



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**MINUTES**

**M3- 3 April 2018**

**Bright Council Chambers**

**7:00pm**



The **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **3 April 2018** and commenced at **7:00pm**.

## **PRESENT**

### **COUNCILLORS**

Cr Ron Janas – Mayor

Cr Sarah Nicholas – Deputy Mayor

Cr Kitty Knappstein

Cr John Forsyth

Cr Peter Roper

Cr Daryl Pearce

Cr Tony Keeble

### **OFFICERS**

Mr Charlie Bird – Chief Executive Officer

Ms Nathalie Cooke – Director Corporate

Mr William Jeremy – Director Assets



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

*The CEO read the following statement:*

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

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

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

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

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

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

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

*The CEO read the following statement:*

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

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

## **3 CONFIRMATION OF MINUTES**

### **3.1 ORDINARY COUNCIL MEETING – M2 – 6 MARCH 2018**

*Cr Pearce*

*Cr Roper*

*That Council confirm the minutes of Ordinary Council Meeting M2 held on 6 March 2018 as circulated.*

## **4 APOLOGIES**

Nil

## **5 OBITUARIES / CONGRATULATIONS**

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



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

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

## **7 PUBLIC QUESTIONS**

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

Questions on Notice can be written or from the floor.

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



**8 PRESENTATION OF REPORTS BY OFFICERS**

**8.1 CHIEF EXECUTIVE OFFICER – CHARLIE BIRD**

**8.1.1 Contracts approved by the Chief Executive Officer**

*Cr Forsyth  
Cr Nicholas*

*That the Contracts approved by the Chief Executive Officer be noted.*

Contract No:	CQ17098	Process:	RFQ
Title:	Simmonds Creek Road Footpath Extension		
Tenderer:	Stadelmann Enterprises Pty Ltd		
\$ (excl. GST):	\$91,000		
Funding:	ASC		
Contract No:	CQ18014	Process:	RFQ
Title:	Drainage Works - Carrolls Road North		
Tenderer:	Roche Excavations & Water Solutions		
\$ (excl. GST):	\$78,658		
Funding:	ASC		
Contract No:	CQ173279	Process:	RFQ
Title:	Footpath Renewal (2017/18)		
Tenderer:	McPherson Earthmoving Contractors		
\$ (excl. GST):	\$54,850		
Funding:	ASC		
Contract No:	CQ18012	Process:	RFQ
Title:	Gravel Resheeting (2017/18) – Truck & Trailer Hire		
Tenderer:	Stadelmann Enterprises Pty Ltd		
\$ (excl. GST):	\$50,130		
Funding:	ASC		

*Carried*



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

### **8.2.1 Contract 1710401 - Consultancy Services for Mount Buffalo Business Case Assessment and Activation**

File Number: CT17104

#### **INTRODUCTION**

This report relates to the award of a contract for the provision of consultancy services for the Mount Buffalo Business Case Assessment and Activation project.

*Cr Roper*

*Cr Nicholas*

*That Council award Contract No. 1710401 for Consultancy Services for Mount Buffalo Business Case Assessment and Activation to PricewaterhouseCoopers for the lump sum price of \$185,000+GST.*

*Carried*

#### **BACKGROUND**

The Mount Buffalo Destination Advisory Group (MBDAG) was established in March 2016 to work collaboratively with Parks Victoria and provide strategic recommendations about the future of Mount Buffalo. MBDAG engaged with the local community and interested parties and developed a concept plan entitled 'Vision for Mount Buffalo'. This concept plan includes ideas to re-invigorate Mount Buffalo's major visitor hubs – The Gorge and Chalet Village, Lake Catani, Dingo Dell, Cresta Valley and the Gateway.

In December 2017, Parliamentary Secretary for Tourism, Major Events and Regional Victoria, MP Danielle Green announced that the Victorian Government would provide Alpine Shire Council with \$200,000 for the Mount Buffalo Business Case Assessment and Activation project. The project will determine the feasibility of concepts identified by MBDAG and work with commercial partners to realise feasible concepts.

Tenders for consultancy services opened on 19 January 2018 and closed on 16 February 2018. The Request for Tender was advertised in local and national newspapers and was available on Tenders.Net and on the Alpine Shire Council website.

The Request for Tender comprised three separable components:

1. Component A - Project Management and Communications
2. Component B - Concept Feasibility
3. Component C - Project Activation

Tender documents were downloaded by 54 prospective tenderers. Five conforming tenders were received which included all three components of the project, and one conforming tender was received which was for component A of the project only.



## **EVALUATION**

The tender evaluation process was led by Council's Chief Executive Officer and Director Assets, with participation from members of the Mount Buffalo Activation Task Force.

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

- Price
- Qualifications and Previous Performance
- Delivery
- Social

Following the initial assessment of offers, three tenders were shortlisted. The shortlisted tenderers participated in a tender clarification interview. Following the tender interviews and reference checks, it was determined that the tender from PricewaterhouseCoopers (PwC) best met the selection criteria.

## **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Policy No.89 Procurement and the recommendation is in accordance with the *Local Government Act 1989*.

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

Strategic Objective 7: A thriving and connected community

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The budget for the Mount Buffalo Business Case Assessment and Activation project is \$270,000, comprising \$200,000 from Regional Development Victoria's Regional Tourism Infrastructure Fund, and \$70,000 from Parks Victoria. There is no financial contribution to the project from Council.

Alpine Shire Council's Executive Team is managing the delivery of the project on behalf of the Mount Buffalo Activation Task Force.

## **CONSULTATION**

The basis for the study is the 'Vision for Mount Buffalo' document, which was prepared by the Mount Buffalo Destination Advisory Group with significant input from the local community members and other interested parties.

Council officers engaged with the Mount Buffalo Activation Task Force members in the preparation of the Request for Tender document, and through the subsequent tender evaluation process.





**CONCLUSION**

Following a comprehensive evaluation process, the tender from PricewaterhouseCoopers was deemed to present the best value for Council.

**DECLARATION OF CONFLICT OF INTEREST**

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

- Chief Executive Officer
- Director Assets

**ATTACHMENT(S)**

- Nil



## 8.2.2 Petition - Provision of a Public Dump Point in Bright

File Number: 1615.00

### INTRODUCTION

The purpose of this report is to inform Council and respond to a petition in support of the provision of a public dump point in Bright.

*Cr Roper*

*Cr Knapstein*

*That Council:*

- 1. Does not support the provision of a public dump point on public land in Bright;*
- 2. Commits to upgrade the existing dump point at the Myrtleford Holiday Park to meet industry best practice;*
- 3. Continues to facilitate paid public access to the dump point at the Myrtleford Holiday Park;*
- 4. Investigates the provision of a dump point to be co-located with new amenities in Tawonga South; and*
- 5. Advises the main proponent of the petition of Council's decision.*

*Carried*

### BACKGROUND

A petition in support of the provision of a public dump point in Bright was tabled at the March 2018 Ordinary Council Meeting.

The petition contains 2,056 signatures collected between September 2015 and early 2018 and states:

*Bright in North-East Victoria is looking for your support to establish a public dump point that can be used by motorhomers and caravaners visiting the area. There are no dump points in the area suitable for large RV's in any of the caravan parks.*

Signatories to the petition provided a postcode. Of the 2056 signatories to the petition, 154 provided a postcode in Alpine Shire.

### ISSUES

#### Free camping

Council is supportive of free camping within designated free camping areas. To support the sustainable use of these designated free camping areas by responsible campers, as the preferred option Council endorses the provision of dump points within or adjacent to tourist parks on a fee-for-service basis. Commercial tourist park operators charge fees that cover the costs of providing quality facilities which meet health and safety standards that have been established and are enforced by State and Local Government.



### Adequacy of existing dump point facilities in Alpine Shire

In the vicinity of both Bright and Myrtleford the provision of dump points which are accessible to the general public is sufficient to cater to the demand from the significant majority of RV users, even during peak tourist periods. Tourist park operators have advised that they do not deny members of the public access to their dump points, even during busy periods. During busy periods there may be delays, or users with portable waste tanks may be required to park a short distance from the dump point and wheel their portable cassette to the dump point. Whilst acknowledged to be inconvenient, this reflects the reality of travelling to a popular tourist destination during a peak visitor period when infrastructure across the Shire is under heavy demand.

The only users which appear poorly catered to across Alpine Shire are those operating very large RVs with integrated waste tanks which require emptying through a hose, and need to park immediately adjacent to a dump point to dispose of waste. These vehicles can be up to 19.5m in length, with a turning circle up to 35m. The free public dump point in Dinner Plain can accommodate these vehicles, however the tourist parks were generally not designed for these large RVs. Due to the restricted space, tight corners and obstructions such as trees and buildings, operators of these vehicles can find accessing existing tourist park dump points challenging.

Upgrading existing tourist park dump points to the standard required to accommodate very large RVs may result in the loss of camping sites for park guests. This would be unattractive for commercial park operators, particularly considering the limited additional income which would result from very large RVs being able to access their upgraded dump point on a fee-per-use basis.

Council is the Committee of Management for the Myrtleford Holiday Park. It has an existing dump point but does not meet industry best practice. Tenders have recently been sought for the lease of the Park to commercial operators, and the opportunity exists to negotiate into a lease agreement defined capital upgrades to the park infrastructure, as well as specific terms under which the park is to be operated. Given this opportunity and the current gap in the provision of dump points catering for very large RVs, it is recommended that Council negotiates into any future lease agreement an upgrade of the existing dump point to industry best practice, and includes in the lease agreement the requirement to maintain ongoing paid public access to the dump point. This would provide a dump point publicly accessible to all RVs located close to the northern entry / exit points into Alpine Shire, to complement the existing public dump point in Dinner Plain near the southern entry / exit point into the Shire. In the event that the Myrtleford Holiday Park is not leased, Council should consider implementing the proposed upgrades as part of its annual capital works program.

There are no dump points in the Kiewa Valley which are available to the general public. Whilst the availability of free camping sites in the Kiewa Valley is limited and demand for a dump point accessible to the general public is low, given the growth in the RV market it is recommended to investigate opportunities to co-locate a dump point with new amenities currently being considered for Tawonga South.



### Operational considerations

North East Water has provided a standard dump point agreement which owners/occupiers are required to sign in order to secure permission to connect to the North East Water sewerage infrastructure (attachment 1). The agreement includes the following within the 'conditions to connect':

- The occupier must maintain a log book to record details of customers discharging to the dump point. Upon request, this log book must be made available to the Corporation.
- The dump point is managed/supervised during daylight hours to ensure only domestic type waste is discharged (i.e. caravan black/grey water – caravan toilet, shower and kitchen wastewater) and securely locked after hours at all times.

These requirements impose an operational cost on the owner of the facilities. The most cost-effective way in which to implement a new dump point complying with these requirements is to co-locate with existing facilities which are already managed / supervised during daylight hours. Council endorses the provision of dump points within or adjacent to tourist parks with public access on a fee-for-service basis, where responsibility for meeting the requirements of North East Water sits with the tourist park operator.

Implementing a new dump point based on use of a septic tank rather than connection to existing sewerage infrastructure would generally be less cost-effective. The capital cost to install facilities, and the operational costs associated with managing/supervising the operation and periodic emptying and disposal of waste, would exceed that of a system connected to existing sewerage infrastructure.

### **POLICY IMPLICATIONS**

This report and the recommendation are in accordance with the *Local Government Act 1989*.

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

Strategic objective 7: A thriving and connected community.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

An upgrade to the dump point in the Myrtleford Holiday Park to meet industry best standards has not been scoped, however would be less than the estimated \$15,000 cost to implement a new dump point meeting industry best practice. In the event that this capital investment is negotiated into the conditions of a Holiday Park lease and the project subsequently delivered by the new operators, the capital and ongoing operational cost would be reflected in the lease income received from the park operators, rather than as a direct cost to Council. In the event that Council were to deliver the upgrade, provision would need to be made in a future capital works budget.

The cost to implement a new dump point in Tawonga South would be determined when access to suitable land has been secured to establish new amenities, and the project is scoped in detail.



## CONSULTATION

The proponent of the petition was consulted to discuss the background to the petition.

Consultation was carried out with tourist park operators with dump points located in their parks. There are eleven dump points within Alpine Shire, with an additional dump point planned for installation in the Big4 Porepunkah Caravan Park during 2018. One free public dump point is located in Dinner Plain, and five dump points located in tourist parks are available for public use for a fee of \$5.00.

**Table 1: Dump points in Alpine Shire**

Name	Location	Access	Charge to public
Big4 Bright Holiday Park	Bright	Guests + public	\$5.00
Bright Pine Valley Tourist Park	Bright	Guests + public	\$5.00
Bright Holiday Park	Bright	Guests + public	\$5.00
Myrtleford Holiday Park	Myrtleford	Guests + public	\$5.00
Arderns Caravan Park	Myrtleford	Guests + public	\$5.00
Big4 Porepunkah Holiday Park	Porepunkah	Guests + public (planned)	\$5.00 (planned)
Dinner Plain Scrubbers End	Dinner Plain	Public	Free
Bright Riverside Holiday Park	Bright	Guests only	-
Riverview Caravan Park	Bright	Guests only	-
Bright Pines Holiday Park	Bright	Guests only	-
Bright Freeburgh Caravan Park	Freeburgh	Guests only	-
The Park Mount Beauty	Tawonga South	Guests only	-

## CONCLUSION

A petition with 2,056 signatures has been received in support of the provision of a public dump point in Bright. Following review of the current provision of dump points across Alpine Shire, and an assessment of the operational considerations associated with the installation and operation of a public dump point, the provision of a public dump point in Bright is not supported. Considering the adequacy of existing dump points across Alpine Shire, recommendations have been put forward to upgrade the dump point in the Myrtleford Holiday Park, and to investigate the provision of a dump point in Tawonga South.

## DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Assets

## ATTACHMENT(S)

- 8.2.2(a) Petition cover letter - public dump point
- 8.2.2(b) North East Water dump point agreement



## **8.3 DIRECTOR CORPORATE – NATHALIE COOKE**

### **8.3.1 Draft 2018/19 Budget Report**

#### **INTRODUCTION**

The purpose of this report is to receive the Draft 2018/19 Budget Report for the Alpine Shire Council.

*Cr Nicholas*

*Cr Roper*

*That:*

- 1. The proposed Alpine Shire Council 2018/19 Budget Report annexed to this resolution and featuring a 2.25% rate increase, be the draft budget prepared by the Alpine Shire Council for the purposes of section 127(1) of the local Government Act 1989.*
- 2. The Chief Executive Officer be authorised to:*
  - a. Give public notice of the preparation of the Alpine Shire Council 2018/19 Budget Report in accordance with section 129(1) of the Local Government Act 1989; and*
  - b. Make available for public inspection the information required to be made available in accordance with the Local Government (Planning and Reporting) Regulations 2014.*
- 3. Consideration be given to any submission on any proposal contained in the budget made under sections 129 and 223 of the Act, with submissions closing 3pm, 9 May 2018.*
- 4. A committee is formed according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the Alpine Shire Council 2018/19 Budget Report.*
- 5. A recommendation to adopt the 2018/19 Budget Report be presented to a Special Meeting of Council on 19 June 2018.*

*Carried*

#### **ISSUES**

Based on ongoing community consultation, Council has prepared a Budget Report for 2018/19 which is aligned to the vision in the Council Plan 2017-21. It continues on our commitment to keep operational spend low, while directing funds to community services and capital works projects that support and build community safety and wellbeing; attract visitors and investment; and boost the local economy.



This Budget projects a surplus of \$4.8m which is influenced by:

1. A Rate increase of 2.25%, in line with the Fair Go Rates System which caps Victorian Council rate increases in line with inflation, minus an adjustment to ensure that we are delivering annual savings to our rate payers;
2. An alignment of the Dinner Plain Special Rate to the differential rating strategy across the rest of the shire, so that it is only paid by Dinner Plain commercial and industrial ratepayers going forward. This will mean a significant saving on rates for Dinner Plain residential ratepayers, who have up until now also paid a declared Special Rate;
3. A continued strong capital works program totalling \$11.2m in FY18/19 (the second highest on record);
4. A proposed trial for free green waste disposal on selected weekends;
5. A continuation of prudent cost management principles and smart sourcing strategies which secure the best supplier deals for our ratepayers;
6. A prioritised approach to the delivery of services and initiatives which sees the Council able to maintain a 'flat' staffing profile with no increase in staffing numbers;
7. An ongoing wage freeze that under the current Enterprise Bargaining Agreement will remain in place until 30 June 2019.

Council has also updated its major initiatives to align budgeted activities to the strategic objectives outlined in the Council Plan 2017-21.

Further detail on the operating result, strategic objectives, initiatives, services, cash and investments, capital works, financial sustainability, and rates, charges and fees can be found within the annexed report.

The annexed report represents the 'proposed' budget as prepared in accordance with the *Local Government Act 1989* and it is submitted to Council for approval 'in principle'. Following this, Council seeks feedback from the community through the formal submission process.

### **POLICY IMPLICATIONS**

The draft Annual Budget is prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The 2018/19 draft Annual Budget provides a strong financial position for Alpine Shire Council, forecasting an operating surplus of \$4.8 million dollars and working capital ratio of 2.3. This has been achieved whilst delivering a capital works budget in the order of \$11.2 million and no reduction in the volume or standard of services delivered to the Alpine Shire.

Staff levels are stabilised at 104.7 FTE, and staffing costs have marginally increased due to incremental wage increases within bands due to acquired experience. Outside of these increases wages remain 'frozen' until 30 June 2019 in line with the current Enterprise Bargaining Agreement.



The materials and services budget remains flat; the underlying costs to run the Council are down 2%, offset by the costs of delivering a portfolio of operational projects with the goal of improving the efficiency and effectiveness of service delivery.

### **CONSULTATION**

Council is required to give 'public notice' that it intends to 'adopt' the Budget Report. It must give 28 days' notice of its intention to adopt the proposed Budget Report and make the Budget Report available for inspection at its offices and on its web site.

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

Council officers undertake community engagement processes throughout the year to assist with the development of the budget. The final step is for Council to adopt the budget after receiving and considering any submissions from interested parties. The budget is required to be adopted by 30 June and a copy submitted to the Minister within 28 days of adoption.

### **CONCLUSION**

The draft Annual Budget has been prepared in accordance with Alpine Shire Council's Council Plan 2017-21 strategic objectives and the *Local Government Act 1989*. The draft Budget Report is presented for Council's consideration and public exhibition.

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

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

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Accountant

### **ATTACHMENT(S)**

- 8.3.1 Alpine Shire Council draft Budget Report 2018/19





### 8.3.2 Dinner Plain Special Rate (2018/19) Public Notice of Proposed Declaration

#### INTRODUCTION

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

The purpose of this report is to recommend that public notice is given of a proposed declaration of a Special Rate for the Dinner Plain village applicable to Commercial / Industrial land only in 2018/19.

*Cr Roper*

*Cr Nicholas*

*That Council:*

1. *Give public notice in accordance with s163 of the Local Government Act 1989 of the intention to declare a special rate for the period 1 July 2018 to 30 June 2019 as follows:*
  - a. *A special rate (the Dinner Plain Special Rate) be declared for the purpose of defraying any expenses in relation to the provision of services of special benefit to the owners of Commercial / Industrial land within the Dinner Plain village;*
  - b. *The total cost of the performance of this function is estimated to be \$550,000 over one year, based on inclusion of the following services:*
    - i. *The Dinner Plain to Hotham winter bus service;*
    - ii. *Roadways snow clearing;*
    - iii. *Cross country trail grooming;*
    - iv. *Marketing and events support specific to Dinner Plain; and*
    - v. *Cable Television Maintenance;*
  - c. *The Dinner Plain Special Rate will apply to Commercial / Industrial land within the Dinner Plain village as defined in the attached map;*
  - d. *The definition of Commercial / Industrial land is the definition provided in the Alpine Shire Council draft Budget Report 2018/19;*
  - e. *The basis of the calculation of the Dinner Plain Special Rate for the 2018/19 Financial Year be 43% of the rate in the dollar to be levied as general rates for rateable residential properties, as specified in the Alpine Shire Council draft Budget Report 2018/19, multiplied by the Capital Improved Value of each parcel of Commercial / Industrial land;*
  - f. *The amount of the Dinner Plain Special Rate to be levied is estimated to be \$201,000 over one year, or such other amount as is lawfully raised as a consequence of this Resolution;*



- g. The amount of the Special Rate will be the amount shown as due and payable in any notice sent to a person required to pay the Dinner Plain Special Rate; and*
- h. Each person liable to pay the Dinner Plain Special Rate is to pay by instalments in line with Council's general rate payment requirements each year.*
- 2. Invite public submissions in relation to the proposed declaration of the Dinner Plain Special Rate in accordance with s163A and s223 of the Local Government Act 1989.*
- 3. Form a committee according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the proposed declaration of the Dinner Plain Special Rate.*
- 4. Consider the Dinner Plain Special Rate for 2018/19 declaration at a Special Council Meeting on 19 June 2018.*

*Carried*

## **BACKGROUND**

The Dinner Plain village has for some time been subject to a Special Rate to defray the expenses associated with services of special benefit to Dinner Plain ratepayers. Within the Alpine Shire Council's draft Council Budget Report 2018/19, this includes the Dinner Plain to Hotham winter bus service (\$129,000); roadways snow clearing (\$160,000); cross country snow grooming (\$66,000); marketing and events support specific to Dinner Plain (\$193,000); and Cable Television Maintenance (\$2,000).

## **ISSUES**

The declared Special Rate for Dinner Plain has been reduced from 80.7% in 2015/16, to 65% in 2016/17, to 43% in 2017/18.

For 2018/19, it is proposed that the Special Rate aligned to the differential rate for Commercial / Industrial land in the rest of the Shire, and that it is only paid by ratepayers who own Commercial / Industrial land within the Dinner Plain village. The definition of Commercial / Industrial land is to be the same as that stipulated within the policy for the Commercial / Industrial Differential Rate specified with the Alpine Shire Council draft Budget Report 2018/19, and includes holiday houses.

In addition the waste management charge will be introduced to all Dinner Plain ratepayers with non-vacant land to ensure equitable application of the cost of managing waste. The waste management charge is applied to all ratepayers in the Alpine Shire with non-vacant land and is referenced in the draft Alpine Shire Council Budget Report 2018/19 at \$87.50.

Overall this will mean a substantial reduction in rates for residential ratepayers within Dinner Plain.

An initial assessment of properties to be included under the Commercial / Industrial definition has been conducted, and letters have been sent to all Dinner Plain ratepayers to confirm whether their land is Commercial / Industrial or Residential in



nature. Compared to the initial assessment, 16 of 295 ratepayers whose land was initially assessed as Commercial / Industrial have provided written advice that their land is Residential. Based on further investigations the advice of these ratepayers has been accepted in 12 cases. Future objections will be considered on a case-by-case basis.

On the basis of this proposal it is estimated that \$201,000 will be collected by the Special Rate in 2018/19.

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

1. all general and special income attributable to Dinner Plain; and
2. all general and Special costs attributable to Dinner Plain;

this is allocated to a reserve, namely the 'Dinner Plain Reserve'. This is inclusive of all relevant income and costs, including, for example, the general rates paid by Dinner Plain ratepayers; an apportionment of general Council grants; an apportionment of Council services relevant to Dinner Plain; an apportionment of Council overheads; all Special Rate costs; and all capital works expenditure in Dinner Plain. Based on current forecasts, expenditure attributable to Dinner Plain will continue to exceed income in the foreseeable future.

It is noted that in line with the 2017/18 Dinner Plain Special Rate declaration, Council is committed to delivery of a pipeline of \$1.5m new and upgrade capital works within Dinner Plain by 2027. Since this commitment was made, Council is on track to deliver capital expenditure of \$248,000 in 2017/18 and has forecast capital expenditure of \$202,000 in 2018/19 on new and upgrade capital works in Dinner Plain.

### **POLICY IMPLICATIONS**

The preparation of the Dinner Plain Village Rate 2018/19 strategy is in accordance with the:

- Special Rates and Charges, Ministerial Guidelines, September 2004
- Local Government Act 1989
- Alpine Shire Rating Strategy
- Strategic Resource Plan

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The Dinner Plain Special Rate for 2018/19 is proposing to raise an estimated \$201,000 over the 12 month period. This is significantly less revenue than the cost of the Special Rate services which are estimated to cost \$550,000 over the same period.

Analysis indicates that Dinner Plain expenditure will exceed income into the foreseeable future. This deficit will be covered by the Dinner Plain Reserve in as much as it has a positive balance.

The Dinner Plain reserve is forecast to be \$1.0m as at 30 June 2018 with the Council undertaking to allocate additional funding to ensure the delivery of \$1.5m of future new and upgrade capital works within the Dinner Plain village by 2027.



## **CONSULTATION**

Under section 163 of the *Local Government Act 1989*, a Council must give public notice of its intention to make a special rate declaration at least 28 days before making the declaration. The public notice must contain an outline of the proposed declaration, the date on which it is proposed to be made, and it must advise that copies of the proposed declaration are available for inspection at the Council office for at least 28 days after the publication of the notice.

In addition, the Council must send a copy of the public notice to each person who will be liable to pay the special rate within 3 working days of the day on which the public notice is published.

Under section 223 of the *Local Government Act 1989* a person has a right to make a submission on the proposed Dinner Plain Special Rate for 2018/19 and any submission must be considered before adoption of the budget by Council. Council must allow a minimum 28 days after the public notice to receive submissions. A person has the right to have their submission heard at a committee be formed according to section 223 (1)(b) of the *Local Government Act 1989*, if required, consisting of Councillors for the purpose of hearing submissions.

## **CONCLUSION**

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

Council is giving public notice of the intent to declare a Dinner Plain Special Rate of 43% of the general rate for rateable Commercial and Industrial properties in Dinner Plain Village for the period 1 July 2018 to 30 June 2019 in accordance with section 163 of the *Local Government Act 1989*. It is proposed to declare the Dinner Plain Special Rate at a Special Council Meeting on 19 June 2018.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Rates Coordinator

## **ATTACHMENT(S)**

- 8.3.2 Dinner Plain Special Rate Map



### 8.3.3 Finance Report Quarterly Review

#### INTRODUCTION

The purpose of this report is to note the Finance Report Quarterly Review for the period ending 31 December 2017.

*Cr Forsyth*  
*Cr Nicholas*

*That Council receives and notes the Finance Report Quarterly Review for the period ending 31 December 2017.*

*Carried*

#### BACKGROUND

The Finance Report Quarterly Review provides a summary of how Council is tracking to its full year 2017/18 budget as at the end of the quarter. Contents include:

- Income Statement;
- Balance Sheet;
- Cash Balance; and
- Departmental Income / Expenditure Summary.

Explanations are provided for variances greater than \$100,000.

The report has been prepared as required under section 138 of the *Local Government Act 1989* and has not been audited.

#### ISSUES

##### Highlights

Council is forecasting a full year surplus of \$4.1m, which is \$1.8m higher than budget of \$2.7m. The primary drivers of this increased forecast include:

- Higher than expected grant income by \$0.8m, due to:
  - a. the Financial Assistance Grant and the Roads to Recovery Grant exceeding expectations; and
  - b. grant income for new projects, including the Eurobin Flood Bypass project, the Mount Buffalo Business Case Assessment and Activation, and the Flood Event December 2017 recovery; and
- Lower than expected employee costs by \$0.5m, largely due to the impact of vacant positions.

The Q2 Forecast is \$0.06m lower than the Q1 Forecast. Additional sources of grant income in the second quarter were offset by a timing correction, as it was identified that grants for the Mount Beauty Pool Upgrade were received early, in 2016/17, rather than the current financial year as expected.

In offset, rates and charges increased by \$0.17m, primarily due to an increase in property development activity.



The forecast Working Capital Ratio for the year is 2.7, representing the ratio of current assets (i.e. funds accessible within a short timeframe) to current liabilities (i.e. short term debt). This compares well to the minimum threshold ratio of 1.2 and is slightly lower than the average for Victorian Councils of 2.9.

### **POLICY IMPLICATIONS**

The *Local Government Act 1989* requires the following relating to financial management:

- Section 137 (Budgeting and reporting framework) - Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management; and
- Section 138 (Quarterly statements) – At least every 3 months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public.

The recommendation is consistent with the following strategic objective if the Council Plan 2017-2021:

Strategic Objective 2: A responsible and sustainable organisation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Financial performance to date indicates a higher-than-expected surplus for the end of year. This is primarily due to higher than expected grants, and position vacancies which are progressively being filled.

### **CONSULTATION**

The report is prepared based on a rigorous process which includes:

- Each department reviewing their budget and providing explanations for variances at the master account level;
- Departments submitting their quarterly budget explanations to the Finance department for review and further analysis;
- Departmental managers presenting to the Executive on their departmental performance for the quarter; and
- Presentation of the report to the Finance Committee, Audit Committee and subsequently Council.

### **CONCLUSION**

The Finance Report Quarterly Review For the period ending 31 December 2017 is presented for noting.



**DECLARATION OF CONFLICT OF INTEREST**

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

- Chief Executive Officer
- Director Corporate
- Manager Corporate
- Accountant

**ATTACHMENT(S)**

- 8.3.3 Finance Report Quarterly Review for the period ending 31 December 2017



### 8.3.4 Alpine Shire Council Plan 2017-2021 (review 2018)

File Number: 600.03

#### **INTRODUCTION**

An annual review of the Council Plan is a requirement of the *Local Government Act 1989*. This report provides an outline of the 2018 review process and recommendations for changes to this document.

*Cr Roper*

*Cr Pearce*

*That Council note:*

1. *A review of the Alpine Shire Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) has been undertaken in accordance with s125(7) of the Local Government Act 1989 and s26(4) and s27(2)(b) of the Municipal Public Health and Wellbeing Act 2008.*
2. *The review proposes the following changes to the Alpine Shire Council Plan 2017-2021:*
  - a. *Update the Strategic Resource Plan to be consistent with the Long Term Financial Plan identified in the 2018/19 Budget (as adopted in June 2018); and*
  - b. *No other changes are currently proposed to the document.*
3. *Section 125(9) of the Local Government Act 1989 requires a section 223 public submission process only where there are proposed adjustments in the Council Plan to the:*
  - a. *Strategic objectives of the Council;*
  - b. *Strategies for achieving the objectives; or*
  - c. *Strategic indicators for monitoring the achievement of the objectives.*
4. *No formal public submission process is required under section 125(9) of the Local Government Act 1989 as there are no proposed adjustments to the strategic objectives, strategies or strategic indicators.*
5. *The Alpine Shire Council Plan 2017-2021 (review 2018) will be presented for adoption in June 2018.*

*Carried*

#### **BACKGROUND**

The Council Plan is a key document required under Local Government legislation, and includes the strategic objectives of the Council; strategies for achieving the objectives; strategic indicators for monitoring achievement; a Strategic Resource Plan; and projects / services intended to span the lifetime of the Plan.

The 2017-2021 Alpine Shire Council Plan was developed following the 2016 Elections, and was adopted in June 2017. This was the first time that Council elected to incorporate the Municipal Public Health and Wellbeing Plan (MPHWP) as part of the





Council Plan. This change means that Council must be mindful of both s125(7) of the *Local Government Act 1989* (LG Act) and s26(4) and s27(2)(b) of the *Public Health and Wellbeing Act 2008* (PHW Act) when undertaking any reviews of the Council Plan.

Conducting an annual review of these plans is a requirement of each Act. Council traditionally undertakes a review in the early part of the calendar year, and when required releases proposed adjustments for public comment, and adopts the final plan in June each year.

This is the first opportunity to conduct a review since the Council Plan was adopted in June 2017.

## **ISSUES**

### ***Council Plan***

#### **Proposed Changes**

The Council Plan has been reviewed and there are no changes proposed to any content other than the Strategic Resource Plan (SRP) 2018-2021. The SRP will be updated to align to the annual Budget in line with legislative requirements.

In previous Council Plans, there was an 'annual action plan' added as an appendix to the Council Plan, which was updated on an annual basis. Effectively this was a summary of the initiatives committed to as part of the Budget process.

This appendix was removed from the 2017-2021 Council Plan as it duplicates information which is required by legislation to be included in the Budget document. It is noted that the appendix is not a legislative requirement for the Council Plan.

#### **Requirement for Public Submissions**

Section 125(9) of the Act only requires a public submission process to occur where there are proposed changes to the strategic objectives, strategies or strategic indicators within the Council Plan.

As there are no proposed changes to these items, the Council Plan will not need to be re-released for public submissions this year.

Although the SRP will be updated, it is open to submissions as part of the Budget process, and does not need to be additionally open to public submissions as part of the Council Plan review process. The resolution to adopt the Council Plan in June will contain a resolution to insert the SRP as adopted with the Budget.

### ***Municipal Public Health and Wellbeing Plan***

The MPHWP has been reviewed and there have not been any significant changes to the 'health' measures of the community which would require Council to change the strategic direction of the plan. The data that feeds into the plan and drives the Key Priorities is largely driven by other agency data which is only undertaken periodically (ie. Census and VicHealth surveys), so reviewing or changing the plan would only need to occur if there was a change in the source data. Unexpected occurrences would be the only other reason for a change to the MPHWP and its associated action plan.



### **POLICY IMPLICATIONS**

The Council Plan is a key strategic document, required under section 125 of the *Local Government Act 1989*.

The MPHWP (as part of the Council Plan) is required under sections 26 and 27 of the *Public Health and Wellbeing Act 2008*.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

A small cost will be required to update the Strategic Resource Plan and the front page of the designed Council Plan document.

### **CONSULTATION**

Consultation has occurred with Council officers and councillors. No consultation with the community is required, as there are no intended modifications to the strategic objectives, strategies or strategic indicators within the Council Plan.

### **CONCLUSION**

Council should note that public exhibition is not required for the proposed updates to the Council Plan. A report will be presented in June to adopt the 2018 review of the Council Plan, and incorporate the updated Strategic Resource Plan in line with the adopted Budget.

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

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

- Director Corporate
- Manager Corporate
- Governance Officer

### **ATTACHMENT(S)**

- Nil



### 8.3.5 Audit Committee Meeting No. 3. 23 February 2018

File Number: 0900.06

#### **INTRODUCTION**

The purpose of this report is to present the minutes and recommendations of the Audit Committee meeting held on 23 February 2018.

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

- Electronic Funds Transfer Administrators and Authorisers;
- Local Government Bill Exposure Draft 2018;
- Policy and Procedure Review;
- Data Security;
- Alpine Shire Council Performance Framework;
- Critical Functions Framework; and
- 2017/18 Quarter 2 Health and Safety Report.

*Cr Pearce*

*Cr Knappstein*

*That Council:*

1. *Receive and note the minutes of the 23 February 2018 Audit Committee meeting.*
2. *Adopt the confidential 2017/18 Quarter 2 Health and Safety Report.*

*Carried*

#### **BACKGROUND**

Council must establish an Audit Committee under section 139 of the *Local Government Act 1989*. The Committee's charter requires it to report to Council its activities, issues and related recommendations. This report relates to the Audit Committee meeting held on 23 February 2018.

#### **ISSUES**

##### **Electronic Funds Transfer Administrators and Authorisers**

A recommendation of the VAGO Final Management Letter for the year ending 30 June 2017 was that Council review its electronic funds transfer (EFT) administrators and authorisers. The Audit Committee considered the review and endorsed changes to administration and authorisation access and requested an annual review as well as strengthening employee exit procedures.

##### **Local Government Bill Exposure Draft 2018**

The Audit Committee were advised of the Local Government Bill Exposure Draft 2018 proposed to gradually replace the *Local Government Act 1989*, commencing on 1 July 2018 through to the October 2020 Council elections. Of particular interest were the proposed changes to the role of the Audit Committee, as the Local Government



Bill Exposure Draft 2018 proposes a greater role for the Committee in overseeing Council activities. The Committee recommended that Council request clarification on the future liability of the Committee as part of its submission to the Local Government Bill Exposure Draft 2018.

### **Policy and Procedure Review**

As part of its Interim Management Letter to the Council in 2014-15, VAGO recommended that a review be undertaken to determine the appropriateness of all policies and procedures, to update any that were past their specified review dates, and to formalise review dates for the future. A number of policies and procedures have been progressively reviewed since this time, in addition, the Audit Committee considered a report outlining the objectives, scope, constraints and deliverables of a systemised review to be undertaken.

### **Data Security**

In November 2016, VAGO produced a Financial Systems Control Report assessing the strength of information technology controls across 52 Victorian Government agencies, including 7 local government councils. The Audit Committee considered VAGO's recommendations in light of Council's current practices and recommended that Council develop a data security policy and procedures to formalise its data security activities.

### **Performance Framework**

At the request of the Audit Committee, Council's reporting on financial and other metrics has been reviewed. Council captures a broad number of metrics including 66 metrics as part of the Local Government Performance Reporting Framework (LGPRF). Current reporting includes a quarterly Council Plan, finance and health and safety reports as well as capital works reporting. The Audit Committee has recommended that Council develop a high level performance scorecard that provides a balanced snapshot of progress against targeted objectives.

### **Critical Functions Framework**

The Audit Committee were updated on Council's progress in identifying its critical functions as part of the larger project to review and develop its business continuity plans.

### **2017/18 Quarter 2 Health and Safety Report (Confidential)**

The Audit Committee reviewed the Quarter 2 2017/18 Health and Safety Report (Confidential). The report highlights that employee hazard, incident, injury and near-miss reporting was slightly down on the previous quarter, but was higher than the same period in 2016/17. There were five injuries during the quarter; one progressed to a WorkCover claim.

The Health and Safety Committee met once during the quarter and, in addition to standing items, reviewed the Health and Safety Policy and discussed policies and procedures around UV protection and working in hot weather.



## **POLICY IMPLICATIONS**

Council complies with the following sections of the *Local Government Act 1989*:

- Section 139: requires Council to have an audit committee and act within the guidelines made by the Minister for Audit Committees.
- Section 136: requires Council to implement the principles of sound financial management.

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

Strategic Objective 2 A responsible and sustainable organisation.

## **CONCLUSION**

The Audit Committee, being satisfied with the detail provided in the agenda, submits the minutes of its 2017/18 Meeting No.3 held on 23 February 2018 to Council.

## **DECLARATION OF CONFLICT OF INTEREST**

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

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

## **ATTACHMENT(S)**

- 8.3.5(a) Audit Committee Meeting No. 3 Minutes, 23 February 2018
- 8.3.5(b) 2017/18 Quarter 2 Health and Safety Report (CONFIDENTIAL)



### 8.3.6 Appointment of Independent Audit Committee Members

File Number: 0900.06

#### **INTRODUCTION**

The Audit Committee currently has three vacancies for independent members and the recruitment process to replace the retiring members has now been completed. This report recommends the appointment of three independent members to Council's Audit Committee for a three year term.

#### ***RECOMMENDATION***

*Cr Pearce*

*Cr Forsyth*

*That Council:*

- 1. Appoint Mark Anderson, Sue Lebish and Gerard Moore to the Audit Committee for a term of three years commencing from 1 May 2018 pending satisfactory completion of pre-appointment paperwork.*
- 2. Acknowledge and thank retiring committee member Jane Shepherd for her service on the Audit Committee.*

*Carried*

#### **BACKGROUND**

The Audit Committee Charter requires a minimum of five members:

- Two councillors nominated by Council; and
- Three or more independent persons appointed by Council.

The Audit Committee currently consists of six members: two councillors and four independent members.

The independent members are appointed for a three year term with the term expiry being staggered to provide a level of continuity and stability.

The three year term of two independent members, current chair Sue Lebish and Mark Anderson, expires at 30 April 2018 and a third independent member, Jane Shepherd, resigned from the role in December 2017 leaving three independent member vacancies on the Committee.

The recruitment process for three independent members has now been completed.

#### **ISSUES**

##### **Expression of Interest**

Council issued an expression of interest in February 2018 seeking respondents that could demonstrate:

1. Experience in any number of industry sectors, including Local Government, State Government or the Not for Profit Sector.
2. Tertiary qualification/s from a finance, business, or related field.



3. Through experience, their capacity to provide specialist knowledge in one or more of the following areas:
  - Accounting and Finance;
  - Audit;
  - Risk;
  - Governance;
  - Compliance.
4. Previous experience on a committee or board.

The expression of interest was advertised in the local paper, on Council's website, Seek, LinkedIn, and sent to FinPro and LGpro for circulation amongst their networks. There were several enquiries, and eight applications including two current members.

### **Selection Process**

The Chief Executive Officer and Director Corporate undertook preliminary interviews with the applicants before four applicants were shortlisted and interviewed by the Mayor, Chief Executive Officer and the Director Corporate.

The applicants were assessed against the listed selection criteria and consideration was also given to their industry experience and previous experience on a board or audit committee.

### **Selected candidates**

The selection panel agreed to the appointment of three members, two returning members and a new member:

Mark Anderson: originally appointed to the Audit Committee in April 2015, Mark is a Fellow CPA and Fellow of the Institute of Company Directors. He has extensive experience as chair of various boards and on audit committees including other local councils and also as a former chair of the Victorian Auditor General's Office audit committee.

Sue Lebish: originally appointed to the Audit Committee in April 2015, Sue holds qualifications in Bachelor of Commerce and Master of Business Administration and is a CPA. She is currently Chair of the Falls Creek Resort Management Board, has been a member of various boards and has experience in the government sector including local government.

Gerard Moore: resides in North East Victoria and holds a qualification in Bachelor of Science. Gerard has extensive experience across a broad range of sectors including education, construction, manufacturing, forestry, energy, logistics and project management. He has extensive and specialist skills in risk management and auditing.

### **Pre-appointment Documentation**

Pre-appointment documentation is currently being prepared for the new members including a formal letter of offer, police check, confidentiality agreement and conflict of interest declaration. Appointment by Council would be subject to the satisfactory



completion and return of all documents prior to commencement and attendance at the next meeting of the Audit Committee scheduled for 26 May 2018.

### **Term of Appointment**

The Audit Committee Charter provides for the appointment of independent members for a three year term. It is proposed to appoint the recommended applicants for the three year period commencing 1 May 2018 and expiring 30 April 2021.

### **POLICY IMPLICATIONS**

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

Strategic Objective 2 A responsible and sustainable organisation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Independent Audit Committee members receive a set fee for each meeting attended in accordance with the Audit Committee Charter. This fee is currently \$200 per meeting for independent members and \$400 per meeting for the Chair.

### **CONCLUSION**

A rigorous recruitment process was undertaken for independent audit committee members and the calibre of the three applicants selected is outstanding. It is recommended that Council appoint Mark Anderson, Sue Lebish and Gerard Moore to the Audit Committee for a three year term.

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

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

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

### **ATTACHMENT(S)**

- Nil





### 8.3.7 Re-naming of a Road - Off Feathertop Track, Harrietville

File Number: 1763.12

#### **INTRODUCTION**

The purpose of this report is to seek Council approval for a road name change in Harrietville.

#### **RECOMMENDATION**

*Cr Knapstein*

*Cr Pearce*

*That Council:*

- 1. Approve a change of name of the subject road in Harrietville currently known as 'Off Feathertop Track'.*
- 2. Endorse the registration of the new name 'Walsh Lane' for the subject road.*

*Carried*

#### **BACKGROUND**

Council is the street naming and numbering authority for the purposes of ensuring street naming and numbering is appropriately undertaken within the confines of the legislation and associated guidance.

Council receives requests from a variety of sources to rename or renumber existing streets and roads, or to approve new street and road names, and numbers for new developments.

#### **Process**

The *Geographic Place Names Act 1998* sets out an obligation on Council to ensure street naming and numbering is appropriately undertaken. In conjunction with the Act, guidance on the process to name and number streets and roads is also provided in the document 'Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities, 2016'.

All requests to change or approve new street names and numbers follow a process set out in the guidance document. This proposal has followed this process which includes advertising, consultation with surrounding land owners and State Government's naming authority, VicNames, on the proposed name change. The guidance document also states where Councils can access appropriate names including using names that have ties to Aboriginal heritage or ANZAC history.

#### **Request**

Council has received a request to rename 'Off Feathertop Track' Harrietville to 'Walsh Lane'.

The existing 2WD gravel track was given the name 'Off Feathertop Track' several years ago, for the simple purpose of allocating rural road numbers to the two existing dwellings located along this track.



The request was made by one of the two dwelling owners. The request seeks to improve the road name as it is not a unique name in that it is adjacent to Feathertop Track and there is also Feathertop Lane in Harrietville.

The request to rename the road, 'Walsh Lane', is supported by evidence that the name can be linked to the area. Specifically that the name 'Walsh' is one of the first recorded owners of the land, Mrs Catherine Walsh.

As part of the ANZAC Centenary Road Naming Project, it is also proposed to honour William Walsh, who was an ANZAC that served in France during World War 1. William Walsh was returned to Australia after being accidentally wounded in the right eye and was unable to continue his duties in the Tunnelling Corps.

## **ISSUES**

### **Submission**

During the consultation process one submission was received from another land owner on the subject road. The submitter objected to the proposal on the basis that the name 'Walsh' is also the name of the applicant's wife. The submitter believes that the proposed new name, 'Walsh Lane' appears to be named after the applicant's wife rather than that of the original owner Catherine Walsh and Harrietville ANZAC, William Walsh. The assessment and verification process as outlined below has demonstrated that basis of the objection is not valid.

### **Linking the name to the place**

In considering the request and the objection, Council has considered the guidance document 'Naming Rules for Places in Victoria' and Council Policy: No 57 - Place, Road, Memorial Naming.

The principles set out in the guidance document 'Naming Rules for Places in Victoria' include:

- Ensuring public safety;
- Linking name to place;
- Ensuring names are not duplicated; and
- Dual names.

In addition, Council Policy No 57 Place, Road, Memorial Naming states:

### **3.0 POLICY**

#### **3.1 PRINCIPLES**

##### **3.1.1 Linking The Name To The Place.**

**Place names should have some sense of connection or association to the area in which they are applied by naming authorities. This could relate to things such as Indigenous culture and occupation of the land, local flora and fauna, European exploration and settlement, local geography and geology, significant events, the cultural diversity of past and current inhabitants, or patterns of land usage an industrial/ mineral/agricultural production.**

In assessing the request and verifying the historical links and data, Council officers are satisfied that the proposed name 'Walsh Lane' does have association to



occupation of the land which means the name can be linked to the place. The proposed name is therefore in line with the guidance document 'Naming Rules for Places in Victoria' and the ANZAC Commemorative Naming Project.

The verification process has not identified another suitable name that could be used. Harrietville has a strong mining history and from this a suitable alternative could have been a name related to the Tronoh Dredge. However this name has been used to name another road. The principles do not allow for dual names to be used.

Therefore the historical data around the name selection is recorded as part of the naming process, not only by the Council, but also by the State Government's naming authority, VicNames.

### Duplication of names

The guidance document 'Naming Rules for Places in Victoria' does not allow road names to be duplicated in rural or remote areas, within 30 kilometres of each other. Currently there are three roads in Harrietville with the name Feathertop. This can cause serious delays in the attendance of emergency vehicles if the incorrect road type is used. The emergency personnel may come from other areas such as Wangaratta and won't be familiar with the nuances of local street names.

Although this current process has been prompted by a land owner request, the subject road known as 'Off Feathertop Track' had been identified by Council as requiring review due to the multiple use of the name Feathertop in the Harrietville area and was already in the process of being prioritised for assessment and renaming.



**Figure 1: Proposed Walsh Lane**

### POLICY IMPLICATIONS

The *Geographic Place Names Act 1998* governs the naming of streets and roads.



The name has been assessed against guidance documents to ensure that it meets the requirements of the Act and will be approved by the State Government's naming authority, VicNames. This guidance includes:

- the Principles set out in the Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities, 2016';
- Council Policy No.57 Place, Road, Memorial Naming; and
- AS/NZS 4819:2003 Geographic information—Rural and urban addressing.

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

Strategic Objective 6 A well planned and safe community.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The assessment of the proposed street name has been undertaken in house and there are no additional financial implications associated with this.

Further costs related to installation of new signage will be covered out of the existing budget for the 2017/18 financial year.

### **CONSULTATION**

Following the guidelines set out in the guidance document 'Naming Rules for Places in Victoria', the proposed name was advertised in local papers in March 2017, with a submission period closing on 7th April 2017. Letters were also sent to individual owners who would be affected by this change. As a result of the consultation, only one objection was received.

The application was also referred to ESTA (Emergency Services Telecommunications Authority), DELWP (Department of Environment, Land, Water and Planning). No issues were identified with the proposed name.

### **CONCLUSION**

The proposed name, 'Walsh Lane' meets the guidelines set out in the guidance document 'Naming Rules for Places in Victoria' and Council Policy No.57 Place, Road, Memorial Naming. It is recommended that the name 'Walsh Lane' be assigned to the track currently known as 'Off Feathertop Track'.

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

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

- Director Corporate
- Manager Planning and Amenity
- Technical Officer Planning and Amenity

### **ATTACHMENT(S)**

- Nil



### **8.3.8 Airport Services Leases for Hangars at Mount Beauty Aerodrome**

File Number: 1500.02

#### **INTRODUCTION**

This report relates to the leasing of land at the Mount Beauty Aerodrome for the purpose of erecting hangars.

At the Ordinary Council Meeting December 2008 Council approved the leasing of hangar sites at the Mount Beauty Aerodrome. Council has received a number of recent enquiries for hangar leases at the aerodrome. There is capacity for additional hangars in the area set aside for hangars along the north eastern side of the site.

Lease documents have been prepared for hangar leases at the aerodrome that are consistent with existing leases at the site and consistent with recent leases at Porepunkah Aerodrome. The lease term is 10 year terms, plus a second 10 year option.

Section 190 of the *Local Government Act 1989* (the Act) notes the restrictions on Council's power to lease land. Under Section 190 if a lease is greater than 10 years a person has the right under Section 223 of the Act to make a submission on the proposed lease.

Council currently has five parties requesting to enter into a hangar lease and it is recommended that Council approve Section 223 Invitations for Submissions against any proposed leases on the land defined in this report until land allotted for hangars is fully let.

#### ***RECOMMENDATION***

*Cr Nicholas*

*Cr Pearce*

*That Council endorse a process for inviting public submissions in accordance with section 223 of the Local Government Act 1989 for all future leases of land at Lot 2 PS705744, 25 Embankment Drive, Mount Beauty, being the Mount Beauty Aerodrome, for the purpose of hangars, until hangar capacity has been achieved.*

*Carried*

#### **BACKGROUND**

At the Ordinary Council Meeting December 2008 Council approved the leasing of hangar sites at the Mount Beauty Aerodrome. There are currently six Airport Services Leases at the aerodrome. Council has received a number of recent enquiries for hangar leases at the aerodrome.

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

Section 190 of the Act notes restrictions on Council's power to lease land. These being:



- 1) *A Council's power to lease any land to any person is limited to leases for a term of 50 years or less.*
- 2) *Subject to any other Act, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.*
- 3) *If the lease is to be-*
  - a) *for 1 year or more and:*
    - i) *the rent for any period of the lease is \$50,000 or more a year; or*
    - ii) *the current market rental value of the land is \$50,000 or more a year; or*
  - b) *for 10 years or more; or*
  - c) *a building or improving lease;**the Council must at least 4 weeks before the lease is made, publish a public notice of the proposed lease.*
- 4) *A person has the right to make a submission under section 223 of the act on the proposed lease.*

Lease documentation has been developed for the purpose of entering into long term hangar leases on this land. The length of the leases is 10 years plus a 10 year option, lease charges are currently \$5.91/m<sup>2</sup> plus GST indexed to CPI annually on July 1 each year.

Due to the length of the leases Council is required under Section 190 of the Act to invite public submissions on the proposal to lease. Discussions are currently being held with prospective lessees. Lease provisions are consistent for each of the hangar leases with the construction of hangars also requiring planning permits. For the purpose of more efficient processing Council is seeking pre-approval to run future public notices as required under Section 190 and according to Section 223 of the Act until the land allotted for hangars is fully let. Posting the public notice and inviting submission under Section 223 of the Act is not entering into a commitment to lease and Council would still be required to consider any submissions received through this process and also determine if a lease is to be executed in each case.

## **ISSUES**

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

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

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



## **POLICY IMPLICATIONS**

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

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

Strategic Objective 5: Highly utilised and well managed community facilities.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The commencement annual lease income for each of the hangars will depend on their size with current lease charges at \$5.91/m<sup>2</sup> plus GST. Forward lease charges are indexed to CPI annually and subject to a market review after the first 10 years of the lease. Income collected from hangar rentals at the aerodrome is paid to the Mount Beauty Airport Management Association to assist it in fulfilling its responsibilities to operations and day to day maintenance of the airfield.

## **CONSULTATION**

Public notices will be placed in locally circulating newspapers and on Council's website, inviting interested persons to make submissions under Section 223 of the *Local Government Act 1989* on each of the proposed leases (Section 190(3b) and (4)).

## **CONCLUSION**

To enable more efficient processing of requests for hangar leases at the Mount Beauty Aerodrome it is recommended that Council endorse a process for inviting public submissions on all future leases in accordance with section 223 of the *Local Government Act 1989*.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Corporate
- Manager Facilities

## **ATTACHMENT(S)**

- Nil



### **8.3.9 Invitation to Tender CT18001 – Proposed Long Term Lease for the Management and Operation of the Myrtleford Holiday Park**

File Number: CT18001

#### **INTRODUCTION**

This report details the proposal to award a new long term lease for the management and operation of the Myrtleford Holiday Park.

#### **RECOMMENDATION**

*Cr Roper*

*Cr Forsyth*

*That Council:*

- 1. Approve placing public notice of a proposal to lease the Myrtleford Holiday Park and invite submissions under section 223 of the Local Government Act 1989. The proposal being to enter into a long term lease for the Management and Operation of the Myrtleford Holiday Park to Sustainable Park Solutions on the following terms:*
  - a. Purchase of Assets and Lease Premium - \$290,000;*
  - b. Commencement Rental - \$50,000 per annum;*
  - c. Capital Works over the life of the lease - \$1,272,629;*
  - d. 21 year lease;*
  - e. Estimate life of lease income - \$1,300,000.*
- 2. Form a committee according to section 223(1)(b) of the Local Government Act 1989, if required, for the purpose of hearing submissions in relation to the proposed lease.*

*Carried*

#### **BACKGROUND**

The Alpine Shire Council is the Committee of Management of the Myrtleford Holiday Park (the Park) pursuant to the *Crown Land (Reserves) Act 1978*. The Park is currently operated by Alpine Shire Council. The Myrtleford Holiday Park Business Plan developed in 2014 called for a program of works to be undertaken over the following 3 years and a subsequent market test for the long term lease of the Management and Operation of the Park. Council has subsequently undertaken approx. \$360,000 of upgrade/new works including upgrade of the camp kitchen, bunk houses, amenity block and the installation of 1 new 2 bedroom cabins, 2 x double ensuite units and some hard stand areas in lower lying sections of the Park.

An invitation to tender for the long term lease of the Park was run in September 2017. This process resulted in one conforming submission which was not considered good value and not progressed. Feedback was sought from a number of parties who had downloaded tender documentation and as a result some changes were made to the tender criteria particularly as it related to tenant improvements.





A new invitation for tender was conducted in January/February 2018.

The Park is an important and popular tourist asset and the awarding of a long term lease represents a significant opportunity for Alpine Shire Council to achieve long term capital improvements and the development of a high quality tourist experience.

The lessee will be required to manage and operate the Park, and the use of the Park, in a professional manner and in accordance with all laws, guidelines and regulations and subject at all times to the terms as specified in the Lease.

In leasing the Park some of Council's key objectives were to:

- Maximise financial return and long term financial benefit to Council;
- Make available to members of the general public an affordable and high quality caravan and camping facility;
- Ensure the use of the premises optimises the Parks exceptional location and is compatible with surrounding uses and the requirements of Council;
- Ensure the long term sustainability and viability of the Myrtleford Holiday Park; and
- Ensure continued community access to and benefit from the Park.

The invitation to tender was advertised in the Alpine Observer and Myrtleford Times on 17 January 2018 and through Tenders.Net. The tender was also advertised on the Victoria Caravan Parks Association online billboard and emailed directly to a number of local and multi-site park operators.

Tender documents were subsequently downloaded by 17 parties, two of which returned conforming tenders.

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

- Tenderers funding proposal including proposed capital works, purchase price for equipment and assets, lease premium and commencement rent;
- The tenderer's ability to meet Council's objectives;
- Relevant business experience and the skills necessary to undertake the management, maintenance and redevelopment of the premises;
- Business and marketing plans for the proposed use of the premises;
- Financial capacity and funding capacity to meet the tenants obligations under the Lease and:
- The tenderer's ability to meet applicable occupational health and safety requirements.

The evaluation also included a comparison of the forward financial projections of the Park should it remain Council operated and referenced an independent valuation undertaken of the Park in September 2017.

Sustainable Park Solutions is recommended as the successful tenderer providing a professional management offer and representing best value to Council.



## ISSUES

Council looked at the short term or upfront offers as well as long term reinvestment into the Park which would ensure the sustainability of the Park and the appeal of the Park to future users.

A capital works improvement program is an important consideration for ongoing sustainability. This requirement directly affects other components of the tender offer.

Other considerations taken into consideration and form part of the lease are:

- Annual CPI;
- 3 year market review; and
- Required upgrades and renewals of key assets such as amenity blocks, lighting, powerhead upgrade, drainage and internal roads.

A detailed analysis was undertaken of the submissions received and the option for Council to continue to operate the Park. After consideration of these options it is recommended Council proceed with the process to develop agreed lease terms with Sustainable Park Solutions.

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

Section 190 of the Act notes restrictions on Councils power to lease land:

- 1) *A Council's power to lease any land to any person is limited to leases for a term of 50 years or less.*
- 2) *Subject to any other Act, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.*
- 3) *If the lease is to be –*
  - a) *for 1 year or more and –*
    - i) *the rent for any period of the lease is \$50,000 or more a year; or*
    - ii) *the current market rental value of the land is \$50,000 or more a year;*  
*or*
  - b) *for ten years or more; or*
  - c) *a building or improving lease –*  
*the Council must at least 4 weeks before the lease is made, publish a public notice of the proposed lease.*
- 4) *A person has the right to make a submission under section 223 of the act on the proposed lease.*

Lease documentation is being developed for the purpose of entering into a long term lease of the Park. The proposed length of the lease is 21 years and the starting rental is \$50,000. Due to these two factors Council is required under section 190 of the Act to publish a public notice of a proposed lease.



## **POLICY IMPLICATIONS**

The tender was advertised and evaluated according to Council's Policy No.89 Procurement.

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

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

Strategic Objective 5: Highly utilised and well managed community facilities

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The offer from Sustainable Park Solutions provides for a significant capital investment in the Park including \$405,000 of required works that Council had identified would be required over the next 5- 10 years.

Against Councils forward net income projections for the Park, including provisions for renewals, upgrade and planned new work the lease offer is forecast to generate an additional \$30,000 cash for Council.

Though this is not a significant increase over Council's forecast under Council operation, the proposed lessee is contributing an additional \$900,000 in capital works in the first three years of the lease that offer substantial improvements to the amenity of the Park including an additional 14 powered sites, office/resident upgrade, 2 additional ensuite sites (including services), 1 additional 2 bedroom cabin, 2 safari tent style units and numerous minor amenities.

Council would also receive a payment of \$290,000 for existing plant and equipment.

## **CONSULTATION**

Pursuant to section 190 of the *Local Government Act 1989* public notice will be given inviting interested persons to make submissions under Section 223 of the Act on the proposed lease (section 190(3a) (3b)& (4)).

## **CONCLUSION**

Acceptance of the tender from Sustainable Park Solutions for the lease of the Myrtleford Holiday Park is considered the best value option for Council, subject to Ministerial Approval and meetings its obligations under section 190 and 223 of the *Local Government Act 1989*.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Corporate
- Manager Facilities

## **ATTACHMENT(S)**

- Nil



## 9 ASSEMBLY OF COUNCILLORS

### INTRODUCTION

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

### RECOMMENDATION

*Cr Nicholas*  
*Cr Knappstein*

*That Council receive and noted the summary of the Assemblies of Councillors for February / March 2018.*

*Carried*

### BACKGROUND

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

<b>Date</b>	<b>Meeting</b>
27 February 2018	Briefing Session
6 March 2018	Briefing Session
20 March 2018	Briefing Session
27 March 2018	Briefing Session

### ATTACHMENT(S)

- 9.0 Assemblies of Councillors – February / March 2018



**10 GENERAL BUSINESS**

**11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

**12 RECEPTION AND READING OF PETITIONS**



## 13 DOCUMENTS FOR SEALING

### RECOMMENDATION

*Cr Pearce*

*Cr Keeble*

*That the following documents be signed and sealed.*

1. *Section 173 Agreement – Janelle Louise Boynton and Boszar Superannuation Pty Ltd*

*Lot 2 on Plan of Subdivision 641285E*

*Volume 11248 Folio 251*

*Condition 9 of Planning Permit 2017.147.1 for use and development of a second dwelling at 6619 Great Alpine Road, Porepunkah.*

*The Agreement indicates that a whole farm plan be fully implemented and that the dwelling be decommissioned or demolished at the cessation of the whole farm plan unless an alternative agricultural use is proposed. The land cannot be subdivided to create an additional lot for an existing dwelling.*

2. *Section 173 Agreement – Peter John Sharp and Rhoda Carmel Sharp*

*Lot B on Plan of Subdivision 641211*

*Volume 11221 Folio 836*

*Condition 42 of Planning Permit 2014.71.1 for eleven lot subdivision at 14 Blue Hills Rise, Bright.*

*The Agreement includes the endorsed Bushfire Management Plan showing the bushfire mitigation measures.*

3. *Section 173 Agreement – Malcolm Lee, Wendy Lee, Geoffrey Kingsmill and Kienny Kingsmill*

*Certificates of Title Volume 11031 Folio 883, Volume 11031 Folio 884, Volume 11031 Folio 885, Volume 11031 Folio 886 and Volume 11031 Folio 887*

*Kiewa Valley Highway, Tawonga South*

*The Owners covenant and agree with the Council that Lots 1, 3, 4, 5, 7 and 11 are developed with self-contained residential units similar in architectural theme, style and character with the existing constructions and developments that prevail over the rest of the site owned by the Owners.*

4. *Contract CT17096 in favour of North East Civil Construction for Briggs Bridge Load Limit Upgrade*

*Carried*



There being no further business the Chairperson declared the meeting closed at 8.13pm.

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Chairperson