

M(1) – 2 FEBRUARY 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 February 2021** commencing at **5:00pm**.

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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(14) – (15 DECEMBER 2020)

#### RECOMMENDATION

*That the minutes of Ordinary Council Meeting M(14) held on 15 December 2020 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>CQ20036</i>	<i>Process:</i>	<i>RFQ</i>
<i>Title:</i>	<i>Drainage Renewal – Gundowring Culvert</i>		
<i>Tenderer:</i>	<i>NECC</i>		
<i>\$ (excl. GST):</i>	<i>\$87,868</i>		

<i>Contract No:</i>	<i>CQ20099</i>	<i>Process:</i>	<i>RFQ</i>
<i>Title:</i>	<i>Gravel re-sheeting 2020-21 (cartage)</i>		
<i>Tenderer:</i>	<i>NECC (\$90,744 + GST)</i> <i>Roche Excavations (\$23,880 + GST)</i> <i>Stadelmanns (\$23,084 + GST)</i>		
<i>\$: (excl. GST).</i>	<i>\$137,708</i>		

<i>Contract No:</i>	<i>CQ20035</i>	<i>Process:</i>	<i>RFQ</i>
<i>Title:</i>	<i>Gravel re-sheeting 2020-21 (supply)</i>		
<i>Tenderer:</i>	<i>E.B. Mawson and Son Pty Ltd</i>		
<i>\$: (excl. GST).</i>	<i>\$82,150</i>		

## 8.2 DIRECTOR ASSETS – WILLIAM JEREMY

### 8.2.1 Bushfire Recovery Community Events 2020/21 Grants Program

#### INTRODUCTION

This report relates to the allocation of funding through the Bushfire Recovery Community Events 2020/21 Grants Program.

#### RECOMMENDATION

*That Council:*

*1. Allocates funding as follows:*

<i>Name of Applicant</i>	<i>Project Title</i>	<i>Grant Request</i>	<i>Recommend Grant</i>
<i>Freeburgh Public Hall and Recreation</i>	<i>Voices of the Valley</i>	<i>\$5,000</i>	<i>\$5,000</i>
<i>Bright and District Chamber of Commerce</i>	<i>Business Revitalisation Event</i>	<i>\$4,950</i>	<i>\$4,950</i>
<i>Kangaroo Hoppet Inc</i>	<i>Mount Beauty Running Festival</i>	<i>\$4,500</i>	<i>\$4,500</i>
<i>Matt Fullerton</i>	<i>The Bright Fun Run</i>	<i>\$5,000</i>	<i>\$5,000</i>
		<i>\$19,450</i>	<i>\$19,450</i>

*2. Provides feedback and assistance to unsuccessful applicants, including other potential funding opportunities that may be available for their projects.*

#### BACKGROUND

Council's Bushfire Recovery Community Events Grants Program 2020/21 is a funding opportunity made available through the "Community Bushfire Recovery 2020 Community Events Grant", received by Council in July 2020.

The program was developed to assist community groups and organisations to deliver community events in the Alpine Shire and Alpine Resorts. Events aim to bring bushfire affected communities together, build resilience and raise awareness of support services.

The Bushfire Recovery Community Events Grants Program 2020/21 was open for applications between 7 December 2020 and 10 January 2021.

Seven applications were received, with a cumulative request of \$31,250 in funding.

The applications were reviewed by an assessment panel comprising:

- Five community members from the Alpine Community Recovery Committee (CRC)
- Manager Economic and Community Development (Council); and
- Director Assets (Council).

The assessment panel has recommended that four applicants receive funding through the Bushfire Recovery Community Events 2020/21 Grants Program, with all four to receive the full amount of funding requested.

## ISSUES

Three applications have not been recommended for funding through the Bushfire Recovery Community Events 2020/21 Grants Program, for the reasons outlined below:

Applicant	Project Title	Grant Request	
Myrtleford Lawn Tennis Club	Myrtleford Lawn Tennis Club Easter Tournament	\$2,000	Not supported as it does not fit the grant criteria.
Tawonga Primary School	Back to Tawonga Primary School	\$5,000	Not supported. Does not benefit the broader community.
Bright Chamber of Commerce	Bright Spring Festival Garden Event	\$4,800	Not supported. Does not involve the broader community and is not inclusive.
Total		\$11,800	

## POLICY IMPLICATIONS

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

- A thriving and connected community

## FINANCIAL AND RESOURCE IMPLICATIONS

Council received \$200,000 of funding from the Victorian and Commonwealth Government's "Community Bushfire Recovery 2020, Community Events Grant".

The recommended allocation of \$19,450 through this funding program meets the requirements of this grant fund.

## CONSULTATION

The Community Grants Program was advertised through local media, on Council's website and Facebook page and communicated to community groups through the Alpine Community Recovery Committee.

An assessment panel including two Council staff and representatives from across the Shire assessed the grant funding applications, and provided the recommendations contained within this report.

## **CONCLUSION**

The recommendations put forward by the assessment panel support community participation, contribute to the building of healthy and strong communities and represent a diversity of events from across the Alpine Shire.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Manager Bushfire Recovery
- Manager Economic and Community Development

## **ATTACHMENT(S)**

- Nil



## 8.3 DIRECTOR CORPORATE – NATHALIE COOKE

### 8.3.1 Audit and Risk Committee Meeting Minutes and Recommendations

File Number: 0900.06

#### **INTRODUCTION**

The purpose of the report is to present the minutes of the Audit Committee meeting held on 17 July 2020, and the Audit and Risk Committee meetings held on 1 September 2020, 18 September 2020, and 11 December 2020.

Key items presented to and considered by the Committee at these meetings included:

- reports by the External Auditor on interim and final annual audits
- 2019/20 annual financial and performance statements
- new *Local Government Act 2020* implementation progress
- annual self-assessment of performance
- establishment of new Audit and Risk Committee and charter
- nomination and recommendation of Committee Chair

#### **RECOMMENDATION**

*That:*

1. *The minutes of Audit Committee Meeting No.2020/21-1 held 17 July 2020 be received and noted;*
2. *The minutes of Audit and Risk Committee Meeting No.2020/21-2 held 1 September 2020 be received and noted;*
3. *The minutes of Audit and Risk Committee Meeting No.2020/21-3 held 18 September 2020 be received and noted;*
4. *The minutes of Audit and Risk Committee Meeting No.2020/21-4 held 11 December 2020 be received and noted and:*
  - a. *Independent Member Sinead Ryan's resignation be accepted and her contribution to the Audit Committee be acknowledged; and*
  - b. *The Audit and Risk Committee's nomination of Independent Member Gerard Moore to the role of Chair of the Audit and Risk Committee for the balance of the 2020/21 period be accepted.*

#### **REPORT**

*Audit Committee Meeting No.2020/21-1, 17 July 2020*

External Auditor

Council's External Auditors, RSD Chartered Accountant, from Bendigo attended the video conference meeting to discuss the VAGO Interim Management Letter, Year Ending 30 June 2020.

Local Government Act 2020 - implementation

The Committee was briefed on Council's implementation of the deliverables in the new *Local Government Act 2020*, particularly those due by 1 September 2020, including; Governance Rules, Expenses Policy, Delegated and Community Asset committees, the Audit and Risk Committee and Public Transparency Policy.

New Audit and Risk Committee Charter and establishment of Committee

The new *Local Government Act 2020* expanded the scope of audit committees and the Committee considered the draft Charter for the new Committee and agreed to the establishment of the new Audit and Risk Committee by reappointing existing members for the balance of their three-year terms.

Annual self-assessment of performance

The current Audit Committee Charter requires the Committee to undertake a self-assessment of its performance each year. An online survey has been made available to Committee members since 2017 and was again provided in this format for the 2019/20 survey with a 100% return rate.

Feedback this year has again been very positive with members satisfied with the overall performance of the Committee concluding that its functioning well. Members have a positive level of satisfaction in relation to Council's financial controls and reporting, risk management framework and compliance processes, however the Committee did identify opportunities for improvement including forward planning of internal audits and routine strategic risk reporting.

***Audit and Risk Committee Meeting No.2020/21-2, 1 September 2020***External Auditor

Council's External Auditors, RSD Chartered Accountant, from Bendigo attended the video conference meeting to discuss the progress of the VAGO Audit, Year Ending 30 June 2020.

2019/2020 Annual Financial and Performance Statements (Draft)

Each year Council is required to prepare an Annual Financial Report containing financial statements that are audited according to Australian Accounting Standards. The financial statements show Council's financial performance, financial position, and cash flows against the previous year and comprise a balance sheet and statements of income, changes in equity, cash flows and capital works.

The annual performance statement is a specific requirement of the Local Government Act and is generated from indicators and measures from the Local Government Performance Reporting Framework. It consists of six sustainable capacity indicators, 12 service performance indicators, and 12 financial performance indicators – all of which are subject to audit.

The Committee considered and endorsed in principle the draft 2019/2020 Annual Financial and Performance Statements for consideration by Council.

### ***Audit and Risk Committee Meeting No.2020/21-3, 18 September 2020***

#### External Auditor

Council's External Auditors, RSD Chartered Accountant, from Bendigo attended the video conference meeting to discuss the VAGO Audit, Year Ending 30 June 2020.

#### 2019/2020 Annual Financial and Performance Statements (Draft)

The Committee considered and endorsed for certification the final 2019/2020 Annual Financial and Performance Statements.

### ***Audit and Risk Committee Meeting No.2020/21-4, 11 December 2020***

#### Welcome to new members

The Committee extended a welcome to two new councillor members, Cr Sarah Nicholas and Cr Charlie Vincent, appointed to the Committee by Council in December 2020.

#### Resignation of member

The Committee accepted the resignation of independent member Sinead Ryan and thanked her for her service to the Committee.

#### Nomination and Recommendation of Chair

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

Section 3.8 of the Charter stipulates that:

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

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

*Council will formally appoint the Committee Chair".*

The Committee nominated and recommends to Council independent member Gerard Moore as Chair of the Committee for the balance of the 2020/21 period.

#### Councillor expense reports

The commencement of s40 of the *Local Government Act 2020* on 1 May 2020 introduced the requirement to report councillor expenses to the Audit and Risk Committee. The Committee considered the 2020/21 Quarter 1 Councillor Expense Report. Councillor expenses will continue to be reported to the Audit and Risk Committee on a quarterly basis.

### **POLICY IMPLICATIONS**

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

- A responsible and sustainable organisation

## CONCLUSION

The Audit and Risk Committee, being satisfied with the detail provided in its agendas and the officer reports, submits the minutes of its meetings held on 17 July 2020, 1 September 2020, 18 September 2020, and 11 December 2020 to Council for noting as well as specific recommendations to: acknowledge the contribution of an Independent Member who has resigned from the Committee; and appoint a Chair to the recently established new Audit and Risk Committee.

## 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
- Health, Safety and Risk Officer

## ATTACHMENT(S)

- 8.3.1(a) Minutes of Audit Committee Meeting No 2020/21-17, July 2020
- 8.3.1(b) Minutes of Audit and Risk Committee Meeting No 2020/21-2, 1 September 2020
- 8.3.1(c) Minutes of Audit and Risk Committee Meeting No 2020/21-3, 18 September 2020
- 8.3.1(d) Minutes of Audit and Risk Committee Meeting No 2020/21-4, 11 December 2020

## 8.3.2 Porepukah Airfield Service Agreement

### INTRODUCTION

The purpose of the report is to recommend Council enters into a Service Agreement with Porepukah Airfield Association to manage, maintain and operate the Porepukah Airfield.

### RECOMMENDATION

*That:*

- 1. Council enters into a Service Agreement with Porepukah Airfield Association Inc to manage, maintain, and operate the Porepukah Airfield for a period of three (3) years with an option to extend the agreement by a further three (3) year period; and*
- 2. Council execute the Agreement at a suitable time at this meeting.*

### BACKGROUND

Council is the owner of land upon which the Porepukah Airfield is located. The airfield is a low-level general aviation airfield and is currently operated by the Porepukah Airfield Association Inc (the Association) under the terms of a Memorandum of Understanding (MoU) with Council. The MoU was originally put in place in 2012 following the formation of the Association and the transfer of responsibilities previously held by the Porepukah Airfield Committee of Management.

The MoU was a temporary instrument that defined responsibilities of both parties in relation to the operation of the airfield whilst a more formal Service Agreement was prepared.

This Agreement has now been finalised and terms agreed between the Association and Council.

### ISSUES

Given the responsibilities and obligations associated with the operations of the Porepukah Airfield it is considered a Service Agreement is a more suitable instrument than an MoU to define and manage these responsibilities and obligations.

Under the agreement Council will continue to pay the Association hangar rental collected from leases at the airfield. These funds combined with landing fees collected by the Association are to be allocated to the day to day maintenance and operating costs of the airfield. The agreement limits how these funds can be used and the Association is required to provide plans on how the funds are to be used to achieve the objectives and obligations under the agreement. Council has the right to hold or bring back funds if the Association cannot demonstrate effective plans for the use of these funds.

## **POLICY IMPLICATIONS**

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

- Highly utilised and well managed community facilities

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Hangar rental charges for the 2020/21 financial year are forecast to be \$18,278 (incl GST). Under the terms of the Agreement these funds are to be paid to the Association to cover the day to day operating and maintenance costs of the airfield. Budget has been provided for the hangar income and payment to the Association.

## **CONSULTATION**

Extensive consultation has occurred with the Association and Council officers over the last seven years. Solicitors were engaged to develop the draft Service Agreement and provide advice in response to various matters raised by the Association during early negotiations.

## **CONCLUSION**

It is recommended that Council enter into a Service Agreement with Porepunkah Airfield Association Inc to Manage, Maintain and Operate the Porepunkah Airfield for an initial term of three (3) years with an option for a further three (3) years.

## **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 Facilities

## **ATTACHMENT(S)**

- Nil

## 9. Informal meetings of Councillors

### Introduction

In accordance with Chapter 8, section A1 of Council's Governance Rules, if there is a meeting of 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 December 2020 and January 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
15 December 2020	Councillor Briefing Session
12 January 2021	Councillor Induction
19 January 2021	Councillor Induction
19 January 2021	Councillor Briefing Session

### Attachment(s)

- 9.0 Informal meetings of Councillors – December 2020 and January 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 – Phillip Rees Lot 1 on Plan of Subdivision 543434L Volume 10914 Folio 125 Lot 2 on Plan of Subdivision 611585L Volume 11062 Folio 379. Condition 14 of Planning Permit 2017.35.2 for a Six (6) Lot Subdivision at Simmonds Creek Road, Tawonga South. The Agreement restricts further subdivision of the lots and that future dwellings are in accordance with the Overall Development Plan.*
- 2. Section 173 Agreement - Alan Caulfield & Claire Vincent - Lot 9 on Plan of Subdivision 75436 Volume 10763 Folio 545. Conditions 12,21 and 22 of the Planning Permit 2020.36.1 for a two lot subdivision and alteration to an access to a Road Zone Category 1 at 176 Kiewa Valley Road, Tawonga South.*
- 3. Service Agreement with Porepunkah Airfield Association Inc to manage, maintain, and operate the Porepunkah Airfield.*

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

.....

Chairperson