

M(8) – 30 JULY 2024

# Ordinary Council Meeting

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Minutes

The **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **30 July 2024** and commenced at **5:08pm**. *The meeting commenced late due to technical errors.*

## **PRESENT**

### **COUNCILLORS**

Cr John Forsyth - Mayor

Cr Simon Kelley - Deputy Mayor

Cr Katarina Hughes\*

Cr Ron Janas

Cr Tony Keeble\*

Cr Sarah Nicholas

Cr Kelli Prime

*\* attendance via electronic means*

### **OFFICERS**

Will Jeremy - Chief Executive Officer

Nathalie Cooke - A/Director Customer and Community

Michael MacDonagh - A/Director Assets

### **APOLOGIES**

Alan Rees

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## 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 Taungurung peoples as 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(7) – 25 JUNE 2024

*Cr Kelley*

*Cr Janas*

*That the minutes of Ordinary Council Meeting M(7) held on 25 June 2024 as circulated be confirmed.*

*Carried Unanimously*

## 4. Apologies

Alan Rees, Director Assets

## 5. Obituaries / congratulations

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to obituaries and congratulations.

## 6. Declarations by Councillors of conflict of interest

### 9.3.1 2024/25 Events Funding Program

Mayor John Forsyth declared a general conflict of interest in relation to Grow Myrtleford + Twilight Carols and the Myrtleford Golf Club.

Cr Ron Janas declared a general conflict of interest in relation to Grow Myrtleford+ Twilight Carols.

Cr Kelli Prime declared a general conflict of interest in relation to the Dederang Picnic Races.

Cr Tony Keeble declared a general conflict of interest in relation to the Mount Beauty Running Festival as he is a member of the Hoppet Committee and Harrierville Half Marathon as his substantive position is Principal with the Department of Education and Bright P12 College.

Cr Sarah Nicholas general declared a conflict of interest in relation to Bright P12 Fun Run.

Cr Simon Kelly declared a general of conflict of interest in relation to Bright P12 Fun Run, Mount Beauty Run Festival and the Mount Beauty Writers' Festival 2024 and Victorian Downhill Series Round Mount Beauty.

### 9.3.2. 2024/25 Community Grants Program

Mayor John Forsyth declared a general conflict of interest to the Myrtleford Golf Club.

Cr Kelli Prime declared a general conflict of interest in relation to the Dederang Picnic Race Club.

Cr Tony Keeble declared a general conflict of interest in relation to the Bright P12 College as his substantive position if Principal with the Department of Education

Cr Sarah Nicholas general declared a conflict of interest in relation to Bright P12 Greenhouse, Bright Food Co-op Limited and Sustainable Upper Ovens Inc.

Cr Simon Kelley declared a general conflict of interest for all Kiewa Valley Groups and in respect to distribution of funds from the Kiewa Valley Flood and Landslip Grant Program. Cr Kelley further declared a general conflict of interest with respect to Bright P12 Greenhouse.

Where the Mayor has declared a conflict of interest, the Deputy Chair will assume the role as Chair in accordance with Council's Governance Rules.

## 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](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to questions.

## 8. Mayor's Report

### 8.1.1 Chief Executive Officer - Employment and Remuneration

#### INTRODUCTION

This report relates to the findings of the CEO Employment and Remuneration Committee annual review in relation to CEO remuneration.

*Cr Nicholas*

*Cr Janas*

*That:*

- 1. The Chief Executive Officer be offered a 5% increase to his base salary; and*
- 2. The payment takes effect from 1 July 2024.*

*Carried*

#### BACKGROUND

The CEO Employment and Remuneration Committee (Committee) comprises of an independent chair and at least three councillors, one of whom must be the Mayor.

The Committee reviews the performance of the CEO against a set of formulated Key Performance Indicators (KPIs) on a quarterly basis. The Remuneration Package provided to the CEO forms part of the Committee's annual review in accordance with section (3) of the Act.

There is no clear formula or agreed sector-wide approach to establishing CEO salaries and annual increases to guide the Committee. In the development of the recommendations regarding the CEO remuneration, the following factors have been taken into consideration:

- CEO's performance
- CEO salaries for similar sized councils
- 2024/25 Rate Cap set by the Victorian Government at 2.75%.
- The 1 July 2024 Determination of the Victorian Independent Remuneration Tribunal determined to apply an increase of between 4 - 4.5% to the notional salary component of the remuneration bands for executives employed in public service bodies.

Council at its Ordinary Council Meeting held in June 2024 noted the assessment of the CEO's performance against KPIs documented in the CEO Annual Performance Plan 2023/2024 and adopted the CEO Annual Performance Plan 2024/2025.

The Committee endorses the proposed variation to the CEO's Remuneration Package and presents this recommendation to Council for consideration.



## ISSUES

Nil

## POLICY IMPLICATIONS

Employment of the Chief Executive Officer is governed by Part 3, Division 7 of the *Local Government Act 2020*, and further by Council's CEO Employment and Remuneration Policy.

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

- 5.3 Bold leadership, strong partnerships and effective advocacy

## FINANCIAL AND RESOURCE IMPLICATIONS

The Remuneration Package provided to the CEO is in accordance with Section 45(3) of the Act.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Poor performance by the CEO in delivering for Council in accordance with Section 46 of the Local Government Act.	Unlikely	Major	<ul style="list-style-type: none"> <li>• Adoption of the CEO Employment and Remuneration Policy</li> <li>• Establishment of an Annual Performance Plan and periodic assessment and reporting against this Plan.</li> </ul>

## CONSULTATION

The CEO Employment and Remuneration Committee is responsible for ensuring that the CEO Annual Performance Plan and KPIs are in place in accordance with the CEO Employment and Remuneration Policy.

The CEO Employment and Remuneration Committee submits an Annual Review Report in June each year and makes recommendations for any variation to the CEO's Remuneration Package at that time.

## CONCLUSION

That Council considers the recommendations of the Committee to increase the CEO's Remuneration Package in accordance with Council's CEO Employment and Remuneration Policy.

## 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.

- Mayor
- EA to CEO

## ATTACHMENT

8.1.1 CEO Annual Performance Plan 2024/25

## 9. Presentation of reports by officers

### 9.1 CHIEF EXECUTIVE OFFICER – WILL JEREMY

#### 9.1.1 Community Satisfaction Survey 2024

##### INTRODUCTION

This report shares the results of the 2024 Community Satisfaction Survey.

*Cr Kelley*  
*Cr Prime*

*That Council notes Alpine Shire Council's results for the 2024 Community Satisfaction Survey.*

*Carried Unanimously*

##### BACKGROUND

Alpine Shire Council used the services of JWS Research to conduct its annual Community Satisfaction Survey. The survey is optional for councils across Victoria noting that three (3) of the measures in the survey are required under the Local Government Performance Reporting Framework (LGPRF).

The survey consisted of phone interviews with 400 residents selected to match the demographic profile of the Alpine Shire according to the most recently available Australian Bureau of Statistics estimates. Up to 60% of the survey calls were made to mobile phone numbers. In all previous years, surveys were undertaken in a single annual period during January - March. For the 2023/24 survey, Council elected to move to quarterly surveying, which was spread across June, September, November, and March. 100 surveys were conducted each quarter, totalling 400 surveys conducted by the end of each year.

Results are summarised through an 'Index Score' which is a weighted average of how many respondents responded against each possible survey response to each question, including 'very good', 'good', 'average', 'poor' and 'very poor'. Survey responses of 'can't say' were excluded from the Index Score. A higher index score indicates a more positive weighted response.

##### RESULTS

Measures	Alpine 2024	Alpine 2023	Small Rural 2024	State- wide 2024
<b>OVERALL PERFORMANCE</b>	<b>50</b>	52	53	54

Measures	Alpine 2024	Alpine 2023	Small Rural 2024	State- wide 2024
VALUE FOR MONEY	45	47	45	48
OVERALL COUNCIL DIRECTION	39	41	44	45
CUSTOMER SERVICE	59	62	66	67
% respondents having contact with Council	65%	65%	65%	62%
WASTE MANAGEMENT	56	62	67	67
COMMUNITY DECISIONS	45	51	50	50
CONSULTATION AND ENGAGEMENT	46	50	51	51
SEALED LOCAL ROADS	41	49	41	45

## ISSUES

### *State-wide results*

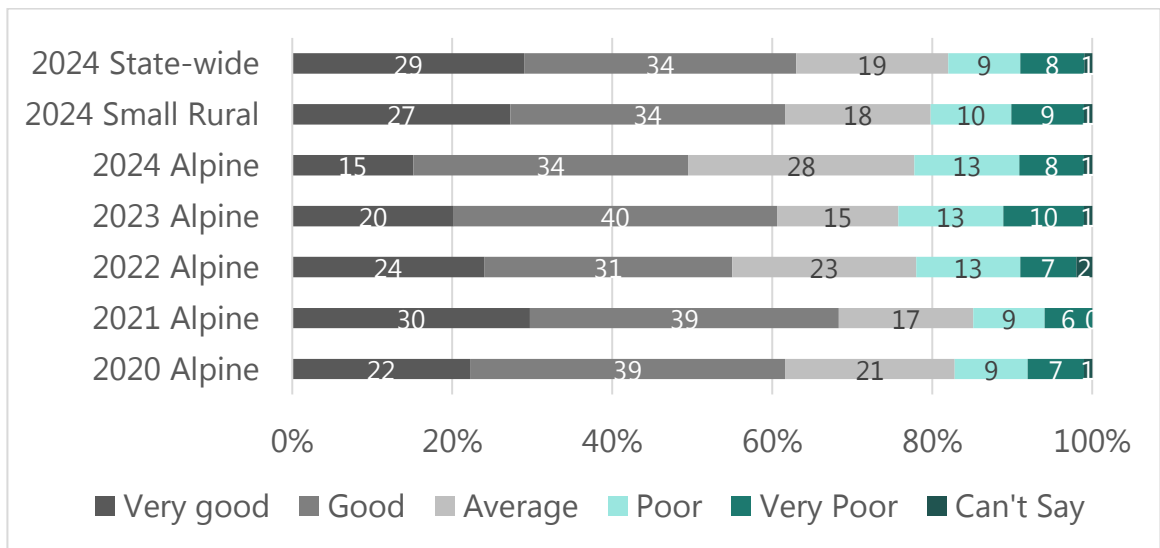
The State-wide report released by JWS Research, which compiles Community Satisfaction Survey (CSS) results across all participating Councils, states that in 2024 almost all councils that participated received lower overall performance index scores than in 2023. This continues a trend seen in previous years.

The report suggests that external factors affecting individual councils or for the local government sector more broadly may be driving some of this downward trend, including rate increases, changes to delivery of council services, negatively viewed decisions and actions on infrastructure and development, or perceived poor value for money for Council services in the context of high and worsening cost of living pressures.

### *Alpine Shire Council results*

#### *Customer Service*

Satisfaction with customer service decreased from 62 in 2023, to 59 in 2024, and was significantly lower than the State-wide and Small Rural Council averages. Two-thirds of residents have had contact with Council in the past 12 months, a slight increase on the previous year. 49% of residents considered customer service to be 'very good' or 'good' in 2024, which was a decrease compared to 60% in 2023.



**Areas for focus**

The report suggests that decisions made in the interests of the community, along with consultation and engagement, should remain areas of focus in the coming year - most notably with residents in the Upper Ovens.

The Chief Executive Officer publishes their Key Performance Indicators on the Alpine Shire Council website. The areas of focus are closely aligned.

Council elected to conduct quarterly surveying in the 2023/24 year, rather than the single period of January-March. This aimed to reduce seasonal / single issue impacts over results.

**Full reports**

- Council's full report and more in-depth analysis of results can be found in Attachment 8.2.4.
- State-wide comparative results can be found at: [www.localgovernment.vic.gov.au/our-programs/council-community-satisfaction-survey](http://www.localgovernment.vic.gov.au/our-programs/council-community-satisfaction-survey).

**POLICY IMPLICATIONS**

While undertaking the Community Satisfaction Survey is not mandatory, the linkage between results for 'consultation and engagement', 'community decisions' and 'sealed local roads' with the Local Government Performance Reporting Framework (LGPRF) has meant that undertaking it not only gives Council an insight as to how the community thinks it is performing but means that Council is able to meet its annual reporting requirements.

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

The 2023/24 cost to Council for the Community Satisfaction Survey was \$8,782 excluding GST.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to report on three LGPRF measures in Council's annual report	Unlikely	Insignificant	<ul style="list-style-type: none"> <li>Council undertakes Customer Satisfaction Survey at least annually.</li> </ul>
Failure to respond to results	Possible	Moderate	<ul style="list-style-type: none"> <li>Council considers the results of the annual CSS and updates performance metrics as appropriate.</li> </ul>

## CONSULTATION

400 residents were surveyed by JWS Research (on behalf of Local Government Victoria and Alpine Shire Council) to gather the data for this survey. All interviews were conducted by phone. Surveys were conducted across four quarters in 2023/24 in June, September, November, and March.

## CONCLUSION

Perceptions of Council's overall performance continued to decline in 2024. The report suggests that Council will need to focus on decisions made in the interest of the community, and community consultation and engagement in 2024/25 to address the decline in performance this year.

## 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
- Governance Officer

## ATTACHMENT(S)

9.1.1 2024 Local Government Community Satisfaction Survey - Alpine Shire Council

## 9.1.2 September Ordinary Council Meeting date change

### INTRODUCTION

This report seeks Council's endorsement to change the date of the ordinary meeting being held in September 2024.

*Cr Keeble*  
*Cr Prime*

*That Council:*

- 1. Endorses the change of the September Ordinary Council Meeting from 17 September to 24 September 2024; and*
- 2. Updates the Alpine Shire Council website to reflect the new meeting date.*

*Carried Unanimously*

### BACKGROUND

In accordance with Council's Governance Rules Chapter 3 section C1, Council must set the date, time, and locations of Ordinary Council meetings. The schedule of Ordinary Council Meetings is set towards the end of each calendar year.

### ISSUES

Recent changes introduced by the Governance and Integrity Bill 2024 have resulted in changes being made to commencement of the election period which is now set for 12 noon on 17 September 2024. The date of the September meeting was originally set so that it fell outside of caretaker period.

At the September meeting, Officers present draft Financial Statements and a draft Performance Statement for Council Approval in Principle, in line with the requirements of Sections 98 and 99 of the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

The authorised Councillors are required to certify the final Financial Statements and Performance Statement after any amendments or changes requested by the Victorian Auditor General have been made, and prior to adoption by Council. By moving the meeting date to the last Tuesday of the month, this will allow Officers the additional time to plan and manage the process with the external auditors and the Audit and Risk Committee prior to presenting them to Council to provide in principle support.

### POLICY IMPLICATIONS

The recommendations are 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**

None to report.

## **RISK MANAGEMENT**

No risks to report.

## **CONCLUSION**

That the revised date of the September Ordinary Council Meeting be endorsed 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.

- Chief Executive Officer
- Executive Assistant to CEO

## **ATTACHMENT(S)**

Nil



## 9.2 A/DIRECTOR ASSETS – MICHAEL MACDONAGH

### 9.2.1 Great Alpine Road (western gateway), Bright: Landscape and Heritage Detailed Assessment Methodology Report 2024

#### INTRODUCTION

Council engaged GML Heritage Victoria Pty Ltd to undertake a detailed landscape and heritage assessment of the avenue of trees on the Great Alpine Road (western gateway) in Bright.

The assessment has determined that the avenue of trees meets the threshold of local heritage significance and that the Heritage Overlay should be applied to conserve this significance.

This report recommends that Council prepares a planning scheme amendment to apply the Heritage Overlay to the avenue of trees.

*Cr Nicholas*

*Cr Prime*

*That Council:*

1. *Receives and notes the Great Alpine Road (western gateway), Bright: Landscape and Heritage Preliminary Assessment Report October 2023;*
2. *Adopts the Great Alpine Road (western gateway), Bright: Landscape and Heritage Detailed Assessment Methodology Report July 2024; and*
3. *Prepares and exhibits a planning scheme amendment to implement the Great Alpine Road (western gateway), Bright: Landscape and Heritage Detailed Assessment Methodology Report July 2024 in the Alpine Planning Scheme to, amongst other things, apply the Heritage Overlay to Section 1 of the avenue of trees at the Great Alpine Road (western gateway) in Bright.*

*Carried Unanimously*

#### BACKGROUND

In mid-2023, Council engaged GML Heritage Victoria Pty Ltd (GML) to undertake a preliminary landscape and heritage assessment of the avenue of trees along the Great Alpine Road (Western Gateway) in Bright. The Great Alpine Road (western gateway), Bright: Landscape and Heritage Preliminary Assessment Report October 2023 (preliminary assessment) sought to identify whether the avenue of trees, or part of it, had the potential to meet the threshold of local heritage significance and warranted a further detailed assessment to provide the strategic justification to amend the planning controls on the land by applying the Heritage Overlay, see attachment 9.2.1a.

The Heritage Overlay is a planning control that can be applied to land that has been determined to have heritage significance. The purpose of the Heritage Overlay is to protect places of either local or state significance. The inclusion of properties in the

Heritage Overlay helps to ensure that new development does not detrimentally impact upon the continued integrity and heritage significance of the place. If a property is included in the Heritage Overlay, planning permission may be required from Council to undertake development within the overlay. This ensures places of heritage significance are protected and any proposed changes assessed in detail before development occurs.

The preliminary assessment found that the avenue was planted in various stages between the 1930s and the 1990s, and can be divided into four distinct sections based on composition of species and planting dates as shown in Figure 1 below. The four sections are:

- Section 1: *Quercus palustris* (Pin Oak) and *Ulmus x hollandica* (Dutch Elm). Estimated 1960s planting date;
- Section 2: *Cedrus deodara* (Deodar Cedar) and *Quercus palustris* (Pin Oak). Estimated 1990s planting date;
- Section 3: *Populus alba* (White Poplar) (poss. cultivar 'Pyramidalis'). Estimated 1930s to 1950s planting date; and
- Section 4: *Cedrus deodara* (Deodar Cedar) and *Quercus palustris* (Pin Oak). Estimated 1990s planting date.



Figure 1: Annotated map of the avenue of tree divided into four sections of species.

The preliminary assessment suggested that Section 1 of the avenue has the potential to meet the threshold of local heritage significance, noting that this section is highly intact forming a picturesque and distinctive entry feature into the township, and was

deliberately designed and planted in association with the promotion of tourism in Bright. The preliminary assessment recommended that Council should proceed with a further detailed assessment for Section 1 of the avenue to prepare a draft place citation report including a statement of significance and a recommended curtilage for the Heritage Overlay. Council subsequently engaged GML to undertake this detailed assessment in October 2023.

### ***Results of detailed assessment***

The Great Alpine Road (western gateway), Bright: Landscape and Heritage Detailed Assessment Methodology Report June 2024 (detailed assessment) found that Section 1 of the avenue (Pin Oaks and Dutch Elms) is of local historical, representative, aesthetic and social significance to the township of Bright, and the wider Alpine Shire, see attachment 9.2.1.b. It recommends that this section of the avenue meets the threshold of local heritage significance, that the Heritage Overlay should be applied to this section of the avenue and that the avenue be included in the Schedule to Clause 43.01 Heritage Overlay in the Alpine Planning Scheme as an individually significant place.

The avenue is historically significant as it identifies an important phase in the early postwar history of the town, which saw aspirations for a more attractive entry point into Bright and concerted attempts to reinvigorate the tourism appeal of the town. The avenue contributes to the overall aesthetic qualities of Bright's highly regarded cultural landscape, derived from the many and various street tree avenues planted across the town since the 1880s.

The avenue is aesthetically significant as a designed planting at the entry into the town, which utilises contrasting autumnal foliage colours to dramatic effect. It provides evidence of a conscious effort by residents of the town to provide a dramatic arrival experience for entrants into the town. The avenue is part of a larger, important and early collection of street trees in Bright that have social significance both to residents and long-term visitors to the town. Great popular affection is held for these trees, especially for their striking autumnal displays.

In accordance with *Planning Practice Note 1: Applying the Heritage Overlay*, the avenue was assessed and meets the following HERCON criteria:

- **Criterion A;** importance to the course or pattern of our cultural or natural history (historical significance).
- **Criterion D;** importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- **Criterion E;** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- **Criterion G;** strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to indigenous peoples as part of their continuing and developing cultural traditions (social significance).

The assessment recommends that the avenue be included in the Schedule to Clause 43.01 Heritage Overlay of the Alpine Planning Scheme in Figure 2.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017	Prohibited uses permitted?	Aboriginal heritage place?
HO#	Avenue of Pins Oaks and Dutch Elms at the Great Alpine Road (western gateway), Bright	No	No	Yes	No	No	No	No	No

Figure 2: Recommended planning controls for inclusion within the Heritage Overlay of the Alpine Planning Scheme.

The recommended curtilage for the Heritage Overlay includes the 48 trees and surrounding land that accommodates an appropriate setting for this heritage place and tree protection zones is outlined in Figures 3 and 4.



Figure 3: Recommended curtilage (western section) for the Heritage Overlay outlined in red.





Figure 4: Recommended curtilage (eastern section) for the Heritage Overlay outlined in red.

Other sections of the avenue are less intact or are more recent plantings that have reasonable to low integrity and therefore are not considered to meet the threshold of local heritage significance.

The detailed assessment recommends that the Heritage Overlay be applied on an interim basis. Applying the Heritage Overlay on an interim basis provides temporary protection for places likely to meet the threshold of local heritage significance and may be at risk. This requires the preparation and implementation of a planning scheme amendment that is normally expedited by the Minister for Planning at the request of the relevant council. The application of a Heritage Overlay on an interim basis would only be progressed by the minister on the proviso that Council would subsequently commit to preparing and exhibiting a planning scheme amendment to apply the Heritage Overlay on a permanent basis. This subsequent planning scheme amendment would include a formal public exhibition process in accordance with the requirements of the *Planning and Environment Act 1987* (Vic). Whether the application of the Heritage Overlay to the place is progressed on an interim or permanent basis will only be known following discussions with the Department of Transport and Planning once Council has considered this matter.

The detailed assessment also recommended changes to the local policy in the Alpine Planning Scheme for heritage and significant environments and landscapes to strengthen the protection and consideration of heritage places and significant avenues of trees along public roads. Council officers will consider these changes as part of Council's strategic work program.

A planning permit was recently granted for the first two stages of the Bright Valley residential development to the south of the avenue. The permit allows for the removal of two mature trees and the relocation of three smaller trees from the avenue. Council officers are of the view that these works do not detrimentally impact upon the continued integrity of the avenue of trees and that the Heritage Overlay should be applied to this place. The application of the Heritage Overlay to the avenue will ensure that the impact of any additional development in the curtilage of the place can consider the integrity and significance of the avenue.

It should be noted that the preliminary and detailed assessments were limited in scope to only assessing the avenue for local heritage significance; however, the detailed assessment suggests that the avenue planting, along with the five other avenue plantings at Delany Avenue, Cobden Street and Railway Avenue, Coronation Avenue, and Morses Creek Road would not meet the threshold for state significance as a single place.

Separate to the findings of the detailed assessment, Council officers understand that Heritage Victoria is currently undertaking a separate assessment of the avenue, along with the other avenues of trees and individual mature trees in Bright, for inclusion in the Victorian Heritage Register as a possible place/s of state significance. It is estimated that this assessment will take two years to be completed and Council will participate in this process when requested to do so by Heritage Victoria or the Heritage Council of Victoria.

The detailed assessment included the Great Alpine Road West Bright Arboricultural Assessment and Report by Treelogic Pty Ltd. This assessed the condition of 88 individual trees and four tree groups comprising of 44 stems across all four sections in the avenue for age, health, structure and useful life expectancy, as well as establishing tree protection zones. The assessment found that the overall tree population is healthy, and they are expected to contribute positively to the landscape into the medium and long term.

The arboricultural assessment recommended works on 14 trees within two years, including the removal of five White Poplars (*Populus alba*) due to their poor condition with short useful life expectancies, structural pruning for five trees, and pest control treatment for Elm Leaf Beetle on four trees. The assessment also recommended the removal of the remaining White Poplars (*Populus alba*) within five years and provided a list of vacant sites that are suitable for replanting opportunities.

Council will shortly consider a broader condition report of street trees across Bright. Council officers will consider the management recommendations of the detailed assessment as part of this process.

## POLICY IMPLICATIONS

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

4.1 Conservation and promotion of the distinct character across the Shire.

## FINANCIAL AND RESOURCE IMPLICATIONS

The recommendation to undertake a planning scheme amendment to apply the Heritage Overlay to the avenue on an interim or permanent basis will result in minor financial implications for Council. Costs will be incurred in paying the statutory planning scheme amendment fees payable to the Victorian Government. This cost and the resources required to prepare the planning scheme amendment documentation are accounted for in Council's existing 2024/2025 financial year budget including a fee of \$530.70 for the Minister for Planning to consider the request to approve the Amendment. Council will also need to pay any fees relating to the Independent Planning Panel if it is required to consider submissions to the amendment.

The approved 2024/25 budget contains a budget allocation of \$130,000 to progress with planning scheme amendments. The costs and resources required to prepare the planning scheme amendment will utilise some of this budget allocation.

The arboricultural assessment included management recommendations for all four sections of the avenue within the next four years, including the removal of White Poplar (*Populus alba*) trees due to their poor condition. Council's Open Spaces Team is consolidating a broader assessment of health and condition of street trees in Bright. The management recommendations of the detailed assessment will be considered as part of this work.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Community opposition to the application of the Heritage Overlay to the avenue of trees.	Unlikely	Minor	Concerns or objections that cannot be resolved during the planning scheme amendment process will be referred to an independent planning panel for consideration. The panel's recommendations must be considered by Council when it considers submissions and the planning scheme amendment.

## CONSULTATION

GML has engaged the Bright and District Historical Society Inc. and Myrtleford and District Historical Society Inc. as part of its research on the avenue and has completed an on-ground assessment of the condition of the street trees with the support of an arborist.

Council has also received and responded to correspondence and undertaken meetings with the "Save the Bright Gateway Trees" community group as part of this process to ensure its concerns are known.

The proposed planning scheme amendment to apply the Heritage Overlay to Section 1 of the avenue of trees on a permanent basis will need to be exhibited in accordance with the requirements of the *Planning and Environment Act 1987* (Vic). Any person may make a submission to the amendment at that stage. Any submissions received will be considered by Council and will be referred to an independent planning panel for consideration if they are unable to be resolved. The panel's recommendation must then be considered by Council when it considers submissions and the amendment.

## CONCLUSION

The detailed assessment for the avenue of trees along the Great Alpine Road (western gateway) in Bright by GML found that Section 1 of the avenue is of local historical, representative, aesthetic and social significance to the township of Bright and the wider Alpine Shire.

The assessment has determined that the avenue of trees meets the threshold of local heritage significance and that the Heritage Overlay should be applied to conserve this significance.

The assessment recommends that the avenue of trees be included in the Schedule to Clause 43.01 Heritage Overlay of the Alpine Planning Scheme as an individually significant place.

This report recommends that Council resolves to prepare and exhibit a planning scheme amendment to apply the Heritage Overlay to Section 1 of the avenue of trees at Great Alpine Road (western gateway) in Bright.

## DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Growth and Future
- Strategic Planning Coordinator
- Senior Strategic Planner



**ATTACHMENT(S)**

- 9.2.1.a Great Alpine Road (western gateway), Bright Landscape and Heritage Preliminary Assessment Report October 2023
- 9.2.1.b Great Alpine Road (western gateway), Bright Landscape and Heritage Detailed Assessment Methodology Report July 2024

## 9.3 A/DIRECTOR CUSTOMER AND COMMUNITY – NATHALIE COOKE

### 9.3.1 2024/25 Event Funding Program

#### INTRODUCTION

This Report relates to the allocation of the funding through Council's 2024/25 Event Funding Program.

*Cr Simon Kelley, Cr Sarah Nicholas and Cr Tony Keeble declared a conflict of interest and left Council Chambers at 6:32pm.*

*Cr Janas  
Cr Prime*

*That Council:*

*1. Allocates funding to events as follows:*

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Bright Fun Run - Trail Fest 2025</i>	<i>The Bright Fun Run - Bright P-12 College</i>	<i>\$3,000</i>
<i>Mount Beauty Running Festival</i>	<i>Kangaroo Hoppet Inc.</i>	<i>\$3,000</i>

*Carried*

*Cr Tony Keeble and Cr Sarah Nicholas re-entered Council Chambers at 6:33pm.*

*Cr Nicholas  
Cr Prime*

*2. Allocates funding to events as follows:*

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>UKV Gala4Good</i>	<i>Mount Beauty United Cricket Club</i>	<i>\$5,000</i>

*Carried*

*Cr Simon Kelley re-entered Council Chambers at 6:34pm.*

*Cr Tony Keeble declared a conflict of interest and left Council Chambers at 6:34pm.*

*Cr Nicholas*

*Cr Janas*

**3. Allocates funding to events as follows:**

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Harrietville Half marathon (HH)</i>	<i>Harrietville Primary School</i>	<i>\$3,000</i>

*Carried*

*Cr Tony Keeble re-entered Council Chambers at 6:35pm.*

*Cr John Forsyth and Cr Ron Janas declared a conflict of interest and left Council Chambers at 6:35pm.*

*Cr Nicholas*

*Cr Prime*

**4. Allocates funding to events as follows:**

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>GROW Myrtleford+ Twilight Carols</i>	<i>Into Our Hands Community Foundation</i>	<i>\$2,000</i>

*Carried*

*Cr Ron Janas re-entered Council Chambers at 6:35pm.*

*Cr Nicholas*

*Cr Hughes*

**5. Allocates funding to events as follows:**

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Great Alpine Golf Classic</i>	<i>Myrtleford Golf Club</i>	<i>\$2,000</i>

*Carried*

*Cr John Forsyth re-entered Council Chambers at 6:36pm.*

*Cr Simon Kelley declared a conflict of interest and left Council Chambers at 6:36pm.*

*Cr Prime*

*Cr Janas*

**6. Allocates funding to events as follows:**

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Mount Beauty Writers' Festival 2024</i>	<i>Upper Kiewa Valley Regional Arts Inc.</i>	<i>\$5,000</i>
<i>Victorian Downhill Series Round Mount Beauty</i>	<i>Team Mount Beauty</i>	<i>\$3,000</i>

*Carried*

*Cr Simon Kelley re-entered Council Chambers at 6:37pm.*

*Cr Kelli Prime declared a conflict of interest and left Council Chambers at 6:37pm.*

*Cr Nicholas*

*Cr Hughes*

**7. Allocates funding to events as follows:**

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Dederang Picnic Races</i>	<i>Dederang Picnic Race Club</i>	<i>\$5,000</i>

*Carried*

*Cr Kelli Prime re-entered Council Chambers at 6:37pm.*

*Cr Nicholas*

*Cr Prime*

**8. Allocates funding to events as follows:**

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Alpe De Buffalo</i>	<i>Alpine Cycling Club</i>	<i>\$2,000</i>
<i>Alpine Brass Festival</i>	<i>Skunkworks Community Limited</i>	<i>\$5,000</i>
<i>Alpine Cycling Club Gravity Enduro</i>	<i>Alpine Cycling Club</i>	<i>\$2,000</i>
<i>Bright Alpine Climb 4 Peaks</i>	<i>Thought Sports Pty Ltd</i>	<i>\$5,000</i>

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Bright Art Gallery Summer Exhibition ART Awards</i>	<i>Bright Art Gallery &amp; Cultural Centre</i>	<i>\$3,300</i>
<i>Bright Autumn Festival</i>	<i>Bright Autumn Festival - sub-committee of the Bright and District Chamber of Commerce</i>	<i>\$5,000</i>
<i>Bright Cabaret &amp; Comedy Festival 2025</i>	<i>Bright Cabaret &amp; Comedy Festival Inc</i>	<i>\$2,000</i>
<i>Bright Gravel &amp; CX</i>	<i>Big Hill Events</i>	<i>\$5,000</i>
<i>Bright Make it Bake it Grow it Market</i>	<i>Bright and District Chamber of Commerce</i>	<i>\$2,000</i>
<i>Bright Open 2025</i>	<i>Northeast Victorian Hang Gliding Club</i>	<i>\$2,000</i>
<i>Bright Rod Run</i>	<i>Bright Rod &amp; Kustom Club Inc</i>	<i>\$5,000</i>
<i>Bright Rotary Markets</i>	<i>The Rotary Club of Bright</i>	<i>\$4,000</i>
<i>Bright Running Festival 2024</i>	<i>Perseverance Events</i>	<i>\$1,500</i>
<i>Bright Twilight Tastings</i>	<i>Bright and District Chamber of Commerce</i>	<i>\$2,000</i>
<i>Brighter Days Festival</i>	<i>Brighter Days Foundation</i>	<i>\$5,000</i>
<i>Buffalo Stampede Festival 2025</i>	<i>SingleTrack Events Pty Ltd</i>	<i>\$10,000</i>
<i>Christmas Market 2024</i>	<i>Bright Lights Winter Nights</i>	<i>\$2,000</i>
<i>Darker Days</i>	<i>Bright Brewery</i>	<i>\$2,000</i>
<i>Great Southern Endurance Run (GSER)</i>	<i>Ultra Endurance</i>	<i>\$5,000</i>
<i>Harrietville Bush Markets</i>	<i>Harrietville Historical Society</i>	<i>\$2,000</i>
<i>La Fiera</i>	<i>Myrtleford Chamber of Commerce &amp; Industry Inc</i>	<i>\$10,000</i>

<i>Event Name</i>	<i>Applicant</i>	<i>Funding amount</i>
<i>Lazy Sunday Afternoon - Great Victorian Bike Ride Activation</i>	<i>Myrtleford Chamber of Commerce</i>	<i>\$2,265</i>
<i>Mountaingrass</i>	<i>Australasian Bluegrass and Old Time Music Association</i>	<i>\$3,000</i>
<i>Myrtleford Bush Market</i>	<i>Myrtleford Chamber of Commerce &amp; Industry Inc</i>	<i>\$2,500</i>
<i>Myrtleford Farmers Market</i>	<i>The Tobacco &amp; Associated Farmers' Co-operative Ltd</i>	<i>\$2,000</i>
<i>Myrtleford Golden Spurs Rodeo</i>	<i>Myrtleford Lions Golden Spurs Rodeo</i>	<i>\$5,000</i>
<i>Myrtleford Lawn Tennis Club Annual Easter Tournament</i>	<i>Myrtleford Lawn Tennis Club</i>	<i>\$5,000</i>
<i>Myrtleford Show</i>	<i>Myrtleford and District Agricultural and Pastoral Society</i>	<i>\$10,000</i>
<i>Myrtleford Summer Series</i>	<i>Myrtleford Chamber of Commerce</i>	<i>\$5,000</i>
<i>Spartan Australia – Bright Trifecta Weekend</i>	<i>Spartan Aus 3.0 Pty Ltd</i>	<i>\$10,000</i>
<i>Tour of Bright 2024</i>	<i>Alpine Cycling Club</i>	<i>\$10,000</i>
<i>Wandi Cross</i>	<i>Wandi Trail Runners Inc</i>	<i>\$3,000</i>
<i>Wandiligong Nut Festival</i>	<i>Wandiligong Nut Festival Inc</i>	<i>\$10,000</i>
	<i>Total:</i>	<i>\$180,565</i>

- 9. Delegates authority to the Chief Executive Officer to distribute residual or unspent roll over funds;*
- 10. Notes that \$60,000 is budgeted for Bright Iconic Rod Run Central Business District Traffic and Safety Management to mitigate the risks to the public;*
- 11. Notes that the Great Victorian Bike Ride event was allocated \$10,000 prior to the event funding round;*
- 12. Allocates \$4,000 from the Dinner Plain budget for the Dinner Plain Outdoor Cinema; and*

***13. Approves the allocation of \$50,565 to the Events 2024/25 budget, as a result of underspending their allocated funding in 2023/24.***

***Carried Unanimously***

## **BACKGROUND**

The Event Funding Program was open for submissions between Friday, 10 May to Sunday, 16 June 2024. A total of 45 applications were received, 42 of which were eligible for funding with a total request of \$217,242 in sponsorship.

Council adopted the Alpine Shire Events Strategy in November 2021, including the Events Permitting and Funding Framework. This framework came into effect on 1 July 2022. The Strategy identifies the needs and priorities of the community and provides a clear and realistic framework for Council.

Council's Event Officers carried out a preliminary assessment of each application against event eligibility criteria listed in the framework, including considerations of the anticipated social, environmental, and economic impact of the event.

Guided by the preliminary assessment, the applications were then reviewed by an assessment panel comprising:

- A representative of the Bright and District Chamber of Commerce
- A representative of the Myrtleford Chamber of Commerce and Industry
- Three Councillors
- Former Director Customer and Community
- Manager Customer Experience

The panel recommended that 42 applicants receive support through the Event Funding Program totalling \$180,565 in sponsorship. Three applicants were not recommended for funding. \$10,000 was allocated in 2023/24 to Great Victorian Bike Ride prior to the event funding round by CEO delegation. This brings the total recommendation for funding from the Event Funding Program to \$190,565.

## **ISSUES**

The applications in the table below have not been recommended for funding through the Event Funding Program:

Table 2: Events not funded through the Events Funding Program

Event Name	Applicant	Amount Requested	Reason
Bright and Sunny Summer Carnival	Action events	\$5,000	Not funded due to extension of business.
Bright Festival of Photography	Bright Festival of Photography Australia	\$5,000	This event is profitable.

Event Name	Applicant	Amount Requested	Reason
FoE Fundraising Art Auction and Information Drop in	Friends of the Earth Melbourne	\$2,000	This event does not meet our guidelines as it is fundraising for a political cause.

## POLICY IMPLICATIONS

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

- 2.1 Diverse reasons to visit

## FINANCIAL AND RESOURCE IMPLICATIONS

Council's 2024/25 budget includes provision of \$200,000 to support the annual Event Funding Program. This includes \$140,000 for events in general and \$60,000 for the Bright Iconic Rod Run CBD Traffic and Safety Management.

The total of \$180,565 is recommended to support the delivery of events through the 2024/25 event funding program. An additional \$10,000 has been allocated for the Great Victorian Bike Ride.

This brings the total to \$250,565.

The proposed 2024/25 allocation exceeds the approved budget by \$50,565. Events underspent their 2023/24 allocation by \$50,565 and are seeking to have these unspent funds allocated to the 2024/25 Events program. The 2023/24 underspend has been confirmed by Council Finance staff, with the proviso that the annual accounts are yet to be approved by the auditors.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Events unsupported by funding may not operate	Unlikely	Insignificant	<ul style="list-style-type: none"> <li>• Fund local and community events</li> </ul>

## CONSULTATION

The Event Funding program was advertised in the local media, on Council's website and Facebook page, and details were emailed directly to all existing event organisers. Event organisers had the opportunity to engage with Council's Events Team for support and advice through the application period.



An assessment panel including three Councillors, one Director (former), one Manager, one Coordinator, three Council Officers and two representatives from the community assessed the applications, and provided the recommendations contained in the report.

Attempts were made to engage a community representative from the Kiewa Valley on the assessment panel, however, were unsuccessful.

## **CONCLUSION**

Events are important to the Alpine Shire, providing an economic injection, cultural enrichment, and promoting community connection and well-being.

The recommendations put forward by the assessment panel supports events that align with the regional brand and Council's Events Strategy, encourage repeat visitation, contribute to the events calendar, have a positive impact for the community and may be sustainable over a long period of time.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- A/Director Customer and Community
- Manager Customer Experience
- Event Operations Officer

Declarations of Conflict of Interest were made by assessment panel members. Panel members removed themselves from assessment of the relevant event funding applications and any panel discussions relevant to the applications.

Mayor John Forsyth declared a general conflict of interest in relation to Grow Myrtleford+ Twilight Carols.

Cr Ron Janas declared a general conflict of interest in relation to Grow Myrtleford+ Twilight Carols.

Cr Kelli Prime declared a general conflict of interest in relation to the Dederang Picnic Races.

## **ATTACHMENT(S)**

Nil

## 9.3.2 2024/25 Community Grants Program

### INTRODUCTION

This report relates to the allocation of funding through Council's 2024/25 Community Grants Program, and the Kiewa Valley Flood and Landslip Grants Program.

*Cr John Forsyth declared a conflict of interest and left Council Chambers at 6:47pm.*

*Cr Janas*

*Cr Hughes*

*That Council:*

- 1. endorses the recommendation of Community Grant Assessment Panel to allocate funding as follows*

<i>Applicant</i>	<i>Project Title</i>	<i>Total cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Myrtleford Golf Club Inc.</i>	<i>Enhancement of Club Rooms</i>	<i>\$6,787</i>	<i>\$3,787</i>	<i>\$3,787</i>

*Carried*

*Cr John Forsyth re-entered Council Chambers at 6:48pm.*

*Cr Kelley*

*Cr Prime*

- 2. endorses the recommendation of Community Grant Assessment Panel to allocate funding as follows:*

<i>Applicant</i>	<i>Project Title</i>	<i>Total cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Alpine Multi Skill Group</i>	<i>Upskill Community Workshops</i>	<i>\$6,000</i>	<i>\$4,500</i>	<i>\$4,500</i>
<i>Bright Croquet Club Inc.</i>	<i>Celebrating 120 years of croquet in Bright</i>	<i>\$2,730</i>	<i>\$2,030</i>	<i>\$2,030</i>
<i>Bright District U3A Incorporated</i>	<i>Enabling The Game of Bridge in Bright</i>	<i>\$8,297</i>	<i>\$6,057</i>	<i>\$5,300</i>
<i>Bright Tennis Club INC</i>	<i>Pickleball Courts</i>	<i>\$25,553</i>	<i>\$19,164.75</i>	<i>\$9,600</i>
<i>Dederang Bowls Club Inc.</i>	<i>Upgraded lighting for bowls green.</i>	<i>\$9,080</i>	<i>\$7,260</i>	<i>\$7,260</i>

<i>Applicant</i>	<i>Project Title</i>	<i>Total cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Harrietville Hall Committee of Management</i>	<i>Oven and Rangehood</i>	<i>\$6,628</i>	<i>\$4,971</i>	<i>\$4,971</i>
<i>Gundowring Hall &amp; Reserve Committee of Management</i>	<i>Outdoor Fire Pit &amp; Trees</i>	<i>\$5,725</i>	<i>\$4,000</i>	<i>\$4,000</i>
<i>Ovens Valley Canine Club</i>	<i>Training equipment renewal</i>	<i>\$1,960</i>	<i>\$1,470</i>	<i>\$1,470</i>
<i>Ovens Valley United Cricket Club Incorporated</i>	<i>New Wicket and Carpet for Memorial Oval</i>	<i>\$20,592</i>	<i>\$8,957</i>	<i>\$8,957</i>
<i>Tawonga &amp; District Community Association</i>	<i>Improvements in Tawonga Pioneer Memorial Park (realising the ABP Tawonga)</i>	<i>\$15,930</i>	<i>\$9,380</i>	<i>\$9,380</i>
		<i>\$109,282</i>	<i>\$71,576.75</i>	<i>\$61,255</i>

*Carried Unanimously*

*Cr Sarah Nicholas declared a conflict of interest and left Council Chambers at 6:49pm.*

*Cr Prime*

*Cr Janas*

*3. endorses the recommendation of Community Grant Assessment Panel to allocate funding as follows:*

<i>Applicant</i>	<i>Project Title</i>	<i>Total cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Bright Food Co-op Ltd</i>	<i>Project Refrigeration - Enabling Community Access to Fresh Local Produce</i>	<i>\$5,460</i>	<i>\$4,095</i>	<i>\$4,095</i>
<i>Sustainable Upper Ovens Inc.</i>	<i>Building Resilience in the Alpine Shire: A Community Resource Website</i>	<i>\$3,813</i>	<i>\$2,013</i>	<i>\$2,013</i>

<i>Applicant</i>	<i>Project Title</i>	<i>Total cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
		<b>\$9,273</b>	<b>\$6,108</b>	<b>\$6,108</b>

*Carried*

*Crs Simon Kelley and Cr Tony Keeble declared a conflict of interest and left Council Chambers at 6:50pm.*

*Cr Janas*

*Cr Prime*

**4. endorses the recommendation of Community Grant Assessment Panel to allocate funding as follows:**

<i>Applicant</i>	<i>Project Title</i>	<i>Total cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Bright P12 College</i>	<i>Bright P12 Greenhouse</i>	<b>\$13,094</b>	<b>\$10,347</b>	<b>\$10,347</b>

*Carried*

*Cr Sarah Nicholas and Cr Tony Keeble re-entered Council Chambers at 6:54pm.*

*Cr Prime*

*Cr Nicholas*

**5. endorses the recommendation of Kiewa Valley Flood and Landslip Grant Assessment Panel to allocate funding as follows:**

<i>Applicant</i>	<i>Project Title</i>	<i>Total Cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>West Peak Pty Ltd trading as Mountain Monk Brewers</i>	<i>Oktoberfest &amp; Dachshund Derby</i>	<b>\$12,579.60</b>	<b>\$10,000</b>	<b>\$10,000</b>
<i>Tawonga &amp; District Community Association</i>	<i>Celebrating 180 Years of Tawonga and District</i>	<b>\$18,920</b>	<b>\$9,900</b>	<b>\$9,900</b>
<i>Mount Beauty United Cricket Club</i>	<i>Mount Beauty United Cricket Club Gala Day</i>	<b>\$3,321</b>	<b>\$3,221</b>	<b>\$3,221</b>

<i>Applicant</i>	<i>Project Title</i>	<i>Total Cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Mount Beauty Art Group Inc.</i>	<i>Hire Mt Beauty Community Centre &amp; installation picture rail system</i>	<i>\$4,767</i>	<i>\$4,767</i>	<i>\$4,767</i>
<i>Alpine Valleys Dairy Inc.</i>	<i>Dare to Dairy Dinner, theme is "positively dairy"</i>	<i>\$20,800</i>	<i>\$4,310</i>	<i>\$4,310</i>
<i>Mount Beauty Neighbourhood Centre Inc.</i>	<i>Community Lunches</i>	<i>\$10,250</i>	<i>\$5,750</i>	<i>\$5,750</i>
<i>Mount Beauty Art Group Inc.</i>	<i>Art Workshop</i>	<i>\$3,761</i>	<i>\$2,711</i>	<i>\$2,711</i>
		<i>\$74,398.60</i>	<i>\$40,659</i>	<i>\$40,659</i>

*Carried*

*Cr Kelly Prime declared a conflict of interest and left Council Chambers at 6:56pm.*

*Cr Janas*

*Cr Hughes*

*6. endorses the recommendation of Kiewa Valley Flood and Landslip Grant Assessment Panel to allocate funding as follows:*

<i>Applicant</i>	<i>Project Title</i>	<i>Total Cost of Project</i>	<i>Grant Request</i>	<i>Grant Recommended</i>
<i>Dederang Picnic Race Club</i>	<i>Public Toilet Upgrades</i>	<i>\$16,729</i>	<i>\$10,000</i>	<i>\$10,000</i>
		<i>\$16,729</i>	<i>\$10,000</i>	<i>\$10,000</i>

*Carried*

*Cr Kelli Prime and Cr Simon Kelley have re-entered Council Chambers at 6:57pm.*

*Cr Prime*

*Cr Nicholas*

*7. provides delegate to the Chief Executive Officer to distribute residual or unspent funds from the Kiewa Valley Flood and Landslip Grant Program; and*

*8. provides delegation to the Chief Executive Officer to distribute residual or unspent funds from the Community Grant Program;*

***9. Provides feedback and assistance to unsuccessful applicants in highlighting other potential funding opportunities that may be available for their projects.***

***Carried***

## **BACKGROUND**

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

25 applications were received for the Community Grants Program, with a cumulative funding request of \$223,748.

The assessment panel has recommended that 14 applicants receive funding, with 11 applications to receive the full amount of funding requested and three to receive funding at a reduced level.

The Kiewa Valley Flood and Landslip Grant Program is a one-off program, delivered by Alpine Shire Council with support of the Australian and Victorian Governments to support the community to recover from the impacts of the 2022 floods and Bogong High Plains Road landslip.

12 applications were received for the Kiewa Valley Flood and Landslip grant program and two applications were transferred from the Community Grant program because they align with the priorities of the Kiewa Valley Flood and Landslip grant program with a cumulative funding request of \$105,466.50. The assessment panel recommended that eight applicants receive funding as requested.

Both grant programs were open for applications between 10 May and 16 June 2024.

Applications were assessed against the following criteria:

- the degree of benefit to the community;
- the degree to which projects can be maintained and are sustainable;
- the impact on environmental, economic, social, built, recreational and wellbeing criteria;
- the geographical spread of funding allocation across the Shire;

Kiewa Valley Flood and Landslip grants were assessed for opportunities for social connection and initiatives that prioritise community recovery capability-building.

Applications were also assessed for their alignment to Council Plan and Municipal Public Health and Wellbeing Plan.

## **ISSUES**

11 applications have not been recommended for funding through the Community Grants Program:

Applicant	Project Title	Grant Request	
Bright Lights Winter Nights	Christmas decoration renewal	\$5,000	Council will investigate alternate opportunities for equitable distribution of funds to communities for Christmas decorations
Harrietville Boardriders Incorporated	Ramp roof/Shelter	\$20,562	Existing skate ramp is subject to planning approval. Applicant is encouraged to reapply next year.
Havilah Cemetery Trust	Havilah Cemetery Restoration Project	\$24,960	Applicant unable to deliver the project with lower level of funding. Recommend applicant to reapply next year.
Mount Beauty Neighbourhood Centre Inc and Mount Beauty and District Men's Shed	Out of the House and into the Garden to Talk	\$5,052	Community group received a grant for a similar project in the last round of funding.
Mount Beauty Art Group Inc	Art Workshop	\$2,711	Application moved to the Kiewa Valley Flood & Landslip Grant program
Mount Beauty Neighbourhood Centre	Community Lunches	\$5,750	Application moved to the Kiewa Valley Flood & Landslip Grant program
Mountain Safety Collective	Backcountry Skiing Safety Reporting Service	\$5,827.50	Majority of benefit outside of Alpine Shire.
Sustainable Upper Ovens Inc	Strengthening SUO's Governance and Sustainability	\$1, 275	Council will investigate opportunities to support governance education for all community groups in future.

Applicant	Project Title	Grant Request	
RH Counselling & Wellness	Empowering Alpine Shire: Enhancing Community Wellness, Recreation, and Creativity	\$8,150	Out of the scope of Community Grants
SEAOAK Consulting (auspiced by Upper Ovens Landcare Group)	Nature-based pilot program for alpine climate resilience	\$49,557.38	Out of the scope of Community Grants

Six applications have not been recommended for funding through the Kiewa Valley Flood and Landslip Grants Program:

Applicant	Project	Grant Request	
AgBiz Assist	Building Business Resilience Program	\$11,000	To be referred to ASC Economic Development Team, to ensure the most suitable/beneficial initiatives are delivered for local businesses.
Danielle June Forde	Elevating Community space for workshops and exhibition	\$9,806	Out of the scope of the Kiewa Valley Flood & Landslip Grant.
RH Counselling and Wellness	Community Mental Health & Service	\$10,000	Out of the scope of the Valley Flood & Landslip Grant.
SEAOAK Consulting - Ebony Greaves	Kiewa Valley - Business Resilience Workshop Series	\$9027.50	To be referred to ASC Economic Development Team, to ensure the most suitable/beneficial initiatives are delivered for local businesses.



Applicant	Project	Grant Request	
Sigrid E van Krieken-Condon	Journalling & Healing Affirmation Card Workshop	\$6,685	To be referred to ASC Recovery team to explore alternate ways to deliver this program to best support community.
Startup Shakeup	Business Digital Connections Program	\$11,000	To be referred to ASC Economic Development Team, to ensure the most suitable/beneficial initiatives are delivered for local businesses.

### POLICY IMPLICATIONS

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

- 1.1 A community that is active, connected and supported
- 1.2 Services and resources that enhance health and wellbeing
- 1.3 A caring community

### FINANCIAL AND RESOURCE IMPLICATIONS

The budget for 2024/25 Community Grants Program is \$80,000.

The recommended allocation of \$77,710 for Community Grants fits within the allocated budget.

The Kiewa Valley Flood and Landslip Grant Program is an initiative of the Kiewa Valley Community Recovery Committee funded through Disaster Recovery Funding Arrangements has a budget of \$80,000.

The recommended allocation of \$50,659 for Kiewa Valley Flood and Landslip Grant Program fits within the allocated budget.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Funds are spent outside the parameters of the grant guidelines	Unlikely	Minor	<ul style="list-style-type: none"> <li>• Applicants must provide evidence of their progress before grant payments are made.</li> <li>• Applicants will be required to repay any unused grant funds.</li> </ul>

## CONSULTATION

The Community Grants Program and Kiewa Valley Flood and Landslip Program were advertised through local media, on Council's website and Facebook page and emailed directly to community groups.

Applications were reviewed by an assessment panel comprising:

- Two members of the Kiewa Valley community;
- One member of the Myrtleford community;
- One member of the Bright community;
- One Councillor;
- Former Director Customer and Community; and
- Manager Community Development.

Applications for the Kiewa Valley Flood and Landslip Grant Program were reviewed by an assessment panel comprising:

- Three members of the Kiewa Valley community including one representative of the Kiewa Valley Community Recovery Committee
- One Councillor
- Manager Community Development

Applications for both grant programs were reviewed by various Council departments for alignment or conflict with existing strategies and planned work.

## CONCLUSION

The recommendations proposed by the assessment panel support strategic objectives of the Council Plan 2021-25 incorporating Municipal Public Health and Wellbeing Plan, community participation, contribute to the building of healthy and strong communities and represent a diversity of projects from across the Shire.

## DECLARATION OF CONFLICT OF INTEREST

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

- A/Director Customer and Community
- Manager Community Development
- Community Development Coordinator

Declarations of Conflict of Interest were made by assessment panel members. Panel members removed themselves from assessment of the relevant event funding applications and any panel discussions relevant to the applications.

Mayor John Forsyth declared a general conflict of interest to the Myrtleford Golf Club application.

Cr Kelli Prime declared a general conflict of interest in relation to the Dederang Picnic Race Club.

## ATTACHMENT(S)

Nil

*Cr Janas*  
*Cr Prime*

*At 6:59pm Cr Janas requested a three to five minute adjournment.*  
*Cr Prime supported the adjournment.*

*Carried*

*The meeting resumed at 7:03pm*

### 9.3.3 Community Engagement - Short Stay Rental Accommodation Local Law

#### INTRODUCTION

In December 2022, Council resolved to engage with the community on the development of a Short Stay Rental Accommodation Local Law. This report provides an overview of the feedback received from the community and mechanisms, existing and proposed, to regulate short stay rental accommodation properties.

*Cr Prime*

*Cr Kelley*

*That Council:*

1. *Notes the feedback from the community engagement on the development of a Short Stay Residential Accommodation Local Law, held from October 2023 to January 2024; and*
2. *Continues to utilise existing legislation and its Community Local Law 2019, including Part 3 Amenity, Public Health, and Safety, to address amenity concerns arising from short stay accommodation.*

*Carried*

#### BACKGROUND

In December 2022, Council resolved to engage with the community to develop a Short Stay Rental Accommodation (SSRA) Local Law. The decision to engage with the community on a potential SSRA Local Law was driven by one outcome of Council's Affordable Housing Analysis and Action Plan project, which found that

- housing affordability and availability has declined in the Alpine Shire over the past five years
- there is an imbalance between provision of homes to rent and short term accommodation in our townships
- there is an increase in the number of properties being turned from long-term into short-term accommodation.

At the time Council made the decision to engage the community, it was recognised that regulating SSRA was unlikely to influence or impact housing availability or affordability but may be able to address perceived neighbourhood amenity issues. It was suggested that the objectives of a SSRA Local Law might be to:

- ensure an appropriate standard of management of SSRA to preserve neighbourhood amenity
- minimise the risk of SSRA affecting the peace and quiet enjoyment of neighbours
- implement a registration and renewal system for SSRA and
- ensure waste generated at SSRA is appropriately managed.

Community engagement commenced in October 2023 and closed at the end of January 2024. The community had the options to provide feedback through:

- Engage Alpine online survey
- Community information sessions – drop in sessions and market pop-ups in Bright, Mount Beauty and Myrtleford

**REPORT**

*Survey results*

Two hundred and thirty two surveys were completed.

General property location and ownership

- 64% of respondents live in the Shire (59% own a property and 5.6% rent) with 34% of respondents owning a property in the Shire but living elsewhere and 1.29% of respondents were visitors to the Shire
- Of the 149 respondents that live in the Shire, they live in Bright (38%), Porepunkah (8.7%), Tawonga South (8.7%), Myrtleford (7.4%), Harrietville (7.4%), Mount Beauty (5.4%), and Wandiligong (5.4%) with the balance (19%) living throughout the Shire
- Of the 216 respondents who own a property in the Shire:
  - 21% own more than one property in the Shire
  - 53% have rented out their property for SSRA
- Not all respondents who own property in the Shire identified the location of their property but of those that did respond (119) their properties were located in Bright (48%), Dinner Plain (10%), Porepunkah (10%), Mount Beauty (9%) and Wandiligong (8.4%)
- Of the three (3) respondents who are visitors to the Shire two (2) stayed in SSRA and one (1) with family/friends

Short stay residential accommodation regulation matters

Matters that could potentially be regulated by a local law, generated polarised responses as follows:

Not Supportive (Scale of 1)	Very Supportive (Scale of 10)
Do you support the introduction of a SSRA local law?	
32%	42%
Should all SSRA be registered with Council?	
23%	43%
Should a designated contact person be appointed for all SSRA?	
20%	37%

Not Supportive (Scale of 1)	Very Supportive (Scale of 10)
Should Council be able to cancel SSRA registration after 3 substantiated complaints?	
29%	27%
Should adequate off-street parking for guests be provided at all SSRA?	
13%	31%
Should use of outdoor areas of SSRA be restricted between 10pm and 7am?	
22%	27%
Should additional accommodation e.g., tents be restricted at SSRA sites?	
18%	38%
Should SSRA operators inform occupants of waste disposal arrangements?	
9%	51%

When questioned about appropriate registrations fees for SSRA, 56% supported an annual fee paid for by SSRA owners and 44% supported all ratepayers sharing the cost.

These polarised responses could be attributed to those respondents who own and operate an SSRA and those that don't.

### ***Community feedback themes***

A number of high-level themes emerged from the community feedback. These themes capture the multifaceted perspectives and complex dynamics surrounding SSRA in the Shire reflecting diverse concerns, ranging from economic considerations to community well-being and consistent with the survey results, there was a divide between residents and SSRA providers.

#### Economic contribution, local business support and regional development

- Respondents strongly emphasised the economic significance of short-term rentals in the Shire – particularly in Bright.
- They highlighted how these rentals play a crucial role in supporting various local businesses, from hospitality to trades.
- The feedback underscored that a thriving tourism sector, enabled by short-term rentals, is essential for the town's overall prosperity.
- Many noted that any restrictions or additional charges imposed on these rentals could have a detrimental impact on the economic ecosystem of the area.
- Short-term rentals were identified as having a key role in driving tourism and supporting regional development.
- Respondents pointed out that short-term rentals contribute significantly to the local economy through visitor spending, job creation, and support for related industries such as property management and maintenance.

- There were concerns that excessive regulations or deterrents could impact tourism visitor numbers and the overall appeal of the Shire as a destination, affecting not just property owners but the broader community reliant on tourism-related income.

#### Housing affordability and availability

- The feedback shed light on the pressing issue of housing affordability and availability, particularly for year-round locals and staff members.
- Respondents expressed concerns about rising property values and rents, which they partly attributed to the presence of short-term rentals. They pointed out that this situation makes it challenging for residents to find affordable housing, leading to a potential exodus of community members.
- The impact on staff retention in key sectors like hospitality was also highlighted.

#### Community impact and quality of life

- Respondents raised concerns about the community impact and quality of life due to short-term rentals.
- Residents shared experiences of noise disturbances, lack of predictability due to frequent turnover of renters, and a sense of intrusion into the neighbourhood's character.
- The feedback highlighted the need to address issues such as property damage, disturbance of peace, and ensuring a harmonious coexistence between short-term renters and permanent residents.

#### Regulation and responsibility

- The feedback emphasised the importance of fair and consistent regulation across all types of rental properties.
- Respondents called for greater accountability and monitoring, not only for short-term rentals but also for long-term ones.
- There was a clear desire for a level playing field where all property owners, regardless of rental duration, adhere to similar standards and responsibilities.
- The need for proactive measures to address antisocial behaviour, regardless of residency status, was also highlighted

#### ***Regulation and management of short stay accommodation***

The engagement process also sought feedback from the community on the types of matters that a SSRA local law could address. These matters included:

- Noise restrictions - to address late night disturbances
- Occupancy limits - set maximum occupancy limits to prevent overcrowding
- Waste management - proper disposal and capacity of recycling and rubbish
- Complaint handling mechanism – establish a 24/7 contact for complaints
- Pet regulations - no unattended pets
- Registration and compliance - register properties and seek compliance with BCA.

There is a range of existing controls and legislation that are relevant to the regulation of amenity impacts of SSRA including:

- *Environmental Protection Act 2017* and Regulations 2021 (EPA 2017) Noise Provisions
- *Public Health & Wellbeing Act 2008*
- planning permits issued under the *Planning & Environment Act 1987*
- building permits issued under the *Building Regulations 2018*.
- Council's existing Community Local Law 2019 specifically Part 3 Amenity, Public Health, and Safety.

### ***State Government short stay accommodation levy***

The Victorian Government announced in September 2023 as part of its Housing Statement:

- it will charge a 7.5% levy on revenue collected by short stay accommodation providers
- remove local council charges on short stay accommodation when the levy takes effect from 1 January 2025.

To charge the levy and understand what local council charges will be impacted, the Victorian Government will need to pass legislation and as at the date of this report no bill has been introduced to Parliament.

It is worth noting that revenue raised from levy will go to Homes Victoria to fund construction of social and affordable housing with 25% of funds to be invested in regional Victoria.

It is also unclear whether the Victorian Government is considering any further levies or regulation of SSRA.

## **POLICY IMPLICATIONS**

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**

In the event that it is determined to introduce a new SSRA local law or amend the existing Community Local Law 2019 to regulate SSRA, there will be financial and resource implications. Appropriate allocation will be required in future budgets to facilitate drafting of local law provisions and undertaking community engagement requirements. Regulation of SSRA and investigation of complaints and enforcement of SSRA breaches will also impact local law resources.



## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Council fails to provide feedback to participants and stakeholders regarding the outcome of the engagement in contravention of its Community Engagement Policy	Unlikely	Insignificant	<ul style="list-style-type: none"> <li>• Include feedback loop in project engagement plans</li> <li>• Utilise appropriate platform/s to provide feedback</li> </ul>

## CONSULTATION

The community engagement process provided options for feedback and the survey results and key feedback themes identified by the community are summarised in the body of this report.

Any future proposal to introduce SSRA regulation through local laws will have regard to the community feedback received to date and further community engagement will be required to be undertaken during the formal exhibition associated with the local law process.

## CONCLUSION

This report provides an overview of the community feedback on SSRA matters. Given the Victorian Government's intention to implement a Short Stay Levy and restrict Council's ability to apply charges combined with existing mechanisms to respond to potential issues with SSRA properties this report does not make any further recommendations on the introduction of a SSRA local law.

## 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.

- A/Director Customer and Community
- Manager Statutory Planning, Compliance and Local Laws

## ATTACHMENT(S)

Nil

## 9.3.4 Councillor Expenses Policy

### INTRODUCTION

Council is required to maintain an expenses policy for reimbursement of out-of-pocket expenses for Councillors and members of delegated committees in accordance with section 41 of the *Local Government Act 2020* (LGA 2020).

Council endorsed a revised draft of the Councillor Expenses Policy in May 2024, and this report presents a final version for adoption.

*Cr Janas*

*Cr Nicholas*

*That Council:*

- 1. Notes that no public submissions were received on the Councillor Expenses and Support Policy No. 076 (version 6);*
- 2. Adopts the Councillor Expenses and Support Policy No. 076 (version 6);*
- 3. Revokes the Councillor Expenses Policy (version 5); and*
- 4. Signs and seals the Councillor Expenses and Support Policy No. 076 (version 6) at the appropriate stage of this meeting.*

*Carried*

### BACKGROUND

The *Local Government Act 2020* requires each Council to maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees. The policy must specify procedures to be followed in applying for reimbursement and in reimbursing expenses. The policy must also provide for the reimbursement of childcare where reasonably required for a Councillor or a delegated committee to perform their role, and have particular regard to expenses incurred by a councillor who is a carer within the meaning of section 4 of the *Carers Recognition Act 2012*.

Reimbursements must be provided where expenses are bona fide, have reasonably been incurred in the performance of the relevant role, and are reasonably necessary in the performance of that role. In addition, resources and facilities must be made available to the Mayor, Deputy Mayor, and the Councillors that are reasonably necessary for them to effectively perform their role.

Version 5 of the policy was adopted by Council in August 2020. While the *Local Government Act 2020* does not require or tie a review of the policy to the Council general elections, the policy was due for review as it had been in place for four years.

A draft of Version 6 of the policy was presented to Council in May 2024, seeking public submissions on the proposed changes.

## ISSUES

### *Benchmarking of other Council policies*

Version 6 of the Councillor Expenses and Support Policy was drafted to specifically include 'support' sections common among other Council policies, which made it clearer to Councillors, the organisation, and the community the entitlements and support that are available.

### *Inclusions in the Councillor Expenses and Support Policy*

Version 6 of the Councillor Expenses and Support Policy included the following additions compared to the previous version:

- Allowances
- Resources and facilities
- Administrative support
- Transport
- Insurance, Legal Advice, and WorkCover

### *Local Government Amendment (Governance and Integrity) Bill 2024*

The Local Government Amendment (Governance and Integrity) Act 2024 received Royal Assent on 25 June 2024. The policy was drafted to ensure that any additional requirements imposed by the Bill were appropriately dealt with.

## 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

Council allocates resources in its annual budget for Councillor expenses, resources and allowances. As the majority of the new inclusions in the Councillor Expenses and Support Policy were already being provided to Councillors, the financial impact of these changes is not expected to have a material impact on Council's Budget. Adjustments to the annual allowances set by the Victorian Independent Remuneration Tribunal are catered for in each Budget.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Council has an out of date policy in comparison to its peers across the Hume Region and Councillors feel they are unsupported in their role	Possible	Moderate	<ul style="list-style-type: none"> <li>Update the Councillor Expenses and Support Policy to document the entitlements already being provided to Councillors, and bring the current policy into line with others across the Hume Region.</li> </ul>

**CONSULTATION**

The Councillor Expenses and Support Policy was placed on public exhibition for a period of 28 days to seek submissions from the public regarding the proposed changes. The document was made available on Council’s Engage platform [engage.alpineshire.vic.gov.au](http://engage.alpineshire.vic.gov.au), and advertised in the Alpine Observer / Myrtleford Times, and on Council’s social media platforms.

No public submissions were received.

Council must review the existing Councillor Expenses policy no later than August 2024. Adoption at the July Ordinary Council Meeting will ensure that a review has been completed ahead of the upcoming election period, which will commence on 17 September 2024.

**CONCLUSION**

Development of a Councillor Expenses Policy is a requirement of the *Local Government Act 2020*. Version 6 of the Councillor Expenses and Support Policy was prepared based on a benchmarking process across the Hume Region, and includes the support that is currently being provided to Councillors but had not previously been documented. The policy was released for a period of public exhibition, during which no submissions were received. It is now appropriate to adopt version 6 of the Councillor Expenses and Support Policy.

**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.

- A/Director Customer and Community
- Manager Corporate
- Governance Officer

**ATTACHMENT(S)**

9.3.4 Councillor Expenses and Support Policy No 076, Version 6

## 9.3.5 Governance Rules and Election Period Policy

### INTRODUCTION

This report presents Council's Governance Rules and Election Period Policy (version 3) to Council for adoption, following a period of public exhibition.

Cr Kelly moved to amend the recommendation and to incorporate an additional resolution in respect to participation by electronic means as detailed in resolution 6.a. below. Cr Nicholas supported the additional recommendation.

*Cr Kelley*

*Cr Nicholas*

*That Council:*

1. *Notes that no public submissions were received on the Governance Rules and Election Period Policy (version 3).*
2. *Notes that minor changes have been made to the Governance Rules and Election Period Policy (version 3) to clarify attendance via electronic means, joint Council meetings, and other changes to make alignment with the Local Government Act 2020.*
3. *Adopts the Governance Rules and Election Period Policy (version 3).*
4. *Revokes the Governance Rules and Election Period Policy (version 2).*
5. *Signs and seals the Governance Rules and Election Period Policy (version 3) at the appropriate stage of this meeting.*
6. *That the wording of Chapter 3 be amended to reflect the intent of the wording below:*
  - a. *'Chapter 3, Rule G2: Means of attendance – a new sub-Rule has been added to state that Councillors may not attend more than one (1) consecutive meetings by electronic means unless approval to do so is provided through a resolution of Council.'*

*Carried*

### BACKGROUND

Council originally adopted its Governance Rules in August 2020 following the introduction of the *Local Government Act 2020* (LGA 2020), and updated them in September 2022 (version 2) following amendments to the same Act.

The Governance Rules set out the requirements for not only the conduct of Council meetings, but many other processes including the Election of Mayor and Deputy Mayor, declarations of Conflict of Interest, and an Election Period Policy.

A draft of version 3 of the Governance Rules and Election Period Policy was presented to Council in May 2024, for the purpose of seeking public submissions.

## ISSUES

### *Items identified by Councillors after draft document was released for consultation:*

Following the release of the draft Governance Rules and Election Period policy at the May Ordinary Council meeting, Councillors and the Executive have asked for two sections to be clarified in the Governance Rules section of the document. These are:

- Chapter 3, Rule G2: Means of attendance – a new sub-Rule has been added to state that Councillors may not attend more than three (3) consecutive meetings by electronic means unless approval to do so is provided through a resolution of Council.
- Chapter 4, Joint Council meetings – previously the Governance Rules stated that all Councillors must be invited to participate in Joint Council meetings. This has been clarified to a minimum of three (3) Councillors comprising the Mayor or Deputy Mayor plus two other Councillors, who are nominated via Council resolution.
- Chapter 9, Election Period Policy, Part B Scope: clarification of the scope of the policy to align with the Local Government Act 2020, where eligibility to stand as a candidate applies to Alpine Shire Council elections only.

### *Items that were contained in the draft document released for consultation:*

#### Operation Sandon

The Operation Sandon special report was released by the Independent Broad-based Anti-corruption Commission (IBAC) in July 2023. In the report, there were eighteen recommendations related to Council governance, including several specifically about Council meeting procedures.

Changes to Council's Governance Rules which relate to Operation Sandon recommendations are:

- Chapter 3, F2 - Prevention of voting en bloc
- Chapter 3, G6 - Minutes

#### Other amendments

Some additional amendments were included to assist Councillors and Officers in the interpretation of the Governance Rules:

- Chapter 3, C2 - Special Council Meetings
- Chapter 3, G5 - Public Question Time
- Chapter 3, G6 - Minutes
- Chapter 8, A1 - Informal meetings of Councillors

There were also minor typographical amendments throughout the document, which improved readability but did not affect the context.

**Council general elections**

The next Council general election will be held in October 2024. It is noted that the *Local Government Amendment (Governance and Integrity) Act 2024* and *Local Government (Electoral) Amendment Regulations 2024* both received Royal Assent on 25 June 2024, which has implemented some changes to electoral timelines, including bringing the commencement of the Election (Caretaker) Period forward by seven days to 17 September 2024.

The amendments mean that Council will now have two scheduled Ordinary Council Meetings within the Election Period, whereas under the previous Act and policy, this was likely to only affect one meeting. Slight changes in wording throughout the policy were identified to allow for this proposed change.

**POLICY IMPLICATIONS**

Once version 3 of the Governance Rules and Election Period Policy is adopted, they will provide improved clarity for the conduct of Council meetings, and the Election Period.

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**

Version 3 of the Governance Rules and Election Period Policy does not impose an additional cost to Council.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Ineffective governance rules result in poor decision making	Unlikely	Moderate	<ul style="list-style-type: none"> <li>• Adopt robust and accessible governance rules (including election policy)</li> <li>• Proposed amendments have been presented to Councillors, and the community will have an ability to provide submissions.</li> </ul>

**CONSULTATION**

Section 60(4) of the LGA 2020 requires that Council must ensure that a process of community engagement is followed in developing or amending the Governance Rules.

Council sought public comment on Version 3 of the Governance Rules and Election Period Policy for a period of 28 days. The document was made available on Council’s Engage platform [engage.alpineshire.vic.gov.au](https://engage.alpineshire.vic.gov.au), and advertised in the Alpine Observer / Myrtleford Times, and on Council’s social media platforms.

No public submissions were received.

It is noted that in the year of a Council general election, that the Election (Caretaker) Period will commence on 17 September 2024. Adoption of the Governance Rules and Election Period Policy at this Council meeting will ensure that they adopted prior to the election period commencing.

## **CONCLUSION**

Ensuring that Council's Governance Rules and Election Period Policy reflect the *Local Government Act 2020* as amended is important, particularly leading into the Council general elections in October 2024. Following a period of public exhibition, during which no public submissions were received, it is now appropriate to adopt the Governance Rules and Election Period Policy (version 3).

## **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.

- A/Director Customer and Community
- Manager Corporate
- Governance Officer

## **ATTACHMENT(S)**

9.3.5 Alpine Shire Council Governance Rules and Election Period Policy (version 3).



## 9.3.6 Public Transparency Policy

### INTRODUCTION

Council's Public Transparency Policy was first developed in August 2020, as required by the *Local Government Act 2020*. This report presents an updated policy for adoption, following a period of public exhibition.

*Cr Kelley*  
*Cr Prime*

*That Council:*

1. *Notes that there were no public submissions received regarding the Public Transparency Policy No. 116 (version 2).*
2. *Adopts the Public Transparency Policy No. 116 (version 2).*
3. *Revokes the Public Transparency Policy (version 1).*
4. *Signs and seals the Public Transparency Policy No. 116 (version 2) at the appropriate stage of this meeting.*

*Carried*

### BACKGROUND

With the introduction of the Local Government Act 2020 (LGA 2020), Councils were required to develop their own Public Transparency policies. These policies were required to give effect to the Public Transparency principles described by section 58 of the LGA 2020, and describe the ways in which Council information was to be made publicly available.

Council's Public Transparency policy was first adopted in August 2020. The policy recognises Council's commitment to sound democratic governance and recognises the importance of providing transparency as a foundation for community confidence, community engagement and accountability.

A draft of the Public Transparency Policy (version 2) was presented to Council in May 2024, seeking public submission on the proposed draft.

### ISSUES

#### *Review of the Public Transparency Policy*

Council's original Public Transparency policy was developed with reference to a Local Government Victoria (LGV) template. A desktop review of the original policy was undertaken, the following sections being amended in Version 2:

- Page 8: Section 3.3 Application to access information
- Page 9: Section 3.4.1 Decisions at Council meetings
- Page 9: Section 3.5.1 and 3.5.2 Disputes
- Page 11: Section 7 Gender Impact Assessment
- Page 11: Section 8 Supporting Documents

**POLICY IMPLICATIONS**

The draft Public Transparency Policy (version 2) was developed in accordance with the Public Transparency principles of the LGA 2020 and was also developed with reference to the *Freedom of Information Act 1982 [Vic]*, the *Privacy and Data Protection Act 2014 [Vic]*, and the *Public Records Act 1973 [Vic]*.

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**

Staff time is required to ensure that the information specified in the Public Transparency policy is made available via the website, at Council Offices or in other formats as appropriate to the information type.

Council maintains skills across select authorised staff to ensure requests are handled in accordance with the *Freedom of Information Act 1982 [Vic]* and other related Acts. From time-to-time Council may seek legal advice to ensure the appropriate treatment of potentially confidential information.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
Documents are released into the public domain without properly considering the policy for privacy and confidentiality provisions	Possible	Moderate	<ul style="list-style-type: none"> <li>• Council officers are encouraged to seek advice from the Corporate team prior to releasing any documents to the public.</li> </ul>

**CONSULTATION**

In accordance with the Public Transparency principles, Council undertook a process of community engagement following release of the draft Public Transparency policy (version 2).

The document was made available on Council’s Engage platform [engage.alpineshire.vic.gov.au](http://engage.alpineshire.vic.gov.au), and advertised in the Alpine Observer / Myrtleford Times, and on Council’s social media platforms.

No public submissions were received.

Adoption of the policy at this meeting ensures that the policy is adopted prior to the commencement of the Election Period on 17 September 2024.

## CONCLUSION

The Public Transparency policy is a requirement of the *Local Government Act 2020*, and maintenance of it is required by Council's policy review cycle. The policy recognises the importance of transparency as a foundation for community engagement and accountability. It clarifies the information that will be provided to the community and the application of transparency principles across Council's decision-making practices.

Following a period of public exhibition, with no submissions received, it is now appropriate to adopt the Public Transparency Policy (version 2).

## 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.

- A/Director Customer and Community
- Manager Corporate
- Governance Officer

## ATTACHMENT(S)

9.3.6 Public Transparency Policy No. 116 (version 2)

## 9.3.7 Dealing with Difficult Customers Policy

### INTRODUCTION

This report provides for the adoption of Council's Dealing with Difficult Customers Policy, following its release for public submissions during June 2024.

*Cr Nicholas*

*Cr Janas*

*That Council:*

1. *Notes that following release of the draft Dealing with Difficult Customers Policy for the purpose of seeking public submissions, the following were received:*
  - a. *Two external submissions;*
  - b. *One internal submission.*
2. *Notes the following amendments made to the draft Dealing with Difficult Customers Policy:*
  - a. *Grammatical and formatting corrections;*
  - b. *Addition of further information to 3.2 Dealing with Complex Behaviour;*
  - c. *Addition of further information to 3.4 Response; and*
  - d. *Addition of further information under 3.5 Managing Unreasonable Behaviour to address unreasonable customer behaviour on Council and community digital platforms.*
3. *Adopts the Dealing with Difficult Customers Policy No 131 (version 1); and*
4. *Signs and seals the Dealing with Difficult Customers Policy at the appropriate stage of this meeting.*

*Carried*

### BACKGROUND

The Alpine Shire Council Dealing with Difficult Customers Policy is a new policy that aims to assist Council employees, volunteers, contractors and Councillors with the management of customers who exhibit behaviour that they find challenging.

The Policy addresses customers who respond to Council in a manner which can be considered threatening, intimidating or extreme and which can have occupational health and safety risks.

It intends to maintain a balance between the needs and rights of customers, the organisation and the public, while ensuring the safety and wellbeing of staff members, volunteers, contractors and Councillors.

The draft Policy placed on public exhibition at the May 2024 Ordinary Council Meeting.

After a five-week period of public exhibition feedback was collated and used to inform the final draft Policy for adoption by Council.

**ISSUES**

An increase in unreasonable customer behaviour prompted the development of the Dealing with Difficult Customers Policy to support Council staff, volunteers, contractors and Councillors to manage complex customer behaviour.

The Policy is based on the Victorian Ombudsman’s ‘Good Practice Guide: Managing Complex Complainant Behaviour’.

‘Complex behaviour’ is any behaviour that officers find challenging. Officers can deal with most types of behaviour using prevention and responding strategies.

Behaviour becomes ‘unreasonable’ when, because of its nature or frequency, it raises health, safety, resource or equity issues for employees, volunteers, contractors or Councillors and other people who use Council services.

**POLICY IMPLICATIONS**

A Gender Impact Assessment was completed during the policy drafting process to assess the Dealing with Difficult Customers Policy through a gender and intersectional lens.

Gender Impact Assessments are a requirement under the *Gender Equality Act 2020* and are an important way for Council to ensure all people have equal access to opportunities and resources.

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**

The costs of staff training and support to roll out the Policy and accompanying Procedure have been included in the 2024/25 Budget.

**RISK MANAGEMENT**

Risk	Likelihood	Impact	Mitigation Action / Control
The Dealing with Difficult Customers Policy does not meet the needs of staff, volunteers, contractors, Councillors or the community when put into practice.	Possible	Minor	<ul style="list-style-type: none"> <li>• Ensure practical application of the Policy is supported by a procedure and staff toolkit. Ensure that staff are adequately trained to identify complex customer behaviour and implement the policy when required.</li> </ul>

## CONSULTATION

The draft Dealing with Difficult Customers Policy was available for public comment for a period of five weeks, from Friday, 31 May to Friday, 5 July online via Council's Engage Alpine platform.

Hard copies were also available for community members to view at Bright, Myrtleford and Mount Beauty libraries.

A total of two external submission and one internal submission were received.

These submissions were assessed by Council staff. They informed three changes, including the addition of further information under 3.2 Dealing with Complex Behaviour, 3.4 Response and 3.5 Managing Unreasonable Behaviour.

## CONCLUSION

Abusive, threatening, or unreasonable customer behaviour is never acceptable. The development of a Dealing with Difficult Customers Policy allows Council staff, volunteers, contractors, and Councillors to manage complex customer behaviour in a way that supports their mental and physical health and wellbeing.

## DECLARATION OF CONFLICT OF INTEREST

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

- A/Director Customer and Community
- Manager Customer Experience

## ATTACHMENT(S)

9.3.7 Alpine Shire Council Dealing with Difficult Customers Policy No. 131

## 9.3.8 Alpine Shire Council Internal Audit Proposal

### INTRODUCTION

The Alpine Shire Council has operated an Internal Audit Program based on seeking quotes from the market per internal audit. This report recommends a different approach to Council's Internal Audit Program.

*Cr Janas*

*Cr Kelley*

*That Council engage an external entity to undertake the Council's Internal Audit Program.*

*Carried*

### BACKGROUND

Prior to 2016, Council engaged an independent internal auditor through a formal tender process on a three-year contract with an option to extend.

In April 2016, Council endorsed a different approach, that required council officers to source quotes on an audit by audit basis and the council provided budget for two audits per financial year.

For the period 2016/17 to 2018/19 council approved the engagement of an external body to develop the internal audit program with input from the Audit and Risk Committee. (Ordinary Council Meeting documents 5 April 2016).

### ISSUES

Over the past few years, and with the level of staff turnover, pressure has been placed on our risk and governance team over this period. With increasing demands on the team, coupled with the temporary deployment of a key resource out of this team, Council internal audit program has not achieved the outcomes identified in 2016 when the internal audit process was changed.

Council conducts quarterly purchasing audits and, outcomes are reports to the Audit and Risk Committee.

*Why does Alpine Shire Council require an Internal Audit Program?*

An internal audit function can contribute to corporate governance by providing councillors, officers and the audit committee with independent reviews of, and suggestions for, improving the design and operation of the organisations service areas.

Internal audit forms an important element in the control environment of organisations and can contribute to more effective risk management, supporting council in discharging its responsibilities under the *Local Government Act 2020*.

This report details the current process, current limitations and several alternatives to support the recommendation to Council. Audit and Risk Committee have also received

the same information and are comfortable with the proposed recommendation to Council.

#### *1. Maintaining Status Quo*

The current process of council officers testing the market per internal audit. This requires the development of an Internal Audit Program, with time frames and council officers undertaking market testing and assessment to award individual audits to submitters. The benefit of this approach is that council is only paying per audit when it is required.

The disadvantage of this approach is that council officers are required to make time to test the market and assess every time an audit is proposed – this could lead to audits being delayed or not occurring as set out in the Internal Audit Program.

#### *2. Undertake the Internal Audits internally.*

This requires the development of an Internal Audit Program along with time frames and the allocation of internal resources to undertake the audit, develop the audit report with associated recommendations. The benefit of this proposal is that the audit is undertaken by resources already funded by Council and the knowledge gathered throughout the audit remains internal to the council.

The disadvantages are that Council does not have within its establishment, the resources to undertake this work and to add audits into the existing workload will be detrimental to performance. Additionally, the use of internal existing resources could be construed as not being truly independent.

#### *3. Engage an external entity to undertake the Internal Audit Program*

This proposal seeks to test the market to engage an external provider to undertake the Council's Internal Audit Program. The proposal would identify the parameters of the internal audit program annually, such as four internal audits (including the annual Audit and Risk Committee report) and that all reports would be presented to the Audit and Risk Committee by the contractor.

The benefit of this proposal is that the contractor is external to council and would undertake audits with a fresh set of eyes, that the contractor would be contractually bound to deliver a set number of audits per year for their fee, the contractor would be required to have local government experience thereby bringing that knowledge to any audit and ad-hoc audits could be included when required.

The disadvantages are that to engage with a contractor would require an increase in funding to the internal audit program and that recommendations from the internal audits would need to be implemented thereby putting pressure on existing resources.

#### *4. Fully outsource Alpine Shire Council's Internal Audit Program*

The proposal aims to engage an external entity to fully operate the Council's Internal Audit Program from development of the Internal Audit Program, to undertaking the audits and implementing the recommendations. The benefits of this proposal are that the program is fully independent from council and would provide clear recommendations on risks and processes of council.



The disadvantages are that council has no control over the program and its recommendations. As previously described council has limited resources and with no ability to input into timing of the audit reports and the implementation of recommendations it could create resource and workload pressures on the resource pool. The cost of fully outsourcing may also be inhibitive. In the current discussion this option is not supported however further work in the future may see this as a viable option.

#### Development of the Internal Audit Program

The key to the development of an Internal Audit program is to focus on the key risks to the organisation internally and externally. The Internal Audit program would be developed with input from the Audit and Risk Committee, External Auditors (i.e., Victorian Auditor General's Office), Council Officer's and the successful contractor.

The Internal Audit program would require endorsement by the Audit and Risk Committee.

### **POLICY IMPLICATIONS**

The recommendation is in accordance with the following Strategic Objective of the Council Plan 2021-25:

- 5.2 A responsible, transparent and responsive organisation

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The cost to council to operate an appropriate Internal Audit program is expected to cost more than the \$20,000 currently in the budget, however the final cost will not be known until market responses are received in line with the tendering process.

The oversight and management of an internal audit program will create an uplift in work output required from across council in the area's impacted by the internal audit report.

The subsequent implementation of any recommendations may also have an impact on council's resources.

### **RISK MANAGEMENT**

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

Risk	Likelihood	Impact	Mitigation Action / Control
Failure to identify gaps in processes that lead to improper practices / activities	Possible	Major	<ul style="list-style-type: none"> <li>• Undertake Internal Audit program</li> <li>• Implementation audit recommendations</li> <li>• Follow up adherence to recommendations that are implemented.</li> </ul>

## CONSULTATION

An Internal Audit proposal was presented to the May 2024 Audit and Risk Committee, with the Committee supporting option:

*3: Engage an external entity to undertake the Internal; Audit Program.*

## CONCLUSION

Council endorse an alternative approach to the Internal Audit Program and engage an external entity to undertake the Internal; Audit Program.

## 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)

Nil

## 9.3.9 Fraud and Corruption Control Policy

### INTRODUCTION

The Fraud and Corruption Control Policy is an internally focussed document of Council setting out Councils commitment on prevention, mitigation, deterrence, detection, and investigation of all forms of fraudulent and corrupt activity. The purpose of this report is to recommend adoption of the Fraud and Corruption Control Policy.

*Cr Janas*

*Cr Kelley*

*That Council:*

- 1. Notes the minor changes made to the Fraud and Corruption Control Policy No 91 as part of the review;*
- 2. Revokes Alpine Shire Council Fraud and Corruption Control Policy (version 3.0);*
- 3. Adopts Alpine Shire Council Fraud and Corruption Policy No. 91 (version 4); and*
- 4. Signs and seals Alpine Shire Council Fraud and Corruption Policy No. 91 (version 4) at the appropriate stage of this meeting.*

*Carried*

### BACKGROUND

Council has a number of policies which require regular review. The Fraud and Corruption Control Policy was reviewed in late 2023 with reference to similar policies in other Local Government Area's. The result of that policy review led to very minor changes to the substance of the policy.

### ISSUES

The review identified some minor updates to the Policy and the intent of the policy and commitment of Council remains the same.

#### *Purpose and Commitment*

The purpose statement has been broadened to include activity that could be fraudulent and corrupt. This is further strengthened by amending 'no' tolerance to 'zero' tolerance.

#### *Disclosure and Allegations*

Additional detail was included to reflect an organisational restructure in January 2023 and to set out that Personal Interest Disclosures relating to Councillors are not direct to Council but to the Victorian Ombudsmen or Independent Broad-based Anti-Corruption Commission (IBAC).

#### *Gender Impact Assessment*

It was determined that this policy did not require the completion of a Gender Impact Assessment.

## 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 additional financial or resources implications associated with updating and implementing the Fraud and Corruption Control policy.

## RISK MANAGEMENT

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

Risk	Likelihood	Impact	Mitigation Action / Control
Policy fails to adequately control fraudulent and corrupt activity.	Rare	Major	<ul style="list-style-type: none"> <li>• Fraud and Corruption forms part of all new staff members induction.</li> <li>• Maintain a current policy that is benchmarked against other Local Government Authorities.</li> </ul>

## CONSULTATION

An updated version was distributed amongst internal stakeholders for comment and feedback in early 2024.

In May 2024, the draft policy was provided to the Alpine Shire Council Audit and Risk Committee. No comments that led to changes in the drafting were received.

When considering whether to consult the community about the minimal changes proposed to the policy, Council's Community Engagement Policy was considered. In this instance, as the minimal changes proposed do not alter the intent of the policy, consultation with the community about these changes is not being proposed for this review. This is in accordance with part 3.2.4 of Council's Community Engagement Policy, where Council will not engage where feedback received through community engagement is unable to impact decision making.

## CONCLUSION

The Fraud and Corruption Control Policy sets out Council's commitment on prevention, mitigation, deterrence, detection, and investigation of all forms of fraudulent and corrupt activity. It is recommended that the Fraud and Corruption Control 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.

- A/Director Customer and Community
- Manager Corporate
- 

## ATTACHMENT(S)

9.3.9 Fraud and Corruption Control Policy (version 4.0)

## 9.3.10 2024/25 Insurance Portfolio

File Number: Insurance

### INTRODUCTION

This report outlines Council's insurance portfolio managed by JLT Risk Solutions Pty Ltd (JLT), Municipal Association of Victoria Insurance (MAV) and DXC Integrated Services (Workcover) for the financial year 2024/25.

*Cr Nicholas*

*Cr Prime*

*That Council:*

1. *Note the membership contribution to the Municipal Asset Protection Plan Discretionary Trust Arrangement (JMAPP) be paid to the scheme's broker JLT Risk Solutions Pty Ltd (JLT) to the total value of \$265,496.12 (including statutory charges and administration fees).*
2. *Note the balance of the 2024/25 JLT insurance portfolio, including Community Public and Products Liability; Councillors and Officers Liability; Motor Vehicle; Major Airport Owners and Operators Liability; Personal Accident; Corporate Travel; and brokerage service, be procured through JLT to the total value of \$142,504.08 (including statutory charges and administration fees).*
3. *Note Municipal Association Victoria (MAV) provide two council insurance policies being professional indemnity and commercial crime with the total value of \$339,587.33 (including statutory charges and administration fees).*
4. *Note Workcover Premiums for 2024/25 are \$248,147.04 and all amounts listed exclude the GST amount.*

*Carried*

### BACKGROUND

#### *Asset and property protection*

The Municipal Asset Protection Plan Discretionary Trust Arrangement is a Victorian councils owned mutual, otherwise known as JMAPP. JMAPP is a fund for property damage claims combining conventional property damage/business interruption insurance with a discretionary trust element that enables the trustees to make discretionary payments that would not have been otherwise covered under traditional property and asset insurance policies. The Discretionary Trust Arrangement is authorised and classified by ASIC as a managed investment scheme and mutual risk product. It is neither authorised under, nor subject to, the *Insurance Act 1973 (Cth)* nor is it regulated by the Australian Prudential Regulation Authority ("APRA"). JLT are the service provider and insurance broker for the scheme.

Council's 2024/25 membership contribution to JMAPP is \$265,496.12 (including statutory charges and administration fees)

***Other classes of insurance covered by JLT******Brokerage services for other insurances***

JLT has been Council's insurance broker since the inception of the Council and provide continuity. JLT, on behalf of Council, undertake market testing of all insurance policies other than: WorkCover; Professional Indemnity, and Public and Products Liability; and Commercial Crime.

***Community Public and Products Liability***

Provides liability cover for injury and property damage for uninsured hirers of Council facilities.

***Councillors and Officers Liability***

Provides cover for councillors and officers against claims from 'Wrongful Acts' committed in their official capacity including discrimination, sexual harassment, bullying and defamation allegations; breaches of various statutes; and mismanagement of assets/funds.

***Motor Vehicle***

Full comprehensive insurance for all road registered motor vehicles, plant and trailers owned, mortgaged under Hire Purchase Agreement, hired, or leased by Council.

***Major Airport owners and Operators Liability***

Provides liability cover for injury and property damage associated with the premises at, and operation of, Council's airfields at Mount Beauty and Porepunkah.

***Personal Accident***

Provides accident cover for the Mayor, councillors, employees, directors, and voluntary workers while engaged in business/work for Council.

The total of the insurance premiums for Council's other 2024/25 policies and brokerage fee are \$142,504.08 (including statutory charges and administration fees).

***Insurance covered by MAV***

MAV manages the following insurances on behalf of council:

Professional Indemnity and Public and Products Liability  
Commercial Crime

***Professional Indemnity and Public and Products Liability***

Provides cover for claims made by clients for professional negligence or mistakes (professional indemnity), whereas public liability insurance covers claims made by members of the public for injury or damage.

The cost of this insurance has increased from \$288,712.07 to \$334,525.60, an increase of \$45,813.53 or 13.70%. This increase is being attributed to a rise in claims costs and frequencies, and rising reinsurance costs across the entire sector.

MAV have indicated that average contributions had increased by 15% and Alpine's increase is in line with this increase. MAV have increased excess payments from \$20,000 to \$30,000, with the aim to keep increases to a minimum.

### *Commercial Crime*

Provides protection from financial losses related to business-related crime, including theft by employees, forgery, robbery, and electronic crime. The cost of this policy has increased from \$4,730.59 to \$5,061.73 and increase of 6.5%.  
Workcover

The preliminary Workcover premium for 2024/25 is estimated at \$248,147.04 (excluding GST). The Workcover premium for 2023/24 was \$291,002.64 (excluding GST). This is a decrease of \$42,855.6 or 17.27%.

Payment in full of the Workcover Premium by the 19 August will attract a 5% discount, equal to \$12,407(excluding GST).

Alpine will also receive a refund from prior year's payments of \$28,663 (excluding GST), reducing the overall preliminary 2024/25 Workcover payment to \$207,077 (excluding GST).

The 2024/25 refund was due to the 2023/24 Workcover premium being based on an employee remuneration level of \$13.3m. Overall remuneration was declared as \$12.54m, which created the refund.

For the 2024/25 Workcover premium it should be noted that Alpine Shire Council is 20.96% better than the industry average

### Financial Delegation

Within "S5 Instrument - CEO financial delegation", the CEO is provided the following delegated limits associated with Insurance Premiums:

1.2.2 for insurance premiums, in which case it must not exceed \$500,000 (excluding GST)

1.2.3 expenditure which Council is, by or under legislation, required to make including:

Workcover premiums, in which case it must not exceed \$500,000 (excluding GST)

During December 2022, legal advice was provided clarifying these two items. The advice stated that in seeking approval related to the amount covered by the line item, that the CEO was delegated to approve "...the maximum monetary limit per transaction – i.e., the maximum monetary limit for any instance of expenditure."

This delegation provides that the CEO consider each individual insurance policy in determining whether they have the appropriate delegation to approve the premium payment.

None of the policies values exceeds \$500,000 (excluding GST) therefore the CEO has delegated authority to approve each policy covered in this report.



## 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

*Council allocated \$1.020m in the 2024/25 budget to fund all its insurance policies including Workcover.*

The total cost of Insurance Premiums as per this report for 2024/25 is \$995,734.57, within the approved budget amount.

### *Procurement policy and cumulative spend*

JLT source a total of seven insurance policies on behalf of Council and while the policies are placed with various underwriters, JLT Public Sector invoice Council for each policy and as discussed above the CEO is delegated to approve payment as long as each policy is below \$500,000 (excluding GST).

MAV hold two policies which are procured through MAV procurement.

The recommended insurers and premiums, including statutory charges, administration fees and excluding GST, for 2024/25 are:

Class of Insurance	Provider	2023/24 Premium	2024/25 Premium
<b>JLT Brokered Policies</b>			
Community Public Liability	QBE Insurance (Aust) Ltd	\$1,016.02	\$2,087.55
Councillors and Officers Liability	XL Insurance Company SE	\$20,690.81	\$18,796.56
Motor Vehicle	AAI Ltd T/As Vero Insurance	\$66,263.44	\$92,951.88
Airport Owners and Operators Liability	QBE Aviation	\$4,362.50	\$4,412.50
Personal Accident	Chubb Insurance Australia Ltd (through Victor Insurance-PA)	\$1,494.73	\$1,609.46
Corporate Travel	Chubb Insurance Australia Ltd (through Victor Insurance-Travel)	\$158.80	\$176.63
JMAPP (Assets)	JLT Municipal Asset Protection Plan Discretionary Trust	\$217,591.06	\$265,496.12
Broker Fee	JLT	\$21,000.00	\$22,470.00

Class of Insurance	Provider	2023/24 Premium	2024/25 Premium
<b>MAV Policies</b>			
Professional Indemnity and Public and Products Liability	MAV	\$288,712.07	\$334,525.60
Commercial Crime	MAV	\$4,730.59	\$5,061.73
<b>Workcover</b>			
Workcover*	DXC Integrated Services	\$291,002.64	\$248,147.04
<b>Total Cost</b>		<b>\$917,022.66</b>	<b>\$995,734.57</b>

\* Excludes the proposed discount and refund.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Council liabilities not insured for a period	Rare	Major	<ul style="list-style-type: none"> <li>Insurance broker engaged to liaise with Council, negotiate with insurers and procure policies</li> <li>Insurance renewal responsibilities centralised and allocated to designated Council officer</li> </ul>
Council liabilities under or over insured	Unlikely	Major	<ul style="list-style-type: none"> <li>Revaluation program of assets</li> <li>New asset handover process</li> </ul>

## CONCLUSION

That council note the premiums for the council's insurance policies and the providers of those policies that have been received to date and that the CEO has delegation to approve these policies, as they individually remain under the delegated limit of \$500,000.

A report will be returned to council with the total 2024/25 insurance policy premium values once they have all been received.

## 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.

- A/Director Customer and Community
- Manager Corporate

## ATTACHMENT(S)

Nil

## 9.3.11 Joint Meeting of Alpine, Indigo and Towong Shire Councils

### INTRODUCTION

The purpose of the report is to seek a decision to hold a joint meeting of the Alpine, Indigo and Towong Shire Councils in relation to the Albury-Wodonga Health Hospital Development.

*Cr Kelley*

*Cr Janas*

*That:*

1. *Council participates in a joint meeting with Indigo Shire Council and Towong Shire Council at 11:00am on 13 August 2024 in Beechworth in accordance with the provision of s62 of the Local Government Act 2020;*
2. *The Mayor, Deputy Mayor and Cr Janas represent Council at the joint meetings and that Cr Nicholas be appointed as a substitute to represent Council in the event of any of the first three named councillors are unable to attend;*
3. *The Governance Rules of the host Council (Indigo Shire Council) be adopted for the purposes of the joint meeting;*
4. *The host Council Mayor (Cr Sophie Price, Indigo Shire Council) chairs the joint meeting; and*
5. *Any costs incurred in relation to holding the joint meeting be shared equally by all three Councils.*

*Carried*

### BACKGROUND

The Alpine, Indigo and Towong Shire Councils have a very long and proud history of working together for the benefit of the communities we serve.

The great work that we have done together has generally resulted from the excellent working relationships we have developed between our councils, both at officer and elected representative level. Whilst our organisations and our communities are unique in many ways, we also have many common interests.

The *Local Government Act 2020* includes a provision for convening Joint meetings of councils and accordingly, a vehicle for formalising our collective efforts. Joint meetings enable formal collaboration and action on matters of mutual interest and importance; a strong collective voice working for the benefit of our residents and ratepayers.

Included in Section 9(2)(b) of the Act is the overarching governance principle that;

*Priority is to be given to achieving the best outcomes for the municipal community, including future generations.*

The provision of a health service which meets the current and future needs of all regional communities within the catchment of Albury-Wodonga Health is a matter of great importance for the municipal communities of the Alpine, Indigo and Towong Shire

Councils. Coming together in a joint meeting will enable a collective effort towards achieving the best outcomes for the communities we serve now and into the future.

## ISSUES

The quality of regional health services has a direct impact on the liveability, health and wellbeing of the residents of the Alpine Shire.

The catchment of Albury-Wodonga Health includes the Alpine, Indigo and Towong municipalities. The proposed development of the hospital based in Albury is of great importance to the residents of our municipalities.

Whilst there has been a great deal of discussion by major stakeholders about the hospital development there is significant concern that the needs of our rural communities have not been taken into consideration in determining the future form and function of the health service.

It is crucially important that our rural communities are well represented, and our rural voice is heard, in order to ensure the provision of a health service, which meets the current and future needs of all regional communities within the catchment of Albury-Wodonga Health. To this end, it is recommended that Alpine, Indigo and Towong Shire Councils convene a joint meeting in order to determine a collective position and the action required to adequately represent the interests of our residents and ratepayers.

## POLICY IMPLICATIONS

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

- 5.3 Bold leadership, strong partnerships and effective advocacy

## FINANCIAL AND RESOURCE IMPLICATIONS

There is no direct financial implication arising from a decision to hold a joint council meeting other than minor catering costs and the in-kind cost of attendees, incorporated within existing budgets.

## RISK MANAGEMENT

Risk	Likelihood	Impact	Mitigation Action / Control
Failure of residents to access health care that meets the current and future needs of all regional communities	Very likely	Major	<ul style="list-style-type: none"> <li>• Advocate and lobby for the provision of health care services accessible to all residents and ratepayers.</li> </ul>

## CONSULTATION

Council is permitted under the *Local Government Act 2020* to convene a joint meeting of councils. No external consultation is required in order to enact this provision of the Local Government Act.

## CONCLUSION

A joint meeting of the Alpine, Indigo and Towong Shire Councils, in relation to the provision of a health service which meets the current and future needs of all regional communities within the catchment of Albury-Wodonga Health, is in the interests of the residents and ratepayers of the three municipalities, and it is therefore recommended that Council resolves to participate in the joint 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.

- Chief Executive Officer
- A/Director Customer and Community

## ATTACHMENT(S)

Nil

## 10. 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 Kelley*  
*Cr Prime*

*That the summary of informal meetings of Councillors for June / July 2025 be received.*

*Carried*

### 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 10.0 to this report.

Date	Meeting
25 June	Briefing Session
2 July	Events Funding Panel Assessment
9 July	Briefing Session
16 July	Briefing Session
24 July	Briefing Session

### Attachment(s)

- 10.0 Informal meetings of Councillors – June / July 2025

## 11. Presentation of reports by delegates

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to presentation of reports by delegates.

## 12. General business

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to general business.

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

Nil

## 14. Reception and reading of petitions

Nil



## 15. Documents for sealing

*Cr Nicholas*

*Cr Kelley*

*That the following documents be signed and sealed.*

- 1. Councillor Expenses and Support Policy No. 076 (version 6).*
- 2. Governance Rules and Election Period Policy (version 3).*
- 3. Public Transparency Policy No. 116 (version 2).*
- 4. Dealing with Difficult Customers Policy No. 131 (version 1).*
- 5. Fraud and Corruption Policy No. 91 (version 4).*

*Carried*

There being no further business the Chairperson declared the meeting closed at 8:21pm.

.....

Chairperson