

M(5) – 30 APRIL 2024

Ordinary Council Meeting

Minutes

The **Ordinary Meeting** of the **Alpine Shire Council** was held in the Auditorium @ Mount Beauty, 26 Bogong High Plains Road, Mount Beauty on **30 April 2024** and commenced at **5:00pm**.

PRESENT

COUNCILLORS

Cr John Forsyth - Mayor

Cr Simon Kelley – Deputy Mayor

Cr Ron Janas

Cr Tony Keeble

Cr Sarah Nicholas

Cr Kelli Prime

OFFICERS

Will Jeremy - Chief Executive Officer

Tony Cooper - Manager Corporate

Alan Rees - Director Assets

APOLOGIES

Cr Katarina Hughes

Helen Havercroft - Director Customer and Community

Agenda

| | |
|---|----|
| 1. Recording and livestreaming of Council meetings..... | 4 |
| 2. Acknowledgement of traditional custodians, and recognition of all people..... | 4 |
| 3. Confirmation of minutes | 4 |
| 3.1 Ordinary Council Meeting – M(3) – 27 March 2024 & Special Council Meeting – SPM(4) – 9 April 2024 | 4 |
| 4. Apologies..... | 4 |
| 5. Obituaries / congratulations..... | 5 |
| 6. Declarations by Councillors of conflict of interest..... | 5 |
| 7. Public questions | 6 |
| 8. Presentation of reports by officers | 7 |
| 8.1 Chief Executive Officer – Will Jeremy | 7 |
| 8.1.1 Contracts approved under delegation by CEO..... | 7 |
| 8.2 Director Assets – Alan Rees..... | 8 |
| 8.2.1 Murray to Mountains Rail Trail Enhancements..... | 8 |
| 8.2.2 Mountain View Children’s Centre Redevelopment - Detailed Design | 13 |
| 8.2.3 Dinner Plain Bus Service 2024 winter season | 16 |
| 8.2.4 Regional Community Sports Infrastructure Fund Applications Update | 19 |
| 8.2.5 Draft Sport and Active Recreation Master Plans for Mount Beauty Sport and Education Precinct, Myrtleford Town Centre and Pioneer Park in Bright | 22 |
| 8.2.6 Draft Community Energy Prospectus Executive Summary..... | 26 |
| 8.2.7 Health and Safety Policy | 32 |
| 8.2.8 Contract CT26055 Mystic Park Management, Operations and Maintenance ... | 35 |
| 8.3 Customer and Community Directorate – Tony Cooper | 40 |
| 8.3.1 Community Grant and Event Funding Programs..... | 40 |
| 8.3.2 Community Engagement Policy Review | 43 |
| 8.3.3 Borrowing Policy | 46 |
| 8.3.4 Draft Budget 2024/25 Community Budget Submission Outcomes | 49 |
| 8.3.5 Dinner Plain Special Rate (2024/2025) Public Notice of Proposed Declaration | 57 |
| 8.3.6 Draft 2024/25 Budget Report | 61 |
| 9. Informal meetings of Councillors..... | 66 |
| 10. Presentation of reports by delegates | 67 |
| 11. General business | 67 |
| 12. Motions for which notice has previously been given..... | 67 |
| 13. Reception and reading of petitions | 67 |

14. Documents for sealing 68

1. Recording and livestreaming of Council meetings

The CEO read the following statement:

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

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

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

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

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

2. Acknowledgement of traditional custodians, and recognition of all people

All to stand, the Mayor read the following statement:

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

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

3. Confirmation of minutes

3.1 ORDINARY COUNCIL MEETING – M(3) – 27 MARCH 2024 & SPECIAL COUNCIL MEETING – SPM(4) – 9 APRIL 2024

Cr Janas

Cr Nicholas

That the minutes of Ordinary Council Meeting M(3) held on 27 March 2024 and Special Council Meeting SPM(4) held on 9 April 2024 as circulated be confirmed.

Carried Unanimously

4. Apologies

Cr Katarina Hughes

Helen Havercroft - Director Customer and Community

5. Obituaries / congratulations

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to obituaries / congratulations.

6. Declarations by Councillors of conflict of interest

Cr Kelley declared a general conflict of interest with respect to:

8.2.1. Murray to Mountains Contract for Award

Cr Kelley declared a material conflict of interest:

8.2.5 Draft Sport and Active Recreation Master Plan for Mount Beauty Sports and Education Precinct; and

Cr Kelley declared a general conflict of interest with respect to:

8.2.6 Draft Community Energy and Electric Vehicle (EV) Charging Prospectus

7. Public questions

Public Question time will be held in accordance with the following provisions of Council's Governance Rules:

G5 Public Question Time

- GS3. Questions submitted to Council may be:
Submitted as a "Question on Notice" to the Chief Executive Officer in writing by 5pm on the day prior to the Council meeting, stating the name and contact details of the person submitting the question; or
During meetings held wholly in-person, at the Chairperson's discretion, asked directly by a member of the public gallery at the Council meeting during public question time.
- GS4. No person may submit or ask more than two questions at any one meeting.
- GS7. A question may be disallowed by the Chairperson if the Chairperson determines that it:
- is not related to an item on the agenda;
 - relates to a matter outside the duties, functions and powers of Council;
 - is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - deals with a subject matter already answered;
 - is aimed at embarrassing a Councillor or a member of Council staff;
 - relates to confidential information as defined in s3 of the Act;
 - relates to the personal hardship of any resident or ratepayer; or
 - relates to any other matter which the Council considers would prejudice the Council or any person.

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.

8. Presentation of reports by officers

8.1 CHIEF EXECUTIVE OFFICER – WILL JEREMY

8.1.1 Contracts approved under delegation by CEO

Cr Nicholas

Cr Prime

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

| | | | |
|------------------------|--|-----------------|------------|
| <i>Contract No:</i> | <i>CT24001</i> | <i>Process:</i> | <i>RFQ</i> |
| <i>Title:</i> | <i>Kerb and Channel Replacement - Tawonga Crescent</i> | | |
| <i>Tenderer:</i> | <i>Stadelmann Enterprises</i> | | |
| <i>\$ (excl. GST):</i> | <i>\$117,850.86</i> | | |

| | | | |
|------------------------|---|-----------------|------------|
| <i>Contract No:</i> | <i>Ct24010</i> | <i>Process:</i> | <i>RFQ</i> |
| <i>Title:</i> | <i>Road Reconstruction Works - Tawonga Crescent</i> | | |
| <i>Tenderer:</i> | <i>Stadelmann Enterprises</i> | | |
| <i>\$ (excl. GST):</i> | <i>\$119,980.18</i> | | |

Carried Unanimously

Cr Kelly declared a conflict of interest with respect to item 8.2.1 and left the meeting room at 5:50pm

8.2 DIRECTOR ASSETS – ALAN REES

8.2.1 Murray to Mountains Rail Trail Enhancements

File Numbers: CT2604901, CT2605001 & CT2605002

INTRODUCTION

This report relates to the awarding of three (3) contracts for the Murray to Mountains Rail Trail Enhancements Project for infrastructure upgrades to be delivered between Bright and Porepunkah.

Cr Keeble

Cr Prime

That Council:

1. *Awards Contract No. 2604901 for the "Roberts Creek Pedestrian and Cyclist Bridge" to Struktis Steel for the lump sum price of \$179,930 (GST exclusive);*
2. *Awards Contract No. 2605001 for the "Rail Trail Widening Reconstruction Works" to Stadelmann Enterprises for the lump sum price of \$571,703 (GST exclusive);*
3. *Awards Contract No. 2605002 for the "Rail Trail Widening Drainage Works" to Twin City Civil for the lump sum price of \$247,137 (GST exclusive); and*
4. *Delegates authority to the Chief Executive Officer to sign the contracts at an appropriate time.*

Carried Unanimously

BACKGROUND

The Murray to Mountains (M2M) Rail Trail Enhancements Project was developed in 2016 by Tourism North East (TNE) and includes the development and installation of public art, landscaping, improved amenity options and new commercial opportunities along the trail. The project's objective is to effectively establish the region's rail trail network as an authentic, iconic tourism product, central to delivering strong outcomes for the local visitor economy including increased visitation and yield.

In 2022, the Victorian State Government announced \$8.5 million in funding to support the M2M Rail Trail Enhancements project. TNE is the lead agency and is working closely with Alpine Shire Council, Rural City of Wangaratta, and Indigo Shire Council to support the delivery of the project.

As part of the funding delivery, Council is responsible for the design, procurement and construction of the infrastructure elements of the M2M project which includes the delivery of a new Roberts Creek Pedestrian and Cyclist Bridge.

An upgraded wider bridge at this location will provide a much-needed improvement over the old narrow structure currently in place. The opportunity to provide an upgraded

structure at this location will also allow for an art installation to be incorporated into the design.

EVALUATION

Tender 1 "Roberts Creek Pedestrian and Cyclist Bridge"

The tender was advertised on tenders.net and on Alpine Shire Council's website on 29 February 2024.

A total of 27 prospective tenders downloaded the document and five (5) submissions were received by the closing date.

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

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

After the initial evaluation a preferred tenderer was identified and invited to clarify aspects of their tender and provide further detail on the design development, the proposed methodology, and program. Through this evaluation process it was determined that the tender from Struktis Steel best met the selection criteria.

Tender 2 "Rail Trail Widening Reconstruction Works - Bright to Porepunkah"

The evaluation panel consisted of the Project Officer and the Manager Engineering and Assets.

The tender was advertised on tenders.net and on Alpine Shire Council's website on 29 February 2024.

A total of 22 prospective tenders downloaded the document and four (4) submissions were received by the closing date.

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

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

After the initial evaluation a preferred tenderer was identified and invited to clarify aspects of their tender and provide further detail on the proposed methodology and program. Through this evaluation process it was determined that the tender from Stadelmann Enterprises best met the selection criteria.

Tender 3 "Rail Trail Widening Drainage Works"

The tender was advertised on tenders.net and on Alpine Shire Council's website on 29 February 2024.

A total of 22 prospective tenders downloaded the document and four (4) submissions were received by the closing date.

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

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

After the initial evaluation a preferred tenderer was identified and invited to clarify aspects of their tender and provide further detail on the proposed methodology and program. Through this evaluation process it was determined that the tender from Twin City Civil best met the selection criteria.

POLICY IMPLICATIONS

The tenders were advertised and evaluated in accordance with Council's Procurement Policy.

These recommendations are consistent with the following Strategic Objective of the Council Plan 2021-2025:

- 4.5 Assets for our current and future needs

FINANCIAL AND RESOURCE IMPLICATIONS

The project is fully funded by the Victorian State Government. There is sufficient allocation within the project budget to award these three contracts, totalling \$998,770 (GST exclusive), and deliver the works.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--|------------|----------|---|
| <i>Tender 1 Roberts Creek Pedestrian and Cyclist Bridge</i> High water levels during construction | Possible | Moderate | <ul style="list-style-type: none"> • Design of foundations to minimise construction time |

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--|----------------|----------|--|
| Changing riverside environment during and after construction | Possible | Moderate | <ul style="list-style-type: none"> Design and location of the bridge structure to reduce exposure to any change in conditions |
| <i>Tender 2 - Rail Trail Widening Reconstruction Works</i> High number of users continuing to want to use the trail during construction | Possible | Moderate | <ul style="list-style-type: none"> Advise community in advance of the changed conditions to expect during construction. Deliver works outside of known busy periods to reduce impact on users. |
| Lack of alternative routes for users | Possible | Moderate | <ul style="list-style-type: none"> Efficient delivery of works utilising well planned traffic management solutions. |
| <i>Tender 3 - Rail Trail Widening Drainage Works</i> High number of users continuing to want to use the trail during construction | Possible | Moderate | <ul style="list-style-type: none"> Advise community in advance of the changed conditions to expect during construction. Deliver works outside of known busy periods to reduce impact on users. |
| Compromised access to properties during construction | Almost certain | Moderate | <ul style="list-style-type: none"> Close consultation with property owners during construction to set expectations around short term changes to access. |

CONSULTATION

During the planning of the broader Murray to Mountains Enhancement Project, TNE conducted community consultation regarding the infrastructure and art installations proposed as part of the project.

CONCLUSION

Following a comprehensive assessment, the Tenders as recommended are considered to present the best value options for Council. This project will deliver an upgrade to this section of the trail, resulting in improved amenity and enjoyment for our community and visitors.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Engineering and Assets
- Project Officer

ATTACHMENT(S)

Nil

Cr Kelley returned to the meeting at 5.58pm

8.2.2 Mountain View Children’s Centre Redevelopment - Detailed Design

File Number: CT22077

INTRODUCTION

This report relates to a contract variation for the detailed design of Mountain View Children's Centre Redevelopment to enable the design to be completed.

Cr Keeble

Cr Janas

That Council:

- 1. Approves a variation to Contract No. 22077 Lead Design Consultant – Mountain View Children’s Centre Redevelopment to Spaces Pty Ltd to the value of \$64,427 (GST Exclusive), being expenditure which is not current budgeted; and*
- 2. Delegates authority to the Chief Executive Officer to sign the contract variation.*

Carried Unanimously

BACKGROUND

In 2021 Council received a grant of \$150,000 from the Victorian School Building Authority (VSBA) under the Early Childhood Building Blocks Grants - Planning Stream to progress the redevelopment of the Mountain View Children’s Centre in Myrtleford. This funding stream provides grants for planning and preconstruction work on kindergarten building projects that support the roll-out of three-year-old Kindergarten service across Victoria.

ISSUES

Original Tender Award

Council at its Ordinary Meeting held on 13 December 2022 awarded the tender to Spaces Pty Ltd for the lump sum of \$178,300 (GST Exclusive). The funding agreement provided for \$150,000 towards the appointment of a design consultant to develop and document tender documentation for the expansion of the facility. The expansion of the centre proposes to increase capacity of the centre from 90 - 160 childcare places.

Contract Variation

During the design development phase of the project, and following extensive consultation with the lead consultant, operators and officers, the option to reconsider a new purpose built space was presented as being a more effective and efficient proposal as opposed to redeveloping the existing facility.

As a result of these changes to the original scope and to finalise the design phase of the Mountain View Children’s Centre Redevelopment, Council is required to vary the original

contract with Spaces by \$64,427 (GST exclusive). This means there is a shortfall in the total budget to fund the variation to the contract with Spaces.

POLICY IMPLICATIONS

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

- 4.5 Assets for our current and future needs

FINANCIAL AND RESOURCE IMPLICATIONS

The original contract awarded to Spaces Pty Ltd was for the value of \$178,300. An additional unbudgeted expenditure of \$64,427 is required to enable the detailed design to be completed. If approved this would result in a new total contract value of \$242,727.

RISK MANAGEMENT

The key risks of the project are as follows:

| Risk | Likelihood | Impact | Mitigation |
|---|------------|----------|---|
| Delayed designs affecting timeframes for future funding application for the Redevelopment Works | Possible | Moderate | <ul style="list-style-type: none"> • Finalise the designs in April to allow enough time for Council to consider funding opportunities. |

CONSULTATION

All aspects of the project have been communicated with the following:

- Director Assets
- Manager Engineering and Assets

CONCLUSION

The scope variation of \$64,427 to finalise the detailed design of Mountain View Children's Centre Redevelopment creates an additional budget requirement above the existing budget of \$178,300.

In line with the requirement set out in Council’s Procurement Policy, all variations that require additional budget need a new approval by Council based on the total value of the contract.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Engineering and Assets
- Project Manager

ATTACHMENT(S)

Nil

8.2.3 Dinner Plain Bus Service 2024 winter season

INTRODUCTION

This report relates to entering into a Memorandum of Understanding (MOU) between Alpine Shire Council and Mount Hotham Alpine Resort (MHAR) for the delivery of the Dinner Plain Bus Service for the 2024 winter season.

Cr Keeble

Cr Kelley

That Council:

- 1. Enters into a Memorandum of Understanding with Mount Hotham Alpine Resort to document the obligations for the Dinner Plain Bus Service for 2024 winter season;*
- 2. Provides a financial commitment of \$170,000 (GST exclusive) to Mount Hotham Alpine Resort to support the Dinner Plain Bus Service operating costs; and*
- 3. Delegates authority to the Chief Executive Officer to sign the Memorandum of Understanding between Mount Hotham Alpine Resort for the delivery of the Dinner Plain Bus Service for the 2024 winter season.*

Carried Unanimously

BACKGROUND

In 2023 Council committed a subsidy payment of to Mount Hotham Alpine Resort (MHAR) for \$140,000 for the delivery of a Dinner Plain Bus Service.

Following a review of the 2023 season, it was established that the service was well received by the Dinner Plain community and visitors to Dinner Plain, however Mount Hotham Alpine Resort was subject to higher than expected operating costs.

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

In order to deliver the Dinner Plain Bus Service for the 2024 winter season, it is necessary for Council to provide an increased subsidy to ensure the ongoing viability of this service.

ISSUES

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

The bus service is listed as the only special rate service in the Proposed Dinner Plain Special Rate Declaration 2024/25.

POLICY IMPLICATIONS

The recommendations are in accordance with the following Strategic Objective of the Council Plan 2021-2025:

- 2.2 Innovative and sustainable business development that supports year-round benefit

FINANCIAL AND RESOURCE IMPLICATIONS

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

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

The costs associated with the delivery of the 2024 Dinner Plain Bus service will be funded from the Dinner Plain Reserve. The bus service is listed as the only special rate service in the Proposed Dinner Plain Special Rate Declaration 2024/25.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|--|
| The service cannot be operated in a way which is cost neutral for Mount Hotham Alpine Resort, resulting in no service being provided. | Possible | Moderate | <ul style="list-style-type: none"> • Review of the service following each season and renegotiation of an amended or new agreement for subsequent seasons. |

CONSULTATION

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

CONCLUSION

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

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Operations
- Property and Contracts Coordinator

ATTACHMENT(S)

Nil

8.2.4 Regional Community Sports Infrastructure Fund Applications Update

INTRODUCTION

This report relates to recent funding applications made by Council to the Regional Community Sports Infrastructure Fund to support two infrastructure projects.

Cr Nicholas

Cr Prime

That Council notes the recent applications submitted to the Victorian Government's Regional Community Sports Infrastructure Fund for the upgrade of the:

- a. Mount Beauty Cricket Nets with a maximum Council co-contribution of \$20,000 (GST exclusive) and \$5,000 of in-kind resources; and*
- b. Cundy Park playground with a maximum Council co-contribution of \$250,000 (GST exclusive).*

Carried Unanimously

BACKGROUND

Recently, Council has had the opportunity to apply for infrastructure funding from the Victorian Government's Regional Community Sports Infrastructure Fund. The Fund is a competitive Victorian Government investment program, open to Victorian rural and regional Local Government Authorities and Alpine Resorts Victoria. The fund aims to deliver new and upgraded community sports infrastructure.

Following an assessment of Council's infrastructure project pipeline, it was determined that the upgrade of Cundy Park playground met the criteria of the Victorian Government's Regional Community Sports Infrastructure Fund.

In January 2024, Council received a request from Cricket Albury Wodonga and Mount Beauty Cricket Club Inc. to submit a funding application for the upgrade of the Mount Beauty Cricket Nets. Council officers assessed this request and supported submitting an application for this upgrade in this funding program.

Regional Community Sports Infrastructure Fund

The fund was open to Victorian rural and regional local government authorities and Alpine Resorts Victoria. The fund aims to deliver new and upgraded community sports infrastructure across following four streams:

1. Indoor Stadiums and Aquatic Facilities
2. Community Facilities
3. Women and Girls Facilities
4. All Abilities Infrastructure

Council assessed potential projects against the fund's selection criteria, and it was determined that the Cundy Park playground best met the All Abilities Infrastructure criteria, and an application was made in March 2024 for the upgrade of this important community infrastructure item.

In January 2024, Council received a request from Cricket Albury Wodonga and Mount Beauty Cricket Club Inc. to submit a funding application for the upgrade of the Mount Beauty Cricket Nets. The upgrade is identified on the Draft Mount Beauty Sports and Recreation Master Plan currently being progressed by Council that represents several years of dedicated community support and planning.

| Project | Total Cost | Council Contribution |
|---------------------------|-------------|------------------------------|
| Mount Beauty Cricket Nets | \$221,760 | \$20,000 \$5,000 in-kind |
| Cundy Park playground | \$1,250,000 | \$250,000 |
| Total | \$1,471,760 | \$270,000 \$5,000 in-kind |

ISSUES

The projects that have been nominated to the Victorian Government's Regional Community Sports Infrastructure Fund are significant upgrades that are made achievable with grant funding. The projects are associated with significant infrastructure upgrades, which can be achieved earlier when government funding is made available.

POLICY IMPLICATIONS

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

- 4.5 Assets for our current and future needs

FINANCIAL AND RESOURCE IMPLICATIONS

If Council is successful in the Victorian Government's Regional Community Sports Infrastructure Fund a maximum co-contribution of \$20,000 (GST exclusive) and \$5,000 of in-kind contributions for the Mount Beauty Cricket Nets, and \$250,000 (GST exclusive) for the upgrade of Cundy Park playground will be required.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|--|
| Grant announcement after 24/25 Capital Budget is adopted - Council's Co-contribution is unbudgeted. | Possible | Moderate | <ul style="list-style-type: none"> • Include in budget if announced prior to adoption. If not announced prior to budget adoption, put forward an unbudgeted spend to a Council meeting. |

CONSULTATION

The projects that have been nominated are identified as high priorities on Council's Project Pipeline or other strategic work program. Consultation has been undertaken to ensure that the community and referral agencies are supportive of the projects, which have been nominated. A survey for the Cundy Park playground had 40 responses and helped to inform the final Cundy Park concept design. The projects that have been nominated have been selected based on their alignment with the funding eligibility and evaluation criteria.

CONCLUSION

Council has recently submitted applications aiming to secure significant grant funding for infrastructure projects through the Victorian Government's Regional Community Sports Infrastructure Fund. If successful, it will deliver on Council's infrastructure upgrade priorities in the coming years.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Engineering and Assets
- Manager Growth and Future

ATTACHMENT(S)

Nil

8.2.5 Draft Sport and Active Recreation Master Plans for Mount Beauty Sport and Education Precinct, Myrtleford Town Centre and Pioneer Park in Bright

INTRODUCTION

This report relates to the three draft Sports and Active Recreation Master Plans (Master Plans) for the Mount Beauty Sports and Education Precinct, Myrtleford town centre and Pioneer Park in Bright.

Cr Nicholas

Cr Kelley

That Council:

- 1. Endorses the Draft Sport and Active Recreation Master Plans for Myrtleford Town Centre and Pioneer Park in Bright for the purpose of being placed on public exhibition for a minimum 28 days;*
- 2. Invites written submissions from the public on the Myrtleford Town Centre and Pioneer Park in Bright Draft Sports and Active Recreation Plans*
- 3. Reviews and considers any submissions received as part of the two Draft Sport and Active Recreation Master Plans and updates these documents as required; and*
- 4. Considers a recommendation to adopt the Myrtleford Town Centre and Pioneer Park in Bright Sport and Active Recreation Master Plans at a future meeting.*

Carried Unanimously

Cr Kelley declared a conflict of interest with respect to the Draft Sport and Active Recreation Masterplan for Mount Beauty left the meeting at 6:23pm.

Cr Janas

Cr Prime

That Council:

- 1. Endorse the Draft Sport and Active Recreation Master Plan for Mount Beauty Sport and Education Precinct, for the purpose of being placed on public exhibition for a minimum 28 days;*
- 2. Invites written submissions from the public on the Draft Sports and Active Recreation Master Plan for Mount Beauty Sport and Education Precinct;*
- 3. Reviews and considers any submissions received as part of the Draft Sport and Active Recreation Master Plan and updates this document as required; and*
- 4. Considers a recommendation to adopt the Mount Beauty Sport and Education Precinct Sport and Active Recreation Master Plan at a future meeting.*

Carried Unanimously

Cr Kelley returned to the meeting at 6:24pm.

BACKGROUND

The Alpine Shire Sport and Active Recreation Plan 2022-2033 (the Plan) was endorsed by Council in March 2022. The Plan recognises the significant physical and mental wellbeing benefits of community participation in sport and active recreation.

The Plan recommends master planning for key reserves and parks in Bright, Mount Beauty and Myrtleford to plan for inclusive, accessible, and diverse facilities and infrastructure to support ongoing community participation in sport and active recreation.

Master Plans for Pioneer Park in Bright, the Mount Beauty Sport and Education Precinct, and Myrtleford town centre began in October 2022. The three plans have been developed in consultation with key internal and external stakeholders, as well as sport and active recreation auditors and planners.

The three Master Plans provide a strategic framework for project development and have identified important upgrades to existing facilities and infrastructure, as well as new assets, where required.

Consideration has been given to current and future community use of the identified reserves and parks, ongoing maintenance requirements and costs, user feedback and experience, and key updates that will ensure facilities and infrastructure are safe, accessible, and inclusive.

The Master Plans are supported by a strong evidence base and align closely with the Alpine Shire Sport and Active Recreation Plan 2022-2033.

ISSUES

Without appropriate sport and active recreation masterplans Council would be unable to effectively identify appropriate funding opportunities or plan future investment into existing assets to ensure they remain at acceptable standard.

The masterplans are key strategic documents to help inform the future direction and any available funding opportunities for renewal, upgrade and new facilities and infrastructure.

POLICY IMPLICATIONS

The recommendation is in accordance with the Alpine Shire Sport and Active Recreation Plan 2022-2033 and the following Strategic Objective of the Council Plan 2021-2025:

- 4.5 Assets for our current and future needs

FINANCIAL AND RESOURCE IMPLICATIONS

The development of the Pioneer Park, Mount Beauty Sport and Education Precinct, and Myrtleford Sport and Active Recreation Master Plans have been supported by Emergency Recovery Victoria 'Project Officers for Alpine Shire Bushfire Recovery Activities and Initiatives'. Emergency Recovery Victoria has contributed \$310,000 (GST exclusive) and Council has contributed \$70,000 (GST exclusive) towards the master planning activities.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|--|
| Some user groups and stakeholders may not be satisfied with inclusions/exclusions in the Master Plans | Possible | Moderate | <ul style="list-style-type: none"> • All requests to adjust the draft Master Plans will be taken into consideration. Council will accommodate requests where possible taking into consideration other stakeholders, cost, demand, maintenance, and community safety. • Where Council are not able to accommodate requests, stakeholders will be informed as to the reasons why |

CONSULTATION

Alpine Shire communities have been engaged throughout the development of the draft Master Plans. Engagement with key sport, community and active recreation user groups, services and the wider community have occurred through:

- 393 community survey responses
- Consultations and/or written submission with 63 sports and recreation user groups
- Discussions with nine state sporting associations, services, and schools

As the three Sports and Active Recreation Master Plans are in draft form, any requests from stakeholders to adjust the plans during the public exhibition period will be taken into consideration.

CONCLUSION

It is recommended that Council endorses the three draft Master Plans for public exhibition. Feedback from the public exhibition will be considered for inclusion in the final master plans, prior to the three Master Plans be presented for adoption at a future meeting.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Engineering and Assets
- Project Manager

ATTACHMENT(S)

8.2.5 Draft Alpine Shire Sports and Active Recreation Masterplan

Cr Kelley declared a conflict of interest with respect to item 8.2.6 and left the meeting room at 6:24pm

8.2.6 Draft Community Energy Prospectus Executive Summary

INTRODUCTION

The draft Community Energy Prospectus Executive Summary (draft Prospectus) provides opportunities for investment in community energy and electric vehicle (EV) charging infrastructure on Council land. Community energy provides energy cost reductions and energy resilience for the host site and locally generated renewable energy for local communities.

The draft Prospectus provides detailed design and business models for community batteries at five sites, and smaller scale energy nodes at an additional five sites. These sites were chosen based on an analysis of the space available for on-site solar and battery, existing electrical infrastructure and grid connection, facility usage, EV charger suitability and location. The outcome of the draft Prospectus is ten investment ready sites that can be put forward when grant funding and/or commercial investment opportunities arise.

This report recommends that Council endorse the draft Prospectus for community consultation in mid-2024. Once consultation is complete, Council will be asked to consider any feedback received ahead of adopting the final Prospectus and proceeding with seeking Expressions of Interest for commercial investment in the proposed infrastructure and continuing to support grant applications to fund the infrastructure.

Cr Keeble

Cr Nicholas

That Council:

- 1. Endorses the Draft Community Energy Prospectus Executive Summary to be placed on public exhibition for a minimum 28 days;*
- 2. Invites public submissions regarding the Draft Community Energy Prospectus Executive Summary;*
- 3. Reviews and considers any submissions received and updates the document as required; and*
- 4. Considers a recommendation to adopt the Community Energy Prospectus Executive Summary at a future meeting.*

Carried Unanimously

BACKGROUND

Since declaring a climate emergency in November 2021, Council has been seeking ways to support the community to improve resilience to climate change and reduce Greenhouse Gas emissions.

Community energy and public EV charging infrastructure projects have the potential to:

Improve resilience by providing backup power to host sites that can provide a community service during emergency events and power outages:

- Deliver locally generated renewable energy to local communities;
- Provide cost savings to the host site's electricity bills;
- Provide network benefits through the battery exporting during peak demand times to assist with low voltage issues on the network;
- Facilitate uptake of zero emissions vehicles; and
- Provide the innovation to establish the business case for the delivery of community batteries at council-owned sites in regional Victoria.

Council was a recipient of Recovery and Resilience funding in September 2022, which contributed to the development of the draft Prospectus. The development of the draft Prospectus coincides with the announcement of significant government funding for the delivery of community battery facilities. These are the Australian Government's \$200 million Community Batteries for Household Solar and the Victorian Government's \$10 million 100 Neighbourhood Batteries Initiative Round One. The draft Prospectus, presenting a number of investment-ready community battery sites, puts Council facilities in a favourable position to seek funding for these sites.

Through the draft Prospectus development process a list of facilities in which Council has ownership, tenancy, maintenance, or management interests was reduced to ten suitable sites for either large- or small-scale batteries based on existing infrastructure and grid connection. The models analysed are:

Large scale Community Power Plant (CPP) systems with oversized solar and battery systems capable of supplying site load and exporting excess power to the local community; or

Small scale Energy nodes that are capable of providing back up power to smaller sites.

Sites suitable for public EV chargers are also analysed.

Sites that were deemed suitable and so analysed for larger CPP systems are:

- Bright Alpine View Children's Centre
- Bright Pioneer Park Recreation Reserve
- Myrtleford RMcNamara Reserve
- Myrtleford Recreation Reserve & Showgrounds
- Mount Beauty Stadium and Pool

Sites analysed for energy node systems are:

- Dederang Recreation Reserve
- Dinner Plain School Community Centre
- Harrierville Community Hall
- Mudgegonga Community Hall
- Running Creek Community Hall

Of the assessed sites, a number were deemed suitable to host public EV chargers:

- Mount Beauty Sports Stadium
- Myrtleford Showgrounds
- Dederang Recreation Reserve
- Dinner Plain School and Community Centre
- Harrietville Community Hall
- Mudgegonga Community Hall

ISSUES

There is an anticipated two-year window of significant funding from the Australian and Victorian governments in community scale batteries; the development of this draft Prospectus was commissioned to ensure Council's readiness to apply for these funding opportunities as they arise. Applications for the Australian Renewable Energy Agency (ARENA) Community Batteries Funding Round 1 closed concurrently with the development of this draft Prospectus; a letter of support was provided to Indigo Power in order for it to submit an application for four of the CPP sites.

Pending the success of this application, and any other funding that becomes available, the development of commercial arrangements and lease agreements will be required to finalise the commercial arrangements of the battery ownership, use of Council roof space and land, as well as the sale and purchase of power generated.

The draft Prospectus analyses two models for each site, each with varying levels of risk and benefit to Council, outlined below. Decisions on the operational options are not required until funding has been secured.

Option 1:

Indigo Power funds the co-contribution and owns and maintains the battery and solar PV, with a commercial lease arrangement for the use of Council roof space and land, and power is sold to Council for use at the facility at a reduced price. Indigo Power would then use excess generation and storage capacity to supply clean energy to its customers.

Option 2:

Council funds the co-contribution and owns the battery and solar PV, with Indigo Power engaged to build, operate, and maintain the facility under a licence agreement. The host facility would use the required power and Indigo Power would sell excess capacity and supply clean energy to its customers. Council would recoup some of the costs through the licence payments from Indigo Power.

There are currently no funding opportunities for public EV chargers; however, the testing of the suitability of sites through the draft Prospectus development ensures readiness for funding applications as they become available. Endorsement of the list of sites suitable for EV chargers will also allow Council to seek commercial investment in public chargers at these sites.

POLICY IMPLICATIONS

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

- 2.2 Innovative and sustainable business development that supports year-round benefit
- 3.1 Decisive leadership to address the impacts and causes of climate change
- 3.4 A community that is prepared for, can respond to, and recover from emergencies

The recommendations align with the Council Action Plan 2021-2024 as community scale solar PV and batteries present an opportunity to offset Council's corporate emissions within the shire while providing long term financial benefit to Council.

The recommendations align with the Community Climate Action Plan Roadmap 2023: Action Opportunity Area Community Energy/Resilience Projects.

FINANCIAL AND RESOURCE IMPLICATIONS

Financial and resource implications will be minimal until suitable funding is secured. After securing funding, likely through Australian and Victorian government grants, the commercial model for ownership and operation of the battery will be finalised in agreement with Indigo Power based on the options presented in the draft Prospectus documents (as outlined above).

Option 1:

Would have minimal upfront cost from Council with a small benefit in electricity cost savings for the host site and the commercial lease of the roof and land space.

Option 2

Would require Council to fund any required battery co-contribution and solar PV installations with the benefit of energy cost savings and income from the licence arrangement. Return on investment and payback periods vary depending on the site and finalisation of the commercial agreements.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|--------|--|
| There is a risk that grant applications are not successful for funding of the battery from the Australian and Victorian governments | Possible | Major | <ul style="list-style-type: none"> The draft Prospectus shows mature evidence of testing of sites and operational models to support grant applications Indigo Power has had regular conversations with ARENA and is as well placed as it can be for that grant |
| There is a risk that facility ownership and management models inhibit the ability to enter into commercial arrangements with Indigo Power | Unlikely | Major | <ul style="list-style-type: none"> The sites presented for the ARENA application were chosen due to their low risk in this space A number of backup sites have been identified should this risk eventuate |

CONSULTATION

Determination of sites for assessment considered sites prioritised by local community energy groups as an element of the short-listing process.

This report is seeking community engagement on the draft Prospectus prior to formal adoption. Once endorsed, the community will have an opportunity to comment on the draft Prospectus during the public exhibition period.

CONCLUSION

Endorsement of the draft Prospectus will enable Council to confidently continue to seek external funding for community batteries and public EV charging stations at the assessed Council facilities.

DECLARATION OF CONFLICT OF INTEREST

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

- Manager Engineering and Assets
- Manager Growth and Future
- Sustainability Coordinator

ATTACHMENT(S)

8.3.6 Draft Community Energy Prospectus Executive Summary

Cr Kelley returned to the meeting at 6.30pm

8.2.7 Health and Safety Policy

File Number: Policy Register

INTRODUCTION

The Health and Safety Policy was adopted by Council in June 2019 and is due for review

The purpose of this report is to present the revised Health and Safety Policy No.52 Version 6 to Council for adoption.

Cr Janas
Cr Nicholas

That Council:

- 1. Revokes Alpine Shire Council Health and Safety Policy No.52, Version 5.0, 4 June 2019;*
- 2. Adopts Alpine Shire Council Health and Safety Policy No.52, Version 6.0; and*
- 3. Signs and seals the Alpine Shire Council Health and Safety Policy No.52, Version 6.0. at the appropriate stage of this meeting.*

Carried Unanimously

BACKGROUND

Council is committed to providing and maintaining a safe and healthy environment and culture for all persons associated with its operations, including employees, contractors, volunteers, residents, and visitors. This applies to our work areas and our community spaces.

As part of the organisational restructure in 2023, a key focus area was in respect to safety in the workplace. A dedicated Occupational Health and Safety Officer was appointed, and he has since re-established designated working groups (DWGs) and Health and Safety Representatives (HSRs) to work collaboratively and meet on a regular basis and the Health and Safety Committee was established in accordance with the *Occupational Health and Safety Act 2004*.

The representatives help to foster and create a safer and healthier working environment that encourages active participation and continuous improvement and promotes a culture of safety and the well-being of Council's employees, and the working group has identified and highlighted areas to be strengthened and implemented and incorporated into the updated policy.

As a result, this policy has been reviewed for compliance with relevant legislation, and been benchmarked against over local government health and safety policies.

ISSUES

Section 3.2 refers to strengthening councils' commitment to meet legal duties and obligations under the *Occupational Health and Safety Act 2004*. This considers

engagement from the staff satisfaction survey and a consultation process with Designated Working Groups and Health and Safety Representative.

Section 3.3 refers to the safety culture and alignment with CEO's Key performance plan and indicators for 2023-2024 - KPA 1: Leadership and Culture

Section 4 aligns the roles and responsibilities with the organisation structure.

POLICY IMPLICATIONS

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

- 5.2 A responsible, transparent and responsive organisation

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|-------------|----------|--|
| Compliance - Outdated Policy that does not comply with legislation | Possible | Moderate | <ul style="list-style-type: none"> • Adopt the Policy as recommended. |
| Reputational - misalignment with the commitment of zero harm to staff | Possible | Moderate | <ul style="list-style-type: none"> • Approved and supported policy • Transparent communication with stakeholders and community |
| Operational - poor reporting culture and lack of accountability | Very Likely | Moderate | <ul style="list-style-type: none"> • Policy, implementation plan and reporting cycle that addresses how health and safety will be addressed within Alpine Shire Council |

CONSULTATION

The current policy has been reviewed by the Occupational Health and Safety Officer, in consultation with the Health and Safety Committee. The Health and Safety Representatives undertook a consultative process with their members over a three week period to enable feedback to be incorporated. This was followed by a one week consultative process with the Alpine Shire Leadership Team for final review and feedback prior to finalisation.

CONCLUSION

The review of the Health and Safety Policy strengthens Alpine Shire Council's alignment with the current *OHS Act 2004* and OHS Regulation 2017.

Following an extensive consultation process, the revised Policy reflects contemporary practices and standards as set out in the legislation and it is recommended that the Policy be adopted by Council.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Operations
- Occupational Health and Safety Officer

ATTACHMENT(S)

8.2.7 Alpine Shire Council Health and Safety Policy No.52, Version 6.0

8.2.8 Contract CT26055 Mystic Park Management, Operations and Maintenance

File Number: CT26055

INTRODUCTION

This report relates to the award of a contract for the management, operation and maintenance of Mystic Park in Bright.

Cr Kelley

Cr Janas

That Council:

1. *Awards Contract No. CT26055 Mystic Park Management, Operations and Maintenance to Elevation Parks Pty Ltd;*
2. *Delegates authority to the Chief Executive Officer to sign the contract at an appropriate time; and*
3. *Thanks the two unsuccessful tenderers for their interest in this tender process.*

Carried

A Division was called for by Cr Keeble

For: Cr Forsyth, Cr Kelley, Cr Janas and Cr Prime

Against: Cr Keeble and Cr Nicholas

BACKGROUND

In Victoria, plantations and land intended for long term plantation use are vested in the Victorian Plantations Corporation pursuant to the *Victorian Plantations Corporation Act (1993)*.

In December 1998, the Victorian Plantations Corporation licensed Hancock Victorian Plantations (HVP) in perpetuity to manage approximately 170,000 hectares of plantation land for the purposes of timber production.

Alpine Community Plantation Inc. (ACP) was incorporated in 2013 as a community-based not-for-profit partnership between Alpine Shire Council, HVP and three community groups being Alpine Cycling Club Inc, North East Victoria Hang Gliding Club Inc. and the Bright and District Chamber of Commerce.

ACP is governed by a board of volunteer directors representing each of the member organisations to the partnership.

A licence was issued to ACP by HVP to manage the recreational use of almost 20,000 hectares of working pine plantations with a focus on mountain bike activity.

Mystic Park in Bright covers approximately 350 hectares of this working pine plantation and is the main mountain bike precinct containing more than 50km of trails across 84 separate trails, including flow, climbing, downhill and technical mountain bike trails.

Without the existence of this not-for-profit community group acting in the role of recreational land manager, the sanctioning of these trails and activities within the plantations would not have been realised.

Since 2016, Mystic Park has experienced a period of rapid growth as a result of the opening of the Hero Trail in December 2016 and Shred Kelly's Last Stand in December 2018.

Mystic Park attracts around 63,000 specialist visitors to the Alpine Shire each year, contributing approximately \$27.1 million into the local economy, supporting 227 local jobs and an economic output of \$66.1 million.

Through a confidential report presented to the Ordinary Council Meeting held in November 2023, Council resolved to enter into a sub-license agreement to oversee the operations and management of Mystic Park via a professional operator.

In February 2024, an expression of interest (EOI) process was undertaken with three submissions being received within the submission period.

At the Ordinary Council Meeting held in February 2024, Council considered a confidential report relating to the assessment of the three submissions received during the EOI process. Council resolved to invite all three submitters to participate in the formal tender process.

The tender documentation identified Council's requirements for any future tenderer in managing and operating Mystic Park. They included:

1. Invitation to Tender document; and
2. Service General Conditions document.

The tenderers were also given access to all relevant documentation required to make an informed submission.

The formal tender process commenced on Monday 18 March 2024, for a four week period to secure a suitable professional operator to oversee the operations and management of Mystic Park.

During the tender process, two addendums were released to all tenderers based on questions received from the tenderers during the submission period to ensure procedural fairness.

EVALUATION

The tender closed on Sunday 14 April 2024 and three submissions were received.

The critical selection criteria listed in the Invitation to Tender, against which all submissions must be assessed, are:

1. Financial sustainability;
2. Qualifications and previous performance;
3. Delivery;
4. Community; and
5. Environmental sustainability.

The tender evaluation panel, Project Working Group (PWG) and Project Control Group have all individually reviewed the submissions.

Following the assessment of the tenders, it was determined that the tender from Elevation Parks Pty Ltd best addressed the selection criteria.

ISSUES

Following initial evaluation of the submissions, a further request was made to all tenderers requesting more detailed financial operating models and a more thorough mobilisation plan as outlined below:

- Detailed Profit and Loss balance sheet for Year 1 and the five years of operation to include all income and expenses, any upfront capital investment, assumptions, and considerations for harvesting impact on the profit and loss.
- Proposed membership model for a five-year period.
- If successful - a detailed mobilisation plan (from contract award to 1st July) outlining resourcing, plant and equipment, recruitment, communication, and operational readiness.
- Stakeholder communication and co-ordination during this period.
- If unsuccessful - a mobilisation plan for the successful operator to handover to.

An online meeting was also requested to fully understand each tenderer's submission.

POLICY IMPLICATIONS

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

- 1.1 A community that is active, connected and supported

FINANCIAL AND RESOURCE IMPLICATIONS

Elevation Parks Pty Ltd has provided the most sound financial modelling and represent the best return for Council.

RISK MANAGEMENT

The key risks of the project are as follows:

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--|------------|----------|--|
| Unsuitable operator appointed | Unlikely | Major | <ul style="list-style-type: none"> • Extensive evaluation of submissions and thorough tender process |
| Backlash from unsuccessful proponents gaining community support | Possible | Moderate | <ul style="list-style-type: none"> • Provide extensive reasoning behind decisions • Provide transparent governance process |
| Transition from existing operator to new operator does not go as planned | Possible | Major | <ul style="list-style-type: none"> • Execution of sound mobilisation plan • Contract in place for new operation |

CONSULTATION

Consultation has been held between Alpine Cycling Club, Chamber of Commerce, North East Hang Gliding Club and Wandri Trail Runners and Council Officers. In addition to this an internal Project Working Group (key Council internal stakeholders) was established to provide guidance and support to the Project Control Group (HVP and key Council stakeholders).

The submissions have been through an extensive evaluation process and consultation has been held between the Project Working Group and the Project Control Group.

CONCLUSION

The success of Mystic Park necessitates an experienced, established, and capable professional operator in order to secure the success and future of the park.

Following a tender evaluation assessment, the tender from Elevation Parks Pty Ltd is considered the best option due to financial sustainability, experience, delivery, and knowledge derived from managing other mountain bike parks.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Growth and Future
- Strategic Planning Project Officer

ATTACHMENT(S)

Nil

8.3 CUSTOMER AND COMMUNITY DIRECTORATE – TONY COOPER

8.3.1 Community Grant and Event Funding Programs

INTRODUCTION

This report relates to individuals who make up the Alpine Shire Council 2024 Community Grant Program and Event Funding assessment panel.

Cr Nicholas

Cr Prime

That Council:

- 1. Notes the Victorian Auditors General's Office report to Parliament in May 2022; and*
- 2. Supports the recommendation to exclude Councillors from Council's Community Grant Program and Event Funding assessment panels.*

A vote on the original motion did not take place.

Cr Keeble moved to split the recommendations.

Cr Keeble

Cr Prime

- 1. Notes the Victorian Auditors General's Office report to Parliament in May 2022;*

Carried Unanimously

- 2. Supports the recommendation to exclude Councillors from Council's Community Grant Program and Event Funding assessment panels.*

No votes were made either 'in favour' or 'against' the motion.

Recommendation two is therefore considered to remain undetermined.

BACKGROUND

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

Council's Event Funding is a long-established funding program committed to the development and support of community and tourism events and festivals that provide vibrant and diverse experiences for residents and visitors in the Alpine Shire.

From time-to-time Council delivers additional grant programs to meet the requirements of external funders.

The 2024-25 Community Grant Program and Event Funding will open for applications on Friday 10 May 2024 and close Sunday 16 June 2024.

In May 2022 Victorian Auditor General's Office (VAGO) released a report to Parliament ['Fraud Control Over Local Government Grants'](#).

In 2023 Council appointed an independent auditor to undertake a review of Council's Community Grant Program and Event Funding against the VAGO report to recommend improvements Council could make.

The internal review found that current controls in place are adequate but could be further strengthened. A range of improvements were identified that could reduce identified weaknesses and exposures.

ISSUES

The internal audit identified thirteen areas for improvement with 23 recommendations made to improve oversight of the Grants Program and Funding programs. Council accepted most of the recommendations, which included:

The Assessment Panel

- Improvements to the Conflict of Interest process.
- Exclude Councillors from assessing and making recommendations on grant applications.
- Development of Funding Program Assessment Panel Charter.

Use of Council Funds

- Review reoccurring and non-reoccurring Grants process.
- Verify that all grant recipients use grant funds for their intended purpose
- The process for 'out of round' funds request and distribution of unallocated funds needs to be strengthened.
- Review assistance provided to Applicants and Frequently Asked Questions

Policy and Procedure

- Develop an overarching Grants Management Policy.
- A more detailed and comprehensive assessment criteria for Community Grant Program and Event Funding should be developed.
- The introduction of a Centralised Grants Management System.
- Availability of Grant and Funding Program outcomes.
- Risk register to reflect grant related fraud risks.
- Mandatory training on Conflict of Interest, Fraud and internal policies.

The Internal Audit will be presented to Council Audit and Risk Committee May 2024.

POLICY IMPLICATIONS

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2021-2025: 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications associated with this report.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|--|
| Councillors are not, or are not seen as independent panel members to consider grant applications leading to inappropriate allocation of Council funds | Unlikely | Moderate | <ul style="list-style-type: none"> • Adopt recommendations of internal review of Council grant and funding programs • Exclude Councillors from grant assessment panels |

CONSULTATION

This report is based on review of VAGO 'Fraud Control Over Local Government Grants' report and subsequent independent review of Council's Community Grant and Event Funding Programs.

Extensive consultation with key internal stakeholders was undertaken as part of the independent review.

CONCLUSION

A review of VAGO 'Fraud Control Over Local Government Grants' report clearly recommends that Councillors should be excluded from participating in assessment of Council grants program and this recommendation was reinforced in the independent review.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Community Development
- Manager Customer Experience

ATTACHMENT(S)

Nil

8.3.2 Community Engagement Policy Review

INTRODUCTION

The Alpine Shire Council Community Engagement Policy was adopted by Council in February 2021, and is now due for review.

The purpose of this report is to place the reviewed Community Engagement Policy on public exhibition for community feedback, prior to the policy being adopted at future ordinary Council meeting.

Cr Keeble
Cr Nicholas

That Council:

- 1. Endorses the reviewed Community Engagement Policy for the purpose of releasing it for community feedback;*
- 2. Invites public submissions on the draft Community Engagement Policy for a period of five weeks, from Wednesday, 1 May to Wednesday, 5 June 2024; and*
- 3. Presents the Community Engagement Policy, considering all submissions received, for adoption at a future Ordinary Council meeting.*

Carried Unanimously

BACKGROUND

The *Local Government Act 2020 (LGA 2020)* requires Councils to adopt a Community Engagement Policy.

Council adopted its Community Engagement Policy in February 2021. The Policy is now due for its routine review. The Policy describes the type and form of community engagement proposed and includes deliberative engagement processes for long-term plans such as the Council Plan and Financial Plan.

The Policy is an important document to help guide Council staff in planning for and delivering community engagement activities, and to formalise Council's commitment to community engagement.

ISSUES

The Community Engagement Policy remains fit for purpose. The review recommends some slight changes to clarify how the Policy informs Council's advocacy approach.

The community is invited to share their views on the Policy and help inform future planning for community engagement and communication activities. Council's new online engagement platform, Engage Alpine, will be used to collect community feedback on the Policy.

POLICY IMPLICATIONS

The development and adoption of a Community Engagement Policy is a requirement of the LGA 2020.

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

- 5.1 Effective communication and engagement

FINANCIAL AND RESOURCE IMPLICATIONS

Staffing resources for this review and the public exhibition period are being borne in-house, as part of Council's business as usual.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|--------|--|
| The Community Engagement Policy does not meet the needs of the community. | Unlikely | Minor | <ul style="list-style-type: none"> • Ensure far-reaching and accessible communication and engagement opportunities to encourage community feedback on the Policy. Consider this feedback into the final Policy and into future engagement activities. |

CONSULTATION

Councillors, executive and staff have been consulted to inform the review of this Policy. This Policy considers industry best practice in community engagement and is now available for public comment.

CONCLUSION

The Community Engagement Policy is an important document to help guide Council staff in planning for and delivering community engagement activities, and to formalise Council's commitment to community engagement.

The Policy highlights the importance of involving the Alpine Shire community in Council decisions that impact them and is an essential part of how Council connects with, supports and serves the community.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Customer Experience
- Engagement and Communications Coordinator

ATTACHMENT(S)

8.3.2 Draft Community Engagement Policy

8.3.3 Borrowing Policy

INTRODUCTION

A Council Borrowing Policy has been developed for adoption by Council.

Cr Janas

Cr Keeble

That Council:

- 1. Notes that no public submissions were received on the draft Borrowing Policy.*
- 2. Adopts the Borrowing Policy, Version 1 (Policy No. 128); and*
- 3. Signs and seals the Borrowing Policy, Version 1 (Policy No. 128), at the appropriate part of this meeting.*

Carried Unanimously

BACKGROUND

An analysis of Alpine Shire Council's financial policies identified a gap in that Council does not have a Borrowing Policy.

Council paid out its last borrowing in July 2015 and has not borrowed funds since then.

The proposed Borrowing Policy was developed by reviewing other council Borrowing Policies (or like named policies), to develop a best practice approach.

The policy sets out the circumstances in which Council will undertake borrowing and manage its loan portfolio. The purpose of this policy is to provide clear direction on the authority of Council or Council officers to make borrowing decisions.

A draft Borrowing Policy was issued to the Audit and Risk Committee for feedback at their November 2023 meeting. Feedback was incorporated in the draft Borrowing policy presented to Council at the Ordinary Council Meeting on 27 February 2024.

ISSUES

2023/24 Adopted Budget

Council does not intend to borrow funds in 2023/24 or the following three years, as per the published 2023/24 budget.

Consultation

At the 27 February 2024 Ordinary Council Meeting, Council approved the draft Borrowing Policy to be released for four weeks of community consultation and inviting written submissions. Community consultation was sought via the Council's Engage Alpine portal and was advertised to the community on 29 February 2024 through local newspapers and through its Facebook page.

The consultation period ran from 29 February 2024 to 28 March 2024.

No community feedback was received during this period.

During the consultation period the Borrowing Policy page on Engage was:

- viewed 26 time's, associated with 19 visitors'
- was downloaded 16 times
- was emailed to 151 individual email addresses with 7 clicks through to the policy (4.64%).

Revenue and Rating Plan

Council's adopted Revenue and Rating Plan 2021, contains the following section:

5.6 Borrowings

Whilst not a source of income, borrowings can be an important cash management tool in appropriate circumstances. Loans can only be approved by Council resolution.

The following financial sustainability principles must be adhered to with new borrowings:

- *Borrowings must only be applied for where it can be proven that repayments can be met in the Long Term Financial Plan.*
- *Borrowings must not be used to fund ongoing operations.*
- *Borrowings are appropriate for funding large capital works where the benefits are provided to future generations.*
- *Council will maintain its debt at levels which are sustainable.*

This does not contradict the Borrowing Policy now being proposed. However, if the Borrowing Policy is adopted, it will supersede this section of the Revenue and Rating Plan 2021. In any update to the plan this section will refer to the Borrowing Policy.

The Revenue and Rating Plan must be reviewed by 30 June 2025.

POLICY IMPLICATIONS

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

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

There are no Financial or resource implications related to the adoption of the Borrowing Policy.

Council's adopted 2023/24 Budget states that Council does not intend to borrow funds in 2023/24 or the following three years.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|--|------------|--------|--|
| Not having a policy in place regarding borrowings could lead to uncontrolled borrowings - liabilities. | Unlikely | Major | <ul style="list-style-type: none"> Implement a robust policy to establish control's if Council decides to borrow funds. |

CONSULTATION

The Audit and Risk Committee provided feedback during the development of this policy.

The draft Borrowing Policy was released for public comment on 29 February 2024 through newspapers and social media. The policy remained on display for four weeks, and closed on 28 March 2024.

No formal submissions were received during this period.

CONCLUSION

Following a period of community consultation, it is now appropriate to adopt the Borrowing Policy to provide a robust structure regarding Council’s position on borrowing.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Corporate

ATTACHMENT(S)

8.3.3 Borrowing Policy No 128 (Version 1)

8.3.4 Draft Budget 2024/25 Community Budget Submission Outcomes

INTRODUCTION

The purpose of this report is to respond to the submissions received as part of the community budget submission process conducted by Council prior to the development of the draft Budget 2024/25.

Cr Kelley
Cr Keeble

That Council:

- 1. Considers all written and verbal submissions received from the community as part of the community budget submission process in relation to the Alpine Shire Council draft 2024/25 budget;*
- 2. Includes the following submissions as part of the Alpine Shire Council draft Budget 2024/25:*

| <i>Submission</i> | <i>Amount in draft Budget 2024/25</i> |
|--|---------------------------------------|
| <i>Mount Beauty Purchase of a slasher for the Mount Beauty Airport</i> | <i>\$20,000</i> |

- 3. Notes the following submissions are either currently being progressed, or will be progressed in the 2024/25 financial year (FY2024/25) using internal staff resources and without allocation of a specific budget amount:*

| <i>Submission</i> | <i>Proposed Activity in FY2024/25</i> |
|---|--|
| <i>Whole of Shire Bushfire Resilience scorecard</i> | <i>Bushfire Resilient Scorecard will be promoted via a link on Council's website.</i> |
| <i>Whole of Shire Electric Homes</i> | <i>Council officers will remain alert to potential opportunities to promote 'all-electric homes' to homebuilders.</i> |
| <i>Bright Fitness Station - b/n Riverside Ave and Ovens River</i> | <i>Council officers will commence planning for delivery of this project in a future financial year, subject to confirmation of external funding.</i> |

| <i>Submission</i> | <i>Proposed Activity in FY2024/25</i> |
|---|---|
| <i>Bright Oaks Lawn - Power and water upgrade</i> | <i>Prioritisation of this project will be carried out by Council through public exhibition and subsequent adoption of the Pioneer Park Masterplan, which is planned during the 2024/25 financial year.</i> |
| <i>Harrietville Tavare Park - extra power outlets</i> | <i>This project will be assessed as part of the funded Alpine Better Places Harrietville Tronoh Dredge Hole Precinct project and will be delivered during 2024/25 subject to the results of this assessment.</i> |
| <i>Mount Beauty Mount Beauty Stadium - EV charging station</i> | <i>Opportunities for third-party investment in EV charging stations will be promoted using the 'Community Energy Prospectus Executive Summary', Mount Beauty Stadium is identified as a potential EV charging station location in the prospectus.</i> |
| <i>Myrtleford Bowls Club - change surface and cover bowls lawns</i> | <i>Prioritisation of this project will be carried out by Council through public exhibition and subsequent adoption of the Myrtleford Sport and Recreation Masterplan, which is planned during the 2024/25 financial year.</i> |

4. *Notes the following submissions do not result in funding in the Alpine Shire Council draft 2024/25 Budget and are not being progressed by Council in the 2024/25 financial year:*

| <i>Submission</i> | <i>Explanation</i> |
|---|---|
| <i>Bright Covered seating areas along the Ovens - Star Road and Canyon Walk</i> | <i>Proposed facilities will result in ongoing operational and maintenance costs which are not considered in the submission. Provision of riverside seating will be considered through the development of the Bright waterfront precinct masterplan.</i> |

| <i>Submission</i> | <i>Explanation</i> |
|---|---|
| <i>Whole of Shire Medical Blister Pack Recycling</i> | <i>Council will continue to focus on funding existing waste reduction initiatives.</i> |
| <i>Whole of Shire Implementation of an Electric Shuttle Bus system.</i> | <i>Council will direct resources towards consideration of community transport if this is highlighted as a priority through the new 4-year Council Plan. The Council Plan will be informed by deliberative engagement with the community.</i> |
| <i>Whole of Shire Feasibility of a community bus servicing the shire</i> | <i>Council will direct resources towards consideration of community transport if this is highlighted as a priority through the new 4-year Council Plan. The Council Plan will be informed by deliberative engagement with the community.</i> |
| <i>Whole of Shire Create Veteran mentors' program</i> | <i>Council is not considering the expansion of its service provision this financial year.</i> |
| <i>Whole of Shire Sculpture - Hume / Hovell 200 years crossed the Ovens</i> | <i>No allocation of funding is provided in FY24/25.</i> |
| <i>Bright Mystic - increase outdoor activity capacity</i> | <i>Council will to support the new Mystic Park operator when they start and therefore in FY24/25 is not supportive of this initiative.</i> |
| <i>Bright River Precinct - expand footbridge / increase car park / Electric car Charging area</i> | <i>Council will commence preparation of the technical investigations to inform a future structure plan for Bright next financial year. Council officers recommend that you engage in the pre-draft and draft community consultation processes associated with this project.</i> |

| <i>Submission</i> | <i>Explanation</i> |
|---|--|
| <p><i>Bright Bicycle path connecting through town</i></p> | <p><i>In the FY24/25 Council officers will commence the work required for Bright Structure Plan. The preliminary work and technical investigations associated with Structure Plans will take several years. Proponent is encouraged to engage in the pre-draft and draft community consultation processes associated with this project when it commences.</i></p> |
| <p><i>Myrtleford Community Battery / Solar Project</i></p> | <p><i>Council has sought external funding to deliver four community batteries at sites across the Alpine Shire, however the Savoy Soccer Clubs is not one of these sites.</i></p> |
| <p><i>Mt Beauty Mount Beauty Airport Capital works</i></p> | <p><i>Council has made significant recent investment in the Mt Beauty airport. Other key capital works programs across the Shire are being prioritised for delivery.</i></p> |
| <p><i>Mt Beauty Swimming hole / Picnic Spot / Old SEC Nursery</i></p> | <p><i>In the FY24/25 Council officers will commence the work required for Mt Beauty / Tawonga South Structure Plan. The preliminary work and technical investigations associated with Structure Plans will take several years. Proponent is encouraged to engage in the pre-draft and draft community consultation processes associated with this project when it commences.</i></p> |
| <p><i>Bright Council Offices - staff and public use EV chargers</i></p> | <p><i>No change is currently planned to the way in which the EV chargers at the Bright Council Office are being used. The grant funding which supported the delivery of this project explicitly excludes use of the chargers by members of the public.</i></p> |

| <i>Submission</i> | <i>Explanation</i> |
|---|--|
| <i>Myrtleford CCTV</i> | <i>Council officers continue to investigate the available options to provide safe and welcoming spaces for residents and visitors alike.</i> |
| <i>Myrtleford Soccer Club - ground drainage</i> | <i>An upgrade to Myrtleford Savoy Soccer Club drainage will be assessed and prioritised against other sporting ground upgraded following the recent drainage assessment program.</i> |
| <i>Myrtleford McNamara Reserve - off-leash training area</i> | <i>The McNamara Reserve will be included in a future facilities / reserves usage plan. This work will include community consultation.</i> |
| <i>Myrtleford BMX / Pump Track near showgrounds</i> | <i>Council is currently preparing a Sport and Recreation Master Plan. Council officers will recommend the Sport and Recreation Masterplan is placed on public exhibition encouraging community submissions at a forthcoming Council Meeting.</i> |
| <i>Mount Beauty Kiewa Valley Historical Society - appropriate storage</i> | <i>The future digitisation of records held in Council's Mount Beauty document archives may create additional space better suited for storage of historical artifacts than the existing space used by the Kiewa Valley Historical Society.</i> |
| <i>Myrtleford Resurface Savoy Car Park</i> | <i>Significant investment has been made into Savoy Soccer Club facilities recently. Works on the car park will be prioritised as part of a broader review of off-street carparking across the Shire.</i> |
| <i>Myrtleford Nimmo Bridge Reserve stabilisation</i> | <i>Council officers have flagged this request to the North East Catchment Management Authority for their consideration.</i> |

5. Notifies in writing each person or persons who made a submission to the Draft 2023/24 Budget of the decision and the reasons for that decision.

Carried Unanimously

BACKGROUND

Section 96(1) of the *Local Government Act 2020* provides for Council to develop the budget in accordance with financial management principles and Council's Community Engagement Policy.

In November 2023, Council commenced consultation on the budget with the community budget submission process. Council officers asked the local community what they would like considered in the 2024/25 Council Budget prior to the main budget preparation commencing.

ISSUES

During the community consultation period, Council received 28 individual submissions. Each submission was evaluated by the relevant Manager in Council against the current and projected work program of Council, the availability of resources (staff and financial) within Council to undertake the requested works and linkages to the Council Plan.

Within this framework council officers prepared responses to each community submission and these were communicated to each submitter on 4 March 2024.

POLICY IMPLICATIONS

The Budget is prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*. Submissions have been sought in accordance with Council's Community Engagement Policy.

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

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Council undertook the consultation on the Community Budget submissions utilising current staff and software packages and prepares its draft Budget with the objective of balancing long term financial sustainability and prioritised delivery against the adopted Council Plan 2021-2025.

RISK MANAGEMENT

Detail the key risks of the matter being addressed by the report and mitigation action / control.

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|---|
| Community Budget submission process does not result in meaningful opportunities in the draft Budget | Possible | Moderate | <ul style="list-style-type: none"> • Ensure that the opportunity to participate in Community Budget submissions are advertised widely. • Ensure that submissions are assessed and prioritised into Council's Budget or future Project Pipeline where appropriate. • Ensure submitters are advised of the result of their submission. |

CONSULTATION

The *Local Government Act 2020* stipulates that each Council is required to conduct consultation of the Budget in accordance with its Community Engagement Policy.

Council opened the community budget submission process on 13 November 2023, with submissions closing on 28 January 2024. Community drop-in and pop-up sessions were held at community markets and at libraries in Harrierville, Bright, Myrtleford, and Mount Beauty from late November 2023 to late January 2024. These sessions provided an opportunity for the community to speak with Councillors and members of Council staff about their proposals.

The application process was via the Council’s online Engage platform, with staff available to provide extra advice or assistance as required. Council received a total of 28 Community Budget submissions.

Council officers notified each submitter in writing on 4 March of the officers' position on their proposals and provided them all with an opportunity to present their proposal to Councillors. Six submitters presented informally to Councillors.

The 28 Community Budget submissions received this year was less than the 41 submissions received in the 2023/24 budget cycle, and more than the 15 submissions received in 2022/23.

The community will have a further opportunity to comment on the Alpine Shire draft 2024/25 Budget once it is released for public exhibition.

CONCLUSION

Council commenced a Community Budget consultation process on the Alpine Shire draft 2024/25 Budget in November 2023.

All submissions received have been considered by Council. This report reflects the Officers' recommendations to Council following a review of the cost and scope of each submission, other work being undertaken or planned to be undertaken by council and overall deliverability of the full scope of 2024/25 work.

A further period of public consultation will commence once the Alpine Shire draft 2024/25 Budget is placed on public exhibition.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Customer and Community
- Director Assets
- Manager Corporate

ATTACHMENT(S)

Nil

8.3.5 Dinner Plain Special Rate (2024/2025) Public Notice of Proposed Declaration

INTRODUCTION

The purpose of this report is to recommend that public notice be given of a proposed declaration of a Special Rate for the Dinner Plain village applicable to Commercial / Industrial land in the 2024/2025 financial year.

Cr Keeble
Cr Nicholas

That Council:

1. *Gives public notice in accordance with s163 of the Local Government Act 1989 of the intention to declare a special rate for the period 1 July 2024 to 30 June 2025 as follows:*
 - a. *a special rate (the Dinner Plain Special Rate) be declared for the purpose of defraying any expenses in relation to the provision of services of special benefit to the owners of Commercial / Industrial land within the Dinner Plain village;*
 - b. *the Dinner Plain Special Rate will apply to Commercial / Industrial land within the Dinner Plain village as defined in attachment 8.3.5. Dinner Plain village rate map;*
 - c. *the definition of Commercial / Industrial land is the definition provided in the Alpine Shire Council Revenue and Rating Plan;*
 - d. *the amount of the Dinner Plain Special Rate to be levied is determined as 43% of the general rate as provided in the Alpine Shire Council draft Budget Report for the financial year 2024/2025;*
 - e. *the amount of the Dinner Plain Special Rate to be levied for the period 1 July 2024 to 30 June 2025 is estimated to be \$160,000, or such other amount as is lawfully raised as a consequence of this Resolution;*
 - f. *the amount of the Special Rate will be the amount shown as due and payable in any notice sent to a person required to pay the Dinner Plain Special Rate;*
 - g. *each person liable to pay the Dinner Plain Special Rate is to pay by instalments in line with Council's general rate payment requirements each year; and*
 - h. *the total cost of the performance of this function is estimated to be \$170,000 over one year, for the Dinner Plain to Mt Hotham winter bus service.*
2. *Invites written submissions from the public in relation to the proposed declaration of the Dinner Plain Special Rate in accordance with s163A and s223*

of the Local Government Act 1989, with submissions closing at 5pm on Wednesday 5 June 2024;

- 3. Forms a committee according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the proposed declaration of the Dinner Plain Special Rate; and*
- 4. Considers the Dinner Plain Special Rate for 2024/2025 declaration at an Ordinary Council Meeting on 25 June 2024.*

Carried Unanimously

BACKGROUND

A Council may declare a special rate for the purpose of defraying the expenses of performing a function that is of special benefit to the persons required to pay the special rate. The declaration of a special rate is a requirement of the *Local Government Act 1989*, Section 163.

The Dinner Plain village has for some time been subject to a Special Rate to defray the expenses associated with services of special benefit to Dinner Plain Commercial / Industrial ratepayers.

A declared Special Rate for Dinner Plain reduced to 43% in 2017/18. In 2018/19, the Special Rate was aligned to the differential rate for Commercial / Industrial Land across the rest of the shire and was only paid by ratepayers who own Commercial / Industrial land in the Dinner Plain village (including holiday lets).

This approach has continued since 2018/2019. In 2024/2025 it is proposed that it be maintained for the declaration of a Special Rate to be made.

In the Alpine Shire Council's draft Council Budget 2024/2025, it is expected that income of an estimated \$160,000 will be received and this will be allocated to defray the cost of the Dinner Plain to Hotham winter bus service (\$170,000).

ISSUES

The Dinner Plain village operates on a total cost recovery basis. If there is a deficit or surplus based on the difference between

- a. all general and Special income attributable to Dinner Plain and
- b. all general and Special costs attributable to Dinner Plain,

this is allocated to a reserve, namely the 'Dinner Plain Reserve'.

Therefore, the Dinner Plain Special Rate and the expenses it is raised to meet are all placed in the Dinner Plain Reserve.

This is inclusive of all relevant income and costs, including, for example, the general rates paid by Dinner Plain ratepayers; an apportionment of general Council grants; Council services relevant to Dinner Plain (Roadways snow clearing (\$169,000) and Cross-country

snow grooming (\$68,000); an apportionment of Council overheads; all Special Rate costs; and all capital works expenditure in Dinner Plain.

Based on current forecasts, Dinner Plain expenditure will continue to exceed income in 2024/2025. At 30 June 2025 the Dinner Plain reserve is estimated to be \$1.4m.

2024/2025 Proposed Works

Dinner Plain Activation - \$1,100,000 (\$3.91m total cost, \$2.64m grant funded)

Dinner Plain Snow Making \$738,000 (\$3m total cost fully grant funded)

POLICY IMPLICATIONS

The preparation of the Dinner Plain Special Rate 2024/2025 is in accordance with the:

- Special Rate and Charges, Ministerial Guidelines, September 2004,
- *Local Government Act 1989*, and
- Alpine Shire Council Revenue and Rating Plan.

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

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Based on current property valuations across the Alpine Shire, the Dinner Plain Special Rate for 2024/2025 is an estimated \$160,000.

RISK MANAGEMENT

Detail the key risks of the matter being addressed by the report and mitigation action / control.

| Risk | Likelihood | Impact | Mitigation Action / Control |
|---|------------|----------|---|
| The Dinner Plain Special Rate declaration is not undertaken in accordance with the Act invalidating the Rate charge | Unlikely | Moderate | <ul style="list-style-type: none"> • Each stage of the declaration process is checked to ensure it meets the requirements of the Act, Revenue and Ratings plan and Ministerial Guidelines. |

CONSULTATION

Under Section 163 of the *Local Government Act 1989*, a Council must give public notice of its intention to make a special rate declaration at least 28 days before making the declaration and that notice must contain information detailed in the Act.

Under Section 223 of the *Local Government Act 1989* a person has a right to make a submission on the proposed Dinner Plain Special Rate for 2024/2025 and any submission must be considered before adoption of the budget by Council. Council must allow a minimum 28 days after the public notice to receive submissions. A person has the right to have their submission heard at a committee formed according to Section 223 (1)(b) of the *Local Government Act 1989*, if required, consisting of Councillors for the purpose of hearing submissions.

CONCLUSION

Public notice of the intention to declare a special rate is a requirement of the *Local Government Act 1989*.

Council is giving public notice of the intent to declare a Dinner Plain Special Rate. It is proposed to declare the Dinner Plain Special Rate at an Ordinary Council Meeting on 25 June 2024.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Customer and Community
- Manager Corporate
- Rates Coordinator

ATTACHMENT(S)

8.3.5 Dinner Plain Village Rate Map

8.3.6 Draft 2024/25 Budget Report

INTRODUCTION

The purpose of this report is to present the draft 2024/2025 Budget to Council.

Cr Keeble

Cr Kelley

That Council:

1. *Prepares the draft Alpine Shire Council 2024/25 Budget annexed to this resolution and featuring a 2.75% rate increase for the purposes of section 94(1) of the Local Government Act (2020);*
2. *Authorises the Chief Executive Officer to:*
 - a. *Give public notice of the preparation of the draft Alpine Shire Council 2024/25 Budget in accordance with Council's Community Engagement Policy;*
 - b. *Make available for public inspection the information required in accordance with the Local Government (Planning and Reporting) Regulations 2020;*
3. *Invites written submissions from the public on any proposal contained in the budget, with submissions closing 5pm, Wednesday 5 June 2024, noting that any submitter may request to be heard in support of their submission;*
4. *Forms a committee, if required, consisting of Councillors for the purpose of hearing submissions in relation to the draft Alpine Shire Council 2024/25 Budget; and*
5. *Considers a recommendation to adopt the 2024/25 Budget at the Ordinary Council Meeting on 25 June 2024.*

Carried Unanimously

BACKGROUND

Council is required under section 94(1) of the *Local Government Act (2020)* to prepare and adopt a budget for each financial year and the subsequent three financial years by 30 June each year.

ISSUES

Council has prepared the draft Alpine Shire Council 2024/2025 Budget. It is aligned to the Community Vision 2040 in the Alpine Shire Council Plan 2021-2025.

Through continued strong cost management, the draft Budget provides a prudent financial position which enables Council to continue to deliver critical services and projects and remain able to respond to changing market conditions such as rising costs and a restrictive revenue base.

Operating Surplus

This draft Budget projects an operating surplus of \$5.111m which is influenced by:

- a. A Rate increase of 2.75%, in line with the Fair Go Rates System which caps Victorian Council rate increases (announced by the Minister for Local Government in December 2023);
- b. Capital works expenditure totalling \$15.445m, a significant capital works program reflecting a manageable pipeline of asset renewal and increased development activity from successful grant applications totalling in excess of \$8m.
- c. An increased material and services budget reflecting inflationary impact on costs.

Fees and Charges

The fees and charges schedule to the draft budget provides a comprehensive list of the charges applicable to the community that can be charged by members of Council staff who have the appropriate delegations. Broadly fees and charges have increased in line with the proposed rates increase of 2.75%. In addition, there are some new fees and charges proposed this financial year including:

- changes to the permit charges for street trading,
- some charges for the 'dishpig' at events within and outside the Shire,
- cost recovery of consent to works in a roadway,
- adjustments to the charges applied to lost or damaged items borrowed from Council libraries,
- pro rata animal registration fee to encourage responsible animal management,
- a licence fee to secure a licence over a Council facility,
- routine adjustments to planning and building fees,
- retrieval of paper and electronic on site or off site documents and files.

Unit Fee is announced through the State Budget. Final details of the unit fee will be provided on the Alpine Shire Council website once the final budget is adopted.

Capital Works Highlights

As part of the draft 2024/25 Budget, Council plans to deliver another significant capital expenditure program totalling \$15.445 million, supported by Government grant funding of \$8.298 million.

Major projects include:

- Myrtleford Memorial Hall (\$0.43m)
- Ablett Pavilion Upgrade (\$1.05m)
- Tawonga Memorial Hall Upgrade (\$0.56m)
- Tawonga South Public Space Amenities (\$0.30m)
- Dinner Plain Activation (\$1.05m)
- Dinner Plain Snowmaking (\$0.74m)
- Myrtleford Splashpark (\$0.25m)
- Myrtleford Savoy Soccer Club Upgrade (\$0.76m)
- Tronoh Dredge Hole Precinct (\$0.90m)
- Porepunkah Rail Trail and Eurobin Rest Stop Upgrade (\$1.20m)

- Myrtleford Landfill Rehabilitation cell 1 (\$1.10m)

Recurrent Spend

Council has also included in the budget a number of cyclical costs, that are driven by the Local Government Elections in October 2024. These being:

- estimated payments to the Victorian Electoral Commission of \$200,000 to run the Election as noted in M(2) - 27 February 2024 Council meeting;
- \$85,000 to support creation of a new Council Plan; and
- \$60,000 to update the Revenue and Rating Plan.

POLICY IMPLICATIONS

The draft Alpine Shire Council 2024/2025 Budget is prepared in accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020.

The draft Budget covers a four-year period, including the budget year 2024/2025, and the subsequent three financial years.

Rating provisions remain in the *Local Government Act 1989*. The Victorian government has released the final report and government response on the Local Government Rating System Review; however, this has not yet translated to legislative change.

The draft Budget is aligned to the Strategic Objectives identified in the Alpine Shire Council Plan 2021-2025. Major Initiatives are identified that will contribute to the delivery of the Strategic Objective. Council's progress in the delivery of these major initiatives will be reported in the corresponding Annual Report.

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

- 5.2 A responsible, transparent and responsive organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Council prepares its draft Budget with the objective of balancing long term financial sustainability and prioritising delivery against community needs. The draft Alpine Shire Council 2024/2025 Budget forecasts an operating surplus of \$5.111 million and a working capital ratio of 2.36.

Council has seen an increase in materials and service charges reflecting inflationary impact on costs such as insurance premiums projections, and a renewed focus on strategic planning. Departmental budgets otherwise have largely been managed to remain flat or have been increased by the Essential Services Rate Cap.

RISK MANAGEMENT

| Risk | Likelihood | Impact | Mitigation Action / Control |
|-------------------------|------------|--------|---|
| Poor financial prudence | Unlikely | Major | <ul style="list-style-type: none"> • Each budget account is scrutinised for its validity and reported against quarterly. • Council routinely updates its operational long term financial plan to test whether spending is sustainable over the medium to long term. |

CONSULTATION

Section 96(1) of the *Local Government Act 2020* provides for Council to develop the budget in accordance with the financial management principles and Council’s Community Engagement Policy.

Special Rates remain governed by the requirements of the *Local Government Act 1989* and must include a statutory public consultation process, including the ability for a submitter to request to be heard in person. It is considered prudent that Council mirrors this process for public consultation and submissions regarding the draft 2024/2025 Budget, as the draft 2024/2025 Budget contains assumptions based on the inclusion of a Dinner Plain Special Rate.

Council conducted a Community Budget consultation process on the 2024/25 budget from November 2023 through to February 2024. Full details regarding the Community Budget submissions are detailed in a report earlier in this agenda.

A further period of public consultation will commence once a draft Budget 2024/2025 is placed on public exhibition.

The final step is for Council to adopt the budget after receiving and considering all submissions from interested parties. The budget is required to be adopted by 30 June 2024.

In line with Council's Community Engagement Policy the draft Alpine Shire Council 2024/25 Budget will be placed on public exhibition for a period of not less than four weeks. This will occur through Council's Engage Alpine platform.

CONCLUSION

The draft Alpine Shire Council 2024/2025 Budget has been prepared in accordance with the Alpine Shire Council Plan 2021-2025 Strategic Objectives and the *Local Government Act 2020*. The draft Budget Report is presented for Council's consideration and public exhibition.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Customer and Community
- Director Assets
- Manager Corporate
- Financial Accountant

ATTACHMENT(S)

8.3.6 Alpine Shire Council Draft 2024/2025 Budget

9. Informal meetings of Councillors

Introduction

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

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

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

*Cr Nicholas
Cr Keeble*

That the summary of informal meetings of Councillors for March / April 2024 be received.

Carried Unanimously

Background

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

| Date | Meeting |
|----------|------------------|
| 26 March | Briefing Session |
| 14 April | Briefing Session |
| 16 April | Briefing Session |
| 23 April | Briefing Session |

Attachment(s)

- 9.0 Informal meetings of Councillors – March / April 2024

10. Presentation of reports by delegates

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to reports by delegates

11. General business

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to general business noting that Cr Kelley vacated the meeting room at 7:41pm due to questions in relation to North East Waters take off location. Cr Kelley returned to the meeting at 7:42pm.

12. Motions for which notice has previously been given

Nil

13. Reception and reading of petitions

Nil

14. Documents for sealing

Cr Janas

Cr Prime

That the following documents be signed and sealed.

1. *Borrowing Policy, No 128 (Version 1).*
2. *Health and Safety Policy No.52, Version 6.0.*
3. *S173 Agreement – TK & TJ Howden and Goulburn Murray Rural Water Corporation*
This Section 173 Agreement is required by condition 19 of Planning Permit P.2022.040 for development and use of a dwelling at CA19B Great Alpine Road, Freeburgh being the land referred to in Certificate of Title Volume 11082 Folio 825 and described as CA19B Township of Freeburgh, Parish of Freeburgh.
The Agreement provides for wastewater management measures, including a requirement to connect to a community effluent disposal or reticulated sewerage system if one becomes available and servicing of the onsite wastewater management system. The Agreement is a requirement of Goulburn Murray Water as a referral authority under the Alpine Planning Scheme.
4. *S173 Agreement – PG and CL Woods*
This Section 173 Agreement is required by condition 7 of Planning Permit P.2021.237 for a two (2) lot subdivision at 51 Cobden Street, Bright being the land referred to in Certificate of Title Volume 7107 Folio 303 and described as Crown Allotment 16, section F2, Township of Bright, Parish of Bright.
The Agreement provides for bushfire management protection measures, including incorporating a Bushfire Management Plan, and an exemption from the planning permit requirement of clause 44.06-2 of the Alpine Planning Scheme.
The Agreement is a mandatory requirement of the Bushfire Management Overlay of the Alpine Planning Scheme.
5. *S173 Agreement – Cas-Bak Building Supplies Pty Ltd*
This Section 173 Agreement is required by conditions 6, 15, 23, 24 and 25 of Planning Permit P.2022.097 for a two (2) lot subdivision with common property at 70 Delany Avenue, Bright being the land referred to in Certificate of Title Volume 6736 Folio 110 and described as Lot 2 on plan of subdivision LP014621.
The Agreement provides for:
 - *achievement of the garden area requirements of clause 32.08-3 of the planning scheme; and*
 - *bushfire management protection measures, including incorporating a Bushfire Management Plan, and an exemption from the planning permit requirement of clause 44.06-2 of the Alpine Planning Scheme.*

- 6. ***S173 Agreement – Mt Beauty Timber Industries Pty Ltd***
This Section 173 Agreement is required by condition 3 of Planning Permit P.2020.209 for a six (6) lot subdivision at 12 Mill Road, Mount Beauty being the land referred to in Certificate of Title Volume 10952 Folio 005 and described as Lot 1 on plan of subdivision PS420780C and 9 Embankment Drive, Mount Beauty, being the land referred to in Certificate of Title Volume 12247 Folio 395 and described as Lot 2 on plan of subdivision PS827241R. The Agreement requires any future subdivision of the land to be consistent with an endorsed development plan. In addition, the land owner has consented to the inclusion of matters relating to on-site stormwater detention systems on each lot including the construction, maintenance and inspection of the systems.
- 7. ***S173 Agreement – GR Sutherland and JM Holland***
This Section 173 Agreement is required by conditions 2 and 3 of Planning Permit P.2022.128 for a two (2) lot subdivision at 81 Cobden Street, Bright being the land referred to in Certificate of Title Volume 12314 Folio 144 and described as Lot 8 on plan of subdivision PS806620. The Agreement provides for bushfire management protection measures, including incorporating a Bushfire Management Plan, and an exemption from the planning permit requirement of clause 44.06-2 of the Alpine Planning Scheme. The Agreement is a mandatory requirement of the Bushfire Management Overlay of the Alpine Planning Scheme.

Carried Unanimously

There being no further business the Chairperson declared the meeting to closed at 7:44p.m.

.....
Chairperson