



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**MINUTES**

**M10 - 6 October 2015**

**Bright Council Chambers**

**7:00pm**



The next **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright on **6 October 2015** commenced at **7:00pm**.

## **PRESENT**

### **COUNCILLORS**

Cr Jan Vonarx – Mayor  
Cr Ron Janas – Deputy Mayor  
Cr Tony Keeble  
Cr Daryl Pearce  
Cr Kate Farrell  
Cr John Forsyth  
Cr Peter Roper

### **OFFICERS**

Mr Dave Barry – Chief Executive Officer  
Ms Heather Green – Director Sustainable Development  
Mr Charlie Bird – Director Assets  
Mr Richard McClelland - Acting Director Corporate Performance

### **APOLOGIES**

Mr Trevor Britten – Director Corporate Performance



## AGENDA

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**1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, RECOGNITION OF ALL PEOPLE AND OPENING PRAYER**

The Chief Executive Officer will read the acknowledgement of the traditional custodians, recognition of all people and opening prayer.

**2 CONFIRMATION OF MINUTES**

**2.1 ORDINARY COUNCIL MEETING – M(9)**

*Cr Farrell*

*Cr Janas*

*That the minutes of Ordinary Council Meeting M(9) held on 1 September 2015 as circulated be confirmed*

*Carried*

**3 APOLOGIES**

Trevor Britten - Director Corporate Performance

**4 OBITUARIES / CONGRATULATIONS**

Mayor Vonarx congratulated Peter Hopper of Bright for receiving the Premier's Award for Victorian Senior of the Year.

Cr Farrell congratulated the Bright Hospital Opportunity Shop for raising \$375,000 towards the community and Alpine health.

Cr Keeble congratulated Daisy Pearce for winning her sixth Helen Lambert medal (the Victorian Women's Football League equivalent of the Brownlow).

Cr Pearce offered condolences to the family and friends of Nelly Cosgrove, a former Bright resident.

**5 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST**

Nil

**6 QUESTION TIME**

Q1. Sharon Plummer (Fredas Lane Tawonga), 'Council has approved a 60 seat restaurant and function centre at the Fredas Lane Tawonga, which has increased traffic significantly and subsequent dust from the road. Why hasn't Council required the proponent to seal the road, or taken steps to suppress the dust? I do not want the road sealed. The dust issue could be reduced if the speed limit was reduced, it is currently 100 kph.'

A1. Chief Executive Officer, 'Dust from unsealed roads is a long standing issue that is common across the Shire. The cost of maintaining a sealed road can be significantly more than maintaining an unsealed road. Council could not compel the applicant to seal the road under the planning scheme. Council



has not had success with dust suppressant in the recent past. Council will follow up this matter with you after this meeting’.

- Q2. Jim Crebbin (Upper Kiewa Valley Community Association), ‘I am one of many volunteers that maintain tracks and trails in the Shire, some of which are on Crown land. Can you please confirm that volunteers undertaking maintenance works are protected by insurance?’
- A2. Chief Executive Officer, ‘Council will take this question on notice and follow up this matter with you after this meeting’.
- Q3. Jim Crebbin (Upper Kiewa Valley Community Association), ‘The Survey Track in Mount Beauty is on Crown land and leased by Council for a 20 year period. Can Council place Tunnel Rock on the track to improve the condition?’
- A3. Chief Executive Officer, ‘Council will take this question on notice and will follow up this matter with you after this meeting’.
- Q4. Ray Dyer (Myrtleford), ‘Who endorses and adopts the meeting minutes. Who do you go to when you don’t believe minutes are not being written up correctly?’
- A4. Chief Executive Officer, ‘Council meeting minutes are adopted by Council at their discretion. If you believe the minutes are inaccurate you can make a report to Local Government Investigations and Compliance Inspectorate.’



**7 PRESENTATION OF REPORTS BY OFFICERS**

**7.1 CHIEF EXECUTIVE OFFICER – DAVE BARRY**

**7.1.1 Contracts approved by the CEO**

*Cr Janas*

*Cr Pearce*

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

|                 |                                  |          |               |
|-----------------|----------------------------------|----------|---------------|
| Contract No:    | CT15033                          | Process: | Public Tender |
| Title:          | Morses Creek Road Reconstruction |          |               |
| Tenderer:       | GW & BR Crameri                  |          |               |
| \$ (excl. GST): | \$130,944                        |          |               |
| Funding:        | Roads renewal budget             |          |               |

*Carried*



## 7.2 ACTING DIRECTOR CORPORATE PERFORMANCE – RICHARD McCLELLAND

### 7.2.1 Alpine Shire Council Annual Report 2014/15

File Number: 900.01

#### INTRODUCTION

The *Local Government Act 1989* requires Council to:

- prepare an Annual Report within three months of the end of the financial year; and
- hold a meeting to consider the report within one month of submitting the report to the Minister for Local Government.

Council's 2014/15 Annual Report was submitted to the Minister for Local Government by to the legislated date of 30 September, and must now be considered by Council.

*Cr Farrell*

*Cr Keeble*

*That the Alpine Shire Council 2014/15 Annual Report containing the audited financial, standard and performance reports for the year ended 30 June 2015 be adopted.*

*Carried*

#### BACKGROUND

On 1 September 2015 Council resolved that:

1. *The Annual Financial Report and Performance Report for the year ended 30 June 2015 as presented be adopted in principle.*
2. *That two councillors (Cr Roper and Cr Forsyth) be authorised to certify the Annual Financial Report and Performance Statement for the year ended 30 June 2015, once amendments or changes as requested by the Victorian Auditor General have been made.*

The Annual Report for the year ended 30 June 2015 contains the following statutory information:

- A report of Council's operations;
- Audited financial statements;
- Audited performance statement;
- A copy of the report from the auditor; and
- Other matters as required by the *Local Government (Planning and Reporting) Regulations 2014* and *Local Government (General) Regulations 2004*.



The key statutory information is contained in the following three sections of the report:

- Performance Report
- Governance Report
- Financial Report

### **PERFORMANCE REPORT**

This section of the 2014/15 Annual Report is structured to correspond with the five strategic themes outlined in the 2013/17 Council Plan. The Annual Report provides a written analysis of the year and reports against the strategic objectives, strategies and actions contained in the Council Plan and corresponding Annual Action plan for the 2014/15 period.

#### **Inspired Community Leadership**

Key achievements:

- Adoption of Council's Long Term Financial Plan
- Development of Council's Strategic Projects Pipeline
- Saving \$1.1 million in employee costs as part of Council's business transformation project

#### **Enhancing the Environment and Liveability**

Key achievements:

- Adoption of Council's Rural Land Strategy
- An amendment to the Alpine Planning Scheme to allow for more residential zoned land in Bright
- Securing a grant to improve the Porepunkah Transfer Station

#### **Strengthening the Community**

Key achievements:

- Providing \$60,000 in community grants to 19 community organisations - resulting in \$200,000 worth of projects being delivered by the community
- Completion of stage 2 of the Bright Sports Centre, providing improved facilities
- Being selected to take part in the "Tomorrow Towns" project for young people in Myrtleford

#### **Prosperous Economy, Employment and Investment**

Key achievements:

- Completion of the Bright Splash Park
- Completion of the Dinner Plain Gravity Park
- Continuation of festival and event funding / logistics support across the Shire





### **Performance Focused Organisation**

- Introduction of lifetime tags for animal registration – a benefit for the community and for council

### **Local Government Performance Reporting Framework**

The 2014/15 Annual Report is the first time that the indicators that form part of the Local Government Performance Reporting Framework have been reported. Council has devoted significant resources to reporting on these data sets.

### **GOVERNANCE REPORT**

This section of the Annual Report contains reports against statutory information.

### **FINANCIAL REPORT**

This section of the Annual Report contains the audited Financial and Standard Statements, Audit Certificate, Performance Statement and Independent Auditors report.

### **Council's Financial Performance**

Council ended the 2014/15 year with a budget surplus of \$7.2M (representing a positive variance of \$5.4M); income was greater than last year and expenses were less.

The favourable income result is mainly attributable to the receipt of Council's 2015/16 Financial Assistance Grants in advance - \$1.8 million, and competitive grants success - \$700,000. The favourable expenses result is mainly due to a reduction in employee related expenses (an outcome of the recent HR review) - \$1.1 million, and a favourable revaluation of assets (due to an increase in the life of road assets) - \$500,000.

Council delivered \$6.4 million (70%) of its budgeted \$9.1 million capital works program. This figure was significantly impacted by a freeze on plant and motor vehicle replacement - \$1.35 million, and the decision to postpone construction of the Myrtleford landfill cell - \$550,000. Program delivery is actually 89% if these two issues are taken into account.

Significant capital projects delivered include:

- Bright to Harrietville rail trail – Stage 1
- Bright Splash Park
- Bright Sports Centre redevelopment
- Albert Lowerson commemorative statue (Myrtleford)
- Churchill Avenue road reconstruction (Bright)
- Kancoona South road reconstruction
- Rail trail widening and resurfacing in Bright
- Dinner Plain snow making



## **Performance Statement**

Performance Statements are required to be prepared according to the *Local Government Act* and the *Local Government (Planning and Reporting) Regulations 2014*.

The performance statement comprises:

- Sustainable Capacity Indicators,
- Service Performance Indicators, and
- Financial Performance Indicators.

2015 is the first year that this 'performance statement' framework has been utilised, and therefore it is not yet possible to compare results to previous years. Nevertheless, the indicators show that Council is financially sustainable and that services are being delivered within expected parameters.

## **AUDIT CERTIFICATE**

At the time of writing this report, the 2014/15 Audit Certificate had yet to be received from the Victorian Auditor General's Office.

However, preliminary verbal advice indicates that Council will receive an unqualified audit certificate.

## **COMMUNICATION**

Council's 2014/15 Annual Report will be made available on Council's website by Tuesday 6 October 2015. The report will be distributed on Compact Disc (CD), with printed hard copies available only on request.

The Annual Report will also be available for inspection at the following Customer Service Centres:

- Alpine Shire Council, Great Alpine Road, Bright
- Mount Beauty Customer Service Centre, Lakeside Avenue, Mount Beauty
- Myrtleford Customer Service Centre, O'Donnell Avenue, Myrtleford

## **CONCLUSION**

This year the focus has been on ensuring the financial sustainability of Council, and complying with the Council resolution of 3 June 2014, to save \$1-1.5 million in recurrent operating costs. Using the Human Resources Review, Strategic Alignment Project, Strategic Projects Pipeline, and Long Term Financial Plan, Council embarked on transforming the organisation, to ensure that it remains financially sustainable into the long term.

Throughout the organisational restructure, staff continued to deliver those key services and projects that were committed to the community.

Council ended the year in a strong financial position.



**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 Performance
- Governance Officer

**ATTACHMENT(S)**

- 7.2.1 2014/15 Annual Report



## 7.2.2 Audit Committee Meeting Minutes

File Number: SU0900.06

### **INTRODUCTION**

The purpose of this report is to present the minutes of the Audit Committee meeting held on Tuesday 1 September 2015 to Council. Key items presented to and considered by the Committee were:

- 2014/15 Annual Financial Report;
- 2014/15 Annual Performance Statement;
- Quarter 4 Health and Safety Report (confidential);
- Health and safety audit update;
- Information technology disaster recovery testing; and
- Payment card industry data security standards.

*Cr Keeble*

*Cr Janas*

*That the minutes of the 1 September 2015 Audit Committee meeting be received and noted and the following committee recommendations be adopted:*

*That:*

- 1. The Annual Financial Report for the year ended 30 June 2015 be adopted.*
- 2. Cr John Forsyth be authorised to certify the financial statements in their final form.*
- 3. The Annual Performance Statement for the year ended 30 June 2015 be adopted.*
- 4. The 2014/15 Quarter 4 Health and Safety Report be adopted.*

*Carried*

### **BACKGROUND**

#### **Annual Financial Report**

The Committee noted and endorsed the financial report comprising a comprehensive income statement, balance sheet and statements of changes in equity, cash flows and capital works for the 2014/15 financial year. The financial report was still subject to finalisation of the audit from the Victorian Auditor General at the time the Audit Committee meeting was held.

In summary, Council ended the 2014/15 year with a budget surplus of \$7.2M (representing a positive variance of \$5.4M); income was greater than last year and expenses were less.



The favourable income result is mainly attributable to the receipt of Council's 2015/16 Financial Assistance Grants in advance - \$1.8M, and competitive grants success - \$700k.

The favourable expenses result is mainly due to a reduction in employee related expenses (an outcome of the recent HR review) - \$1.1M, and a favourable revaluation of assets (due to an increase in the life of road assets) - \$500k.

Council delivered \$6.4M (70%) of its budgeted \$9.1M capital works program. This figure was significantly impacted by a freeze on plant and motor vehicle replacement - \$1.35M, and the decision to postpone construction of the Myrtleford landfill cell - \$550k. Taking these two items into account, the capital works program delivery was actually 89%.

### **Annual Performance Statement**

The Performance Statement is a specific and mandatory requirement of section 131 of the *Local Government Act 1989* (the Act), and Division 2 of the *Local Government (Planning and Reporting) Regulations 2014* (the Regulations) (regulations 15, 16, 17 and 18). It is generated from indicators and measures from the Local Government Performance Reporting Framework (LGPRF), and consists of 6 sustainable capacity indicators, 12 service performance indicators, and 12 financial performance indicators – all of which are subject to audit.

The 2014/15 financial year is the first year that any Council will be reporting the information publicly, therefore it won't be possible to benchmark performance until all Councils have released performance statements in their 2014/15 annual reports.

### **Health and Safety**

During 2014/15, Council committed to reviewing and updating its health and safety framework and this will continue for the next 12 to 24 months, as well as continuing to improve the engagement of staff in health and safety matters.

The 2014/15 quarter 4 focussed on the endorsement of new Designated Work Groups and nomination and election of Health and Safety Representatives.

The Committee endorsed a revised approach to the Health and Safety audit with a self-assessment against the SafetyMap criteria being undertaken in-house and the use of external auditors to focus on employee awareness of workplace health and safety.

## **POLICY IMPLICATIONS**

### **Legislative Issues**

The *Local Government Act 1989* (the Act) requires the following in relation to financial management:

- 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.



### Council Plan and key strategic plan links

|                         |   |
|-------------------------|---|
| 2013/17 Council Plan    |   |
| Strategic Objective 5.2 | To manage resources well to ensure sustainability |
| 2014/15 Budget          |   |
| Strategic Objective 2.5 | Performance focused organisation                  |

### CONCLUSION

The Audit Committee, being satisfied with the detail provided in the agenda and the officer Reports, recommends Council adopt the detailed resolutions.

### 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 Performance
- Manager Corporate Services
- Health, Safety and Risk Officer

### ATTACHMENT(S)

- 7.2.2 Audit Committee Meeting Minutes 1 September 2015



Upon advice from the CEO the Mayor deferred a decision on item 7.3.1 being for Contract 1503201 – Supply and installation of playground equipment in Mount Beauty and for the item to be re-listed for consideration at the November Ordinary Council Meeting.

### **7.3 DIRECTOR ASSETS – CHARLIE BIRD**

#### **7.3.1 Deferred : Contract 1503201 – Supply and installation of playground equipment in Mount Beauty**

File Number: 1543.17

##### **INTRODUCTION**

This tender report relates to the award of the Contract for the supply and installation of playground equipment in Mount Beauty.

##### *Deferred*

##### **BACKGROUND**

The upgrading of the Mount Beauty foreshore (Centenary Park) and retail precinct together comprise the Progressing Place Project. Delivery of Progressing Place is supported by funding obtained through Regional Development Victoria and contributions from the Alpine Shire Council and Alpine Health.

The project includes the upgrading of the existing Centenary Park playground with a focus on providing play opportunity for children in the eight to twelve age group, upgrading of the picnic facilities, construction of a new toilet block and new landscape works.

The town centre component of Progressing Place includes improvements to kerb and pedestrian crossings, new street furniture and a sculptural play element to be located in the open space adjacent to the Community Centre.

Contract 1503201 is for the supply and installation of new play equipment at Centenary Park (foreshore) and the town centre.

The Invitation to Tender was advertised in the Herald Sun 5 August 2015, Border Mail 8 August 2015, and on the Tenders.Net and Alpine Shire Council web-sites.

The Invitation to Tender was comprised three separable parts and requested two options for one of those parts.



### **Part A**

Foreshore (Centenary Park) – 2 OPTIONS

1. A playground structure to the value of \$80,000-\$90,000
2. A playground structure to the value of \$110,000-\$120,000.

### **Part B**

1. Town Centre – 1 OPTION

A play sculpture to the value of \$30,000-\$40,000.

### **Part C**

- A piece of spinning equipment that can accommodate multiple users at once
- A nest or basket swing that can accommodate multiple users at once
- A hammock
- A flying fox
- Jumping play equipment, such as a trampoline or similar.

The Tender documents were downloaded by 25 prospective tenderers and nine submissions were received.

### **EVALUATION**

The evaluation panel consisted of the Acting Manager Asset Development, Project Officer, Open Spaces Coordinator.

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

- Design
- Price
- Qualifications and Previous Performance
- Delivery
- Social.

Eight of the nine tenders received included proposals that were within budget.

Interviews were held with tenderers that proposed bespoke solutions to confirm their proposals would comply with Australian Standards, be certified by a structural engineer and delivery timeframes could be achieved.

Council officers believe it would be prudent to seek feedback from the key stakeholder group (Mount Beauty children) on their preferred option for the playground upgrade in Centenary Park before awarding the Contract.

### **ISSUES**

Two tenders comprised bespoke custom built solutions which respond to the local character of Mount Beauty. There is a risk that the final designs may vary slightly





from the concept design in the proposals. However, the evaluation panel is confident that the concepts can be delivered given the proponents' experience in delivering bespoke playground equipment and reassurances that the design would be certified by a local structural engineer and an experienced play equipment auditor.

### **POLICY IMPLICATIONS**

The works associated with Contract 1503201 are consistent with Strategic Objective 3.11 of the Council plan - Facilitate increased community participation; and the objectives of the Mount Beauty Recreation Reserve Masterplan, 2011.

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

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The total budget for Progressing Place Project is \$875,000, with \$525,000 allocated to the foreshore and \$350,000 allocated to the town centre.

The budget for the Centenary Park (foreshore) playground upgrade is \$120,000 and \$40,000 for the play sculpture in the town centre. Eight of the nine tenders received included proposals that were within budget.

### **CONSULTATION**

Council officers have engaged with the Mount Beauty community regarding the Centenary Park playground upgrade on several occasions. Whilst there has been some concern that the playground upgrade would result in the removal of the steel slide, there now appears to be an understanding that removal of the slide is warranted. The community has indicated the following as their preference for play equipment, in order of priority:

- Challenging and exciting climbing options different from the standard climbing net, incorporating high and scary slide
- Items which rocked and swayed and could be used by more than one person
- A nest or basket swing that can accommodate multiple users at once
- A hammock
- A flying fox
- Jumping play equipment, such as a trampoline or similar.
- Council officers will be seeking feedback from the key stakeholder group (Mount Beauty children) on their preferred option for the playground upgrade in Centenary Park before awarding the Contract.

### **CONCLUSION**

Council received nine tenders for the supply and installation of playground equipment in Mount Beauty, eight of which are within budget. A comprehensive tender evaluation process has been completed, however Council officers believe it



would be prudent to seek feedback from the key stakeholder group (Mount Beauty children) on their preferred option for the playground upgrade in Centenary Park before awarding the Contract.

**DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Acting Manager Asset Development
- Project Officer, Asset Development
- Open Spaces Coordinator.

**ATTACHMENT(S)**

- Nil



## 7.4 DIRECTOR SUSTAINABLE DEVELOPMENT – HEATHER GREEN

### 7.4.1 Planning Application 5.2015.072 - Proposed NBN Tower, Tawonga

|                                     |   |
|-------------------------------------|---|
| Application number:                 | 5.2015.072  |
| Proposal:                           | Use and development of the land for the purposes of construction and operation of a telecommunications facility (NBN Tower)   |
| Applicant's name:                   | Ericsson Australia  |
| Owner's name:                       | Graham Sydney Meakin  |
| Address:                            | 9 Cuthbert Street, Tawonga  |
| Land size:                          | 39.52 hectares  |
| Current use and development:        | Grazing and single dwelling   |
| Site features:                      | The site is relatively cleared with the exception of a wind row to the west of the dwelling and riparian vegetation along the creek which traverses the property in the southern corner. The dwelling is setback approximately 100m from the eastern boundary which is the extent of the Township zoning for Tawonga. On the western third of the land, approximately 100m from the western boundary, runs the high voltage power lines; there are four existing towers on the land supporting the power lines. |
| Why is a permit required?           | To use and develop the land for the purposes of a telecommunications facility under the provisions of the Farming Zone and Schedule 1 to the Significant Landscape Overlay.   |
| Zoning:                             | Farming   |
| Overlays:                           | Significant Landscape Overlay - Schedule 1<br>Bushfire Management Overlay   |
| Restrictive covenants on the title? | No  |
| Date received:                      | 12 June 2015  |
| Statutory days:                     | 118   |
| Planner:                            | Nick Vlahandreas  |



*Cr Farrell*

*Cr Janas*

*That a Notice of Decision to grant a planning permit be issued for the use and development of the land for the purposes of construction and operation of a telecommunications facility (NBN Tower) at 9 Cuthbert Street, Tawonga in accordance with the conditions contained in Attachment 7.4.1(a).*

*Cr Roper called for a Division*

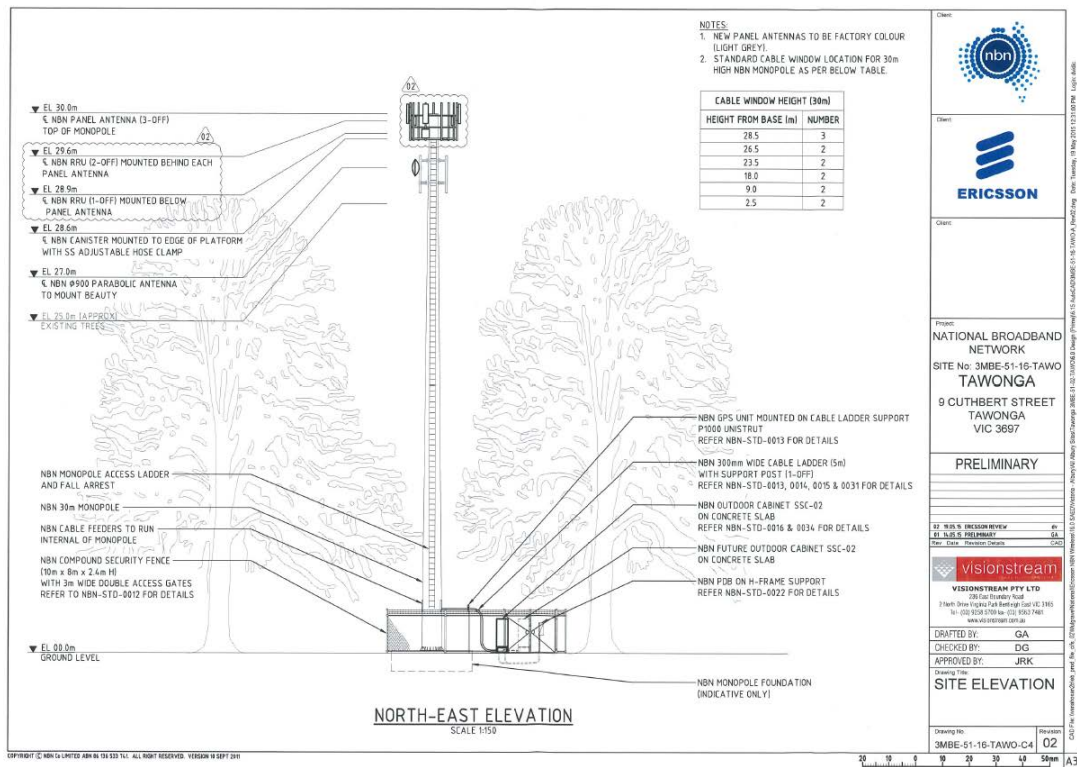
*For: Cr Forsyth, Cr Janas, Cr Vonarx and Cr Farrell*

*Against: Cr Roper, Cr Keeble and Cr Pearce*

*Carried*

### **PROPOSAL**

It is proposed to construct a 30m high monopole structure to be used as a telecommunications facility for the purposes of providing NBN to the Tawonga area via fixed wireless technology. The tower will be a single concrete pole with a maximum height of 30m; it is not proposed to paint the tower and therefore it will have a natural concrete grey colour. The tower will accommodate 3 panel antennas measuring approximately 1077mm x 300mm x 115mm. It will also accommodate 1 parabolic dish antenna to be located at approximately 27m on the tower - the dish will be 900mm in diameter. The proposed north east elevation of the tower is shown in Figure 1 below. The elevation plan shows the proposed height of the tower in the context of the site with the approximate height of the trees in the background shown; the tower will be approximately 5m taller than the average tree height in the west abutting forest.



**Figure 1: Proposed north east elevation of the tower**

The proposed tower will be located within a proposed 10m x 8m secure compound on the subject land. The compound will be located approximately south west of the existing dwelling on the subject land. The compound will be setback 4m off the western boundary of the subject land; the proposed tower will be setback 3.5m from the compound boundary meaning that it will be setback 7.5m from the western boundary of the subject land. The tower will be setback approximately 416m from the Tawonga Township Zone boundary as shown in Figure 2 below.

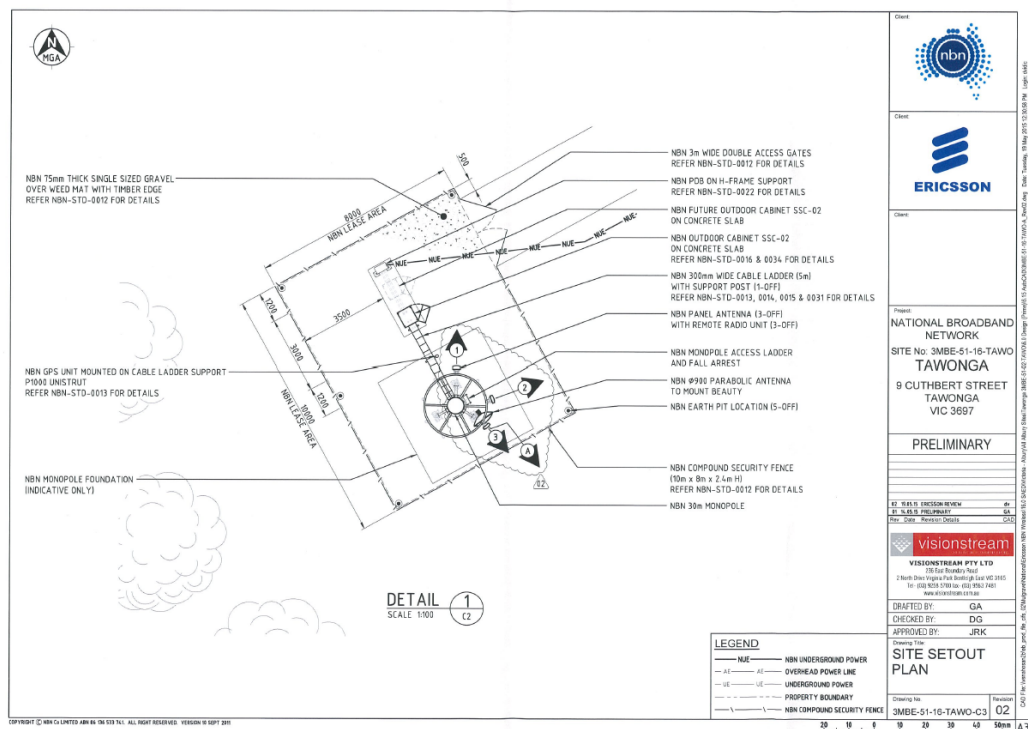


**Figure 2: Proposed location of the NBN tower**



The proposed compound will be fenced using chain wire mesh and steel posts; the fence height will be 2.4m (the proposed compound is shown in Figure 3). The facilities to be contained within the compound will be:

- A 1.9m high cabinet on a concrete slab;
- Area for a second 1.9m high cabinet;
- Cable ladder at approximately 2.4m high running between the cabinet and the tower;
- A 1.7m high power box; and,
- A crushed rock handstand area for vehicles.



**Figure 3: Proposed site compound**

Access to the proposed tower, and compound, will be via a new, 472m long, access track which will branch off the existing driveway to the dwelling on the subject land near the entrance off Cuthbert Street (see Figure 4 below for the proposed site plan showing the location of the proposed tower and access to the tower off Cuthbert Street. Power for the proposed tower will be taken from the existing power pole at the end of Cuthbert Street and shall be supplied to the proposed tower underground via the same alignment as the proposed access track.



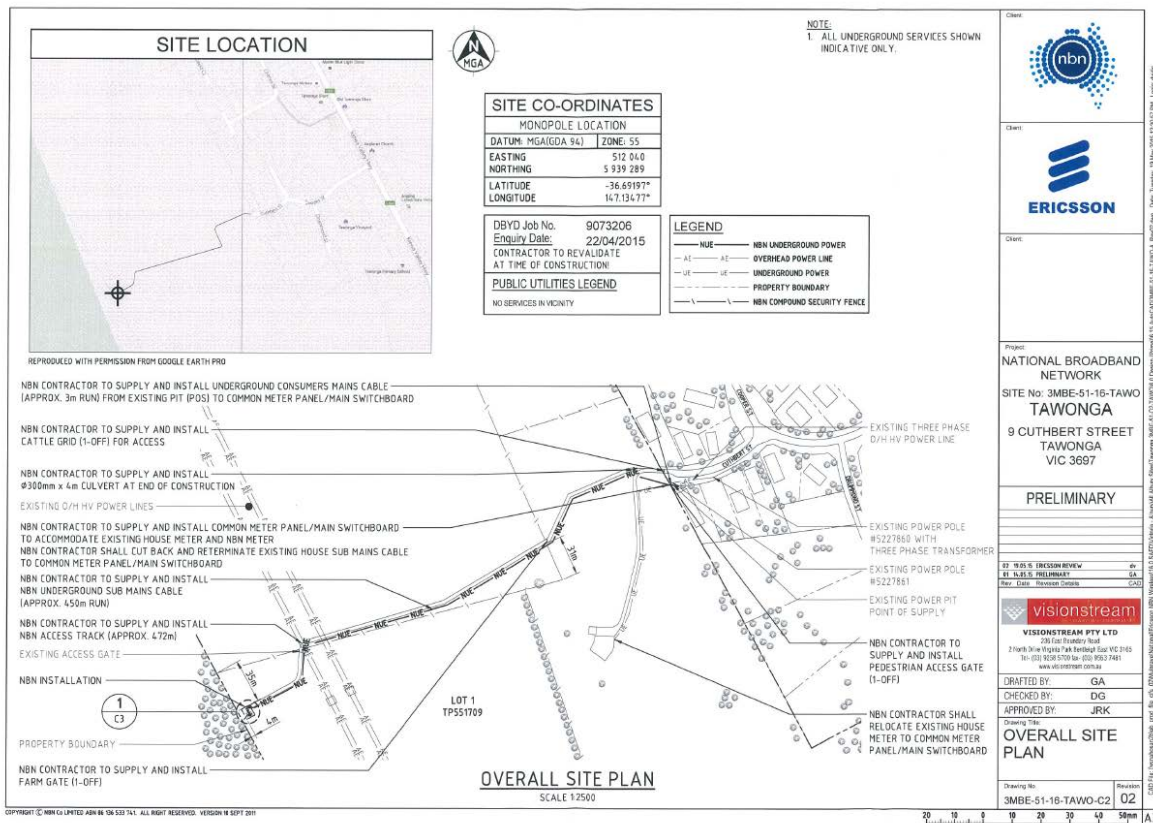


Figure 4: Proposed Site Plan

## SUBJECT LAND AND SURROUNDS

The subject land is located on the western edge of the Tawonga Township. The land is known as Lot 1 on TP551709, 9 Cuthbert Street, Tawonga. The land is approximately 40 hectares in size and contains a single dwelling which is setback approximately 105m west of the eastern boundary.

The land generally slopes from the north east up to the south west with a total elevation gain of approximately 50m. There are two drainage lines which pass through the subject land off the western slopes. These drainage lines create small depressions and three ridgelines across the land; the proposed tower will be located on the middle ridgeline in between the two drainage lines.

The subject land contains four existing towers supporting the high voltage power lines. These lines are setback approximately 300m from the eastern boundary (the proposed tower will be setback approximately 416m from the eastern boundary) as shown in Figure 5 below.



**Figure 5: Existing high voltage power lines and towers on the subject land**

The land adjoining the subject land to the east comprises a large part of the Tawonga township. This part of the township comprises residential dwellings, a primary school, general store and CFA station. To the north of the subject land is Farming zoned land used for grazing and dairying. To the south of the subject land there is a similar sized vacant Farming zoned allotment used for grazing and further south is the southern section of the Tawonga township which comprises residential dwellings, accommodation businesses, a restaurant and lawn bowls club.

The proposed tower location in the context of the surrounding area is shown in the figures below.





**Figure 1: Figure 6: Proposed tower location from 7111 Kiewa Valley Hwy**



**Figure 7: Proposed tower location from 7152 Kiewa Valley Hwy**





**Figure 8: Proposed tower location from 27 Charles Street**



**Figure 9: Proposed tower location from end of Cuthbert Street**





**Figure 10: Proposed tower location from 111 Kiewa Valley Hwy**



**Figure 11: Proposed tower location from end of Hores Lane**



## **PUBLIC NOTIFICATION**

The application was advertised in accordance with Section 52 of the Planning and Environment Act 1987. Notice of the application was sent to 28 surrounding landholders and occupiers. A sign was displayed on the subject land and a notice was published in the local newspaper. Eight objections were received; the reasons for objecting are as follows:

- Detrimental effects of radiofrequency electromagnetic energy (EME);
- Impact on property values; and,
- Fibre to the home or node should be provided and not wireless.

A petition was also created through the Change.org website which requested community consultation with NBN to provide more information on the proposed towers at Tawonga and Mount Beauty (the NBN infrastructure for Mount Beauty will now be co-located on the existing Ausnet smart meter tower in Mount Beauty). 116 signatures were received with 82 people residing within the Kiewa Valley. Of the 82 signatures 41 were from people living in Tawonga and Tawonga South.

Two submissions in support of the application were also received in addition to a Change.org petition supporting the two applications. The Change.org petition received 123 signatures of which 104 people were from the Kiewa Valley with 54 people residing in Tawonga and Tawonga South.

A planning forum was held on 8 September 2015 in Tawonga at the Tawonga CFA station to discuss the proposed tower. Invitations to the meeting were sent to all submitters and those people responsible for setting up the two Change.org petitions were also asked to post the invite online so that any signatories to the two petitions could come along.

At the planning forum there were 4 objectors and 1 submitter in support of the application in attendance along-with two representatives of NBN, Councillor Janas and Council's Manager of Planning and Amenity, Nick Vlahandreas.

During the meeting the following matters were discussed:

- Details of the application, including the technology to deliver NBN to the area;
- Other siting options considered;
- EME effects;
- Details of other locations in Australia where wireless was first considered and then fibre to the node or home was selected;
- Relevant planning considerations with respect to NBN tower applications;
- Monitoring of EME throughout the surrounding area; and,
- Ability of the infrastructure to withstand a bushfire given its close proximity to native vegetation.

During the meeting NBN agreed to a condition on the planning permit requiring an independent assessment of existing EMEs throughout the surrounding area and, once the facility is operational, a further assessment of EMEs to show compliance





with relevant legislation. The results of any assessment would be made available to the public. This proposed condition was supported by all in attendance and would be based upon a similar condition imposed by Mount Alexander for an NBN tower in Faraday. This condition is contained within the attachment to this report.

The applicant also provided evidence to Council that the tower and ancillary infrastructure has been designed to a BAL 40 standard. Whilst the Bushfire Management Overlay does not require a planning permit it was deemed relevant that the infrastructure should be designed to withstand a bushfire so that the community may have access to the internet in times of an emergency. An appropriate condition is also proposed to ensure that a BAL 40 construction standard will be met.

## **REFERRALS**

There are no referrals required as part of the assessment of this application.

## **PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION**

The subject land is zoned Farming (FZ) under the Alpine Planning Scheme and is covered by the Significant Landscape Overlay - Schedule 1 and the Bushfire Management Overlay.

A planning permit is required under the following provisions of the Alpine Planning Scheme:

- To use the land for a telecommunications facility (Clause 35.07-1);
- To construct a building and carry out works associated with the telecommunications facility as it is a Section 2 use in the FZ (Clause 35.07-4);
- To construct a building and carry out works (Clause 42.03-2); and,
- To construct a building and carry out works for the telecommunications facility (Clause 52.19).

## **Electromagnetic Energy**

The issue of EME radiation is often raised by the public when new telecommunications facilities are proposed. This application has received 8 objections with 7 of those raising EME as their primary issue with the proposal.

The operation of telecommunication networks and associated facilities are controlled under Commonwealth law. The Australian Communications and Media Authority has set the regulatory standard, known as the ARPANSA standard, to protect the health and safety of those who may be affected by potential EME radiation.

The Victorian Planning Provisions control telecommunications facilities through the particular provision at Clause 52.19 ([http://planningschemes.dpcd.vic.gov.au/schemes/vpps/52\\_19.pdf](http://planningschemes.dpcd.vic.gov.au/schemes/vpps/52_19.pdf)). These provisions require that a telecommunications facility comply with the requirements of the Code of Practice for Telecommunications Facilities in Victoria ("the Code") and it is within the Code where the requirement that a telecommunications facility must comply with the ARPANSA standard. The ARPANSA standard has established a Radiation



Protection Standard specifying limits for general public exposure to radiofrequency transmissions at frequencies used by wireless base stations.

The application was accompanied by an Environmental EME Report which calculated the radiofrequency EME at various distances from the proposed tower. The report concluded that the maximum EME level for the proposed tower is 0.19% of the ARPANSA exposure limit.

As the tower will meet the ARPANSA standard this issue of potential EME radiation cannot be considered further by Council. This is due to a couple of reasons. Firstly, the code requires new telecommunications facilities to meet four principles; principle 3 states:

*"Health standards for exposure to radio emissions will be met.*

*(...)*

*A telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3kHz to 300 GHz, ARPANSA..."*

The requirement under the Code is to comply with the standard and this has been demonstrated by the applicant.

The second reason why EME radiation cannot be further considered, beyond ensuring compliance with the standard, is that Council is not an expert on such matters to scrutinise the ARPANSA standard and form a standard over and above the Commonwealth requirements. This issue was discussed by the Victorian Civil and Administrative Tribunal (VCAT) in the Red Dot decision of *Mason & Ors v Greater Geelong City Council and Telstra Corporation* (includes summary) (Red Dot) [2013] VCAT 2057. In this decision Deputy President Dwyer provided the following relevant comments:

*"The Tribunal has previously indicated that town planning is not a panacea for all perceived social ills, nor is the hearing of a planning matter at VCAT a forum for addressing all issues of social or community concern.*

*(...)*

*...it is not the role of VCAT to set standards in relation to public health, nor to second-guess the considered statements of expert authorities or bodies that regulate the area."*

In *McClelland v Golden Plains SC* [2013] VCAT 59 President Gibson stated in the context of an NBN tower:

*"With respect to health hazards of electro-magnetic radiation from mobile phone tower installations, the Tribunal has held that whilst the objectors beliefs were sincerely held, the Tribunal is obliged to apply the relevant regulatory standards as it finds them, not to pioneer standards of its own. The creation of new standards is a matter for other authorities. This principle has been followed in numerous other decisions wherein the Tribunal has found that a telecommunications facility is obliged to meet the relevant standards*



*that apply but it is not a basis to reject an application for reasons relating to potential health impacts if the relevant standards are met."*

In the Mason case Deputy President Dwyer also stated:

*"...objectors should not raise the issue of electromagnetic radiation in VCAT proceedings about telecommunications facilities where the ARPANSA standard will be met. If they attempt to do so in their statement of grounds in the future, they can anticipate that the issue will be summarily dismissed without debate."*

Therefore, it follows that as the proposed NBN tower will comply with the ARPANSA standard, and Principle 3 of the Code, the issues of potential EME radiation cannot be further considered by Council as part of this application for a planning permit.

### **Impact on Property Values**

Some objectors have stated that the proposed NBN tower will have a detrimental effect on property prices in the surrounding area. This issue is often raised in town planning applications; however, it is not a matter which Council has the power to consider and therefore has no bearing in consideration of the current application.

### **Preference for Alternative NBN Technologies**

A number of objectors expressed their concern with the delivery of NBN to Tawonga, and the surrounding area, via wireless technologies as opposed to fibre to the node or fibre to the premises. During the planning forum the NBN representatives detailed the rationale for the technology to be implemented in this instance and why fibre options were not feasible, mainly due to the small number premises in the surrounding area.

Whilst the NBN representatives were prepared to provide this advice and information to the objectors during the planning forum it is not a matter which can be considered in a planning permit application. The delivery of the NBN is a Federal Government decision which local government has no control over. This was discussed during the planning forum and it was recommended to those in attendance that they contact the local Federal member to discuss their preference for the delivery of NBN in the local area. This issue was also discussed by VCAT in *Marshall & Ors v Ararat Rural CC* [2013] VCAT 90:

*"Implementation of the NBN is a decision of the Federal Government over which the Tribunal has no control. The Tribunal's sole consideration is whether it is appropriate, in planning terms, to locate the proposed telecommunications tower on the specific pieces of land to which those applications apply."*

The decision of the Tribunal in the Marshall case also set out what matters are relevant in the consideration of NBN tower planning permit applications, the Tribunal listed the following as relevant planning considerations:

- *Visual impact;*
- *Noise;*



- *Amenity;*
- *Access; and,*
- *Compliance with State and Local planning policy.*

Having regard to the Marshall case the following section addresses the relevant considerations in this matter.

### **Visual Impact**

Consideration on whether the proposed tower is acceptable in the landscape is a fundamental element of this application as the land, and surrounding area, are covered by Schedule 1 to the Significant Landscape Overlay. Principal 1 of the Code also requires consideration of the visual impact of a telecommunications facility.

The Significant Landscape Overlay applies to the Upper Kiewa Valley due to its contrasts between the cleared flat to undulating valley floor and the steep treed mountains. The key element of this landscape is the "majestic views across the cleared valley floor to Mount Bogong."

The proposed tower is to be located hard-up-against the south western boundary of the subject land which is the transition point between cleared land and the treed mountains. The landscape on the western side of the Kiewa Valley Highway is partially blighted by the high voltage power lines which run between Mount Beauty and Dederang and then onto Glenrowan and Shepparton. The proposed tower will be located behind two existing towers, supporting the high voltage power lines. The photos provided in the earlier section of this report identify the location of the proposed tower when viewed from the most prominent points in the landscape - the proposed tower will not be visible from the Tawonga General Store on the Kiewa Valley Hwy.

Having undertaken a detailed landscape analysis, Council officers form the opinion that the proposed tower will not be detrimental to the significant landscape of the area for the following reasons:

- The proposed tower will be located on the western side of the Kiewa Valley Hwy. The predominant, and most significant, views are to the east of the Kiewa Valley Hwy towards Mount Bogong.
- The proposed tower will be located behind existing towers on the subject land. It would be preferable to co-locate the infrastructure on the existing towers however it is understood that ongoing operational and management limitations prevent this from occurring; therefore the second best option is to site the tower behind the existing towers. This clusters towers together to minimise sprawl across the landscape. Principal 2 requires that facilities should be co-located wherever practical. This was able to be achieved for Mount Beauty, with the infrastructure to be located on the existing smart meter tower, however, it has not been practical in Tawonga to co-locate the infrastructure.
- The proposed tower is to be located hard-up-against the vegetation in the State forest to the south west whereby existing mature trees form the background. The mountain range behind the proposed tower rises an additional 660m vertically.





The significance of the mountains in the background will make the proposed tower look insignificant in the context of the surrounding landscape and because of this it will not be overly visible to passers-by.

- The proposed natural colour of the tower is the best option to blend-in with the surrounding landscape. The existing high voltage power line towers are all natural galvanised steel, grey in colour, and these towers sit well within the landscape.

### **Noise**

During the planning forum the question was asked about the potential noise generated by the proposed tower and associated infrastructure. The NBN representatives explained that within the outdoor cabinet, to be located on the north east side of the tower, a split system air conditioner will be installed to regulate temperature for the infrastructure contained within the cabinet. The system to be used is no different to a domestic split system and given that the proposed tower will be located approximately 416m away from the nearest dwelling it is deemed that there will be no adverse impacts as a result of noise from the proposed NBN tower.

### **Amenity**

The proposed tower will be located approximately 416m from the nearest residential property and therefore it is not anticipated that there will be any amenity impacts as a result of the proposed NBN tower.

### **Access**

Access to the proposed tower will be from a new access track to be constructed off the existing driveway serving the dwelling on 9 Cuthbert Street. The access track will be approximately 472m long and will be constructed with compact gravel. Given the irregular and low use of the access track this standard is deemed acceptable in this instance.

### **Compliance with State and Local Planning Policy**

The relevant State planning policy is Clause 19.03-4, Telecommunications. The State objective is:

*To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.*

The strategies to implement the objective can be viewed at [http://planningschemes.dpcd.vic.gov.au/schemes/vpps/19\\_SPPF.pdf](http://planningschemes.dpcd.vic.gov.au/schemes/vpps/19_SPPF.pdf). In response to the relevant strategies the following is submitted in relation to the proposed NBN tower:

- The proposal will facilitate the national rollout of the NBN network;
- The proposal will enable the local community to have access to modern telecommunications; and,
- Principle 4 of the Code and Clause 19.03-4 require consideration of the environmental effects of a facility. The proposal will have no detrimental environmental effects as the proposed NBN tower will not require the removal of



any native vegetation, it will not require significant earthworks and there is no evidence that indicates the EME has an impact upon fauna.

The local planning policy framework of the Alpine Planning Scheme does not contain any relevant provisions requiring consideration as part of this application.

### **CONCLUSION**

The application is considered to be consistent with the Alpine Planning Scheme and should be approved for the following reasons:

- The proposed tower has been sited to minimise visual impact in the Upper Kiewa Valley Significant Landscape Area through its location behind existing towers and on the edge of a steep, tall, and heavily vegetated mountain range (Tawonga Gap);
- The proposed tower has been sited the maximum possible distance from the nearby residential area of Tawonga to minimise amenity impacts and to provide NBN coverage to the surrounding area; and,
- The proposed tower will implement State planning policy for the delivery of modern telecommunications infrastructure.

### **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 - Sustainable Development
- Manager - Planning and Amenity

### **ATTACHMENT(S)**

- 7.4.1 (a) Conditions



## 7.4.2 Dinner Plain Event Funding Program 2015/2016

File No:

### INTRODUCTION

The Dinner Plain Advisory Committee (DPAC) has recommended the allocation of the events budget for the 2015/16 financial year. The DPAC has recommended a blend of events that will increase visitation, encourage community engagement and provide PR /media opportunities. A mix of repeat and new events has been recommended in order to continue to develop the village’s summer offering.

Whilst the majority of event funding requests provide for an amount of money allocated for marketing and advertising DPAC considers that there are distinct advantages in the current Dinner Plain Coordinator managing the general marketing of the majority of the proposed events in order to maximize the effectiveness of the advertising spend and to ensure continuity of the Dinner Plain brand representation. As such it is recommended that the marketing and advertising component of some funding applications be withheld.

*Cr Farrell*

*Cr Roper*

*That Council:*

#### 1. Approve the following events for funding as detailed:

| <i>Event</i>                                   | <i>Applicant</i>                     | <i>Funding</i>   |
|--|--------------------------------------|------------------|
| <i>MTB Enduro &amp; Funduro</i>                | <i>Dinner Plain Riders Bike Club</i> | <i>\$2,000</i>   |
| <i>Mile High Trail Run</i>                     | <i>Running Wild</i>                  | <i>\$2,500</i>   |
| <i>Carols in the Alps</i>                      | <i>Event organiser being sought</i>  | <i>\$5,500</i>   |
| <i>Easter in Dinner Plain</i>                  | <i>Council – internally managed</i>  | <i>\$5,000</i>   |
| <i>Geebung Polo</i>                            | <i>Focal Promotions</i>              | <i>\$17,000</i>  |
| <i>Dinner Plain Sled Dog Challenge</i>         | <i>Altitude 5000 Sled Dog Group</i>  | <i>\$6,000 *</i> |
| <i>Dinner Plain 30th Birthday Celebrations</i> | <i>Alpine Shire</i>                  | <i>\$10,000</i>  |
|  | <i>Total funding</i>                 | <i>\$42,000</i>  |



**\*Applicable to the 2016 event**

*2. Approve in principle funding for the following event subject to detailed applications approved by the CEO.*

| <i>Event</i>                    | <i>Applicant</i>     | <i>Funding</i>  |
|---------------------------------|----------------------|-----------------|
| <i>Billycart Grand Prix</i>     | <i>TBC</i>           | <i>\$1,000</i>  |
| <i>Music festival</i>           | <i>TBC</i>           | <i>\$7,500</i>  |
| <i>Food &amp; Wine Festival</i> | <i>TBC</i>           | <i>\$7,500</i>  |
|                                 | <i>Total funding</i> | <i>\$16,000</i> |

*Carried*

**CONSULTATION**

A consultative process amongst the Dinner Plain community was undertaken in the form of a questionnaire that required respondents to rate the importance of each proposed summer event from 1 to 14. Of the 30 respondents the majority were Dinner Plain business owners/operators and/or full time residents. The results are displayed in the following table:

| <b>Event</b>                       | <b>Community Ranking</b> | <b>Comments</b>                              |
|------------------------------------|--------------------------|--|
| Easter in Dinner Plain             | 1                        |  |
| Geebung Polo                       | 2                        |  |
| Carols in the Alps                 | 3                        |  |
| MTB Enduro & Funduro               | 4                        | Develop into two day event                   |
| Food & Wine Festival               | 5                        | In conjunction with music festival           |
| Cyclocross                         | 6                        |  |
| Long Way to the Top music festival | 7                        | In conjunction with food & wine festival     |
| Summer Micro Event Series          | 8                        |  |
| Mile High Trail Run                | 9                        | Develop into a larger trail running festival |
| Dinner Plain Marathon              | 10                       | More planning required to be considered      |



| Event                           | Community Ranking | Comments                                 |
|---------------------------------|-------------------|--|
| Billycart Grand Prix            | 11                |  |
| Spring Ball                     | 12                | Community event does not require funding |
| Summer Biathlon                 | 13                |  |
| Dinner Plain Sled Dog Challenge | n/a               | Winter event                             |

### ASSESSMENT

An event funding panel was created consisting of:

- DPAC chairperson
- DPAC member
- Economic and Community Development Manager
- Dinner Plain Coordinator

The panel took into consideration the following factors when assessing the proposed events:

- Alignment with the Dinner Plain and Alpine Shire Council tourism development strategies and draft Masterplan.
- Alignment with the Dinner Plain brand.
- Effect on intrastate and interstate visitation.
- Future growth potential and sustainability of the event.
- The potential for future independent financial viability for the event.
- The development of a broad ranging and appealing event calendar for the village.
- The organisational capacity of the event managers.

The panel believes that the events recommended for funding meet the assessment criteria and will provide the greatest value to the Dinner Plain economy.



### EVENT INFORMATION

| Event                                   | Proposed Date  | 2014 Funding | Requested Funding | Recommended funding      |
|---|----------------|--------------|-------------------|--------------------------|
| MTB Enduro & Funduro                    | 31 Oct - 1 Nov | \$2500       | \$2500            | \$2000                   |
| Mile High Trail Run                     | 21 - 22 Nov    | \$2500       | \$5500            | \$2500                   |
| Dinner Plain Marathon                   | 6 Dec          | New event    | \$11,000          | Not recommended          |
| Carols in the Alps                      | 12 Dec         | \$5500       | \$9750            | \$5500                   |
| Billycart Grand Prix                    | 12 Dec         | New event    | \$1000            | \$1000 set aside         |
| Summer Biathlon                         | TBA            | New event    | \$1000            | Location not suitable    |
| Cyclocross                              | 23 - 25 April  | New event    | \$12,000          | For future consideration |
| Long Way to the Top music festival      | 19 - 20 Mar    | New event    | \$11,000          | \$7500 set aside         |
| Food & Wine Festival                    | 19 - 20 Mar    | New event    | \$10,000          | \$7500 set aside         |
| Easter in Dinner Plain                  | 25 - 28 Mar    | \$4500       | \$5000            | \$5000                   |
| Summer Micro Event Series               | Jan - March    | New event    | \$10,000          | For future consideration |
| Geebung Polo                            | 27 Mar         | \$19,000     | \$17,000          | \$17,000                 |
| Dinner Plain Sled Dog Challenge         | 13 - 14 Aug *  | \$7500 **    | \$9500            | \$6000                   |
| Dinner Plain 30th Birthday Celebrations | 11 -13 June    | New event    | \$10,000          | \$10,000                 |

\* Applicable to the Aug 2016 event

\*\* Received for 2015 event

### MTB Enduro & Funduro

Although growth in its current format has peaked at approximately 100 participants expansion of the offering to a two day event with the inclusion of additional races such as a night race and an eliminator short course format should increase the appeal



of the event and entice overnight stays in the village. It is recommended that the DP Riders bike club be encouraged to develop the event along those lines.

### **Mile High Trail Run**

This event is in its third year and as such represents a good offering for the trail running market. It is felt that with expansion into a true festival styled event with additional running courses, perhaps a night run and training/nutrition workshops the event could attract a greater participation rate and encourage overnight visitation. The event organisers, Running Wild, be encouraged to develop the event into a true trail running festival.

### **Dinner Plain Marathon**

A funding application was received from Running Wild for the delivery of a marathon road run from Dinner Plain to Hotham and return. The community consultation process noted this event as quite a low (10 of 14) priority for residents and business owners. Given that the majority of the cost is associated with road closure fees it was felt that this event did not represent good value for the Dinner Plain community. It is recommended that funding not be granted for this event.

### **Carols in the Alps**

The Dinner Plain Residents and Business Operators Society (DPRBOS) has hosted the Christmas Carols event for a number of years. The event ranked very highly during the community consultation process (3 of 14) and does serve as an excellent community event. The events effect on visitation is not dramatic although it does attract some people from Omeo and Bright for the event but not bed nights. Unfortunately the DPRBOS has recently advised that it is no longer able to manage the event and expressions of interest are being sought from other event organisers.

### **Billycart Grand Prix**

Billycart racing where participants roll their carts downhill is very popular in NSW and Queensland and as such it was thought that a billycart race in Dinner Plain would be an excellent community run event and attract school age children in particular from the surrounding region. It is recommended that an amount of \$1000 be earmarked for the event.

### **Alpine Cyclocross**

Cyclocross is a very popular off season activity for road cyclists in Europe and the USA and is an emerging sport in Australia. It is proposed that a two day cyclocross event be hosted in Dinner Plain utilizing the ski field area. Cyclocross courses of 2.5 - 3.5km in length feature pavement, grassy trails, steep hills and obstacles and are tackled using road cycling bikes with wider tyres. It is proposed that a weekend cyclocross festival include beginner workshops and races, a night race and various divisional races including a night race run under lights. It is believed that an event of this nature would establish Dinner Plain as the cyclocross capital of the North-East given the emerging nature of the sport and would work well with existing 7 Peaks and other road cycle initiatives. Further investigation of this event will occur prior to any funding being allocated.



### **Long Way to the Top Music Festival**

A music festival has been proposed by DPRBOS as a summer entertainment product. An event of this nature was hosted by DPRBOS a number of times at Dinner Plain in previous years. It is considered that if such a music event was coupled with a regional food and wine festival the combined offering would drive increased visitation for the period. The ski field area has been identified as a suitable venue for such a music festival. Further investigation into this event in terms of ability to ticket it to cover costs and produce income is required prior to funding being considered.

### **Dinner Plain Food & Wine Festival**

As above it is considered that a regional food and wine experience coupled with a music event would increase visitation to Dinner Plain whilst also highlighting one of the major points of difference for Dinner Plain in terms of the quality of the food and wine offering. A regional cooking competition running as part of the festival would encourage the general public to engage with the event and be a part of the action comes the event weekend.

### **Easter in Dinner Plain**

The Easter activities within the village were highly regarded during the community consultation process and it is recommended that they continue with the current level of funding. A number of operators/organisations have expressed interest in the delivery of this event, and it is recommended that the Dinner Plain Coordinator seek to engage the same coordinator as last year if possible with the amount of funding set aside for that purpose.

### **Summer Micro Event Series**

This new event encourages broader visitation across a number of adventure based micro events and as such assists with the development of the Dinner Plain personality and brand as an ideal nature based tourism destination. It is recommended that this series of events be funded as a good value for money proposition in delivering a number of activity weekends throughout the summer season.

### **Geebung Polo**

The Geebung Polo event is currently contracted to run for 2016 for a previously agreed sponsorship amount of \$17,000. It is recommended that funding support for this event continues on a decreasing scale and that the event organisers be encouraged to seek additional private sector sponsorship to encourage the self-sustainability of events at Dinner Plain.

### **Dinner Plain Sled Dog Challenge**

The value to the community of the Sled Dog Challenge is acknowledged although recent challenges have arisen in regards to trail usage at such a traditionally busy time of year for all snow sports activities. Economic benefit evaluations have pointed to the fact that August is already a high visitation period for alpine areas including Dinner Plain and that the hosting of the event at this time and its continued reliance on Alpine Shire funding limits the economic benefit to the community from this event. It is recommended that funding support for this event continues on a





decreasing scale and that the event organisers be encouraged to seek additional private sector sponsorship. It is also recommended that the event organisers consider moving the event outside the peak August visitation period.

### **Dinner Plain 30th Birthday Celebrations**

It is recommended that an amount of funding be set aside for the provision of Dinner Plain 30th birthday celebrations over the Queen's Birthday weekend in June 2016 with the details to be finalised early in 2016. It is recommended that a separate committee be established for the management of these celebrations.

### **POLICY IMPLICATIONS**

Economic Development Strategy - Objective 5 Tourism Development

To offer compelling, high quality tourism experiences that reflect the distinctive attributes of the alpine region, exceeding visitor expectations and demanding attention.

Arts and Culture Strategic Plan - 5.5 Events

Creative, efficient, effective and strategic support and culture and arts programs, events and facilities.

Alpine Shire Council Plan - Theme 2: Community - 2.2 Promote opportunity for a vibrant community.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The recommended funding is well within the budget of \$65,000. A total of \$42,000 is recommended to be allocated to key events that are well planned and ready to be executed. It is also recommended that an amount of \$16,000 be earmarked for three events that may proceed subject to satisfactory event plans being provided.

### **CONCLUSION**

Events are vital to the maintenance and development of a vibrant culture and enriched nature based tourism brand for the Dinner Plain village. It is council's responsibility to provide guidance, logistic support and where appropriate funding assistance to develop a sustainable, effective and efficient events program. The recommendations put forward support events that align with the regional brand, encourage visitation and are of a benefit to the Dinner Plain community. Event operators are encouraged to develop their events into financially sustainable initiatives after a period of seed funding by the Alpine Shire 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 Sustainable Development
- Manager Economic and Community Development
- Dinner Plain Coordinator



### 7.4.3 Dinner Plain Advisory Committee Meetings and Recommendations

File Number: 110.02

#### **INTRODUCTION**

The Dinner Plain Advisory Committee (“DPAC”) meets on a quarterly basis in Dinner Plain with Council representation by: The Dinner Plain Coordinator, the Manager of Economic and Community Development and the Director of Sustainable Development. Minutes of the meeting held on 27 August and Special Meeting of 1 September 2015 are attached.

*Cr Roper*

*Cr Pearce*

*That:*

- 1. the minutes of the Dinner Plain Advisory Committee meetings 27 August 2015 and 1 September 2015 be noted.*
- 2. An increase to the current “marketing” budget by \$59,500 for a total for \$125,000, from the Special Rate be approved.*
- 3. An amount of up to \$10,000 for a high level pre-feasibility and environmental study for a village green/oval at Dinner Plain be approved.*
- 4. An amount of up to \$4,500 for Auditors to undertake works examining 2014/2015 FY income and expenditure for Dinner Plain and provide recommendations for the future direction of how Dinner Plain income and expenditure is budgeted and reported be approved.*
- 5. An amount of up to \$10,000 for snow blower repair works be approved.*
- 6. An amount of up to \$10,000 for a public Wi-Fi installation in Dinner Plain to serve the commercial precinct be approved*

*Carried*

#### **BACKGROUND**

DPAC has met five times in this calendar year with a final meeting for 2015 scheduled for November. Most items raised at the meetings are matters that can be dealt with operationally by Council officers and within budget. Therefore Council is required to make limited decisions – (minutes of DPAC meetings are located on Councils website). The recent DPAC meeting on 27 August (attended by Cr Janas) the following items were discussed:

- Dinner Plain Marketing Strategy and Action Plan for 2015/2016 FY;
- Adventure Hub/Information Centre concept;
- 2015/2016 FY budget and 2014/2015 FY final results;
- Snow Blower replacement;
- Winter Trail Usage Policy;



- Television hardware replacement;
- Winter online competition campaign report;
- Event Funding;
- Presentation by Chamber of Commerce re: Oval at Dinner Plain;
- Master Plan Action Plan;
- Presentation by Karl Gray re: early stage concept for alternative power solution for Dinner Plain;
- Moving existing picnic tables from Scrubbers End to the playground area.

A Special Meeting of DPAC was held on 1 September to further discuss the following items:

- 2015/2016 FY budget and audit recommendation;
- Capital projects and expenditure;
- Marketing Strategy;
- Event Funding 2015/2016. Event Funding recommendation will be presented to Council by a separate report);
- Wi-Fi solution;
- Dinner Plain Coordinator tenure

## **ISSUES**

The following matters require Council consideration and decision:

### **Dinner Plain Audit**

Due to the recent changes applied by Council to change the development of the Council budget and particularly the Dinner Plain budget to a high level, a number of questions have been raised by ratepayers and DPAC members regarding the transparency of the Dinner Plain budget. In particular, questions have been raised regarding how general rate, special rate and other income is calculated for Dinner Plain, how some expenditure line items are calculated (e.g. "Council Administration"), calculations of contributions to the Dinner Plain "Reserve" and where is the interest raised on the "Reserve" balance allocated. The DPAC and ratepayers have called for greater transparency for Dinner Plain finances. DPAC has recommended an audit take place to examine the 2014/2015 FY income and expenditure and additionally provide recommendations of how Council can manage Dinner Plain finances, to ensure transparency and show accountability. Principles and a scope of works for the audit have been developed and distributed to DPAC members. Based on the scope of works it is estimated that an amount of \$4,500 will be required.

### **Marketing**

The amount allocated for Dinner Plain Marketing in the original 2015/2016 budget is \$65,500. This amount was considered by members of DPAC to not be suitable to market the destination, particularly given the new capital projects delivered. It was



discussed that increased funds were required to provide increased activity to entice visitation to Dinner Plain. At the Special Meeting of DPAC of 1 September a Marketing Strategy was reviewed and agreed to by members.

DPAC has recommended that Council increase this amount to \$125,000 based on the new Marketing Strategy presented.

### **Wi-Fi**

There is currently no public Wi-Fi available in Dinner Plain. It is expected by travellers and visitors that free Wi-Fi will be available whilst on holidays. Availability of Wi-Fi can determine where some people will take their holidays. A solution that will provide a viable, effective but limited public Wi-Fi option within the commercial precinct has been researched and can be delivered for \$10,000. The ongoing cost after capital investment will be the monthly cost of a Telstra connection.

DPAC has recommended the installation of a public Wi-Fi service to the commercial precinct of Dinner Plain at a maximum cost of \$10,000 – plus a monthly connection fee

### **Oval Concept**

Doug McDougall representing the DP Chamber of Commerce presented a concept for an oval at Dinner Plain. A conceptual document has identified the potential benefits of an oval located in Dinner Plain, including the possibility of this location being suitable for a “place of last resort” for residents and others in the event of a bushfire, attraction of sports groups to participate in high altitude training, off leash dog area, social open space and hosting of events (e.g. Geebung Polo).

DPAC has recommended that Council approve an amount of up to \$10,000 for a pre-feasibility study, including whether the oval will meet with “place of last resort” requirements, high level estimates for environmental, planning and construction costs to undertake a project to deliver an oval.

### **Snow Blower**

It was identified by Contractors delivering Council operations in Dinner Plain that the Snow Blower asset owned by Council would need replacing for the 2016 ski season and was budgeted accordingly for purchase in the 2015/2016 FY. Upon review it has been determined that the asset would be able to complete snow clearing works for the at least the 2016 ski season and more than likely the 2017 ski season. The \$215,000 budgeted for the replacement of the asset will be removed at the end of quarter one review, however, an amount of \$10,000 should be forecast for any maintenance works required in this FY.

DPAC has recommended that the purchase of the snow blower not proceed and the maintenance of the existing blower occur and the balance of funds be returned to the Dinner Plain Reserve.

### **Other Capital Works**

Recent walkway and stairs concrete failure around Castran Corner will result in works required over this summer period. These works are currently being scoped. There is budget allocated to “Kerb and Road Replacement” works within the Dinner Plain



budget, however, the amount is allocated to other identified works on the roadways of Dinner Plain. Additional funding required to complete additional roadways works and the replacement of concrete at Castran Corner in this FY will be presented to Council at a later date for endorsement, prior to works being undertaken.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

### **Dinner Plain Audit**

A quote has been received to undertake works as proposed and in alignment with the principles developed. The quote is for \$4,500 which is currently unbudgeted. With Council endorsement this amount should be allocated to the "Council Administration" line of the Dinner Plain budget.

### **Marketing Strategy**

An increase of \$59,500 is required for "marketing" within the Special Rate to deliver actions as identified in the Marketing Strategy presented. The current budget is \$60,000 the increase of \$59,500 will increase the overall budget for "marketing" to \$125,000.

### **Dinner Plain Oval**

An estimation of the cost to undertake study works as proposed, pre-feasibility is \$10,000. This amount is currently unbudgeted. With Council endorsement, this amount should be allocated to "Capital Projects" which sits within the Council main budget, however, funded by Dinner Plain.

### **Wi-Fi**

The quoted amount of \$10,000 is not currently budgeted. This amount, endorsed by Council should be allocated to "Capital Projects", again sitting within the Council main budget, however, funded by Dinner Plain.

### **Snow Blower**

Remove \$215,000 capital purchase but forecast \$10,000 for maintenance works that may be required.

### **Summary**

Removal of the Snow Blower from the budgeted will inject \$215,000 back into the Dinner Plain Reserve; however, the total of new items to be delivered by Council in this FY will result in unbudgeted expenditure of \$94,000.



| <b>Item</b>                            | <b>Credit</b>    | <b>Debit</b>    | <b>Balance to Reserve</b> |
|--|------------------|-----------------|---------------------------|
| Snow Blower Replacement                | \$215,000        |                 |                           |
| Snow Blower Maintenance                |                  | \$10,000        |                           |
| Dinner Plain Audit                     |                  | \$ 4,500        |                           |
| Marketing                              |                  | \$59,500        |                           |
| Dinner Plain Oval Prefeasibility Study |                  | \$10,000        |                           |
| Wi-Fi                                  |                  | \$10,000        |                           |
| <b>Total</b>                           | <b>\$215,000</b> | <b>\$94,000</b> | <b>\$121,000</b>          |

Concrete failure works at Castran Corner and additional kerb and road replacement works required to be completed this summer (currently not budgeted) will result in additional funding from the Dinner Plain budget to be allocated.

### **CONSULTATION**

Consultation has occurred through DPAC, and through other informal discussions and correspondence with business operators and rate payers.

### **CONCLUSION**

The recommendations of DPAC are sensible and provide a clear pathway for Council.

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

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

- Director Sustainable Development
- Manager Economic and Community Development
- Dinner Plain Co-ordinator

### **ATTACHMENT(S)**

- 7.4.3 (a) Dinner Plain Minutes 27 August 2015
- 7.4.3 (b) Dinner Plain Minutes 1 September 2015



#### **7.4.4 Terms of Reference for Community Resilience Committee**

File Number: 450.014

##### **INTRODUCTION**

The Terms of Reference for the Alpine Shire Council's Community Resilience Committee (CRC) have been reviewed and agreed

The Terms of Reference were formulated in 2008. This is the first review since then.

The first 4 terms of reference are unchanged; the last two have been included to recognise the changing direction of the work of the CRC.

Since 2011, the CRC has been able to concentrate on building resilience across our communities. The Terms of Reference now reflect that component of the work of the CRC.

*Cr Janas*

*Cr Forsyth*

*That the following CRC terms of reference be adopted:*

- a. To provide and co-ordinate immediate relief and long term recovery support in the event of activation under the Municipal Emergency Management Plan (MEMP) due to a critical and/or any other major incident.*
- b. To identify community needs and resource requirements and make recommendations to recovery agencies, council and recovery managers on strategies and plans regarding community preparedness, recovery and resilience.*
- c. To liaise, consult, co-ordinate and negotiate where appropriate and on behalf of the community, with recovery agencies, government departments and council in order to implement recovery programs and initiatives.*
- d. To advocate and lobby where appropriate and in conjunction with the community, recovery agencies, government departments and council in order to implement recovery programs and initiatives.*
- e. To support the community in understanding, planning for and mitigating against emergency management risks that exist within Alpine Shire.*
- f. To identify community issues and concerns, and where appropriate, advocate and lobby, in conjunction with the community, government departments, other agencies and council to implement programs and initiatives to address these concerns.*

*Carried*

##### **BACKGROUND**

Alpine Shire has been impacted by wildfires, drought, loss of industry, floods, storms and serious landslips over the past 15 years.



After the impacts of the 2003 and 2006/07 wildfires, the Community Resilience Committee (CRC) was formed in 2008 from the then Community Economic and Recovery Committee. The CRC has continued to meet bi-monthly since then and in times of crisis it meets as needed.

The Alpine Shire Council has activated its Municipal Emergency Management Plan (MEMP) in response to the 2006/07 and 2009 bushfires and the 2010 floods. In these situations the CRC converts to a recovery committee. This recovery committee can be quickly established due to the strong networks that the CRC has developed; individuals within agencies know each other and they understand each other's roles.

As part of the overall recovery process for the Alpine Shire, the CRC widened its responsibilities to include all the events that had adversely impacted on the Shire.

The aim of the CRC is to help the community recover from these events and to participate in developing resilience strategies so the community can return to functioning effectively. By empowering the community, the reliance on the Alpine Shire Council is diminished making for a more sustainable and resilient community.

### **ISSUES**

The MEMP needs to be updated to incorporate the CRC.

It's becoming apparent that drought and bush fire events may become a normal occurrence, due in part to climate change. As a result the CRC has a community education role to improve understanding, preparation and planning for change.

As a result of climate change, more severe climatic extremes are forecast to affect south-east Australia. This may lead to an increase in the number of days of extreme or "Code Red" fire danger days, while also increasing the prevalence of severe storm activity, resulting in more flooding. As a result the CRC has a community education role to improve understanding, preparation and planning for change.

### **POLICY IMPLICATIONS**

The terms of reference for the CRC are consistent with:

Alpine Shire Council Plan 2013-2017

Alpine Shire Council's Liveability Plan 2013-2017

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Councillors will need to consider budget proposals annually to support the work of the CRC.

Officer time is required to facilitate and administer the CRC. This is written in work plans and is a deliberation for determining the resources required for the functions that Council will offer.

### **CONSULTATION**

The updated terms of reference have been agreed to by the CRC members.





The CRC will continue to meet bi-monthly and in the event of an emergency it will meet as needed.

The CRC will report to the MEMP Committee, invite the Emergency Management Co-ordinator to regular CRC meetings and liaise with that officer in developing and implementing the MEMP, when required.

### **CONCLUSION**

The Terms of Reference as listed are the basis for the CRC to conduct its business.

The inclusion of the CRC into the MEMP will make the MEMP more effective in providing relevant and targeted relief and recovery programs.

### **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 Sustainable Development
- Manager Economic and Community Development
- Community Development Officer

### **ATTACHMENT(S)**

- Nil



## 8 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.

*Cr Pearce*

*Cr Keeble*

*That the summary of the Assemblies of Councillor for August / September 2015 be received.*

*Carried*

### BACKGROUND

The written records of the assemblies held during the previous month are summarised below. Detailed assembly records can be found in Attachment 8.0 to this report.

| <b>Date</b> | <b>Meeting</b>   |
|-------------|------------------|
| 28 August   | Briefing Session |
| 1 September | Briefing Session |

### ATTACHMENT(S)

- 8.0 Assemblies of Councillors - August / September 2015



## 9 PRESENTATION OF REPORTS BY DELEGATES

### INTRODUCTION

Councillor representation on various committees occurs where Council has an interest. Delegate reports contain information about meetings attended, and the outcomes of those meetings that affect Council.

*Cr Pearce*

*Cr Farrell*

*That the summary of the presentation of reports by delegates for September 2015 be received.*

*Carried*

### BACKGROUND

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

| <b>Date</b>     | <b>Meeting</b>                                     | <b>Councillor</b> |
|-----------------|--|-------------------|
| 2 September     | Local Government Ministerial Advisory Panel        | Cr Jan Vonarx     |
| 3 September     | Municipal Association of Victoria Regional meeting | Cr Jan Vonarx     |
| 10-11 September | Timber Towns Regional Tour                         | Cr Jan Vonarx     |
| 18 September    | Rural Council Victoria                             | Cr Jan Vonarx     |
| 21 September    | High Country Library Corporation                   | Cr Jan Vonarx     |

### ATTACHMENT(S)

- 9.0 Presentation of Reports by Delegates - September 2015



**10 GENERAL BUSINESS**

Nil

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

Nil

**12 RECEPTION AND READING OF PETITIONS**

Nil



**13 DOCUMENTS FOR SEALING**

*Cr Farrell*

*Cr Janas*

*That the following documents be signed and sealed.*

1. Contract 1501701 – Supply and delivery of Bitumen Emulsion which was awarded to Downer EDI and approved by Council at the July meeting. The document is now required to be signed.



**14 CONFIDENTIAL REPORT**

The following item was deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89(2)(c) of the *Local Government Act 1989*.

In accordance with the Act, Council may resolve to consider these issues in open or closed session.

*Cr Roper*  
*Cr Forsyth*

*That, in accordance with the provision of section 89(2)(c) of the Local Government Act 1989, the meeting be closed to members of the public for consideration of a confidential item.*

*Carried*

The meeting was re-opened to the public and there being no further business the Chairperson declared the meeting closed at 8.28pm

Confirmed,

.....

Chairperson