

M(2) – 2 MARCH 2021

# Ordinary Council Meeting

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Agenda

Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Council Chambers, Great Alpine Road, Bright on **2 March 2021** commencing at **5:00pm**.

## Agenda

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## 1. Recording and livestreaming of Council meetings

*The CEO will read the following statement:*

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

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

Question time will still be held, however questions must be submitted in writing prior to the meeting. By submitting a question, you consent to your question being read aloud at the meeting.

In common with all narrative during council meetings verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes.

The reasoning behind recording council meetings is of course 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

*The Mayor will read the following statement:*

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

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

## 3. Confirmation of minutes

### 3.1 ORDINARY COUNCIL MEETING – M(1) – 2 FEBRUARY 2021 AND SPECIAL COUNCIL MEETING SPM(2) – 23 FEBRUARY 2021

#### RECOMMENDATION

- 1. That the minutes of Ordinary Council Meeting M(1) held on 2 February 2021 as circulated be confirmed; and*
- 2. That the minutes of Special Council Meeting SPM(2) held on 23 February 2021 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 questions.

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

## **7. Public questions**

Question time will still be held, however questions must be submitted in writing prior to the meeting. Questions on Notice will be limited to two questions per 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 – CHARLIE BIRD

#### 8.1.1 Contracts approved by the CEO

**RECOMMENDATION**

*That the capital works contracts approved by the CEO be noted.*

<i>Contract No:</i>	<i>CQ CQ20034</i>	<i>Process: RFQ</i>
<i>Title:</i>	<i>Linemarking townships</i>	
<i>Tenderer:</i>	<i>Sprayline</i>	
<i>\$ (excl. GST):</i>	<i>\$59,077.36</i>	

<i>Contract No:</i>	<i>CQ20094</i>	<i>Process: RFQ</i>
<i>Title:</i>	<i>Supply of Kerbside Bins and accessories</i>	
<i>Tenderer:</i>	<i>Hotham Operations</i>	
<i>\$ (excl. GST):</i>	<i>\$140,000 for a three year term</i>	

<i>Contract No:</i>	<i>CT20111</i>	<i>Process: Tender Process</i>
<i>Title:</i>	<i>Bay Creek Bridge Upgrade</i>	
<i>Tenderer:</i>	<i>Waratah Constructions Pty Ltd</i>	
<i>\$ (excl. GST):</i>	<i>\$133,889.50</i>	

## 8.2 DIRECTOR ASSETS – WILLIAM JEREMY

### 8.2.1 Shared Trail Naming

#### **INTRODUCTION**

This report relates to the formal naming of a shared trail along the Kiewa River West Branch.

#### **RECOMMENDATION**

*That Council:*

- 1. Endorses the naming of the shared trail along the Kiewa River West Branch as the Kiewa River Trail;*
- 2. Requests that the VICNAMES Register of Geographic Names be updated to reflect this change; and*
- 3. Advises the Upper Kiewa Valley Community Association of the decision.*

#### **BACKGROUND**

The shared trail from Embankment Drive along the Kiewa River West Branch was extended by 900m in 2019/20 using funding secured by the community through the State Government's 'Pick-my-project' initiative. The trail has been informally referred to by the community as "Pebble Beach Trail", reflecting the previous end point of the trail at a pebbly beach.

The community has aspirations for the trail to be extended beyond the current end point to complete a loop connecting back to Damms Road. This project is listed in Council's project pipeline with a tentative timeframe for delivery within the current term of Council subject to funding.

Upper Kiewa Valley Community Association (UKVCA) has secured funding through Council's Community Grants Program to install signage at the start point and along the trail. For this signage to be finalised, agreement on the formal name for the trail is needed.

#### **CONSULTATION**

The UKVCA carried out engagement with the community in 2020, which identified that the community was divided in their views about how the trail should be named. The feedback at the time suggested that three potential alternatives were gaining support:

1. The Kiewa River Trail
2. The Pebble Beach Trail
3. Corner Pool Trail

Council committed to carry out broad engagement with the community, and in early 2021 commissioned a survey to gain community feedback on the three options listed

above. A further 'other' option was provided, where respondents could indicate an alternative name for the trail. The survey was shared through Council's Facebook page and website, with an article appearing in the local printed media and coverage through Alpine Radio. Paper copies of the survey were available at the Mount Beauty library.

279 responses were received including two written submissions, with the results being as follows:

- Kiewa River Trail received 100 votes
- Pebble Beach Trail received 104 votes
- Corner Pool Trail received 15 votes
- 'Other' received 60 votes, grouped as follows:
  - Alternative names mentioning 'Kiewa' received 23 of the 60 votes
  - An indigenous name other than 'Kiewa' received 20 of the 60 votes
  - Alternative names mentioning Pebble Beach received 3 of the 60 votes
  - Other different names received 14 of the 60 votes

In summary:

- 123 votes were in favour of 'Kiewa River Trail' or an iteration of this name which includes the word 'Kiewa'.
- 107 votes were in favour of Pebble Beach Trail or an iteration of this name which includes 'Pebble Beach'.
- 20 votes were in favour of an indigenous name other than 'Kiewa'.
- 15 votes were in favour of 'Corner Pool Trail'.
- 14 votes were in favour of a different name.

## **ISSUES**

The Victorian State Government maintains a Register of Geographic Place Names, and provides naming rules for naming roads, features and localities. The Register includes an entry for a track from Embankment Drive to Pebble Beach which is 'Kiewa River Track'. The track has been extended and upgraded in recent years including widening and sealing the surface, and under the definitions in the naming rules, the shared path is now considered to be a 'multi-use trail'. Changing the naming suffix from 'track' to 'trail' to appropriately reflect the nature of the geographic feature is considered an administrative change as it does not impact on the original intent of the naming.

The interest in adopting an indigenous name for the trail has been noted and will be a strong consideration in the naming of any new roads or other geographic features in the Alpine Shire. In this case, the feature already has an identified name in the Register of Geographic Place Names which reference the indigenous word 'Kiewa', translating as 'sweet water'.

## **POLICY IMPLICATIONS**

The recommendation to implement an administrative change to an existing name in the Register is in accordance with the requirements of the *Geographic Place Names Act 1998*.

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2017-2021:

- Infrastructure and open space that our community is proud of

## **FINANCIAL AND RESOURCE IMPLICATIONS**

There is no cost to Council or impact on Council resourcing associated with this recommendation. Printed collateral will be updated as and when it falls due and the name will be updated at that time.

## **CONCLUSION**

In order for signage to be produced, a name needs to be formalised for the shared trail along the Kiewa River West Branch. Following broad consultation, the recommended name for the trail is the Kiewa River Trail.

## **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

## **ATTACHMENT(S)**

8.2.1 Survey Results



## 8.3 DIRECTOR CORPORATE – NATHALIE COOKE

### 8.3.1 Councillor and Mayoral allowance review

#### **INTRODUCTION**

The *Local Government Act 2020* provides for the Mayor and Councillors to receive an allowance during their four-year term. Until the first determination is made by the Victorian Independent Remuneration Tribunal, Council must review allowances in accordance with the *Local Government Act 1989*. This report commences the allowance review process for Councillors elected in October 2020.

#### **RECOMMENDATION**

*That:*

1. *Having reviewed the Councillor and Mayoral allowances in accordance with s74(1) of the Local Government Act 1989, it is intended to:*
  - a. *Set the Councillor allowance at \$20,046, in accordance with the ranges set by the Minister for Local Government for a Category 1 Council; and*
  - b. *Set the Mayoral allowance at \$59,889, in accordance with the ranges set by the Minister for Local Government for a Category 1 Council; and*
  - c. *Increase the annual allowances by any adjustment factor specified by the Minister for Local Government under s73B of the Local Government Act 1989; and*
  - d. *Pay the equivalent of the Superannuation Guarantee Contribution in addition to the Councillor and Mayoral allowances as required by the Order in Council.*
2. *Notice of the intention to set the Councillor and Mayoral allowances be given in accordance with s223 of the Local Government Act 1989.*
3. *A committee be formed according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to Councillor and Mayor allowances.*
4. *All submissions be considered prior to setting the level of allowances at a report presented to Council in May 2021.*

#### **BACKGROUND**

The Mayor and Councillors are entitled to receive an allowance in order to perform their official duties. In previous Council terms, this was governed by the *Local Government Act 1989* (LGA 1989), which set out allowances for Mayor and Councillors in accordance with categories and ranges set by the Minister for Local Government.

The *Local Government Act 2020* (LGA 2020) now requires that allowances are set by a Determination made by the Victorian Independent Remuneration (VIR) Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Until such time as a Determination is made, allowances continue to

operate under LGA 1989 provisions. This includes the requirement to review Councillor and Mayoral allowances within the levels determined by the Minister for Local Government. At the time of writing this report, officers understand that a VIR Tribunal Determination is not expected until late 2021.

Under the *Local Government Act 2020* (LGA 2020), there will be provision for a Deputy Mayor allowance in addition to the Mayor and Councillor allowances set under the LGA 1989. This entitlement will not commence until a VIR Tribunal Determination is made.

## ISSUES

### Statutory review of allowances

Section 74 of the LGA 1989 requires that each Council review and determine the level of Councillor and Mayoral allowances within the period of 6 months of a general election or by the next 30 June, whichever is later.

In accordance with the most recent adjustment factors published in the Victorian Government Gazette for a Category 1 Council, allowance ranges are as follows:

**Table 1: Maximum allowance ranges for a Category 1 Council (as at 12/11/2019)**

	Base allowance range	Superannuation Guarantee Contribution (9.5%)	Total allowance range
Councillors	\$8,833 - \$21,049	\$839 - \$2,000	\$9,672 - \$23,049
Mayor	up to \$62,884	up to \$5,974	up to \$68,858

Council can elect to set Councillor and Mayoral allowances anywhere within the limits set out in Table 1.

### Previous allowances

Each Council can set their allowances within the range set by the Minister for Local Government. Alpine Shire Councillors elected in October 2016 chose to set their allowances slightly lower than the maximum. This was to counteract the effect of the mandatory annual increases to allowances, to mimic the effect of a three-year wage freeze that for Council staff at that time. Allowances set by the previous Council are payable until this review has been completed.

Table 2 shows allowances currently being paid to Councillors, which include annual adjustments specified by the Minister for Local Government since the last review in 2017.

**Table 2: Allowances currently paid by Alpine Shire Council (prior to review)**

	Base allowance	Superannuation Guarantee Contribution (9.5%)	Total allowance paid
Councillors	\$20,046	\$1,904	\$21,950
Mayor	\$59,889	\$5,689	\$65,578

### **Annual increase to allowances**

In previous years the Minister for Local Government has announced annual increases to allowance thresholds (historically 2.0-2.5% increases), however in October 2020, Local Government Victoria wrote to Councils to advise that there would be no adjustment or increase to allowances for the current year.

It is expected that the VIR Tribunal will have made its first Determination prior to the next annual adjustment. To cater for any eventuality that this may not be the case, the ability to increase allowances in line with any annual adjustment has been built into the recommendation in this report.

### **Acceptance of allowance**

Under s39(5) of the LGA 2020, Councillors may elect to receive the entire allowance, a specified part of the allowance, or to receive no allowance. However, since s74A of the LGA 1989 is in force until the VIR Tribunal makes its first determination, Councillors only have the option to either receive the allowance or elect not to receive an allowance (s74A(3)) under current arrangements.

### **Exclusivity of allowances**

Under both the LGA 2020 and LGA 1989, a person is only entitled to receive an allowance while they hold the office in respect of which the allowance is payable - in other words, the Mayor cannot receive a Councillor allowance while also receiving a Mayoral allowance. This means that in Alpine Shire Council at any one time, there are six Councillors receiving the Councillor allowance, and one Councillor receiving the Mayoral allowance.

### **Remote area travel allowance**

The Order in Council sets out a remote area travel allowance to be paid to a Councillor where they normally reside more than 50 km by the shortest possible practicable road distance from the location or locations specified for the conduct of Council meetings, or any municipal or community functions that are authorised by Council resolution for the Councillor to attend.

The Councillor Expenses Policy notes this provision for attendance at Council meetings.

## **Superannuation Guarantee Contribution**

Unless Council has unanimously resolved that the allowance be subject to tax withholding arrangements under Commonwealth taxation legislation, each allowance range or limit must be increased by a sum equivalent to the Superannuation Guarantee Contribution. In 2020/21 this is set at 9.5%.

It is up to each individual Councillor to determine whether they wish to make this contribution to their own personal superannuation fund.

## **Manner of payment of allowances**

The Order in Council specifies that the payment of annual allowances is not to exceed more than one month in advance.

## **POLICY IMPLICATIONS**

Until such time as the Victorian Independent Remuneration Tribunal makes a Determination, Councillor and Mayoral allowances and the requirement to review those allowances are governed by the *Local Government Act 1989*. Following the VIR Tribunal Determination, Councillor and Mayoral allowances will be governed by the *Local Government Act 2020*.

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2017-2021:

- A high performing organisation

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Councillor and Mayoral Allowances are accounted for within Council's annual budget. The 2021/22 budget.

At the time of writing this report, officers are aware that any VIR Tribunal Determination must not be less than the current allowance ranges set for each Council. An assumption will be built into the budget to deal with a modest increase on the current maximum allowances. Council will also need to budget for a Deputy Mayor allowance that will be payable following a VIR Tribunal Determination, which is not payable under the LGA 1989 review.

## **CONSULTATION**

In accordance with s74(4) of the LGA 1989, a person has a right to make a submission under s223 of the LGA 1989, regarding the Councillor and Mayor allowances. A statutory 28 day public exhibition period will allow for public submissions. Submitters may also request to be heard before a Committee of Councillors in support of their submission. All submissions will be considered prior to making a final decision regarding the setting of allowances at the May Ordinary Council Meeting.

## **CONCLUSION**

Council must review and determine the Councillor and Mayoral Allowances to be paid under s74(1) of the LGA 1989, taking into account the ranges and limits set by the Order in Council for a Category 1 Council.

Once set at the May Council Meeting, the allowances will apply until the first Determination is made by the VIR Tribunal, where Councillor, Deputy Mayor and Mayor allowances will be set under s39 of the LGA 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 Corporate
- Manager Corporate
- Governance Officer

## **ATTACHMENT(S)**

Nil

## 8.3.2 Quarterly Report – Council Plan

File Number: SU600.03

### **INTRODUCTION**

This report provides the second quarterly report for 2020/21 against the Alpine Shire Council Plan 2017-2021 (review 2020).

### **RECOMMENDATION**

*That the Alpine Shire Council Plan Quarterly Report ending 31 December 2020 be received and noted.*

### **BACKGROUND**

The Alpine Shire Council Plan 2017-2021 outlines the strategic objectives, strategies and indicators determining Council's direction for the four-year term of the Plan. The document is reviewed by Council annually and will remain in place until 30 June 2021.

A new Council Plan takes effect from 1 July 2021 however Council has until 31 October 2021 to adopt the new plan.

While there is no legislative requirement to report to Council on the progress against the Council Plan, the Governance and Management Checklist that forms part of the Local Government Performance Reporting Framework (LGPRF) suggests that it is best practice to report at least on a six-monthly basis.

By reporting quarterly, Council ensures that progress against the Council Plan is on schedule, and that actions and indicators are maintained as priorities throughout the year.

Where quarterly or half-yearly reporting of indicators does not generate meaningful results, these are reported at end of financial year as part of the annual report.

### **HIGHLIGHTS**

#### ***A high performing organisation***

Council released the Community Engagement Policy for public submissions in December 2020. The policy will guide Council's commitment to engaging with the community, including when requiring feedback or to inform decision making, and when community members can have an impact, or will be impacted by a decision being considered by Council. The policy was adopted by Council at a Special Council Meeting in February.

#### ***A responsible and sustainable organisation***

Local Government Elections were held in October 2020, with Councillors taking their Oath / Affirmation of Office on 17 November 2020.

The first stream of Council's new customer request system was rolled out in December 2020. The new system will ultimately improve customer service experience.

***Incredible places for our community and visitors***

Council continues to work on delivery of capital projects, including draft concept designs and community consultation for key projects. Projects delivered during Q2 include the Buckland Bridge, renewal of the Riverside Park BBQ shelter in Porepunkah, and sealing of the extended shared trail in Mount Beauty.

***Infrastructure and open space that our community is proud of***

Council re-established the Municipal Emergency Management Planning Committee under the *Emergency Management Act 2013*, consisting of representatives from key emergency service organisations as well as community representatives.

***Highly utilised and well managed community facilities***

Council's library services returned to full services, following the relaxation of COVID-19 restrictions that previously only allowed click and collect services. Other facilities including Visitor Information Centres, seasonal pools and sports centres are also trading in accordance with COVID-19 restrictions.

***A well planned and safe community***

Food premise inspections were completed for more than 70% of all food businesses in 2020. Progress was impacted due to COVID-19 restrictions, however the team focussed on assisting businesses to trade within COVID-safe guidelines.

Amendment VC60 to the Alpine Planning Scheme was released for public exhibition during November, with submissions closing in January 2021. The amendment will be presented to the March Council Meeting.

***A thriving and connected community***

Council hosted community catchups for fire-impacted communities in Buckland Valley and Buffalo River during Q2, with more than 100 community members attending across the two events. Bushfire Recovery Grant Funding programmes awarded ten projects funding across the Shire worth a total of \$400,000.

**POLICY IMPLICATIONS**

The current Council Plan is a specific requirement of the *Local Government Act 1989* and is a guiding document for Council until 30 June 2021. The Council Plan and Budget identify and commit Council to the completion of specific initiatives each year.

A new Council Plan will be developed in accordance with the *Local Government Act 2020*, which will be effective from 1 July 2021.

Quarterly reporting aligns with the Alpine Shire Council Plan 2017-2021 (review 2020) Strategic Objective 1: A high performing organisation.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The Council Plan is a key document informing the financial and human resources required to achieve Council's objectives.

## **CONSULTATION**

The Council Plan is subject to public exhibition prior to being adopted by Council.

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

## **CONCLUSION**

This quarterly report shows that progress is being made on the delivery of key Council Plan actions.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Directors
- Managers
- Governance Officer

## **ATTACHMENT(S)**

8.3.2 Alpine Shire Council Quarterly Report – ending 31 December 2020



### 8.3.3 Finance Report - Quarterly Review

#### **INTRODUCTION**

The purpose of this report is to note the Finance Report - Quarterly Review for the period ending 31 December 2020.

#### **RECOMMENDATION**

*That Council receives and notes the Finance Report - Quarterly Review for the period ending 31 December 2020.*

#### **BACKGROUND**

The purpose of the Finance Report - Quarterly Review (the "Report") is to provide Council with an overview of the quarter two results and an update on the forecast financial position against the full year budget. Explanations are provided for variances to budget greater than \$100,000.

#### **ISSUES**

##### ***Quarter Two Report Highlights***

Council is forecasting a full year surplus of \$4.7m, which is \$2.4m higher than the budgeted surplus of \$2.3m.

The major driver of the forecasted increase in the surplus is additional grant income received of \$4.0m. The most significant items are for:

- Tawonga Caravan Park Upgrade \$0.5m.
- Working for Victoria \$1.3m.
- Great Valley Trail \$0.7m.

This increased income is partially offset by a forecast increase in employee costs and materials and services totalling \$1.5m, predominately due to additional expenditure related to the Working for Victoria grant of \$1.3m.

Major forecast variances to capital works incomes and expenditures are as follows:

- Buckland Bridge income - changes in accounting standards has increased the income recognised by \$115k.
- Buckland Bridge expenditure – additional expenditure of \$115k has been carried over from 2019/20.
- Bay Creek Bridge - \$229k additional project partially funded from Bridges Renewal Program.
- East Ovens Pedestrian Bridge - \$120k additional project funded from Bushfire Recovery funding.
- Tawonga Caravan Park Upgrade - \$500k additional grant funding and expenditure for this project as the grant funding agreement was finalised after the budget for 2020/21 was completed.

- Great Valley Trail income - \$720k higher than budgeted income as additional funding is forecast from the Local Roads and Community Infrastructure Program.
- Alpine View Children's Centre Expansion Project- \$350k additional project partially funded from the Department of Education.
- Mount Beauty Airport Upgrade- \$221k unbudgeted project which includes cost for design, flood modelling and government road purchase.
- Dinner Plain Activation – the forecast has been reduced as a result of project delays due to additional community engagement to clarify scope, and subsequent delay in planning approvals and native vegetation offsets.
- Gavan Street Pedestrian Crossings - \$167k of unbudgeted expenditure as additional expenditure has been carried over from 2019/20.
- Dinner Plain Bus Shelters and Town Entrance Access - \$143k unbudgeted project bus bay and shelter construction on exit road.

### ***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 quarter two 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
- undertake 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.

As none of these three items is forecast to occur Council is not required to complete a revised budget for 2020/21.

### **POLICY IMPLICATIONS**

The Report has been prepared in line with the requirements of the *Local Government Act 1989* (LGA 1989) and *Local Government Act 2020* (LGA 2020), as both Acts are relevant for the reporting period.

*Section 138(1) of the LGA 1989* (Quarterly statements) was repealed on 24 October 2020 but is relevant for the Q1 report– "At least every 3 months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public".

*Section 97(1) of the LGA 2020* (Quarterly budget report) commenced on 24 October 2020 and is relevant for the Council meeting at which the Q1 report is presented - "As soon as practicable after the end of each quarter of the financial year, the CEO must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public".

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Financial performance to date indicates a full year surplus of \$4.7m, which is \$2.4m higher than the budgeted surplus of \$2.3m.

### **CONSULTATION**

The Report has been prepared through a rigorous process which includes each department reviewing their budget and providing explanations for variances at the master account level.

The Report has been presented to the Finance Committee and the Audit Committee for noting.

### **CONCLUSION**

The Finance Report - Quarterly Review for the period ending 31 December 2020 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
- Manager Corporate
- Accountant

### **ATTACHMENT(S)**

8.3.3.a Finance Report - Quarterly Review for the period ending 31 December 2020.

## 8.3.4 Omnibus Planning Scheme Amendment C60 - Consideration of Submissions

### INTRODUCTION

The purpose of this report is to:

1. Inform Councillors of the results of the public exhibition process for proposed Amendment C60 to the Alpine Planning Scheme.
2. Recommend a Council position in relation to submissions received to the amendment.
3. Propose that Council split the amendment into Parts 1 and 2; Part 1 being where there have been no objections raised or for which the changes proposed are supported by Council, Part 2 being for submissions unable to be resolved without reference to an Independent Panel.
4. Propose that Council submit Amendment C60 Part 1 to the Minister for Planning for approval; and
5. Propose that Council refer Amendment C60 Part 2 to an independent panel for consideration.

### RECOMMENDATION

*That Council:*

1. *receive and note submissions received following exhibition of Amendment C60 to the Alpine Planning Scheme;*
2. *note the officer report in response to submissions on Amendment C60 and split it into two parts, as follows:*
  - i. *Part 1 – Places that received no submissions or submissions that requested changes that Council supports as in Attachment 1; and*
  - ii. *Part 2 – submissions in relation to Schedule 5 to the Special Use Zone seeking changes as in Attachment 1.*
3. *adopt Part 1 and submit it to the Minister for Planning for Approval in accordance with Section 31(1) of the Planning and Environment Act 1987;*
4. *request the Minister for Planning appoint an independent Planning Panel to consider Amendment C60 Part 2 in accordance with Section 23 of the Planning and Environment Act 1987;*
5. *refer the submissions and Amendment C60 Part 2 to a Panel and adopt a position of support for the amendment with appropriate changes as set out in this report and the associated attachments;*
6. *write to all submitters to advise of this decision;*
7. *write to parties affected by the proposed changes put forward by North East Water and seek their comments, and*
8. *note that officers will provide a further report to Council after the Planning Panel report is received about how to proceed with Amendment C60 Part 2.*

## BACKGROUND

Amendment C60 was prepared to address errors in the planning scheme that warrant correction because of the negative impact that they are having, or could have, on development and land use in parts of the shire.

There are three main areas impacted on by the proposal:

- Instances of freehold land being included in Public Land Zones, in particular; the Bright and the Mount Beauty golf courses which are within the Public Conservation and Resource Zone. It is only by virtue of their long-term use as a golf courses that permits can be granted under the existing use rights provisions of the planning scheme. The proposed new Special Use Zone - (Golf Course) allows for use and development consistent with golf course purposes to be allowed, where appropriate, without permit, and for other uses consistent with golf course to be considered for permit.
- An instance of a National Trust listed tree (a Himalayan Oak in the Bright Cemetery) being unintentionally omitted from protection under the Heritage Overlay,
- Errors in the ordinance provisions in the Special Use Zone - Schedule 5 - Mount Beauty Aerodrome and Airpark (SUZ5), which:
  - unintentionally imposes a blanket building height limit of 6m to all buildings,
  - imposes unnecessary requirements on applicants,
  - contains requirements that are unclear as to intent; and
  - omits important information regarding the Aircraft Obstacle Limitation Surface Layer that governs the safe limit to which structures and other obstacles can be safely established.

Amendment C60 was placed on public exhibition between 19 November 2020 and 8 January 2021. Notification included the placing of a notice in the Government Gazette, advertisements in local newspapers and on the Council website as well as direct notification of owners and occupiers directly impacted by the proposal.

### *Submissions*

Section 23 of the *Planning and Environment Act 1987* "Decisions about submissions" requires that,

- (1) After considering a submission which requests a change to the amendment, the planning authority must—
  - (a) change the amendment in the manner requested; or
  - (b) refer the submission to a panel appointed under Part 8; or
  - (c) abandon the amendment or part of the amendment.

Four submissions were received to the amendment:

- two submissions did not request a change to the amendment.
- one submissions requested changes to the amendment that are able to be supported.
- one submission requested changes that are not supported and which must therefore be referred to an Independent Panel.

The submissions are summarised in Attachment 1 together with comment and a recommendation as to Council's position on the submission.

Following approval, the Amendment would then be published in the Victoria Government Gazette, at which point it would take effect in the Planning Scheme.

## **ISSUES**

The errors that are being addressed by the amendment are having an unnecessary and unforeseen impact on land use and development potential and add an unnecessary risk to a heritage asset. Additionally, some of the errors could result in safety issues for the Mount Beauty Airpark and confusion and unnecessary administrative costs. Approval of the amendment will address these concerns.

The fact that part of the amendment cannot be resolved without reference to an Independent Panel means that to move forward with the balance of the amendment, it will need to be split into Part 1 (for adoption and approval) and Part 2 (for referral to an Independent Panel).

### ***Submissions requesting changes that can be supported (for inclusion in Part 1):***

Submissions regarding the proposed Special Use Zone 6 (Golf Courses) from the Bright Golf Club conditionally support the amendment subject to the inclusion of "Group Accommodation" as a discretionary use for which a permit may be considered in the zone. This is a reasonable proposal, as such a use is not uncommon in modern golf clubs. It should be noted that both the Bright and Mount Beauty Golf Clubs have non-conforming use rights which would entitle them to make such applications under the current zonings applying to them. The proposed rezoning of the golf courses is designed to reflect that fact that the land is no longer Crown Land and is in freehold title. The rezoning is in line with the requirements of the Victoria Planning Provisions which requires that only public land should be included in public land zones.

### ***Submissions required to be sent to Independent Panel:***

North East Water has made submission to the amendment requesting that a range of uses currently permissible in Precinct 3 of the Mount Beauty Air Park Master Plan (2016) be prohibited. The reason behind this is to protect the Mount Beauty Wastewater Treatment Plant from encroachment of sensitive uses into the odour buffer for which odour modelling undertaken in 2020 indicates high level impact on Precinct 3. It also requests that the plan be amended to remove reference to future lot layouts as it submits that several of the lots shown on the plan cannot be built on due to infrastructure constraints.

It should be noted that during exhibition, Council was (and still is) preparing plans for the Mount Beauty Aerodrome and Air Park that may entail minor modifications to the layout plans for the airstrip itself. The potential changes proposed are not finalised. Should there be minor changes resulting from the consultation process for the changes to the Air Park, they can potentially be referred to the Independent Panel for consideration along with the submission requesting changes to SUZ5.

Panel Hearing dates have been set as follows:

- Directions Hearing 12 April 2021
- Panel Hearing 17 May 2021

### **POLICY IMPLICATIONS**

The proposal improves the delivery of planning policy through the planning scheme.

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2017-2021:

- A well planned and safe community

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Approval of the amendment will assist in ensuring that potential safety concerns are addressed and unnecessary administrative costs in administering are avoided.

### **CONSULTATION**

Amendment C60 was placed on public exhibition between 19 November 2020 and 8 January 2021. Notification included the placing of a notice in the Government Gazette, advertisements in local newspapers and on the Council website as well as direct notification of owners and occupiers directly impacted by the proposal. Four submissions to the amendment have been received.

### **CONCLUSION**

Exhibition of Amendment C60 has been completed with a total of four submissions having been received. The splitting of the amendment into two parts allows for the non-controversial elements to be adopted and sent to the Minister for Planning for Approval and the controversial elements to be considered in further detail by an Independent Panel.

## **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
- Strategic Planner

## **ATTACHMENT(S)**

- 8.3.5.a. Summary of submissions and recommended actions
- 8.3.5.b. Amendment C60 Explanatory Report



### 8.3.5 Planning Application P.2020.145

<i>Application number:</i>	<i>P.2020.145</i>
<i>Proposal:</i>	<i>Use and Buildings and Works for the Construction of a Dwelling</i>
<i>Applicant's name:</i>	<i>Shannon Davies (SD Strategy and Development Pty Ltd)</i>
<i>Owner's name:</i>	<i>Tasman Roy Davies</i>
<i>Address:</i>	<i>Cottrells Lane, Tawonga (Crown Allotment 6A, Section 14, Parish of Mullindolingong)</i>
<i>Land size:</i>	<i>Approximately 3.146 hectares</i>
<i>Current use and development:</i>	<i>One (1) shed.</i>
<i>Site features:</i>	<i>There is one (1) shed on the site. There is native vegetation in the north-western corner and in the verge abutting the site. The site slopes down from east to west by approximately 20 metres, with an average slope of 8.29%.</i>
<i>Why is a permit required?</i>	<i>Clause 35.07-1 Use (FZ) Clause 35.07-4 Buildings and Works (FZ) Clause 42.03-2 Buildings and Works (SLO)</i>
<i>Zoning:</i>	<i>Farming Zone (FZ)</i>
<i>Overlays:</i>	<i>Significant Landscape Overlay - Schedule 1 (SLO1)</i>
<i>Restrictive covenants on the title?</i>	<i>None</i>
<i>Date received:</i>	<i>22 September 2020</i>
<i>Statutory days:</i>	<i>59 days at 12 February 2021</i>
<i>Planner:</i>	<i>James Trimble</i>

#### **RECOMMENDATION**

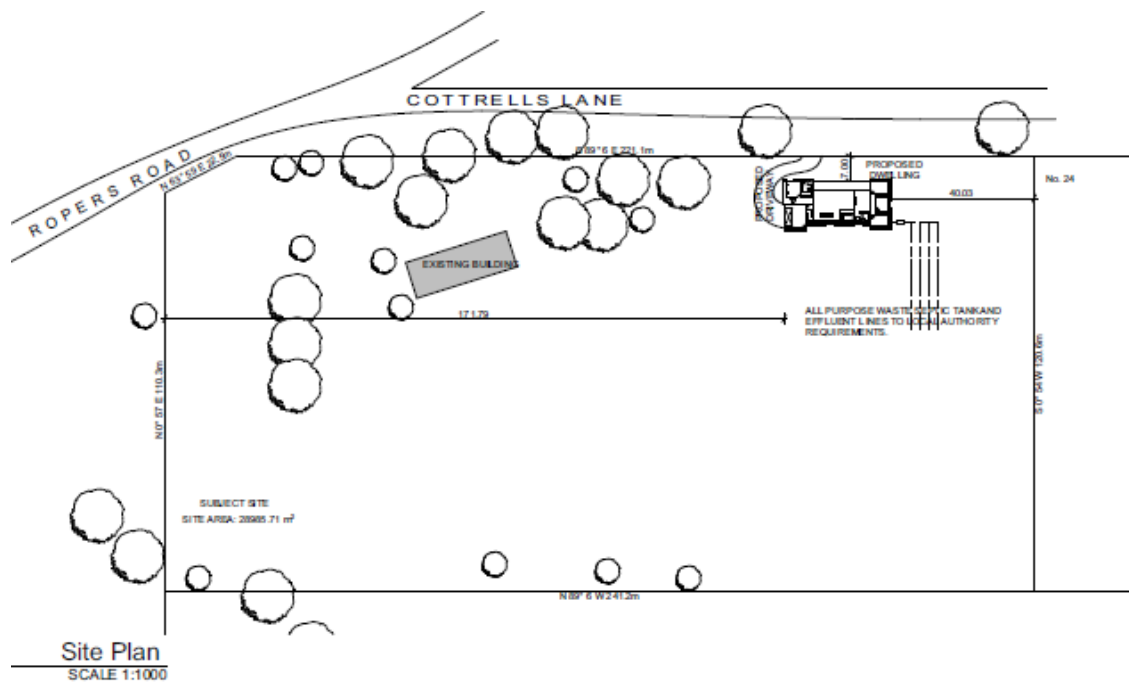
*That a refusal be issued for the proposed Use and Buildings and Works for the Construction of a Dwelling for the reasons identified in appendices 8.3.5.a & 8.3.5.b. and on the following summarised grounds:*

- 1. The proposal does not meet the relevant planning permit framework of the Alpine Planning Scheme including relevant State and Local Policies, and the purposes and decision guidelines of the Farming Zone.*
- 2. The proposal does not provide for the orderly planning of the area.*

## PROPOSAL

The use and construction of a new single storey dwelling. The proposed dwelling has a double garage accessed off Cottrells Lane, four (4) bedrooms, two (2) bathrooms, separate laundry, rumpus room, and an open plan living/kitchen/dining.

The minimum setbacks include 7 metres to the northern (front) lot boundary, 40.03 metres to the eastern (side) lot boundary, approximately 99.5 metres to the southern (rear) lot boundary, and 171.79 metres to the western (side) lot boundary. The maximum building height proposed is 4 metres. External materials include Colorbond roofing, rendered and face brickwork, and Scyon cladding. An associated onsite wastewater disposal area has been indicated to the south of the proposed dwelling.



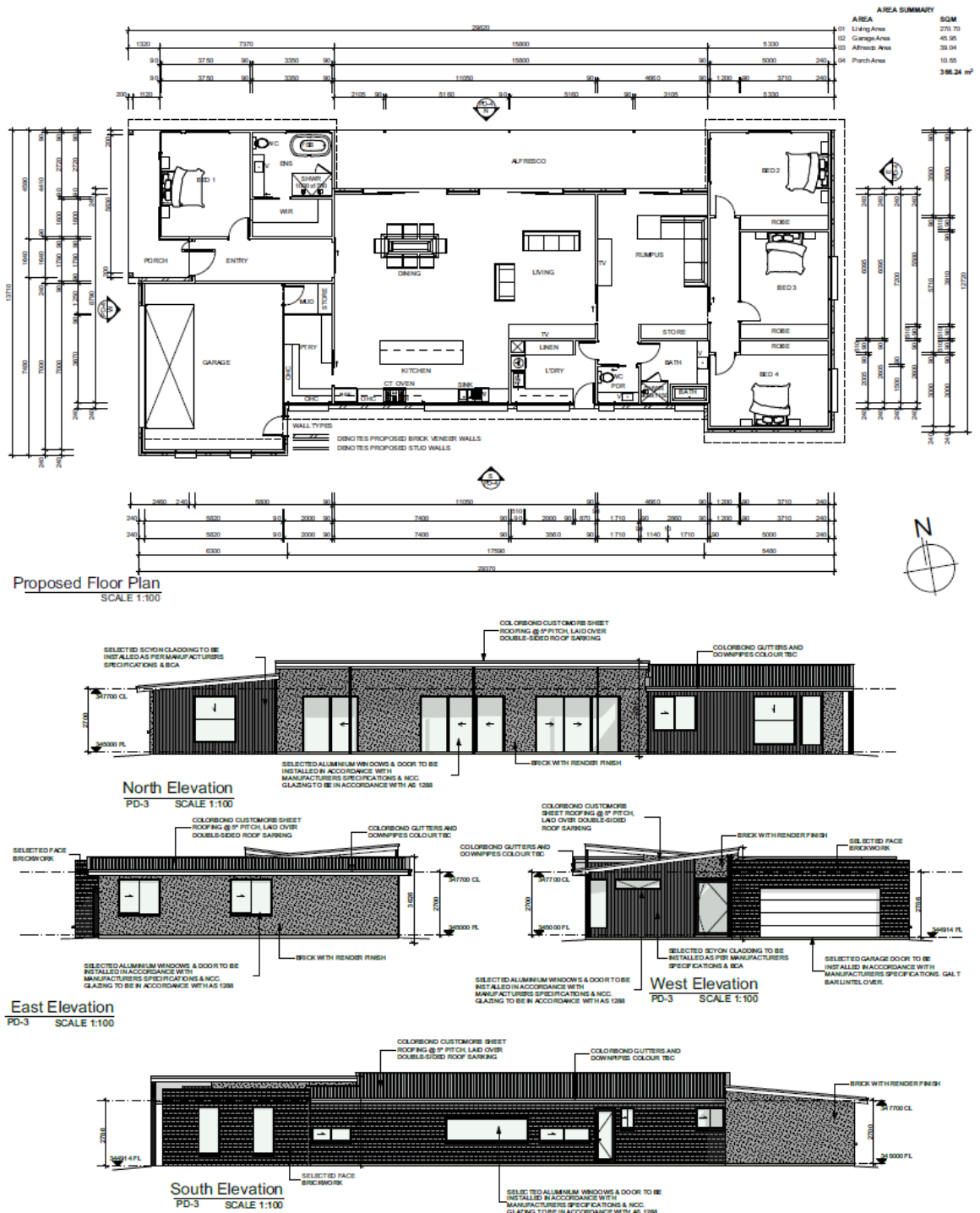


Figure 1: Shows the development layout on site.

## SUBJECT LAND AND SURROUNDS

The site is an irregular rectangular shape with direct frontage to Cottrells Lane and Ropers Road. The site has an existing shed sited in the north-western corner. There is native vegetation in the north-western corner of the site and the verge abutting the site. The site slopes down from east to west by approximately 20 metres, with an average slope of 8.29%. The site has post and wire boundary fencing.

Surrounding land is zoned 'Farming' zone. Large (over 40 hectares) open farmland sites directly abutting the subject site include 46 Cottrells Lane, which has an approximate area of 63.24 hectares, and a dwelling in close proximity to Cottrells Lane, and 10 Ropers Road, which has an approximate area of 53.61 hectares.

Large (over 40 hectares) open farmland sites within close proximity (500 metres) of the site include 95 Ropers Road, which has an approximate area of 60.93 hectares and a dwelling accessed off Roper Road, and Parcel 10977 Cottrells Lane, which has an approximate area of 58.15 hectares.

There are a number of watercourses which run through the abovementioned large open farmland sites, and native vegetation exists in close proximity of a number of these watercourses.

Smaller sites within close proximity (500 metres) of the site include 24 Cottrells Lane which has an area of approximately 1.14 hectares and a dwelling, 32 Cottrells Lane which has an area of approximately 0.52 hectares and a dwelling, and Parcel 14081 Cottrells Lane which an area of approximately 1.8 hectares and is not currently utilised.

There are four (4) large (over 40 hectares) open farmland sites, within close proximity (500 metres) of the site, of which two (2) directly abut the subject site, and three (3) smaller sites within close proximity (500 metres) of the site, of which two (2) have a dwelling.



**Figure 2: Subject land.**

## **PUBLIC NOTIFICATION**

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice of the application was sent to surrounding landholders and occupiers. A sign was displayed on the subject land. Two objections were received. The matters raised in the objections have been summarised as follows:

1) Concerns with siting of the proposed dwelling within the lot.

The applicant and objector had discussions in relation to this matter and an agreement was reached for the inclusion of an amended plans condition requiring the dwelling be sited a minimum of 50 metres away from the northern and eastern lot boundaries. Should the application be supported such a condition would be included.

2) Not consistent with the purposes of the Farming Zone.

The site is zoned Farming Zone within the Alpine Planning Scheme and the provisions of this zone apply to the application. The proposal is not considered to comply with the purposes of the Farming Zone as *it does not implement the relevant Planning Policy Framework, for the reasons further discussed in this report below and it does not provide for the use of land for agriculture.*

3) Will result in the loss of productive agricultural land.

The productivity of the land is a relevant planning consideration and referenced within a number of relevant Planning Policies and the Farming Zone. It is understood that the land is not currently used for any productive agricultural activity/ies. Alpine Shires Rural Land Capability mapping indicates the site as having a high agricultural capability. It is understood that surrounding sites are predominantly used for productive agricultural purposes.

4) Potential for Land Use conflict.

The potential for land use conflict is a relevant planning consideration and referenced within a number of relevant Planning Policies and the Farming Zone. Considering the existing site context there is unlikely to be any land use conflict as a result of the proposal, however there is the potential for the proposal to limit the expansion of agricultural activity/ies in the area.

5) The site should be amalgamated into adjoining farmland.

The ability of the site to be amalgamated into adjoining farmland is a relevant planning consideration within Planning Policy 21.03-3 Rural Lifestyle, Subdivision and Dwellings. Directly abutting land to the south and west of the site is understood to be used for farming purposes. Based on the existing site context there is considered to be capacity for the site to be amalgamated into an existing adjoining farmland site.

6) The proposal is not consistent with Alpine Shire Rural Land Strategy

The Alpine Shire Rural Land Strategy is relevant to the application as it is directly referenced within the relevant Planning Policies. This strategy states the following in relation to precinct 7, sub-precinct 4, which the site is included in:

- *The precinct has regionally significant agricultural land that is capable of growing a wide variety of agricultural commodities suited to cool climate growing conditions and attracting higher value products, including horticulture and dairying.*
- *The precinct includes the most productive grazing land in the municipality, with grazing being the predominant land use.*
- *The precinct is the centre of the dairy industry in the municipality, the industry being a significant contributor to the economy.*

7) To be considered requires viable agricultural activity/ies.

The relevant application requirements within the Alpine Planning Scheme do not formally require the submission of a Whole Farm Plan (which is a document used to demonstrate viability of agricultural activity/ies on a site) for the application to be considered.

## REFERRALS

Referrals / Notice	Advice / Response / Conditions
Internal referrals:	Alpine Shire Health Department - No objection, subject to inclusion of a condition.

## PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION

All applicable policy and decision guidelines can be found in Appendix 8.3.5.b.

### State Planning Policy Framework

The following State Planning Policy Framework (SPPF) does not give support to the proposal.

Clause 11.03-5S Distinctive Areas and Landscapes as the proposal does not avoid use and development that could undermine the long term non-urban use of land in the area.

Clause 14.01-1S Protection of Agricultural Land as the proposal does not:

- Prevent inappropriately dispersed urban activities in rural areas.
- Limit new housing in rural areas.
- Fully consider the sites agricultural land capability.

Clause 16.01-3S Rural Residential Development as the proposal does not:

- Protect agriculture and avoid inappropriate rural residential development.
- Discourage development of small lots in rural zones for residential use.
- Encourage consolidation of existing isolated small lots in rural zones.

## Local Planning Policy Framework

The following Local Planning Policy Framework (LPPF) does not give support to the proposal.

Clause 21.03-2 Rural Residential Living as the proposal does not protect rural land from inappropriate development, as the site is classified as high quality for agriculture.

Clause 21.03-3 Rural lifestyle, subdivision and dwellings as the proposal is not linked to and required for an agricultural, associated rural activity or rural tourism purpose, and the proposal results in the loss of agricultural land that is of strategic significance in the local context, as the proposal does not:

- Limit rural lifestyle development in agricultural areas.
- Encourage the consolidation of rural lots.
- Discourage the proliferation of dwellings not associated with agriculture.
- Demonstrate that the dwelling is required to support a legitimate, established agricultural or rural activity/ies.
- Meet the considerations for a rural lifestyle purpose as the site is able to be consolidated with adjoining land used for agriculture.

Clause 21.05-3 Agriculture as the proposal does not protect strategically significant agricultural land for production, and protect the land from residential expansion, as the proposal does not:

- Reinforce agricultural production as the primary purpose of the Farming Zone.
- Protect agricultural land from inappropriate use and development such as isolated non-agricultural uses including residential uses.
- Protect strategically significant agricultural land to support future agricultural industries.
- Ensure that rural land is used and developed in a way that will support agricultural production.

Clause 21.06-1 Infrastructure as the proposal does not reduce the loss of agricultural land for the purposes of urban/residential development.

Clause 22.03-2 Agriculture as the proposal does not

- Discourage the conversion of agricultural land to non-soil based use and development, and it has not been demonstrated that the proposal complements the agricultural base of the shire.
- Discourage development which is sensitive off site effects and may prejudice agricultural production.

## Zoning

The site is zoned Farming Zone. The proposal is inconsistent with the purposes and decision guidelines of the Farming Zone for the following reasons:

- It does not implement the relevant Planning Policy Framework.
- It does not provide for the use of land for agriculture.
- The proposal does not support and enhance agricultural production.
- The proposal will permanently remove land from agricultural production.
- There is potential for the proposal to limit the operation and expansion of adjoining and nearby agricultural uses.
- It has not been demonstrated that the site has no capacity to sustain an agricultural use.
- The dwelling will adversely affect the expansion of adjoining and nearby agricultural uses.

## Significant Landscape Overlay

The site is covered entirely by the Significant Landscape Overlay - Schedule 1. There is a planning permit trigger for the proposal at Clause 42.03-2. A detailed assessment of the proposal against the provisions of Clause 42.03-2 is contained on the planning file – reference no. P.2020.145. The application is considered to meet the relevant requirements of the Significant Landscape Overlay - Schedule 1, subject to the inclusion of conditions if approved.

## General Provisions

Clause 65.01 of the Alpine Planning Scheme provides the general decision guidelines that must be considered before deciding on an application. A detailed assessment of the proposal against the provisions of Clause 65.01 is contained on the planning file – reference no. P.2020.145. The proposal does not provide for the orderly planning of the area.

## CONCLUSION

The application is not consistent with the Alpine Planning Scheme and should be refused for the following summarised reasons:

- The proposal does not comply with the relevant State and Local Planning Policy Framework;
- The proposal is inconsistent with the purposes and decision guidelines of the Farming Zone; and
- The proposal does not provide for the orderly planning of the area.



## **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
- Planning Officer

## **APPENDICIES**

- 8.3.5.a Reasons for Refusal
- 8.3.5.b Policy and decision guidelines

### 8.3.5.a Reasons for Refusal

1. The proposal does not comply with Clause 11.03-5S Distinctive Areas and Landscapes as the proposal does not avoid use and development that could undermine the long term non-urban use of land in the area.
2. The proposal does not comply with Clause 14.01-1S Protection of Agricultural Land as the proposal does not:
  - a. Prevent inappropriately dispersed urban activities in rural areas.
  - b. Limit new housing in rural areas.
  - c. Fully consider the sites agricultural land capability.
3. The proposal does not comply with Clause 16.01-3S Rural Residential Development as the proposal does not:
  - a. Protect agriculture and avoid inappropriate rural residential development.
  - b. Discourage development of small lots in rural zones for residential use.
  - c. Encourage consolidation of existing isolated small lots in rural zones.
4. The proposal does not comply with Clause 21.03-2 Rural Residential Living as the proposal does not protect rural land from inappropriate development, as the site is classified as high quality for agriculture.
5. The proposal does not comply with Clause 21.03-3 Rural lifestyle, subdivision and dwellings as the proposal is not linked to and required for an agricultural, associated rural activity or rural tourism purpose, and the proposal results in the loss of agricultural land that is of strategic significance in the local context, as the proposal does not:
  - a. Limit rural lifestyle development in agricultural areas.
  - b. Encourage the consolidation of rural lots.
  - c. Discourage the proliferation of dwellings not associated with agriculture.
  - d. Demonstrate that the dwelling is required to support a legitimate, established agricultural or rural activity(s).
  - e. Meet the considerations for a rural lifestyle purpose as the site is able to be consolidated with adjoining land used for agriculture.
6. The proposal does not comply with Clause 21.05-3 Agriculture as the proposal does not protect strategically significant agricultural land for production, and protect the land from residential expansion, as the proposal does not:
  - a. Reinforce agricultural production as the primary purpose of the Farming Zone.
  - b. Protect agricultural land from inappropriate use and development such as isolated non-agricultural uses including residential uses.
  - c. Protect strategically significant agricultural land to support future agricultural industries.

- d. Ensure that rural land is used and developed in a way that will support agricultural production.
7. The proposal does not comply with Clause 21.06-1 Infrastructure as the proposal does not reduce the loss of agricultural land for the purposes of urban/residential development.
8. The proposal does not comply with Clause 22.03-2 Agriculture as the proposal does not
- a. Discourage the conversion of agricultural land to non-soil based use and development, and it has not been demonstrated that the proposal complements the agricultural base of the shire.
  - b. Discourage development which is sensitive off site effects and may prejudice agricultural production.
9. The proposal is inconsistent with the purposes and decision guidelines of the Farming Zone for the following reasons:
- a. It does not implement the relevant Planning Policy Framework.
  - b. It does not provide for the use of land for agriculture.
  - c. The proposal does not support and enhance agricultural production.
  - d. The proposal will permanently remove land from agricultural production.
  - e. There is potential for the proposal to limit the operation and expansion of adjoining and nearby agricultural uses.
  - f. It has not been demonstrated that the site has no capacity to sustain an agricultural use.
  - g. The dwelling will adversely affect the expansion of adjoining and nearby agricultural uses.
10. The proposal does not provide for the orderly planning of the area.

### **8.3.5.b Policy and Decision Guidelines**

All of the below mentioned relevant planning considerations from the Alpine Planning Scheme may be viewed at the following link: <https://planning-schemes.delwp.vic.gov.au/schemes/alpine>.

#### **State Planning Policy Framework**

The State Planning Policy Framework (SPPF) provides relevant direction to the proposal at the following clauses:

- 11.03-5S Distinctive areas and landscapes
- 12.05-2S Landscapes
- 13.01-1S Natural hazards and climate change
- 13.02-1S Bushfire planning
- 14.01-1S Protection of agricultural land
- 15.01-2S Building design
- 15.01-6S Design for rural areas
- 16.01-2S Location of residential development
- 16.01-5S Rural residential development

#### **Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) provides relevant direction to the proposal at the following clauses:

- 21.03-1 Townships and villages
- 21.03-2 Rural residential living
- 21.03-3 Rural lifestyle, subdivision and dwellings
- 21.04-3 Landscapes
- 21.04-4 Environmental risk
- 21.06-1 Infrastructure
- 21.07-11 Rural Precincts
- 22.02-3 Landscapes
- 22.03-2 Agriculture

#### **Zone**

The subject land is zoned Farming Zone.

#### **Overlays**

The subject land is covered entirely by the Significant Landscape Overlay - Schedule 1.

**Particular Provisions**

None

**General Provisions**

Clause 65.01 within the Alpine Planning Scheme provides the general decision guidelines.

## 9. Informal meetings of Councillors

### Introduction

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

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

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

### ***RECOMMENDATION***

*That the summary of informal meetings of Councillors for February 2021 be received.*

### Background

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

Date	Meeting
2 February	Briefing Session
2 February	Councillor Induction Session
5 February	Planning Forum
9 February	Information Session on Minerals Exploration
16 February	Briefing Session

### Attachment(s)

- 9.0 Informal meetings of Councillors – February 2021

## **10. General business**

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

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

### 13. Documents for sealing

**RECOMMENDATION**

*That the following documents be signed and sealed.*

- 1. Section 173 Agreement - Marni Louise Witts. Lot 1 on Title Plan 815609Y - Volume 10678 Folio 925 and Lot 4 on Plan of Subdivision 19562 - Volume 07395 Folio 936.  
Conditions 11,15,16 and 17 of Planning Permit 2018.137.1 for Realignment of a Boundary at 31 Delany Avenue, Bright. The Agreement provides for the implementation of Bushfire Mitigation measures; Lot 2 is exempt under Clause 44.06-2 of the Alpine Shire Planning Scheme and minimum garden area requirements.*
- 2. Section 173 Agreement – Nicole Joanne Stevens Lot 1 on Title Plan 960783T Volume 11962 Folio 335.  
Conditions 8 and 19 of Planning Permit 2020.40.1 for a two lot subdivision at 22 Bailey Street, Porepunkah. The Agreement provides for the implementation of Bushfire Mitigation measures and compliance of the Drainage Discharge Plan.*

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

.....  
Chairperson