether further information gathering is required, including through a community engagement campaign***
  - (b) Costs and resourcing implications; and***
  - (c) Risk management considerations***

## 13 Reception and reading of petitions

## 14 Documents for signing and sealing

### **RECOMMENDATION**

*That the following documents be signed and sealed.*

- 1. Lease of land at 5 Elm Court, Bright,*
- 2. Lease of a part of land in Crown allotment 3 Section H Parish of Bright,*
- 3. Lease of a part of land in Crown allotment 20A Section E Township of Myrtleford,*
- 4. Lease on Council land for a part of Lot 2 LP215137, located at Tennis Court Avenue, Mount Beauty,*
- 5. Lease for Site 5 on Lot 2 Plan of Subdivision PS7057aa, Embankment Drive, Mount Beauty for an aircraft hangar,*
- 6. Lease for Lot 2 on Plan of Subdivision 21513P, known as the Lake View Children's Centre in Mount Beauty, and the relevant portion of land described in Certificate of Title Volume 09710 Folio 845,*
- 7. Lease for Lot 1 and 2 on Title Plan 241095C, known as Mountain View Children's Centre in Myrtleford, and the relevant portion of land described in Certificate of Title Volume 08054 Folio 257,*
- 8. Sub-Lease for the part of land and the improvements erected on the relevant area of land described in Certificate of Title Volume 1503 Folio 597 and Title Volume 10205 Folio 525 and Crown Grants Volume 2046 Folio 027 and Volume 10205 Folio 136, known as Alpine View Children's Centre in Bright; and*
- 9. Councillor Internal Resolution Procedure.*

## 15 Confidential reports

Nil

## 16 Closure of meeting