



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**AGENDA**

**M11 – 12 November 2019**

**Bright Council Chambers**

**7:00pm**



Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Council Chambers, Great Alpine Road, Bright on **12 November 2019** commencing at **7:00pm**.

## AGENDA

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## **1 INTERIM CHAIRPERSON**

Under section 72(2) of the *Local Government Act 1989*, 'the office of Mayor becomes vacant at 6 a.m. on the day of a general election'.

Division 2.2 of Council's Local Law No.1 Council Administration provides that 'the Chief Executive Officer is to preside at the election of Mayor'.

The Chief Executive Officer will assume the role of Interim Chairperson to deal with Items 2 to 10.1.2 of this Agenda.

## **2 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS**

*The CEO will read the following statement:*

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

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

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

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

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

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

## **3 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE**

*The CEO will read the following statement:*

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

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



## **4 CONFIRMATION OF MINUTES**

### **4.1 ORDINARY COUNCIL MEETING – M10 – 1 OCTOBER 2019**

#### ***RECOMMENDATION***

*That the minutes of Ordinary Council Meeting M10 held on 1 October 2019 as circulated be confirmed*

## **5 APOLOGIES**

## **6 OBITUARIES / CONGRATULATIONS**

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

## **8 PUBLIC QUESTIONS**

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

Questions on Notice can be written or from the floor.

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

## **9 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

In accordance with Councils Local Law No 1 – Council Administration, Cr John Forsyth gave notice at the September Ordinary Council meeting for the following motion to be presented at the Ordinary Council Meeting in November:

*"That the Alpine Shire Council recognises, supports, advocates for and adopts initiatives that will help address the effects of climate change."*

Please refer to item 10.3.1 which will address this Notice of Motion.



## **10 PRESENTATION OF REPORTS BY OFFICERS**

### **10.1 CHIEF EXECUTIVE OFFICER – CHARLIE BIRD**

#### **10.1.1 Mayoral Term**

##### **INTRODUCTION**

The *Local Government Act 1989* (the Act) sets out several requirements for the election of Mayor including the timing of the election of Mayor and the length of the term.

The Mayor must be elected after the fourth Saturday in October but not later than 30 November each year.

Council may resolve to elect a Mayor for a term of two years under section 71(2) of the Act. If Council does not choose a two-year option, Section 71(3) of the Act determines that the election of Mayor must occur 'each year'. Therefore Council must determine a one or two year term for the Mayor.

Council at its Ordinary Council Meeting held on 14 November 2018 resolved that:

*"the Mayor be elected for a one year term".*

As that term has now concluded and Council elections are to be held in 2020, only a one year term can be considered.

***The Chief Executive Officer will call for a motion to set the term of the Office of the Mayor for one year.***

##### **RECOMMENDATION:**

***That:***

- 1. Under section 71(2) of the Local Government Act 1989 the Mayor be elected for a one year term;***
- 2. The term of the Deputy Mayor be aligned to the term of the office of the Mayor; and***
- 3. The Deputy Mayor be appointed the acting Mayor in the circumstances detailed in section 73(3) of the Local Government Act 1989 during this current term of office of the Mayor.***



## 10.1.2 Election of Mayor

### INTRODUCTION

The *Local Government Act 1989* sets out the requirements for the election of Mayor.

Section 71(1) of the Act requires the Mayor to be elected at a meeting that is open to the public.

Any Councillor is eligible for election or re-election to the office of Mayor under section 72 of the Act.

### Precedence and Functions of Mayor

Section 73 of the Act sets out the precedence of the Mayor:

- The Mayor of a Council takes precedence at all municipal proceedings within the municipal district.
- The Mayor must take the chair at all meetings of the Council at which he or she is present.
- If there is a vacancy in the office of Mayor or the Mayor is absent, incapable of acting or refusing to act, the Council must appoint one of the Councillors to be the acting Mayor.
- An acting Mayor may perform any function or exercise any power conferred on the Mayor.

Section 73AA of the Act specifies that the functions of the Mayor may include:

- providing guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor, and the observation of the Councillor conduct principles and the Councillor Code of Conduct by Councillors; and
- acting as the principal spokesperson for the Council;
- supporting good working relations between Councillors; and
- carrying out the civic and ceremonial duties of the office of Mayor.

*The Chief Executive Officer will call for nominations and a seconder for the Office of Mayor in accordance with Council's 'Election to the office of Mayor and Deputy Mayor' procedure.*

### MAYORAL RESPONSE

*The Chief Executive Officer will invite the newly elected Mayor to address the meeting.*

The Interim Chairperson vacates the Chair and the Mayor assumes the Chair.



### **10.1.3 Election of Deputy Mayor**

The *Local Government Act 1989* only requires Council to elect a Mayor. There is no requirement under the Act to elect a Deputy Mayor.

The position of Deputy Mayor is determined by each council. Historically Alpine Shire Council has elected a Deputy Mayor.

Section 73(3) of the Act stipulates that *'if there is a vacancy in the office of Mayor or the Mayor is absent, incapable of acting or refusing to act, the Council must appoint one of the Councillors to be the acting Mayor'*. Council has traditionally appointed the Deputy Mayor to be the councillor to act on behalf of the Mayor.

Council has also historically aligned the length of the term of the Deputy Mayor to that of the office of the Mayor.

***The Mayor will call for a motion to determine if Council wishes to appoint a Deputy Mayor for the purposes of Section 73(3) of the Local Government Act 1989, to act if the Mayor is absent, incapable of acting or refusing to act.***

***In the event that Council wishes to appoint a Deputy Mayor, the Mayor will call for motions to:***

- 1. call for nominations and a seconder for the position of Deputy Mayor in accordance with Council's 'Election to the office of Mayor and Deputy Mayor' procedure.***





#### 10.1.4 Contracts approved by the CEO

**RECOMMENDATION**

*That the Contracts approved by the CEO be noted.*

|                 |   |          |                       |
|-----------------|---|----------|-----------------------|
| Contract No:    | CQ19059   | Process: | Request for Quotation |
| Title:          | Assessment of Alternative Water Options for Snow Making at Dinner Plain |          |                       |
| Tenderer:       | Tonkin  |          |                       |
| \$ (excl. GST): | \$49,500  |          |                       |

|                 |   |          |               |
|-----------------|---|----------|---------------|
| Contract No:    | CT19040   | Process: | Public Tender |
| Title:          | Resealing (Sprayseal) Murray to Mountains Rail Trail from Eurobin to Porepunkah |          |               |
| Tenderer:       | GW & BR Crameri Pty Ltd   |          |               |
| \$ (excl. GST): | \$115,056.90  |          |               |

|                 |                                 |          |               |
|-----------------|---------------------------------|----------|---------------|
| Contract No:    | CT19045                         | Process: | Public Tender |
| Title:          | Ashphalt Overlay                |          |               |
| Tenderer:       | Szabolics Constructions Pty Ltd |          |               |
| \$ (excl. GST): | \$125,508.30                    |          |               |



## 10.2 DIRECTOR ASSETS – WILLIAM JEREMY

### 10.2.1 Bright Rotary Club Twilight Market

File Number: 1613.06

#### **INTRODUCTION**

The Twilight Market is one of five market events delivered by the Bright Rotary Club in Bright. The Twilight Market is held annually, on an evening in the first week of January.

#### **RECOMMENDATION**

*That Council:*

- 1. Endorse the proposed plan for the Twilight Market to be held in the Bright CBD between the hours of 6pm and 10pm; and*
- 2. Provides the Bright Rotary Club with event funding support as recommended in the August Ordinary Council Meeting.*

#### **BACKGROUND**

Bright Rotary Club applied for funding through the 2019/20 Event Funding program to support the delivery of the five Bright Rotary market events to be held over the 2019/20 financial year.

At the August Ordinary Council Meeting, Council committed to providing funding to Bright Rotary Club to deliver the Bright Rotary Markets, noting that:

*"the provision of financial support and cash sponsorship for the delivery of the Bright Rotary Markets is contingent on the Twilight Market being held in a location other than the Bright CBD".*

Subsequent to the meeting, members of the Bright Rotary Club and Council Officers have worked together to agree an alternative plan for the delivery of the event. This alternative plan is anticipated to address the concerns which had been raised in relation to the early implementation of street closures for previous Twilight Markets.

Under this alternative plan, the market will be operational between 6pm and 10pm (previously 4pm to 9pm), and traffic management including the closure of Ireland Street will be implemented between 4pm and 11pm (previously 2pm to 10:30pm).

#### **POLICY IMPLICATIONS**

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

- A thriving and connected community.

It is also consistent with the following priority of the Municipal Public Health and Wellbeing Plan:

- Socially connected and supported communities.



### **FINANCIAL AND RESOURCE IMPLICATIONS**

The allocation of funding for the Bright Rotary Markets as endorsed by Council at the August Council meeting is made up of \$1,800 financial sponsorship and \$1,200 in logistical support.

### **CONSULTATION**

The Bright Rotary Club committee and Council Officers have worked together to reach the recommended solution.

### **CONCLUSION**

The Bright Rotary Club and Council Officers have agreed an alternative plan for the delivery of the Twilight Market which is anticipated to address concerns raised with the delivery of the event in previous years.

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

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

- Manager Economic and Community Development
- Director Assets

### **ATTACHMENT(S)**

- Nil



## 10.2.2 Pioneer Park BMX Track

File Number: 1766.03

### **INTRODUCTION**

This report relates to a proposal to remove the existing BMX track in Pioneer Park Bright, in order to establish a new community and events space; and to construct a new bike track in the Rotary Pines area of the park.

### **RECOMMENDATION**

*That Council:*

- 1. Endorse the establishment of the Oaks Lawn community and event space within Pioneer Park, Bright, and the removal of the existing BMX track up to a budget of \$60,000 (+ GST);*
- 2. Develops a new bike track within the Rotary Pines area of Pioneer Park by 30 June 2020 in consultation with the community up to a budget of \$80,000 (+ GST); and*
- 3. Includes the development within Alpine Shire of a new BMX racing track suitable for hosting BMX races to State Championship level in the Project Pipeline, with an indicative implementation timeframe of beyond 2033.*

### **BACKGROUND**

During the development of the Pioneer Park masterplan in 2016 as part of the Alpine Events Park project, the establishment of a new community and event space was foreshadowed, to be located between the main sports oval and Morses Creek. The space was selected because of the shade that the established trees in the area would be able to provide to users of the space, complementing the larger event spaces in Pioneer Park which are largely without natural shade. In the masterplan, the new community and events space was given the title 'Oaks Lawn', reflecting the presence of a large number of established trees in the location.

A BMX track exists in the location where the Oaks Lawn is proposed. The BMX track was constructed through the in-kind work of local businesses and members of the community nearly 20 years ago. The track is a popular attraction in Pioneer Park, particularly with tourists. However, the track surface was not professionally finished, drainage to the track is poor in places resulting in pooling water, and the track has not been maintained to a good standard. In conjunction with the development of the Oaks Lawn, the existing BMX track was planned for relocation to a proposed cycling hub adjacent to the Coronation Avenue entrance into Pioneer Park (refer to Attachment 1).

The cost of the pavilion redevelopment increased beyond the original budget allocation as a result of the defects discovered in the lower level change rooms, which necessitated a rebuild of the lower level rather than the refurbishment which had been planned. As a consequence, the relocation of the BMX track and the



redevelopment of the new community and event space did not progress as part of the Alpine Events Park project.

Focus has recently returned to the development of the Oaks Lawn through engagement between Council and the committee of the Brighter Days Festival. Since 2013, the Brighter Days Festival has been held annually on the Labour Day weekend in March, based in Howitt Park. The event has been run very successfully, and attendance has grown year-on-year, to the point where it has outgrown the available space in Howitt Park. Through proactive engagement with Council, the Brighter Days committee has identified the Oaks Lawn as the preferred location in which to host their 2020 event.

The Oaks Lawn is considered to have wide appeal as a community and event space, due to the shade provided by the trees, and the large, level grassed area that can be created adjacent to Morses Creek. The area is expected to be attractive for hosting a wide range of activities, from family picnics and small markets, through the large festivals such as Brighter Days.

In order to establish the Oaks Lawn as a community and event space, it is necessary to improve the stormwater drainage, level, install irrigation and grass the area.

### **POLICY IMPLICATIONS**

These recommendations are consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There is no budget allocation for either the establishment of the Oaks Lawn community and event space or for the construction of a new bike track to replace the existing BMX track.

Development of the Oaks Lawn is estimated to cost \$60,000, which includes a drainage upgrade and installation of irrigation in order to facilitate the preparation of a level, grass-covered surface.

Development of a 'jumps skills park' is estimated to cost \$80,000, which assumes a similar footprint to the existing BMX track. Excluding amenities associated with the operation of the track, development of a BMX racing track to State Championship standard is estimated to cost approximately \$250,000, requiring a footprint approximately three times that of the existing BMX track.

Unless otherwise agreed, the Pioneer Park Committee of Management will be responsible for the ongoing maintenance of the new bike track. Council is the current Committee of Management for Pioneer Park and would assume maintenance responsibility for the new bike track whilst it is the Committee of Management or until another arrangement is put in place.

Members of the local business community have committed in-kind support to assist both in the preparation of the Oaks Lawn community and event space, and in the construction of a new bike track in the Rotary Pines area.



## **ENGAGEMENT**

Current user groups in Pioneer Park and the broader community have been consulted in relation to the removal of the existing BMX track and development of a community and events space in this location, through direct email, social media and in the local newspapers. On the basis that an equivalent or improved bike track will be developed in an alternative location in Pioneer Park, the feedback received has been largely supportive of the proposal.

Members of the Alpine Cycling Club committee have been engaged directly to discuss the proposal to relocate the BMX track. The committee members shared their opinion that the club and the local community would be best served through the development of a BMX racing track, constructed following guidelines published by the Union Cycliste Internationale (UCI) and suitable for hosting BMX races up to State Championship level.

The community has recently been engaged through direct mail to nearby residents, three drop-in sessions and social/printed media survey campaign to seek input into the design of a replacement bike track. The response has been very good. 95 children aged from 5 to 15 and 26 adults have provided input at the three drop-in sessions, and 45 survey responses have been received. Through this recent engagement, the most frequently requested style of track is a 'jumps skills park' which can support skills development for all levels of rider, from very young riders (age 2+) on balance bikes up to adults.

## **CONCLUSION**

Establishment of the Oaks Lawn will provide a flexible community and event space which will complement the existing event spaces in Pioneer Park and become attractive for hosting a wide range of events.

The removal of the existing BMX track and establishment of a new bike track in the Rotary Pines area is supported by the community. There is strong support for the construction of a 'jump skills park' to support rider skills development.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets

## **ATTACHMENT(S)**

- 10.2.2 Alpine Events Park – Proposed Works 21 September 2016



### 10.2.3 Myrtleford Resilience Plan

File Number: 500.18

#### **INTRODUCTION**

The Myrtleford Resilience Plan has been developed to enhance the resilience of Myrtleford's community by creating or enhancing conditions for economic growth, building a resilient, diversified and sustainable community.

#### **RECOMMENDATION**

*That Council:*

- 1. Endorse the Myrtleford Resilience Plan;*
- 2. Considers community feedback received through the development of the Myrtleford Resilience Plan when reviewing the priority and indicative implementation timeframe of capital projects listed in Council's Project Pipeline; and*
- 3. Continues to engage with the community and key stakeholders to progress the actions identified in the supporting action plan.*

#### **BACKGROUND**

Recognising the dependence of the Myrtleford community on local large business employers, the objectives of the Myrtleford Resilience Plan were:

- Develop community capacity and resilience;
- Build on key strengths of the community and environment to identify alternative industry, employment pathways and opportunities;
- Identify skills development opportunities; and
- Relieve the dependence on existing big industry for employment.

The plan was developed through significant engagement with members of the Myrtleford community. The plan identifies 13 key projects/activities categorised for delivery in a short, medium and long-term timeframe.

An action plan has been developed which supports the Myrtleford Resilience Plan.

#### **POLICY IMPLICATIONS**

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

- A thriving and connected community.

It is also consistent with the following priority of the Municipal Public Health and Wellbeing Plan:

- Socially connected and supported communities.



## **FINANCIAL AND RESOURCE IMPLICATIONS**

Council received grant funding of \$30,000 from Regional Development Victoria to develop the Myrtleford Resilience Plan.

\$10,000 is budgeted in the 2019/20 financial year for the delivery of the short-term actions and this work is now underway.

Recommendations for new or upgraded infrastructure will be added to Council's Project Pipeline, and prioritised for indicative implementation timeframe giving consideration to the availability of funding and the priorities assigned to other projects in the pipeline.

## **ENGAGEMENT**

The Myrtleford community was invited to participate in all stages of the development of the plan with over 180 people contributing. Engagement with residents, business owners, community organisations and services occurred through:

- Telephone interviews;
- A street pop-up stand and skate park event pop-up;
- Community workshops; and
- An online survey.

## **CONCLUSION**

The Myrtleford Resilience Plan identifies short, medium and long term actions and projects that will contribute to the ongoing vitality of Myrtleford. The plan has been developed through significant engagement with the Myrtleford community. It is recommended that Council endorses the Myrtleford Resilience Plan and continues to engagement with the community and key stakeholders to progress the actions identified in the supporting action plan.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Manager Economic and Community Development

## **ATTACHMENT(S)**

- 10.2.3 Myrtleford Resilience Plan





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

File Number: 1608.12

##### **INTRODUCTION**

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

##### **RECOMMENDATION**

*That Council allocates financial sponsorship to support events in Dinner Plain as follows:*

| <i>EVENT NAME</i>  | <i>APPLICANT</i>            | <i>FUNDING</i>  |
|--|-----------------------------|-----------------|
| <i>Easter Festival</i>   | <i>Alpine Shire Council</i> | <i>\$6,500</i>  |
| <i>Flickerfest</i>   | <i>Alpine Shire Council</i> | <i>\$6,000</i>  |
| <i>New Year's Eve Fireworks and Entertainment</i>              | <i>Alpine Shire Council</i> | <i>\$6,500</i>  |
| <i>Snow Season Opening Weekend Fireworks and Entertainment</i> | <i>Alpine Shire Council</i> | <i>\$6,500</i>  |
| <i>Sub total</i>   |                             | <i>\$25,500</i> |

##### **BACKGROUND**

Events are vitally important for the economy of Dinner Plain and a key driver of tourism, particularly in the green season.

The recommendation for funding is to support a mixture of event types spread over the year. These include existing successful events and events designed to attract visitation by targeting key school holiday and public holiday periods.

Attracting event organisers to Dinner Plain is challenging, but ongoing event activity is critical for Dinner Plain's economy.

##### **ISSUES**

No applications were received through the 2019/20 Dinner Plain Event Funding Program. All events currently identified for funding have been proposed by Alpine Shire Council as a means of supporting the Dinner Plain economy. All events proposed by Alpine Shire Council are free events for the general public to attend and are targeted at holiday periods.

Following the conclusion of the 2019/20 Dinner Plain Event Funding application process, engagement between Council and the organisers of both the Sled Dog Challenge and Geebung Polo events indicated potential interest in seeking funding from Council to support the delivery of an event in 2019/20. On the basis of this interest, a second round of the event funding program has been made available.



The second round opened for applications on 1 November 2019 and will close on 27 November 2019. Recommendations for funding arising out of this second round will be presented to the December Ordinary Council Meeting.

### **POLICY IMPLICATIONS**

The Dinner Plain Event Funding program is consistent with the following strategic objective in the Council Plan 2017-2021:

- A thriving and connected community.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The adopted 2019/20 budget contains an allocation of \$50,000 for events in Dinner Plain. The proposed allocation of funding is within the available budget.

### **ENGAGEMENT**

The Event Funding Program was advertised in the local media, on Council's website and Facebook page. Additionally, details of the program were e-mailed directly to existing event organisers. Organisers of the Geebung Polo and Sled Dog Challenge events were engaged throughout the application period.

### **CONCLUSION**

Events are a key driver of visitation to Dinner Plain and investment in event activities is essential to support the Dinner Plain economy. The recommendation for funding contained in this report will support a mixture of event types spread over the year. These include existing successful events and events designed to attract visitation by targeting key school holiday and public holiday periods.

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

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

- Director Assets
- Manager Economic and Community Development

### **ATTACHMENT(S)**

- Nil



## 10.2.6 Standish Street Upgrade

File Number: CT19071

### **INTRODUCTION**

This report relates to the award of a contract for road reconstruction works along Standish Street and the adjacent service lane between Clyde Street and Duke Street in Myrtleford.

### **RECOMMENDATION**

*That Council awards Contract No. 1907101 for "Standish Street Upgrade" to North East Civil Construction for the lump sum price of \$276,972.81 + GST.*

### **BACKGROUND**

In May 2019, Council was successful in obtaining State Government funding under the Fixing Country Roads Program for the reconstruction of a section of Standish Street. These works will reconstruct failed sections of pavement, replace damaged paving and kerb in the median islands and provide a new asphalt wearing course to the traffic and service lanes.

The Tender was advertised in the Herald Sun on 18 September 2019, as well as on tenders.net and Alpine Shire Council websites.

The Tender documents were downloaded by 15 prospective tenderers and five responses were received by the closing date.

### **EVALUATION**

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

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

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

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



### **POLICY IMPLICATIONS**

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

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

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Council has received \$240,000 from the State Government under its Fixing Country Roads program, and Council has committed funds to cover the balance.

There is sufficient budget allocation to deliver the road reconstruction works through award of this Contract.

### **CONCLUSION**

Following a comprehensive assessment, the Tender from North East Civil Construction is considered to present the best value option for Council.

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

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

- Director Assets
- Manager Asset Development
- Project Manager

### **ATTACHMENT(S)**

- Nil



## 10.2.7 Road Stabilisation and patching

File Number: CT19036

### **INTRODUCTION**

This report relates to the award of a Contract for road stabilisation and patching. Council undertakes pavement renewal works each year by a process of in-situ stabilisation and patching to repair and prolong the life of the road network.

### **RECOMMENDATION**

*That Council awards Contract No. 1903601 for "Road Stabilisation and Patching (2018-19)" to Stadelmann Enterprises for the lump sum price of \$141,684.40+ GST.*

### **BACKGROUND**

Council conducts regular inspections across the Shire's road network. A range of road pavement defects was identified and prioritised during recent inspections. These defects require repair through in-situ pavement stabilisation followed by emulsion primer-sealing.

This year's program covers a broad area including Myrtleford, Rosewhite, Eurobin, Kancoona, Dederang, Coral Bank, Tawonga, Mount Beauty, Wandiligong, Bright and Porepunkah.

The Tender was advertised in the Border Mail on 7 September 2019, as well as on tenders.net and Alpine Shire Council websites. There were six submissions received by the closing date.

### **EVALUATION**

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

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

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

Through this evaluation process it was determined that the tender from Stadelmann Enterprises best met the selection criteria.



### **POLICY IMPLICATIONS**

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

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

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There is sufficient budget allocation to deliver the road stabilisation and patching works through award of this Contract.

### **CONCLUSION**

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

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

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

- Director Assets
- Manager Asset Development
- Project Manager

### **ATTACHMENT(S)**

- Nil



## 10.2.8 Roberts Creek Road Bridge Number 3 Renewal

File Number: CQ180803

### **INTRODUCTION**

This report relates to the award of a contract for the renewal of Roberts Creek Road Bridge Number 3.

### ***RECOMMENDATION***

*That Council awards Contract No. 180803 for "Roberts Creek Road Bridge Number 3 Renewal (Deck Reconstruction)" to North East Civil Construction for the lump sum price of \$157,470 + GST.*

### **BACKGROUND**

In January 2018, Council was successful in obtaining Federal Government funding under the "Bridges Renewal Program Round 3" for the renewal of three bridges comprising the "Roberts Creek Road Bridge Network".

The works were originally tendered as a single package; however this failed to attract sufficient interest from the market to ensure that value for money was received. The works were subsequently re-tendered as separate projects which yielded a number of competitive tenders for each bridge.

The scope of work for Bridge Number 3 comprises the removal of the existing bridge beams and timber deck and replacement with higher strength beams and precast concrete deck units.

The Tender was advertised in the local newspapers on 11 September 2019, and on the Alpine Shire Council website and tenders.net from 2 to 27 September 2019. The Tender was downloaded 18 times and seven conforming Tenders were received.

### **EVALUATION**

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

The Tenders were evaluated according to the key selection criteria contained in the Invitation to Tender as follows:

- Price
- Qualifications & Previous Experience
- Delivery
- Social
- Environmental Sustainability

Shortlisted tenderers were invited to clarify aspects of their tender and provide further detail on their proposed methodology, program and the experience of the nominated personnel proposed to undertake the works. Through this evaluation



process it was determined that the Tender from North East Civil Construction best met the selection criteria.

### **POLICY IMPLICATIONS**

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

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

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Council has received \$154,563 Federal Government under its Bridges Renewal Program; Council has committed funds to cover the balance.

Contracts for the renewal of Bridge 1 and Bridge 2 have been awarded under the CEO's delegation. There is sufficient budget allocation to deliver the renewal of Bridge 3 through award of this Contract.

### **CONSULTATION**

The project will allow the removal of the existing load limit and restore a level and safe deck surface to the bridge, addressing an ongoing concern for local residents. Updates to the progress of the project have been communicated to nearby residents over the course of the design and tendering process.

### **CONCLUSION**

Following a comprehensive tender evaluation, the tender from North East Civil Construction is considered to represent the best value option for Council.

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

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

- Director Assets
- Manager Asset Development
- Project Manager

### **ATTACHMENT(S)**

- Nil





## **10.3 DIRECTOR CORPORATE – NATHALIE COOKE**

### **10.3.1 Climate Change Action**

File Number: 511.02

#### **INTRODUCTION**

The purpose of this report is presented in response to a notice of motion given at the September 2019 Ordinary Council Meeting- Alpine Shire Council recognises, supports, advocates for and adopts initiatives that will help address the effects of climate change.

#### **RECOMMENDATION**

*That Council:*

- 1. Recognises, supports, advocates for and adopts initiatives that will help address the effects of climate change;*
- 2. Allocate funding in the 2020/21 Budget to develop a Climate Action Plan;*
- 3. Identify and scope capital projects to minimise the effects of climate change for consideration in the 2020/21 Budget.*

#### **BACKGROUND**

At the September Ordinary Council Meeting notice was given that a motion regarding addressing the effects of climate change would be presented at the November Ordinary Council Meeting for Council's consideration.

Climate change action specifically relates to the reduction or sequestration of greenhouse gases. Global warming is caused by the effect of a number of human-generated gases trapping heat in the earth's atmosphere. These gases are called "greenhouse gases" (GHG) and include methane, nitrous oxide, carbon dioxide, ozone, carbon monoxide, sulphur dioxide and hydro/fluorocarbons.

Global warming is projected to have a number of effects including rising sea levels and warming of the ocean surface and increase temperature stratification. As the climate warms it is projected to affect the frequency of extreme weather events, change the nature of global rainfall and other factors that will affect water supply and quality; and accelerate water pollution.

Climate change action specifically relates to the reduction or sequestration of greenhouse gases.

#### **ISSUES**

The *Climate Change Act 2017* establishes Victoria's state target of net zero emissions by 2050. Victoria is on track to achieving its 2020 emissions reduction target of 15-20% below 2005 levels by 2020, reduction is predicted to be 18.2% in 2020.

Overall, Victoria is the third highest emitting jurisdiction in Australia behind Queensland and New South Wales, with energy usage the largest emitter.



It should be recognised that state and federal policy, legislation and funding will have the biggest impact on sustainability and emissions reduction. This includes policies to transition to renewables, to address deforestation, reducing transport emissions, making changes to agriculture and mandating minimum energy standards for buildings.

However there are also actions that can be practically implemented at a local government level and Councils can work with their communities to decrease emissions across municipalities. Some councils have also been prominent in climate change advocacy to state and federal governments.

Alpine Shire Council previously adopted a Climate Change Action Plan for the period 2012 - 2016. There have been significant changes in technology and cost efficiency since this time.

Council continues to undertake a number of actions aimed at reducing our carbon footprint, and there is further potential to reduce our own emissions. To coordinate and assess the effectiveness and viability of a number of these actions it is proposed that the development of a new Climate Action Plan is put forward for consideration for inclusion in the 2020/21 Budget.

There are many projects that have been recently completed or are currently underway that will reduce our carbon footprint. These projects will continue, and other opportunities pursued, throughout the development and finalisation of the Climate Action Plan. Current projects underway include:

### **Energy**

- Ongoing program of installing LED lighting across Council buildings and facilities
- Undertaking pre-design and business case analysis to change street lighting to LED lighting
- Replacing inefficient appliances, heating/cooling systems with more efficient options
- Exploring options to switch to renewable energy purchasing or generation arrangements

### **Strategic planning**

- Undertaking a Land Development Strategy which will incorporate latest mapping and data

### **Transport and fleet**

- Reducing our vehicle fleet significantly as well as the size of vehicles that consume less fuel and emit less CO2 and providing bicycles to staff for localised work travel
- Building cycling paths and on-road cycling lanes



- Participating in the Local Government Electric Vehicle Charging Network Study to explore the opportunities for supporting electric vehicle charging infrastructure across the state

#### **Waste**

- Forming a recommendation for Council on the potential introduction of a food and green organics kerbside collection service

#### **Natural and urban environment**

- Participating in the development of the climate change in agriculture adaptation tool lead by the NECMA
- Undertaking a Sustainable Tourism Destination check and preparation of a Sustainable Tourism Report for Alpine Shire

#### **Purchasing and contracting**

- Including environmental evaluation criteria in our procurement policy and procurement documentation

#### **POLICY IMPLICATIONS**

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

- A responsible and sustainable organisation

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

The project to develop a new Climate Action Plan will need to be scoped for inclusion in the 2020/21 Budget process. The financial and resource implications will be better understood at this point and a detailed breakdown provided for further consideration.

#### **CONSULTATION**

The proposed Climate Action Plan would be developed in consultation with key stakeholders.

#### **CONCLUSION**

Council has undertaken a number of actions aimed at reducing our carbon footprint but there is potential to reduce our emissions further. To coordinate and assess the effectiveness and viability of a number of possible actions it is proposed that a Climate Action Plan be developed in 2020/21. Council will also continue to pursue opportunities to reduce our carbon footprint.



**DECLARATION OF CONFLICT OF INTEREST**

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

- Director Corporate

**ATTACHMENT(S)**

- Nil



### 10.3.2 Quarterly Report - Council Plan

File Number: SU600.03

#### **INTRODUCTION**

This report provides the first quarterly report for 2019/20 against the Alpine Shire Council Plan 2017-2021.

#### **RECOMMENDATION**

*That the Alpine Shire Council Plan Quarterly Report ending 30 September 2019 be received and noted.*

#### **BACKGROUND**

The Alpine Shire Council Plan 2017-2021 was developed following the election of the Council in October 2016. The Council Plan outlines the strategic objectives, strategies and indicators determining Council's direction for the four year term of the Plan. The document is reviewed by Council annually to ensure that it continues to provide Council's intended direction for their term.

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

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

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

#### **HIGHLIGHTS**

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

- Council's refreshed website was launched on 2 August 2019. The website has been entirely re-designed, with a focus on improved search functionality to provide the community with easier access to information.

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

- The Business Systems Transformation project is underway, with new systems for many areas across Council. Implementation is expected to commence in early 2020. This is a joint project with Indigo Shire Council and Towong Shire Council.

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

- The \$2.6 million Myrtleford Indoor Sports Stadium expansion project was completed, along with completion of smaller works including the Tawonga Primary School Crossing upgrade, and Ranch Road drainage upgrades in Tawonga South.

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



- Maintenance programs continue across the Shire, and preparation for the coming summer fire season has commenced.

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

- A community building initiative in Myrtleford has seen increased use of the library by elderly residents.
- Results from the survey on the kerbside organic waste collection have been collated. Results will be presented to Council later in the financial year after the State Government has released its Circular Economy Policy.

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

- New parking permit system implemented in Dinner Plain.
- Annual "Desex Your Pet" month held in partnership with local veterinarians during July.

#### **A thriving and connected community**

- Preparation for Youth Awards, Seniors Festival, Walk to School and Resilience Month occurred, ready for delivery in Q2. Resilient Myrtleford project well underway.

### **POLICY IMPLICATIONS**

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

Quarterly reporting aligns with the Alpine Shire Council Plan 2017-2021 (reviewed 2019) Strategic Objective 1: A high performing organisation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

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

### **CONSULTATION**

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

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

### **CONCLUSION**

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



**DECLARATION OF CONFLICT OF INTEREST**

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

- Directors
- Managers
- Governance Officer

**ATTACHMENT(S)**

- 10.3.2 Alpine Shire Council Quarterly Report - ending 30 September 2019.



### **10.3.3 Instruments of Appointment and Authorisation - *Planning and Environment Act 1987***

File Number: Delegations register

#### **INTRODUCTION**

Instruments of appointment and authorisation are an important means of Council ensuring that its officers are appropriately authorised under the relevant Acts that Council administers. This report provides for a change in staffing for staff with planning responsibilities.

#### **RECOMMENDATION**

*That Council exercise the powers conferred by section 224 of the Local Government Act 1989, and by section 147 of the Planning and Environment Act 1987, so that:*

- 1. The following member of Council staff referred to in attachments 9.3.1(a) "S11A – Instrument of Appointment and Authorisation – Planning & Environment Act 1987" (the instrument) be appointed and authorised as set out in the instrument;
  - a. Planning Officer**
- 2. The instrument come into force immediately the common seal of Council is affixed to the instrument, and remain in force until Council determines to vary or revoke it;*
- 3. The instrument be signed and sealed at the appropriate stage of this meeting.*

#### **BACKGROUND**

##### **Authorised Officers**

Section 224(1) of the *Local Government Act 1989* (the Act) provides that "a Council may, appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of Council". Legislation other than the *Local Government Act 1989* also empowers a Council to delegate certain powers, duties or functions, and appoint authorised officers.

Authorised officers have statutory powers under relevant legislation. In the case of Council's staff in the Planning department, the attached Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* mean that they are authorised officers for the purposes of that Act.

While Council may delegate its powers, duties or functions to staff, so that a delegate acts on behalf of the Council, staff appointed as authorised officers have their own statutory powers under the relevant Act.





## **Planning and Environment Act 1987**

Section 188(1)(b) of the *Planning and Environment Act 1987* specifies that “a planning authority ... may by instrument delegate any of its powers, discretions or functions under this Act to an officer of the authority”. However Section 188(2)(c) specifically prevents an officer from further sub-delegating any duty, function or power.

Therefore, as the responsible authority, Council must authorise staff directly using the “S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987”, rather than via the Chief Executive Officer.

## **Maddocks Delegations and Authorisations Service**

Council utilises the delegations and authorisations service provided by law firm Maddocks. This is a template system used by many councils and provides a detailed way of ensuring that appropriate delegations and authorisations are given to Council staff. All of the relevant legislation affecting local government, including Acts and regulations and the sections that relate to the powers, duties and functions of Council are outlined within the template and the relevant officer is allocated accordingly.

## **ISSUES**

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. A change in staffing means that the Instruments of Appointment and Authorisation (IoAA) must be updated to include new staff, and where relevant, authorisations for staff leaving or changing roles must be revoked.

## **POLICY IMPLICATIONS**

Ensuring authorisations are kept up to date ensures that Council's planning staff can undertake their statutory roles.

This report is consistent with the following strategic objective in the Council Plan 2017-2021:

- A well planned and safe community.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Council has an annual subscription to the Maddocks delegation and authorisation service that is allowed for in Council's annual budget. There are no other financial implications associated with these instruments of appointment and authorisation.

Appropriate authorisations allow Council and Council staff to operate effectively and within legislative frameworks.

## **CONSULTATION**

The relevant staff and director have been consulted during the preparation of the IoAAs. There is no requirement to consult the community in the preparation of these instruments.



## **CONCLUSION**

The appropriate appointment of authorised officers to enforce the *Planning and Environment Act 1987* is required to ensure that Council officers can undertake their statutory roles.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Corporate
- Manager Corporate
- Governance Officer

## **ATTACHMENT(S)**

- 10.3.3 (a) S11A - Instrument of Appointment and Authorisation (*Planning & Environment Act 1987*) - Planning Officer



## 11 ASSEMBLY OF COUNCILLORS

### INTRODUCTION

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

### RECOMMENDATION

*That the summary of the Assemblies of Councillor for September / October 2019 be received.*

### BACKGROUND

The written records of the assemblies held during the previous month are summarised below. Detailed assembly records can be found in Attachment 11.0 to this report.

| <b>Date</b>  | <b>Meeting</b>   |
|--------------|------------------|
| 24 September | Briefing Session |
| 1 October    | Briefing Session |
| 15 October   | Briefing Session |
| 29 October   | Briefing Session |

### ATTACHMENT(S)

- 11.0 Assemblies of Councillors – September / October 2019.



**12 GENERAL BUSINESS**

**13 RECEPTION AND READING OF PETITIONS**

**14 DOCUMENTS FOR SEALING**

**RECOMMENDATION**

*That the following documents be signed and sealed.*

- 1. Contract No 193301 in favour of FNG Group for the E-Waste Infrastructure Upgrades – Storage and Facilities.*
- 2. Contract No 193401 in favour of FNG Group for the E-Waste Infrastructure Upgrades – Civil Works.*
- 3. Section 173 Agreement – Daniel Thomas Hickey & Holly-Louise Hickey  
Lot 1 on Plan of Subdivision 300337R. Volume 9990 Folio 919. Condition 21 of Planning Permit 2018.167.1 for a two lot subdivision and construction of a single dwelling at 34 Bailey Street, Porepunkah. The Agreement provides for the implementation of Bushfire Mitigation measures on Lot 1.*
- 4. Instrument of Appointment and Authorisation – Planning Officer.*

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

.....  
Chairperson