



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**AGENDA**

**M13 – 17 December 2019**

**Bright Council Chambers**

**7:00pm**



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 **17 December 2019** commencing at **7:00pm**.

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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.

By speaking during question time, or at any time during the meeting, you consent to your voice and any comments you make being recorded.

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 CEO will read the following statement:*

The Alpine Shire Council acknowledges the traditional owners of the land we are now on.

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 – M11 – 12 NOVEMBER 2019**

#### **RECOMMENDATION**

*That the minutes of Ordinary Council Meeting M11 held on 12 November 2019 as circulated be confirmed*

### **3.2 SPECIAL COUNCIL MEETING – SPM12 – 3 DECEMBER 2019**

#### **RECOMMENDATION**

*That the minutes of Special Council Meeting SPM12 held on 3 December 2019 as circulated be confirmed.*

## **4 APOLOGIES**

## **5 OBITUARIES / CONGRATULATIONS**



## **6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST**

## **7 PUBLIC QUESTIONS**

Questions on Notice will be limited to two questions per person.

Questions on Notice can be written or from the floor.

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

#### 8.1.1 Alpine Shire Council 2020 Schedule of Ordinary Council Meetings

File Number: 662.01

#### **INTRODUCTION**

This report seeks Council's endorsement of the proposed ordinary meeting schedule of Council for the 2020 calendar year. The time and location of the meetings will remain unchanged.

#### **RECOMMENDATION**

*That:*

1. *the ordinary meeting of Council be held in the Council Chambers in Bright (or by request of community groups at an alternative location), on the first Tuesday of each month in 2020 except January and November according to the following schedule:*

<i>DATE</i>	<i>TIME</i>	<i>LOCATION</i>
<i>January, NO MEETING</i>	<i>N/A</i>	<i>N/A</i>
<i>4 February 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>3 March 2020</i>	<i>7pm</i>	<i>Mount Beauty</i>
<i>7 April 2020</i>	<i>7pm</i>	<i>Myrtleford</i>
<i>5 May 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>2 June 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>7 July 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>4 August 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>1 September 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>6 October 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>10 November 2020</i>	<i>7pm</i>	<i>Bright</i>
<i>15 December 2020</i>	<i>7pm</i>	<i>Bright</i>

2. *the November 2020 ordinary meeting of Council be held on the second Tuesday of November.*
3. *notice of Council's 2020 ordinary meeting schedule; be published on Council's website.*
4. *notice of any changes required to the 2020 ordinary meeting schedule be given at least two weeks prior to the revised date and published on Council's website and in a locally circulating newspaper.*



## **BACKGROUND**

Section 83 of the *Local Government Act 1989* (the Act) provides for Council to hold 'ordinary meetings at which general business of the Council may be transacted'.

Council historically holds its ordinary meetings on the first Tuesday of the month (except public holidays) commencing at 7pm. Generally, meetings are held in the Bright Council Chambers.

## **ISSUES**

### **January meeting**

Council has historically only scheduled and held 11 ordinary meetings throughout any given year with no ordinary meeting scheduled in January. It is proposed that this arrangement be continued in 2020 in order to accommodate councillor and staff leave over the Christmas, New Year and school holiday period.

### **Council Election**

Council elections will be held on the fourth Saturday in October 2020. The current scheduling of the November Council meeting allows sufficient time for the declaration of results to be made by the Victorian Electoral Commission. Any changes required to the proposed Council meeting date will be advertised in the local newspaper and on Council's Facebook page in accordance with the resolution.

### **Timing of November meeting**

Council's regular ordinary meeting cycle is the first Tuesday of the month at 7pm. This schedule clashes with the Melbourne Cup public holiday, which falls on the first Tuesday of November. Since 2014, Council has held the November meeting on the second Tuesday of November. It is proposed that the second Tuesday of the month be continued for the 2020 November ordinary meeting of Council.

This arrangement provides consistency for councillors and executive who traditionally meet on a Tuesday and it also provides for the many staff, and councillors, who take the opportunity of the shorter week, due to the Melbourne Cup Day public holiday, to take leave.

### **Timing of December meeting**

In 2020 it is proposed the Council hold its ordinary council meeting on the third Tuesday of the month prior to the office closure for 2020.

### **Alternative locations**

Upon request, Council is happy to hold its meeting in an alternative location if this is what the community requires provided that sufficient notice is given for Council to comply with its statutory requirements.

### **Special meetings of Council**

Section 84 of the *Local Government Act 1989* provides for either:

- the Mayor or at least three councillors by written notice; or
- the Council by resolution to call a special meeting of Council.



When calling for a special meeting of Council, the date and time of the meeting and the business to be transacted at the meeting must be specified. On this basis a schedule for special meetings of Council cannot be prepared.

**POLICY IMPLICATION**

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

- A high performing organisation.

**CONCLUSION**

Councillors and the community are familiar with the proposed meeting schedule and its adoption is recommended.

**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Executive Assistant to CEO

**ATTACHMENT(S)**

- Nil





## **8.2 DIRECTOR ASSETS – WILLIAM JEREMY**

### **8.2.1 Regional Infrastructure Fund 2019**

#### **INTRODUCTION**

An opportunity exists for Council to seek funding to deliver upgraded and new infrastructure at the Dinner Plain Snow and Mountain Bike Parks. This report outlines the project and details of the proposed funding application and seeks Council's financial commitment to the project.

#### **RECOMMENDATION**

*That Council approves the submission of a grant funding application to the Regional Infrastructure Fund 2019, for the implementation of upgraded and new infrastructure at the Dinner Plain Snow and Mountain Bike Parks, with a Council commitment of up to \$900,000 + GST (Option 1 - \$1.4M).*

#### **BACKGROUND**

The State Government of Victoria recently announced the Regional Jobs and Infrastructure Fund 2019. The Regional Infrastructure Fund (RIF) stream seeks to assist the growth of rural Victoria by providing grants for infrastructure projects that have the potential to stimulate economic activity in Regional Victoria. The objectives of the fund are:

- to increase economic and social benefits through improved community access and usability of precincts; and
- to increase economic and social benefits through investment in strategic infrastructure.

Grants of up to \$500,000 per project are available at a funding ratio of 3:1 (Government)(Council). The closing date for applications is 18 December 2019. Successful projects will be announced in early 2020 and are to be completed within two years of approval.

Council recently completed the draft Dinner Plain Village Detailed Design plans. During the extensive consultation held in the development of these plans, strong community support was shown for additional and upgraded infrastructure at the Dinner Plain Snow and Mountain Bike Parks (Scrubbers End precinct). Infrastructure improvements supported include:

- Expanded off street car parking, additional toilet facilities and a picnic shelter adjacent to Cobungra Platter Ski Hill;
- Upgraded path connection from Big Muster Drive to the Peashooter Toboggan Run and Dinner Plain Mountain Bike Park via Cobungra Platter Ski Hill;
- Additional on-street parking, a picnic area, including shelter, barbeque, toilets, mountain bike and trail facilities at the Peashooter Toboggan Run, adjacent to the Dinner Plain Mountain Bike Park.
- Additional trail connections to provide safe and convenient access to the cross-country ski trails, walking trails and mountain bike trails.



- Screen fencing to the Council depot.

## **ISSUES**

Additional and upgraded infrastructure at Dinner Plain's Snow and Mountain Bike Parks meet the criteria and eligibility for funding under the Regional Infrastructure Fund 2019. The proposed infrastructure improvements will support the growth in beginner level use of the snow and mountain bike parks and will provide improved access and usability to locals and visitors alike. The works will help to ensure that first time visitors become repeat visitors to Dinner Plain, resulting in economic and social benefits for the Dinner Plain community and businesses all year round.

Expansions to parking, shelters and toilets is unlikely to be funded via alternative programs, so the Regional Infrastructure Fund provides an opportunity to leverage funds committed to new and upgraded infrastructure at Dinner Plain.

Native vegetation removal assessment and a cultural heritage master plan is well progressed for the entire site impacted by the works and is anticipated to be completed in early 2020.

## **POLICY IMPLICATIONS**

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

In 2017, Council committed to deliver \$1.5 million of new and upgraded capital works in Dinner Plain by 2027. Approximately \$1 million of this commitment is yet to be allocated and is available to match government funding. The estimated cost to deliver these works is \$1.4 million, with \$500,000 to be sought from grant funding and the remaining \$900,000 from this commitment. This would leave \$100,000 remaining for future new and upgrade projects until 2027.

The expenditure would be incurred over two financial years from 2020/21 and 2021/22, with the majority of the spend coinciding with the construction phases of the project during the green season of both years.

The proposed expenditure has been modelled against the long-term financial plan and Council has capacity to commit to the additional \$900,000 expenditure proposed over the 2020/21 and 2021/22 financial years, without impacting significantly on Council's financial sustainability.

## **CONSULTATION**

During the consultation held in the development of the draft Dinner Plain Village Detailed Design plans, strong community support was shown for additional and upgraded infrastructure at the Dinner Plain Snow and Mountain Bike Parks.

Council officers also recently sought feedback from Dinner Plain ratepayers on whether to apply for funding for these infrastructure improvements. Dinner Plain



ratepayers were surveyed via direct email to identify which of the following three options is best supported:

- Option 1 - \$1.4 million - Scrubbers End Precinct upgrades, including Peashooter toboggan run works.
  - Funding application \$500,000 and Council commitment proposed: \$900,000 (leaving \$100,000 remaining for future projects until 2027)
- Option 2 - \$900,000 - Peashooter toboggan run works only
  - Funding application: \$500,000 and Council commitment proposed: \$400,000 (leaving \$600,000 remaining for future projects until 2027)
- Option 3 - No funding application (leaving \$1 million remaining for future projects until 2027)

25% of ratepayers responded to the survey, with:

- 56.5% in favour of Option 1,
- 34% in favour of Option 2 and
- 8.7% in favour of Option 3.

Following the outcome of the funding application, Council officers will conclude the Dinner Plain Village Detailed Designs project by seeking ratepayers' feedback on the plans, as well as the priority for all projects identified for Dinner Plain. If the funding application is successful, we will continue to consult with all stakeholders during the detailed design and implementation phases of the project.

### **CONCLUSION**

The Regional Infrastructure Fund presents a significant opportunity to secure grant funding to supplement the Dinner Plain commitment and deliver much needed new and upgraded infrastructure within two years. There is also good community support for these improvements.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Development

### **ATTACHMENT(S)**

- Nil



## 8.2.2 Bright Town Centre Speed Reduction

### INTRODUCTION

This report relates to the proposal to reduce the legal speed in Bright's town centre from 50 km/hr to 40 km/hr.

### RECOMMENDATION

*That Council approves the proposal to reduce the legal speed in Bright's town centre from 50 km/hr to 40 km/hr, and that Council informs the community of the proposed change.*

### BACKGROUND

Council has received significant feedback from numerous locals and visitors over many years that the Great Alpine Road (Gavan Street) is unsafe and difficult to cross during busy times. Council has received funding from Regional Roads Victoria (RRV) via their Fixing Country Roads program to implement safer pedestrian crossing points along Gavan Street this financial year. RRV has also recommended reducing the speed along Gavan Street (between Camp Street and Anderson Street) to 40 km/hr to further improve safety for pedestrians and cyclists.

In conjunction the recommended speed restriction in Gavan Street, it is also proposed that the legal speed in the Bright town centre be reduced to improve pedestrian safety. The Bright Car Parking Plan (endorsed in September 2018) identified principles and measures to create a safer town centre for all, including:

- Park once, walk the rest of the journey. Bright will be a safe, comfortable and easy place to walk to minimise vehicle circulation from people parking multiple times in one trip.
- Cycling will be encouraged and accommodated as an alternative means of transport into the town centre.

The proposed changes to the speed restriction cover the entire town centre of Bright and extend along the Great Alpine Road (from Woolworths to Mountbatten Avenue), Mountbatten Avenue (from Delaney Avenue to Centenary Park), Camp and Wills Street, Cobden Street (between Wills and Burke Street), Bakers Gully Road (from Cobden Street to the Primary School), Ireland Street, Burke Street, Anderson Street, Barnard Street, Star Road (from the GAR to Riverside Avenue), and Howitt Lane. The area affected is illustrated below.



## ISSUES

Although the crossing of the Great Alpine Road (Gavan Street) is particularly difficult all year round, many locals have flagged the challenge experienced crossing many of the town centre's roads given the increasing numbers of cars, pedestrians and cyclists. Getting around town safely is particularly problematic for the elderly, those using mobility devices and families with young children and prams.

Further, although the proposed reduction in speed will extend the travel time for drivers, given the length and geometry of the roads identified for change, it can be very difficult to travel many of these roads at the current speed of 50km/hr.



### **POLICY IMPLICATIONS**

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The cost of signage changes across the town centre can be accommodated in the budgets allocated for the Gavan Street Pedestrian Crossings, as well as the Bright Car Parking Improvements Stage 1 projects this financial year.

### **CONSULTATION**

During the consultation held in the development of the Bright Car Parking Plan, community support was shown for safety improvements throughout the town centre, including a reduction in the speed limit.

Council continues to receive requests to address the safety issues on the Great Alpine Road (Gavan Street) and throughout the town centre.

Regional Roads Victoria and Victoria Police have been consulted and are supportive of the proposed change to the speed limit across the town centre.

### **CONCLUSION**

A speed reduction from 50 km/hr to 40km/hr in Bright's town centre will create an environment that is safer for all abilities, and all modes of transport, all year round and will result in very minor negative impact to road users.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Development

### **ATTACHMENT(S)**

- Nil



### 8.2.3 Buckland Bridge Replacement

File Number: CT19082

#### **INTRODUCTION**

This report relates to the award of a contract for the construction of a new two span, two lane bridge adjacent to the existing bridge on the Buckland Valley Road over the Buckland River, Buckland. The works include construction of bridge foundations, installation of precast concrete deck beams, a cast in-situ concrete deck, new road approaches, pavement construction and sealing works.

#### **RECOMMENDATION**

*That Council awards Contract No. 1908201 for the "Buckland Bridge Replacement" to Nelmac Pty Ltd for the lump sum price of \$1,141,625.46 + GST.*

#### **BACKGROUND**

In December 2018, following a routine inspection of the existing Buckland Bridge a reduced load limit was imposed. This was further reduced in May 2019 in response to a more detailed structural analysis. The existing Buckland Bridge is at the end of its useful life and currently has an 8.0 tonne gross vehicle mass (GVM) applied. This load limit restricts heavy vehicle movements up the Buckland Valley, including the transport of heavy machinery to enable Department of Environment, Land, Water and Planning (DELWP) to access 320,000 Ha of state forest to undertake fire management activities.

Design work was recently completed for a new bridge to be located downstream of the existing bridge and significant funding contribution has been received from Regional Roads Victoria and DELWP to build the new bridge.

The Tender was advertised in the Herald Sun on 30 October 2019, as well as on tenders.net and Alpine Shire Council websites.

The Tender documents were downloaded by 33 prospective tenderers and 10 responses were received by the closing date.

#### **EVALUATION**

The evaluation panel consisted of the Manager Asset Development and the Senior Project Engineer.

The Tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Social
- Environmental



Two tenderers were invited to clarify aspects of their tender and provide further detail on the proposed methodology, subcontractors and program. Through this evaluation process it was determined that the tender from Nelmac best met the selection criteria.

### **ISSUES**

The existing Buckland Bridge will be retained during construction of the new bridge to allow for the continuation of traffic across the river. Council is yet to determine the treatment of the existing bridge, following the opening of the new bridge. Council recognises the strong desire expressed by the community to retain the old bridge in place, however Council proposes to investigate any potential risks to retaining this structure upstream of the new bridge, prior to making a decision on whether to retain the bridge or remove it.

### **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There is sufficient allocation within the project budget to deliver the new bridge construction works through award of this Contract.

### **CONCLUSION**

Following a comprehensive assessment, the Tender from Nelmac is considered to present the best value option for Council.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Development
- Senior Project Engineer

### **ATTACHMENT(S)**

- Nil





## 8.2.4 Resealing (2019/20) - Sprayseal

File Number: CT19037

### **INTRODUCTION**

This report relates to the award of the Alpine Shire Council's Resealing (2019-20) - Sprayseal Tender. Council undertakes road resealing each year as part of its local roads renewal program.

### **RECOMMENDATION**

*That Council awards Contract No. 1903701 for "Resealing (2019-20) - Sprayseal" to Downer EDI Works for the lump sum price of \$346,416.64 + GST.*

### **BACKGROUND**

The 2019-20 resealing program is based in the Upper Ovens Valley and resealing will be carried out in Wandiligong, Porepunkah, Bright and Harrietville.

A total road area of approximately 68,000 m<sup>2</sup> (13 km in length) is scheduled to be resealed this year.

The 2019-20 resealing program will be completed as two separate contracts; Road Sprayseal works and Asphalt Overlay works. This report relates to the Road Sprayseal works only.

The tender was advertised in the Herald Sun on 23 October 2019, as well as on Tenders.net and Alpine Shire Council website on 16 October 2019.

The Tender documents were downloaded by ten prospective tenderers and five responses were received by the closing date.

### **EVALUATION**

The evaluation panel consisted of the Director Assets, Manager Asset Development and the Project Officer.

The Tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Environmental Sustainability
- Delivery
- Social

The evaluation panel assessed that the tender from Downer EDI Works best met the selection criteria and achieved the overall highest assessment score.



## **ISSUES**

The works have been planned to avoid the busiest period of the Christmas Holidays and are to be completed prior to 27 March 2020 (prior to cold weather not suitable for spray sealing works).

The works involve a large crew and intense heavy vehicle and plant movements at multiple locations; therefore, a high standard of traffic management and site safety is required by the Contractor.

## **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy.

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

- Incredible places for our community and visitors.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The "Resealing (2019-20) - Sprayseal" contract is funded by Alpine Shire Council's Resealing (2019-20) project budget.

## **CONCLUSION**

Acceptance of the tender from Downer EDI Works is considered to be the best value option for Council.

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Development
- Project Officer

## **ATTACHMENT(S)**

- Nil



### 8.2.5 Dinner Plain Event Funding Program 2019/20

File Number: 1608.12

#### **INTRODUCTION**

This report relates to the recommended distribution of funding to support events in Dinner Plain for the 2019/20 financial year.

#### **RECOMMENDATION**

*That Council:*

1. *Allocates financial sponsorship to support events in Dinner Plain as follows:*

<i>Event Name</i>	<i>Applicant</i>	<i>Sponsorship \$</i>	<i>Logistics \$</i>
<i>Easter Good Friday Welcome</i>	<i>Dinner Plain Residents and Business Operators Society (DPRBOS)</i>	<i>Nil</i>	<i>Nil</i>
<i>Easter Art Exhibition</i>	<i>DPRBOS</i>	<i>Nil</i>	<i>\$400</i>
<i>Easter Kids Activities - Kids Movies and Car Boot Sale</i>	<i>DPRBOS</i>	<i>\$500</i>	<i>\$250</i>
<i>Cool Wine Challenge</i>	<i>DPRBOS</i>	<i>\$500</i>	<i>Nil</i>
<i>Stoneaxe Pastoral Geebung Polo Classic</i>	<i>Alps Links Development Association</i>	<i>\$5,000</i>	<i>Nil</i>
<i>Total</i>		<i>\$6,000</i>	<i>\$650</i>

2. *Notes that the provision of financial support to the Dinner Plain Residents and Business Society (DPRBOS) is to be used for:*
  - *\$500 funding for marketing all DPRBOS events planned for the Easter weekend.*
  - *\$500 funding for the cricket and jumping castle activities on Australia Day weekend, contingent upon those activities being delivered on the Dinner Plain ski slope and coinciding with the Flickerfest event.*
3. *Notes that provision of financial sponsorship for the delivery of the 2020 Geebung Polo event is on the basis that no support will be provided to the Alps Links Development Association for the 2021 event.*
4. *Provides delegation to the Chief Executive Officer for the distribution of the residual funds, \$17,850.*



## **BACKGROUND**

At the Ordinary Council meeting in November, Council endorsed a total of \$25,500 financial support for events being held in Dinner Plain during the 2019-20 financial year. Since then five event funding applications have been received from event organisers seeking financial support from Council, including the Geebung Polo Event.

Five members from the Dinner Plain businesses and community with Council officers assessed applications received against the following criteria as detailed in the Event Funding Program Guidelines:

- Community impact and benefit;
- Expected economic and tourism benefits;
- Event profile;
- Capacity and capability of the event organiser to develop and deliver the event; and
- General criteria, including: long term sustainability of the event; operational detail of the event (including marketing); social justice principles; capacity to build relationships; location and fit of the event within the community; long term legacy creation; links to state/regional and local event strategies/plans.

The assessment panel has recommended a total of \$6,000 financial support and an estimated value of \$650 be provided in logistical support to events (as detailed in the recommendation table).

## **ISSUES**

After the first event funding process was completed, event organisers of the Geebung Polo and the Sled Dog Challenge events indicated interest in seeking funding from Council to support the delivery of the events in 2019/20. Based on this interest, a second round of the event funding program was made available. This round opened for applications on 1 November 2019 and closed on 27 November 2019. Five applications were received, including applications from the Dinner Plain Residents and Business Operators Society (DPRBOS) a local community group of Dinner Plain and an application for the delivery of the 2020 Geebung Polo event from Alps Links Development Association. An application for the Sled Dog Challenge Event for 2020 was not received.

All five applications have been recommended for a reduced amount of financial funding or to receive logistical support only through program, for the reasons outlined below. While the assessment group has made a recommendation for a reduced amount of funding for the Geebung Polo 2020 event, the panel made a further recommendation to Council that it does not continue funding the Geebung Polo event past the 2020 event.



Event Name	Applicant	Requested \$
Easter Good Friday Welcome	DPRBOS	\$1,200
<p>Event Management Plan not completed. Expenditure items in the budget not substantiated. The assessment panel agreed that the budget could be managed better so as not to require funding from Council. The assessment panel recommended that DPRBOS be provided with \$500 financial support for the sole purpose of marketing all Easter activities.</p>		
Easter Art Exhibition	DPRBOS	\$2,000
<p>Event Management Plan not completed. Expenditure items in the budget not substantiated. The assessment panel agreed that the budget could be managed better so as not to require funding from Council. The assessment panel recommended that Council provide logistical support only for this event being the use of the Dinner Plain Community Centre for the event.</p>		
Easter Kids Activities	DPRBOS	\$2,000
<p>Event Management Plan not completed. Expenditure items in the budget not substantiated. The assessment group agreed that the budget could be managed better so as not to require funding from Council. The assessment group recommended that Council provide logistical support only for this event: (1) Use of the Dinner Plain Community Centre for the event, (2) use of the Council owned movie projector, screen and speakers for the kids movies events, and (3) Council officers develop the traffic management plan required for and provide traffic management signage as identified for the Car Boot Sale.</p>		
Cool Wine Challenge	Mount Beauty Neighbourhood Centre	\$1,200
<p>Event Management Plan was not complete. The Cool Wine Challenge event is occurring in a private venue. The assessment group recommended that Council provide financial support for the Mile High Cricket Challenge and Jumping Castle, provided that these events occur on the Dinner Plain ski slope and coincide with the Flickerfest event occurring over the same period.</p>		



Stoneaxe Pastoral Geebung Polo Classic	Alps Links Development Association	\$9,000
This event does not take place in Dinner Plain or the Alpine Shire, however, the Dinner Plain Village does achieve some economic benefit from the event. The assessment panel recommended that Council provide financial support to the event for 2020 and no funding for the 2021 event.		

### **POLICY IMPLICATIONS**

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

- A thriving and connected community.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The adopted 2019/20 budget contains an allocation of \$50,000 for events in Dinner Plain. Council endorsed a total amount of \$25,500 go toward supporting four events to be delivered by Council officers on behalf of Dinner Plain, leaving a residual of \$24,500 to support other events. Recommendations of this report fits within the allocated budget and will result in a residual of \$17,850.

### **ENGAGEMENT**

The second round of the Event Funding Program was communicated directly to existing event organisers. An event funding groups consisting of business owners and community members assessed the applications received against the criteria as detailed in the Event Funding Program Guidelines

### **CONCLUSION**

Events are a key driver of visitation to Dinner Plain and investment in event activities is essential to support the Dinner Plain economy. The recommendation for funding contained in this report will support a mixture of event types.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Economic and Community Development

### **ATTACHMENT(S)**

- Nil



## 8.2.6 Municipal Fire Management Plan

File Number: 588.05

### **INTRODUCTION**

This report relates to the adoption of Council's updated Municipal Fire Management Plan.

### **RECOMMENDATION**

*That Council*

- 1. Revoke the Alpine Shire Council Municipal Fire Management Plan (2012);*
- 2. Adopts the Alpine Shire Council Municipal Fire Management Plan Version 2.2 (2019); and*
- 3. Sign and seal the Municipal Fire Management Plan Version 2.2 (2019) at the appropriate section in the agenda.*

### **BACKGROUND**

Council is required to prepare and maintain a Municipal Fire Management Plan as a sub-plan to the Municipal Emergency Management Plan (MEMP) to comply with the Section 55A of the *Country Fire Authority Act 1958*.

Council's Municipal Fire Management Plan has been updated in consultation with the Municipal Fire Management Planning Committee (MFMPC) and Municipal Emergency Management Planning Committee (MEMPC) and was adopted by the committee in October 2019.

The key changes made to the document are:

- Revision of the Bushfire Management Strategy and Action Plan.
- Updated mapping of biodiversity, bushfire history and DELWP burn history.
- Inclusion of content relating to Fire Prevention Notices, water supply and hydrant maintenance.
- Addition of content relating to the roadside fire management strategy.

### **ISSUES**

Nil.

### **POLICY IMPLICATIONS**

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

- Infrastructure and open space that our community is proud of.



## **FINANCIAL AND RESOURCE IMPLICATIONS**

Nil.

## **CONSULTATION**

The Municipal Fire Management Plan has been updated with input from the Municipal Fire Management Planning Committee (MFMP), Municipal Emergency Management Planning Committee (MEMPC), and key Alpine Shire Council staff holding identified Emergency Management roles.

## **CONCLUSION**

The updated Municipal Fire Management Plan has been reviewed and is now recommended for adoption by Council.

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Maintenance
- Emergency Management Coordinator

## **ATTACHMENT(S)**

8.2.6 Municipal Fire Management Plan Version 2.2 (2019)





## 8.2.7 Municipal Emergency Animal Welfare Plan

File Number: 1100.06

### **INTRODUCTION**

This report relates to the adoption of Council's updated Municipal Emergency Animal Welfare Plan.

### **RECOMMENDATION**

*That Council*

- 1. Adopts the Alpine Shire Council Municipal Emergency Animal Welfare Plan Version 3.0 (2019); and*
- 2. Signs and seals the Municipal Emergency Animal Welfare Plan Version 3.0 (2019) at the appropriate section in the agenda.*

### **BACKGROUND**

Council is required to prepare and maintain a Municipal Emergency Animal Welfare Plan to comply with Section 20 (1) of the *Victorian Emergency Management Act 1986*.

Council's Municipal Emergency Animal Welfare Plan has been updated in consultation with the Municipal Emergency Management Planning Committee (MEMPC) and was adopted by the committee in October 2019.

The key changes made to the document are:

- Align with changes to the Victorian Animal Welfare Plan (Revision 1).
- Cross referencing with MEMP and Emergency Relief Centre Procedures.
- Addition of Contacts list
- Inclusion of Activation flowcharts and relief centre record information.

### **ISSUES**

Nil.

### **POLICY IMPLICATIONS**

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

- Infrastructure and open space that our community is proud of.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Nil.



### **CONSULTATION**

The Municipal Emergency Animal Welfare Plan has been updated with input from the Municipal Emergency Management Planning Committee, Regional Lead Veterinary Officer and key Alpine Shire Council staff holding identified Emergency Management and Local Laws roles.

### **CONCLUSION**

The updated Municipal Animal Welfare Plan has been reviewed and is now recommended for endorsement by Council.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Maintenance
- Emergency Management Coordinator

### **ATTACHMENT(S)**

8.2.7 Municipal Emergency Animal Welfare Plan Version 3.0 (2019)



### **8.2.8 Event Funding Program 2019/2020**

File Number: 1610.26

#### **INTRODUCTION**

This report relates to the allocation of financial sponsorship and the provision of logistics support to events through Council's 2019-20 Event Funding Program.

#### **RECOMMENDATION**

*That Council allocates support to events as follows:*

- 1. \$10,000 financial sponsorship to GTR Events for the delivery of the Jayco Herald Sun Tour 2020; and*
- 2. \$8,400 financial sponsorship and \$1,600 logistical support to the Myrtleford Festival event for 2020.*

#### **BACKGROUND**

Recommendations for Alpine Shire Council's 2019/20 Event Funding Program were endorsed by Council at the August Council meeting. A total of \$139,950 of financial and logistical support was endorsed by Council at the Council meeting to assist with the delivery of events as applied for via the Event Funding Program 2019/20. Additionally, \$40,000 has been provided to support the 2019 Spartan Trifecta event and \$20,000 to support the MTBA National Championships event, equating to a total of \$199,950 financial and logistical sponsorship.

Outside of the Event Funding Program, Council has been for support for two additional events:

The Jayco Herald Sun Tour is a signature road cycling event, held annually it is the oldest professional stage race in Australia. The Tour attracts professional riders, teams and visitors both nationally and internationally. The five day event is to be hosted in the High Country in February 2020 passing through and stopping in townships throughout Alpine Shire, Indigo Shire, Wangaratta Shire, Mansfield Shire and Falls Creek Resort. The event proposal as submitted by GTR Events provides a great platform to promote Alpine Shire townships, including live streaming of the event to a global audience. The event also provides strong integration opportunities for the local community. GTR Events has requested financial sponsorship from Council to deliver the event.

The Myrtleford Festival is a long standing event for the community of Myrtleford. The 2020 event will be the celebration of the 60<sup>th</sup> Festival Council endorsed \$1,400 financial sponsorship and \$1,600 logistics support to the Myrtleford Festival 2020 event. The Myrtleford Festival Committee has informed Council that this support is insufficient to deliver the 2020 event. A proposal seeking additional support from Council has been received.



## **ISSUES**

Applications to the Event Funding Program for events occurring during the 2019/20 financial year were assessed by an Assessment Panel made up of members from Council's Events Team, members of the community and Councillors. The proposal received from GTR Events for the delivery of the 2020 Jayco Herald Sun Tour and the proposal seeking additional funding for the Myrtleford Festival have been received out of round and have not had the event funding panel assessment process applied to them. Endorsement of funding as recommended will result in an overspend of the adopted 2019/20 Event Funding budget allocation.

## **POLICY IMPLICATIONS**

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

- A thriving and connected community.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Council's 2019-20 budget includes provision of \$200,000 to support the delivery of events, comprising expenditure of \$250,000 offset by income of \$50,000 from Sports and Recreation Victoria for the MTBA National Championships event.

Total support, as endorsed by Council, for events to be delivered through the 2019-20 Event Funding program equates to \$199,950.

GTR Events has submitted a proposal seeking \$10,000 financial sponsorship for the 2020 Jayco Heald Sun Tour event.

The Myrtleford Festival Committee has submitted a proposal seeking an additional \$10,000 financial sponsorship from Council.

Recommendations are to provide \$10,000 financial support to the Jayco Herald Sun Tour event and increase financial support to the Myrtleford Festival to \$8,400 (increased from the \$1,400 as endorsed at the August Council meeting). Logistics support of \$1,600 for the Myrtleford Festival is to remain as previously endorsed by Council. This equates to \$10,000 total support for the Myrtleford Festival. These amounts will result in a \$16,950 overspend to the 2019-20 Events adopted budget.

## **CONSULTATION**

The proposals received by GSTR Events and the Myrtleford Festival Committee were received outside of the Event Funding Program Round. The usual assessment panel processes have not been applied to these applications.

## **CONCLUSION**

Events are extremely important to the Alpine Shire, providing economic injection and cultural enrichment.

The recommendations put forward support events that align with the regional brand, contribute to the events calendar and have a positive impact for the community and on the economy.



The recommendations align with the event funding criteria.

**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Economic and Community Development

**ATTACHMENT(S)**

- Nil



### 8.3 DIRECTOR CORPORATE – NATHALIE COOKE

#### 8.3.1 Appointment of Councillors to represent Council on Committees and Boards

File Number: 615.00

#### INTRODUCTION

Council operates and participates on a range of special, advisory and external committees and groups. Council’s appointment of councillors to the various committees and groups will enable good governance and decision making for the following year.

*That:*

1. *Councillors be appointed as Council’s delegate on the following groups and committees (non-executive):*

<i>Committee</i>	<i>2018/19 representative</i>	<i>2019/20 representative</i>
<i>Municipal Association of Victoria</i>	Cr Janas	Cr Roper and Cr Nicholas
<i>Hume Region Local Government Network</i>	Cr Janas	Cr Roper
<i>Rural Councils Victoria (RCV)</i>	Cr Janas	Cr Roper
<i>Alpine Shire Council – Audit Committee</i>	Cr Forsyth and Cr Knappstein	
<i>Alpine Shire Council – Finance Committee</i>	Cr Forsyth and Cr Knappstein	
<i>Alpine Shire Council – Municipal Emergency Management Planning Committee</i>	Cr Knappstein Cr Janas	
<i>Alpine Shire Council – Community Resilience Committee</i>	Cr Knappstein	
<i>Alpine Children’s Services Inc.</i>	Cr Keeble	
<i>Alpine Alliance (between Council and Alpine Health)</i>	Cr Knappstein	



<b><i>Goulburn Broken Greenhouse Alliance</i></b>	Cr Nicholas	
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2. Council consider whether to appoint a Council delegate to the following groups (non-executive):

<b><i>Committee</i></b>	<b><i>2018/19 representative</i></b>	<b><i>2019/20 representative</i></b>
<b><i>North East Waste and Resource Recovery Group (Forum)</i></b>	Cr Nicholas (Cr Pearce to be nominated as Cr Nicholas' proxy)	

3. Council note the following Councillor appointments made by external organisations

<b><i>Committee</i></b>	<b><i>Appointee</i></b>
<b><i>Municipal Association of Victoria – Board</i></b>	Cr Janas (appointed in March 2019 for a two year term) – elected by NE Victorian Councils
<b><i>Mount Buffalo Destination Advisory Group</i></b>	Cr Janas
<b><i>Mount Buffalo Business Case Assessment and Activation Taskforce</i></b>	Cr Janas
<b><i>MAV Emergency Management Committee</i></b>	Cr Janas, Cr Knappstein
<b><i>MAV Environment Committee</i></b>	Cr Nicholas
<b><i>MAV Professional Development Reference Group</i></b>	Cr Janas



## **BACKGROUND**

### **Council Representation**

Councillor representation on committees is required for Council's own committees / groups, as well as other external committees.

In addition to discretionary appointments, Council's Mayor holds executive positions on committees / boards / groups as the regional representative. These are non-discretionary appointments and are discussed later in this report.

### **Appointments**

Delegate and committee appointments are focussed on councillors' experience and areas of interest and in some cases, appointments may be made on the basis of maintaining consistency.

## **ISSUES**

### **Alterations to committee appointments in 2019/20**

#### *National Timber Councils Association*

Council did not receive communication from the National Timber Councils Association during 2018/19 and has removed it from the list of councillor appointments for 2019/20. Should there be a requirement for a councillor appointment in the future, this can be reconsidered by Council.

#### *Goulburn-Broken Greenhouse Alliance*

The Goulburn-Broken Greenhouse Alliance was established in 2007 to promote regional action on climate change and consists of representatives from regional Catchment Management Authorities, DELWP and eleven local government municipalities (not including Alpine). Council became an associate member in February 2019. This membership expires after 12 months, when Council must determine whether to become a full member, which will require a membership fee based on municipal population.

#### *MAV committees*

MAV committee memberships are distinct from the MAV Board. Membership is through expression of interest by individual councillors. Membership is approved by the MAV Board, and councillors remain on the committee until they resign.

### **Roles and Responsibilities**

The roles and responsibilities of councillors will vary depending on the position they are appointed to and it is important that this is understood.

#### *External Legal Entities*

Where a councillor or an officer is nominated to the board or executive of a separate legal entity, the nominee may take on fiduciary responsibilities in accordance with the *Corporations (Victoria) Act 1990*, and they are required to act in the best interests of that company or entity.





### *Council Advisory Committees*

There is no formal decision making that can be made in an advisory capacity on behalf of Council, but rather, recommendations arising from the deliberations of the committee may be presented to Council for consideration, deliberation and final adoption.

### *Responsibilities*

Regardless of the type of appointment, councillors are bound by their Code of Conduct and must comply with requirements relating to:

- Declaring conflicts of interest.
- Maintaining confidentiality of information.
- Recognising and abiding by their extent of authority i.e. not making decisions on behalf of Council.

### **Non-discretionary appointments**

Council's representative on the Municipal Association of Victoria and the Hume Region Local Government Network is the Mayor. These appointments are not discretionary, and the tenure is dependent on the length of term of Mayor.

### **POLICY IMPLICATIONS**

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

- A high performing organisation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Councillors are paid an annual allowance and do not receive additional payments for their involvement on council-appointed committees, with the exception of the MAV Board. Resourcing of councillors attending meetings and participating in the activities of these committees is supported by Council's annual budget.

### **CONSULTATION**

Once Council has appointed its representatives, appropriate communication actions will be undertaken.

### **CONCLUSION**

Appointment of councillors as Council's representative on its own advisory committees and project / working groups as well as external entities, associations, advisory and advocacy groups committees must now be made.



**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Governance Officer

**ATTACHMENT(S)**

- Nil



### **8.3.2 Designation of restrictions on the consumption of liquor on Council land during the Brighter Days Festival in 2020**

File Number: 1120.02

#### **INTRODUCTION**

The purpose of this report is to recommend that Council approves restrictions on the consumption of liquor on Council land under Clause 2.2.1 of the Community Local Law 2019, during the Brighter Days Festival from 6-8 March 2020.

#### **RECOMMENDATION**

*That Council:*

- 1. Approves the designation of an area (as shown on the attached map) to be an area designated by Council for the purposes of Clause 2.2.1 of the Community Local Law 2019, to be an alcohol restricted area during the following times:*
  - a. 10pm on Friday 6 March 2020 to 7am on Saturday 7 March 2020;*
  - b. 10pm on Saturday 7 March 2020 to 7am on Sunday 8 March 2020; and*
  - c. 10pm on Sunday 8 March 2020 to 7am on Monday 9 March 2020.*

#### **BACKGROUND**

On 2 October 2019 a Risk Assessment Panel met to consider and discuss the Brighter Days Festival Committee's Risk Management Plan for the 2020 Brighter Days Festival, to take place during 6-8 March 2020. This included a presentation from members of the Brighter Days Festival Committee.

The Risk Assessment Panel is chaired by an Alpine Shire Council officer and includes representatives from Alpine Health, Victoria Police, the State Emergency Service, Ambulance Victoria and the Country Fire Authority (CFA). CFA was the only stakeholder that did not attend this meeting.

#### **ISSUES**

The Brighter Days Festival will be licensed to allow the consumption of liquor within a designated event precinct of Pioneer Park, Bright. The event (and associated liquor licence) will finish at 10pm each night, however Council's Local Law permits consumption of alcohol outside of designated areas in the town centre (refer to attached map of standard restrictions on the consumption of liquor on Council land).

It has been identified that there is a risk that event attendees may continue to consume alcohol in public places after 10pm (i.e. as they leave the event and thereafter) in the absence of any restrictions under Council's Community Local Law. This in turn poses a risk of amenity impacts to residents as well as increased risk of injury or other issues associated with the consumption of liquor.

The Risk Assessment Panel recommended that Council introduce a ban on the consumption of liquor on Council land throughout Bright from 10pm - 7am across



the three days of the event. In effect, there is no change to the time of the restriction rather it is proposed the area restricted at this time be extended across the entire town.

The proposed ban will be supported by the provision of buses from the event site (Pioneer Park) to the town centre, as well as additional event staff and recycling bins at the egress points from the event at 10pm.

Under Council's Community Local Law 2019 Clause 2.2, Council may introduce additional restrictions on the consumption of liquor on Council land from time to time if required to manage identified risks associated with public drinking.

Council has convened the Risk Assessment Panel to allow for appropriate interagency input and to ensure that a range of relevant expert views on the risks of public health and safety are represented, including the public consumption of alcohol.

If Council approves the recommendation in this report, the CEO will make a designation to bring the additional restrictions into force.

### **POLICY IMPLICATIONS**

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

- A well planned and safe community.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Additional signage and advertising will be required to ensure that the designation is well communicated to event attendees. Costs are expected to be minimal, given that internal staff resources will be predominantly used (e.g. for placement of signage).

### **CONSULTATION**

Consultation on the potential for alcohol restrictions to manage identified risks was undertaken as part of the Local Laws renewal process in 2018-19.

Council has been working closely with the Brighter Days Festival Committee through the Risk Assessment Panel process, to provide a coordinated overall approach to risk at the event, including the risks associated with alcohol consumption.

### **CONCLUSION**

The proposed designation of restrictions as part of the Brighter Days Festival in 2020 will ensure that the event is managed in a safe way to minimise risks to event patrons, the public and emergency services.



**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Building and Amenity
- Manager Economic and Community Development

**ATTACHMENT(S)**

8.3.2 (a) Proposed restrictions on the consumption of liquor on Council land (map)

8.3.2 (b) Standard restrictions on the consumption of liquor on Council land in Bright (map)



### 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 30 September 2019.

#### **RECOMMENDATION**

*That the Finance Report - Quarterly Review for the period ending 30 September 2019 is received and noted.*

#### **ISSUES**

##### **Background**

The purpose of the Finance Report - Quarterly Review (the "Report") is to provide Council with an overview of quarterly 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.

##### **Quarter One Report Highlights**

Council is forecasting a full year surplus of \$7.1m, which is \$1.3m higher than the budgeted surplus of \$5.8m. The primary drivers of this increase include:

- Lower than budgeted employee costs by \$0.5m, due to the impact of vacant positions; and
- Higher than expected grant income by \$0.8m including, a) higher grant income for the Buckland Bridge project (\$0.6m); and b) higher income from the Victorian Grants Commission funding (\$0.2m).

These favourable items are partially offset by other items including:

- Higher than expected materials and services expenses (\$0.1m) due to variances including, a) higher costs to deliver the Business Systems Transformation program (\$90k); and b) higher insurance costs (\$59k).

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

- Buckland Bridge income – additional \$0.6m grant income is expected to be received from DEWLP;
- Mount Beauty Skate Park Upgrade Income – \$135k lower than budgeted income due to an early receipt of this grant in 2018/19;
- Myrtleford Indoor Sports Stadium Expansion – lower than budgeted expenditure will be incurred in 2019/20 due to this expenditure being expensed in the 2018/19 budget year.



## **POLICY IMPLICATIONS**

The Report has been prepared in line with the requirements of the *Local Government Act 1989*,

- Section 137 (Budgeting and reporting framework) - Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.
- Section 138 (Quarterly statements) – 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.

The recommendation is consistent 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 \$7.1m, which is \$1.3m higher than the budgeted surplus of \$5.8m.

## **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 30 September 2019 is presented for noting.

## **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, 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 The Finance Report - Quarterly Review for the period ending 30 September 2019.



### **8.3.4 Audit Committee Meeting No. 2019/20-3, 2 December 2019**

File Number: 0900.06

#### **INTRODUCTION**

The purpose of the report is to present the minutes of the Audit Committee meeting held on 2 December 2019.

Key items presented to and considered by the Committee at this meeting included:

- Public Interest Disclosure Policy
- Risk Management Policy and Governance and Risk Framework
- VAGO report on Council Libraries
- JMAPP Risk Maturity Appraisal

The Committee also received updates on several standing and ongoing action items.

#### **RECOMMENDATION**

*That Council receive and note the minutes of Audit Committee Meeting No.2019/20-3 held 2 December 2019.*

#### **BACKGROUND**

Council's Audit Committee is established under section 139 of the *Local Government Act 1989*. The Committee's Charter requires it to report to Council its activities, issues and related recommendations. This report relates to Audit Committee Meeting No. 2019/20-3 held on 2 December 2019.

#### **ISSUES**

##### **Public Interest Disclosure Policy**

The Committee was briefed on the changes to Victoria's public interest disclosure scheme as result of the *Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019 [Vic]*. The changes that come into effect on 1 January 2020 require Council to review and update its policies and procedures and the Committee endorsed the reviewed, updated and renamed Public Interest Disclosure Policy No.92 for Council consideration to adopt.

##### **Risk Management Policy and Governance and Risk Framework**

The Committee was briefed on the scheduled review of Council's Risk Management Policy No.54 and re-considered the draft Governance and Risk Framework which aims to assist with the integration of governance, risk management and compliance into Council's corporate planning, operational management and reporting processes. Both documents were endorsed for Council to note the content of the Governance and Risk Framework and for Council's consideration to adopt the Risk Management Policy.





### **VAGO report on Council Libraries**

The Victorian Auditor General (VAGO) report on Council Libraries examined whether councils and regional library corporations (RLC) deliver library services efficiently and effectively as required by the *Local Government Act 1989*. The audit used library data to identify whether shared services are more efficient, and assessed how well selected councils plan, monitor and review their library services to ensure maximum efficiency and effectiveness.

Council was one of four councils audited along with a regional library corporation, Local Government Victoria, the Department of Environment, Land, Water and Planning and the Municipal Association of Victoria.

The Committee considered VAGO's findings and recommendations and Council's level of compliance and noted that the effort to comply with VAGO's recommendation to undertake full activity-based accounting for the library service is disproportionate to the expected outcome and that Council is satisfied that it is transparent about the cost of library services to the community. Strategic planning of library services and alignment of services delivered to community expectations will continue to be a focus in the coming months.

### **JMAPP Risk maturity Appraisal**

Council's property assets are insured under the JLT Municipal Asset Protection Plan Discretionary Trust Arrangement (JMAPP). As part of this arrangement a high-level appraisal of Council's risk maturity across several risk criteria including property management practices has been completed.

The Committee considered the findings and suggested actions for improving Council's risk maturity and accepted that these opportunities have previously been identified by Council and are being monitored by the Committee. The Committee requested that Council reassess its maturity level in 12 months-time to assess the level of improvement.

### **POLICY IMPLICATIONS**

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

- A responsible and sustainable organisation.

### **CONCLUSION**

The Audit Committee, being satisfied with the detail provided in its agenda and the officer reports, submits the minutes of its 2 December 2019 Meeting No. 2019/20-3 to Council for noting including its endorsement of the reviewed and updated Public Interest Disclosure Policy, Risk Management Policy and the Governance and Risk Framework.



**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Health, Safety and Risk Officer

**ATTACHMENT(S)**

8.3.4 Minutes of Audit Committee Meeting No. 2019/20-3, 2 December 2019



### 8.3.5 Audit Committee Member Remuneration

File Number: SU0900.06

#### **INTRODUCTION**

The purpose of the report is to request Council to increase the remuneration of independent members of the Alpine Shire Council Audit Committee.

#### **RECOMMENDATION**

*That Council:*

- 1. Set the Independent Audit Committee Member remuneration going forward at:
  - a. \$410.00 per meeting for the Committee Chair;*
  - b. \$315.00 per meeting for members; and**
- 2. Undertake annual CPI increases effective from 1 July each year and rounded up to the nearest five-dollar increment.*

#### **BACKGROUND**

The primary purpose of the Audit Committee is to provide Council with oversight and guidance in effective conduct of its responsibilities for:

- Financial management and reporting
- Management of financial and other strategic risks
- Practical business continuity and disaster recovery plans and processes
- Maintaining a reliable and effective system of internal controls
- Governance and compliance with laws and regulations
- Facilitating the organisation's ethical development

Local Government Victoria's *Audit Committees: A Guide to Good Practice Guide for Local Government, January 2011* states that the remuneration for independent members "should reflect the time, commitment and responsibility involved".

Council's Audit Committee has five independent remunerated members, one being the Chair. Members have a diverse range of business backgrounds and bring their expertise to the Committee reviewing agenda papers prior to meetings, meeting with the external auditor and generally attending Committee meetings five times per year.

#### **ISSUES**

The base value of member remuneration was last set in 2012. There had been no increase in remuneration until the 2019 review of the Audit Committee Charter established a mechanism for annual CPI increases, the first of which took effect on 1 July 2019, raising remuneration from \$400 for the Chair and \$200 for members to \$407.20 and \$203.60 respectively.



The Audit Committee, at its July 2019 meeting, requested that members' remuneration be reviewed and benchmarked.

A review and benchmarking exercise of Council's rates of remuneration against seven rural councils in the Hume region established that the Chair of Council's Audit Committee receives slightly more than the average and its members significantly less than the average of their counterparts per meeting:

	<b>Average</b>	<b>Alpine</b>
<b>Chair</b>	\$385.46	\$407.20
<b>Member</b>	\$312.09	\$203.60

Based on the benchmarking findings it is recommended that:

- The Chair's remuneration be rounded to the nearest five dollar increment of \$410.00 per meeting.
- Members remuneration be increased to the average of like councils in the region and rounded to the nearest five dollar increment of \$315.00 per meeting.
- Continue with CPI increases annually taking effect on 1 July each year with any increases rounded up to the nearest five-dollar increment.

#### **POLICY IMPLICATIONS**

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

- A responsible and sustainable organisation

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

On the current member remuneration rates per meeting of \$407.20 for the Chair and \$203.60 for each member the cost to Council is \$1,221.60 per meeting at a total of \$6,108.00 per year (based on 5 meetings held per year).

The recommended remuneration increase will bring the cost to Council to \$1,670.00 per meeting at a total of \$8,350.00 per year (based on 5 meetings held each year), plus annual CPI increases.

For the balance of 2019/20 the financial implications to Council of the recommendation would be an increase of \$448.40 per meeting and a total increase for the year of \$896.80, as there are two scheduled meetings for the remainder of the financial year.

#### **CONSULTATION**

The Audit Committee and councillors have been briefed on the findings of the review and this recommendation.



### **CONCLUSION**

After review and benchmarking of the remuneration of Council's Audit Committee members it is recommended that members remuneration be increased to be comparative with the average for rural councils in the Hume region. Members and the Chairs remuneration should be subject to annual CPI increases and rounding effective 1 July each year.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Health, Safety and Risk Officer

### **ATTACHMENT(S)**

- Nil



### 8.3.6 Public Interest Disclosure Policy

File Number: Policy Register

#### **INTRODUCTION**

The purpose of this report is to provide Council with an overview of the changes to the operation of Victoria's integrity system and the subsequent need for Council to revoke the current version of its Protected Disclosure Policy No.92 and replace it with a new version updated to align with legislated changes and renamed Public Interest Disclosures Policy.

#### **RECOMMENDATION**

*That Council:*

- 1. Revoke Alpine Shire Council Protected Disclosure Policy No.92, version 2, effective 1 January 2020;*
- 2. Adopt Alpine Shire Council Public Interest Disclosure Policy No.92, version 3, effective 1 January 2020; and*
- 3. Sign and seal Alpine Shire Council Public Interest Disclosure Policy No.92, version 3 at the appropriate time of the meeting.*

#### **BACKGROUND**

The *Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019 [Vic] (No. 2/2019)* amends several Acts relevant to the operation of Victoria's integrity system, including the *Protected Disclosure Act 2012 [Vic] (PD Act)*. The PD Act will be renamed to the *Public Interest Disclosures Act 2012 [Vic] (PID Act)*.

The PID Act provides protections for people who make disclosures about improper conduct in the public sector.

Legislated changes commence 1 January 2020 and Council's policy requires review and updating to remain compliant.

#### **ISSUES**

Victoria's public interest disclosure scheme is important in ensuring that people who report improper conduct and corruption in the Victorian public sector can do so with confidence that they will be protected.

Protections include keeping confidential the identity of the person reporting improper conduct and protecting them from possible reprisals including bullying, harassment or legal action.

Amendments have been made to several Acts relating to the operation of Victoria's integrity system, which was established to facilitate the confidential disclosure and investigation of improper conduct by public officers within public bodies.

Overall the new Public Interest Disclosure (PID) scheme will provide a lower threshold for making PIDs to the Independent Broad-based Anti-corruption Commission (IBAC),



a 'no wrong door' principle for handling PIDs made to any receiving agency, and increased flexibility in how investigating agencies handle PIDs (and public interest complaints, PICs).

The legislation has established a new parliamentary oversight committee, the Integrity and Oversight Committee (IOC), which consolidates oversight of these matters across several Victorian integrity agencies, including the IBAC.

Key changes to the legislation are detailed below.

### **Definitions**

Notably the terms 'protected disclosure' and 'protected disclosure complaint' have been replaced with:

- *Public Interest Disclosure* - disclosure by a natural person of information that shows/tends to show or information that the person reasonably believes shows/tends to show improper conduct or detrimental action
- *Public Interest Complaint* - a public interest disclosure that has been determined by IBAC, the Victorian Inspectorate or IOC to be a Public Interest Complaint.

Once a PID has been assessed and is determined to be a PIC, additional rules apply, for example, restricting when and to whom the matter can be referred along with other altered confidentiality and notification requirements.

The definition of 'improper conduct' has been revised to specify the following categories:

- Corrupt conduct
- Criminal offence
- Serious professional misconduct
- Dishonest performance of public functions
- Intentional or reckless breach of public trust
- Intentional or reckless misuse of information
- Substantial mismanagement of public resources
- Substantial risk to health or safety of a person
- Substantial risk to the environment
- Conduct of any person that adversely affects the honest performance by a public officer of their functions
- Conduct of any person that is intended to adversely affect the effective performance by a public officer of their functions for the benefit of the other person.

Less serious or trivial conduct is excluded from the definition of improper conduct.



### **Assessing and determining a PID**

Local councils remain a body that can receive a PID and IBAC is the body to assess and determine a PID that has been reported to council.

For a PID to be determined a PIC it must be made in accordance with the PID Act and either:

- The information in the disclosure shows or tends to show that the public officer or public body has engaged, is engaging or proposes to engage in improper conduct or detrimental action; or
- The person making the disclosure reasonably believes the information in the disclosure shows or tends to show that the public officer or public body has engaged, is engaging or proposes to engage in improper conduct or detrimental action.

IBAC may refer a PIC to another more appropriate body for investigation. IBAC will also be able to refer complaints back to agencies for action with the consent of complainants and agencies.

### **Misdirected disclosures**

The legislation provides a new 'no wrong door' provision. This allows for a PID made to the wrong receiving entity to be redirected to another receiving entity, without the discloser losing the protections of the PID scheme, where:

- The receiving entity must be an entity to which a PID ordinarily may be made and
- The person making the disclosure must honestly believe that the receiving entity was the appropriate entity to receive the disclosure.

### **Detrimental action**

From 1 January 2020 there is a lower threshold for proving that detrimental action has taken place. Prior to 1 January 2020, a discloser would have to prove that detrimental action was a 'substantial reason' for their employer taking action against them following their disclosure, but from 1 January 2020 'substantial' has been removed from the definition.

In practical terms this means that if the fact that an employee has made a disclosure forms any part of the reason for which action is taken against that employee, it will constitute detrimental action and be reportable as a public interest disclosure under the scheme as well as being a criminal offence.

### **Confidentiality obligations**

The three main elements of the revised confidentiality requirements are:

- To ensure that all bodies, to which a public interest complaint is referred, are permitted to disclose information necessary to perform their investigative functions.
- To make it clear those complainants may always seek advice and support from specified categories of persons without seeking permission. These changes enable information about an assessable disclosure to be provided to a trade union,





employee assistance program, the Victorian WorkCover Authority or for the purposes of an application to the Fair Work Commission.

- To change the statutory requirements around confidentiality notices used in investigations across the integrity system, to make it a presumption that recipients of confidentiality notices will be entitled to disclose restricted matters to certain categories or persons, unless the issuing agency makes a direction to the contrary.

### **Council policy and procedures**

It is a requirement that public sector bodies have adequate policies and systems for staff to make a disclosure, as well as information as to how to receive, assess and safely handle disclosures.

Council's Protected Disclosure Policy No.92 has been reviewed and updated in line with the legislative changes and renamed Public Interest Disclosures Policy. The revised policy once adopted will come into effect on 1 January 2020 in accordance with the legislated changes.

Council's procedures for the handling of disclosures will also be reviewed prior to 1 January 2020.

### **POLICY IMPLICATIONS**

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

- A responsible and sustainable organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial implications with implementing a new Public Interest Disclosures policy.

### **CONSULTATION**

The updated policy was presented to the Audit Committee at its meeting on 2 December 2019. Once the new policy takes effect on 1 January 2020 it will be communicated to all staff.

A review of the existing Protected Disclosures Procedure will be undertaken prior to 1 January 2020 to form a Public Interest Disclosures Procedure, in addition Council's staff intranet content and links and external website content will be updated.

### **CONCLUSION**

Victoria's public interest disclosure scheme is important in ensuring that people who report improper conduct and corruption in the Victorian public sector can do so with confidence that they will be protected.

Protections include keeping confidential the identity of the person reporting improper conduct and protecting them from possible reprisals including bullying, harassment or legal action.



Amendments have been made to several Acts relating to the operation of Victoria's integrity system which was established to facilitate the confidential disclosure and investigation of improper conduct by public officers within public bodies.

Council's Protected Disclosure Policy No.92 has been reviewed and updated in line with the legislative changes and renamed Public Interest Disclosures Policy in preparation for the legislative changes coming into effect on 1 January 2020.

**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Governance Officer

**ATTACHMENT(S)**

8.3.6 Alpine Shire Council Public Interest Disclosure Policy No.92, version 3



### **8.3.7 Risk Management Policy Review and Governance and Risk Framework**

File Number: Policy Register

#### **INTRODUCTION**

The purpose of this report is to present the biennial review of Council's Risk Management Policy No. 54 for adoption and the Governance and Risk Framework to be noted.

#### **RECOMMENDATION**

*That Council:*

- 1. Note the Alpine Shire Council Governance and Risk Framework, version 1 and*
- 2. Note that a review of the Risk Management Policy has been completed with the following modifications:*
  - a. complete reformatting of the policy including condensing some sections of the policy without a change to the intent of the policy;*
  - b. a clear statement of Council's risk appetite;*
  - c. addition of a section to recognise climate change risk; and*
  - d. updated alignment and references to supporting documents and standards.*
- 3. Revoke Alpine Shire Council Risk Management Policy No.54, version 3*
- 4. Adopt Alpine Shire Council Risk Management Policy No.54, version 4;*
- 5. Sign and seal Alpine Shire Council Risk Management Policy No.54, version 4 at the appropriate time of the meeting*

#### **BACKGROUND**

The current Risk Management Policy was approved in November 2017. This 2019 review is in line with the scheduled review every two years and aligns with the holistic policy review that Council is undertaking. This review has provided the opportunity to reference climate change risk to align with the resolution of Council at its November 2019 Ordinary Meeting to recognise and mitigate the effects of climate change.

The Governance and Risk Framework has previously been presented to the Audit Committee and councillors for consideration. The framework meets the requirements of the *Local Government (Planning and Reporting) Regulations 2014 [Vic]* and provides internal guidance for the consideration of governance and risk issues and to outline expectations with regards to accountability and integrity.



## ISSUES

### Policy review

The content of the Risk Management Policy has been reviewed for compliance with relevant legislation and Standard AS/NZS ISO 31000:2018 and has been benchmarked against other local government risk management policies.

The review did not result in any significant change to the intent of the policy, that is, Council is committed to managing its resources effectively, achieving its goals as outlined in the Council Plan, and safeguarding its employees and the community.

The policy has been transferred to Council's new policy template and in doing so three sections of the current policy, Policy Statement, Purpose and Objectives, have been combined into one section, Purpose, with some minor rewording.

The content of the policy however has been expanded to clearly articulate Council's position in relation to its risk appetite i.e.. the amount and type of risk Council is prepared to accept (pursue, retain or take) in the pursuit of achieving its objectives.

Other changes as a result of the review include:

- Streamlining language around what Council does to activities, decision-making and operations.
- Expanding the risk register section to reference strategic, operational, compliance, climate change and project risks.
- Making clear that all have a responsibility to manage risk as a part of their position in the roles and responsibilities section.
- Updating the supporting documents section.
- Updating definitions to align with AS/NZS ISO 31000:2018.

### Governance and Risk Framework

The *Local Government (Planning and Reporting) Regulations 2014 [Vic]* require Council to have a risk management framework outlining Council's approach to managing risks to the Council's operations and the draft framework has previously been presented to the Audit Committee and councillors for consideration.

The aim of the framework is to document the high-level processes and behaviours required to ensure that Council meets its intended purpose, complies with legislative provisions; and meets expectations of accountability and transparency by:

- Integrating governance, risk management and compliance into Council's corporate planning, operational management and reporting processes;
- Documenting the policies, procedures, structures and tools used to identify and manage Council's governance, risk and compliance obligations; and
- Documenting responsibilities of Council and its employees.



The framework outlines the amount and type of risk Council is prepared to accept in the pursuit of achieving its objectives and acknowledges that its risk appetite is not fixed.

The compliance component of the framework documents the requirements and process through which Council can monitor, review and comply with its legislative and regulatory obligations under the *Local Government Act 1989 [Vic]*. A compliance matrix provides a mechanism for monitoring the substantial number and range of compliance requirements under the Act. It is acknowledged that the new *Local Government Bill 2019 [Vic]* will necessitate a review of the framework in 2020.

### **POLICY IMPLICATIONS**

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

- A responsible and sustainable organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial implications with the implementation of the Risk Management Policy and the Governance and Risk Framework.

### **CONSULTATION**

Council's Audit Committee was consulted on the review and proposed changes to the Risk Management Policy. The Committee endorsed the changes at its meeting on 2 December 2019 and endorsed the document for adoption by Council.

The Audit Committee considered an initial draft version of the Governance and Risk Framework in 2017 and at its meeting on 2 December 2019 considered the final draft and endorsed the content for noting by Council.

Upon finalisation, the policy and framework will be communicated to all staff.

### **CONCLUSION**

The review of the Risk Management Policy is now complete. While there is no change to the intent of the policy the review has provided an opportunity to clarify and simplify content and clearly articulate Council's position on risk management.

The development of the Governance and Risk Framework achieves compliance with a requirement of the *Local Government (Planning and Reporting) Regulations 2014 [Vic]* and assists with the integration of governance, risk management and compliance into Council's corporate planning, operational management and reporting processes.



**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Health, Safety and Risk Officer

**ATTACHMENT(S)**

8.3.7(a) Alpine Shire Council Risk Management Policy No.54 version 4

8.3.7(b) Alpine Shire Council Governance and Risk Framework, version 1



### **8.3.8 Contract 1819-03 - Collection, Transport and Reprocessing of Mattresses and Soft Furnishings from Council Transfer Stations in Myrtleford, Porepunkah and Mount Beauty**

File Number: CT1819-03

#### **INTRODUCTION**

The purpose of this report is to recommend the awarding of a contract for the Collection, Transport and Reprocessing of Mattresses and Soft Furnishings from Council's Transfer Stations in Myrtleford, Porepunkah and Mount Beauty.

In September 2019 Council participated in a joint tender with other North East Waste Resource Recovery Group (NEWRRG) member Councils for the Collection, Transport and Reprocessing of Mattresses and Soft Furnishings from participating NEWRRG members. Council has prepared a contract to deliver these services to its three (3) transfer stations. The proposed contract commences on 24 December 2019 for a period of three (3) years, with two options each to extend for a further period of one (1) year to a total possible contract term of five (5) years.

#### **RECOMMENDATION**

*That Council:*

- 1. Award Contract CT1819-03 Collection, Transport and Reprocessing of Mattresses and Soft Furnishings from Councils Transfer Stations in Myrtleford, Porepunkah and Mount Beauty to WM Waste Management Services Pty Ltd for a three year term plus an option to extend for a two further periods of one year to a total estimated contract value of \$220,000 (plus GST); and*
- 2. That Contract CT1819-03 be signed and sealed at a later date.*

#### **BACKGROUND**

Council is a member of the North East Waste and Resource Group (NEWRRG). NEWRRG membership is made up of seven (7) Councils and three (3) Resort Management Boards. The Group works towards delivering improved waste and resource recovery outcomes for the region.

Regional procurement of contractors to deliver certain materials recovery services is a statutory function of the group and the aggregation of materials for processing is a strategy of the Statewide Waste and Resource Recovery Infrastructure Plan.

In August and September 2019 NEWRRG undertook a tender on behalf of member Councils for the Collection, Transport and Reprocessing of Mattresses and Soft Furnishings. This is the third tender for this service conducted by NEWRRG that Council has participated in. The existing contract for these services ends 23 December 2019 therefore a new contract for these services is required from 24 December 2019.

In preparation for the tender NEWRRG undertook a business case assessment of service options available including potential for regional shredding; use of a



regionally based social enterprise; and transportation to out of region processing facilities. The business case determined that either an in-region hand dismantled social enterprise or out of region processing model offered the best short-term cost and sustainable solutions.

A tender was therefore developed to attract submissions for either of these service models.

The tender was released in August 2019 and closed 27 September 2019.

The tender was advertised in the Border Mail, on the Benalla Rural City Council e-procure site and five (5) known service providers were directly contacted and notified by NEWRRG that the tender was open. Only one submission was received, being from WM Waste Management Services Pty Ltd. There was a great deal of effort undertaken to attract interest from other operators, including social enterprise models however this did not eventuate. As a result of the tender process conducted by NEWRRG a contract has been prepared to deliver these services to Alpine Shire Council commencing 24 December 2019 for a period of three (3) years, with two options, each to extend for a further period of one (1) year.

## **EVALUATION**

As part of the tender process an evaluation panel was established made up of the NEWRRG Executive Officer and representatives from four (4) of the participant Councils. The panel prepared an evaluation report scored against agreed criteria and submitted the report to all participating Councils for consideration.

The tender did not attract the interest of a social enterprise and the submission from WM Waste Management Services was recommended by the panel. While the tender from WM Waste Management Services was the only tender submitted, the panel assessed this to be a strong submission against the selection criteria. It was also noted they have been performing well under the existing contract and that the prices offered under the new contract are lower than those under the existing contract. On weighted volumes the new contract pricing will produce a saving for Alpine Shire Council of between 10% and 14% against current service costs.

All participating Councils supported the recommendation of the evaluation panel to appoint WM Waste Management Services as the service provider of mattress and lounge furniture collection and recycling for a period of three (3) years with the option for Councils to terminate at any time or extend for a further two options each of one (1) year.

## **ISSUES**

Alpine Shire Council received over 1300 mattress/soft furnishing items at its three (3) transfer stations in 2017/18. The Environment Protection Authority (EPA) does not allow landfilling of mattresses in Victoria therefore an effective method for the community to dispose of and for Council to manage these items is required. The contracted service enables the continuation of a solution for Alpine Shire Council to manage these items at a reduced cost per unit received.





### **POLICY IMPLICATIONS**

The tender was undertaken as part of a joint procurement process and was advertised and evaluated in accordance with Council's Procurement Policy and is in accordance with obligations under the Local Government Act 1989.

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

- Highly utilised and well managed community facilities.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Services under of the contract are estimated to cost \$40,000 (plus GST) in year one (1) with the forward estimate cost of the five (5) year contract being \$220,000 (plus GST). Exact contract amounts will vary due to actual number of items being collected at Council transfer stations. The contract contains a mechanism to apply a CPI adjustment quarterly during the term of the contract for the contracted charges.

The financial impact of awarding this contract is to maintain service provision at current levels with a reduction in average service cost per item of between 10% and 14%. The year 1 estimated savings against current processing costs is \$7,000 based on current volumes (plus GST).

### **CONSULTATION**

Staff have been consulted on the proposal to tender the operations of the three Transfer Stations.

### **CONCLUSION**

It is recommended that Council award the contract for the Collection, Transport and Reprocessing of Mattresses and Soft Furnishings from Council's Transfer Stations in Myrtleford, Porepunkah and Mount Beauty CT1819-03 to WM Waste Management Services Pty Ltd.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

### **ATTACHMENT(S)**

- Nil.



### **8.3.9 Lease of Land for NBN Tower in Dinner Plain**

File Number: 111.01

#### **INTRODUCTION**

A lease has been prepared for the construction and operation of an NBN Network base station facility on land contained in Reserve 1 Plan of Subdivision PS507339. The purpose of the facility is to deliver fixed wireless internet services to the Dinner Plain community. The term of the lease is for 20 years. The purpose of this report is to seek approval to execute this lease for the purpose of erecting and operating an NBN base station facility in Dinner Plain.

#### **RECOMMENDATION**

*That Council:*

- 1. Approve and execute the lease forming part of Reserve 1 PS507339, 2 Cattle Pen Drive, Dinner Plain for the installation and operation of telecommunications tower; and*
- 2. Sign and Seal the lease document at the appropriate stage of the Council meeting.*

#### **BACKGROUND**

In 2018 Council entered into a *Heads of Terms Agreement* with Ericsson (acting on behalf of NBN Co.) for the lease of land in Dinner Plain for the installation of a radio network base station facility comprising of antenna equipment to be placed on a freestanding structure approximately 40m in height, and ground equipment units at the base of the facility.

NBN Co. has applied for and received a planning permit from Alpine Shire Council under the Alpine Planning Scheme for this facility (permit number 2018.202.1) and would now like to enter into a lease over the land to enable the construction and operation of the facility under the terms of the planning permit.

The length of the proposed lease is for 20 years, with commencement rent of \$12,000 (plus GST) per annum and annual increases of 2.5% for the term of the lease.

#### **ISSUES**

Under Section 5(2)(d) of the *Local Government Act 1989* (the Act), Council is able to acquire, hold, deal with or dispose of the property (including land) for the purpose of performing its functions and exercising its powers.



Prior to entering into a Lease of 10 years or more, Section 190 of the Act requires Council to:

- At least four weeks before the lease is made, publish a public notice of the proposed lease (Section 190(3b)).
- Allow interested persons to make submissions under Section 223 on the proposed sale or exchange (Section 190(4)).

However, as NBN Co Ltd. is a public body, as defined in section 3 of the Act, Section 190 does not apply.

Council engaged Maddocks Lawyers to provide advice on the terms of the lease and the parties have agreed to the terms, which includes use of an access track to the leased land and a licence over land to allow the installation of cabling.

The construction of the facility will enable a fixed wireless internet service to be delivered to the Dinner Plain community and enhance and secure internet communications to the community into the future.

### **POLICY IMPLICATIONS**

This process is in accordance with obligations under the *Local Government Act 1989* and the *Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land*.

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

- Highly utilised and well managed community facilities

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The commencement annual lease income for the lease will be \$12,000 (plus GST). Forward lease charges will increase 2.5% annually at the anniversary of the lease. The commencement rent has been determined based upon a market valuation undertaken in 2018 to determine value of the adjacent Telstra lease and based on the same value.

### **CONSULTATION**

Advice has been sought by Maddocks lawyers regarding the terms of the lease and a planning permit has been obtained by NBN Co. Ltd for the construction and operation of the tower.

### **CONCLUSION**

Having met Council's obligations under the *Local Government Act 1989* Council may enter into the lease of the land by executing the attached lease documents.



**DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

**ATTACHMENT(S)**

- Nil



### **8.3.10 Airport Services Lease for Aircraft Hangars at Porepukah Aerodrome**

File Number: 1500.01

#### **INTRODUCTION**

Leases have been prepared for a hangar on land contained in Lot 1 Plan of Subdivision PS612929, 266 Buckland Valley Road Porepukah for 10 year terms, with a second 10 year option. The purpose of this report is to seek approval to execute the leases at the Porepukah Aerodrome for the purpose of erecting aircraft hangars.

#### **RECOMMENDATION**

*That Council:*

- 1. Approve and execute the leases forming part of Lot 1 PS612929, 266 Buckland Valley Road Porepukah for an aircraft hangar; and*
- 2. Sign and Seal the lease documents at the appropriate stage of the Council meeting.*

#### **BACKGROUND**

The Porepukah Aerodrome Master Plan was presented to Council at the Ordinary Council Meeting June 2006. One of the recommendations of the Master Plan was that Council negotiate with the adjoining landowner of the airfield with regard to acquisition of additional land for potential hangar relocation and new hangars.

At the Ordinary Council meeting July 2007 Council approved the Acting CEO be authorised to proceed with the acquisition of an adjoining strip of land at the Porepukah Aerodrome.

The land was acquired in 2008 and is contained in Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road Porepukah. A new entrance to the airfield was created on this land with the remaining land set aside for hangars and taxi way.

Lease documentation has been developed for the purpose of entering into long term hangar lease on this land. The length of the leases are 10 years, plus a 10 year option. Commencement rent for the attached leases range from approximately \$829 (plus GST) to \$1,114 (plus GST) per annum calculated based on the square meterage of the site.

#### **ISSUES**

Under Section 5(2)(d) of the *Local Government Act 1989* (the Act), Council is able to acquire, hold, deal with or dispose of the property (including land) for the purpose of performing its functions and exercising its powers.

Prior to entering into a Lease of 10 years or more, Section 190 of the Act requires Council to:

- At least four weeks before the lease is made, publish a public notice of the proposed lease (Section 190(3b)).



- Allow interested persons to make submissions under Section 223 on the proposed sale or exchange (Section 190(4)).

Council has met the requirements under Section 190 and Section 223 of the Act.

### **POLICY IMPLICATIONS**

This process is in accordance with obligations under the *Local Government Act 1989* and the *Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land*.

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

- Highly utilised and well managed community facilities

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The commencement annual lease income for the hangars will range from approximately \$829 to \$1,114 (plus GST). Forward lease charges are indexed to CPI annually and subject to a market review after the first 10 years of the lease. Income collected from hangar rentals at the airfield is paid to the Porepunkah Aerodrome Association to assist it in fulfilling its responsibilities to operations and day to day maintenance of the airfield.

### **CONSULTATION**

In accordance with Section 190 of the Act public notices were posted in September 2018 notifying of proposed leases at the site and inviting submissions in accordance with Section 223 (Section 190(3b) & (4)). No submissions were received.

### **CONCLUSION**

Having met Council's obligations under the *Local Government Act 1989* Council may enter into the lease of the land by executing the attached lease documents.

### **DECLARATION OF CONFLICT OF INTEREST**

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

### **ATTACHMENT(S)**

- Nil



## 9 ASSEMBLY OF COUNCILLORS

### INTRODUCTION

Section 80A of the *Local Government Act 1989* requires a written record of Assemblies of Councillors to be reported at an ordinary meeting of the Council and to be incorporated in the minutes of the Council meeting.

### RECOMMENDATION

*That the summary of the Assemblies of Councillor for November / December 2019 be received.*

### BACKGROUND

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

<b>Date</b>	<b>Meeting</b>
12 November	Briefing Session
19 November	Briefing Session
26 November	Land Development Strategic Planning workshop
3 December	Briefing Session
3 December	Rod Run Weekend Review Community Event
10 December	Briefing Session

### ATTACHMENT(S)

9.0 Assemblies of Councillors – November / December 2019



**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. *Contract number 1907101 in favour of North East Civil Constructions Pty Ltd for the Standish Street Upgrade.*
2. *Contract number CQ180803 in favour of North East Civil Constructions Pty Ltd for the Roberts Creek Road Bridge Renewal No. 3 (Deck Construction).*
3. *Contract number CT19036 in favour of Stadelmann Enterprises for the Road Stabilisation and Patching (2019-20).*
4. *Section 173 Agreement – Joshua Mark Watson and Nicole Carmel King. Lot 1 on Plan of Subdivision 845675Q Volume 07594 Folio 042. Conditions 9 and 10 of Planning Permit 2018.104.1 for a two-lot subdivision of land at 1 Mummery Road Myrtleford. The Agreement provides for bushfire protection measures and wastewater management measures.*
5. *Lease of Lot 1 on PS 612929 being part of the land contained in Certificate of Title Volume 10529 Folio 040 and 041 to Peter Summersby.*
6. *Lease of Lot 1 on PS 612929 being part of the land contained in Certificate of Title Volume 10529 Folio 040 and 041 to Jason Chappel and Maria Falzon.*
7. *Lease of Lot 1 on PS 612929 being part of the land contained in Certificate of Title Volume 10529 Folio 040 and 041 to Johann Odou.*
8. *Section 173 Agreement – James William Moore, David Ian Moore and John Alexander Moore. Lot 2 and 3 on LP138423 and Lot 4 on PS221380U Volume 9443 Folio 313, Volume 9443 Folio 314 and Volume 10577 Folio 544. Condition 8 and 18 of Planning Permit 2018.177.1 for the re-subdivision of land at Buffalo River Road, Buffalo River. The Agreement restricts development of any buildings that have a human habitation component on Lot 1 and that Lot 3 is used for intensive horticulture; and wastewater management system requirements.*
9. *Municipal Fire Management Plan Version 2.2 (2019).*
10. *Municipal Emergency Animal Welfare Plan Version 3.0 (2019).*
11. *Alpine Shire Council Policy No. 054 Risk Management Policy.*
12. *Alpine Shire Council Policy No. 092 Public Interest Disclosures.*
13. *NBN Lease document.*



**14 CONFIDENTIAL ITEMS**

The following item was deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with Section 89(2)(d) of the *Local Government Act 1989*.

In accordance with the Act, Council may resolve to consider these issues in open or closed session.

**RECOMMENDATION**

*That, in accordance with the provision of Section 89(2)(d) of the Local Government Act 1989, the meeting be closed to members of the public for consideration of a confidential item.*

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

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Chairperson