



ALPINE SHIRE

ORDINARY COUNCIL MEETING

AGENDA

M8 – 3 August 2010

Mount Beauty Sports Cluster

7:30pm



Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Mount Beauty Sports Cluster, Kiewa Valley Highway, Mount Beauty, on **3 August 2010 commencing at 7:30pm**.

NB: A Citizenship Ceremony will be held in favour of Simon Brown at approximately 7:00pm.

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1 OPENING PRAYER AND ACKNOWLEDGMENT OF TRADITIONAL CUSTODIANS

The CEO will read the opening prayer and acknowledgment of the traditional custodians.



- 2 CONFIRMATION OF MINUTES**
- 2.1 ORDINARY COUNCIL MEETING – M7**

RECOMMENDATION

That the minutes of Ordinary Council Meeting M7 held on 6 July 2010 as circulated be confirmed.

- 3 APOLOGIES**
- 4 OBITUARIES / CONGRATULATIONS**
- 5 DECLARATION BY COUNCILLORS OF CONFLICT OF INTEREST**
- 6 QUESTION TIME**



7 PRESENTATION OF REPORTS BY OFFICERS

7.1 CHIEF EXECUTIVE OFFICER – IAN NICHOLLS

7.1.1 Contracts Approved by the CEO

RECOMMENDATION

Contracts approved by the CEO be noted.

Contract No.:	CQ10/028
Title:	DEVELOPMENT OF A TOURISM MARKET RESEARCH PROGRAM, STRATEGIC MARKETING PLAN AND EVENT STRATEGY FOR DINNER PLAIN
Contractor	GREENER GRASS COMMUNICATIONS
\$ (exc GST)	\$44,645.60
Funding:	The budget for this project is \$60,000. It is funded in the Dinner Plain Budget – Special Rates Services – Marketing Research.

Contract No.:	CQ10/029
Title:	CONSTRUCTION OF CAR PARKING FACILITIES AT THE ST ALBANS HALL, RUNNING CREEK
Contractor	GW & BR CRAMERI PTY LTD
\$ (exc GST)	\$31,081.00
Funding:	This project is funded from the Building Projects – Building Additions / News – St Albans Hall budget. The total redevelopment budget is \$369,000 approx. of which the Car Parking Facilities were estimated at \$35,500.



7.1.2 Regional Planning: Hume Strategy for Sustainable Communities

INTRODUCTION

The regional planning initiative known as the Hume Strategy for Sustainable Communities has now been finalised and can be considered by Council for endorsement.

RECOMMENDATION

That the Hume Strategy for Sustainable Communities as presented including the Executive Summary, Regional Plan and four Subregional Plans be endorsed and the Minister for Rural and Regional Development be advised accordingly.

BACKGROUND

The Hume Strategy for Sustainable Communities project is a major planning initiative of the Hume Regional Management Forum. It involves determining how catchments (or sub regions) can strategically plan and co-operate over such matters as land use planning, delivery of services, development of infrastructure and protection of the environment while addressing skills, lifestyle and climate change influences.

For the purposes of undertaking the project, the Hume Region was broken into four sub regions, or natural catchments, as follows:

Lower Hume:	Mitchell, Murrindindi
Goulbourn Valley:	Greater Shepparton, Moira, Strathbogie
Upper Hume:	Wodonga, Indigo, Towong
Central Hume:	Wangaratta, Alpine, Benalla, Mansfield

Since being adopted as a project by the Hume regional Management Forum with State Government funding support, the Hume Strategy has been incorporated into the wider planning initiative being undertaken across Victoria by the State Government through Regional Development Victoria.

It is anticipated that regional plans emanating from this process will form the basis for investment and interaction by State and Federal Governments under the new Regional Development Australia / Regional Development Victoria structure. The recently released State Government blueprint for rural and regional Victoria entitled "Ready for Tomorrow" has a direct link to the regional plans and is the first tangible sign of their importance in future government investment decisions.

Process and Status

After two and a half years of development, input and revision through a number of drafts the Hume Strategy is finally available for endorsement. Its content has largely been drawn from existing strategies, plans and vision documents of local



councils, state departments and agencies of the Hume Region. It has then been sifted through a community perspective and peer review process having regard to the competitive advantages of the Hume Region and the challenges facing it.

Key directions were identified upon which were developed a series of priority strategies supporting each of them. A list of actions were then determined as a means of achieving the strategies.

Structure and Content

The Hume Strategy is presented in six parts:

- * Executive Summary
- * Regional Plan
- * Four Subregional Plans

Common to the regional and subregional plans are the following key themes and directions:

1. Environment Theme: Natural resources protected and enhanced for future generations.
2. Community Theme: Healthy, vibrant and resilient communities.
3. Economic Theme: A thriving and dynamic economy.
4. Transport Theme: An integrated network of efficient and high functioning transport systems.
5. Land Use Theme: An efficient and sustainable pattern in rural and urban land use and development.

From these themes and directions a number of outcomes emerged including:

- * Maximising benefits of the Hume Corridor.
- * Utilising water closest to its source.
- * Protecting the Northern Rivers system.
- * Establishing Centres of Excellence.
- * Capitalising on the regions tourism advantages.
- * Enhancing lifestyle opportunities.
- * Supporting renewable energy opportunities.
- * Protecting the regions natural assets and biodiversity.
- * Supporting urban renewal programs.

These sit comfortably with the Alpine Shire Council 2030 Community Vision.

Alpine Shire Perspective

In a Central Hume subregional level, opportunities specifically supported by the Hume Strategy include:



- * Developing the Alpine Valleys Agrifood project as a means of supporting sustainable agriculture.
- * Undertake a regional land use study to assist with the strategic management of rural land use.
- * Establish a program for best practice in efficient water usage across the region.
- * Develop a regional Climate Change Strategy.
- * Increase funding and frequency of public transport services across the region.
- * Supporting the status of the Ovens River system having regards to the unregulated nature of the system and sustainable use of water close to its source.
- * Expanding the Murray to Mountains Trail and other walking / cycling trails and loops.
- * Exploring renewable energy options.

Again these actions accord with the Alpine Shire 2030 Community Vision.

OPPORTUNITIES

The State Government blueprint “Ready for Tomorrow” has become operational from 1 July 2010. Having regard to this, the Hume Regional Management Forum considered that an opportunity could be lost if the Hume Strategy was not positioned to promote “ready to advance” projects and initiatives”.

As such the process was applied to the many actions at regional and sub-regional level to determine those ready to advance opportunities. This involved assessing the actions against a set of criteria that looked at its significance at a regional or subregional level, whether it required further development or met the needs at this time and whether it needed appropriate funding.

As a result the following projects were identified as “ready to advance” and have been lifted into the Executive Summary with that status:

Regional

1. National Broadband Network (NBN) roll out.
2. Urban renewal projects in regional centres.
3. Fast rail alternatives along the Goulburn Valley and Hume transport corridors:
 - a. sprinter service from Seymour to Shepparton
 - b. transit business centres – train carriages on Hume corridor daily service
4. Develop and implement a workforce planning and attraction strategy.
5. Develop sub regional land use and urban planning strategies for Goulburn Valley, Upper Hume and Central Hume.

Upper Hume

6. Redevelopment of Wodonga CBD.



7. Student accommodation at Latrobe University.
8. Rail and road-to-road terminals at Logic.

Central Hume

9. Rail Trail infrastructure for cycling and walking trail links:
 - a. Bright to Harrietville/ Wangaratta to Whitfield/ Winton Wetlands
10. Interpretive Centre:
 - a. Lower Ovens – Warby Range National Park – Winton Wetlands – Ned Kelly
11. Seal the Jamison to Licola Road.

Goulburn Valley

12. Goulburn Valley Highway Shepparton bypass.
13. Murray River bridge at Yarrawonga.
14. Air freight centre at Mangalore Airport.

Lower Hume

15. Ongoing commitment to bushfire recovery and rebuilding.
16. Plan for growth in Wallan and surrounds.

It is important to note that these projects are not priorities, but are assessed as in a state of readiness to pursue at State or Federal Government level.

ENDORSEMENT AND IMPLEMENTATION

The State Government's blueprint establishes a three point process for endorsement of regional plans. These are:

- * Endorsement by Regional Management Forum
- * Endorsement by Local Councils
- * Endorsement by State Government

It is expected that Regional Development Australia regional committees will also endorse the plans.

At this time the Hume Regional Management Forum has endorsed the Hume Strategy for submission to the State Government and Local Councils for similar action. It now remains for the Alpine Shire Council to consider doing so.



7.2 MANAGER COMMUNITY SERVICES – TREVOR BRITTEN

7.2.1 Alpine Shire Youth Council Meeting Minutes

File Number: 0108.10

INTRODUCTION

The Youth Council met in Mount Beauty on Wednesday 14 July 2010 and a copy of the minutes are attached.

RECOMMENDATION

That the minutes of the Youth Council's July meeting be received.

BACKGROUND

Matters discussed at the meeting included:

FReeZA

Evaluation of the Performing Arts Workshops held in Bright during the recent school holidays and planning for the upcoming Art Exhibition.

Youth Issues for 2010/11 Action Plan

Discussion around the results of the recent youth issues survey and what should be addressed in the 2010/11 Action Plan. Key issues will be: Bullying, Drinking and Violence, and Career Advice/Options.

CONCLUSION

The Youth Councillors have been working hard to engage young people across the Alpine Shire through hosting a variety of Youth events and consulting with their peers about issues to be addressed in the 2010/11 Action Plan.



7.2.2 Alpine Shire 2009/2010 Youth Council Action Plan

File Number: 01081.04

INTRODUCTION

The Youth Council's role is to:

- * ensure that the views of youth are canvassed and conveyed to Council;
- * provide advice to Council on appropriate youth programs; and
- * develop and implement a Youth Action Plan.

This item reports on the delivery of the 2009/10 Action Plan.

RECOMMENDATION

That:

- 1. The 2009/10 Action Plan report be noted.**
- 2. The success of the Youth Council in delivering real improvements and opportunities for young people in the Shire be promoted.**
- 3. Letters of acknowledgement be written to the Youth Councillors, congratulating them on their achievements.**

BACKGROUND

The action plan provides a focus for the Youth Council to address youth issues.

In 2009/10 the Youth Council identified the following youth issues:

- * Under-Age and Binge Drinking;
- * Boredom;
- * Bullying;
- * Volunteering;
- * Small Towns; and
- * Healthy Lifestyle Choices.

Young people from across the municipality completed a Youth Issues Survey in May and provided information on these issues and how they would like the Youth Council to address these issues. The 2009/10 Action Plan was developed from this consultation.



A summary of the actions follow:

<i>Action</i>	<i>Who</i>	<i>When</i>
Bullying		
Develop a play about the issue of bullying and present it to young people and their parents across the Alpine Shire	Youth Council, Planning Committee, NESAY, Alpine Health	April 2010 (School Holidays)
Health Issues (including Lifestyle Choices)		
Host a series of seminars that are fun but informative and challenge young people to make healthy lifestyle choices.	Youth Council, Schools, CARN	April 2010 (National Youth Week)
Including Smaller Towns		
Host greater numbers of FReeZA events and ensure that they are accessible to people from small towns.	Youth Council, Alpine Health, Ovens & King CHS, Alpine Blue Light	Ongoing
Promotion of Youth Council		
Make the Youth Councillors easily recognisable and promote the work of the Youth Council	Youth Council	Ongoing
Advocate on Youth Issues		
Contact relevant authorities to advocate for the resolution of Youth Issues	Youth Council	Ongoing
Alpine Youth Web Portal		
Actively take responsibility for the updating and maintaining the alpineyouth.com.au website, as well as promoting it to their peers.	Youth Council	Ongoing
Youth Health Promotion		
Promote youth health through the distribution of relevant information and provision of information on the web portal.	Youth Council, Alpine Health, Ovens & King CHS	Ongoing



FReeZA		
Organise FReeZA cultural events in across the Alpine Shire. * Myrtleford Battle of the Bands – Aug 2009 * Mount Beauty Skate Event – Oct 2009 * Bullying Play Theatre Workshop – April 2010 * Mount Beauty Battle of the Bands – April 2010 * Wandl Idol - May 2010 * Performing Arts Workshops – June 2010	Youth Council, Planning Committees	Ongoing
Youth Week		
Run Youth Health Information sessions to provide accurate information on health issues to young people across the Alpine Shire.	Youth Council, Youth Service Providers and local community groups	10-18 April 2010
Youth Awards		
Organise Youth Awards event to recognise the achievement of Youth in Alpine Shire	Youth Council	16 October 2009
Music Factory Program		
Support and promote the Holiday Music Program	Youth Council, Alpine Health	School Holidays

As a result of the Black Saturday Bushfires the Youth Council has also been involved in recovery and community strengthening projects with a focus on the wellbeing of young people.

REVIEW OF ACTION PLAN INITIATIVES

Bullying

Most young people in the Alpine Shire are affected by bullying, either directly or indirectly. The Youth Council feel strongly that raising awareness about what constitutes bullying is the key to creating a safer community.

The Youth Council held a two day theatre workshop in the April school holidays to workshop ideas and develop an original play around the issue of bullying in schools, including cyber bullying.

The play portrayed the experiences of two young men who were being bullied in the school environment, one via mobile phone the other physically. It also touched on how the media manipulates the bullying issue by portraying a soap-opera. However, the underlying issue was that bullying can not be stopped unless people have the courage to ask for help.



The play was performed at the FReeZA Performing Arts Showcase in July and the young people involved are keen to digitally capture the performance so that it may be used in schools.

Health Issues

Looking Good – Info 4 U was devised as a series of information seminars to provide young people with accurate information on healthy lifestyle choices. The Youth Council wanted to use the expertise of local health and youth service providers to address the issues of binge and under-age drinking, peer pressure, drug use, risk taking behaviour and mental health.

The main objectives of the project were to:

- * get young people thinking about how they can adjust their behaviour to live a healthier life; and
- * present information in a fun and relaxed manner, using peer facilitators where possible.

The project asked young people to examine their current behaviours, weigh up the latest health information and then challenged them to make informed choices.

A total of 340 young people aged 12-15 attended the Lookin' Good events. From initial anecdotal feedback participants have indicated that they "got something out of the seminar" and enjoyed the experience. Generally parents liked the format of the 5 Point Plan Fact Sheet and believe it will be useful in dealing with the issue of underage drinking.

Including Smaller Towns

The Youth Council decided to host more frequent FReeZA events that encouraged participation of young people from the Alpine Shire's smaller towns. This also acknowledged that not all young people are interested in large-scale music events.

Despite only being required to host two FReeZA events each calendar year, the Youth Council committed to, and successfully hosted six events in 2009/10. These events have included: Battle of the Bands events, Skate Competitions and Performing Arts Workshops, with transport being provided from the smaller towns.

Promotion of Youth Council

The 2009 and 2010 Youth Councillors worked hard to positively promote young people in the Alpine community. The Youth Mayor wrote a monthly article for the local papers that promoted the Youth Council and their activities. All publicity for Youth Council events used corporate branding in the form of logos, banners, t-shirts and name badges.

The Youth Council also provided letters of support for numerous youth focused projects, including bushfire recovery projects, a digital story telling project and BMX or skate park facilities.



Advocating for Youth Issues

The issues of changes to Youth Allowance eligibility, school facilities, transport connections (including school buses), lack of opportunities for young people in rural areas and bicycle safety were taken on by the Youth Council. The Youth Council acknowledged that they are unable to actively address these issues and wrote letters to the appropriate authorities advocating on behalf of the youth of the Alpine Shire. In addition to letters, members of the Youth Council also personally spoke to James Merlino MP at the Young People Direct Forum and contributed to the AYF (Australian Youth Forum) website, moderated by Kate Ellis MP, including the national YouTHINK Forum.

Youth Leadership

The Youth Councillors have been provided with a variety of opportunities to develop their leadership skills. These include attending and speaking at Senior Council Meetings, providing youth perspectives to committees, involvement in internal and external grant selection panels as well as speaking at community events like ANZAC and Australia Day commemorations. In October 2009, two Youth Councillors also took part in the National Student Leadership Conference in Melbourne.

Youth Health Promotion

The Youth Council promoted healthy lifestyle choices to their peers both through the Health Information Seminars organised for National Youth Week and continued distribution of the Alpine Youth Contact Card. Information and links to youth focused websites is also accessible from the Alpine Youth Web Portal.

FReeZA

Under a funding agreement with The Office for Youth, the Youth Council is required to host two FReeZA events each calendar year. As support for big live music concerts has declined, the Youth Councillors decided to focus on smaller but more frequent events that provided a wider range of activities. In 2009/2010 the following events were held:

- * Myrtleford Battle of the Bands – Aug 2009
- * Mount Beauty Skate Event – Oct 2009
- * Bullying Play Theatre Workshop – April 2010
- * Mount Beauty Battle of the Bands – April 2010
- * Wandilong Idols - May 2010
- * Performing Arts Workshops – June 2010

Historically transport has only been provided from the main towns, but for all of these events free transportation was offered from a variety of locations, including Dederang, Harrierville and Wandiligong.



Youth Councillors also attended regional training sessions on FReeZA requirements and event management which culminated in volunteering their services at the Push Over Festival in March 2010

National Youth Week

National Youth Week was held from 10 April to 18 April 2010 and the Youth Council successfully gained funding from Drinkwise Australia and The Office for Youth to host their Health Information Seminars. Over 200 year seven and eight students participated in these seminars and enjoyed the youth facilitated delivery model.

Youth Awards

The 2009 Youth Awards, hosted entirely by the Youth Council, were a great success. The Youth Council modified the award categories after the 2008 event and received a record number of nominations in 2009. Over 150 people attended the awards night, with 20 awards presented across five categories.

Music Factory Program

The Youth Council actively promoted the Music Factory programs held in Myrtleford and Bright, and many Youth Councillors continue to be members of the Music Factory and Alpine Blue Light Committees as well.

Youth Web Portal

The Youth Council's Alpine Youth Web Portal was launched in October 2009 and continues to positively promote youth activities and services while effectively engaging and communicating with young people.

The website includes information about the Youth Council, youth service providers who operate within the Alpine Shire, a calendar of events, an online poll and links to corporate and youth focused websites.

The Web Portal is updated and maintained by a sub committee of three Youth Councillors with supervision from the Youth Development Officer.

Bushfire Recovery and Community Building Projects

The Youth Council has provided information to various committees and forums about the needs of young people in response to the 2009 Bushfires. They have also worked closely with case workers from NESAY and DHS both within schools and the community.

Their main role, however, has been with the joint project between Indigo and Alpine Shire Councils, utilizing the gift funding for young people. Members of the Youth Council are on the Youth Advisory Committee and are actively promoting the aims of this project to young people across the Alpine Shire.



CONCLUSION

The Youth Council has successfully implemented all the initiatives set out in the 2009/2010 Action Plan and the Youth Councillors are already canvassing ideas and issues to be developed into the 2010/11 Youth Council Action Plan.



7.2.3 Food Act Fees

FILE NUMBER: 1021.08

INTRODUCTION

Food Act registration and renewal fees have been reviewed following amendments to the Act and the introduction of new classifications; resulting in the following recommendation.

RECOMMENDATION

That the following schedule of fees for the annual registration, and renewal of registration under the Food Act 1984 be adopted, to take effect from 01 July 2010:

Classification.	Maximum fee allowed	Current fee	Recommended fee
<p>Class 1 (high risk).</p> <p>1. A hospital, including a:</p> <ul style="list-style-type: none"> a. public hospital; b. public health service; c. denominational hospital; d. private hospital; e. day procedure centre; or f. multipurpose service. <p>2. An aged care service that provides care in a residential facility.</p> <p>3. Any other aged care establishment:</p> <ul style="list-style-type: none"> a. at which accommodation is provided to aged persons on a permanent or temporary basis in conjunction with regular personal care or nursing services; or b. at which rehabilitation or therapeutic services are provided to aged persons; or c. where on-call assistance, including meals, is provided on request to aged residents. <p>4. A children's service.</p>	<p>as determined by Council</p>	<p>\$384</p>	<p>\$418</p>



<p>Class 2.</p> <p>1. A food premises at which any unpackaged potentially hazardous food is handled, other than a:</p> <ol style="list-style-type: none"> class 1 food premises; or food premises at which the only handling of unpackaged potentially hazardous food is of a kind that renders the premises a class 3 food premises or a class 4 food premises. <p>2. Temporary premises including mobile food vendors (note mobile food vendors were previously dealt with the same as fixed premises).</p> <p>Or per event</p>	<p>as determined by Council</p> <p>as determined by Council</p>	<p>\$330</p> <p>\$136</p> <p>\$42</p>	<p>\$364</p> <p>\$170</p> <p>\$45</p>
<p>Class 3.</p> <p>1. A food premises at which one or more of the following food handling activities occurs:</p> <ol style="list-style-type: none"> the handling of unpackaged low risk food; or the warehousing or distribution of pre-packaged foods; or the sale of pre-packaged potentially hazardous food; or the sale of shell eggs; or offering members of the public a free sample of a potentially hazardous food for immediate consumption if: <ul style="list-style-type: none"> that food is, or will be, available for sale at the premises in a packaged form; and the sample is offered for no more than four hours; or the sale of ready-to-eat, potentially hazardous food by a community group if: <ul style="list-style-type: none"> all of the food is cooked on site with the intention of being served immediately; the majority of persons involved in the handling of the food are volunteers; and this activity takes place at the premises for a maximum of two consecutive days at any one time – but does not include a food premises at which the only handling of food is of a kind which renders the premises a class 4 food premises. <p>2. Temporary premises including mobile food vendors (note mobile food vendors were previously dealt the same as fixed premises)</p> <p>Or per event</p>	<p>as determined by Council</p> <p>as determined by Council</p>	<p>\$174</p> <p>\$68</p> <p>\$26</p>	<p>\$208</p> <p>\$102</p> <p>\$29</p>



<p>Class 4 (low risk).</p> <p>1. A food premises at which the only food handling activities are one or more of the following:</p> <p>a. the sale to members of the public of:</p> <ul style="list-style-type: none"> • pre-packaged low risk food; or • sausages that are cooked and served immediately, with or without onions cooked at the same time, and bread and sauce – when cooked and sold at a temporary food premises or by a non-profit body; or • packaged or covered cakes (other than cakes with a cream filling) at a temporary premises by a community group; or • biscuits, tea or coffee (with or without milk or soymilk) at a temporary premises by a community group; or <p>b. a wine tasting for members of the public, which may include the serving of cheese or low risk food that has been prepared and is ready to eat; or</p> <p>c. the sale to members of the public or the wholesale of whole (uncut) fruit or vegetables; or</p> <p>d. the handling of low risk food or cut fruit or vegetables and the serving of that food to children at a sessional children’s service.</p>	<p>No fee allowed by statute</p>	<p>\$40 to \$165</p>	<p>Nil</p>
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BACKGROUND

The Food Amendment (Regulation Reform) Act amends the Victorian Food Act 1984.

New provisions within the Act focus on improving the way in which food safety is regulated in Victoria. This will reduce burdensome red-tape for businesses and community organisations, and enable better use of Council resources with regulatory effort targeted to those activities that pose the highest risk to public health.

The amendments also introduce a low risk food category (Class 4) that doesn’t require registration or the payment of fees. Low risk food means food that is unlikely to contain pathogenic micro-organisms and will not normally support their growth due to food characteristics (examples; grains, cereals, carbonated beverages, jams, dried fruits, packaged pasteurised milk and ice-cream, and cut fruit or vegetables (which are not subject to any further processing)).

Registration and renewal fees contribute in part to the following activities:

- * inspection and approval of registered premises;
- * implementation of food monitoring programs; and
- * record keeping and data base management, etc.



ISSUES

- * The introduction of new classifications requires the setting of new fees.
- * Existing registered premises won't be liable for the new fees until they re-register in 2011; renewal notices will be issued in November 2010.
- * New applications received before December 2010 will be charged a pro-rata amount of the new fee.

FINANCIAL IMPLICATIONS

The removal of fees for class 4 premises creates a potential budget shortfall of about \$6,000. The new fee schedule redistributes the shortfall amongst class 1, 2, and 3 businesses to maintain a balanced budget.

CONCLUSION

The amendments will mostly have an effect when businesses re-register:

- * Class 4 businesses will not have to pay, the recommended fee schedule compensates for that loss;
- * the recommended fee schedule is consistent with industry standards;
- * the fees paid by mobile food vendors have been reduced to reflect their lesser activity level compared to a fixed premises (eg Class 2 - current fee \$ 330, proposed fee \$170); and
- * there will be a reduction in burdensome red-tape for businesses and community organisations enabling better use of council resources, with regulatory effort targeted to those activities that pose the highest risk to public health.



7.3 MANAGER ENGINEERING AND ASSETS – ANDREW TAYLOR

7.3.1 New Austroads Engineering Design Standards

INTRODUCTION

The purpose of the report is to inform Council of the new Austroads Road and Bridge Design Standards and their significance to Council.

RECOMMENDATION

It is recommended that the Alpine Shire Council utilise the “Austroads Guide to Road Design” 2009 edition as the basis for its new road and bridge design.

BACKGROUND

Austroads is the association of Australian and New Zealand road transport and traffic authorities and is responsible for the production of National standards for roads and bridges.

Austroads members are the six Australian state and two territory road transport and traffic authorities, the Department for Infrastructure, Transport, Regional Development and Local Government, the Australian Local Government Association (ALGA), and the New Zealand Transport Agency (NZTA).

Austroads recently issued a new set of guides that govern road and bridge infrastructure design standards. These were formally adopted by VicRoads effective 1 July 2010, and are now officially the current standards to which new road and bridges should comply.

The guides are intended to produce uniform standards throughout Australia, and eliminate variations between States and Councils.

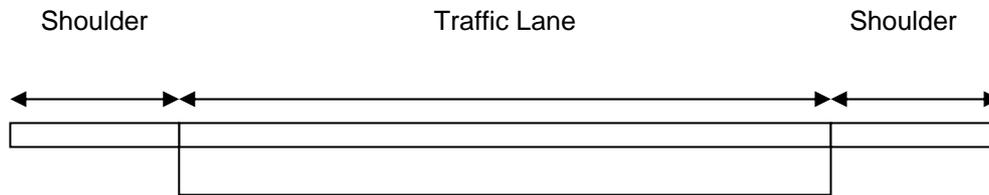
For example the Austroads Standards require rural roads to be designed to the following widths depending upon the number of vehicles using that road.

Carriageway Rural Road Widths

Element	Average Daily Traffic				
	1-150	150-500	500-1,000	1,000-3,000	= 3,000
Traffic Lanes	3.7metres (1x 3.7)	6.2 metres (2x3.1)	6.2-7.0 metres (2x3.1-3.5)	7.0 metres (2x3.5)	7.0 metres (2x3.5)
Total Shoulder	2.5 metres	1.5 metres	1.5 metres	2.0 metres	2.5 metres
Minimum Shoulder Seal	0 metres	0.5 metres	0.5 metres	1.0 metres	1.5 metres
Total Carriageway width	8.7 metres	9.2 metres	9.2-10.0 metres	11.0 metres	12.0 metres



Rural Road Elements



Urban Road Widths

Urban road widths are dependent upon traffic volumes and type and whether it is a main road for through traffic or a local access road in residential areas. A main road requires traffic lane widths of 3.3 to 3.5 metres and local access roads require a width of 3.0 to 3.3 metres. New local access roads for subdivisions are constructed to the Austroads Standards.

If the standards are unable to be met as a result of physical e.g. mountainous terrain or environmental reasons, documented justification is required as to why the design guidelines were not adhered to.

ISSUES

Council should use the new standards for design of roads, bridges and related infrastructure. Council may build outside the standard however it must be by a deliberate decision made only after a thorough, impartial, and fully documented risk assessment. There can be significant ramifications if Council designs and constructs substandard roads and bridges.

Consultants who prepare designs for Council must also use the new standards. Briefs to consultants will state this requirement and the consultants must provide some evidence that they possess and are using the new standards.

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

The requirement to meet the new standards will increase the costs of constructing the civil infrastructure due to the new specification and design. The financial implications shall be identified in the individual asset management plans and project scopes being developed by the Engineering and Assets Department.



CONCLUSION

Austrroads Guidelines are nationally endorsed Standards that provide professional guidance for engineering designers. Deviation from these standards because of physical or environmental reasons requires justification and fully documented evidence as to why the standards cannot be met.



7.3.2 Mount Beauty Aerodrome Maintenance Plan

File Number: 1500.02.01

INTRODUCTION

The Mount Beauty Aerodrome Draft Master Plan was placed on public exhibition for 28 days and the period for submissions closed on 6 July 2010. The purpose of this report is to place before Council a summary of comments received.

RECOMMENDATION

It is recommended that:

- 1. Public submissions received about the Mount Beauty Aerodrome Draft Master Plan be noted.***
- 2. Further work be undertaken on the Mount Beauty Aerodrome Draft Master Plan to consider the suggestions and comments received.***

BACKGROUND

Council at its meeting held 1 June 2010 resolved that “*The Mount Beauty Aerodrome Draft Master Plan be released for public consultation for a period of 28 days*”.

CONSULTATION

The Draft Master Plan was put on public display at Council’s offices and libraries in Mount Beauty, Bright and Myrtleford; the Council website and copies of the Plan were sent to various individuals and organisations as listed below. The 6 July 2010 was set as the closure date for receipt of submissions.

- * Mount Beauty Library
- * Myrtleford Library
- * Bright Shire Offices
- * Alpine Shire website
- * Mount Beauty Aerodrome Management Committee
- * Mount Beauty Gliding Club
- * Mount Beauty Chamber of Commerce
- * Mount Beauty Town Framework Committee
- * Local Newspapers
- * Mount Beauty CFA
- * Region 24 CFA
- * Tawonga CFA
- * North East Water
- * North East Catchment Management Authority



- * Department of Sustainability and Environment
- * Adjacent landowners

At the close of the public consultation period, forty three (43) submissions had been received plus two (2) submissions from an earlier period have been added. Of the forty five (45) submissions, forty (40) supported the Master Plan and five (5) did not support or raised issues needing to be further investigated.

The next step in the process is to consider the comments, meet with various organisations and individuals to identify and consider potential options or amendments, then rework the Draft Master Plan where necessary.

A report will then be submitted to Council with the updated Draft Master Plan for adoption. Once adopted by Council, detailed work can then commence on bringing the Master Plan to fruition.

The table below lists the comments received during the consultation period. Each comment has been given an identifying reference number.

Agency	Submission
Mount Beauty Airport Management Committee	<ul style="list-style-type: none">* MBAMC1 The Committee voted unanimously in support of the concepts contained in the Draft Airport Master Plan 2010.* MBAMC2 The proposed plan would improve the safety of operations at the airfield particularly in respect to the fire bomber aircraft and Air Ambulance service.* MBAMC3 The Plan could encourage more tourists to visit the area by providing a safer and more accommodating airstrip in terms of length and width for larger private aircraft.* MBAMC4 The upgraded aerodrome would encourage further investment in private hangers at the airfield.* MBAMC5 Financially, the upgraded facility will encourage more airborne tourism and hanger investments and significantly increase fees and leases to operate the aerodrome.
Petition to Alpine Shire to extend the Mount Beauty Airfield Runway signed by 255 people	<ul style="list-style-type: none">* P1 Expedite the lengthening of the Mount Beauty Airfield for the following urgent reasons.* P2 1 To ensure that the aircraft carrying fire retardant during bushfires can carry full payloads* P3 2 To allow the Air Ambulance to safely take off with a full patient load on board.* P4 The petitioners also believe that extending the airstrip will provide further community tourism benefits such as increased tourist aircraft traffic, light aircraft flying training and for growing glider activity in the Kiewa Valley.
Border Plant Hire Pty Ltd	<ul style="list-style-type: none">* BPH1 The plan has no major flaws.* BPH2 The Plan provides increased safety for both powered and non powered aircraft by increasing the runway length.* BPH3 The increased runway reduces the need for aircraft to fly



	<p>over the town.</p> <ul style="list-style-type: none"> * BPH4 The Plan increases safety for residents living in the town. * BPH5 The Plan will result in safer, more efficient and more flexible operations for both Air Ambulance and Fire Fighting aircraft. * BPH6 The report needs to elaborate on the 60 metre building offset to clarify future building design and development.
Ray Addinsall	<ul style="list-style-type: none"> * RA1 Congratulates the Council on the action it has taken regarding the extension to the Airport. * RA2 This is a unique opportunity to further develop the Airport in a way that will bring many advantages to the community such as:- * RA3 A very fast Air Ambulance Service, with increased capacity and able to deliver patients over long distances when required, and at the same time have additional life saving equipment on board. * RA4 The Fire Bomber Aircraft will be able to operate fully loaded; this will mean the control of fires that could otherwise destroy many thousands of hectares of forest. * RA5 Private Aircraft flying into the area will substantially increase because it will be much easier to operate from the extended and wider runway. * RA6 The Gliding Club will continue to grow into one of the best gliding operations in Australia because of its location and the dedication and skill of the members. * RA7 The displacement of the threshold will help to reduce noise levels and increase safety in many ways. * RA8 Falls Creek will benefit from the increased people that will be flying in during the snow season. Mount Beauty Airport is one of the most fog free airports in Victoria.
North East Catchment Management Authority	<ul style="list-style-type: none"> * NECMA1 Objects to the 1540 metre total runway length proposal due to the possible significant environmental, riparian and floodplain impact. * NECMA2 Supports a 1300 metre total runway on the basis of (1) it not requiring clearing along the Kiewa and East Kiewa Rivers. (2) All drainage works allowing for natural flood runners to continue as close as possible to natural courses. (3) The runway not being elevated more than 300mm above the natural surrounding surface levels. * NECMA3 Removal of vegetation from a designated waterway will require a permit.
Bill Hilliger CASA	<ul style="list-style-type: none"> * BH 1 Confirms the statement in the draft master Plan that due to existing buildings and other physical constraints it is unlikely that Mount Beauty Aerodrome can meet the standards that CASA requires to become a registered aerodrome for the purpose attracting a published GPS NPA
Department of Sustainability and Environment	<ul style="list-style-type: none"> * DSE1 DSE request that you consider the issues and comments in the DSE letter of 29 April 2010 letter when preparing the final Master Plan. This letter covers. * DSE2 Ecological assessment involving potential removal of up to 30 trees. * DSE3 Site Management. A construction environmental management plan will be required prior to any commencement of construction.



	<ul style="list-style-type: none"> * DSE4 Land owners consent required from DSE for work on Crown land water frontage prior to a planning permit being issued. * DSE5 Assessment needed on whether a Cultural Heritage Management Plan is required. * DSE6 The Shire will need to schedule the road in the road reserve as unused pursuant to Section 400 of the Lands Act for the purposes of a runway. * DSE7 All works on Crown land needs to be assessed in accordance with the Native Title Act 1993 (NTA). * DSE8 A planning permit will be required for removal of native vegetation
CFA Region 24	<ul style="list-style-type: none"> * CFAR24.1 CFA supports this and any other infrastructure which will assist with fire fighting operations in the North East. * CFAR24.2 DSE, in conjunction with the CFA, uses the aerodrome as a strategic base for filling aircraft with fire retardant for aerial control of fires during summer. A longer runway will enable fully loaded aircraft to take off from Mount Beauty. * CFAR24.3 It will also be advantageous in providing greater logistical support, whether that is in picking up and setting down of personnel, or delivery of supplies and equipment.
Steven Rigoni	<ul style="list-style-type: none"> * SR1 Objection to removal of native vegetation. * SR2 Suggests threshold displacement be 300 metres and not 600 metres. * SR3 Concerned some stakeholders consulted may have a pecuniary interest in the development and modification to the existing airfield. * SR4 Concerned about absence of native vegetation specialist representation. * SR5 Considers the limit to the length of the runway should be determined by not removing native vegetation. * SR6 Questions basis of annual aircraft movements. * SR7 Suggests a noise study be undertaken of potential impact of increased aircraft movement. * SR8 Questions statement regarding no standards for determining runway length. * SR9 Concern about safety of potential aircraft take offs to the south over Mount Beauty township. * SR10 Suggests aerodrome should be relocated. * SR11 Suggests weather data be considered to identify the number of days the runway couldn't operate due to poor weather conditions.
Joanne Rigoni	<ul style="list-style-type: none"> * JR1 Concerned that private development adjacent the airport appears to result in the first two thirds of the existing runway being scrapped. * JR2 Objects to potential requirement for removal of native vegetation on Crown Land and her land. * JR3 Questions whether the extension will allow aircraft to take



	<p>off towards Mount Beauty. If so are residents aware of this proposal?</p> <ul style="list-style-type: none"> * JR4 Seeks clarification on the potential number of aircraft movements and the potential impact of an increase in number of aircraft movements. * JR5 Requests assurances that the extended runway will not adversely affect her property in the event of a flood. * JR6 Raises issue of Cultural Heritage consideration.
<p>Tawonga Rural Fire Brigade</p>	<ul style="list-style-type: none"> * TRFB1 Completely supports any requirements from DSE and CFA State Air Desk and Air Ambulance Victoria regarding any of their operations within Victoria. * TRFB2 Brigade understands that DSE and CFA State Air Desk requires 1000 metres of usable runway and Air Ambulance Victoria requires 1300 metres and a GPS NPA. * TRFB3 Suggests an alternative location be considered for the aerodrome to allow for all weather access for Air Ambulance Victoria. * TRFB4 Concern about potential aircraft take off to the south over Mount Beauty township and therefore take offs should be restricted to a northerly direction.
<p>Mount Beauty Gliding Club</p>	<ul style="list-style-type: none"> * MOUNTBGC1 Supports the proposal to extend the runway and make operations safer. * MOUNTBGC2 Requests the south east corner of the airfield remain clear of obstacles, flat and available as an over-run area. * MOUNTBGC3 Requests runway or gable markers be flat. * MOUNTBGC4 Requests that allowance be made in the northern most end of the runway for the Gliding Club's winch. * MOUNTBGC5 Requests gates be positioned in any future security fencing to allow retrieval of the winch cable if it falls outside of the airfield. * MOUNTBGC6 Seeks clarification of the proposed runway strip width on the diagram contained in the report.
<p>Sue Ryder</p>	<ul style="list-style-type: none"> * SuR1 Difficult to comprehend proposed 8,000 to 10,000 aircraft movements pa. The figure needs substantiation. Have residents of Mount Beauty and Tawonga South been made aware of the potential number of aircraft movements? * SuR2 No statistics provided as to the number of helicopter or fixed wing emergency transfers. The report makes the assumption that by extending the runway, more emergencies can be handled. * SuR3 Questions the need for lighting of the runway for Air Ambulance operations as the aerodrome would not meet CASA standards. * SuR4 The report does not provide detail of the size of fixed wing aircraft which could be used for fire fighting operations. * SuR5 Ratio of emergency use verses private operations is not detailed in the report. * SuR6 The report does not comment on the social aspects of the proposed development.



	<ul style="list-style-type: none"> * SuR7 Tourism is unlikely to be affected either way by the proposed development of the aerodrome as only small fixed wing aircraft could use the aerodrome. * SuR8 Concern about the loss of native vegetation, landowner rights over water frontages and remnant vegetation. * SuR9 Suggests a full environmental impact study should be undertaken before further consideration of the draft master plan. * SuR10 Identifies the need for earthworks in the old watercourse meandering through the land under consideration. * SuR11 Suggests consent from Aboriginal Affairs Victoria be sought. * SuR12 Notes that no capital neither costing nor ongoing maintenance costs have been provided in the report. * SuR13 Suggests the proposed development is only going to have minimal long term benefit to the area. * SuR14 Consideration could be given to a new aerodrome in another area.
Ian Cohn	<ul style="list-style-type: none"> * IC1 Fully supports the implementation of the Master Plan. * IC2 When completed the plan will provide great benefit to the residents and ratepayers of Alpine Shire. * IC3 It will improve medical evacuation capabilities of Air Ambulance Service and vastly improve fire fighting in the upper Kiewa Valley area by allowing increased fire retardant loads to be carried by water bombing aircraft.
Mart Bosman	<ul style="list-style-type: none"> * MB1 Good Plan and hopes it goes ahead soon. * MB2 Existing runway is too short for fully loaded fire fighting aircraft and fully loaded flying doctors aircraft.
Philip O'Bryan	<ul style="list-style-type: none"> * Po'B1 Mount Beauty area is an isolated community; In the event of emergencies, access by air is essential in mitigating the threat. * Po'B2 Extending the runway will allow fire fighting aircraft to use their full payload and higher capacity air ambulance to use the airport. * Po'B3 The airport master plan has my full support.
Mark Bland	<ul style="list-style-type: none"> * MBI1 Offers support for the draft Master Plan. * MBI2 It will provide safer operation for the Air Ambulance and summer fire bombing. * MBI3 It provides an overall safety for the recreational aircraft and gliders that use the airfield.
Andrew Edwards Grollo Aviation	<ul style="list-style-type: none"> * AE1 The current airport is limited in its ability to provide landing and takeoff for aircraft needing to carry groups of people such as reinforcement firefighters, injured people from a bus crash in the mountains etc. * AE2 The proposed improvements would add capacity and safety. * AE3 The new airport could also add a speedy access to the



	Falls Creek snow fields to rival that of Mount Hotham and its airfield.
Ken Bell	<ul style="list-style-type: none"> * KB1 I fully support implementation of the Mount Beauty Airport Master Plan currently before the Council. * KB2 When completed, this plan will be of great benefit to the residents and ratepayers of Alpine Shire * KB3 It will facilitate improved medical evacuation capabilities for the Air Ambulance Service and vastly improve fire-fighting services and infra-structure in the Upper Kiewa Valley area by allowing increased loads to be carried by water bombing aircraft fighting bushfires which threaten the surrounding districts and their communities
Hugh Skey	<ul style="list-style-type: none"> * HS1 Supports the proposal to extend the runway at Mount Beauty airport. * HS2 In my view, the benefit of a longer runway to the Mount Beauty, Falls Creek and Bright communities far outweighs any transient disturbance to vegetation – and indeed may add to the preservation of the local environment by enabling more effective and efficient fighting of wild fires.
Dr Mark Zagorski Mount Beauty Medical Clinic	<ul style="list-style-type: none"> * MZ1 We support the extension of the Mount Beauty air strip. The current strip is not adequate for safe air ambulance use and the community is reliant predominantly on helicopter evacuation. * MZ2 The extension will permit the newer fixed air wing ambulance to land at Mount Beauty providing a better and more reliable service for the residents and visitors of the area.
Kitty Vigo and David Vigo	<ul style="list-style-type: none"> * KV1 Fully support implementation of the Mount Beauty Airport Master Plan. * KV2 The plan will be of great benefit to residents and ratepayers of Alpine Shire. * KV3 Potential airport developments should create further business and employment opportunities for the Shire, particularly for Mount Beauty, Tawonga South and Tawonga. * KV4 Main reason for support is that it will ensure improved medical evacuation capabilities for Air Ambulance Victoria
Falls Creek Resort Management	<ul style="list-style-type: none"> * FCRM1 Supports the planned extension of the Mount beauty Air Field. * FCRM2 Safety and emergency services primary concern to Falls Creek, and Kiewa Valley communities and extending runway to allow Air Ambulance to have normal operations instead of limited carrying capacity plus fire fighting aircraft to take off with a full retardant load is in the interests of community safety. * FCRM3 Potential tourism and regional development benefits to be gained from the initiative. * FCRM4 The Victorian Government has published a regional and rural development blueprint titled “Ready for Tomorrow” and the planned extension in the view of the Resort is a small but significant step towards this objective.
The following list of people submitted letters	<ul style="list-style-type: none"> * JM1 Supports proposal for extension of the Mount Beauty



<p>with the same listed comments. 1 Jill Martin, 2 Diana Bukovac, 3 Gillian Harrowfield, 4 John Lyons, 5 Jocelyn Saneit, 6 June Hoffman, 7 Nola Skey, 8 Maggie Lyons, 9 J Morris, 10 SHG Thomas, 11 Diana Robertson, 12 Gebhund Audencu, 13 PG Morris, 14 Ben Talbot, 15 George Vasiliadis, 16 L Dunell,, 17 Judith Reid 18 GM Badior</p>	<p>Aerodrome run way.</p> <ul style="list-style-type: none"> * JM2 Concerned that during the recent bushfires that two fire fighting aircraft had difficulty taking off with full fire retardant loads because of the short length of runway. * JM3 Concerned that Air Ambulance operations are presently limited to carrying out only one patient at a time because of the present length of the runway. If the Air Ambulance Service contractors increase the size of their aircraft they will not land at Mount Beauty at all. * JM4 Respectfully request Alpine Shire Council support the extension of the Mount Beauty run way. * JM5 Considers public safety and emergency procedures should be given greater priority over tree removal at the end of the proposed extension.
<p>Ian and Helen Howley</p>	<ul style="list-style-type: none"> * I&HH1 Supports proposal for extension of the Mount Beauty Aerodrome run way. * I&HH2 Concerned that during the recent bushfires that two fire fighting aircraft had difficulty taking off with full fire retardant loads because of the short length of runway. * I&HH3 Concerned that Air Ambulance operations are presently limited to carrying out only one patient at a time because of the present length of the runway. If the Air Ambulance Service contractors increase the size of their aircraft they will not land at Mount Beauty at all. * I&HH4 Respectfully request Alpine Shire Council support the extension of the Mount Beauty run way. * I&HH5 Considers public safety and emergency procedures should be given greater priority over tree removal at the end of the proposed extension. * I&HH6 The Shire appointed Framework Committee strongly recommend that the mount Beauty airstrip be upgraded. * I&HH7 While we prefer to see native trees retained the upgrading of the airstrip is essential for the safety of district communities and the usual practice of planting replacement trees elsewhere should apply to this development.
<p>Tawonga and District Community Committee Received 27 February 2009</p>	<ul style="list-style-type: none"> * TDCC1 Supports Mount Beauty Airport Committee submission. * TDCC2 The various communities in the Upper Kiewa are disadvantaged by their distance from a major regional centre. Illness and accident often require rapid transfer to access specialised medical care in all seasons by aircraft. Runway needs to be extended. * TDCC3 Recent fires also highlighted the need for a longer runway for fire fighting aircraft to take off with the optimum water load.
<p>Royal Flying Doctor Service Received 7 July 2009</p>	<ul style="list-style-type: none"> * RFDS1 Operates into Mount Beauty approximately 20 times a year but with improvements would be able to use the airport even more. * RFDS2 During summer months higher ambient temperatures



	<p>limit the weight that the aircraft can carry due to the short runway. Runway needs to be extended to at least 1300 metres to allow maximum loads to be carried and with a southerly wind the length of runway needs to be longer.</p> <ul style="list-style-type: none">* RFDS3 Sealing of the runway supported.* RFDS4 Any improvement to the aerodrome would increase the margin for safety.* RFDS5 Capability to undertake an instrument approach would be desirable.
Captain David Jacobson	<ul style="list-style-type: none">* CDS1 Totally endorses the Plan and implementation at the earliest possible opportunity

POLICY IMPLICATIONS

The 2009-2013 Council Plan proposes that in relation to Infrastructure Strategies and Priorities, Council “Improve accessibility to our Shire” in 2009-2010 by developing the Mount Beauty Airport Master Plan.

Infrastructure Strategies and Priorities	2009-2010 Targets
Improve accessibility to our Shire	Mount Beauty Airport Master Plan developed

FINANCIAL AND RESOURCE IMPLICATIONS

It is proposed that further work is needed to consider the comments provided by the public about the Draft Master Plan and a further report will be prepared identifying any changes made to the Plan. Financial implications, including potential funding sources, may be considered at that stage.

CONCLUSION

The Mount Beauty Aerodrome Draft Master Plan has been prepared in accordance with Council’s 2009-2013 Plan. Comments have been received and it is proposed that Officers work through the comments and identify and adjust if warranted the Mount Beauty Aerodrome Master Plan if required.



7.4 MANAGER STRATEGIC SERVICES – JOHN CARTER

7.4.1 Dinner Plain Recreation and Leisure Strategy

File Number: 112.07

INTRODUCTION

The purpose of the Report is to inform Council of the exhibition process and community feedback on the draft Dinner Plain Recreation and Leisure Strategy and to seek Councils approval to adopt the Strategy.

RECOMMENDATIONS

That Council adopt the Dinner Plain Recreation and Leisure Strategy.

BACKGROUND

The final draft of the Dinner Plain Recreation and Leisure Strategy has been on public exhibition for 4 weeks.

No submissions were received.

The Dinner Plain Advisory Committee support the adoption of draft Dinner Plain Recreation and Leisure Strategy.

ISSUES

The development of the project brief was endorsed by the Dinner Plain Advisory Committee. The Committee has been actively involved in the projects development and have participated in the consultation process.

The Plan aims to provide a strategic direction for the development of recreation and leisure opportunities for the Dinner Plain community for the next 5 – 8 years.

The projects implementation has involved extensive research and consultation with residents and key stakeholders. In addition a number of community workshops have been conducted at Dinner Plain.

Key priority areas that have been identified for implementation over the next 12 months include:

- * Position Dinner Plain as a “walking Village” and ensure that recreation based opportunities connect with and are sympathetic to the natural environment.
- * Enhance the Dinner Plain multi-purpose trail network with a priority to complete the Hotham-Dinner Plain shared trail.
- * Acquire or negotiate access to private land currently used for cross country ski trails.
- * Develop cycling/walking trip node facilities at Dinner Plain Hut.
- * Upgrade and enhance the existing playground.



- * Negotiate to change the lease conditions on the tennis courts.
- * Develop and implement a community bushfire protection plan.

The Recreation and Leisure Strategy implementation plan is consistent with the Dinner Plain Master Plan.

POLICY IMPLICATIONS

The development of the Dinner Plain Recreation and Leisure Strategy links to the Council Plan and is consistent with the Dinner Plain Master Plan. The Strategy will link with the Shirewide recreation strategy plan which is proposed to be developed later this year subject to funding.

FINANCIAL AND RESOURCE IMPLICATIONS

The Draft Dinner Plain Recreation and Leisure Strategy includes the staged implementation of a number of capital works initiatives some of which have been included in Councils 2010/11 draft budget.

CONSULTATION

The projects development has involved extensive research and consultation with residents and key stakeholders. In addition a number of community workshops have been conducted at Dinner Plain.

Surveys were sent to all Dinner Plain households. Responses were analysed and the information incorporated into the draft Strategy.

The Dinner Plain Advisory Committee have actively involved with the consultation process and have reviewed and commented upon the draft Strategy.

The draft has been on public exhibition for 4 weeks and received no submissions.

CONCLUSION

The public exhibition of the Draft Dinner Plain Recreation and Leisure Strategy was the final stage of the consultation process.

The completed Strategy should now be adopted to provide a strategic direction for the future development of recreation and leisure opportunities for Dinner Plain residents and visitors.



7.4.2 Mount Buffalo Skyways Taskforce – Gondola Project

INTRODUCTION

This report details the recommendations of the Mount Buffalo Skyways Taskforce report submitted to Council 30 June 2010 and its recommendations. The report outlines the work undertaken by the Taskforce in investigating the merits of a gondola up Mount Buffalo to grow year round visitation to our region and aid the reopening of the historic Mount Buffalo Chalet.

RECOMMENDATIONS

That:

- 1. The Mount Buffalo Skyways Taskforce report dated 30 June 2010 be received and noted.**
- 2. The Mount Buffalo Skyways Taskforce be thanked and congratulated for their effort in undertaking the comprehensive community consultation and investigation into the project.**
- 3. Investigations to determine the Mount Buffalo Skyways Project viability continue to be supported in principal.**
- 4. The Mayor and Chief Executive Officer continue to lobby the Victorian State Government by:**
 - a. writing to Ministers Jennings, Holding and Allen and providing them with a copy of the Mount Buffalo Skyways Taskforce report and**
 - b. seeking their support in our dealings with DSE and Parks Victoria to continue investigating the feasibility of the project and**
 - c. seeking Victorian State Government support to fund a viability study for the Mount Buffalo Skyways Project and**
 - d. asking for the taskforce report to be forwarded to the Mount Buffalo Chalet tenderers and**
 - e. asking for further investigations into legislation changes required to facilitate the development.**
- 5. Council review the role of the taskforce pending outcome of the lobbying of the Victorian State Government, and no later than 30 November 2010.**

BACKGROUND / HISTORY

Over the past 18 months Mount Buffalo Skyways Taskforce members Sabine Helsper, John Kroger and Andrew Wilson (from the Great Alpine Valleys Tourism Board) have been investigating this potentially iconic tourism infrastructure project for our region.

Their purpose was to determine if a gondola was feasible, if the community would support such an idea and ultimately consider issues affecting potential investors, who would be vital to make such a project happen.



They undertook significant community consultation to understand community views. Investigations included many meetings with community members and stakeholders, potential risks, possible routes, cost estimates, design issues, comparable projects, demand assessment, general feasibility and investor issues. It has been an enormous undertaking by the small group who volunteered significant time to the project.

The taskforce had the support from Councillors, Mayor Nino Mautone and Daryl Pearce who have assisted with lobbying State Government and with media and community consultation. Council's Economic Development and Tourism team have helped with tourism, economic and web surveys and data analysis.

The Taskforce presented its report to Council 30 June 2010 and its findings show:

- * 64.8% community support, at this preliminary stage.
- * Protecting the environment is essential.
- * Such a project is likely to grow tourism, but project viability needs further investigation.
- * Securing in principal support from State Government is now essential to move the project forward.

Of those community members responding against the project, the primary concerns are with environmental issues. This is due, in part, to a misperception that significant vegetation removal would be necessary to erect and operate a gondola up the mountain. It is clear from the Cairns example that trees need not be removed and environmental impacts can be kept to a minimum and be managed effectively.

The recommendations in the report are summarised as:

- * Seek State Government support for the Viability study.
- * Circulate report to Minister Jennings to pass on to Mount Buffalo Chalet tenderers.
- * Council to consider continuation of the taskforce.
- * Investigate legislation to allow 99 year lease in the National Park.
- * Abandon the project if viability funds not pledged.

ISSUES

- * The support of Parks Victoria and DSE to progress this project is essential.
- * A detailed financial viability study needs to be undertaken.
- * To date the State Government has not formally agreed to contribute to the study.
- * There is an expectation in the community that this project is being fully investigated.



- * Information regarding potential routes/sites is to remain confidential and would be excluded from public release of the Taskforce report. These sites will require far more investigation and future recommendations prior to being finalised.

FINANCIAL AND RESOURCE IMPLICATIONS

As indicated in the report the detailed financial viability study will cost between \$50,000 to \$100,000. Council is hopeful of gaining State Government funding for this study.

LINKS TO STRATEGIC PLANS

The ART Strategic Tourism Plan adopted 2008 specifically identifies this project to be investigated as having potential to significantly grow visitation to our area.

The project also aligns well with Victoria's Nature based Tourism Strategy, with particular reference to "developing world-class visitor experiences at key national parks" developing "viable infrastructure" and looking at business partnerships that increase participation in nature based tourism activity.

CONCLUSION

Council should now take on the project from the taskforce and continue to lobby the Victorian State Government to support the project in principal and fund the detailed financial viability study. If the State Government is not prepared to offer support the project should be reviewed.



7.5 MANAGER PLANNING AND ENVIRONMENT – HEATHER GREEN

7.5.1 Alpine Planning Scheme - Amendment C15

File Number: 01468.15 and 01473.01

INTRODUCTION

In accordance with Section 25 of the Planning and Environment Act 1987, the Panel appointed to consider Amendment C15 has reported its findings to Council. Council must now consider the Panel's report under Section 27 of the Act and decide whether to adopt Amendment C15, or any part of it, with or without changes under Section 29 of the Act.

RECOMMENDATIONS

That:

1. ***Alpine Planning Scheme Amendment C15 Panel Report, April 2010 be accepted under section 27(1) of the Planning and Environment Act 1987.***
2. ***Panel Recommendations 1 to 4, and 6 to 10 be accepted.***
3. ***Panel Recommendation 5 be noted and that part of Amendment C15 that identifies land on the western fringe of Myrtleford for rezoning from Mixed Use Zone to Farming Zone be abandoned under Section 28 of the Planning and Environment Act 1987 and the issue addressed as part of a comprehensive review and rewrite of the Alpine Planning Scheme.***
4. ***The balance of Amendment C15 to the Alpine Planning Scheme be adopted under Section 29(1) of the Planning and Environment Act 1987 with changes in response to the Panels recommendations, as outlined in Attachment 2 to this report.***
5. ***Amendment C15 to the Alpine Planning Scheme be submitted to the Minister for Planning for approval under Section 31(1) of the Planning and Environment Act 1987.***
6. ***Panel Recommendation 11 be noted and the Department of Planning and Community Development and Goulburn Murray Water Corporation be advised of the Panel's recommendation.***
7. ***Panel Recommendations 12 and 13 be accepted and addressed as part of a comprehensive review and rewrite of the Alpine Planning Scheme.***
8. ***Panel Recommendation 14 be accepted and VicRoads advised that their comments in relation to the Myrtleford Masterplan Study 2001 and Bright Future: Urban Design Framework 2003 have been noted.***



9. ***Panel Recommendation 15 should be accepted and it be noted that the land has been identified for rezoning as part of proposed Amendment C23.***
10. ***Panel Recommendations 16 and 17 be accepted and the relevant government agencies advised of the Panel's recommendations.***

BACKGROUND

Amendment C15

The amendment is primarily required to reference the recommendations of the Alpine Shire Residential Land Review 2005 in the Municipal Strategic Statement (MSS) of the Alpine Planning Scheme. The amendment also makes a number of minor and administrative changes throughout the MSS. The amendment does not undertake any changes to the zones and overlays of the Alpine Planning Scheme.

Authorisation to Prepare an Amendment

The Minister for Planning, under Section 9(2) of the *Planning and Environment Act 1987*, granted Authorisation A00874 to Council to prepare Amendment C15 to the Alpine Planning Scheme.

Notice of Amendment

Notice of preparation of Amendment C15 was given in accordance with Section 19 of the *Planning and Environment Act 1987* in July 2009.

Submissions

Fourteen submissions were received with four in support of the amendment and ten seeking some change to the amendment.

Council considered the submissions at its Ordinary Meeting on 4 November 2009 when it resolved to:

- * Note the support of four submissions;
- * Agree to the changes requested by five submissions; and
- * Refer five submissions to a Panel under Section 23(1) of the *Planning and Environment Act 1987*.

Panel

The Panel appointed by the Minister under Section 153 of the *Planning and Environment Act 1987* comprised Cathie McRobert (Chair) and held the following hearings:

- * Directions Hearing: 24 February 2010 at Bright.
- * Main Hearing: 24 March 2010 at Bright.



The Panel made unaccompanied inspections of selected areas affected by the Amendment on 24 February and 24 March 2010.

The Panel heard submissions from the Alpine Shire Council, the Country Fire Authority and Cedarwood Pty Ltd. No other submitters requested to be heard by the Panel.

The Panel Report is included as an attachment to this report.

ISSUES

Sound Strategic Basis and Justification

The Panel considered the systematic approach and sound methodology adopted by the Alpine Shire Residential Land Review 2005 provides a sound basis for the residential strategies it recommends. This approach is consistent with key elements of State planning policy.

The Panel accepted that the extent of land identified in Amendment C15 for residential development is consistent with broader State planning policy.

The Panel also agreed with Council that it is desirable to provide more than one development option to:

- * avoid dependence on the decisions of a single owner;
- * provide choice and competition within the housing market; and
- * cater to different market segments.

The Panel acknowledged that the sequencing or preconditions for rezoning of additional land in Amendment C15 is appropriate, as is the identified need for further analysis or planning scheme mechanisms to address potential constraints.

Recognition of Fire Risk

The Panel identified fire hazard as an issue that must be a prominent consideration for residential development in the Alpine Shire. The Panel acknowledged that Amendment C15 is based on the current accepted policy and practice however was mindful that the findings of the Bushfire Royal Commission may well change the level of risk deemed acceptable, the form of bushfire hazard identification, and the way risks are managed in the planning system. This may impact the consideration of future applications for rezoning.

Buffer Areas

Long term protection of vital urban infrastructure is a fundamental strategic planning consideration. Maintaining the supply of land capable of accommodating industrial uses with off-site impacts, while protecting existing and future residents from adverse amenity impacts, is also strategically important

The Panel accepted that there is value in 'flagging' areas in Myrtleford and Mount Beauty that may be subject to off-site impacts from nearby uses but suggests using



a term other than 'buffer' to avoid confusion with other planning scheme and legislative provisions.

Other Issues

- * It is recognised that Amendment C15 also proposes to implement other strategic planning documents that did not generate any submissions. Those aspects of Amendment C15 were not specifically evaluated by the Panel.
- * The Panel considers there is substantial scope to restructure and edit the changes to the MSS proposed in Amendment C15 to achieve a clearer, more concise, and user friendly document. However, deferring that task to form part of a more comprehensive rewrite of the planning scheme should result in a more cohesive outcome, as well as avoiding further delay in implementing the Amendment
- * The Panel also took issue with a number of broader and general amendment issues including the role of Explanatory Reports and changes requested by government departments and agencies. The Panel has made a number of recommendations that require action by the Department of Planning and Community Development and Goulburn Murray Water and the Environment Protection Authority.

Individual Requests for Changes

Four submissions requested changes to settlement structure plans. The Panel endorsed Council's response to all of the submissions seeking changes to the treatment of particular parcels of land. In those instances where Council declined to support a request for rezoning, the Panel agreed with Council that there was insufficient justification for the changes requested.

Submission	Council's Position	Panel Conclusion
Maddison 7731 Kiewa Valley Highway, Tawonga South	Structure Plan should be revised to reflect current zoning	Agreed with Council position. Refer to Panel Recommendation 9 below.
Cedarwood Mount Porepunkah Road, Bright	Identify as LDRZ but agreed that the site may be capable of supporting lots less than 4000sqm subject to further site analysis.	Accepted that the site may be capable of supporting lots less than 4000sqm but the best way to achieve site responsive design is via the R1Z and a Development Plan Overlay. Refer to Panel Recommendation 8 below.
Piazza Lot 2 Damms Road, Mount Beauty	Location of land adjacent to waste transfer station and in proximity to waste water treatment plant and other industrial uses	Agreed with Council. Does not support the identification of this land for residential or rural



	renders the land unsuitable for residential development.	residential development.
Ryder 7784 Kiewa valley Highway, Tawonga	The scope of the Residential Land Review did not provide strategic justification for rezoning of land outside of the three main townships. Detailed strategy will be required to justify rezoning of this land.	Agreed with Council. Insufficient justification to support an alternative designation of this land.

Panel Recommendations

The Panel found that Amendment C15 has a sound strategic basis and justification and endorsed Council's response to all of the submissions seeking a change to particular parcels of land. The Panel also considered that some revisions to the MSS requested by government agencies deal with matters beyond the scope of the amendment.

The following table outlines the 17 Panel recommendations. It is recommended that Council address and action recommendations 1 to 11 prior to adopting the amendment. Recommendations 12 to 17 require either action by other agencies or action by Council as part of a rewrite of the Alpine Planning Scheme.

Panel Recommendations		Response & Comment
1	Adopt the post-exhibition changes to the proposed MSS supported by Council as set out in the Report to Council dated 4 November 2009 subject to the further changes in subsequent recommendations.	<i>Accept</i>
2	Review the proposed change to the exhibited Clause 21.03-2 (Factors influencing the future planning for settlement and infrastructure) to extend the matters identified under 'Environmental hazards' to hazards other than wildfire.	<i>Accept</i> This clause was included at the request of the CFA however it is appropriate that the environmental factors be expanded to include other matters. These matters should relate to the criteria identified in the Residential Land Review, including flooding, slope, landslip, and contamination.
3	Clarify the meaning of 'extreme fire hazard characteristics' in the proposed post-exhibition revision to Clause 21.03-2 Residential strategies and review the implications the proposed post-	<i>Accept</i> The advice of the CFA has been sought in this matter. Clause 21.03-2 Residential Strategies has



	exhibition change to increase the level of fire hazard that would preclude development.	been modified.
4	Delete the General Strategy ' <i>Implement the recommendations of the Alpine Shire 2005 Residential Land Review</i> ' from Clause 21.03-2.	<i>Accept</i> As noted by the Panel, the relevant elements of the Review are to be incorporated into Clause 21.03-2.
5	Consult with the owners of land on the western fringe of Myrtleford identified in Amendment C15 for rezoning from Mixed Use Zone to a Rural Zone before determining whether this provision should be adopted.	<i>Abandon this part of the Amendment.</i> Defer this matter for further investigation and review as part of the review and rewrite of the planning scheme.
6	Delete references to 'Potential Township growth area/Area to be investigated for long term growth' on the Myrtleford Local Structure Plan.	<i>Accept</i> There is an over supply of residential land in Myrtleford and therefore no need to indicate that further land will be investigated.
7	Qualify references in Clause 21.03 to refer to 'potential' rezonings in Bright and Mount Beauty/Tawonga South.	<i>Accept</i> As the Panel rightly points out, the areas identified for residential growth may prove to be inappropriate when further analysis to address potential constraints is undertaken.
8	Identify UGA3 on the Bright Local Structure plan for residential development subject to further investigation with a Development Plan Overlay.	<i>Accept</i> Council had previously agreed that the site may be capable of supporting lots less than 4000sqm subject to further site analysis. The Panel has stated that linking minimum lot sizes to specific parts of the site via different zones is not conducive to site responsive design and that a better approach would be achieved by applying the Residential 1 Zone in conjunction with a Development Plan Overlay that specifies particular objectives for they key issues of concern.
9	Revise the Mount Beauty/Tawonga South structure plan to accurately represent the current zoning of 7731 Kiewa Valley Highway Tawonga.	<i>Accept</i> Supports Council's response to the submission.
10	Identify areas conceptually along the lines of ' <i>development of further sensitive uses is constrained by amenity affecting</i>	<i>Accept</i> The intention is to flag that the



	uses' rather than industrial buffer areas or zones and buffer area for amenity affecting uses.	areas identified may be subject to off-site impacts from nearby uses. To avoid confusion with EPA documents and Clause 52.10 a change in terminology is appropriate.
11	Consider incorporating the Guidelines for the Protection of Water Quality, North East Planning Referrals Committee through the schedule to Clause 81.01 (GMWC could also initiate amendments to other relevant planning schemes in the Region to achieve incorporation of the document).	<i>Note</i> The guidelines apply to the North East Region and should be applied consistently throughout the region. Accordingly, DPCD and GMWC should be advised of the Panel's recommendation to initiate amendments to all North East planning schemes.
12	Consider the changes requested by Goulburn Murray Water Corporation, DSE and VicRoads that do not relate to Clauses 21.031 or 21.03-2 as part of the more comprehensive review and rewrite of the MSS that is currently underway.	<i>Accept</i> The preliminary report 'Alpine Planning Scheme Review 2010 – Exhibition Draft' acknowledges the submissions by GMWC, DSE and VicRoads.
13	Edit and restructure the provisions introduced by Amendment C15 as part of the more comprehensive review and rewrite of the MSS that is currently underway.	<i>Accept</i> The preliminary report 'Alpine Planning Scheme Review 2010 – Exhibition Draft' also identifies the need for the restructuring and redrafting of the MSS to achieve a more concise document focussed on planning outcomes.
14	Council note VicRoads comments relating to the implementation of the new reference documents to be included in Clause 21.05 <i>Myrtleford Masterplan Study 2001</i> and the <i>Bright Future: Urban Design Framework 2003</i> .	<i>Accept</i> This is consistent with Council's response to VicRoads submission.
15	Correct the zoning of privately owned land (in Myrtleford between the mill facility and the Mummery Road residential area) that is incorrectly zoned Public Conservation and Resource Zone through a separate Amendment.	<i>Accept</i> This anomaly has also been identified in the current Section 12B review of the Alpine Planning Scheme and forms part of proposed Amendment C23.
16	Updating of the incorporated Septic Tanks Code of Practice in Clause 81.01 be taken up with DPCD by either GMWC or the EPA.	<i>Advise DPCD, GMWC and EPA of the Panel's recommendation.</i>
17	DPCD review the practice of	<i>Advise DPCD of the Panel's</i>



	Amendment Explanatory Reports that provide only very broad descriptions of proposed changes.	<i>recommendation.</i>
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Updated Amendment Documentation

As a result of the recommendations of the Panel, the post exhibition Amendment C15 documentation is required to be updated if the Amendment is to be adopted. The amendment documentation in Attachment 2 to this report includes the changes recommended by the Panel in their recommendations 1 to 4 and 6 to 10 and excludes recommendation 5 which it is proposed to abandon.

POLICY IMPLICATIONS

The amendment seeks to recognise Councils adopted residential strategy for the three main towns in the Shire and if approved, will amend the Municipal Strategic Statement of the Alpine Planning Scheme.

FINANCIAL AND RESOURCE IMPLICATIONS

Panel Hearing

The Panel costs to consider submissions to Amendment C15 amounted to \$15,900. This amount constituted \$9,900 for the Panel member and \$6,000 for a planning consultant to represent Council. These costs exclude the staff resources that were required for the administration of the Panel process.

Submission of Amendment for Approval

If adopted, Amendment C15 must be submitted to the Planning Minister for approval. At this time, Council is required to pay a fee of \$798 to the Minister under regulation 6(4) of the Planning and Environment (Fees) Regulations 2000.

Subsequent Planning Scheme Amendments

If the amendment is approved it establishes the strategic justification for a number of parcels of land to be rezoned and it is anticipated that Council will receive at least two requests for rezoning soon after approval of Amendment C15. Applicants seeking a rezoning will be required to pay fees of up to \$2120 to Council for the conduct of an amendment. These fees do not cover the costs associated with a Panel hearing if one is required.

2010-2011 Budget Allocation

Council's 2010-2011 budget allocates \$15,000 for planning scheme amendments. This will cover the \$798 fee required for submission of Amendment C15 to the Minister for approval and at best the costs associated with one additional Panel hearing. In addition, current amendments that will be costed to this budget include C22 to incorporate the updated Dinner Plain Masterplan and C23 to correct zoning anomalies. Depending on the level of interest and opposition to amendments C22



and C23 and requests for rezoning as a result of Amendment C15, the allocation of \$15,000 may be inadequate.

CONSULTATION

Consultation during the preparation of the amendment was conducted in accordance with Section 19 of the *Planning and Environment Act 1987*. Notice of preparation of the amendment was given to 159 land owners and occupiers who may have been detrimentally affected by the amendment and ten state government Ministers, authorities and agencies. Notice was also given in the local newspapers and Government Gazette.

If Amendment C15 is approved by the Minister, notice of approval of the amendment must be given in accordance with Section 36 of the *Planning and Environment Act 1987*. At a minimum this will include a notice in the Government Gazette and the local newspaper.

CONCLUSION

The Panel found the systematic approach and methodology adopted in the Alpine Shire 2005 Residential Land Review provided a sound basis for the residential strategies it recommended and ultimately Amendment C15. This was further supported by the Panel when it endorsed Council's response to all of the submissions seeking changes to the treatment of particular parcels of land in Clause 21.03 local structure plans.

The Panel did however recommend that areas identified for further development be qualified as "potential areas" to manage expectations and enable changes in policy particularly those expected as a result of the Bushfire Royal Commission.

The Panel recommended that Amendment C15 be adopted subject to 17 recommendations as outlined in the body of this report.

Of the 17 recommendations outlined by the Panel:

- * Recommendations 1 to 4, and 6 to 10 should be accepted and the appropriate changes to the amendment documentation as outlined in Attachment 2 to this report be adopted.
- * Recommendation 11 should be noted and the Department of Planning and Community Development and Goulburn Murray Water Authority advised of the Panel's recommendation.
- * Recommendations 12 and 13 should be accepted and addressed as part of a comprehensive review and rewrite of the Alpine Planning Scheme.
- * Recommendation 14 should be accepted and VicRoads advised that their comments in relation to the Myrtleford Masterplan Study 2001 and Bright Future: Urban Design Framework 2003 are noted.
- * Recommendation 15 should be accepted. The land has been identified for rezoning as part of proposed Amendment C23.
- * Recommendations 16 and 17 should be accepted and the relevant government agencies advised of the Panels recommendation.



- * Recommendation 5 should be noted and this part of the amendment abandoned and the issue addressed as part of a comprehensive review and rewrite of the Alpine Planning Scheme.



7.5.2 Development in the Alpine Shire 2009/2010

INTRODUCTION AND BACKGROUND

It is useful for Council and for the development industry to have an understanding of activity in terms of residential, commercial and industrial development to enable better planning for the future. Development in the Alpine Shire has continued to be steady for the 09/10 financial year. This report provides some statistics for review and some commentary on the past year and how this might impact on the current financial year.

RECOMMENDATIONS

That Council:

- 1. Note the content of this report.***
- 2. Continue to review processes and procedures to improve the level of service provided to the development industry.***
- 3. Continue to assist and educate the community and the development industry to achieve sustainable development.***

ISSUES

Global, national and local factors all contribute to growth in the shire. Over the past financial year (09/10) a number of factors have contributed to the rate, extent and type of development. These include:

- * Global financial crises – general slowing of the economy
- * Changes to first home buyer grants
- * Interest rates
- * Reduced availability of finance for commercial developments
- * Increased cost of energy – including fuel for transport
- * February 2009 bushfires
- * State policies – eg Hume Strategy
- * Planning policies – eg Wildfire Management Overlay

Council has limited ability to have an impact on many of these issues but it can be proactive in some ways to ensure development is not hindered and that it can proceed in a sustainable way.

Planning Applications

The number of planning applications received in 09/10 are less than in 08/09. This is indicated in appendix 1 to this report. This reduction is considered to be primarily due to the general economic downturn and is indicative of a sustainable development trend following several years of boom.



The general enquiry level about potential development has also lessened from the previous year. Some of this reduction can be attributed to the introduction of a service to local real estate agents where Council provides a summary of the planning controls for a site that has come on the market that is likely to generate significant interest. This has meant the real estate agent is able to provide some initial information up front to potential purchasers saving them from contacting Council directly. It also aids consistent information being provided to potential buyers and developers. The general economic downturn is the main contributing factor.

Despite this downturn, confidence in the Shire has been shown through significant applications over the last year including – Redevelopment at the Carter Holt Harvey complex in Myrtleford, Commercial development at Dinner Plain, and a quarry at Porepunkah.

Attachment 3 shows the applications over the last quarter.

Building Applications

Attachment 2 provides the Building statistics for the financial year. These indicate a slight decrease in the total number of application lodged for the year (as a comparison to 08/09) but an increase in the value of the work undertaken and the amount of fees received. In addition to the 245 applications made to Council, a total of 105 applications were dealt with by private certifiers. This is similar to 08/09. Growth is particularly strong in the residential area despite the changes to the first home owner's grants. This may be indicative of the market being driven by second and third home buyers.

The numbers of outbuildings may be slightly inflated due to rebuilding following the February 2009 bush fire.

Future Council Actions

Sustainable growth is a hallmark of the Community 2030 Vision and a key element of the Council plan 2009 -2013. It would appear that growth in the shire is continuing in a steady fashion as would be expected. Actions to be undertaken over the next year and years will aid the community, the development industry and Council in achieving this growth.

These actions include – the development of an economic strategy, the rural land strategy, the review and rewrite of the planning scheme and the continued improvement to processes and procedures in the Planning and Environment Department.

POLICY IMPLICATIONS

<i>2009-2013 Council Plan – Draft 2010 Update</i>	
<i>Theme 1: Leadership</i>	
<i>Strategy</i>	
1.2	Engage our



	community and stakeholders	
2030 Community Vision		
Key Directions		
Sympathetic and Balanced Development		
Identity and Character of our towns, villages and rural communities		
Economic Prosperity		

FINANCIAL AND RESOURCE IMPLICATIONS

Council has increased resources in the Planning area to achieve a number of outcomes. These include – providing a more efficient service to the development industry, to encourage better outcomes in terms of sustainable and efficient development and to enable Council to meet its legislative obligations. The additional resources have enabled more flexibility in allowing resources to be deployed to those areas where demand dictates. This flexibility will continue into the new financial year.

CONCLUSION

Development in the Alpine Shire is continuing to show steady growth particularly in relation to the residential market. Council needs to continue to work towards improving its relationship with the development industry and the general community so that all are working towards achieving the 2030 Community Vision. In addition Council needs to continue to update policies and procedures to reflect the 2030 Community Vision and ensure that there are no “roadblocks” to achieving sustainable development in the Shire.



7.5.3 Alpine Planning Scheme Review

File Number: 1468.00

INTRODUCTION

In accordance with the requirements of the Planning and Environment Act 1987, a review of the Alpine Planning Scheme is being undertaken. To date the Review has focussed on the strategic context and direction of the Scheme, an audit of the Scheme, and an audit of the types of applications and decisions made under the Scheme. The Review has considered the comments of the internal users of the Scheme, Councillors, Management and the Planning and Environment Department and must now seek the views of other users of the Scheme, including residents, the development industry, government departments, referral authorities and community groups. The views of these users are imperative in informing the final recommendations of the Review.

RECOMMENDATION

That:

- 1. The public be invited to make submissions about the currency and effectiveness of the Alpine Planning Scheme.***
- 2. The Alpine Planning Scheme Review 2010 – Exhibition Draft’ report as outlined in Attachment 1 to this report, be noted and released as part of the public consultation process in 1 above.***

BACKGROUND

Planning and Environment Act 1987

Section 12B of the *Planning and Environment Act 1987* (the Act) requires Council to review its planning scheme. The objective of the review is to improve the relevance, effectiveness and efficiency of the scheme.

The Act requires Council to evaluate the scheme to ensure that it:

- * is consistent with the Ministers directions on the form and content of schemes;
- * sets out Councils policy objectives for the use and development of land; and
- * uses the Victorian Planning Provisions and local provisions to implement state and local policies.

The Council must submit the findings of the review to the Minister.

Alpine Planning Scheme

The Alpine Planning Scheme (the Scheme) was originally gazetted on 9 September 1999 and has now been operating for over ten years without significant amendment.



Reviews

The Scheme was initially reviewed in 2004 by Regional Planning Services under the now repealed provisions of Section 12A(5) of the Act.

This latest review is being undertaken by EDM Group, under Section 12B of the Act and is being prepared in accordance with the Department of Planning and Community Development (DPCD) Practice Note – Review of Planning Schemes (Feb 2006), and is in effect the second major review of the Scheme.

ISSUES

The current Review assesses the Scheme operations since the adoption of the “Three Year Review Report” in February 2004. The Review seeks to provide Council with an assessment of the relevancy and currency of the local policies and provisions, compliance with state government policy and directions, an audit of strategic achievements and recommendations for ongoing improvements.

Key Issues identified by the Review

The key issues identified by the Review to date, in no particular order or priority, are summarised as follows:

- * The Scheme requires a comprehensive overhaul of local content to:
 - o Improve its relevancy and application to decision making.
 - o Repair significant strategic gaps.
 - o Provide clearer direction and usability.
- * An ordered structure to the Local Planning Policy Framework (LPPF) is required to assist users.
- * The Municipal Strategic Statement (MSS) should be restructured into four broad themes:
 - o Settlement and Housing.
 - o Environment and Natural Resources.
 - o Economic Activity.
 - o Resource Management.
- * Reconsideration of zoning in Porepunkah, Dederang, Wandiligong, mixed use zone and industrial zone locations is required.
- * Correction of further zoning anomalies.
- * Zone schedules require review.
- * All overlays and overlay schedules require review.
- * Interface issues with the Alpine resorts should be addressed.
- * New local policies should be included to address:
 - o Development in rural areas.
 - o Use of rural land – industry, timber, tourism.



- Environmental management issues – fire, flood, water.
- Specific issues – signage, heritage, rural living.

Limitations of Review

The Review of the Scheme under Section 12B of the Act is just that, a review. The Review will not actually produce a new planning scheme, LPPF, MSS or local policies. Nor will it produce the documentation required to implement the recommendations.

POLICY IMPLICATIONS

2009-2013 Council Plan - Current	
Strategic Objective	
Infrastructure	Target
Ensure development recognises and maintains the unique character of the Shire and makes a positive contribution to the liveability of our towns.	Planning Scheme Reviewed.
2009-2013 Council Plan – Draft 2010 Update	
Theme 3: Place	
Strategy	Initiative
3.1 Recognises and strengthen the unique character of the Shire	Review and update the Alpine Planning Scheme.
2030 Community Vision	
Key Directions	Goals
Sympathetic and Balanced Development	The character of each townwill be enhanced through strong planning policies. Planning policies will, as a priority, be used to protect the natural environment.
Sustaining the Vision	The Alpine Shire achieves its 2030 vision due to the implementation of long term integrated planning strategies.

FINANCIAL AND RESOURCE IMPLICATIONS

The 2009/2010 budget allocated \$25,000 to undertake a review of the Alpine Planning Scheme. The contract awarded to EDM Group to undertake the review



was to the value of \$20,000. This amount did not account for consultation with government departments, relevant authorities and the community. The balance of the budget allocation has been used to undertake research and provide background data for the review and the remaining resources will be utilised to undertake the consultation recommended in this report.

Additional resources will be required to implement the recommendations of the review. To this end \$80,000 is allocated in the 2010/2011 budget to commence preparation of a new planning scheme. It is anticipated that additional resources in subsequent years will be required to complete a new planning scheme.

CONSULTATION

The recommended methodology for undertaking a planning scheme review in the DPCD Practice Note – Review of Planning Schemes (Feb 2006) includes consultation.

Internal Consultation

EDM Group has consulted with Council planning staff to discuss:

- * implementation issues raised in respect of the current Scheme,
- * strengths and weaknesses of the current format of the Scheme,
- * any inconsistencies, anomalies, errors that currently exist, and
- * the likely outputs of the report.

A briefing and consultative session has also been held with Councillors and Senior Staff to discuss and comment on key planning issues within the Shire.

External Consultation

Consultation is important in understanding the expectations of the users of the Scheme, how they perceive the Scheme and what improvements can be made to the Scheme. The users of the Scheme include: residents, the development industry, government departments, referral authorities and community groups. It is now proposed to engage the users of the Scheme and seek their comments and suggestions. A preliminary Review document has been prepared to assist in engaging the users of the Scheme and seeking their feedback about the performance of the Scheme.

CONCLUSION

The Alpine Planning Scheme Review 2010 – Exhibition Draft report outlines the findings of the Review to date including consultation with Council. This report should be released in conjunction with the call for public feedback about the Alpine Planning Scheme.



7.5.4 Planning Permit Application No. 5.2010.83 – Use and Development of the Land for the Purposes of a Dwelling – Rowe Lane, Dederang

INTRODUCTION

The Application	
Application Number:	5.2010.83
The Land:	Rowe Lane Dederang (Lot 152 PS 318994C Parish of Dederang)
Proposal:	Use and development of the land for a dwelling
Applicant:	Living Street Designs Pty Ltd
Land owner:	Ian and Pauline Gibson
Application received:	2/6/2010
Current use and development of land:	Vacant
Surrounding land uses:	Agriculture - broad acre grazing properties.
Land area:	10.85 hectares
The Planning Scheme	
Zone:	Farming Zone (FZ)
Overlays:	Significant Landscape Overlay (SLO1)
Planning Scheme requirement	Clauses 35.07-1; 35.07-4; and 42.03-1 of the Alpine Planning Scheme
Planner:	Nick Vlahandreas

KEY ISSUES

- * The applicant has not provided evidence that a dwelling is reasonably required for the operation of an agricultural activity on the land.
- * Residents dwelling constructed on the subject land may be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- * A dwelling constructed on the subject land may adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- * The sole justification provided by the applicant in support of the application is the fact that a planning permit was granted for a dwelling on the subject land in 1991 by the former Shire of Yackandandah. This permit that expired.

RECOMMENDATION

That, a Notice to Refuse to Grant a Planning Permit be issued for the use and development of a dwelling at Rowe Lane Dederang (Lot 152 PS 31899C, Parish Dederang) on the following grounds:



- 1. The proposal is inconsistent with the Objectives for Planning in Victoria.**
- 2. The proposal is inconsistent with the State Planning Policy Framework, the Municipal Strategic Statement and the Local Planning Policy Framework.**
- 3. The proposal is inconsistent with the decision guidelines at Clause 65 of the Alpine Planning Scheme.**
- 4. The proposal is inconsistent with the purpose of the Farming Zone.**
- 5. The proposal is inconsistent with the decision guidelines for dwellings in the Farming zone (Clause 35.07-5).**

THE SITE AND SURROUNDS

The subject land is located on the north east side of the Kiewa Valley Highway and on the west side of Rowe Lane, Dederang. The subject site is relatively flat and is approximately 800m north east of the Village of Dederang.

The subject land has a frontage to Rowe Lane of 230.66m. The land is irregular in shape and comprises a total area of 10.85 hectares.

The subject land was created by a subdivision permitted by the former Shire of Yackandandah in 1991. The permit allowed a two lot subdivision (resubdivision) of land that comprised eight allotments. Also permitted by this permit was the erection of a dwelling on Lot 1, the subject of this application.

The subject site is mostly cleared of trees save for a row of trees located along a section of the western and northern boundary and a few scattered trees located in the south eastern corner of the site in the vicinity of a dam. Access to the site is obtained from Rowe Lane abutting the subject site to the east.

The surrounding area, generally all land to the north east of the Kiewa Valley Highway, is used for broad acre grazing with farm sizes generally being larger than 80 hectares in area.

The aerial photograph below illustrates the location of the subject property in the context of the surrounding area.

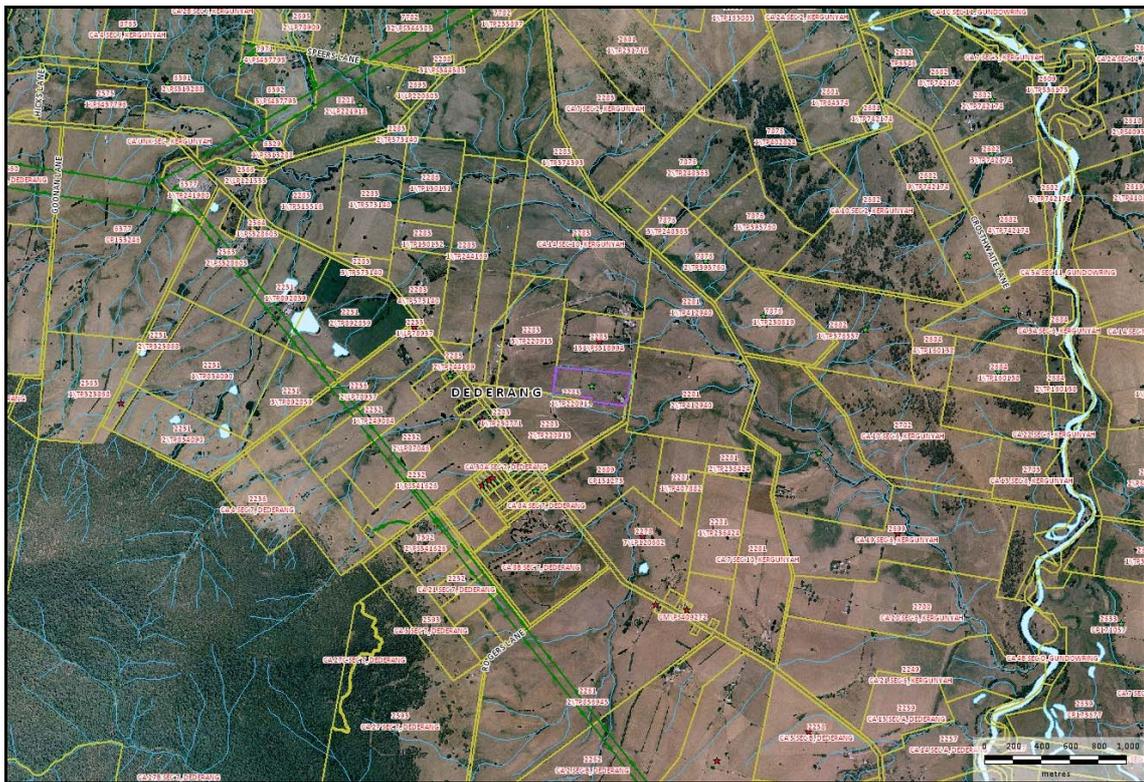


Figure 1.1: Subject Land and Surrounds with Cadastre

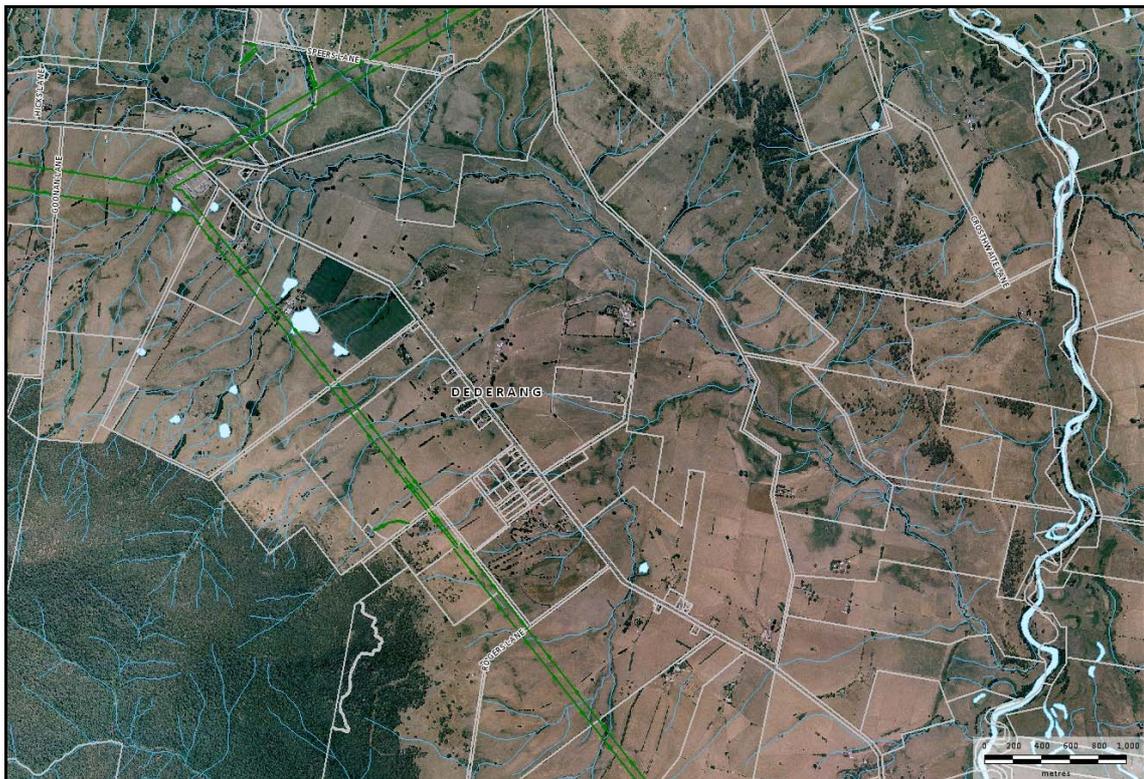


Figure 1.2: Subject Land and Surrounds with Property Boundaries Shown

THE PROPOSAL

This application is for a permit for a new dwelling (four bedroom brick veneer dwelling) located approximately 140 metres west of Rowe Lane and approximately



36 meters south of the northern boundary on a 10.8ha parcel of land in the Farming Zone in an area covered by the Significant Landscape Overlay.

THE ALPINE PLANNING SCHEME PROVISIONS

Farming Zone

A planning permit is required for the use and development of the land for the purposes of a dwelling pursuant to clauses 35.07-1 and 35.07-4 of the Alpine Planning Scheme.

Overlays

Under the provisions of the Alpine Planning Scheme the subject site is covered by Schedule 1 to the Significant Landscape Overlay (SLO1). A planning permit is required for buildings and works under Clause 42.03-1 of the SLO1.

The relevant sections of the Alpine Planning Scheme against which this application has been assessed are attached as Appendix 1 to this report.

PUBLIC NOTIFICATION

Public Notice of the application was given under Section 52 of the Planning and Environment Act 1987; no formal objections or submissions were received.

HISTORY OF THE SITE AND PLANNING PERMIT

A planning permit was issued on 27 June 1991 for a two lot subdivision with a dwelling to be erected on Lot 1. The Planning Permit was amended on 27 May 1992 to show an extension of Rowe Lane and that extension of road was transferred to Council. No expiry date was specified on the Planning Permit.

Where an expiry is not placed on a permit the default expiry under Section 68 (b) of the *Planning and Environment Act 1987* applies. It states a permit will expire for a development or any stage of it if it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*. The subdivision was completed within the specified time however the development of the dwelling did not commence and therefore expired under Section 68(b) of the *Planning and Environment Act 1987*.

CONSIDERATION OF THE PLANNING MERITS OF THE PROPOSAL

The key issues to be addressed are whether the proposed dwelling will be in keeping with the character of the surrounding area and whether the proposed use will be prejudicial to agricultural production and/or lead to the fragmentation of agricultural land.



Protection of Agricultural Land and Landscape

State and Local planning policy seeks to protect productive agricultural land from uses that will remove the land from production. Developing a dwelling on the subject site will take a small portion of agricultural land out of production.

The applicant argues that the proposed use will not detract from the long-term agricultural capacity of land because the subject site is of medium agricultural productive capacity. This statement must be evaluated in terms of the purpose of the Farming Zone, which is to protect and promote and also to preserve the rural character of farming areas. The character of the area surrounding the subject site can be described as mainly a rural character with large open tracts of farm land for sheep, cattle and horses. Further, on the north eastern side of the Kiewa Valley Highway the main land use is broad acre farming and this should be maintained for the long term economic well-being of the area.

While the subject site is too small to sustain a viable farm, the property could be farmed in combination with a larger holding. In its current format the subject site does have some agricultural value, but as soon as a dwelling is developed on the site the little agricultural value it has will disappear. Farmers will not buy a relatively small parcel of land containing a dwelling, at a highly inflated price, for agricultural purposes.

It is important that a balanced outcome be achieved, which will allow for development in the Farming zone with the main focus being to promote and preserve agricultural productivity. Promotion and preservation of current agricultural production and promotion of new development that will contribute to agricultural production is the focus of the zone.

The applicant in this case has not submitted a Farm Management Plan to demonstrate why a dwelling will be reasonably required to facilitate agricultural production but rather refers to the fact that the land is of average quality in terms of soil capacity and also refers to the fact that Council has previously approved subdivision of land in this area. The applicant however did not provide any justification from an agricultural point of view as to why Council should consider a dwelling on the subject site. In this regard it would be appropriate to refer to a VCAT case that deals specifically with issues mentioned above.

In the case *Gippsland Coastal Board verses South Gippsland SC* [2008] VCAT 1545 (29 July 2008) the Tribunal concluded that:

“It is not just the subdivision of land or the dispersal of large holdings into separate ownerships that result in the loss or fragmentation of productive agricultural land. When land is converted to rural living it is often likely to be lost to agriculture. As noted, it is common for vacant paddocks to be leased to farmers, which means they are kept in production even though in separate ownership. But construction of a dwelling means there is less likelihood that land not occupied by the curtilage of the dwelling will be separately leased or used for farming.

Victoria’s agricultural land is a valuable and finite resource that makes a significant contribution to the economy of this State and individual



municipalities. Its significance is recognised in clause 17.05 of the SPPF. It needs to be retained. One of the purposes of the Farming Zone is to ensure that non- agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture. It is not a purpose of the zone to provide for residential use unrelated to agricultural uses, which is a reason why a dwelling on a lot less than 40 hectares requires a permit and must respond to the decision guidelines for dwellings in the zone. Undoubtedly, these stringent requirements may affect the value of land in a Farming Zone. This may have positive benefits for farmers seeking to expand their holdings and improve productivity but negative effects for the owners of small lots. Nevertheless, effect on value is not a reason for granting a permit when the purpose and decision guidelines of the zone are not met.”

Raising the value of Agricultural Land

Allowing a dwelling on the site may have a negative impact on the agricultural productivity of surrounding land in that this will artificially increase the land values of the area beyond that of agricultural land, which will further put upward pressure on subdivision and development on small rural properties.

Incompatibility of Rural Living Lots in a Farming Area

Furthermore, a dwelling on the subject land will be affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

Impact on Future Development

The variation in lot sizes in the area is quite significant with a number of lots smaller than 40 hectares in size; the area is highly fragmented. However, the landholdings comprise multiple lots to form large properties. The aerial photo earlier in this report demonstrates this well.

Despite landholdings comprising multiple lots approval of this application may give rise to adjoining landowners to sell off small lots from their farms and seek permission for dwellings in a similar manner as the current application. Therefore, the approval of one dwelling in the Farming zone does not only have an impact on the immediate area but could have far reaching affects for the whole area in general and the Farming zone in general.

Appropriate Locations for Rural Living and Rural Residential Development

The State Government in collaboration with Council has “drawn a line” in its strategic planning of the Alpine Shire with the introduction of the Farming zone and State policies regarding agricultural land. The line has the dual purpose of containing rural-residential development with little or no association with agriculture, and preventing “township sprawl”. The subject site is in the Farming zone where the priority purpose is agricultural production not rural residential living. Rural living development should be associated with a town that has most services eg: schools, shops, doctor, employment.



Dwellings on Lots less than 40 hectares in the Farming Zone

Council will recall that it has in the recent past approved dwellings on lots less than 40 ha in the farming zone. It has done this however with careful consideration of all the issues. Permits have only been issued in the following circumstances – the lots have no opportunity of being consolidated with other farming land, are in close proximity to a town or village and already have de facto rural living type development. Two examples that meet all these criteria are Lyrebird Gully Road at Harrierville and School Road Wandiligong.

This application whilst being relatively close to Dederang meets none of the other criteria. The concern is that it would commence a trend for small lot development in a primarily farming area. As mentioned earlier in the report there are a number of smaller lots in the area that are currently combined and being farmed as individual farms. The lots subject to this application has a very good chance of being consolidated with and adjoining farm. If a permit was to be granted for a dwelling the value of the land would increase and there would be very little opportunity of it becoming part of a farm and maintaining its agricultural use.

CONCLUSION

Having regard to the provisions of the Alpine Planning Scheme and the circumstances, on balance the application is not supported.

Given the nature of the area it is considered that approval of the proposal would effectively lead to a de-facto rezoning of the land through increased pressure on Council to approve similar proposals for adjoining holdings based on the very reasons that the applicant has put forward as factors that limit the productivity and rural use of the subject land.

The approval of dwellings in rural areas unrelated to agriculture raises expectations that other owners could obtain permits. The creation of an expectation of development would lead to increased property values and every additional dwelling on rural land makes acquisition of land more difficult for genuine farmers.

Having particular regard to the orderly planning of the area, consistency in interpretation of the planning scheme and considering the effect the proposal will have on adjoining land, it is therefore considered that the proposal should be refused.



APPENDIX A

Planning permit ‘trigger’

A planning permit is required for the use and development of the land for the purposes of a dwelling pursuant to clauses 35.07-1; 35.07-4; 43.03-1 of the *Alpine Planning Scheme*.

State Planning Policy Framework

Relevant ‘objectives’ and ‘general implementation’ policies from clause 17.05-1 of the SPPF relating to agriculture include:

Objective

To ensure that the State’s agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use and to enable protection of productive farmland which is of strategic significance in the local or regional context.

General implementation

Land capability is a fundamental factor for consideration in rural land use planning.

Planning authorities should consult with the Department of Primary Industries and utilise available information to identify areas of productive agricultural land.

Regional and State, as well as local, issues and characteristics should be taken into account in the assessment of agricultural quality and productivity.

Permanent removal of productive agricultural land from the State’s agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors.

Planning should support effective agricultural production and processing infrastructure, rural industry and farm-related retailing and assist genuine farming enterprises to adjust flexibly to market changes.

Planning and responsible authorities should encourage sustainable land use.

Planning should provide encouragement for sustainable agriculture and support and assist the development of innovative approaches to sustainable practices.

In assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation) which might affect productive agricultural land against the benefits of the proposals.

In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:



- * The desirability and impacts of removing the land from primary production, given its agricultural productivity.
- * The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production.
- * The compatibility between the proposed or likely development and the existing uses of the surrounding land.
- * Assessment of the land capability.

Where inappropriate subdivisions exist on productive agricultural land, priority should be given by planning authorities to their re-structure.

Planning and responsible authorities should consider the potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.

Local Planning Policy Framework

Relevant 'objectives' and 'policy' from clause 22.02-1 (Dwellings in Rural Areas) of the *Alpine planning Scheme* include:

Objectives

- * To ensure that the development and use of land for the purpose of a dwelling is reasonable required to support the rural use of the land.
- * To ensure that dwellings do not adversely impact on the rural activities carried out on the land and the general area.
- * To minimise the potential conflict between residential and rural land uses and protect primary producers from complaints based on perceived residential amenity rights.
- * To reinforce the Council strategy of consolidating residential uses in the townships.

Policy

It is policy that:

- * The dwelling is required to sustain the rural use of the land.
- * The dwelling is required to enable daily management and operation of the rural use of the land.
- * The land on which the dwelling is to be located, is or can be used for commercial rural production and the use can be substantiated by a 'whole farm plan' approved by the Department of Natural Resources and Environment or appropriately qualified person to the satisfaction of the responsible authority.
- * The land, on which the dwelling is to be located, is under existing rural production and/or appropriate rural infrastructure has been established on the land to support the proposed rural activity.



- * The location of the dwelling should not adversely impact on high quality agricultural land.
- * The location and use of the dwelling should not create a conflict with the surrounding rural land use.

Relevant 'objectives' and 'policy' from clause 22.02-4 (Design and Siting Guidelines in Rural Areas) of the *Alpine Planning Scheme* include:

Objectives

- * To ensure that all buildings are designed and sited to minimise environmental and visual impacts.
- * To ensure that the siting of buildings does not threaten or reduce the rural capability of the land or introduce the potential for land use conflicts.
- * To ensure that all development is designed and located to minimise risks from natural hazards.

Policy

It is policy that:

Siting

- * Buildings, particularly dwellings, should be located so as not to adversely impact on the rural activities conducted on the site and adjoining land and the long term viability of rural production in the area.
- * Buildings should be unobtrusive in the landscape, be located along tree lines or topographically obscured to reduce their visual impact.
- * Substantial landscaping should be used to reduce the visual impact of the buildings on the landscape.
- * Buildings should not be located on ridgelines.
- * Building setbacks from property boundaries, government and private roads and water ways should be relevant to the scale of the building, the site circumstances, the potential landscape impact and the rural activities conducted on the site.

Access

- * Buildings, particularly dwellings, should be accessible by legal, all weather, and practical access.
- * Access tracks should be located to minimise tree removal and land forming.
- * Access tracks should follow contours to avoid excessive site works; erosion and sedimentation run off.

Built form

- * Buildings should not exceed 2 storeys or 11 metres in height.
- * Buildings should be designed to respond to the topography of the land.



- * External finishes on buildings should:
 - o respond to and reflect the colours and textures evident in the natural environment;
 - o have a low reflectivity to minimise glare and visual impact.

Effluent Disposal

- * Wastewater treatment systems that deliver superior environmental performance to septic tanks should be utilised.

Site Works

- * Site disturbances should be minimised, managed and re-vegetated to reduce erosion and sedimentation run off.

Fire

- * The design and siting of buildings should have regard to:
 - o the Municipal Fire Prevention Plan;
 - o the Building Code of Australia;
 - o the relevant Australian Standards;
 - o the Design and Siting Guidelines - Bushfire Protection for Rural Houses, Ministry for Planning & Environment and Country Fire Authority November 1990.

Farming Zone Provisions

The 'purpose' of the Farming Zone from clause 35.07 includes:

Purpose

- * To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- * To provide for the use of land for agriculture.
- * To encourage the retention of productive agricultural land
- * To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.
- * To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- * To protect and enhance natural resources and the biodiversity of the area.

'Decision guidelines' from clause 35.07-6 include:

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:



General Issues

- * The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- * Any Regional Catchment Strategy and associated plan applying to the land.
- * The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- * How the use or development relates to sustainable land management.
- * Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural Issues

- * Whether the use or development will support and enhance agricultural production.
- * Whether the use or development will permanently remove land from agricultural production.
- * The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- * The capacity of the site to sustain the agricultural use.
- * The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- * Any integrated land management plan prepared for the site.

Dwelling issues

- * Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- * Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.
- * Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- * Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- * The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

- * The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- * The impact of the use or development on the flora and fauna on the site and its surrounds.



- * The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- * The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- * The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- * The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- * The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- * The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- * Whether the use and development will require traffic management measures.

Significant Landscape Overlay Provisions

Purpose

- * To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- * To identify significant landscapes.
- * To conserve and enhance the character of significant landscapes.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- * The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- * The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- * The conservation and enhancement of the landscape values of the area.
- * The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- * The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.



- * The impact of buildings and works on significant views.
- * Any other matters specified in a schedule to this overlay.

The statement of the nature and key elements of the landscape and the landscape character objective relevant to the Significant Landscape Area include:

Statement of nature and key elements of landscape

The landscape of the Upper Kiewa Valley has a distinct character with significant contrasts between the cleared flat to undulating valley floor and the steep treed mountains. The valley narrows in the upper reaches and the contrast is emphasized. The visual boundaries are definite in this landscape not only between natural features but also the townships which are generally well contained with little urban sprawl. A key element of this landscape is the majestic views across the cleared valley floor to Mount Bogong.

Landscape character objective to be achieved

- * Contain urban development, specifically housing, to existing townships with definite visual boundaries.
- * Encourage appropriately sited development to reduce ribbon development along the Kiewa Valley Highway.
- * Encourage rural development of a “human “scale and form.
- * Maintain existing vegetation on the steeper slopes of the valley to maintain its integrity.
- * Maintain the contrasts in landform and land use between the valley floor and the steep vegetated valley walls.
- * Maintain the existing rural landscape.

Decision guidelines

In addition to the decision guidelines in Clause 42.03-3, the responsible authority must consider:

- * The impact of the proposed buildings and works on the landscape due to siting.
- * The extent to which the site of the buildings and works will be landscaped and the type of vegetation used.
- * The document Landscape Planning & Conservation in North-East Victoria, National trust of Australia (Victoria), 1977.



8 PRESENTATION OF REPORTS BY DELEGATES

9 GENERAL BUSINESS

10 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

11 RECEPTION AND READING OF PETITIONS



12 DOCUMENTS FOR SEALING

RECOMMENDATION

That the following documents be signed and sealed.

1. Section 173 Agreement – Mauro Pelligrini and Samantha Jane Pelligrini, School Road, Wandiligong – Lot A2 on Plan of Proposed Subdivision (reference 9885 Version 4), Volume 08979 Folio 774.
2. Section 173 Agreement – Grace Virginia Wilson and Desmond Charles Briggs and Clarence George Murray as Legal Personal Representatives of Susan May Wilson – Lot 1 on Plan of Subdivision 507335S, 36 Briggs Lane, Myrtleford, being Certificate of Title Volume 10727 Folio 145.