



# Alpine Shire

**ORDINARY COUNCIL MEETING**

**MINUTES**

**M10 – 6 September 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 **6 September 2016** commenced at **7:00pm**.

## **PRESENT**

### **COUNCILLORS**

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

### **OFFICERS**

Mr Dave Barry – Chief Executive Officer  
Mr Trevor Britten – Director Corporate Performance  
Ms Heather Green – Director Sustainable Development  
Mr Charlie Bird – Director Assets

### **APOLOGIES**

Nil



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

*The CEO read the following statement:*

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

Video 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.

In common with all narrative during Council meetings, verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes of Council meetings. This is to improve access and transparency of Council decision making to our community.

The full meeting and entire recording will be live-streamed to Alpine Shire Council's YouTube Channel and made available after the meeting.

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

*The CEO read the following statement:*

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

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

## **3 CONFIRMATION OF MINUTES**

### **3.1 ORDINARY COUNCIL MEETING – M9**

*Cr Farrell*

*Cr Keeble*

*That the minutes of Ordinary Council Meeting M9 held on 2 August 2016 as circulated be confirmed.*

*Carried*

## **4 APOLOGIES**

Nil

## **5 OBITUARIES / CONGRATULATIONS**

Refer to alpine shire council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-stream recording.



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

The CEO advised that Council is part owner of a company that is being awarded a contract in Item 8.2.4 Contract award for the provision of labour hire and accompanying technology solutions and that the CEO is an unpaid director of that company.

## **7 QUESTION TIME**

Refer to alpine shire council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-stream recording.

7.20pm

Cr Roper advised that he had a conflict of interest in relation to paying rate notices and excused himself from the Council meeting.

7.25pm

Cr Roper returned to the Council meeting.



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

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

#### **8.1.1 Contracts approved by the CEO**

*Cr Farrell*

*Cr Pearce*

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

Contract No:	CQ 16/030	Process:	Public tender
Title:	Pioneer park Oval Drainage improvements		
Tenderer:	Gary Lee Sprinklers		
\$ (excl. GST):	\$111,131		
Funding:	Works funded by 2016/17 project budget.		

*Carried*



### **8.1.2 Removal Of Plaque From Memorial Bench**

File Number: 220.15

#### **INTRODUCTION**

The purpose of this report is to revoke a decision made by the Chief Executive Officer, Mayor and Deputy Mayor under delegation from Council to approve the installation of a fully funded memorial bench with plaque installed on the Kiewa Valley Highway in July 2014.

Cr Vonarx moved an alternative motion.

*Cr Vonarx*

*Cr Keeble*

*That Council:*

- 1. That the park bench and memorial plaque on the Kiewa Valley Highway remain and no further action be taken.*

*Carried*

#### **BACKGROUND**

At the July 2014 question time a person asked Council to expedite her application for the installation of a bench and memorial plaque on the Kiewa Valley Highway close to the business and home owned of a deceased member of the community. The person spoke of the urgency of the situation and linked it to a 21st birthday event.

The application was advertised on-site, no objections were received and letters of support were received from various parties. Due to the representations made relating to urgency, the application was not advertised in local media. It was the clear view of the Chief Executive officer, Mayor and Deputy Mayor at the time that the urgency of the situation was real and any delay would have allowed bureaucracy to prevail over common sense.

#### **ISSUES**

It has since become clear that the installation of the memorial plaque has given rise to significant upset and pain, as indeed will its removal, should Council determine to remove it.

It is the view of staff that personal memorials should only be installed where they do not give rise to significant upset and pain amongst family members.

Despite significant attempts to resolve this issue, including changes to the wording on the plaque, it is clear that this will not be achievable.

Had staff been aware of the circumstances they are now aware of, it is beyond doubt that they would not have recommended an approval to install the plaque.

Had the application been advertised the local newspaper these circumstances may well have been identified earlier, acknowledging that the on-site advertising did not yield any objections or cause the circumstances to come to light.





In addition, it would have greatly benefited the decision making process had the person making representations and the application identified the circumstances and the associated consultation that should have been pursued as a result.

In making this recommendation staff are of the view that:

- The initial decision was made in the absence of critical information and gives rise to unacceptable pain
- Any further decision will also give rise to unacceptable pain
- Council should not make any decision based on the personal circumstances i.e. Council cannot and should not judge this complex situation.
- Council should make a decision based on the fact that critical information was not ascertained at the time of making the initial application
- The plaque was, in hindsight, always likely to result in an ill-fated outcome that would ultimately cause significant pain to all involved.

### **POLICY IMPLICATIONS**

It is anticipated that this situation will cause Council to amend its Road, Memorial and Naming Policy (No 57) to prohibit the installation of any future personal memorials.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Council will remove the plaque at a cost of approximately \$20.

### **CONSULTATION**

Extensive consultation with the parties has been unable to resolve the matter.

### **CONCLUSION**

For the reasons outlined that the memorial plaque be removed from the bench.

### **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.

- Executive Assistant to CEO
- Chief Executive Officer

### **ATTACHMENT(S)**

- Nil



### 8.1.3 Local Law No.1: Council Administration (2016)

File Number: 1120.01

#### INTRODUCTION

This report provides for the making of Local Law No.1 Council Administration (2016).

*Cr Forsyth*

*Cr Vonarx*

*That Council:*

1. *Make Local Law No.1 Council Administration (2016) (as attached), to come into operation on 6 September 2016.*
  - a. *Subject to a change on page 8 change - 'understood' to misunderstood''*
2. *Sign and seal Local Law No.1 Council Administration (2016) at the appropriate stage of this meeting.*
3. *Publish public notices of the making of Local Law No.1 Council Administration (2016) in the Victorian Government Gazette, the Alpine Observer / Myrtleford Times newspapers, and on Council's website.*
4. *Advise the Minister for Local Government that Local Law No.1 Council Administration (2016) has been adopted.*

*Carried*

#### BACKGROUND

Council is required by section 91(1) of the *Local Government Act 1989* (the Act) to make laws governing the conduct of meetings of the Council and special committees. Except as is provided in the Act, the conduct of meetings of a council or its special committees is in the council's discretion.

Part 4, Division 2 of the Act provides for procedures that Councils must abide by, and includes specifications around the types of meetings, keeping of minutes, closure of meetings to the public, and voting. Many other sections of the Act specify processes to be undertaken such as election of Mayor.

A local law is a subordinate instrument, and must not be inconsistent with any Act or Regulation.

#### ISSUES

In order to comply with section 91(1) of the Act, Council needs to ensure that it has a valid local law in operation, governing its meeting procedures and the use of its common seal (section 5(3)(c) of the Act).

On 5 July 2016 Council resolved to:

1. *Endorse the proposed Local Law No.1 Council Administration (2016) (as attached) for the purpose of seeking public submissions in accordance with section 119 of the Local Government Act 1989.*



2. *Endorse the Community Impact Statement (as attached) to accompany the proposed Local Law No.1 Council Administration (2016), for the purposes of community consultation.*
3. *Publish public notices of its intention to make Local Law No.1 Council Administration (2016) in the Victoria Government Gazette, the Alpine Observer / Myrtleford Times newspapers, and on Council's website, inviting public comment.*
4. *Present a report to the September 2016 ordinary council meeting to adopt the local law.*

The proposed Local Law was essentially unchanged from the previous version, with only minor amendments to: include provision for Council to make audio-visual recordings of Council meetings; amend the voting section to align with requirements of the Act; and to modify offence penalties from set dollar values to penalty units.

### **POLICY IMPLICATIONS**

The making of the local law is in accordance with the *Local Government Act 1989*. It is also in alignment with the Alpine Shire Council Plan 2013-2017 in the following way:

Performance Focused Organisation - *Strategic Objective 5.4: Ensure a high standard of governance; Strategy 5.4.1 Provide good governance.*

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There have been no budgeted costs against this local law. The law itself sets out offences and fines payable.

### **CONSULTATION**

Section 119 of the Act sets out the procedure required when making a local law. This includes giving public notice in the locally circulating newspaper and in the Government Gazette.

#### **Public submissions**

As part of making the Local Law, section 119(2)(c) of the Act required a section 223 public consultation process, giving the public 28 days to provide comment on the proposed local law. A public notice appeared in the Alpine Observer / Myrtleford Times on 13 July 2016 and in the Victorian Government Gazette on 14 July 2016. The notice also appeared on Council's website under 'on exhibition'. Submissions closed on 12 August 2016.

As part of good practice for the making of local laws, a community impact statement was developed to explain the changes to, and effect of, the local law. This statement accompanied copies of the Local Law while available for public consultation.

No public submissions were received.



### **Gazettal**

Following the period of public consultation, and making of the local law, section 119(3) of the Act requires that a further public notice must appear in the Victorian Government Gazette and locally circulating newspapers to advise of the formal adoption (making) of the local law, and its application.

A copy must also be sent to the Minister for Local Government in accordance with section 119(4) of the Act.

### **Commencement Date**

Section 121(1) of the Act determines that a Local Law comes into operation at the beginning of the day on which the local law is made.

### **CONCLUSION**

It is also a requirement that council has current local laws in place that provide guidance for the use of the council's common seal, and for council and special committee meetings. In making this local law, Council is complying with the processes required.

### **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
- Governance Officer

### **ATTACHMENT(S)**

- 8.1.3      a) Local Law No.1 Council Administration (2016)



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

### **8.2.1 Annual Financial Report and Performance Statement - adoption in principle**

#### **INTRODUCTION**

The purpose of this report is to present the draft Annual Financial Report and Performance Statement for the year ended 30 June 2016 for review and endorsement.

*Cr Farrell*

*Cr Vonarx*

*That:*

- 1. The Annual Financial Report and Performance Statement for the year ended 30 June 2016 as presented be adopted in principle by Council.*
- 2. Cr Keeble and Cr Roper be authorised to certify the Annual Financial Report and Performance Statement for the year ended 30 June 2016 on behalf of Council, once any amendments or changes as requested by the Victorian Auditor General.*

*Carried*

#### **BACKGROUND**

##### **Annual Financial Report**

Each year Council is required to prepare an Annual Financial Report containing financial statements that are audited according to Australian Accounting Standards.

The financial statements show Council's financial performance, financial position, and cash flows against the previous year, and comprise of a:

- Comprehensive Income Statement,
- Balance Sheet,
- Statement of Changes in Equity,
- Statement of Cash Flows, and
- Statement of Capital Works.

In summary, Council ended the 2015/16 year with a deficit of \$198K. The unfavourable result is attributed to only receiving half of its allocation of the Financial Assistance Grants due to the Victorian Grants Commission paying \$1.7 million in advance in June 2015, last financial year. If the Financial Assistance Grants full amount had been received in the current year Council would have derived a surplus of \$1.5 million.

Employee costs are slightly unfavourable to budget. This is due to Council incurring redundancy costs of \$562K for all Home and Community Care (HACC) staff. Council's HACC services were recommissioned to another provider by the Department of



Health and this change came into effect from 30 June 2016. Without this unexpected expense Council's employee costs would have been \$458K favourable to budget.

The landfill rehabilitation expense is mainly attributed to an unbudgeted increase in remediation costs for the Myrtleford Landfill. The Myrtleford landfill (not the transfer station) is going to be closed and waste will be diverted to alternate, more efficient landfills. This decision was made by Council due to the low volume and high costs associated with maintaining the landfill. Work conducted has provided more accurate costings associated with the remediation.

Council had a capital works budget of \$8.7 million of which \$7.4 million was spent. Within the projects residing in the Asset Development area there was \$1.6 million identified as operating expenditure and this has been expensed to materials and services rather than capitalised. The Capital Works Statement thus shows \$5.8 million in capitalised assets.

Projects expensed included:

- Flood recovery \$245K – attributed to the mudslide at Eurobin.
- Mount Beauty Progressing Place – Lakeside \$170K due to much of the works being outdoor furniture and landscaping works which are not capitalised under Council's Capitalisation policy.
- Mount Beauty Progressing Place – CBD \$224K due to much of the works being outdoor furniture and landscaping works which are not capitalised under Council's Capitalisation policy.
- Porepunkah landfill works \$166K – remediation of landfills are not considered an asset.
- Rural roads drainage \$151K – earth works for drainage are not capitalised under Council's Capitalisation policy.

Delivery of the capital works program included increased road renewal spend due to additional Roads to Recovery funding, completion of Mount Beauty Progressing Place Lakeside and CBD, completion of Lakeview Children's Centre stages one and two and installation of additional holiday cabins at the Myrtleford Holiday Park.

### **Performance Statement**

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

The performance statement comprises:

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

2016 is the second year that uniform performance reporting across all Victorian Councils has been implemented.



### Service Performance Indicators

Council now has one year's worth of data to compare performance results to, with some movement in Council's results being evident. In some cases this is due to a concerted effort to improve Council's performance – for example, visitation to Council's pools has improved on the previous year, attributable to early bird season passes, extended operating / opening hours, and growing the Learn to Swim programs. In other cases, it is due to a change in ability to report or capture data more accurately, a decision to implement demand reduction, or to focus on increased participation in a service.

### Financial Performance and Sustainable Capacity Indicators

Some movement in financial indicators has occurred, primarily due to Council paying out its loans in July 2015, and receiving Financial Assistance Grant payments for 2015/16 in the prior year.

Nevertheless, the indicators show that Council is financially sustainable and that services are being delivered within expected parameters.

## **ISSUES**

The Annual Financial Report and Performance Statement were still being audited at the time of writing this report. Whilst the Victorian Auditor General can still make changes, any changes would be expected to be minor in nature. The Financial Statements must be adopted by Council prior to 30 September each year as required by section 133 of the *Local Government Act 1989*.

The authorised Councillors will be required to certify the report and statement after any amendments or changes requested by the Victorian Auditor General have been made.

## **POLICY IMPLICATIONS**

### **Legislative Issues**

Section 131 of the Local Government Act (Annual Report – contents) requires Council to prepare an annual report which contains:

- Audited financial statements;
- Audited performance statements; and
- Audited financial statements against the budget (section 127) known as Standard Statements.

Section 132 of the Local Government Act (Annual Report – Preparation) requires Council to submit an annual financial report which is audited.

Division 2 of the Local Government (Planning and Reporting) Regulations prescribe the performance statement contents and form.

Part 3 of the Audit Act 1994 requires Council's auditors to prepare a report on the financial statements.



### Risk Management

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Change in accounting standards	L	L	Continuous liaison with auditors. Receive updates from industry bodies including FinPro and Institute of Chartered Accountants. Regular staff training.
Change in legislation	L	L	Continuous liaison with auditors. Receive updates from industry bodies including FinPro and Institute of Chartered Accountants. Regular staff training.
Error in financial statements	L	L	Financial statements are audited. Any errors will be amended. Council has year-end controls and reconciliations in place to minimise the risk of errors occurring. Auditors Closing Report identifies issues raised by the auditors. Auditors have a teleconference with the Audit Committee without management's presence to gain comfort over the year end controls.

The Annual Financial Report and Performance Statement outcomes are consistent with the Council Plan and Budget as follows:

2013-2017 Council Plan	
Strategic Objective 5.2	To manage resources well to ensure sustainability
2015/16 Budget	
Strategic Objective 2.5	Performance focused organisation

### CONCLUSION

Council has ended the financial year with a deficit; however this was derived due to \$1.7 million of the Financial Assistance Grants being received in the prior year. If Financial Assistance Grants were received in the year to which they relate Council would have derived a profit of \$1.5 million.





### **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

### **ATTACHMENT(S)**

- 8.2.1 a) 2015/16 Annual Financial Report (Draft)
- 8.2.1 b) 2015/16 Performance Statement (Draft)



## 8.2.2 Finance Report - Quarterly Review

File Number:

### INTRODUCTION

The purpose of this report is to provide a summary of how Council has performed during quarter 4 against budget and forecast. This report has been prepared based on the figures available at the time of audit, however is structured in a management reporting layout (consistent with previous quarterly reports) and not in accordance with accounting standards.

*Cr Roper*

*Cr Pearce*

*That Council:*

- 1. Adopt the Finance Report - Quarterly Review for the quarter ending 30 June 2016.*

*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 is required under section 138 of the *Local Government Act 1989*. This report has not been audited; however the year end results are consistent with the annual financial statements at the time of preparation of this report.

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.

## ISSUES

In summary, Council ended the 2015/16 year with a deficit of \$198K. The unfavourable result is attributed to only receiving half of its allocation of the Financial Assistance Grants due to the Victorian Grants Commission paying \$1.7 million in advance in June 2015, last financial year. If the Financial Assistance Grants full amount had been received in the current year Council would have derived a surplus of \$1.4 million.

Employee costs are slightly unfavourable to budget. This is due to Council incurring redundancy costs of \$562K for all Home and Community Care (HACC) staff. Council's HACC services were recommissioned to another provider by the Department of Health and this change was effective from 30 June 2016. Without this unexpected expense Council's employee costs would have been \$458K favourable to budget.

The landfill rehabilitation expense is mainly attributed to an unbudgeted increase in remediation costs for the Myrtleford Landfill. The Myrtleford landfill (not the transfer station) is going to be closed and waste will be diverted to alternate, more efficient landfills. This decision was made by Council due to the low volume and high costs associated with maintaining the landfill. Work conducted has provided more accurate costings associated with the remediation.

Council had a capital works budget of \$8.7 million of which \$7.4 million was spent. Within the projects residing in the Asset Development area there was \$1.6 million identified as operating expenditure and this has been expensed to materials and services rather than capitalised. The Capital Works Statement thus shows \$5.8 million in capitalised assets.

Projects expensed included:

- Flood recovery \$245K – attributed to the mudslide at Eurobin.
- Mount Beauty Progressing Place – Lakeside \$170K due to much of the works being outdoor furniture and landscaping works which are not capitalised under Council's Capitalisation policy.
- Mount Beauty Progressing Place – CBD \$224K due to much of the works being outdoor furniture and landscaping works which are not capitalised under Council's Capitalisation policy.
- Porepunkah landfill works \$166K – remediation of landfills are not considered an asset.



- Rural roads drainage \$151K – earth works for drainage are not capitalised under Councils capitalisation policy.

Delivery of the capital works program included increased road renewal spend due to additional Roads to Recovery funding, completion of Mount Beauty Progressing Place Lakeside and CDB, completion of Lakeview Children's Centre stages one and two and installation of additional holiday cabins at the Myrtleford Holiday Park.

### **POLICY IMPLICATIONS**

The *Local Government Act 1989* (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 Councils website once it has been adopted by Council.

### **CONCLUSION**

Council has ended the financial year with a deficit; however this was derived due to \$1.7 million of the Financial Assistance Grants being received in the prior year. If Financial Assistance Grants were received in the year to which they relate Council would have derived a profit of \$1.3 million.

### **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)**

- 8.2.2 Finance Report - Quarterly Review for the quarter ending 30 June 2016



### 8.2.3 Audit Committee Meeting Minutes - July 2016

File Number: 0900.06

#### **INTRODUCTION**

The purpose of this report is to present the minutes of the 26 July 2016 Audit Committee (the Committee) meeting to Council.

A key item on the agenda was the welcoming of two new independent committee members and the nomination and recommendation to Council of the Chair of the Committee.

The Committee considered the 2015/16 Quarters 3 and 4 Health and Safety Report (Confidential) for endorsement and recommendation to Council for adoption.

Other key items presented for the information of the Committee were:

- Dinner Plain audit report;
- Asset valuation report;
- JMAPP property risk management audit; and
- Annual financial and performance audit and report program.

*Cr Farrell*

*Cr Keeble*

*That the minutes of the 26 July 2016 Audit Committee meeting be received and noted and the following Audit Committee recommendations be adopted:*

*That:*

- 1. Sue Lebish be appointed to the role of Chair of the Audit Committee for 2016/2017;*
- 2. The confidential 2015/2016 Quarters 3 and 4 Health and Safety Report be adopted.*

*Carried*

#### **BACKGROUND**

##### **Welcome of new members**

The Audit Committee extended a welcome to two new independent members Jane Shepherd and Sinead Ryan.

##### **Nomination and recommendation of Chair**

The Alpine Shire Council Audit Committee Charter 2015 sets out the requirements for the appointment of the Chair of the Audit Committee. Specifically, section 3 of the Charter stipulates that:

*"The Alpine Shire Council will appoint ..... the Audit Committee Chair.*

*The Audit Committee will nominate and recommend to Council a Chair each year.*



*The Chair of the Audit Committee must be an independent member."*

The Audit Committee nominated and recommends to Council independent member Sue Lebish as Chair of the Committee for the 2016/2017 12 month period.

### **2015/16 Quarters 3 and 4 Health and Safety Report - Confidential**

The Audit Committee reviewed the 2015/16 Quarters 3 and 4 Health and Safety Report (Confidential). Quarters 3 and 4 saw consistent improvement in health and safety event reporting and participation in the Health and Safety Committee. The employee training, education and awareness focus during quarters 3 and 4 was on mandatory licensing, certification and accreditation and workplace emergency management.

### **IMPLICATIONS**

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

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

This report is consistent with the following strategic documents:

Council Plan 2013-2017 (2016 Review)	
Theme 5: Performance Focused Organisation	
Strategic Objective 5.2	To manage resources well to ensure sustainability
Strategic Objective 5.3	To support people and business practices
Strategic Objective 5.4	To ensure a high standard of governance
2015/16 Budget	
Section 2.5	Performance focused organisation

### **CONCLUSION**

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

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

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

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

### **ATTACHMENT(S)**

- 8.2.3 a) Audit Committee Meeting Minutes 26 July 2016
- 8.2.3 b) Confidential Health and Safety Report



#### **8.2.4 Contract award for the provision of labour hire and accompanying technology solutions**

File Number: CT1603201

##### **INTRODUCTION**

The purpose of this report is to award a three year contract for the provision of labour hire services, primarily for seasonal pool staff and cleaners.

*Cr Roper*  
*Cr Forsyth*

Cr Roper moved to go in camera with Councillors only to discuss the report.

*Cr Vonarx*  
*Cr Keeble*

Council move into confidential business under section 89(2)(e) contractual matter.  
Information is of commercial nature. 7.55pm

*Cr Vonarx*  
*Cr Keeble*

Cr Vonarx moved to resume standing orders at 8.02pm

Cr Forsyth proposed alternative motion:

*Cr Roper*  
*Cr Forsyth*

*That:*

- 1. Contract number 1603201 be awarded to MomentumOne Shared Services Pty Ltd, for the provision of labour hire and accompanying technology solutions for a three year term, according to a comprehensive schedule of rates, and*
- 2. Contract 1603201 be signed and sealed at the appropriate stage of this meeting.*

Motion lost.



Cr Vonarx proposed alternative motion

*Cr Vonarx*

*Cr Roper*

*That:*

- 1. Contract number 1603201 be awarded to MomentumOne Shared Services Pty Ltd, for the provision of labour hire and accompanying technology solutions for a three year term, according to a comprehensive schedule of rates*
- 2. Schedule 3 of MomentumOne's tender be included in the contract, providing Council access to additional competitive rates for other employee classifications associated with aquatic and recreational facilities and cleaning*
- 3. Contract 1603201 be signed and sealed at the appropriate stage of this meeting.*

*Carried*

## **BACKGROUND**

### **MomentumOne**

Local Government in Victoria is experiencing immense change. The pressures of rate capping, the Grants Commission indexation freeze, the cessation of several previously reliable grant programs, and the introduction of the Local Government Performance Reporting Framework, have not been experienced for twenty years. The implications are significant and demand a considered and strategic response.

At its October 2015 ordinary meeting, Council resolved to, 'participate in the formation and operation of a corporation with Towong Shire Council, according to s193(1)(a) of the *Local Government Act 1989*, for the purposes of sharing services'.

The purpose of the resolution was to create a joint venture in response to local government reform, that would be highly competitive as a result of its:

- scale - resulting in improved procurement outcomes, technology driven systems, service flexibility, innovation and reduced duplication, and
- focus - through competing for business to survive a more private enterprise type approach to employee and materials costs will prevail

MomentumOne Shared Services Pty Ltd was created as a result, with the ability to tender for any services that Council, and other municipalities, seek to market test.

### **Trial**

Council successfully trialled MomentumOne during the 2015/16 pool season, by purchasing staff and automated systems and workflows. That test delivered estimated savings of \$45,000 and proved the potential of outsourcing certain functions. Supervision issues associated with the trial are acknowledged and will be rectified in future models.





### **Invitation to tender**

On 23 July, Council invited tenders for the three year provision of labour hire and accompanying technology solutions, with a closing date of 5 September 2016.

The Invitation to Tender was advertised on-line and in the Herald Sun and the Alpine Observer (according to the Procurement Policy).

### **Response**

Tender documents were viewed by 22 and downloaded by 9 contractors, only one returned an offer.

### **Tender evaluation**

The sole tender was considered against the published evaluation criteria:

- Competitive hourly rate
- Level of conformance
- Experienced labour hire organisation
- Personnel to meet operational needs
- Ability to effectively recruit, induct and manage personnel, and
- Ability to offer technological solutions

by an evaluation panel consisted of an Independent member (a member of the Audit Committee), the Manager Facilities, and the Director Corporate Performance.

Councillors have been provided with a confidential tender recommendation and price comparison under separate cover.

### **Evaluation conclusion**

MomentumOne satisfactorily meets all of the published evaluation criteria and is likely to result in significant savings, both costed and un-costed, to Council, and are therefore recommended as the preferred Tenderer.

## **ISSUES**

### **Sole tender**

Two of the eight contractors that downloaded documents but didn't submit a tender were randomly selected and asked why not.

One replied that, 'after thorough research his company believed that they would be uncompetitive against MomentumOne's price and technology solutions'.

The other replied that, 'the municipality would be too difficult to service geographically'.

### **Probity**

A probity plan has been developed and adhered to, addressing the following issues:

- MomentumOne is a joint venture between Alpine and Towong Shire Councils
- Alpine and Towong Shire Councils are 50/50 shareholders in MomentumOne



- the CEOs of both Councils are also the Directors of MomentumOne

Refer to the attached Probity Plan.

### **Competitive Neutrality**

Competitive neutrality policy measures are designed to achieve a fair market environment. The State's competitive neutrality policy applies only to the significant business activities of publicly owned entities.

It is the responsibility of local governments to determine whether their business activities fall within the scope of competitive neutrality policy.

MomentumOne's tender has been considered against the Department of Treasury and Finance competitive neutrality policy and Council is satisfied that the requirements under the policy are met.

### **POLICY IMPLICATIONS**

This recommendation is consistent with the following Council Plan strategies:

- 5.2.1 – deliver responsible and prudent financial management, and
- 5.2.2 – deliver best value programs and services



## FINANCIAL AND RESOURCE IMPLICATIONS

MomentumOne's schedules of rates are very competitive and have the potential to save more than the \$136,000 (15%) identified the following comparative costs table:

	Existing	MomentumOne	Savings	
Year one				
Seasonal pool staff	\$168,654	\$138,681	\$29,973	
Cleaners	\$135,525	\$120,735	\$14,790	
Year one sub-total	\$304,179	\$259,416	\$44,763	
Year two sub-total	\$308,741	\$263,307	\$45,434	Year 2 and 3 sub-totals are based on a CPI increase of 1.5%
Year three sub-total	\$313,372	\$267,257	\$46,116	
Contract term totals	\$926,293	\$789,979	<b>\$136,313</b>	

The comparison doesn't take into account:

- MomentumOne's access to a sliding pay scale for teenagers
- the positive effect of MomentumOne's innovative technology solutions on Council's business (including administrative savings such as recruitment, payroll, and OHS), or
- the option of accessing MomentumOne's additional rates (Schedule 3 in their tender) for other staff classifications

all of which will provide further un-costed savings.

## CONCLUSION

Following a comprehensive evaluation (conducted according to the Probity Plan), it is considered that the tender from MomentumOne Shared Services Pty Ltd will provide best value for Council.

## DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate Performance
- Manager Facilities
- Manager Corporate

## ATTACHMENT(S)

- 8.2.4 b) Probity Plan



### 8.2.5 Waste Contract Extensions

File Number: 110220; 1102204; 201102202 & 1102203

#### INTRODUCTION

The purpose of this report is to activate a two year extension on each of the listed, expiring contracts.

*Cr Pearce*

*Cr Farrell*

*That:*

- 1. Contract No. 1102201 with P & A Smith, for the provision of Public Waste and Recycling Collection - Upper & Lower Ovens Valley, be extended by 2 years to 31 August 2018.*
- 2. Contract No. 1102202 with P & A Smith, for the provision of Facility Cleaning Services - Upper & Lower Ovens Valley, be extended by 2 years to 31 August 2018.*
- 3. Contract No. 1102203 with Mount Beauty Carpet Care Pty Ltd, for the provision of Facility Cleaning Services - Kiewa Valley, be extended by 2 years to 31 August 2018.*
- 4. Contract No. 1102204 with Mount Beauty Carpet Care Pty Ltd, for the provision of Public Waste and Recycling Collection - Kiewa Valley, be extended by 2 years to 31 August 2018.*

*Carried*

#### **BACKGROUND**

The current contracts were awarded at the August 2011 Ordinary Council Meeting following a state wide invitation to tender process.

The contracts commenced on 1 September 2011, for a five year period; each has two 2 year extension options available.

P&A Smith and Mount Beauty Carpet Care are satisfactorily meeting the requirements under their contracts.

The contracts are based upon a schedule of rates that tabulates contracted prices against standard services and additional services. Costs are billed monthly based upon agreed standard services and agreed services.

#### **ISSUES**

A review of waste services is almost completed, analysing kerbside collection, transfer station/landfill operation, and public waste, recycling and cleaning.

Regarding public waste, recycling and facility cleaning, the review finds that:

- the current contracts are very cost effective (including against in-house service delivery)



- the current contractors are satisfactorily delivering the quality elements of the contracts, and
- granting a two year extension of each contract will provide best value to the community and Council

Councillors have been separately briefed on the waste services review.

### **POLICY IMPLICATIONS**

The preparation of the proposed contract extension is consistent with the requirements of the Procurement Policy

This recommendation is consistent with the following Council Plan Strategic strategies:

- 2.2.1 - minimise the impact of Council services on the environmental amenity of the community
- 5.2.2 - deliver best value programs and services

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The 2016/17 budget allocation for the provision of these contracted services is:

Provision of Public Waste and Recycling Collection - \$124,000

Provision of Facility Cleaning Services - \$156,400

### **CONCLUSION**

The recommendation to extend the current contracts by two-year represents best value will allow continuation of the current services within the available budget.

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

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

- Director Corporate Performance
- Manager Facilities

### **ATTACHMENT(S)**

- Nil



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

#### **8.3.1 Better Indoor Stadiums Fund – Myrtleford Indoor Sports Stadium Expansion**

File Number: 1780.82

##### **INTRODUCTION**

An opportunity exists for Council to seek funding to establish a second indoor sports stadium court in Myrtleford. This report outlines the project and details of the proposed funding application and seeks Council's financial commitment towards the project.

*Cr Vonarx*

*Cr Roper*

*That Council:*

- 1. Authorise the submission of a State Government grant application for the expansion of the Myrtleford Indoor Sports Stadium with a Council commitment of no more than \$1,300,000, subject to:*
- 2. The Myrtleford Recreation Reserve Committee of Management committing to the ongoing management and maintenance cost of the expanded facility.*

*Carried*

##### **BACKGROUND**

In September 2014, Council was granted \$30,000 funding from Sport and Recreation Victoria (SRV) under the Community Facility Funding Program to evaluate options for a second indoor sports stadium court in Myrtleford. Following initial stakeholder consultation and screening of potential options, the feasibility study focussed on the following options:

1. Expansion of the existing Myrtleford Indoor Sports Stadium with the addition of a second court;
2. Building a new indoor stadium on a site at the Myrtleford P-12 College; and
3. Building a new indoor stadium on a site at Marian College in Myrtleford.

The benefits and disadvantages of each option have been investigated. The estimated cost and viability has been established, and possible management models have been considered.

The feasibility study report presents a conclusion that there is strong latent demand for additional indoor sports facilities in Myrtleford, which cannot be satisfied with the existing stadium. The recommended option for providing an additional court is through expansion of the existing facility. The estimated cost of expanding the stadium with the addition of a second court is \$2.6 million.

On 1 July 2016 the Better Indoor Stadiums funding program opened. This is a Victorian Government funding program that helps provide indoor multi-sport stadiums across metropolitan Melbourne and regional Victoria. The fund assists in



meeting the community demand for indoor sport and recreation participation opportunities.

Applicants seeking funding need to outline how the project will increase or maintain participation; encourage participation by females, juniors, people living in growth areas and communities experiencing disadvantage; and improve the health and wellbeing of the community. Priority will be given to projects that can demonstrate collaboration with schools and multiple sporting organisations, are of regional significance and can also demonstrate gender equity of programming.

The Better Indoor Stadiums Fund is only accessible to local government authorities. The maximum funding allocation per application is \$3 million, and for rural councils a maximum funding ratio of \$1:\$1 is applicable. 25 per cent of the requested grant amount must be allocated to components that will improve energy or water efficiency and environmental sustainability. Applications are due 20 September 2016.

## **ISSUES**

The support of, and a partnership with both the Myrtleford P-12 and Marian colleges is critical to a successful funding application. Expansion of the existing stadium on the Myrtleford Recreation Reserve has been identified as the preferred option in the feasibility study, and is the preferred option for Marian College. Whilst the preferred option for Myrtleford P-12 College is a new single court stadium on their school site, they are supportive of the expansion of the existing stadium or a new stadium at Marian College. Myrtleford P-12 College has indicated that it would commit at least \$250,000 to the capital cost of the project if it was located on their school grounds.

Expansion of the existing stadium will require a significant financial commitment from Council and community partners. The Myrtleford and District Basketball Association indicated that it would contribute \$50,000 towards the capital cost of an expanded stadium. Council's application would be further strengthened with a financial commitment from other community partners. Contributions are currently being sought from Myrtleford P-12 College, Marian College, Bendigo Bank and the Lions Club.

To ensure the ongoing management and maintenance of the expanded facility is sustainable, a multi-party agreement will need to be formalised between the Myrtleford Recreation Reserve Committee of Management, Myrtleford Indoor Sports Stadium Committee of Management, and key users of the facility. In effect, Council will not be financially responsible for the ongoing management and maintenance of the expanded facility.

## **POLICY IMPLICATIONS**

Implementation of the Myrtleford Indoor Sports Stadium Expansion is consistent with the following Strategic Objectives of the Council Plan:

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



## **FINANCIAL AND RESOURCE IMPLICATIONS**

The estimated cost of the stadium expansion is \$2.6 million, with \$1.3 million to be sought from grant funding and the remaining \$1.3 million from Council funds and other community partners. It is anticipated that this expenditure would be incurred over the 2017/18 and 2018/19 financial years, with the majority of spend coinciding with the construction phase of the project in 2018/19.

The impact of committing to the stadium expansion has been modelled in the Long Term Financial Plan (LTFP). The existing adopted 2016/17 LTFP shows unallocated building funds of \$926k, \$1,122k and \$1,900k in 2017/18, 2018/19 and 2019/20 respectively. The proposed LTFP including the Myrtleford Sports Stadium Expansion shows unallocated building funds reduced to \$606K in 2017/18 and zero in 2018/19, with no impact beyond 2018/19. In both scenarios, \$300K has been allocated to the Alpine Events Park in 2017/18 and 2018/19.

A review of historic data shows a building renewals spend of \$159k, \$474k and \$89k in the 2013/14, 2014/15 and 2015/16 financial years respectively. In the 10 years prior to this, from 2003/04 to 2012/13, the average annual capital spend on buildings was \$772k. A breakdown of this data into renewal and upgrade/new spend is not available. Capital expenditure on buildings is typically tied in with external funding opportunities.

## **CONSULTATION**

Key stakeholders have been regularly consulted throughout the feasibility assessment:

1. A kick-off meeting was held in October 2015 with representatives from Council, the Myrtleford Indoor Sports Stadium Committee of Management, Facilities Manager, Myrtleford P-12 and Marian colleges, and all user groups of the existing stadium;
2. All existing and potential facility users and key stakeholders have been consulted individually to identify key issues, priorities and opportunities;
3. A workshop was held with key stakeholders in December 2015 where the draft architectural plans and cost estimates were presented for comment;
4. Further strategic planning was undertaken with the Myrtleford and District Basketball Association to ensure adequate succession planning is in place; and
5. The draft feasibility study report was presented to key stakeholders in April 2016.

Sport and Recreation Victoria have supported the feasibility study with grant funding, and are supportive of an application to the Better Indoor Stadiums Fund on the basis of the recommendations of this feasibility study.





## **CONCLUSION**

A feasibility study has demonstrated strong latent demand for an additional indoor sports stadium court in Myrtleford, and the recommended option is to expand the existing Myrtleford Indoor Sports Stadium with the addition of a second court.

The stadium expansion fulfils the requirements for funding under the Better Indoor Stadiums Fund.

The LTFP has unallocated building funds in 2017/18 and 2018/19 which could fund Council's maximum contribution to the cost of the stadium of \$1.3 million. Such a commitment would reduce unallocated building funds to zero in 2018/19, unless funds allocated in 2019/20 are brought forward. Securing additional third party contributions to the cost of the build would reduce Council's commitment.

## **DECLARATION OF CONFLICT OF INTEREST**

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

- Manager Asset Development
- Director Assets

## **ATTACHMENT(S)**

- Nil



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

### **8.4.1 Alpine Amendment C51 Review of the Schedule to the Heritage Overlay**

File Number: 1468.51

#### **INTRODUCTION**

The purpose of this report is to update Council on Amendment C51 to the Alpine Planning Scheme which seeks to:

(1) Update the schedule to the Heritage Overlay following a review by adding 105 new places to the Schedule, removing 2 items and amending 42 addresses from parcel to street addresses.

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 C51.

Cr Roper moved an alternative motion.

*Cr Roper*

*Cr Keeble*

*That the proposed Planning Scheme Amendment C51 be abandoned.*

Motion lost

*Cr Vonarx*

*Cr Farrell*

*That Council:*

- 1. endorse Officers recommended position on all the submissions received to Planning Scheme Amendment C51 as outlined in Appendix 1 of the officers report;*
- 2. adopt Amendment C51 to the Alpine Planning Scheme under Section 29(1) of the Planning and Environment Act 1987;*
- 3. authorise Amendment C51 to the Alpine Planning Scheme to be submitted to the Minister for Planning for Approval under Section 31(1) of the Planning and Environment Act 1987.*

Motion lost

A Division was called for by Cr Farrell

For: Cr Vonarx, Cr Janas, Cr Keeble and Cr Farrell

Against: Cr Roper, Cr Pearce and Cr Forsyth

*Carried*



## **BACKGROUND**

The Alpine Planning Scheme's schedule to the Heritage Overlay was last reviewed in 2003 when the Bright Court House and Lock Up were added to the Schedule.

In 2004 Council received funding from State Government to undertake a Thematic Environmental History of the Shire. This detailed the history of the Shire noting its environmental, alpine, built, mining and agricultural history.

Following the completion of the Thematic Environmental history citations detailing the historical significance of a variety of buildings and places were written between 2004 and 2008.

In 2008 consultation was carried out on the Thematic Environmental history and citations. The history and citations were not incorporated into the planning scheme until the proposal in 2016 to exhibit formally as part of Amendment C51. Exhibition took place between 5th May 2016 and 17 June 2016 for 6 weeks.

20 submissions were received through the exhibition process.

## **ISSUES AND CONSULTATION**

Consultation took place on Amendment C51 during the exhibition period. Letters were sent out to landowners and occupiers using the rates database. Notification was sent to prescribed ministers, referral authorities along with general advertisements of the amendment being placed in the Alpine Observer and the Myrtleford Times twice during the exhibition period. A post on Facebook also took place. Exhibition was between 5 May and 17 June 2016. The exhibition period was longer than the statutory notice period to ensure people could input into the Amendment.

There were about thirty counter and telephone enquiries. Twenty submissions were received from statutory agencies as well as members of the public. Appendix 1 details the submissions received including who they were, what was said, Council's response and the further response from the submitter.

The predominant issues for telephone and counter enquiries focussed on what the Heritage Overlay would actually mean for property owners and what it would or would not allow people to do. Comments were also made relating to the historical facts written in the citations, some stating that the facts were incorrect. This has led to the need to carry out further investigations.

There were 5 submissions from statutory agencies including the North East Water (NEW), Department Environment Land Water and Planning (DELWP), North East Catchment Management Authority (NECMA), Vic Roads and the Department Economic Development, Jobs, Transport and Resources (DEDJTR). The NECMA submission did not raise any objections. Vic Roads, NEW and DELWP wanted to ensure that they could do routine maintenance and carry out emergency repairs to their infrastructure. The Planning Legislation allows these to occur without approvals. DEDJTR wanted the Sambas Mine to be deleted because some of the heritage items listed for protection on the Overlay may cause environmental harm. Further



investigations and a rehabilitation plan are required so the item has been deleted from the proposed Overlay.

A further 15 submissions were received from members of the public. These are detailed in Appendix 1 of this report. Ministerial Direction 15 sets out timelines to complete the various stages of a planning scheme amendment. Some of the submissions require further investigation including sites visits, discussions with Council's Heritage Adviser and work with Heritage Victoria. Because of this it is proposed that these items requiring further investigation are temporarily deleted from the Heritage Overlay which will allow Council to meet its timelines obligation under Ministerial Direction 15. These items will become the subject (phase 2) of a future planning scheme amendment to update the Heritage Overlay.

### **POLICY IMPLICATIONS**

The amendment amends some of the strategic directions for land use related to heritage in Alpine Shire, including amending policy directions for protection and conservation of significant heritage items through the review of the Schedule to Heritage Overlay.

This 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 five out of the seven key directions of:

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,

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**

Amendment C51 has been prepared using internal resources. Funding is available in the 2016/2017 budget for this amendment.

### **CONCLUSION**

Council has used existing reports written between 2004 and 2008 that identify historical data and properties of significance to be included in a revision of the Schedule to the Heritage Overlay. Amendment C51 will improve the effectiveness of



the Alpine Planning Scheme by implementing the findings of this revision and in doing so acknowledge the Shire's heritage.

Twenty submissions were received to C51. This is a small number considering the number of properties to be listed.

Council is now required to endorse the position statement in Appendix 1 in response to submissions, adopt the amendment and endorse Amendment C51 to be sent 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;
- Acting Manager Planning and Amenity; and,
- Strategic Planner.

#### **ATTACHMENT(S)**

- 8.4.1 Appendix 1 details of submissions and Council's response to them.



**8.4.2 Planning Application 5.2016.39.1 – Proposed Telecommunications Tower, Rosewhite**

Application Number:	5.2016.39.1
Proposal:	Development of the land with a telecommunications facility
Applicant's Name:	Visionstream Pty Ltd (on behalf of Telstra Corp Ltd)
Owner's Name:	W Maguire
Address:	CA 4A Sec 23 Parish of Barwidgee, 182 Havilah Road, Rosewhite
Land size:	54.35 hectares
Current use and development:	Grazing and single dwelling
Site features:	The site is gently undulating and has been developed with a single storey dwelling located near the middle of the site's frontage to Havilah Road. The site is largely cleared with the exception of vegetation located along waterways and in the vicinity of the dwelling. The remainder of the site is pasture grass.
Why is a permit required?	Buildings and works for a telecommunications facility under the provisions of Clause 52.19 Telecommunications Facility.
Zoning:	Farming Zone
Overlays:	Significant Landscape Overlay - Schedule 2
Restrictive covenants on the title?	No
Date Received:	6 April 2016
Planner:	Simon Maughan

*Cr Keeble*

*Cr Forsyth*

*That Council issue a Notice of Decision to Grant a Planning Permit for buildings and works for a telecommunications facility at 182 Havilah Road, Rosewhite in accordance with the conditions outlined in Appendix A.*

*Carried*



### **REASON FOR THE RECOMMENDATION**

- The proposed telecommunications facility is generally consistent with the relevant provisions of State and Local Planning Policy Frameworks.
- The proposal complies with the purpose and decision guidelines of Clause 52.19 Telecommunications Facility.
- The proposed telecommunications facility would be sited so as to minimise visual impacts on the Happy Valley Significant Landscape Area.
- The proposed telecommunications facility would deliver modern telecommunications infrastructure to an area that has been identified as a mobile black spot area providing a net benefit to the community.

### **PROPOSAL AND BACKGROUND**

It is proposed to construct a telecommunications facility on the site. The facility would comprise:

- A 35 metre high concrete monopole
- 6 panel antennas measuring approximately 2533mm x 353mm x 209mm located on a triangular headframe attached to the monopole. The antennas would give the facility an overall height of 36.3 m.
- An equipment shelter measuring approximately 3 metres wide by 2.5 metres long by 3 metres high. The shelter will house electrical equipment associated with the facility.
- Underground optical fibre and power supply.
- A 2.4-metre high chain wire fence to enclose the facility.

The facility is proposed to be set back approximately 150 metres from Havilah Road adjacent to the site's south western boundary and would encompass an area measuring 10 metres by 10 metres. A 3 metre wide access track from Havilah Road would provide access to the site of the facility.



Figure 1 illustrates the proposal. See Appendix B for full set of development plans and photo montages of proposed facility.

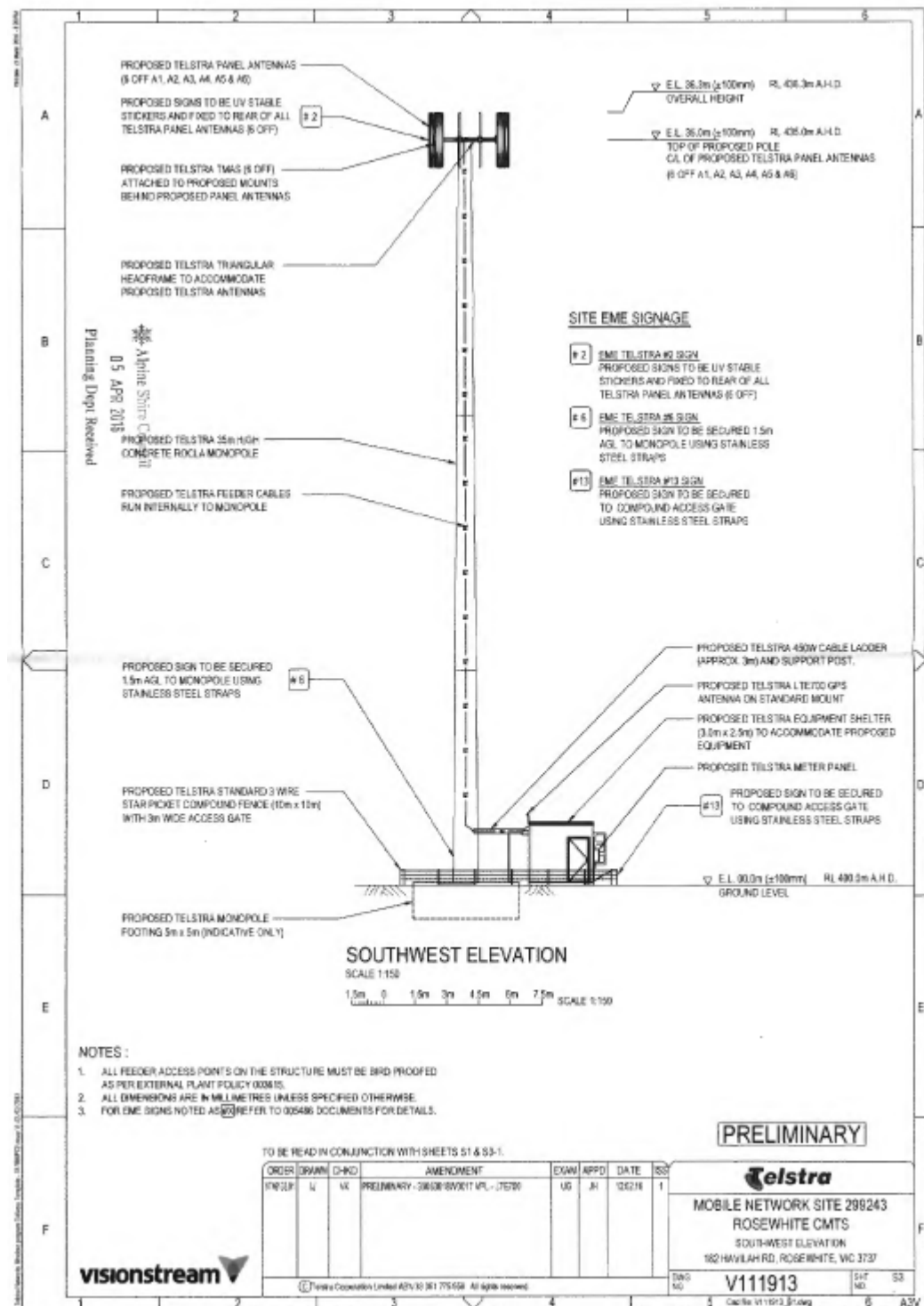


Figure 1: Proposed south-western elevation of the facility





The purpose of the facility is:

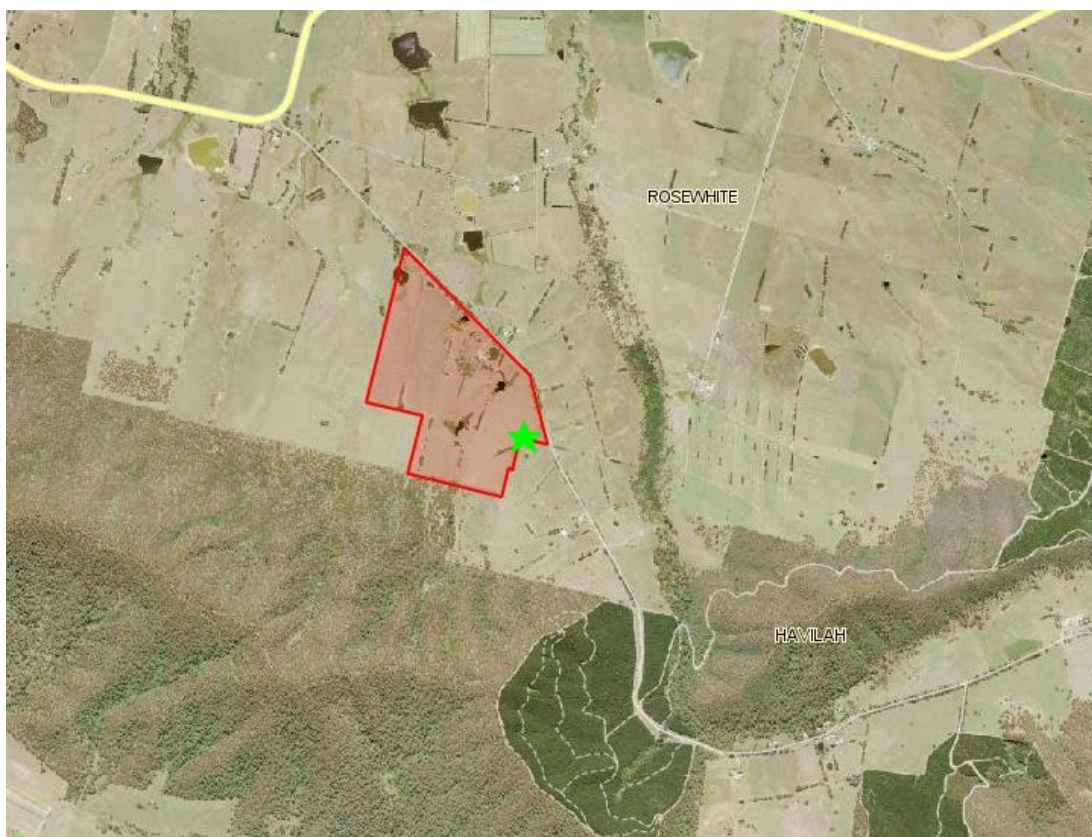
- To provide mobile coverage to areas of Rosewhite and Havilah through the Federal Government's Mobile Black Spot Program to expand mobile coverage in regional and remote Australia.
- To provide capacity relief to existing Telstra sites. The proposed facility would provide relief to the nearest existing Telstra sites in Myrtleford and Bright, and would carry new local cellular traffic in its vicinity. Surrounding sites have been expanded to their 3G maximum capability and this additional site is required to meet the traffic demand and growth in the area.
- To provide reliable NextG Telstra cellular services. Next G is Telstra's product name for an enhanced cellular service.

### **SUBJECT LAND AND SURROUNDS**

The subject site is located on the south-western side of Havilah Road in Rosewhite. It is known as CA 4A Sec 23 Parish of Barwidgee and is one of three titles that form 182 Havilah Road, Rosewhite. The site is 54.35 hectares in area and contains a single dwelling set back approximately 105 metres from the front property boundary.

The site generally slopes from the south to the north and is largely cleared with the exception of vegetation located along waterways and in the vicinity of the dwelling. The remainder of the site is pasture grass. Four watercourses traverse the site – the nearest of which is approximately 130 metres from the proposed telecommunications facility.

The land surrounding the site is located in the Farming Zone and is used for the grazing of cattle. Figure 6 below depicts the subject site and surrounds.



**Figure 2: Subject Site and Surrounds**



**Figure 3: Site Plan**



## **PUBLIC NOTIFICATION**

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice of the application was sent to seven surrounding landowners and occupiers. A sign was displayed on the subject land and a notice was published in the Myrtleford Times and Alpine Observer newspaper. Five objections and one submission of support were received. The grounds of objection are as follows:

- Lack of coverage of the facility to Havilah residents
- Visual amenity of the facility and its impact on the landscape

A planning forum was held on 4 July 2016 at the Happy Valley Hall in Rosewhite to discuss the proposed facility. Invitations to the meeting were sent to all submitters and an invitation to the wider community was posted on Council's Facebook page. The planning forum was attended by about 20 members of the local community, Telstra's Area General Manager, representatives from Visionstream (the applicant), Councillor Ron Janas, CEO - Dave Barry, Director Sustainable Development - Heather Green and Acting Manager of Planning and Amenity - Simon Maughan. A staff member representing Ms Cathy McGowan, MP was also present.

During the meeting the following matters were discussed:

- Details of the application
- Other siting options considered
- Details of the Federal Government's Mobile Black Spot Program
- Existing and proposed coverage
- Visual amenity
- Relevant planning considerations with respect to telecommunication facility applications

All of the objections to the proposal raised concern with the coverage that the telecommunications facility provide and specifically that it would not provide coverage to properties in Havilah valley. Extensive discussion was held around this topic with the following noted:

- Telstra acknowledged that properties in Havilah valley were unlikely to receive coverage due to a steep escarpment separating the valley and the proposed facility.
- The steep topography of the locality means it is not possible to cover all properties.
- Multiple factors such as the technical feasibility of sites, the cost of providing services, site acquisition, landowner consent, local and state approvals, and the existence of local infrastructure all played a part in the selection of the site.
- Alternative satellite technology is available that will provide mobile services to areas that will not be covered by the proposed facility.



- The landline phone service in Havilah suffers frequent drop-outs. Telstra's representative gave an undertaking to have this service assessed and any problems repaired.
- The coverage of the facility is not a matter that can be considered as part of this application.

Since the meeting, one objection has been withdrawn and a further five submissions of support have been received.

## **REFERRALS**

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

## **PLANNING ASSESSMENT**

### **State Planning Policy Framework**

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

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

The strategies to implement the objective can be viewed at

[http://planning-schemes.delwp.vic.gov.au/schemes/vpps/19\\_SPPF.pdf](http://planning-schemes.delwp.vic.gov.au/schemes/vpps/19_SPPF.pdf).

In response to the relevant strategies the following is submitted in relation to the proposed telecommunications tower:

- The proposal will facilitate the upgrading of telecommunications facilities;
- The proposal will enable the local community to have access to modern telecommunications; and,
- The proposal strikes the right balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure. The proposed facility will provide a vital service to the community whilst minimising any visual and environmental impact.

### **Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) includes the following in its objectives at Clause 21.05-2 regarding commercial and industrial activity

- *Support the elimination of telecommunication black spots.*
- *Support the development and installation of improved telecommunications including the National Broadband Network in appropriate locations.*

Strategies to achieve this include:

- *Recognising that development of the digital economy is a great opportunity for rural business growth across the Shire.*





It is considered that the proposed telecommunications facility supports the objectives and strategy of the LPPF as it will provide telecommunication services to a current black spot area. In turn it will assist in the commercial activities of the Shire by providing digital tools for use in business in this area.

### **Zone**

The subject land is zoned Farming pursuant to the Alpine Planning Scheme. There is no permit trigger for the proposal in the Farming Zone provisions.

### **Overlays**

The site is subject to Significant Landscape Overlay Schedule 2 (SLO2) – Happy Valley Significant Landscape Area. There is no permit trigger for the proposal in the SLO2 provisions. It is noted.

### **Particular Provisions**

#### *Clause 52.19 Telecommunications Facility*

A planning permit is required for buildings and works for the proposed telecommunications facility. Before deciding on an application, the responsible authority must consider the following:

1. The principles for the design, siting, construction and operation of a telecommunications facility set out in 'A Code of Practice for Telecommunications Facilities in Victoria'.
2. The effect of the proposal on adjacent land.
3. If the telecommunications facility is located in a Significant Landscape Overlay; the decision guidelines in the overlay and the schedule to the overlay.

#### 1. A Code of Practice for Telecommunications Facilities in Victoria (July 2004)

The Code of Practice sets out four principles for the design, siting, construction and operation of a telecommunications facility. The following is a response to these principles.

#### *Principle 1 – A telecommunications facility should be sited to minimise visual impact.*

The facility would be set back approx. 150 metres from Havilah Road and would be partially screened from view by existing roadside vegetation. It would also be set back approx. 550 metres from the nearest neighbouring dwelling to the south and would be partially screened from this dwelling by vegetation surrounding the dwelling and scattered trees in paddocks between the dwelling and the facility.

In order to further screen the facility, a condition of any approval issued will require the equipment shelter to be screened through the planting of appropriate vegetation around the compound. The applicant will be required to plant trees with a minimum height of 10 metres at maturity as well as lower storey screening vegetation in order to further reduce the visibility of the facility.

It is noted that telecommunication facilities by their very nature are required to be visible in order to have clear transmitting and receiving paths and a balance needs to be struck between minimising the facility's visual impact while providing effective



service coverage. It is considered that this has been achieved for the proposed facility.

*Principle 2 - Telecommunications facilities should be collocated wherever practical.*

The facility is proposed to service a mobile black spot area. There are no opportunities to co-locate the facility on an existing pole or tower.

*Principle 3 - Health standards for exposure to radio emissions will be met.*

The proposal has been designed and will be installed so that that the maximum human exposure levels to radio frequency emissions comply with *Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz*, Arpansa, May 2002. A condition will be placed on any approval issued requiring these health standards to be met.

*Principle 4 - Disturbance and risk relating to siting and construction should be minimised; Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines.*

Construction activity will be limited and will comprise the construction of the access track and minimal excavation of the site to install the tower and equipment shed. Appropriate conditions will be placed on any permit to ensure that site disturbance is minimised and that the works comply with best practice environmental guidelines.

## 2. The effect of the proposal on adjacent land

As discussed, the proposed facility would be located approx. 550 metres from the closest neighbouring dwelling. The facility would be screened from the dwelling by existing vegetation adjacent to the dwelling and in adjoining paddocks. The facility will be further screened with proposed landscaping as detailed above. As such it is considered that the proposed facility will not have a negative impact on the amenity of adjoining properties.

The proposal will have a net positive impact on adjacent land as it will deliver mobile telephone and internet services to these properties, addressing an identified need for mobile telecommunications to these locations and the surrounding area.

## 3. If the Telecommunications facility is located in a Significant Landscape Overlay, the decision guidelines in the overlay and the schedule to the overlay

The site is located in Significant Landscape Overlay Schedule 2 – Happy Valley Significant Landscape Area which is described as follows:

*Happy Valley is surrounded by escarpments and ridges, forested by both native vegetation and softwood, which contrasts with the fertile valley floor. Mount Buffalo is a dominant feature of this landscape as viewed from the eastern end of the valley.*

The proposed tower is to be located on cleared agricultural land near the transition point between cleared farmland floor and heavily vegetated escarpments. Most viewpoints of the proposed facility will have the backdrop of vegetated escarpments which will assist in screening the facility within the landscape. The proposed facility will not impact on views of Mount Buffalo.



The equipment shelter would be unobtrusive and will be screened with vegetation. The monopole would be grey in colour which has been found to be the most effective colour to blend in with the natural landscape. No vegetation is required to be removed to accommodate the facility.

The proposal is considered to have addressed the relevant decision guidelines of the overlay by minimising its impact on the landscape through careful siting, unobtrusive colour and general appearance.

### **General Provisions**

Clause 65 of the Alpine Planning Scheme provides the decision guidelines that must be considered before deciding on an application. The decision guidelines that are appropriate to consider in this instance include:

*'The matters set out in Section 60 of the Act.'*

The matters of section 60 of the Act have been considered in the assessment of the application and it has been determined that the proposed development:

- Is consistent with the Alpine Planning Scheme;
- Is consistent with the objectives of planning in Victoria;
- Is consistent with the purpose of Clause 52.19.

*'The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.'*

The proposal is consistent with the SPPF, LPPF, MSS and local planning policies with regard to the provision of telecommunication facilities.

*'The purpose of the zone, overlay or other provision.'*

The proposal is consistent with the purpose and decision guidelines of Clause 52.19 Telecommunication Facility as outlined in this report.

*'The orderly planning of the area.'*

The proposal would provide a vital service to the community whilst minimising any visual or environmental impact on the site and surrounding landscape.

*'The effect on the amenity of the area.'*

The facility would be sited to reduce any visual impact it may have on the Happy Valley landscape. In turn it would provide an important telecommunications service to the surrounding area, thereby improving amenity for these residents.

*'The proximity of the land to any public land.'*

The subject site is approximately 700 m to the north of the nearest public land and would not impact on its use.

*'Factors likely to cause or contribute to land degradation, salinity or reduce water quality.'*

The footprint of the proposal of 100 sqm is relatively minor in comparison to the size of the site at over 50 hectares. The facility would be located in an area of minimal



slope and would not cause or contribute to land degradation, salinity or a reduction in water quality.

*'Whether native vegetation is to be or can be protected, planted or allowed to regenerate.'*

No vegetation is proposed to be removed to accommodate the proposal. As discussed, a condition of any approval issued will require further planting of native vegetation to be undertaken around the facility.

## **RESPONSE TO GROUNDS OF OBJECTION**

### **Visual Impact**

Consideration on whether the proposed facility is acceptable in the landscape is a key element of this application as the land and surrounding area are covered by Schedule 2 to the Significant Landscape Overlay. The Significant Landscape Overlay applies to Happy Valley due to its contrast between the cleared flat to undulating valley floor and the steep treed mountains. As discussed, the proposed facility would be located near to where the landscape transitions from the valley floor to heavily vegetated escarpments. The presence of these steep hills as a backdrop will assist in reducing the presence of the structure and will enable it to successfully blend in with its surrounds. It is considered that the proposal has struck an appropriate balance between the provision of an important service and its visual impact on the environment.

### **Lack of coverage of the facility to Havilah residents**

Due to a steep escarpment separating the proposed facility and Havilah valley, the facility will not provide coverage to properties in Havilah valley. To that end, the applicant has provided details as to the multi-faceted criteria used to determine the choice of new facilities under the Mobile Black Spot Program. This includes identifying areas with a lack of outdoor coverage and the number of people who would benefit from a new facility. Other factors such as the technical feasibility of sites, the cost of providing services, site acquisition, landowner consent, local and state approvals, and the existence of local infrastructure all played a part in the selection of the site.

All of the above criteria were applied to choose the proposed site that aims to provide new and improved coverage to parts of both the Havilah and Rosewhite localities. Notwithstanding the site selection criteria, it is inevitable that some locations will not receive coverage. This is particularly the case in a location with such steep topography.

While a section of Havilah valley will not receive coverage, large areas of the Rosewhite locality will receive coverage as a result of the facility. See Appendix C for existing coverage and proposed coverage of

Ultimately the planning permit application can only be assessed against the relevant decision guidelines of the planning scheme for telecommunications facilities. The coverage of the facility is not a matter that can be considered as part of this application, as it does not form part of the decision guidelines in the relevant clauses





of the Alpine Planning Scheme or the Code of Practice for Telecommunications Facilities in Victoria. Accordingly, the objections citing a lack of coverage to properties in Havilah valley cannot be considered in determining the application.

### **CONCLUSION**

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

- The proposed telecommunications facility has been sited to minimise visual impact on the Happy Valley Significant Landscape Area through its location on the valley floor with the backdrop of a heavily vegetated mountain range.
- The proposed facility has been sited the maximum possible distance from nearby residents in order to minimise amenity impacts while providing mobile coverage to the surrounding area; and,
- The proposed facility will implement State and local planning policy for the delivery of modern telecommunications infrastructure including coverage in a current black spot area.

### **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;
- Acting Manager Planning and Amenity

### **ATTACHMENT(S)**

- 8.4.2 Attachment A: Conditions (see following page)
- 8.4.2 Attachment B: Development Plans and Photo Montages
- 8.4.2 Attachment C: Existing and proposed mobile coverage



#### **8.4.2 Attachment A: Conditions**

1. The development allowed by this permit as shown on the endorsed plans and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.
2. The materials used in the construction of the monopole, antennae, headframe and equipment shelter must be in muted tones and of a non-reflective nature, to the satisfaction of the Responsible Authority.
3. Before the development starts, a landscape plan must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  4. Screen tree planting around the fenced enclosure.
  5. Unless otherwise agreed in writing by the Responsible Authority, all trees and shrubs must be species from the local Ecological Vegetation Class (EVC) and trees must be capable of achieving a minimum height of 10 metres at maturity.
  6. The vegetation shown on the endorsed plans must be maintained for a period of 5 years to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced in that period. Maintenance is to include control of invasive weed species and pruning, as necessary.
7. The vegetation is to be enclosed by a rabbit and grazing animal proof fence until such time as the vegetation reaches a size where it is no longer at risk from rabbits and grazing animals.
8. Both access, including vehicle crossover, and site drainage must be constructed and maintained to the satisfaction of the responsible authority.
9. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991).
10. The applicant must ensure that the health standards for exposure to radio emissions are met as set out in "Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields- 3kHz to 300 Ghz, ARPANSA, May 2002", to the satisfaction of the Responsible Authority.
11. If the use of the site as a telecommunications facility ceases, all associated infrastructure must, to the satisfaction of the responsible authority, be removed within six months of the use ceasing.
12. This permit will expire if one of the following circumstances applies:
  13. a) the development is not started within two years of the date of this permit.
  14. b) the development is not completed within four years of the date of this permit.
15. The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.



### 8.4.3 Dinner Plain Advisory Committee Meeting

File Number: 110.02

#### INTRODUCTION

The Dinner Plain Advisory Committee ("DPAC") meets on a quarterly basis in Dinner Plain with Council representation by: Director of Sustainable Development, the Manager of Economic and Community Development and the Dinner Plain Marketing and Events Support Officer. At this meeting the Manager of Corporate and Manager of Asset Development were in attendance. Minutes are attached from the meeting of 23 June 2016.

*Cr Farrell*

*Cr Pearce*

*That:*

- 1. the minutes of the Dinner Plain Advisory Committee meeting 23 June 2016 be noted.*
- 2. Council notes that the Dinner Plain Advisory Committee members are satisfied with the recent findings and results of the Audit works undertaken by Crowe Horwarth*
- 3. Council notes the recommendation of the Dinner Plain Advisory Committee relative to the future of DPAC.*

*Carried*

#### BACKGROUND

Most items raised at the DPAC meetings are matters that can be dealt with operationally by Council officers and within budget, therefore Council is required to make limited decisions. At the DPAC meeting on 23 June 2016, the following items were discussed:

- Dinner Plain audit results presented to DPAC members present;
- Asset Development – projects delivered in 2015/2016 FY and projects in the pipeline;
- Future of the Dinner Plain Advisory Committee;
- CFA Bushfire Management Forum;
- Q3 Finance Results Report;
- Ice Skating (pop up) proposal;
- WiFi;
- Marketing activity update;
- Events update.



## **ISSUES**

### **Audit**

The DPAC expressed thanks for the work carried out by Council in having a comprehensive audit completed and presented to the community over the opening ski weekend. The committee is satisfied with the findings of the audit and happy with the actions of Council to:

Develop a Long Term Financial Plan for Dinner Plain which includes:

Sustainable general and special rate projections

- Service level requirements
- Asset renewal requirements
- New asset development and flow on impacts
- Explore alternative finance systems for quarantining the DP business function

### **Future of DPAC**

The DPAC term comes to conclusion after the council election and the committee discussed future options for a committee to represent the views of the Dinner Plain community. Primarily the committee is keen to understand how council would like a committee to work and they also provided options for the role and makeup of any future committee. The future of how community input will be obtained will be the subject of a report for Council's consideration following the election.

## **CONSULTATION**

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

Audit: Ratepayers were provided with an opportunity to attend a community meeting at Dinner Plain and be presented with the results of the Dinner Plain audit.

Additionally, the results were provided to Dinner Plain Business Operators Society ("DPRBOS"), are available on Council's website and the CEO has responded to individual enquiries and offered to meet with concerned ratepayers.

## **CONCLUSION**

The minutes of the June meeting of DPAC be noted.

## **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 Economic and Community Development

## **ATTACHMENT(S)**

- 8.4.3 a) Minutes of Dinner Plain meeting
- 8.4.3 b) Dinner Plain Action Log



#### 8.4.4 Dinner Plain Event Funding 2016/17

File Number: 1608.12

##### INTRODUCTION

This report outlines the recommended distribution of Dinner Plain's \$80,000 event funding budget for the 2016/17 financial year.

*Cr Farrell*

*Cr Keeble*

*That:*

1. Council endorse the following recommendations for Event Funding for Dinner Plain for the 2016/2017 Financial Year.

<i>EVENT NAME</i>	<i>APPLICANT</i>	<i>FUNDING</i>
<i>MTB Enduro &amp; Funduro</i>	<i>BASE in Bright</i>	<i>\$4,000</i>
<i>The Mile High Trail Run</i>	<i>Running Wild</i>	<i>\$2,000</i>
<i>Christmas In July Winter Lights Show</i>	<i>Phoebe Moncur</i>	<i>\$12,000</i>
<i>Dinner Plain Sled Dog Challenge</i>	<i>Altitude 5000</i>	<i>\$6,000</i>
<i>Easter Festival</i>	<i>Event organiser to be determined</i>	<i>\$5,000</i>
<i>Australia Day Festival</i>	<i>Event organiser to be determined</i>	<i>\$5,000</i>
<i>New Year's Eve Fireworks</i>	<i>Event organiser to be determined</i>	<i>\$7,000</i>
<i>Snow Season Opening Weekend</i>	<i>Event organiser to be determined</i>	<i>\$3,000</i>
<i>Total</i>		<i>\$44,000</i>

*Carried*

##### BACKGROUND

Council endorsed an \$80,000 event funding budget for Dinner Plain for the financial year of 2016/17 which is an increase of \$20,000 on the previous financial year. Events are vitally important for the economy of Dinner Plain. The recommendation for funding is to support a mixture of events including existing successful events and new events, designed to underpin the crucial winter season while also attracting increased visitation and business during the summer months by targeting school holiday and public holiday periods.

The Dinner Plain Advisory Committee (DPAC) support the events recommended for funding as outlined.

Focal Promotions, the event organiser for the Geebung Polo was contracted to deliver the event for a four year period, ending after the 2018 event. Funding for the 2017 event has been approved for \$16,000 as part of the current contract.



Some events identified for funding are yet to have an organiser identified or confirmed. If this cannot be arranged the events will not proceed.

## ISSUES

### Event Information

#### a) Overview

The following table outlines the events that applied for funding, the amount requested, and the amount recommended.

EVENT NAME	2015 FUNDING	REQUESTED FUNDING	RECOMMENDED FUNDING
MTB Enduro & Funduro	\$2,500 (2014)	\$5,000	\$4,000
Mile High Trail Run	\$2,500	\$2,500	\$2,000
Christmas In July Winter Lights Show	N/A	\$17,000	\$12,000
Dinner Plain Sled Dog Challenge	\$6,000	\$6,000	\$6,000
Snow Season Opening Weekend	\$5,000	\$3,000	\$3,000
Easter Festival	\$5,000	\$5,000	\$5,000
Australia Day Festival	N/A	\$5,000	\$5,000
New Year's Eve Fireworks	N/A	\$7,000	\$7,000
MND Mountain Challenge (football game and lunch held in Omeo)	\$0	\$3,000	\$0
Geebung Polo (Contracted)	\$17,000	\$16,000	\$16,000
*Ice Skating Rink	N/A	\$20,000	*\$20,000
Total			\$80,000

*\*Estimate – further investigation to occur.*

#### b) Event Descriptions

##### Ice Skating Rink

Date: July school holidays

The hire of a temporary ice skating rink is of keen interest to the Dinner Plain community. A further report will be presented to Council once a site has been identified and further assessment of the financial viability of the proposal has been completed.

##### MTB Enduro & Funduro

Date: Sunday 30 October (Melbourne Cup Weekend)

The Enduro is a three hour mountain bike race that utilises the scenic trails around Dinner Plain. The event also includes a one-hour Funduro that loops around the village for kids and families. DP Riders club ran the Enduro for two years in 2013 and 2014 but didn't have the resources to run the event in 2015. A new event organiser, BASE in Bright plans to rejuvenate this event, which aligns well with Dinner Plain's



summer branding, promotes its investment in mountain bike trails and occurs at a time of year with seasonally low visitation.

#### The Mile High Trail Run

Date: Saturday 19 November

Now in its fourth year, this alpine trail running event promotes the scenic trails around Dinner Plain village and the Alpine National Park. Suited to varying abilities, it has five runs – 1km, 5km, 10km, 21km & 32km – with staggered start times. About 170 runners are anticipated in 2016. This event aligns well with Dinner Plain's environment and existing trail network. In addition, it aligns with Tourism North East's 7 Peaks Trail Running initiatives. It occurs at a time of year of seasonally low visitation. Funding is being sought for marketing and management expenses.

#### Christmas in July Winter Lights Show

Date: Each evening during the month of July

A free event of impressive light art displays to appear on village buildings, including the DP Hotel and Castran Corner in the centre of town. Additionally, Christmas decorations and lights + tree display to dress the town in the theme. . A similar event that has been running for a number of years in Sovereign Hill (Winter Wonderlights) and a large scale event in Sydney (Vivid) have been hugely successful as tourism drivers. Due to the costs involved, it is recommended that this event grow over a number of years, with the first investment of \$12,000 designed to cover the cost of the light art, with existing Christmas decorations utilized.

#### Dinner Plain Sled Dog Challenge

Date: Saturday 12 – Sunday 13 August

This is a free event for spectators comprising two days of sled dog racing. This will be the 24th year this event has been running. It is a mainstay of the Dinner Plain events calendar and a tourist attraction for the post school holiday period in August. Full funding is recommended in 2016/17 as this event continues to adjust to a lower funding amount from previous years.

#### Snow Season Opening Weekend

Date: Sunday 11 June

A free event, the annual opening weekend fireworks are a popular attraction and create a celebratory atmosphere in the village to mark the start of the season. This year, only the cost of the fireworks themselves is being requested, with other activities to be funded by businesses.

#### Easter Festival

Date: Friday 14 – Monday 17 April

A free event, the Easter Festival is a mainstay of the Dinner Plain events calendar and a major driver of visitation during April. The funding covers activities such as the popular Easter Egg Hunt, jumping castle and petting zoo.



### Australia Day

Date: Thursday 26 January

With the Australia Day public holiday falling just within the Victorian school holiday period, there is potential to attract more tourist traffic to the village at this time of year. Combined with entertainment at other venues in Dinner Plain, an open air cinema evening showcasing Australian short films would utilize the ski slope area in summer and add variety to the existing events calendar. The requested funds would be used to book an outdoor cinema screen, pay film royalties and book other entertainment.

### New Year's Eve Fireworks

Date: Saturday 31 December

A free event, including family fireworks at 9pm and a midnight fireworks display, will add value to the visitor experience over the New Year period. This event will run in conjunction with activities run by Dinner Plain venues, such as bands and dinners. Dinner Plain has roughly 50% occupancy at this time of year, enough to warrant putting on fireworks with the aim of boosting occupancy in the coming years by attracting more people to come and celebrate New Year's Eve in the alps.

### MND Mountain Challenge

Date: Friday 6 August

This event was not approved for funding. While this charity lunch, AFL and netball game in Omeo to raise funds for MND research is a nice community event, it does not attract visitation to Dinner Plain. It is recommended the organiser explore alternative fundraising methods for this particular event, such as crowd funding, a pre-event raffle, East Gippsland Shire Council funding, or increased ticket prices.

## **POLICY IMPLICATIONS**

Economic Development Strategy - Objective 5 Tourism Development

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

Arts and Culture Strategic Plan - 5.5 Events

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

Alpine Shire Council Plan - Theme 2: Community - 2.2

Promote opportunity for a vibrant community.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The recommended funding for events in Dinner Plain are within the approved budget of \$80,000 for the 2016/17 financial year leaving a balance of \$20,000 that could be utilised to support the ice skating pop up event.





Should any events, including the ice skating pop up event not occur the funds not spent will be returned to the Dinner Plain reserve.

### **CONSULTATION**

The events and recommended funding amounts were submitted in a report to the Dinner Plain Advisory Committee (DPAC) for comment. DPAC has endorsed the requests put forward in this report.

### **CONCLUSION**

Events are a key driver of visitation to Dinner Plain and investment in event activities has benefits business and the broader community.

The amounts approved for events in Dinner Plain in 2016/17 have been endorsed by DPAC and are deemed sufficient in ensuring these events take place in 2016/17.

### **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.

- Marketing and Events Officer, Dinner Plain
- Director Sustainable Development
- Manager Economic and Community Development

### **ATTACHMENT(S)**

- Nil



#### **8.4.5 Alpine Shire Municipal Early Years Plan**

File Number: 1050.09

##### **INTRODUCTION**

The Alpine Shire Municipal Early Years Plan (MEYP) is an important guiding document which outlines the work Council and partner agencies are doing to support and facilitate the health and wellbeing of families and young children in the Alpine Shire.

The current MEYP was developed in 2012, in accordance with the requirements of the Department of Education and Early Childhood Development and the Municipal Association of Victoria to provide a detailed roadmap and action plan to achieve the best possible start for children.

The current plan is due to expire at the end of the 2016 calendar year. The plan has been recently reviewed and updated to reflect achievements reached, define activity to be undertaken and extend the plan to the end of 2017.

This will provide Council and partner agencies the opportunity to assess 2016 census data, effectively engage with the community and other organisations to develop a new and updated plan for 2018 – 2022. The future plan will consider Councils new Municipal Health and Wellbeing Plan which is also required to be developed in 2017.

*Cr Vonarx*

*Cr Pearce*

*That*

- 1. Council endorse the reviewed and updated Municipal Early Years Plan, extending the plan to the end of 2017 and updated actions.*

*Carried*

##### **BACKGROUND**

The current MEYP was developed in 2012 and will expire at the end of the 2016. The action plan from the current plan was reviewed in 2015 and has been updated to reflect the achievements to date.

Goals of the plan are:

- To set the best possible foundation for children and their families
- To connect services to provide the best childhood development outcomes
- To equip and support parents and carers in their child's development
- To support children and families with additional needs
- To encourage safe and healthy practices for our children

In mid-2016 the MEYP was updated to carry the achievements and remaining goals forward to the end of 2017. This update has been undertaken in consultation with Alpine Children's Services and Council's Maternal and Child Health service.



## **ISSUES**

The review of the MEYP has incorporated:

Extension date of the current plan to the end of the 2017 calendar year;

Changes to responsibilities, at state level where departments referenced have changed;

Content moved within document to provide flow to the document and bring "actions" to the forefront;

Updated the Action Plan: (1) identifying already "completed" actions, and (2) identifying actions requiring completion, and (3) extending "ongoing" actions to the end of 2017.

Context to the plan is unchanged.

## **POLICY IMPLICATIONS**

### **Alpine Shire Council Plan:**

Strategic objective 3.3: To ensure appropriate services and programs for early years, youth and families;

Strategy 3.3.1: Best possible start for children and families within the Alpine Shire.

Alpine Liveability Plan:

Council is committed to exercising leadership in the provision and support of early years' needs.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Not applicable

## **CONSULTATION**

The Municipal Early Years Plan was initially developed through consultation with community, stakeholders and partners, including Alpine Children's Services. This review has been completed in consultation with Alpine Children's Services and the Maternal and Child Health Nurse Coordinator.

## **CONCLUSION**

The Municipal Early Years Plan is an essential document which guides the way Council and its partners carry out programs, make decisions and build infrastructure aimed at providing the Shire's youngest residents with the best possible start in life.



### **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 Economic and Community Development

### **ATTACHMENT(S)**

8.4.5 Attachment 1 – Updated Municipal Early Years Plan 2012 - 2018



## 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 Vonarx*

*That the summary of the Assemblies of Councillor for August 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 August	Briefing Session
16 August	Joint meeting between Alpine and Towong Shire Councils
23 August	Briefing Session

### ATTACHMENT(S)

- 9.0 Assemblies of Councillors – August 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 Farrell*

*Cr Pearce*

*That the summary of the presentation of reports by delegates for June and August 2016 be received.*

*Carried*

### BACKGROUND

The written records of the delegates reports held during the previous month are summarised below. Detailed delegates reports can be found in Attachment 10.0 to this report.

Date	Meeting	Councillor
22 June	Alpine Alliance Advisory Committee	Cr Kate Farrell
10 August	Community Resilience Committee	Cr Ron Janas
12 August	Rural Councils Victoria	Cr Jan Vonarx

### ATTACHMENT(S)

- 10.0 Presentation of Reports by Delegates – June and August 2016.



## **11 GENERAL BUSINESS**

Refer to alpine shire council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-stream recording.

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

Nil

## **13 RECEPTION AND READING OF PETITIONS**

Council has received a petition for the name of Mount Cope on Bogong High Plains Road to be changed back to its original name of Mount Jack:

*Sometime during the early 1900's the name of Mt Jack on Bogong High Plains was changed to Mt Cope. Jack Wells was the original discoverer of the peak back in 1851, whereas Thomas Cope, a Beechworth judge during the 1860's, had almost certainly not been near the High Plain. The re-naming was never officially recorded and the local community was never consulted in any way.*

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

*Cr Vonarx moved a motion to deal with the petition at the meeting.*

*Cr Vonarx*

*Cr Pearce*

*That a letter of support be sent in support of the name change from Mount Cope back to Mount Jack.*

*Carried*



**14 DOCUMENTS FOR SEALING**

*Cr Vonarx*

*Cr Farrell*

*That the following documents be signed and sealed.*

- 1. Local Law No.1 Council Administration (2016)*
- 2. Contract 1603201 - for the provision of labour hire and accompanying technology solutions*
- 3. Contract 16022 - for the redevelopment of the Mount Beauty Library to Premier Building & Constructions Pty Ltd.*

*Carried*

There being no further business the Chairperson declared the meeting closed at 9.10p.m.

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Chairperson