



Alpine Shire

ORDINARY COUNCIL MEETING

MINUTES

M3 – 4 April 2017

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 **4 April 2017** and commenced at **7:06pm**.

PRESENT

COUNCILLORS

Cr John Forsyth

Cr Ron Janas – Mayor

Cr Kitty Knappstein

Cr Sarah Nicholas

Cr Daryl Pearce

OFFICERS

Mr Dave Barry – Chief Executive Officer

Mr Charlie Bird – Director Assets

Mrs Nathalie Cooke – Director Corporate

APOLOGIES

Cr Tony Keeble – Deputy Mayor

Cr Peter Roper



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1 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS

The CEO read the following statement:

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

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

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

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

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

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

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE

The CEO read the following statement:

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

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

3 CONFIRMATION OF MINUTES

3.1 ORDINARY COUNCIL MEETING – M2 – 7 MARCH 2017

Cr Nicholas

Cr Knappstein

That the minutes of Ordinary Council Meeting M2 held on 7 March 2017 as circulated be confirmed

Carried

4 APOLOGIES

Cr Keeble

Cr Roper

5 OBITUARIES / CONGRATULATIONS

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au for its YouTube live-streaming recording.



6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST

Nil

7 PUBLIC QUESTIONS

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

Questions on Notice can be written or from the floor.

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au for its YouTube live-streaming recording for responses to questions.



8 PRESENTATION OF REPORTS BY OFFICERS

8.1 CHIEF EXECUTIVE OFFICER – DAVE BARRY

Nil



8.2 DIRECTOR ASSETS – CHARLIE BIRD

8.2.1 Petition – Proposed footpath extension in Simmonds Creek Road

File Numbers: 36180.00, 650.05

INTRODUCTION

The purpose of this report is to inform Council and provide a response to a petition for a proposed footpath extension in Simmonds Creek Road, Tawonga South, received on 22 February 2017.

Cr Forsyth

Cr Nicholas

That Council:

- 1. Note the petition for a proposed footpath extension in Simmonds Creek Road, Tawonga South.*
- 2. Include provision of \$100,000 in the Draft 2017/18 Capital Works Budget to construct a new footpath (170m) along high-priority sections of Simmonds Creek Road, including associated drainage upgrade works.*
- 3. Note that the remaining sections (1,030m in total) of footpath are included in the project pipeline (estimated cost \$500,000) for future consideration by Council.*
- 4. Advise the main proponent of the petition of Council's decision.*

Carried

BACKGROUND

A petition for a footpath extension in Simmonds Creek Road was received on 22 February 2017. This petition with 62 signatures contains the wording:

We, the undersigned, strongly urge the Council to approve the extension of the footpath in Simmonds Creek Road, Tawonga South, and to make provision in the budget for on ground works to commence in 2017/18.

Public consultation was carried out by Council in 2006 in support of the development of a Shire-wide footpath strategy, and eight submissions were received in support of a footpath along Simmonds Creek Road.

In 2007, 880m of new footpath was constructed along Simmonds Creek Road, between the Kiewa Valley Highway and Glenbourne Drive.

A submission was received to the Draft 2016/17 Budget requesting 'provision to extend and upgrade the footpath along Simmonds Creek Road, Tawonga South'. In response to this submission, a commitment was made to 'scope the Simmonds Creek Road footpath extension proposal and provide an update to Council by 30 September 2016'.

The feasible options for construction of a new sealed shoulder/path were evaluated along 1,200m of Simmonds Creek Road. The assessment was based on road



geometry and the available width of the nature strip to existing drains and property boundaries. The results of this assessment were presented at a Council Briefing Session on 20 December 2016.

Traffic counts were carried out in two locations on Simmonds Creek Road over an eight day period from 2 March to 10 March 2017. Traffic peaked after Glenbourne Drive on weekdays between 0800 and 0900 (average 43 vehicles/hour) and again between 1700 and 1800 (average 50 vehicles/hour). Traffic count after Annapurna Winery was significantly lower, with no clear peak period.

The proposed footpath extension in Simmonds Creek Road is identified in the project pipeline for delivery between 2021/22 and 2025/26.

ISSUES

The following points should be considered in relation to the proposed footpath extension in Simmonds Creek Road:

- The primary concern identified by the proponent of the petition in support of the footpath extension is the safety of pedestrians and bicycle riders. 50 residential properties are located on Simmonds Creek Road beyond the current footpath extent, currently housing more than 30 school children. Many of these school children ride or walk to school, at a time which coincides with the peak vehicular traffic on the road.
- New subdivisions adding up to twenty residential lots may be approved on Simmonds Creek Road. The development plans and timing are uncertain.
- The cost to construct a footpath along 1,200m of Simmonds Creek Road to Annapurna Winery, including associated drainage upgrade works, is estimated to exceed \$600,000. Including drainage upgrade works, the cost to construct a footpath along 170m of the highest priority sections of Simmonds Creek Road, where the visibility is poorest due to the road geometry, is estimated to cost \$100,000.
- Council's annual capital works budget is constrained by the available funding. The implication of bringing forward delivery of a footpath extension in Simmonds Creek Road is deferral of the delivery of competing projects in the project pipeline. The highest ranked new footpath project in the pipeline is the Pebble Beach to Damms Road footpath in Mount Beauty. Delivery of the full planned scope of this project is not currently feasible due to lack of necessary support from waterfront licence-holders.

POLICY IMPLICATIONS

Nil



FINANCIAL AND RESOURCE IMPLICATIONS

Budget provision will be included in the Draft 2017/18 Capital Works Budget, and the new footpath delivered by Council's Asset Development team as part of the annual capital works program.

CONSULTATION

Residents living along Simmonds Creek Road have been consulted to understand their usage of the road as pedestrians and bicycle riders, and their safety concerns associated with this usage. This has included two recent occasions on which Council officers have walked the length of the proposed footpath in Simmonds Creek Road with a delegation of local residents.

Council was briefed following receipt of the submission to the 2016/17 Draft Budget, and again on 20 December 2016 following completion of the footpath scoping study.

CONCLUSION

A petition with 62 signatures has been received for a proposed footpath extension in Simmonds Creek Road. The project is listed in the project pipeline for delivery between 2021/22 to 2025. Bringing forward the construction of high priority sections of the footpath where there is currently poor visibility will improve the safety of pedestrians and bicycle riders using of the road, of which a high proportion are school-age children.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Asset Development

ATTACHMENT(S)

8.2.1 Petition for footpath extension in Simmonds Creek Road, Tawonga South.



8.2.2 Petition - Reduce the speed limit on Redbank and Mullagong Roads Coral Bank

File Number: 1543.06

INTRODUCTION

The purpose of this report is to inform Council and provide a response to a petition received to reduce the speed limit from 100 km/h to 60 km/h and install associated signage on Redbank and Mullagong Roads, Coral Bank. The petition cites the interaction of pedestrians and vehicles around the intersection of Bay Creek Lane and Redbank Mongans Road as the single largest risk to be addressed.

Cr Nicholas

Cr Pearce

That Council:

- 1. Recommend to VicRoads a reduction in the maximum speed limit from 100 km/h to 80 km/h for the area nominated;*
- 2. Support the installation of a roundabout treatment at the intersection of Bay Creek Lane, Redbank Road and Mullagong Road;*
- 3. Support the installation of associated statutory and advisory signage on Redbank and Mullagong Roads, Coral Bank; and*
- 4. Advise the main proponent of the petition of Council's decision.*

Carried

BACKGROUND

A petition for a proposed speed limit reduction from 100 km/h to 60 km/h and installation of associated signage on Redbank/Mullagong Roads, Coral Bank was tabled at the February 2017 Council meeting. The section of road is located near the intersection of Redbank and Mullagong Roads and Bay Creek Lane, Coral Bank.

The petition is signed by 188 residents and visitors. The petition wording indicates that the objective of reducing the speed limit and signage on Redbank and Mullagong roads, Coral Bank is to make a safer environment for pedestrians and users of the reserve by controlling the speed of vehicles through the area. The petition reports repeated near misses around the intersection of Bay Creek Lane and Redbank/Mullagong Roads.

Redbank Road and Mullagong Road are defined as Collector Roads in Council's Road Management Plan. Collector Roads primarily provide a route between and through residential, industrial, agricultural, tourist and forest traffic nodes and the declared road network (main roads). These roads usually have a higher proportion of through traffic, higher traffic volumes and have sealed or gravel surface.

ISSUES

This section of Redbank and Mullagong roads provides access to a local winery, a quarry and the Mongans Bridge caravan park. The intersection is a typical four-way



intersection with the approaches at approximately 90° to one another, with the exception of the single lane bridge on the western approach. Theoretically, this is the intersection of two 100km/h roads; however practical (and observed) vehicle speeds over the bridge are much lower. Currently there are give way treatments to vehicles approaching from the east and west, and vehicles travelling north or south on Redbank and Mullagong Roads can continue through the intersection at the posted speed limit. This intersection has been included in this assessment to ensure all appropriate infrastructure and regulatory solutions are considered.

The recreational use of the area is driving the request for a speed limit change. Visitors to the caravan park cross Redbank/Mullagong Road in the vicinity of Bay Creek Lane to access the recreational reserve which fronts the Kiewa River. Council officers have considered many different treatments for the area in response to the concerns and risks highlighted by the petition. Generally, officers try to understand the nature and location of these risks, and consider appropriate localised infrastructure improvements to manage the potential conflicts. Where possible, local infrastructure improvements implemented within speed zones that are consistent with the current VicRoads guidelines is desirable. Accordingly, Council officers determined that a more localised intersection treatment and a reduction to 80km/h would provide an appropriate solution for this area.

Any speed limit reduction would involve consultation with Victoria Police and require approval by VicRoads.

POLICY IMPLICATIONS

This proposal in the petition is consistent with the following Strategic Objective of the Council Plan:

- 2.3 - To improve the condition and management of Council's assets.

FINANCIAL AND RESOURCE IMPLICATIONS

The financial implications to implement the proposed solution are:

- The cost to implement the speed zone reduction would be \$3,000
- The cost for the intersection treatment will be \$6,000
- The total cost of this project is estimated at \$9,000.

CONSULTATION

Council officers have engaged with the Mongans Bridge Camping Park and Recreation Reserve Committee of Management via the signatory on the petition (Vice President of the Committee) and local police. Both are supportive of the proposed solution. Council Officers will need to seek VicRoads endorsement to implement the speed reduction.

CONCLUSION

A petition with 188 signatures has been received requesting a speed reduction from 100 km/h to 60 km/h in conjunction with improved advisory signage installations



along Redbank/Mullagong Roads, Coral bank. Council officers determined that a more localised intersection treatment and a reduction to 80km/h would provide an appropriate solution for this area. The proponents of the petition are supportive of this overall solution.

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.

- Engineering Coordinator
- Acting Manager Asset Maintenance
- Director Assets

ATTACHMENT(S)

- 8.2.2 Petition for reducing the speed limit and installation of traffic management measure on Redbank/Mullagong Roads, Coral Bank, received 13 December 2016.



8.2.3 Petition - Reduce the speed limit on Station Street Porepukah

File Number: 42010.01

INTRODUCTION

The purpose of this report is to inform Council and provide a response to a request to reduce the speed limit on Station Street, Porepukah from 60 km/h to 50 km/h to improve the safety of pedestrians, school children, cyclists and all other road users.

Cr Pearce

Cr Knappstein

That Council:

- 1. Retain the existing speed limit of 60 km/h; and*
- 2. Note that new footpaths in Station Street Porepukah are included in Council's project pipeline, with an indicative implementation timeframe of 2021/22 to 2025/26;*
- 3. Continue to advocate Victoria Police to improve adherence to the 60 km/h limit on Station Street Porepukah; and*
- 4. Advise the main proponent of the petition of Council's decision.*

Carried

BACKGROUND

A petition for a proposed speed limit reduction from 60 km/h to 50 km/h on Station Street, Porepukah was tabled at the November 2016 Council meeting. Station Street is located in Porepukah between the Great Alpine Road and the Back Porepukah Road at the intersection with Service Street.

The petition has been signed by 75 residents from 63 properties out of 112 properties along Station Street Porepukah. The petition wording indicates that the objective of reducing the speed limit on Station Street, Porepukah to 50 km/h is to improve the safety of pedestrians, school children, cyclists and all other road users.

Station Street is defined as a Collector Road in Council's Road Management Plan. Collector Roads primarily provide a route between and through residential, industrial, agricultural, tourist and forest traffic nodes and the declared road network (main roads). These roads usually have a higher proportion of through traffic, higher traffic volumes and have sealed or gravel surface.

The main proponent of the petition has been in discussion with Council officers about their safety concerns regarding the speed of vehicles along Station Street. In response Council Officers have:

- Explained the approach to determine speed limits
- Informed the police of the concerns raised
- Advised that community support would be required to change the speed limit



- Discussed the issue with representatives from Victoria Police and VicRoads at regular Traffic Liaison Committee meetings
- Offered assistance with the petition process

Council incorrectly stated in the December 2016 Council Report that a petition template was provided to the main proponent of the petition and apologises for this incorrect statement.

The current speed limit of 60 km/h on Station Street is in line with the VicRoads Speed Zoning Guidelines. VicRoads officers undertook an onsite assessment in November 2015 and confirmed that 60 km/h offers a safe environment, and importantly conveys traffic in an efficient manner through the area. The advice is that the current speed limit of 60km/h achieves the balance between safety and efficient travel, and is an appropriate speed limit.

The VicRoads Speed Zoning Guidelines identify community support as a key consideration in determining whether 60 km/h is an appropriate speed limit on a Collector Road in a built-up area. Accordingly, Council has engaged with the community (road users and local residents) to gauge the level of community support for the proposed reduction of the speed limit to 50 km/h.

ISSUES

Station Street and the Back Porepunkah Road provide an alternative to the Great Alpine Road to travel between Bright and the Myrtleford side of Porepunkah. Whilst there is a sign on the Great Alpine Road ahead of the Station Street junction stating 'Local Traffic Only,' Station Street is not only used as residential access but also provides a through route for industrial, agricultural and tourist traffic.

Reducing the speed limit on Station Street Porepunkah from 60 km/h to 50 km/h increases travel time by 24 seconds, assuming a vehicle is travelling at the speed limit. Reducing the speed limit and hence increasing the travel time may reduce the number of vehicles using Station Street and increase the traffic on the Great Alpine Road, which is an Arterial Road.

Council has undertaken engagement by a variety of means to obtain feedback from road users and the local community. In summary, Council has received feedback on the proposal to reduce the speed limit via:

- Online survey
- Mail out survey to Porepunkah residents
- Facebook feedback
- Written feedback.

The online survey was set up to allow only one entry per person to minimise the risk of the same person completing the survey multiple times. However, the results showed that multiple responses have been provided from a single Internet Protocol (I.P.) address. This raised questions about the integrity of the survey results and upon closer investigation it was evident that these inputs occurred in very close succession; specific street addresses have not been provided in any of these instances; and it was



determined that the survey could be completed multiple times by a single device if the internet settings were altered on the device.

The raw data has been cleansed to remove the suspect data and provide a more accurate reflection of the survey data for Council to consider. This has involved including a maximum of two survey results from each I.P. address, which typically allows representation of the average number of drivers per household. The survey results are shown below.

	Agree with 50 km/hr	Disagree with 50 km/hr
Online survey (raw)*	129	88
Online survey (cleansed)	60	85
Mail out survey	43	53
Overall results**	103	138

*includes suspect data, refer to detail in report

** Online survey - cleansed + mail out survey

Excluding online survey (raw) results, survey results are generally consistent, where 55-59% of respondents do not support the proposed speed reduction to 50 km/h. These results indicate that community support for the change is divided. In the absence of overwhelming support from the community for the proposed change, and the absence of a traffic engineering principle dictating the need for a change to the speed limit, the recommendation is to retain a 60 km/h speed limit at this time.

Additional feedback from local community members that are supportive of the proposed speed limit reduction to 50 km/h cite the following key issues:

- Pedestrians using the shoulder of the road
- Speeding traffic - vehicles travelling faster than the 60 km/h speed limit.

New footpaths in Station Street Porepukah are included in Council's project pipeline, with an indicative implementation timeframe of 2021/22 to 2025/26.

POLICY IMPLICATIONS

This proposal in the petition is consistent with the following Strategic Objective of the Council Plan:

- 2.3 - To improve the condition and management of Council's assets.

FINANCIAL AND RESOURCE IMPLICATIONS

Financial and resource implications are negligible - Council officers' time to liaise with Victoria Police.

CONSULTATION

Council has engaged with the community via the following methods:

- Signage on site
- Facebook



- Newspaper
- Onsite information session
- Electronic survey
- Mail out survey in the Porepukah Township.

Council has also consulted with Victoria Police and VicRoads regarding this proposal.

CONCLUSION

A petition with 75 signatures has been received for a proposed speed reduction along Station Street, Porepukah from 60 km/h to 50 km/h. After an extensive consultation process Council Officers have concluded that there is not overwhelming community support to implement the change at this time, and therefore the recommendation is to retain the current 60km/h limit. A further recommendation is to ensure the future Station Street footpath project is prioritised appropriately - given the high level of community interest in the creation of a safer environment for Station Street.

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.

- Engineering Coordinator
- Acting Manager Asset Maintenance
- Director Assets

ATTACHMENT(S)

- 8.2.3 Petition for reducing the speed limit on Station Street Porepukah, received 8 November 2016.



8.3 DIRECTOR CORPORATE – NATHALIE COOKE

8.3.1 Mayor and Councillor allowance review

File Number: 640.01

INTRODUCTION

Section 74 of the *Local Government Act 1989* specifies that Councils must review and determine the level of councillor and mayoral allowances prior to 30 June in the year following the general elections.

Council intends to effectively freeze councillor and mayoral allowances over its four year term by adopting a decrease of 5% to the current value of allowances, removing the effect of the annual adjustment factor.

Cr Nicholas

Cr Forsyth

That:

- 1. Having reviewed the councillor and mayoral allowances in accordance with Section 74(1) of the Local Government Act 1989, it is intended to:*
 - a. Set the councillor allowance at \$18,890, in accordance with the Order in Council for a Category 1 Council; and*
 - b. Set the mayoral allowance at \$56,435 in accordance with the Order in Council for a Category 1 Council; and*
 - c. Increase the set allowances by any adjustment factor specified by the Minister for Local Government under section 73B of the Local Government Act 1989.*
 - d. Pay the equivalent of the Superannuation Guarantee contribution (currently 9.5%) in addition to the set councillor and mayoral allowances as required by the Order in Council.*
- 2. Notice of the intention to set the councillor and mayoral allowances be given in accordance with Section 223 of the Local Government Act.*
- 3. A committee be formed according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the mayor and councillor allowance review.*
- 4. All submissions made in respect of the review of councillor and mayoral allowances be considered prior to setting the level of allowances.*

Carried



BACKGROUND

Section 74 of the *Local Government Act 1989* ('the Act') provides for allowances to be paid to councillors and the mayor. These allowances must be reviewed by 30 June following a general election, and are subject to a s223 public submission process.

ISSUES

Allowance category and limits

Councils are classified into one of three categories, which are based on the number of residents in the municipal area, and the total recurrent revenue of the council. Categories and allowance ranges are formally published in the Victorian Government Gazette ('the gazette').

Allowance limits are adjusted annually by the Minister for Local Government and published in the gazette. All Councils must apply these mandatory adjustment factors to the allowances paid to the mayor and councillors. Historically, the annual adjustment factor has been 2.5%.

Alpine Shire Council is classified as a category 1 council, which is the lowest of the three allowance categories. The allowance range and limits were published in the gazette on 24 November 2016, effective from 1 December 2016. For a category 1 council, the ranges and limits as gazetted are:

Councillors: \$8,324 to \$19,834 per annum

Mayor: a maximum of \$59,257 per annum

In addition to the allowance limits, an additional amount equivalent to the superannuation guarantee contribution (currently 9.5%) is payable. This is to be paid in addition to the base allowance.

Section 74A of the Act specifies the provisions relating to allowances, including:

- The mayor is not entitled to receive a councillor allowance, if they are entitled to receive the mayoral allowance. This means that six councillor allowances and one mayoral allowance are paid in the Alpine Shire Council.
- A person is only entitled to receive an allowance while he or she holds the office in respect of which the allowance is payable.
- A council does not have to pay an allowance to a councillor or mayor who does not wish to receive an allowance.

Adjustment factor

The Minister for Local Government is required by Section 73B of the Act to annually review the limits and ranges of the councillor and mayoral allowances, taking into account the levels of remuneration of executives in public administration. As previously stated, the annual adjustment factor is commonly 2.5%. This adjustment is published in the gazette, and all Councils must abide by this adjustment factor.

Officers have made enquiries to determine whether Council as a whole, or individual councillors may decline the annual adjustment. Advice received from Local



Government Victoria, is that the adjustment factor is required by the Act, and the entire allowance as set by Council and adjusted by the gazette must be paid.

The only time where this would not occur, is if a councillor had declined the entire allowance, and they received no allowance payment at all.

During the review of councillor and mayoral allowances, Council may determine to set them anywhere within the accepted allowance limits. However it must then apply the annual adjustment factor as required by the Act, and all councillors and the mayor must be paid in accordance with the allowance set during this review.

Reduction in allowance

The Alpine Shire Council Enterprise Agreement 2016 has applied a wage freeze for Council staff until 30 June 2019 with wage increases equivalent to CPI or WPI-All Sectors (whichever is greater for the period June Quarter 2018 to June Quarter 2019) on 1 July 2019. In addition, the Alpine Shire Council CEO has refused a wage increase entitled under his contract to align with the staff wages freeze. The mechanism by which councillor and mayoral allowances may also be frozen under s74 of the Act is to adopt a decrease of 5% to the current value within the allowance range thereby providing manual modification to remove the effect of the annual adjustment factor over the four year term.

Superannuation guarantee

Unless Council has unanimously resolved to be subject to tax withholding arrangement under taxation legislation, each allowance range or limit is increased by a sum equivalent to the Superannuation Guarantee Contribution. This is currently set at 9.5%.

POLICY IMPLICATIONS

The councillor and mayoral allowances are governed by the *Local Government Act 1989* and determinations by the Governor in Council and the Minister for Local Government as published in the Victorian Government Gazette.

Other expenses such as travel, accommodation and childcare that may be claimed by councillors in fulfilling their duties are addressed by the Councillor Reimbursement of Expenses Policy (No. 76). A separate policy (No. 75) addresses the provision of mayoral and councillor vehicles.

FINANCIAL AND RESOURCE IMPLICATIONS

The councillor and mayoral allowances must be accounted for in Council's annual budget. The 2017/18 budget is currently being prepared and is being drafted on the assumption that a decrease of 5% to the current value within the allowance range is applied thereby providing manual modification to remove the effect of the annual adjustment factor over a four year term.



CONSULTATION

The review of councillor and mayoral allowances is subject to a 28 day public submission period, in accordance with Section 223 of the Act. Submissions will be called for by advertising in the local paper, and on Council's website.

CONCLUSION

Council must review and determine the allowance levels to be paid under section 74(1) of the *Local Government Act 1989*, taking into account the ranges and limits set for a Category 1 Council.

The allowances once set will be the allowance that will apply for the balance of the term of the current Council. The allowance can only be amended if the Minister for Local Government undertakes a review of the allowance ranges and limits under section 73B of the Act.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Corporate
- Governance Officer

ATTACHMENT(S)

Nil



8.3.2 Draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021

File Number: 600.03

INTRODUCTION

Section 125 of the *Local Government Act 1989* (LG Act) requires a Council to prepare and approve a Council Plan within the period of six months after each general election or by the next 30 June, whichever is later. The Council must ensure that the draft Council Plan is made available for public comment prior to final adoption.

This report provides for the release of the draft Council Plan for public exhibition and submissions.

Cr Nicholas moved an alternative motion:

Cr Nicholas

Cr Pearce

- 1. The draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021 is amended to reflect the following changes:*
 - i. That Strategic Objective number 2 "A Responsible and Sustainable Organisation" include an additional dot point under strategies that states: Council continues to focus on balancing financial, environmental and community outcomes.*
- 2. The draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021, prepared in accordance with Section 125 of the Local Government Act 1989 (Attachment 8.3.2) (with the detailed changes at 1. above) be endorsed for the purpose of placing it on public exhibition;*
- 3. Public notice of the preparation of the draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021, inviting submissions to be considered in accordance with Section 223 of the Local Government Act 1989 be given; and*
- 4. A committee be formed according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021.*

Carried

BACKGROUND

The Alpine Shire Council Plan must include: the strategic objectives of Council, strategies for achieving the objectives for at least the next four years; strategic indicators for monitoring achievement of the objectives. The LG Act stipulates that a Council Plan must include:



- the strategic objectives of the Council;
- strategies for achieving the objectives for at least the next four years;
- strategic indicators for monitoring the achievement of the objectives; and
- a Strategic Resource Plan;
- any other matters which are prescribed in regulations.

ISSUES

Strategic Context

The Alpine Shire Council Plan 2017 - 2021 has been developed following the election of the Council in October 2016. The Council Plan is the link between the Alpine Shire 2030 Community Vision and Council's annual planning process.

The Council Plan is a strategic document, detailing the desired outcomes for the next four years. This term we have integrated our Municipal Public Health and Wellbeing Plan into the Council Plan. This enables Council to strengthen the importance of health and wellbeing across our community and provide resources to achieve our desired community outcomes.

Council Plan

The Council Plan describes what Council intends to achieve in the four-year period and how resources will be allocated to do this. The components of the Council Plan which highlight Council's direction are the strategic objectives, the strategies, strategic indicators and the Strategic Resource Plan.

The strategic objectives are Council's long-term goals for meeting the 2030 Community Vision. The strategies are the four-year focus of the plan. We measure achievement of our strategic objectives and strategies through indicators. To provide more context about our direction, major projects and services are listed under each strategic objective.

Municipal Public Health and Wellbeing Plan

Council is committed to protecting, improving and promoting public health and wellbeing within Alpine Shire. The plan draws together information about the health and wellbeing concerns of the community and the actual evidence of health and wellbeing issues affecting Alpine Shire. This information has been used to identify priority areas, goals and strategies to improve the health and wellbeing of Alpine residents.

Section 26 (2) of the *Public Health and Wellbeing Act 2008* requires Councils to prepare a Municipal Public Health and Wellbeing Plan within twelve months after the general election of Council. The plan must:



- (a) include an examination of data about health status and health determinants in the municipal district;
- (b) identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing;
- (c) provide for the involvement of people in the local community in the development, implementation and evaluation of the plan;
- (d) specify how the Council will work in partnership with the Department and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the plan;
- (e) be consistent with:
 - (i) the Council Plan prepared under section 125 of the LG Act; and
 - (ii) the municipal strategic statement prepared under section 12A of the *Planning and Environment Act 1987*.

FINANCIAL AND RESOURCE IMPLICATIONS

Strategic Resource Plan

The Strategic Resource Plan is a component of the Council Plan and is a four-year financial plan that details the resources required to deliver the Council Plan. The projects and services outlined in the Council Plan link to the items in the Annual Budget.

CONSULTATION

Council has drawn on feedback and input from community engagement undertaken in recent years to prepare the draft Council Plan. The community now has the opportunity to provide feedback on the detail in the draft Council Plan during the 28-day public exhibition period.

Section 125(3) of the LG Act determines that a person has a right to make a submission under Section 223 of the LG Act, on the draft Council Plan. Section 223 of the LG Act requires Council to publish notice of the adjustment to the Council Plan and allow a minimum of 28 days for submissions to be made. The public notice will appear in the local newspapers, with copies of the draft Council Plan available in Council's Bright offices, libraries in Mount Beauty, Myrtleford and Bright, and on Council's website.



CONCLUSION

In accordance with Sections 125(3a) and 223 of the LG Act:

- the draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021 will be placed on public exhibition;
- a 28 day period will be allowed for community submissions; and
- persons that make a submission will be given the opportunity to be heard in support of their submission by a Special Committee of Council, comprising Councillors.

It is appropriate that the draft Alpine Shire Council Plan is now released for public comment, to adhere to the requirements of the LG Act.

DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Assets
- Director Corporate

ATTACHMENT(S)

- 8.3.2 Draft Alpine Shire Council Plan incorporating Municipal Public Health & Wellbeing Plan 2017 – 2021



8.3.3 2018 General Revaluation

File Number: 980.01

INTRODUCTION

The *Valuation of Land Act 1960 (the act)*, requires all Victorian Councils to conduct a general revaluation of rateable and non-rateable properties every two years.

The act states that Council must resolve to “cause” the revaluation.

The purpose of this report is to commence the valuation process for the 2018 revaluation year.

Cr Forsyth

Cr Knappstein

That Council take the necessary steps to cause a general valuation of rateable and non-rateable land within the Alpine Shire at a prescribed date of 1 January 2018, to be returned no later than 31 March 2018 and that notice be given.

Carried

BACKGROUND

Section 11 of the *Valuation of Land Act 1960* requires Council to undertake a general valuation of rateable and non-rateable land, every two years. Section 6 of the *Valuation of Land Act 1960*, requires that Council resolve to undertake the valuation. This valuation does not take effect until the financial year commencing 1 July 2018.

Council must also give not less than one months’ notice of the decision to cause a valuation to “every other rating authority interested in the valuation of land in the relevant municipal district”. This means Council notifies the Valuer General Victoria, State Revenue Office and its neighbouring Councils that it has “caused” a general valuation.

LG Valuation Services Pty Ltd were awarded contract number 1204201, to undertake the 2014 and 2016 general revaluation, with an option to extend to the 2018 general revaluation.

Regardless of the contract, to comply with the *Valuation of Land Act 1960*, Council must still resolve to undertake the revaluation.

LEGISLATIVE IMPLICATIONS

- *Valuation of Land Act 1960*
- *Local Government Act 1989*

FINANCIAL IMPLICATIONS

Total cost of the 2018 general revaluation is expected to be approximately \$139,161 (GST inclusive), however some costs may be incurred in the 2016/17 financial year depending on the timing of invoices and audit by the Valuer General’s



Office. Council does receive a rebate from the State Revenue Office for 50% of the total fee less GST.

CONCLUSION

That Council resolve to undertake the 2018 general revaluation and give due notice of the decision to the Valuer General Victoria; State Revenue Office and neighbouring Councils.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate
- Rates Coordinator

ATTACHMENT(S)

- Nil



8.3.4 REPORT DEFERRED TO MAY MEETING Special Rate - Dinner Plain Services (2017/2018) Public Notice of Proposed Declaration

File Number: 950.01

INTRODUCTION

A Council may declare a special rate for the purposes of defraying expenses when the performance of a function is of special benefit to the persons required to pay the special rate. The declaration of a special rate is a requirement of the *Local Government Act 1989, Section 163*.

Cr Forsyth
Cr Nicholas

CEO proposed Report deferred until May Council Meeting

Carried

RECOMMENDATION

That Council:

- 1. Give notice in accordance with s163 of the Local Government Act 1989 of their intention to declare a special rate for the purpose of Dinner Plain Village Services, for the period 1 July 2017 to 30 June 2018 at a level of 43% of the General Rate which aligns with the Shire-wide Commercial Industrial Differential Rate.*

The content of the proposed declaration is detailed below:

- a) A special rate be declared for the purpose of defraying any expenses in relation to the provision of services to Dinner Plain village;*
- b) The total cost of the performance of this function is estimated to be \$601,240 over one year;*
- c) The amount of the special rate to be levied is estimated to be \$293,647 over one year, or such other amount as is lawfully raised as a consequence of this Resolution;*
- d) Defrayment of expenses will be of special benefit to those persons required to pay the special rate;*
- e) The special rate will apply to land within Dinner Plain village;*
- f) The basis of calculation of the special rate for the 2017/18 Financial Year be 0.002145 cents in the dollar multiplied by the Capital Improved Value of each parcel of rateable land, and thereafter a rate in the dollar (multiplied by the Capital Improved Value of each parcel of rateable land). For the purposes of item f) of this Resolution, the Capital Improved Value of each*



- parcel of rateable land is the Capital Improved Value of that parcel of land at the time of levying the special rate (so that the Capital Improved Value may alter during the period in which the special rate is in force, reflecting any revaluations and supplementary valuations which take place);*
- g) The amount of the special rate will be the amount shown as due and payable in any notice sent to a person required to pay the special rate; and*
 - h) Each person liable to pay the special rate by instalments in line with Council's general rate payment requirements in each year.*
- 2. Consider the special rate for the purpose of Dinner Plain Village Services (2017/18) declaration at a Special Council Meeting on 27 June 2017.*
 - 3. Commit to the delivery of a \$1.5m capital works project pipeline within Dinner Plain by 2026/27; this will be funded by the residual funds within the Dinner Plain reserve (forecast to be \$998,000 at 30 June 2017) and additional funds as allocated by Council.*
 - 4. Dissolves the Dinner Plain Advisory Committee, acknowledging the Committee's contributions; and undertake to continue to consult with the Dinner Plain community.*
 - 5. Form a committee according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors and Directors for the purpose of hearing submissions in relation to the proposed declaration of the Special Rate Dinner Plain Services.*

BACKGROUND

Dinner Plain operates as a discrete business unit within Alpine Shire Council and a strategic approach to long term financial planning and management has been undertaken to acknowledge and sustain the unique development and operational needs of the village, and to manage a fair and equitable rate structure.

The declared Special Rate Dinner Plain Services for 2016/17 was reduced to 65% (from 80.7% in 2015/16). It is now proposed to declare a 2017/18 special rate at 43%, this aligns the proposed special rate for the purpose of Dinner Plain Services with the Shire-wide Commercial Industrial Differential Rate.

ISSUES

A ten-year analysis of projected income and expenditure demonstrates that expenditure will exceed income within the ten-year period; it is proposed that this deficit will be covered by the Dinner Plain reserve in the short term.

Council has identified a pipeline of capital projects in consultation with the Dinner Plain Advisory Committee and sought feedback from Dinner Plain ratepayers in the survey completed in 2016. In addition, Council remains committed to the delivery of essential services to Dinner Plain. In order to defray these expenses Council is



recommending a special rate of 43% for the Financial Year 2017/18, it is acknowledged that this level does not recover the full cost of the performance of this function.

Within the 2017/18 rating period Council will undertake a financial assessment on the impact of reducing the special rate for the purpose of Dinner Plain Village Services for 2018/19 to apply to commercial properties (including holiday homes) only within Dinner Plain village. This assessment will include a detailed analysis of projected income and expenditure and document the potential income deficit achieved once the Dinner Plain reserve is exhausted. This analysis will allow Councillors to make an informed decision on the future strategy to defray these expenses.

POLICY IMPLICATIONS

The preparation of the special rate for the purpose of the Dinner Plain Village Services strategy is in accordance with the:

Special rates and Charges, Ministerial Guidelines, September 2004

Alpine Shire Rating Strategy

Strategic Resource Plan

FINANCIAL AND RESOURCE IMPLICATIONS

Council has undertaken analysis that demonstrates expenditure will exceed income within the ten year period of the plan; the deficit will be covered by the Dinner Plain reserve in the short term.

The Dinner Plain reserve is forecast to be approximately \$998,000 at 30 June 2017 with Council undertaking to allocate additional funding to deliver \$1.5m of planned future capital works within Dinner Plain village by 2026/27.

The special rate for the purpose of the Dinner Plain Village Services for 2017/18 is proposing to raise an estimated \$293,647 over the 12 months. This is significantly lower revenue than that raised in previous years' special rate declarations for Dinner Plain village, as well as being lower than the total cost of the performance of this function over the year. This is illustrated in the below table which shows a comparison of revenue raised from the special rate in the previous two financial years.

Year	Special Rate Revenue	Proposed Special Rate revenue 2017/18	Comparison Deficit
2015/16	\$564,735	\$293,647	\$271,088
2016/17	\$435,166*	\$293,647	\$141,516

*Year to date figure

CONSULTATION

Under Section 223 of the *Local Government Act 1989* a person has a right to make submissions on the proposed special rate for the purpose of the Dinner Plain Village



Services. Council must allow a minimum 28 days after the public notice to receive submissions.

A person has the right to have their submission heard at a committee be formed according to Section 223 (1)(b) of the *Local Government Act 1989*, if required, consisting of Councillors and Directors for the purpose of hearing submissions in relation to the declaration of a Special Rate Dinner Plain Services.

In addition, Council has consulted with the Dinner Plain Advisory Committee and outlined its intention to give public notice to declare the special rate for the purpose of the Dinner Plain Village Services.

CONCLUSION

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

Council is giving public notice of the intent to declare a special rate for the purpose of the Dinner Plain Village Services of 43% for the period 1 July 2017 to 30 June 2018 in accordance with Section 163 of the *Local Government Act 1989*. It is proposed to declare the special rate for the purpose Dinner Plain Village Services at a Special Council Meeting on 27 June 2017.

DECLARATION OF CONFLICT OF INTEREST

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

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

ATTACHMENT(S)

8.3.4 Dinner Plain Special Rate Map



8.3.5 Contract CT17008 Collection, Transportation and Disposal of Waste from Myrtleford Transfer Station

File Number: 1811.06 & CT 17008

INTRODUCTION

This report relates to the award of a contract for the collection, transportation and disposal of waste from Myrtleford Transfer Station. Council's approval is required due to the Chief Executive Officers' threshold of \$150,000 being exceeded.

Cr Nicholas

Cr Pearce

That Council:

- 1. Award Contract No. CT17008 to Ellwaste Waste and Recycling Services for the collection, transportation and disposal of waste from Myrtleford Transfer Station for an initial three year term (plus the option of three one year extensions). The cost of this tender for the first year (based on estimated waste volumes at a per tonne cost) is \$380,300 + GST.*

Carried

BACKGROUND

At a Special Council Meeting on 17 December 2015 Council determined to convert Myrtleford Landfill facility to a best practice waste transfer station and close the landfill operations according to EPA requirements. A tender has now been conducted for the collection transportation and disposal of ASC landfill material from Myrtleford to an alternate landfill site.

Through the tender process 7 submissions were received and these were evaluated in line with the criteria below.

EVALUATION

Submissions were evaluated according to the key selection criteria listed in the Invitation to Tender, these being:

- Price
- Qualifications and Previous Performance
- Delivery
- Social

Following an assessment process it has been determined that the tender from Ellwaste Waste and Recycling Services best met the selection criteria.



ISSUES

Ellwaste Waste and Recycling Services is proposing to transport ASC landfill material from Myrtleford to a processing site in Patho Victoria. They are highly experienced in the industry, owning and operates a wide range of waste services, including kerbside, recycling facilities and waste transport and disposal. In evaluation Ellwaste Waste and Recycling Services submitted the best value proposition for ASC both from a costs perspective and a site operation procedures basis, being able to operate a system consistent with that proposed by Council.

POLICY IMPLICATIONS

This process is in accordance with the Procurement Policy and the Purchasing and Contract Procedural Manual.

FINANCIAL AND RESOURCE IMPLICATIONS

Services under this contract are estimated to cost in excess of \$0.4m per annum with the exact contract amount varying due to actual waste volume. The contract will contain a mechanism to apply a CPI adjustment annually on the anniversary of the contract up to the contract term for transportation and disposal charges. The applicable Landfill Levy is subject to movements in State Government pricing.

The financial impact of awarding this contract is to maintain service provision at current levels but adjusted to cater for future movements in CPI. The estimated contract value for 2017/2018 also includes the Landfill Levy at current rates. The draft budget for 2017/2018 has been prepared on the basis of this waste service being provided and will be adjusted annually in accordance with the relevant clause in the contract.

CONSULTATION

The decision to convert Myrtleford Landfill facility to a best practice waste transfer station and close the landfill operations according to EPA requirements was subject to extensive consultation at the time with Councillors, the Landfill Operator, Sustainability Victoria, NEWRRG, EPA, Infrastructure Solutions and other regional landfill operators.

Reference was also made to the findings of the two FLOS reports commissioned by NEWRRG, as well as the State-wide Waste and Resource Recovery Infrastructure Plan (SWRRIP).

CONCLUSION

Following a comprehensive assessment the tender from Ellwaste Waste and Recycling Services is deemed to present the best value for Council.



DECLARATION OF CONFLICT OF INTEREST

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

- Chief Executive Officer
- Director Corporate
- Manager Facilities

ATTACHMENT(S)

- Nil



9 ASSEMBLY OF COUNCILLORS

INTRODUCTION

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

Cr Pearce

Cr Nicholas

That the summary of the Assemblies of Councillor for March 2017 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
7 March	Briefing Session
21 March	Briefing Session

ATTACHMENT(S)

9.0 Assemblies of Councillors – March 2017



10 GENERAL BUSINESS

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au for its YouTube live-streaming recording.

11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil

12 RECEPTION AND READING OF PETITIONS

Nil



13 DOCUMENTS FOR SEALING

Cr Pearce

Cr Nicholas

That the following documents be signed and sealed.

- 1. Contract No CT1605002 in favour of North East Civil Construction for the Alpine Better Places: Porepunkah Landscape, civil and electrical works.*

Carried

There being no further business the Chairperson declared the meeting closed at 8.02 p.m

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Chairperson