



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**MINUTES**

**M2 - 1 MARCH 2016**

**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 **1 March 2016** commenced at **7:00pm**.

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

*The CEO will read the following statement:*

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

Video recording is focused on Councillors and staff, while audio from the entire room is captured.

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

The entire recording will be live-streamed to the internet on Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au), and will also be made available online after the meeting. This is to improve access and transparency of Council decision making to our community.

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

*The CEO will read the following statement:*

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

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

## **3 CONFIRMATION OF MINUTES**

### **3.1 ORDINARY COUNCIL MEETING – M1 – 2 February 2016**

*Cr Vonarx*

*Cr Keeble*

*That the minutes of Ordinary Council Meeting M1 - held on 2 February 2016 as circulated be confirmed.*

*Carried*

## **4 APOLOGIES**

Nil

## **5 OBITUARIES / CONGRATULATIONS**

Cr Keeble - Condolences to the Roper family on the passing of Marnie Roper a valued member of the Kiewa Valley community.

Cr Keeble - Congratulations to John Kantor on his service to the audit committee

Cr Janas - Congratulations from the Harrietville community to Jan Mock on her continued service to the Harrietville.



Cr Pearce - Congratulation to the Men's Shed in Mount Beauty on its opening and its establishment

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

Cr Forsyth declared a conflict of interest in relation to – Item 8.2.3

## **7 QUESTION TIME**

### **David Priestly**

- Expressed a concern about the walking tracks at the old North East Water dams on Bakers Gully Road, Bright. The CEO advised that the concerns will be raised with North East Water.
- Expressed a concern about an accident on the rail trail in Porepunkah caused by overhanging trees and bushes. The Director of Assets advised that this would be reviewed and actioned

### **Rachael Quenell**

- Expressed concern that a large section of the community cannot access the sports centre at Bright because of the hours of operation and the cost. Could Council consider a swipe system to allow greater usage and consider a fee reduction to ensure better usage? The CEO and Director Corporate Performance advised that both these suggestion were already under consideration and thanked Ms Quenell for raising them. It was also recommended that Ms Quennell meet with the relevant Director and Manager.

### **Ray Dyer**

- The Mayor advised Mr Dyer that he will not take questions relating to – toilets, Council Minutes, Mr Dyers previous employment with Council, meetings with Councillors or staff, or fire prevention matters. Mr Dyer proceeded to ask a question in relation to Council minutes and was advised by the Mayor that he would not respond. At a later stage in question time Mr Dyer requested he raise another question and was asked to wait, he left Council Chambers and the Mayor indicated that he was prepared to hear the question had Mr Dyer remained in the chambers.

### **Alison McEwan**

- Requested an update on the review of the special rate at Dinner Plain. The CEO advised that a copy of a letter outlining the process to be undertaken would be forwarded to Ms McEwan.

### **Questions on notice**

Lory Torriero on behalf of the Bright and District ratepayers association.

### **Question 1:**

- Is the alpine shire considering reviewing the Bright Australia day celebration for next year?



- This year as it was held at the Sibley Sound Shell, the function was very brief and shallow due to the lack of a speech appropriate for the occasion.
- The Master of Ceremony with his musical entertainment was excellent.

The Director Sustainable Development advised that all events are reviewed and that any suggestions for improvements could be directed to either Rotary or Council as the organisers of the event.

**Question 2:**

- Is the Council considering a pedestrian crossing in Gavan Street? We believe that one is required in Gavan Street a logic and possible location would be between the medical centre and the corner of Barnard Street.

The Director Assets advised Safe pedestrian access across the Gavan Street has been a key consideration in the Alpine Better Places project design for Bright.

The introduction of a pedestrian crossing with or without flashing lights will give pedestrians priority and depending on the pedestrian volumes may interfere with the progression of through traffic.

An experienced traffic engineer has advised that the most likely pedestrian crossing type that VicRoads would consider on Gavin Street is a pedestrian operated signal (POS) which can control time allocated to pedestrians.

Through the Alpine Better Places project, Council believes the introduction of four pedestrian refuges on Gavan Street is the most appropriate solution for pedestrian crossings on Gavan Street.

**Question 3:**

- Has the council completed the planting of trees in Centenary Park? We believe that at present there is insufficient shade for some of the various meetings and reunions held in the park in summertime.

The Director of Assets advised Council will replace trees as required, however there is no plan to plant new trees in Centenary Park. Planting additional trees would reduce the area available for the erection of a marquee in Centenary Park as well.

**Question 4:**

- Has the council ever considered the establishment of a "dog's park" in bright? Such a park would be a great asset for a tourist town .A dogs park need to be a couple of acres in size, fully fenced, relatively close to the town and well-advertised for the tourists. We hope that there still is suitable land available for this purpose.

The Director of Assets advised that Council has not considered a fenced dog park in Bright. Last year Council rejected a petitioned proposal for a fenced dog park in Myrtleford.



## **8 PRESENTATION OF REPORTS BY OFFICERS**

### **8.1 CHIEF EXECUTIVE OFFICER – DAVE BARRY**

#### **8.1.1 Contracts previously approved by Council and signed by the CEO**

*Cr Roper*

*Cr Pearce*

*That the Contracts be signed at the appropriate stage of in the agenda.*

Contract No:	1504801	Process:	Public Tender
Title:	Mount Beauty CBD Asphalt Works		
Tenderer:	Downer EDI Works		
\$ (excl. GST):	\$195,566.89		
Funding:	Roads to Recovery Road Renewal Budget Acc # 3602		

Contract No:	1505201	Process:	Public Tender
Title:	Harris Lane Bridge Replacement		
Tenderer:	North East Civil Construction		
\$ (excl. GST):	\$318,966.50		
Funding:	Roads to Recovery Bridge Renewal Budget Acc # 3528		

*Carried*



## **8.2 DIRECTOR CORPORATE PERFORMANCE – TREVOR BRITTEN**

### **8.2.1 Finance Report - Quarterly Review**

File Number: 600.03

#### **INTRODUCTION**

The purpose of this report is to provide an overview of Council's financial performance during the quarter against budget and forecast.

*Cr Roper*

*Cr Pearce*

*That the Finance Report - Quarterly Review for the quarter ending 31 December 2015 be adopted.*

*Carried*

#### **BACKGROUND**

##### **Preparation of the finance report**

The purpose of this report is to provide Council with a summary of the financial performance for the quarter against budget and forecast. This report provides an overview for the quarter including:

- Income statement
- Balance sheet.
- Cash balance;
- Current investments; and
- Loans balances.

This report also includes a summary of each department's quarterly performance with explanations for variances which are approximately greater than \$10,000 or 10%.

This report has been prepared for internal management reporting purposes and as required under section 138 of the *Local Government Act 1989*. This report has not been audited.

The Quarterly Finance Report (QFR) 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.
- Presentation of the QRF to the Finance Committee and subsequently Council.





- Forecasting is undertaken by department managers each quarter at master account level. There has been significant progress made in the maturity of forecasting which is evidenced by the minimal year to date variances against forecast.
- This report is also provided to the Audit Committee for noting.

### **Performance summary**

#### Capital Works Expenditure

Capital works expenditure year to date (YTD) is tracking on forecast, with a variance of only \$3K or 0.3%. This is an excellent result and highlights the improvement in Council's forecasting compared to previous years. The majority of capital works is expected to be delivered in quarters three and four. There have already been some projects highlighted for carry forward into 2016/17 including:

- Rehabilitation of Porepunkah Landfill – design approvals taking longer than planned.
- Mount Beauty Library Redevelopment – project was placed on hold while a strategic review of the library location was undertaken and there being delays in the design development process.
- Mountain Bike Trails Dinner Plain – scoping delays mean the implementation of the project will occur in next financial year.

There are a number of new projects which are being funded that were not part of the original budget. These include:

- Pavement renewal works (\$377K) which have been made possible by additional funding from the Roads to Recovery Program.
- Lakeview Children's Centre Stage 2 (\$283K).
- Mount Beauty Progressing Place shade structure (\$63K) which has been made possible by additional grant funding.
- Alpine Events Centre (\$217K) which is a major project that was successful with a grant application after the budget was adopted. This project has had scoping works commence and the project life is expected to be three (3) years.
- Mount Beauty pool repair works (\$34K) which were unbudgeted and required prior to the pool season commencing.

With this in mind, it is expected that Council will achieve a capital spend of \$8.1 million (95% of budgeted funds) this financial year.

#### Summary of operational performance

Council's operating performance is tracking favourable to forecast and budget. The main reasons for the favourable variance is due to savings in employee costs and materials and services being considerably below budget (\$1 million), however it is \$130K above forecast. Reasons for the variance to budget include:

- Vacant positions during the year;



- Outsourcing pool staff; and
- Demand reduction programs being realised in materials and services.

### **POLICY IMPLICATIONS**

The Local Government Act (the Act) 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.
- 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".

### **CONSULTATION**

The quarterly finance report is available on Council's website once it has been adopted by Council.

### **CONCLUSION**

The financial performance YTD is in line with forecast, and is expected to be under budget at year end. This is due to Council's demand reduction program and emphasis on controlling employee costs. It is recommended that Council adopt the Quarterly Finance Report.

### **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

### **ATTACHMENT(S)**

- Finance Report - Quarterly Review for the quarter ending 31 December 2015



## 8.2.2 Election Period Policy 2016

File Number: 646.10

### INTRODUCTION

The inclusion of Section 93B in the *Local Government Act 1989*, means that each Council is now required to develop an 'election period' policy, and update it prior to each election.

*Cr Roper*

*Cr Farrell*

*That Council:*

- 1. Note the new and existing provisions of the Local Government Act 1989 regarding election period requirements; and*
- 2. Revoke the previous 'Election Caretaker Policy and Guidelines' adopted in 2012; and*
- 3. Adopt the 'Election Period Policy and Guidelines 2016'; and*
- 4. Sign and seal the 'Election Period Policy and Guidelines 2016' at the appropriate time at this meeting.*

*Carried*

### BACKGROUND

Local Government Victoria highly recommended that Councils develop and adopt 'caretaker' election period policies in the lead up to the 2012 local government elections to ensure clarity around the election period requirements for all candidates, councillors and staff.

The introduction of the *Local Government (Improved Governance) Act 2015* amended the *Local Government Act 1989* (the Act) in several ways - key being the introduction of section 93B which requires 'Council to adopt an election period policy' prior to 31 March 2016.

Section 93B(3) of the Act states:

- 1. An election period policy must include the following—*
- 2. procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;*
- 3. limits on public consultation and the scheduling of Council events;*
- 4. procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.*



## ISSUES

### Election Period

The 'election period' commences when candidate nominations close - which is defined by the Act as 32 days prior to election day. The *Interpretation of Legislation Act 1984* states that where an Act is expressed to begin on a particular day, that day shall not be included in the period. Hence, in 2016 the election period will be operational during the following period:

Commences: 12:01am on Wednesday 21 September 2016

Concludes: 6:00pm on Saturday 22 October 2016 (election day)

Council is able to determine that the 'election period' commences prior to this date, but it cannot commence after this date.

### Policy Purpose

The purpose of the policy and guidelines is to ensure that Council:

- demonstrates compliance with the election period provisions of the *Local Government Act 1989*;
- demonstrates that public resources are not to be used for election campaigning;
- is aware of what can and cannot be done during the election period; and
- continues to provide high standards of service to the community.

### Policy Objective

The objective of the election period policy and guidelines is:

*".... To ensure that the general elections for the Alpine Shire Council are conducted in a manner that is ethical, fair and equitable, and are publicly perceived as such."*

### Key changes in 2016

Council adopted a previous 'Election Caretaker Period Policy and Guidelines' in September 2012. At the time, the Local Government Investigations and Compliance Inspectorate had highlighted four policies from other councils that were considered 'best practice' to assist all Victorian councils to develop their own.

The 2012 policy has been used as the template for the 2016 policy. The primary changes Council has introduced in the 2016 policy are:

- Introduction of controls around social media
- Inclusion of 'misuse of position' information
- Inclusion of 'inappropriate decisions' definition
- Guidance for the October 2016 council meeting
- Inclusion of an 'information request' register for candidates



## **Policy overview**

The policy and guidelines have been developed to support the legislative requirements of the Act, and ensure that Council has appropriate guidelines in place regarding the following items:

Section 55D of the Act places restrictions on the publication and distribution of specific types of electoral material during the election period, and requires a publication certification process to be enacted by the Chief Executive Officer.

Section 76D of the Act states that a councillor or a member of a special committee must not 'misuse' their position to gain advantage for themselves, or cause detriment to another person.

Section 93A of the Act states that Council, a special committee, or a person acting under delegation from the Council (ie staff member), must not make specified 'major policy decisions' during the election period.

Section 93B of the Act requires the development of an election period policy, which also restricts the making of 'inappropriate decisions'.

## **POLICY IMPLICATIONS**

The development and maintenance of an 'election period policy' is required by Section 93B of the *Local Government Act 1989*.

The policy also aligns with the Alpine Shire Council Plan 2013-2017 in the following way:

Theme 5: Performance focused organisation *"A customer focused, equitable and sustainable service to the community"*

Strategic Objective 5.4: Ensure a high standard of governance

Strategy 5.4.1: Provide good governance

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The 2016 election period policy has been developed by Council officers. Both the Governance Officer and the Manager Corporate Services attended a workshop facilitated by LGPro regarding the election period policy in February 2016.

## **CONSULTATION**

External consultation is not required. Councillors have been briefed on the changes made to the policy. Adoption of the policy is a legislative requirement, and must be endorsed by Council prior to 31 March 2016.



## **CONCLUSION**

The development and adoption of an 'election period policy' is designed to ensure that Council resources and publications will not be used in any way for election campaigning by candidates for the 2016 local government elections. Furthermore, the adoption of an 'election period policy' is required by Section 93B of the Act.

Council should adopt the policy to ensure public confidence in Council's approach to the local government elections in October 2016.

## **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
- Governance Officer

## **ATTACHMENT(S)**

- Election Period Policy and Guidelines 2016 - for adoption



### 8.2.3 Home and Community Care reform

File Number:

#### INTRODUCTION

The Commonwealth government is reforming the aged and disability services sector. The effect of this and the additional reform pressure being brought to bear on local government, by the:

- 'Fair Go Rates System', described in the Essential Services Commission Local Government Rates Capping and Variation Framework Review
- loss of large, non-competitive Victorian Government funding e.g. Country Roads and Bridges and Local Government Infrastructure Program
- freeze on the indexation of Commonwealth Financial Assistance Grants, and
- introduction of the Local Government Performance Reporting Framework, including the 'Know Your Council' website

has not been experienced for twenty years.

This reform environment has caused all Councils to review their Home and Community Care (HACC) service, with many Councils choosing to move to a zero subsidy position, and others exiting from HACC service provision completely.

Council has recently been approached by Alpine Health with a proposal to progressively transfer HACC services to them over a 3-year period, during which time Council's subsidy of the service would incrementally reduce to \$0.

This proposal has alerted Council to the fact that other parties may also have an interest in providing high quality HACC services in the Alpine Shire at a competitive cost.

The purpose of this report is to initiate a methodology that will sustainably deliver best value HACC services to the community.

7:29pm Cr Forsyth left the Chamber

7:49pm Cr Forsyth returned to the Chamber

*Cr Vonarx*

*Cr Farrell*

*That:*

***1. Council gives in-principle support for the home and community care service be market tested in its entirety in order to:***

- ***respond to Alpine Health's proposal to transfer the service to them***
- ***be best placed to secure both long-term local employment of staff and local service delivery as a result of the transition of responsibility from the Victorian Government to the Commonwealth Government***



- *determine if the existing high quality of service to clients can be further improved, for example through better integration with other aged care services*
- *ensure ratepayers are getting value for money*
- 2. *Alpine Health be thanked for their proactive proposal and informed of the opportunity to tender*
- 3. *Council submit an in-house bid in accordance with Victoria's Competitive Neutrality Policy and probity requirements, if this option is supported by staff*
- 4. *Consultation is to occur in accordance with Clause 17 of the Enterprise Agreement as it is acknowledged that should this in-principle decision be adopted it would constitute a major change*

*Carried*

#### **BACKGROUND**

##### **Home and Community Care (HACC) program**

The Home and Community Care (HACC) program supports frail older people and younger people with disabilities (and their carers), to live independently in their own homes.

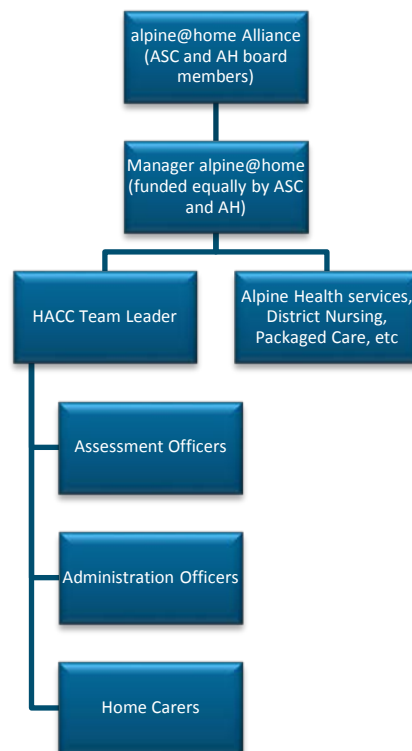
Council provides the following HACC services to about 400 residents a year:

- Assessment and care coordination
- Domestic Assistance
- Personal Care
- Respite Care
- Meals on Wheels
- Home Maintenance
- Planned Activity Group





**Figure 1: HACC team structure**



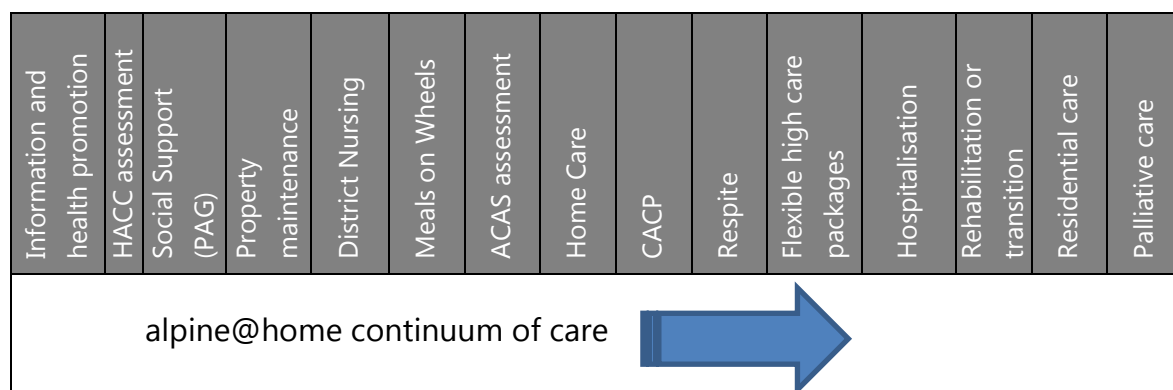
The HACC workforce of 41 employees makes up 19% of Council's total staff numbers. About 100 volunteers are also engaged in the delivery of meals and planned activity groups. In 2015/16 Council budgeted to subsidise the service by \$379,342.

### **alpine@home**

In December 2011, the Alpine Shire Council and Alpine Health collaborated to form alpine@home, which is effectively a partnership created 'to seamlessly deliver 'client centred' home care services to the local community'.



**Figure 2: alpine@home continuum of care**



The benefits of the alpine@home service have been acknowledged by the Alpine Health Board of Management, the Alpine Shire Council, and the community. The continuation of the alpine@home service is viewed by the Alpine Alliance as the preferred service delivery model for community services in the alpine region. This is reinforced by the communities' strong desire for local services being provided to local people. The alpine@home model is only sustainable if HACC services form part of the overall framework.

### **COMMONWEALTH AGED CARE REFORM**

The key elements of the commonwealth government aged and disability services reform include the:

- introduction of My Aged Care
- development of the Commonwealth Home Support Programme (HSP) and its exposure to market testing, and
- introduction of Consumer Directed Care in the Commonwealth Home Care Packages



**Figure 3: Transition timetable**

Current HACC clients	2016	2017	2018	2019	
> 65 years old		CHSP funding agreement			CHSP competitive tender
< 65 years old, with significant permanent disability		HACC services funded by State			NDIS
< 65 years old, with disability not classified as above	State government responsibility to fund services				

### **MyAgedCare**

The point of entry for people seeking services will be through the MyAgedCare website and telephone call service. Face to face assessment of client needs (when necessary) will be undertaken on a regional basis using national tools and processes.

This is a major change where assessment of client needs will be separated from service delivery.

### **Commonwealth Home Support Programme**

In 2016, sole funding responsibility for HACC for people in Victoria aged 65 and over will be assumed by the Commonwealth, and the program will be renamed the Commonwealth Home Support Programme (CHSP). Roughly 90% of HACC clients currently fall into this category.

Current local government providers in Victoria will be offered a Commonwealth service contract that maintains existing funding arrangements for three years from the date that it's signed. Subsequently services funded by the Commonwealth are likely to be subject to competitive tender (as is already the case in other states).

### **National Disability Insurance Scheme**

Disability services for people aged under 65 will come under the National Disability Insurance Scheme (NDIS), or will be a State responsibility for people whose disabilities are not classified as permanent and significant.

The Commonwealth is also introducing Consumer Directed Care, where entitlements will be provided to individuals to procure services from a provider of their choice, rather than directly funding organisations to provide services. This will make it difficult for providers to predict demand, plan effectively, and achieve economies of scale.

### **Home Care Packages**

The Commonwealth will continue to fund a significantly expanded Home Care Packages program replacing previous Community Aged Care Packages.

Home Care Packages will offer health and support services coordinated by a case manager, when HACC services are no longer sufficient to enable clients to continue



living in the community. The packages will only be available to people who are eligible for residential care, but can continue to live at home with sufficient support. A significant shift of clients from HACC to Home Care Packages is anticipated.

**Figure 4: Three tiers of support**

Clients will progress through the three tiers of support from the basic Home Support Program, through Home Care Packages, to residential care. The similarity between figures 2 and 4 should be noted.

**ISSUES**

**Unresolved reform issues**

The following issues associated with the Commonwealth HACC reform are yet to be satisfactorily resolved:

MyAgedCare	The difficulty for clients to access services (it's anticipated that clients will contact Councils for assistance to access the MyAgedCare website and operators)
CHSP	No funding for care coordination (care coordination is a key feature of the alpine@home model)  Limited flexibility and opportunity to use funds as required (funds will be accounted for across two separate Commonwealth and State agreements)  Probable client fee increases

**Productivity and the Alpine Shire Council Enterprise Agreement**

The Alpine Shire Council Enterprise Agreement and service productivity conspire to make the alpine@home service delivery model unsustainable and uncompetitive in a competitive environment.



### Alpine Shire Council Enterprise Agreement

A comparison between the Social, Community, Home Care and Disability Services Industry Award (SCADS Award) paid by the private sector, and the Alpine Shire Council Enterprise Agreement (ASC EA) is shown in the table below.

**Figure 5: Award comparison**

Home Carer (2C)	ASC EA	SCADS Award	Difference
Paid to part time employee	\$25.06	\$19.72	27%
Cost to Council	\$28.82	\$22.08	30%
Paid to casual employee	\$31.32	\$24.65	27%
Cost to Council	\$35.08	\$26.62	32%

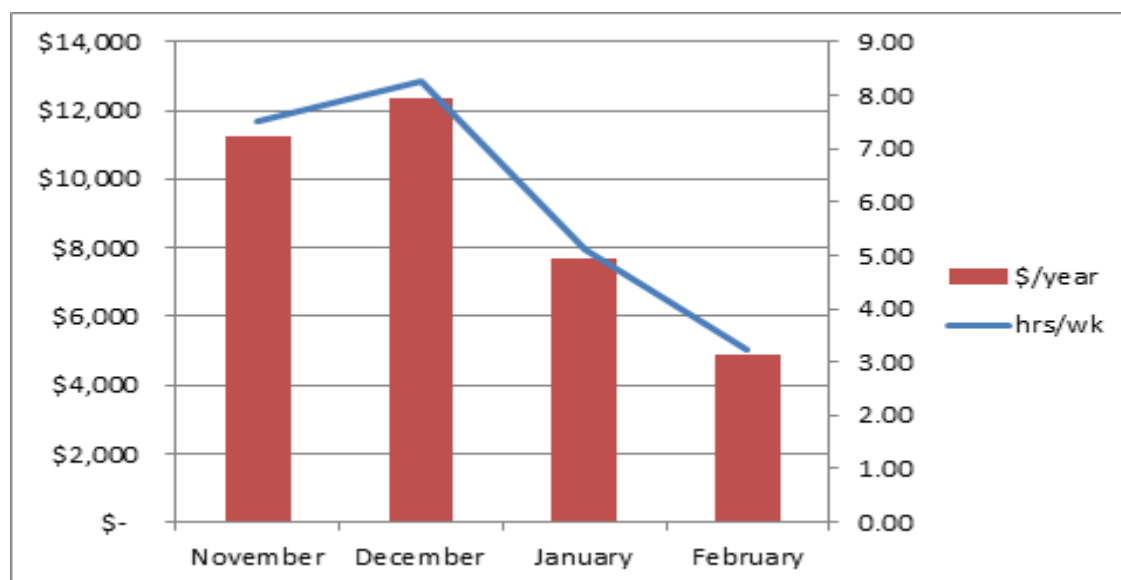
A 32% saving in HACC wage costs equates to an annual saving of approximately \$250,000.

This difference is further amplified (by as much as \$150,000) when Council's corporate overheads (such as management, IT, payroll, risk management, governance, HR, communications, etc.) are proportioned and taken into account.

### Productivity

In November 2015, Council commenced a review to ensure that clients receive the service they need and that services are being fairly and equitably provided (this is good for clients as well as delivering savings). To date, 45 (of 400) clients have been reviewed resulting in savings of \$36,000.

**Figure 6: Monthly savings**



Extrapolating these results may yield overall productivity savings of up to 30%, which equates to an annual reduction of about 3,600 hours and \$105,000.



### **Financial effects of the ASC EA and productivity**

The combined effects of the ASC EA and Council productivity conservatively result in a financial inefficiency of \$355,000 (\$105,000 + \$250,000). This figure equates to Council's annual service subsidy.

### **Alpine Health proposal**

Alpine Health has submitted a proposal to transition HACC services to their Multi-Purpose Service (MPS) over three years. The key points of the proposal are:

- Council to provide a diminishing financial contribution, commencing with \$200,000 in year 1, \$100,00 in year 2, and decreasing to \$0 in year three
- Alpine Health to continue to deliver person centred Home Care Services according to the alpine@home continuum of care (figure 2).

DHHS have advised that a proposal by Council to subcontract the delivery of HACC services to Alpine Health may be positively considered in light of the recognised benefits of the alpine@home model.

### **OTHER COUNCILS**

All rural Councils are actively reviewing their role in providing HACC services, particularly when private and not for profit organisations are able to provide equal or better quality services at the benchmark SCADS Award rate.

**Figure 7: Council approaches to HACC services**

Municipality	Status	Provider
Shepparton	External provider	Calvary
Strathbogie	External provider	Nexus
Towong	External provider	MPS
Wodonga	External provider	Westmont
Mansfield	Active review	
Murrindindi	Active review	
Wangaratta	Active review	
Mansfield	Active review	
Indigo	Active review	

All Victorian MPS's (except Alpine Health) provide HACC services and are not impacted by the reforms.

Feedback from Councils that have transferred HACC services to private or not for profit organisations confirms that the same or better quality service is now being provided at a more competitive rate.



## POLICY IMPLICATIONS

The content of this report is consistent with the following Council Plan objectives:

3.4 Support positive living and ageing

5.2 Manage resources well to ensure sustainability

## FINANCIAL AND RESOURCE CONSIDERATIONS

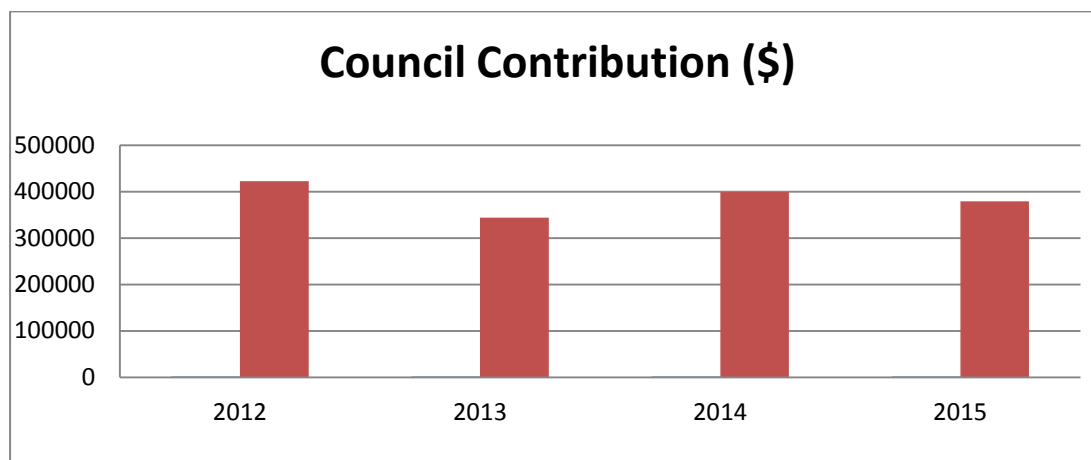
The 2015/16 Quarter 2 Financial Performance Report shows that the HACC service is currently under budget, and that an end of year service subsidy of \$325,684 is forecast.

**Figure 8: 2015/16 Quarter 2 Financial Performance Report extract**

2015/16 HACC budget	Original budget	Year end forecast	Variance
Income	\$1,399,037	\$1,101,855	
Expenditure	\$1,760,680	\$1,427,539	
Council subsidy	\$361,643	\$325,684	\$35,959

Council's subsidy of the HACC service has consistently fluctuated around \$375,000 per annum over the last four years.

**Figure 9: Time series - Council subsidy of HACC services**

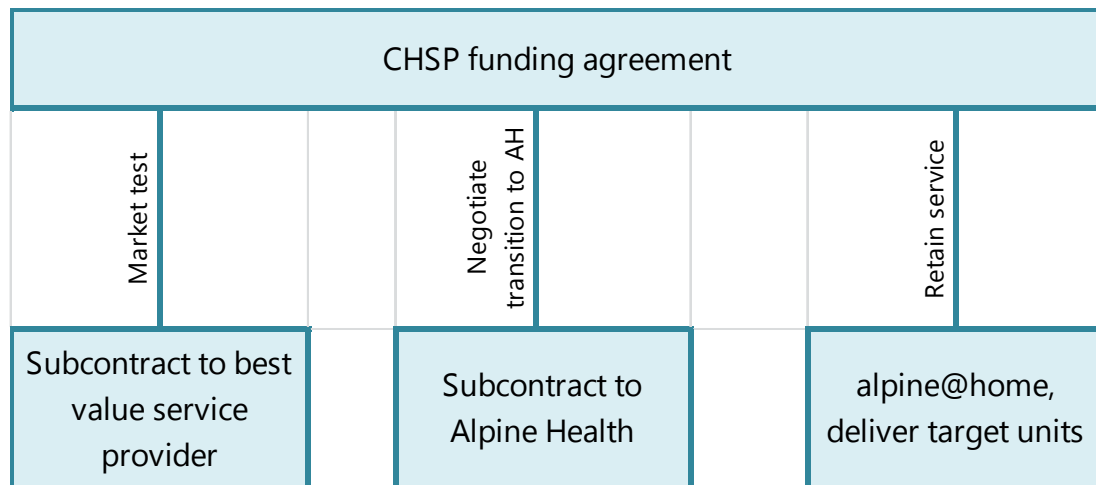




## OPTIONS

The following decision tree and commentary is provided for consideration:

**Figure 10: Decision tree**



### Commentary

1. Market testing is eventually inevitable (with the exception of the qualification in point 6)

### Market testing

2. Market testing has the potential to identify the best value service provider and immediately reduce Council's service subsidy to \$0
3. Alpine Health will be encouraged to submit tenders
4. An in-house bid will be unsuccessful, based on price (unless a significantly more competitive HACC component of the Enterprise Agreement can be negotiated)

### Transition service to Alpine Health

5. DHHS advise that a service transition to Alpine Health may be possible, thus preserving the alpine@home continuum of care
6. Alpine Health's MPS status would provide service flexibility and may provide immunity from future market testing if the Commonwealth were to fund the program as an MPS service
7. The Alpine Health EOI proposes a diminishing Council subsidy of \$200,000 \$100,000 and \$0 in year three (with certain assumptions and qualifications)
8. The Alpine Health EOI is indicative and its terms may change during the negotiation of a formal agreement

### Retain service

9. Retaining the service and delivering just the target hours is possible, this would reduce Council's subsidy of the service to approximately \$250,000 per annum





### **CONSULTATION**

A comprehensive consultation plan involving all key stakeholders will be developed and implemented.

### **CONCLUSION**

There's merit in preserving the alpine@home continuum of care, but the argument to market test home care services is compelling.

### **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 Performance

### **ATTACHMENT(S)**

- Nil



### **8.3 DIRECTOR ASSETS – CHARLIE BIRD**

#### **8.3.1 Bridges Upgrade - Council Commitment to Funding**

File Number: 1700.14

##### **INTRODUCTION**

Council has been granted funding of \$164,000 under Round two of the Bridges Renewal Program for Morses Creek Bridge Network Upgrade and Smarts Creek Bridge Load Limit Upgrade. In order to accept the funding offer, documented evidence of matched funding must be provided by 18 March 2016. This report outlines the background to the application under the Bridges Renewal Program, and seeks Council commitment for an allocation of \$164,000 in the 2016/17 Capital Works budget for bridge upgrade works.

*Cr Vonarx*

*Cr Farrell*

*That Council:*

- 1. Commits to a financial allocation of \$164,000 in the 2016/17 Capital Works budget to implement the Morses Creek Bridge Network Upgrade and Smarts Creek Bridge Load Limit Upgrade projects.*

*Carried*

##### **BACKGROUND**

In July 2015, applications were submitted for funding under Round two of the Bridges Renewal Program (BRP). The objectives of the BRP are to contribute to the productivity of bridges serving local communities, and facilitate higher productivity vehicle access. Round two of the Program was open to local governments.

Funding was sought for upgrades to bridges which are a high priority on the Alpine Shire Council bridge renewal program, and which best met the objectives of the BRP. In the event that funding was not secured, each of these upgrade projects would still need to be implemented, with the full cost of the works to be covered by Council.

In January 2016, notification was received that Council had been successful in securing funding for the following projects:

10. Morses Creek Bridge Network Upgrade (comprising five bridges along Morses Creek Road) - Total project cost \$280,000, funding awarded \$140,000
11. Smarts Creek Bridge Load Limit Upgrade - Total project cost \$48,000, funding awarded \$24,000.

The works planned to these six bridges will deliver the following benefits:

- Improved safety through upgrades to current safety standards
- Upgrade of bridge components to more durable alternatives, reducing ongoing maintenance requirements and cost



- Allow access for heavy emergency vehicles for firebreak cutting
- Allow access to be considered for Higher Mass Vehicles, which may reduce overall heavy vehicle movements along these routes.

In order to accept the funding offer, Council is required to provide evidence of matched funding by 18 March 2016, by Council resolution through documented minutes.

### **ISSUES**

The local community places a high value on the aesthetics of timber road bridges, and has previously raised concern about bridge works negatively impacting on the appearance of the bridges along Morses Creek Road.

Martin's Bridge currently has a timber deck, which would be replaced with a concrete deck under the proposed upgrade plans for the Morses Creek Road bridge network.

The local community has not been engaged regarding these specific upgrade works, and there is a risk that there could be opposition to the planned upgrade works.

### **POLICY IMPLICATIONS**

This project supports Council's Strategic Objective 2.3: To improve the condition and management of Council's assets.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

An allocation of \$164,000 is proposed in the 2016/17 Capital Works budget. The bridge upgrade works will be completed during 2016/17 as part of the Capital Works program.

### **CONSULTATION**

The local community will be engaged to understand their concerns, inform them of the planned bridge upgrade works, and to explain why this work is necessary and the benefits which will be achieved for all users of the Morses Creek Bridge Network.

Whilst the aesthetic appeal of timber bridges is recognised, providing bridge networks which meet current safety standards, which are durable and reduce ongoing maintenance requirements, is aligned with Council's Strategic Objectives and considered prudent use of Council funds.

### **CONCLUSION**

Implementation of the Morses Creek Bridge Network Upgrade and Smart Creek Bridge Load Limit Upgrade under the Bridges Renewal Program will enable Council to leverage Australian Government funding for essential bridge safety improvement and upgrade works which otherwise would have to be fully funded by Council.



**DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Manager Asset Development.

**ATTACHMENT(S)**

- Nil



### 8.3.2 Alpine Better Places - Final Detailed Concept Designs and Recommended Project Priority

File Number: 1780.78

#### INTRODUCTION

The purpose of this report is to seek Council approval to adopt the recommended responses to submissions received during the public exhibition of the Draft Detailed Concept Designs, to endorse the Final Detailed Concept Designs for Myrtleford, Porepunkah and Bright and to adopt the recommended priority for implementation of the Alpine Better Places project.

Cr Farrell moved the officer recommendation. The motion lapsed for want of a seconder.

*That Council:*

1. *Adopt the recommended responses to submissions received during the public exhibition of the Draft Detailed Concept Designs for Myrtleford, Porepunkah and Bright, completed under Alpine Better Places.*
2. *Adopt the Final Detailed Concept Designs for Myrtleford, Porepunkah and Bright, completed under Alpine Better Places.*
3. *Adopt the recommended priority for implementing projects identified in the Alpine Better Places project.*

The motion lapsed for want of a seconder.

Cr Vonarx moved an alternative motion

*Cr Vonarx*

*Cr Forsyth*

*That Council:*

4. *Adopt the recommended responses to submissions received during the public exhibition of the Draft Detailed Concept Designs for Myrtleford, Porepunkah and Bright, completed under Alpine Better Places.*
5. *Adopt the Final Detailed Concept Designs for Myrtleford, Porepunkah and Bright, completed under Alpine Better Places.*
6. *Adopt the following priorities for implementing projects -*
  - a. *Porepunkah - 2016/17 FY*
  - b. *Myrtleford: Jubilee Park and Happy Valley Creek - 2017/18 FY*
  - c. *Bright: Mafeking Square precinct – 2018/19 FY*
  - d. *Myrtleford: Standish Street roundabout (subject to VicRoads funding) - 2017/18 FY*



- e. Myrtleford: Myrtle Street and Gateway - 2017/18 FY*
- f. Bright: Barnard Street - 2018/19 FY*
- g. Bright: Gavan Street - 2019/20 FY.*

The motion was defeated.

Cr Pearce moved the following recommendation:

*Cr Pearce*

*Cr Roper*

*That Council:*

- 1. Adopt the recommended responses to submissions received during the public exhibition of the Draft Detailed Concept Designs for Myrtleford, Porepunkah and Bright, completed under Alpine Better Places.*
- 2. Adopt the Final Detailed Concept Designs for Myrtleford, Porepunkah and Bright, completed under Alpine Better Places.*
- 3. Adopt the following priorities for implementing projects*
  - a. Bright: Mafeking Square precinct - 2016/17 Financial Year (FY)*
  - b. Porepunkah - 2016/17 FY*
  - c. Myrtleford: Standish Street roundabout (subject to VicRoads funding) - 2017/18 FY*
  - d. Myrtleford: Myrtle Street and Gateway - 2017/18 FY*
  - e. Myrtleford: Jubilee Park and Happy Valley Creek - 2018/19 FY*
  - f. Bright: Barnard Street - 2018/19 FY*
  - g. Bright: Gavan Street - 2019/20 FY*

*Carried*

Cr Vonarx called for a division

For – Crs Roper, Pearce, Farrell, Janas and Keeble

Against – Crs Vonarx and Forsyth

## **BACKGROUND**

Council commenced its Alpine Better Places project in early 2015, with the aim of delivering detailed concept designs for priority projects in each of the town centres of Myrtleford, Porepunkah and Bright.

Following an extensive process of community consultation and design, the Draft Detailed Concept Designs were approved for public exhibition at the November 2015 Council Meeting. The Draft Detailed Concept Designs were on exhibition for a period of 28 days and closed on Wednesday 16 December 2015. A total of 14 formal submissions were received and none of the submitters requested to be heard.



Informal comments were also received from a number of stakeholder groups as well as individuals.

All formal submissions and informal comments have been reviewed and considered by Council Officers. Council Officers have subsequently recommended amendments to the Detailed Concept Plans as deemed appropriate. These responses and the resulting plans are detailed in the attachments and should be read in conjunction with this report.

## **ISSUES**

The formal submissions and informal comments received, raised a number of issues and resulted in numerous changes to the plans which are summarised below. Some comments relate to changes which should be considered during the detailed design phase and are therefore noted here for future reference. Despite the number of comments received, the community is broadly supportive of the concept designs for each town and there is widespread support for the implementation of the works proposed.

### **MYRTLEFORD**

Only one (1) formal submission was received for Myrtleford, however additional comments were also received in person, via phone and email and at a presentation to the Myrtleford Chamber of Commerce.

#### **Myrtleford - key issues**

- Public open space
  - Maintain adequate space in the Piazza for events.
  - Concerned that the poor amenity of Clyde Street between bicycle shop and Coles supermarket has not been addressed.
  - Concern that proposed trees will reduce views towards the Anzac memorials in Memorial Park.
  - Improve the amenity and condition of the Creek.
- Public safety
  - Concern regarding the high speed of vehicles using Myrtle Street. Queried whether the speed limit should be reduced.
  - Incorporate clear signage of prohibited traffic movements.
  - Standish Street roundabout is supported, but concerned about safety of truck movements.
  - Ensure pedestrian crossing points are designed for all abilities.
- Street Furniture & Materials
  - Ensure adequate street furniture, such as signage, bicycle racks, tables, numbers of rubbish bins and dog waste bins are included and in the right location.



Concerned design for street furniture is boring.

Concerned about the use of Poplar trees.

Remove platform seat location conflict with Foodworks drive through.

Incorporate upgrade of existing bus shelter.

Avoid tree species and locations which create a hazard for less able-bodied community members.

- Delivery

Deliver the works as soon as possible.

### **Myrtleford - changes to plans**

- Picnic settings in Piazza relocated.
- Platform seat relocated to avoid Foodworks drive through.
- Larger communal table incorporated in the picnic area in Jubilee Park.
- Bicycle rack cluster adjacent to the post office relocated to avoid loading zone.
- Proposed trees deleted from the southern edge of Memorial Park.

### **POREPUNKAH**

Two of the 14 formal submissions received were in relation to the proposals for Porepukah. Additional comments were also received in person, via phone and email, at a presentation to the PUNCA group and at subsequent discussions with key stakeholders.

### **Porepukah - key issues**

- Public open space

Concern about location of public seating in front of residential properties.

The delineation of private vs. public use of open space. Ensure adequate space for pedestrians to detour around the front of the Porepukah Pub if desired.

Need to irrigate lawns in parkland.

- Public safety

Concern regarding adequate provision for parking and bus movements.

Queried whether pedestrian crossings were needed across Nicholson Street.

Maintain vehicle entry and exit points at mechanic's workshop.

- Street Furniture & Materials

Concern about the use of Star Jasmine.

Ensure local Eucalyptus species are specified, where relevant.

- Delivery

Strong support for the designs and the plans.





Concern regarding the impact of implementation on existing trees and the River.

Deliver the works as soon as possible.

#### **Porepukah - changes to plans**

- Proposed seat deleted from the front of residential property in Nicholson Street.
- Kerb outstand introduced in the vicinity of the Vline bus stop to help control bus and car parking.
- Number of proposed trees reduced in the vicinity of large established trees.
- Redesign of the area to the front of the Porepukah Pub.
- Second driveway crossover added to access mechanic's workshop.

#### **BRIGHT**

- 11 of the 14 formal submissions received were in relation to the proposals for Bright. Additional comments were also received in person, via phone and email, at a presentation to the Bright & District Chamber of Commerce and at subsequent discussions with key stakeholders.

#### **Bright - key issues**

- Public open space
  - Concern regarding the balance of public open space provision, the proposed re-alignment of Barnard Street between Camp Street and Mafeking Square and the loss of existing trees as a result.
  - Concern regarding the size and location of open space.
  - The use of public space, whether for ceremony, events, passive or active recreation.
  - The delineation of private vs. public use of open space.
  - The design of space for flexible and multiple uses.
  - Concern over lack of visibility into Mafeking Square and of the clock tower.
  - Support for more grassed areas in the town centre.
  - Concern that changes to the Burke Street corner adjacent Mafeking Square will remove existing street dining, bicycle rack and trees.
- Public safety
  - Concern regarding wrong way traffic movements into and along Barnard Street.
  - Ensure provision or loss of parking and loading bays is accurately represented.
  - Concern regarding inadequate consideration of parking needs across Bright.
  - Concern over lack of provision for disabled car parking spaces.



Better signage needed for prohibited traffic movements and wayfinding for pedestrians and cyclists.

Design for safe pedestrian movements and crossing points as well as reduced conflicts between cyclists, vehicles and pedestrians.

Consideration of reduced speed limits.

Accommodation of large vehicle turning movements.

Concern that safe truck entry and exit to Bright Brewery is maintained.

Desire expressed for a roundabout at the intersection of Gavan and Camp Streets.

- **Street Furniture & Materials**

Concern regarding extent and termination of new pavement finishes.

Concern about loss of picnic tables in front of the Alpine Hotel.

Ensure number and type of street furniture is adequate.

Concern regarding the use of bluestone and the need to use local stone.

Include hanging bicycle rack in street furniture palette.

Concern regarding the use of evergreen trees instead of deciduous trees. Also concern over the use of brittle Magnolias and common Ornamental Pears.

Ensure upgrade of street lighting type.

Underground power to improve streetscape in Gavan and Barnard Streets.

Refurbishment of the clock tower requested.

Concerned that the design for Bright town signage is too modern and simplistic.

Queried why Gavan Street isn't getting the same level of finish as Barnard Street.

- **Delivery**

Concern regarding the high cost of implementation.

Concern regarding the impact of implementation on events and peak periods of trading.

A desire for the Mafeking Square works to happen as soon as possible.

Regret that Anderson Street upgrade has not been included.

**Bright - changes to plans**

- Picnic tables included to the front of the Alpine Hotel and in the vicinity of George's Takeaway.
- Garden bed areas reduced to enlarge the space available for street dining in the vicinity of the Alpine Hotel.



- Feature paving and garden bed treatments extended to the Alpine Hotel frontage with Mafeking Square.
- Proposed evergreen trees in Barnard Street replaced with deciduous trees.
- Rail Trail terminus retained in Burke Street and the area south of Mafeking Square redesigned to be a flexible open space suitable for passive recreation or events.
- Loading bay incorporated into Barnard Street and the loss of carparks updated.
- Proposed trees in Mafeking Square reduced from 6 to 4. Breaks inserted into stone seating wall.
- Additional bicycle racks indicated in Barnard Street and hanging bicycle rack added to street furniture palette.
- Reference to the use of bluestone removed.
- The cost to replace the existing four concrete light poles around Mafeking Square included.
- The cost to underground power in Gavan Street, between Anderson and Camp Street is included as an optional extra.
- Bench seat included to front of book shop in Gavan Street.
- Existing conditions at Burke Street intersection with Ireland Street to remain unchanged.

#### **RECOMMENDED PROJECT PRIORITY**

It is recommended that the Alpine Better Places project is delivered in the following stages and order of priority:

1. Bright: Mafeking Square precinct - 2016/17 Financial Year (FY)
2. Porepukah - 2016/17 FY
3. Myrtleford: Standish Street roundabout (subject to VicRoads funding) - 2017/18 FY
4. Myrtleford: Myrtle Street and Gateway - 2017/18 FY
5. Myrtleford: Jubilee Park and Happy Valley Creek - 2018/19 FY
6. Bright: Barnard Street - 2018/19 FY
7. Bright: Gavan Street - 2019/20 FY.

#### **POLICY IMPLICATIONS**

This recommendation is in accordance with the requirements of the Local Government Act and with the following Strategic Objectives of the Council Plan:

- 2.1 - To provide and maintain quality parks, gardens and natural environment
- 2.2 - To improve the quality of the built environment and amenity
- 2.3 - To improve the condition and management of Council's assets



- 3.1 - To support the health and wellbeing of communities
- 4.1 - To effectively plan and deliver strategic and major projects.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The total cost of the Alpine Better Places project implementation, including detailed design, documentation and contingency costs, is estimated to be \$7,986,106. This includes \$900,000 for a roundabout in Myrtleford at the intersection of Standish Street and the Great Alpine Road, which is subject to VicRoads funding.

Council will seek funding for the implementation of these works through the National Stronger Regions Fund (NSRF), Regional Development Victoria (RDV) and VicRoads.

### **CONSULTATION**

Council and the communities of Myrtleford, Porepunkah and Bright have been extensively involved in the development of the Alpine Better Places design project, during three rounds of consultation:

- Council and community input was sought in March 2015 to prioritise projects in each of the townships. 93 people attended the 'Our Town' workshops.
- 104 people attended the 'Day of Design' workshops in June 2015, where they provided feedback on the preliminary concept designs.
- In late November/early December 2015, 14 formal submissions were received providing feedback on the exhibited draft detailed concept design. Letter drops and mail outs to those directly affected, public drop-in sessions and presentations to town stakeholder groups were also held at this time and any informal comments were noted for consideration.
- Additional consultation with directly affected retailers and stakeholders, particularly in the vicinity of Mafeking Square, has also occurred in late January/early February 2016.
- Council Officers will continue to liaise with key stakeholders throughout the detailed design, documentation and implementation phases.

### **CONCLUSION**

Council has consulted extensively with the community on the development of the Alpine Better Places plans. The responses to the formal submissions received, the final detailed concept plans and the project priority list reflect the desires of the wider community. The final detailed concept plans strive to achieve a balance between private commercial and public interests. Minor changes to the works can still be made throughout the detailed design process and prior to implementation of the works. Therefore it is recommended that Council:

1. Adopt the recommended responses to submissions received during the public exhibition of the Draft Detailed Concept Designs
2. Adopt the Final Detailed Concept Designs for Myrtleford, Porepunkah and Bright



3. Adopt the recommended priority for implementing projects identified in the Alpine Better Places projects.

**DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Manager Asset Development
- Project Officer - Delivery

**ATTACHMENT(S)**

- Alpine Better Places Draft Detailed Concept Designs - Formal Submission Summaries & Responses, February 2016
- Alpine Better Places Final Detailed Concept Designs for Myrtleford (plans 1-8), Porepunkah (plans 1-7) and Bright (plans 1-8), February 2016



### **8.3.3 National Stronger Regions Fund – Implementation of Alpine Better Places priority projects in Myrtleford and Porepunkah**

File Number: 1780.78

#### **INTRODUCTION**

An opportunity exists for Council to seek significant funding for the implementation of Alpine Better Places priority projects in Myrtleford and Porepunkah. This report outlines the project and details on funding the project.

*Cr Vonarx*

*Cr Roper*

- 1. The Mayor be authorised to approve the submission of a grant application with a Council commitment of no more than \$4,500,000.*

*Carried*

#### **BACKGROUND**

The Australian Government has recently announced the commencement of round three of the National Stronger Regions Fund (NSRF). Council was successful in securing \$1.87 million for the Alpine Events Centre in round one of the NSRF.

The NSRF is an initiative to boost social and economic development in Australia's regions by funding priority infrastructure projects in local communities. The Australian Government has committed \$1 billion to the fund over five years commencing from 2015–16 and has quarantined \$25 million for projects assessed as value and seeking funding of \$1 million or less.

Funding will be provided for capital projects which involve construction of new infrastructure, or the upgrade, extension or enhancement of existing infrastructure. Projects selected for funding should deliver an economic benefit to the region beyond the period of construction, and should support disadvantaged regions or areas of disadvantage within a region.

Local Government and incorporated not-for-profit organisations are eligible to apply for grants of between \$20,000 and \$10 million. Grant funding must be matched in cash on at least a dollar for dollar basis, and the funded part of the project must be completed on or before 31 December 2019.

The desired outcomes of the program are:

- improved level of economic activity in regions
- increased productivity in the regions
- increased employment and a more skilled workforce in regions
- increased capacity and improved capability of regions to deliver major projects, and to secure and manage investment funding
- improved partnerships between local, state and territory governments, the private sector and community groups



- more stable and viable communities, where people choose to live.

Council commenced its Alpine Better Places project in early 2015, which will deliver detailed concept designs for one to three priority projects in each of the town centres of Porepunkah, Bright and Myrtleford. Delivery of detailed design concepts is effectively completed with three rounds of community consultation complete:

1. Community input was sought in March 2015 to prioritise projects in each of the townships
2. Community feedback on the preliminary concept designs was sought in June 2015
3. Community feedback was sought through public exhibition of the draft detailed concept designs in December 2015
4. The priority projects in Myrtleford and Porepunkah are:
  - Myrtle Street, Myrtleford - Streetscape improvements, conversion to single lane in each direction, improving pedestrian crossing points and presentation.
  - Happy Valley Creek, Myrtleford - Improved interface and environmental value of the waterway and connection with the retail precinct, creating an attractive asset.
  - Nicholson Street and Gateway, Porepunkah - Reduced area of road pavement, better definition of pedestrian crossings and vehicular areas. Create a clear visual and physical connection from the town centre to the riverside. Improved the entrance and signage at Great Alpine Road to create a greater sense of arrival.

## **ISSUES**

Council was successful in securing \$1.87 million for the Alpine Events Centre in round one of the NSRF; this will not affect Council's ability to secure funding in round three.

Implementation of the Alpine Better Places priority projects in Myrtleford and Porepunkah is the most appropriate project to apply for support through the NSRF. The project satisfies all of the programs criteria including increased economic activity.

Whilst this project would involve asset renewal, discretionary capital expenditure would be required to deliver this project and a review of the Long Term Financial Plan would be required to understand the implications.

## **POLICY IMPLICATIONS**

This recommendation is consistent with the following Strategic Objectives of the Council Plan:

- 2.1 - To provide and maintain quality parks, gardens and natural environment
- 2.2 - To improve the quality of the built environment and amenity
- 2.3 - To improve the condition and management of Council's assets
- 3.1 - To support the health and wellbeing of communities
- 4.1 - To effectively plan and deliver strategic and major projects.



## **FINANCIAL AND RESOURCE IMPLICATIONS**

This project requires a large commitment by Council - \$4,200,000 over three years, and it is proposed that \$990,000 in funding is sought from the NSRF to supplement Council's commitment. In addition, Council also intends to seek funding from State Government through Regional Development Victoria. It is proposed that Council commit to funding this project over three years, with varying amounts but at an average spend of \$1,400,000 per year.

Long Term Financial Plan modelling has been undertaken to determine the impact of implementing all Alpine Better Places projects (Bright, Myrtleford and Porepunkah) over the next four years, less the Standish Street roundabout in Myrtleford, required renewal spend and other committed projects. Modelling results indicate that this will not adversely impact Council's cash reserve; however the following impacts should be noted:

- Delivery of these projects will impact the timing of asset renewal works, as approximately 50% of the Alpine Better Places projects are deemed to be asset renewal.
- Given the significant investment required to implement the Alpine Better Places projects, this will impact Council's ability to deliver other strategic projects with discretionary funds.

## **CONSULTATION**

Council and the communities of Myrtleford, Porepunkah and Bright have been extensively involved in the development of the Alpine Better Places design project, during three rounds of consultation:

- Council and community input were sought in March 2015 to prioritise projects in each of the townships. 93 people attended the 'Our Town' workshops.
- 104 people attended the 'Day of Design' workshops in June 2015, where they provided feedback on the preliminary concept designs.
- In late November/early December 2015, 14 formal submissions were received providing feedback on the exhibited draft detailed concept design. Letter drops and mail outs to those directly affected, public drop-in sessions and presentations to town stakeholder groups were also held at this time and any informal comments were noted for consideration.
- Additional consultation with directly affected retailers and stakeholders, particularly in the vicinity of Mafeking Square, has also occurred in late January/early February 2016.

Council Officers will continue to liaise with key stakeholders throughout the detailed design, documentation and implementation phases.

The regional office of RDV is very encouraging of this proposal. Assistance has already been provided with the preparation of the application.





## **CONCLUSION**

Implementation of the Alpine Better Places priority projects in Myrtleford and Porepunkah will be significant and has the potential for enormous benefits for these townships. Council has the ability to fund this project over a number of years and this presents a good opportunity to secure significant funding from the federal Government to implement these works.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Director Assets
- Manager Asset Development

## **ATTACHMENT(S)**

- Nil



## **8.4 DIRECTOR SUSTAINABLE DEVELOPMENT – HEATHER GREEN**

### **8.4.1 Alpine Amendment C39 Review of the LPPF and insertion of Rural Land Strategy**

File Number: 1468.39

#### **INTRODUCTION**

The purpose of this report is to update Council on Amendment C39 to the Alpine Planning Scheme which seeks to:

- (1) update the Local Planning Policy Framework (LPPF) following a review; and,
- (2) insert the Rural Land Strategy within LPPF.

Council officers are now seeking Council's:

- Consideration of the submissions received during the exhibition process; and,
- Endorsement of Council officers' views in response to the matters raised in the submissions. These will be forwarded to the Minister for Planning with an application for him to approve Amendment C39.

*Cr Pearce*

*Cr Keeble*

*That Council:*

- 1. endorse Officers recommended position on all the submissions received to Planning Scheme Amendment C39 as outlined in Appendix 1 of the officers report;*
- 2. adopt Amendment C39 to the Alpine Planning Scheme under Section 29(1) of the Planning and Environment Act 1987;*
- 3. authorise Amendment C39 to the Alpine Planning Scheme be submitted to the Minister for Planning for Approval under Section 31(1) of the Planning and Environment Act 1987.*

*Carried*

#### **BACKGROUND**

The Alpine Planning Scheme was last reviewed in 2011. In 2013 state government funding was received through the Department of Environment Land Water and Planning (DELWP) Rural Flying Squad program to further review the planning scheme. This review was undertaken by the EDM Group (Wodonga) in 2013/14. The final review recommended the replacement of the Local Planning Policy Framework (LPPF) to the Alpine Planning Scheme to reflect current strategic directions and implement a more usable and streamlined LPPF format. Council also undertook the development of a Rural Land Strategy at this time, the Strategy being adopted by Council in April 2015 as the Alpine Shire Rural Land Strategy, Alpine Shire Council, 2015. This strategy is being inserted into the Alpine Planning Scheme through the Local Planning Policy Framework and Amendment C39.



Amendment C39 replaces the current Local Planning Policy Framework by:

- Replacing the existing Municipal Strategic Statement (Clauses 21.01 to 21.05, inclusive).
- Replacing existing local planning policies (Clauses 22.01 to 22.02, inclusive).
- Introducing a new Local Planning Policy Framework, comprising:
  - Clause 21.01, Alpine Shire profile;
  - Clause 21.02, Alpine Shire vision;
  - Clause 21.03, Settlement, built form and heritage;
  - Clause 21.04, Environment and natural resources;
  - Clause 21.05, Economic activity;
  - Clause 21.06, Infrastructure;
  - Clause 21.07, Local areas;
  - Clause 21.08, Reference documents;
  - Clause 22.01, Settlement, built form and heritage;
  - Clause 22.02, Environment and natural resources;
  - Clause 22.03, Economic activity; and,
  - Clause 22.04, Infrastructure.

The Alpine Shire Rural Land Strategy provides a long term strategic framework for the future land use and development in rural areas of the municipality for the next 15-20 years. The Strategy assesses and makes recommendations for seven district rural precincts, generally providing for the protection and growth of agriculture, the development of higher value intensive and niche agriculture, further development of rural tourism and identification of some areas appropriate for rural housing.

Amendment C39 was authorised by the Minister for Planning on 13 October 2015 and was subsequently exhibited between 19 November 2015 and 15th January 2016. 14 submissions were received through the exhibition process. These are discussed in the Issues and Consultation section.

## **ISSUES AND CONSULTATION**

Extensive consultation took place of Amendment C39. 7,500 letters were sent out to residents using the rates database along with notification being sent to Prescribed Ministers, referral authorities as well as general advertisements of the planning scheme amendment placed in the Alpine Observer and the Myrtleford Times. Exhibition was between 19 November 2015 and 15th January 2016. The exhibition period was longer than the statutory notice period and took place over the Christmas period to allow for non-residents to input into the Amendment.

There were a number of counter and telephone enquiries equating to about 80 in total or just over 1 enquiry per day of the exhibition period. 14 submissions were received in total from statutory agencies as well as members of the public. Appendix



1 details the submissions received including who they were from, what was said, Council's response and the further response from the submitter. All submissions have been resolved.

The predominant issues for telephone and counter enquiries focussed on whether the amendment would affect landowners and their properties. In the main the amendment was found not to affect owners or their properties in part because the amendment does not make changes to zones and overlays. They will be the subject of separate amendments if required. Therefore these enquiries did not result in any submissions.

There were 6 submissions from statutory agencies including the CFA, NEW, DELWP, EPA, GMW and Vic Roads. The EPA and GMW did not raise any objections. The CFA, Vic Roads and DELWP objections were concerned with updating policy wording to reflect that which is currently used. These suggestions have been incorporated and as a result confirmation of withdrawal of objections has been received. The submission from NEW has also been resolved. It focussed on Council developing a Domestic Wastewater Management Plan (DWMP) and placing Overlays over NEWs assets. Wording has been negotiated to indicate that these items will be investigated into the future.

A further 8 submissions were received from members of the public. All of these have been resolved and are detailed in Appendix 1 of this report.

Following consultation and the comments made by submitters changes have been made to Clauses:

21.03, 21.04, 21.05, 21.06, 21.07, 21.08, 22.01, 22.02, 22.03, 22.04.

## **POLICY IMPLICATIONS**

The amendment will amend strategic directions for general land use in Alpine Shire, including amended policy directions for rural land use through the implementation of the adopted Alpine Rural Land Strategy.

This also complements Council's own policies and strategies namely the Alpine Shire Council Plan 2013-2017 (review 2015).

The amendment links to and implements the Council Plan, in particular the themes:

- Enhance the environment and liveability; and,
- Prosperous economy, employment and investment.

The amendment links to and implements the whole of the Alpine Shire 2030 Community Vision (2010 review), that is the vision and all seven key directions of:

1. Unspoilt natural environment;
2. Sympathetic and balanced development;
3. Economic prosperity;
4. Identity and character of our towns, villages and rural communities;
5. Services and facilities (health, wellbeing and lifestyle);



6. Linkages between communities; and,
7. Strong and safe communities.

The amendment also meets Council's obligations under the Local government Act 1989 Sections 126(2A and 2B) relating to the four-year Strategic Resource Plan.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The cost of applying for Approval of Amendment C39 to the Minister for Planning will be funded from the 2015/16 budget. Council has allocated budget to planning scheme amendments for 2015/16.

### **CONCLUSION**

Council has undertaken comprehensive projects to both review the Alpine Planning Scheme LPPF and prepare and adopt the Alpine Rural Land Strategy. Amendment C39 has been prepared to implement both projects.

Proposed Amendment C39 will improve the effectiveness of the Alpine Planning Scheme, implementing current land use directions, including strategic land use directions outlined in the Alpine Rural Land Strategy, Council Plan and other corporate strategies. C39 will revise the current older format of the LPPF, improving the operation and format of the planning scheme.

While 14 submissions have been received to C39 this is a small number considering the extent of engagement with stakeholders and residents. All of these submissions have been resolved.

Council is now asked to endorse the position statement in Appendix 1 in response to submissions, adopt the amendment and endorse Amendment C39 for Approval to the Minister for Planning.

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

Under Section 80C of the Local Government Act 1989, officers providing advice to Council must disclose any interests, including the type of interest. The following officers declare that they have no interests to disclose in providing this report:

- Director Sustainable Development;
- Manager Planning and Amenity; and,
- Strategic Planner.

### **ATTACHMENT(S)**

- Appendix 1 details of submissions and Council's response to them;
- Appendix 2 copies of submissions; and,
- Appendix 3 amended LPPF documentation following submitter comments.



#### **8.4.2 Amendment C52 - Prescribed amendment to correct obvious or technical errors in the planning scheme**

File Number: 1468.52

##### **INTRODUCTION**

This report is presented to Council to enable the preparation of a 'prescribed amendment' which will correct a number of errors and anomalies in the Alpine Planning Scheme.

Specifically the amendment will:

- amend mapping to match the road alignment rather than a property boundary near to Lot 3 PS507343 Kiewa Valley Highway at Kergunyah South.
- rezone part of 165 Happy Valley Road, Ovens from Public Conservation and Resource Zone (PCRZ) to Farming Zone (FZ).
- amend mapping to correctly show heritage items listed in the Schedule to the Heritage Overlay on properties at 32 and 34 Smith Street, Myrtleford.
- rezone part of 82 Howell Lane from Public Conservation and Resource Zone (PCRZ) to Farming Zone (FZ).
- rezone part of 14 and part of 16 Maude Street, Myrtleford from Farming Zone (FZ) to General Residential (GRZ1).
- rezone part of Crown Allotment S56A from Farming Zone (FZ) to Public Conservation and Resource Zone (PCRZ).
- rezone Crown allotments from Farming Zone (FZ) to Public Conservation and Resource Zone (PCRZ) at CA14A Sec A1, CA15 Sec A1, CA2038, CA9 Sec A2, CA10 Sec A2, CA11 Sec A2, CA5B Sec A2, CA5A Sec A2 all in Parish of Myrtleford.

*Cr Pearce*

*Cr Roper*

*That Council:*

- 1. That a request be made to the Minister for Planning to prepare Amendment C52 pursuant to Section 20(A) of the Planning and Environment Act 1987, to undertake a 'prescribed amendment' to correct technical anomalies and errors identified within the Alpine Planning Scheme. Specifically the amendment will:*
  - a. amend mapping to match the road alignment rather than a property boundary near to Lot 3 PS507343 Kiewa Valley Highway at Kergunyah South.*
  - b. rezone part of 165 Happy Valley Road, Ovens from Public Conservation and Resource Zone (PCRZ) to Farming Zone (FZ).*



- c. amend mapping to correctly show heritage items listed in the Schedule to the Heritage Overlay on properties at 32 and 34 Smith Street, Myrtleford.*
- d. rezone part of 82 Howell Lane from Public Conservation and Resource Zone (PCRZ) to Farming Zone (FZ).*
- e. rezone part of 14 and part of 16 Maude Street, Myrtleford from Farming Zone (FZ) to General Residential (GRZ1).*
- f. rezone part of Crown Allotment S56A from Farming Zone (FZ) to Public Conservation and Resource Zone (PCRZ).*
- g. rezone Crown allotments from Farming Zone (FZ) to Public Conservation and Resource Zone (PCRZ) at CA14A Sec A1, CA15 Sec A1, CA2038, CA9 Sec A2, CA10 Sec A2, CA11 Sec A2, CA5B Sec A2, CA5A Sec A2 all in Parish of Myrtleford.*

*Carried*

## **BACKGROUND**

Council has been notified of various obvious or technical errors within the Alpine Planning Scheme. These corrections relate to zoning and mapping anomalies.

Anomalies and correction amendments are undertaken regularly by all Planning Authorities to maintain the currency of the planning scheme and to assist in ensuring that it is relevant and up to date.

In 2013 the Minister for Planning introduced new provisions for 'Prescribed Amendments'. A Prescribed Amendment is undertaken by the Minister for Planning under Section 20(A) of the Planning and Environment Act 1987 (the Act). Under this section of the Act, exhibition and notification requirements of sections 17, 18 and 19 of the Act, are waived.

The class or type of corrections and anomalies that can be approved by the Minister must be in accordance with the Planning and Environment Regulations 2015. They must be anomalies that are classed as 'obvious or technical errors in the Victorian Planning Provisions or a Planning Scheme'. Accordingly, it is deemed that these corrections are considered to satisfy these requirements.

<b>Land Affected by amendment</b>	<b>Proposed change</b>	<b>Reason for obvious or technical error</b>
Section of the Kiewa Valley Highway at Kergunyah South near Lot 3	Amend the RDZ1 to match the road alignment rather than a property boundary.	This was pointed out by a planning consultant carrying out work for a client. The Road Zone needs to be correctly aligned to follow the highway as opposed to the property boundary. This will enable the planning scheme to comply with Ministerial Direction on the Form and Content of



PS507343		Planning Schemes (number 15); which states that <i>"A road which is declared as a freeway or an arterial road under the Road Management Act 2004 must be shown as a Road Zone Category 1 on the planning scheme maps"</i> .
165 Happy Valley Road, Ovens also known as PS375597.	Amend dual zoning of PCRZ and FZ to consolidate to FZ (majority zoning).	<p>This anomaly was highlighted through a consolidation request. The portion of land with buildings on it is zoned PCRZ. The adjoining land is FZ. To comply Clause 64.02 of the Planning Scheme and Ministerial Direction on the Form and Content of Planning Schemes (number 12) a 'fix up' is required. Clause 64.02 states that <i>"land used in conjunction with another use must have a genuine, close and continuing functional relationship in its operations with the other use"</i>.</p> <p>The Ministerial Direction Form and Content states that <i>"a planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown Land, or is owned by, vested in or controlled by the Minister, government department, public authority or municipal council"</i>.</p>
32 and 34 Smith Street Myrtleford	Amend mapping to correctly match the addresses with the heritage item listed in the Schedule to the Heritage Overlay	Items listed in the Schedule to the Heritage Overlay do not match the associated mapping. Mapping Services at State Government (Geoff Bullock) advised that any fix up had to be part of a planning scheme amendment. This came to light when the occupants of the buildings wanted to make building alterations.
Land at 82 Howell Lane, Myrtleford also known as 8/TP842911.	Private land currently zoned PCRZ when the rest of the land is FZ. Realign the zone to FZ.	To comply with Clause 64.02 of the Planning Scheme which states <i>"land used in conjunction with another use must have a genuine, close and continuing functional relationship in its operations with the other use"</i> and Ministerial Direction on the Form and Content of Planning Schemes (number 12) which states that <i>"a planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if</i>





		<p><i>the land is Crown Land, or is owned by, vested in or controlled by the Minister, government department, public authority or municipal council".</i></p> <p>This came to light when reviewing the area following a request for a planning permit in a neighbouring part of the Myrtleford.</p>
14 & 16 Maude Street, Myrtleford.	Amend dual zoning of GRZ and FZ to consolidate to GRZ (majority zoning).	<p>To comply with Clause 64.02 of the Planning Scheme which states that "<i>land used in conjunction with another use must have a genuine, close and continuing functional relationship in its operations with the other use</i>". The majority of the land is zoned GRZ. This came to light following a query raised over a land title search and request for Council's help.</p>
CA S56A, Parish of Bright	Crown Land currently zoned FZ which should have reverted to PCRZ with the introduction of the new Alpine planning scheme in 1999.	<p>To comply with Clause 64.02 of the Planning Scheme which states that "<i>land used in conjunction with another use must have a genuine, close and continuing functional relationship in its operations with the other use</i>" and Ministerial Direction on the Form and Content of Planning Schemes (number 12) which states that "<i>a planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown Land, or is owned by, vested in or controlled by the Minister, government department, public authority or municipal council</i>".</p> <p>This was noted as a result of a previous prescribed amendment which formed part of a bigger investigation to ensure land in the area was appropriately zoned following the introduction of the new format planning schemes in 1999.</p>
CA14A Sec A1 Parish of Myrtleford, CA15 Sec A1 Parish of Myrtleford, CA2038 Parish of	Crown Land currently zoned FZ and not vested should be PCRZ to align with other crown land parcels zoned PCRZ	<p>To comply with Clause 64.02 of the Planning Scheme and Ministerial Direction on the Form and Content of Planning Schemes (number 12) which states that "<i>a planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown Land, or is owned by,</i></p>



Myrtleford, CA9 Sec A2 Parish of Myrtleford, CA10 Sec A2 Parish of Myrtleford, CA11 Sec A2 Parish of Myrtleford, CA 5B Sec A2 Parish of Myrtleford, CA5A Sec A2 Parish of Myrtleford.		<i>vested in or controlled by the Minister, government department, public authority or municipal council".</i> This was discussed with DELWP (Carmel O'Dwyer) and was requested to give the necessary planning protection to Crown Land. This was also raised as an on-going (‘review of zonings of Crown Land’) request through the C39 submission process.
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**Section of the Kiewa Valley Highway at Kergunyah South near Lot 3 PS507343**

Blueprint Planning identified this error. The zoning – RDZ1 does not follow the road alignment but follows a private property boundary. This needs to be rectified so the Zone is aligned with the Highway.





**165 Happy Valley Road, Ovens also known as PS375597**

Due to a recent consolidation of the lots an error was identified where private land is zoned PCRZ instead of the accompanying zoning of the larger lot which is Farming Zone. Both lots need to be one zone (Farming Zone) to comply with Clause 64.02 of the Planning Scheme and Ministerial Direction on the Form and Content of Planning Schemes (number 12). Note there is a dwelling on the PCRZ portion of the land.







**32 and 34 Smith Street Myrtleford**

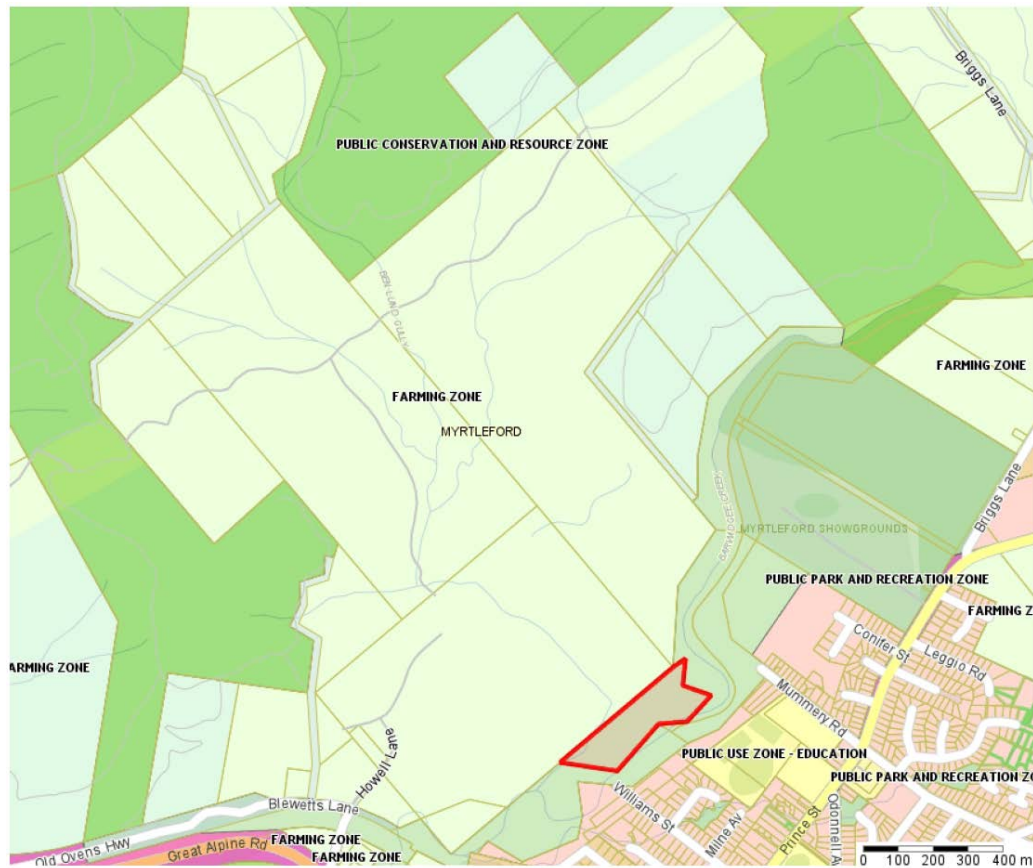
Heritage items are detailed in the Schedule to the Heritage Overlay in the Alpine Planning Scheme. An error was brought to Council's attention by the occupier of 32 Smith Street. They wanted to do some work on their property and while they knew about the Overlay it wasn't reflected on relevant mapping. Mapping Services in State Government were not able to correct the mistake without an amendment process being instigated. After investigation the heritage mapping should show the pine tree at 34 Smith Street with reference number HO33 and St Andrews Church at 32 Smith Street with reference number HO34. Currently the mapping shows HO34 on 34 Smith Street and HO33 on 67-73 Standish Street.





**Land at 82 Howell Lane, Myrtleford – 8/TP842911**

A parcel of private land is zoned PPRZ (Public Park and Recreation Zone). To comply with Clause 64.02 of the Planning Scheme and Ministerial Direction on the Form and Content of Planning Schemes (number 12) private land cannot be zone PPRZ. This land therefore needs to be rezoned to its adjacent zoning of Farming Zone to comply with the planning scheme requirements. This matter was brought to Council's attention by one of Council's Statutory Planners who was dealing with another matter in the area.





**14 and 16 Maude Street, Myrtleford**

The owner of 14 Maude Street in calling Council about Amendment C39 brought to Councils attention that Lots 1 & 2 at 14 Maude Street are in a dual zoning. The smaller parcel of land at the rear is zoned farming with the majority of the land being in the General Residential Zone. It was also noted that 16 Maude Street had the same error. To comply with planning scheme requirements the rear portion of these properties zoned Farming should be rezoned to GRZ1.





Following prescribed amendment C50 a number of errors were raised by state government for further investigation as it appeared that the translation of the Bright Planning Scheme to the new format planning schemes introduced in 1999 had not been translated as expected. On looking into this further there is only one small parcel of Crown Land that is zoned Farming which should be zoned PCRZ in line with the surrounding Crown Land. Other parcels of land are in private ownership and so appear to be correctly zoned. This continuous awareness of zone anomalies and then correcting them was raised as a submission entry to Planning Scheme Amendment C39. The request from DEWLP is that Council ensures Crown Land is appropriately zoned.







**8 parcels of land in the Parish of Myrtleford**

This matter was brought to Councils attention by one of Councils Statutory Planners who was dealing with another matter in the area. 8 parcels of Crown Land have been incorrectly zoned to farming and are not vested with a known company (having checked this with DELWP). In order to provide the appropriate level of protection for this land a more consistent zoning to enable this protection to be afforded is PCRZ.







## ISSUES

All the zoning and mapping anomalies listed above do not conform to all or either:

- Ministerial Direction related to the Form and Content of Planning Schemes 12 & 15 which states that:
- (12) *"a planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown Land, or is owned by, vested in or controlled by the Minister, government department, public authority or municipal council".*
- (15) *"A road which is declared as a freeway or an arterial road under the Road Management Act 2004 must be shown as a Road Zone Category 1 on the planning scheme maps".*
- Clause 64.02 of the planning scheme which states that:  
*"land used in conjunction with another use must have a genuine, close and continuing functional relationship in its operations with the other use".*
- Clause 43.01 Schedule to the Heritage Overlay

The amendment is required to ensure conformity.

There are no issues of particular concern with any of the identified parcels of land.

## POLICY IMPLICATIONS

Council is obliged to maintain its Planning Scheme for fair and transparent planning within the State of Victoria and is in accordance with the Council Plan.

## FINANCIAL AND RESOURCE IMPLICATIONS

This amendment is not expected to place any requirement for additional resources over and above that already budgeted for within Council's operational budget for 2015/16.

## CONSULTATION

All property owners have been contacted to advise them of the administrative changes taking place.

None raised any objections. All have welcomed the corrective changes.

## CONCLUSION

The current zoning of the subject sites are considered to be obvious or technical errors as per the Planning and Environment Regulations 2015 Section 8 Prescribed amendments (1) (a).

As a consequence it is considered appropriate that a request to the Minister for Planning to prepare amendment C52 to the Alpine Planning Scheme under Section 20(A) of the Planning and Environment Act 1987, to undertake a 'prescribed amendment' is made.



**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.

- Sustainable Development
- Planning and Amenity
- Strategic Planner

**ATTACHMENT(S)**

- Nil



### **8.4.3 Proposed Special Charge Scheme - Sewering caravan parks in Porepukah**

Number: 1021.11

#### **INTRODUCTION**

The provision of sewerage of key caravan parks in Porepukah has been an ongoing project for both the caravan park owners and Council over the last few years. Council's ongoing support through the provision of a special charge scheme for this project was sought in 2012. Only one caravan Park now wishes to be part of a scheme. As only one park now wishes to proceed, the community benefits are now minimal and the establishment of such a scheme is onerous it is recommended that Council not proceed with the scheme.

*Cr Pearce*

*Cr Roper*

*That Council:*

- 1. Not proceed with a Special Charge Scheme to support the development of internal sewerage infrastructure for Caravan Parks in Porepukah.*
- 2. That the affected Caravan Park owners be advised of Councils decision.*

*Carried*

#### **BACKGROUND**

In 2006 the Porepukah township sewerage scheme was completed following many years of planning and consultation.

From 2003-2010 Council officers sat on the Bright-Porepukah Sewerage and Reuse Consultative Committee. This committee was set up by North East Water to provide input and guidance about the impending sewerage of the Porepukah township and reuse options for waste water.

Prior to the approval of the sewerage scheme for Porepukah the caravan parks were to be part of the scheme, but when the scheme was finally approved by the Water Minister in 2004 the caravan parks had been omitted.

Since 2005 the Bright-Porepukah Sewerage and Reuse Consultative Committee has strongly lobbied North East Water for the Porepukah caravan parks to be provided with reticulated sewerage, as was originally proposed.

In 2009 North East Water sought Councils advice about extending sewerage services to the Porepukah Caravan Parks and committed an amount of money to the project and included the project in its 5 year water plan

In 2011/12 Council's Senior Environmental Health Officer met regularly with the Caravan park owners and the project engineers of North East Water determining the scope of the project and seeking the park owners' support for its implementation.

In December 2012 Council resolved:



1. The provision of sewerage services to service Porepukah Bridge, Mount Buffalo and Riverview Caravan Parks Porepukah be supported.
2. Council officers continue to work with North East Water and the caravan park owners to facilitate the provision of sewerage services.

The support proposed was in the form of a special charge scheme that Council would manage to allow the park owners to spend significant capital funds to connect their parks to the sewer.

2013/14 North East Water met its commitment to build the rising main. This was on the proviso that Council assists in having the parks connect to the sewer.

The sewerage connection to the rising main will require the park owners to install individual pump stations within the parks at their cost including renewed sewer pipes from amenity buildings and structures to the pump network.

2015 – The three park owners met with officers to determine how and under what conditions the special charge scheme might work. One of the parks that is primarily located on crown land was deemed not eligible to be part of the scheme as it is not on freehold land.

Since that time officers have:

1. liaised with the owners of the parks, to determine funds required
2. sought legal advice about how a special charge scheme could work in this instance
3. provided an approximate costing to the owners of the two parks who wished to pursue this proposal. One of these two owners has recently advised they do not wish to proceed with a special charge scheme.

## **ISSUES**

It is considered that whilst the importance of connecting the parks to the sewer has not diminished the need for Councils involvement has been reduced.

### **Number of Caravan Parks proposing to participate**

In 2012 Council resolved to support the provision of sewerage to three caravan parks in Porepukah through the provision of a special charge scheme to enable the internal works that are required prior to the parks to connecting to the sewer main to be funded. Council made this decision because of the greater community benefit to both the environment and potentially the tourism economy. Of the three parks that have been part of this project only one remains. One caravan park was deemed ineligible as it is primarily crown land and cannot be included in a scheme; a second park has opted out due to competitive rates for finance being sourced elsewhere.

It is considered that the benefit that the project can provide the environment and the economy is significantly reduced by only having one park participate. The amount of effort required by Council is the same for one park or three but the benefit is less. It should be noted that each park can self-finance the installation of the infrastructure within their parks themselves.



### **Loan Establishment**

Council has recently (July 2015) repaid its borrowings and become debt free. The establishment of a new loan to serve one property owner to carry out internal works to their property is not a good use of Council resources.

### **Other risks and costs**

Normally these special charge schemes are used for the development of infrastructure like footpaths, drainage or roads, usually when a group of ratepayers receive significant individual benefit. In all these cases the asset is a Council asset and Council controls the design, management and the completion of the project. In this case the works would all be on private property with Council not having any control. It is considered risky for Council to borrow funds to support a project where it does not oversee the project delivery, including the possibility of budget over spends is not wise.

Whilst the benefit that the sewerage of the three Caravan Parks is great - both environmental and economical it is considered a commercial decision that each owner must make.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Should Council pursue the special charge scheme the total loan for one party would be over \$400,000. This would be paid off over ten years with the park owner paying interest and reasonable administrative costs. It would require the establishment of a loan. This is something Council has agreed it does not wish to do.

### **CONSULTATION**

Significant consultation with the caravan park owners has occurred over many years.

### **CONCLUSION**

The connection of the three caravan parks in Porepukah to the reticulated sewerage system is an admirable aim. It will ensure possible ground water pollution is negated and will allow all parks to expand and offer additional accommodation types.

Unfortunately with only one park willing to be part of a special charge it is no longer viable for Council to offer such a service. It is hoped that all parks will pursue the connection to the sewer to improve their services.

### **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
- Director Corporate Performance
- Manager Corporate Services

### **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.

*Cr Pearce*

*Cr Farrell*

*That the summary of the Assemblies of Councillor for February 2016 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 9.0 to this report.

Date	Meeting
2 February	Briefing Session
16 February	Briefing Session
23 February	Councillors and CEO Session
23 February	Audit Committee meeting
23 February	Briefing Session

### ATTACHMENT(S)

- 9.0 Assemblies of Councillors – February 2016



## 10 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*

*No reports by delegates for the month of February 2016 be noted.*

*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 10.0 to this report.

Date	Meeting	Councillor

### ATTACHMENT(S)

- Nil



**11 GENERAL BUSINESS**

Cr Roper – Requested a letter be sent to Vicroads regarding the condition of the Tawonga Gap Road verges.

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

Nil

**13 RECEPTION AND READING OF PETITIONS**

**13.1.1 Petition For Rail Trail Extension through Freeburgh 3741**

Council has received a petition for the Rail trail Extension through Freeburgh 3741. The petition is in support of the extension of the rail trail from Germantown Bridge to the east side of Freeburgh, which is approximately 6km's long.

A report will be tabled at the next Ordinary Council meeting in April 2016





## 14 DOCUMENTS FOR SEALING

*Cr Farrell*

*Cr Keeble*

*That the following documents be signed and sealed.*

**1. Section 173 Agreement – Mary Lynette Hall and Geoffrey Mervyn Hall**

*Crown Allotment 4A, Section A on Title Plan 560628M Volume 02580 Folio 854 Crown Allotment 4B, Section A on Title Plan 847718N Volume 02580 Folio 855*

*Conditions 13 and 14 of Planning Permit 2015.007 for subdivision of land into 4 lots at 19-21 Martley Street, Porepukah and 36 Station Street, Porepukah*

*The Agreement conditions vehicular access and car parking provisions of any future dwelling.*

**2. Contract No 1504801 dated 3 December 2015 in favour of Downer EDI Works Pty Ltd for the Mount Beauty CBD Asphalt Works.**

**3. Contract No 1505201 dated 4 February 2016 in favour of North East Civil Construction Pty Ltd for the Harris Lane Bridge replacement.**

**4. Section 173 Agreement – Latteria Holdings Pty Ltd**

*Lot: S3 on Plan of Subdivision: 341558,*

*Volume 11362 Folio 816 & Volume 10871 Folio 774*

*Condition 5 of Planning Permit 2013.134 for a 16 lot subdivision, creation of an access to a Road Zone 1 and removal of easements at Great Alpine Road, Bright (Tempo Court subdivision).*

*The Agreement provides a security agreement for the offset site, or sites, including a 10 year offset management plan and a credit register extract from the Native Vegetation Credit Register.*

**5. Section 173 Agreement – RDG Developments Pty Ltd. Lots 1, 2, 3, 4 & 5 on Title Plan 179990T being Certificate of Title Volume 9366 Folio 132**

*Condition 2 of Planning Permit 2015.130 for a re-subdivision of land into 5 lots at 1-7 Albert Street, Myrtleford.*

*The Agreement acknowledges that future owners are advised of surrounding businesses operating in Commercial 1 Zone and that there may be noise, odour and light emissions from these businesses.*

**6. Election Period Policy and Guidelines 2016 be signed and sealed.**

There being no further business the Chairperson declared the meeting closed at 8.30pm

.....  
Chairperson