

# Agenda

## Ordinary Meeting of Council

Tallangatta Council Office

Tuesday 5 August 2014

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**AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT TOWONG  
SHIRE COUNCIL, TALLANGATTA OFFICE ON TUESDAY 5 AUGUST 2014  
COMMENCING AT 10.00 AM.**

**TABLE OF CONTENTS**

1	Opening Prayer.....	4
2	Councillor and Officer presence at the meeting.....	5
3	Apologies and granting of leave of absence .....	5
4	Declaration of pecuniary interest and/or conflict .....	5
5	Confirmation of minutes .....	5
6	Petitions, joint letters and declarations.....	5
7	Assembly of Councillors .....	5
8	Open Forum.....	5
9	Organisational improvement.....	6
9.1	Finance Report as at 30 June 2014 (DCCS) .....	6
9.2	Proposed Budget 2014-2015 (06/02/0065-DCCS).....	16
9.3	Art and cultural development (05/01/0054-EA).....	17
9.4	Say 'No' to Violence Campaign - Alliance of the Councils and Shires of the Upper Murray [ACSUM] (07/05/0007-CEO).....	19
9.5	Action Sheet Reports (06/05/0010-EA) .....	21
9.6	Council Plan Priorities (07/05/0022-DCCS).....	21
9.7	Performance Reporting Graphs (DCCS) .....	21
10	Community wellbeing .....	21
11	Asset management.....	22
11.1	Works Schedule (DTS) .....	22
12	Land-use planning.....	23
12.1	Planning Application 2014/029 (210400 - CEO) .....	23
13	Environmental sustainability .....	40
14	Economic and tourism development.....	40
15	Councillor reports .....	40
16	Urgent business.....	40
17	Committee minutes.....	41
17.1	Hume Region Local Government Network [HRLGN] (07/05/0007-Mayor) .....	41
17.2	High Country Councils Coalition Meeting (07/05/0007-Cr Gadd) .....	41
18	Occupational health and safety .....	41
18.1	OHS Committee (06/04/0212-DCCS).....	41
19	Council policies (10/01/0007-CEO) .....	42
19.1	Procurement Policy (CEO) .....	42
20	Sealing of documents.....	46
21	Confidential.....	47
		2

21.1 Request to waive rates (290200-AEA).....48

## **1 Opening Prayer**

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

**2 Councillor and Officer presence at the meeting**

**3 Apologies and granting of leave of absence**

**4 Declaration of pecuniary interest and/or conflict**

For the purpose of this section, Councillors must disclose the nature of the conflict of interest in accordance with s79(2) of the Local Government Act.

**5 Confirmation of minutes**

Special Meeting of Council 25 June 2014 and Ordinary Meeting of Council 1 July 2014.

**6 Petitions, joint letters and declarations**

**7 Assembly of Councillors**

A written record of the Assemblies of Councillors from 1 – 28 July 2014 is included at Appendix 1.

**RECOMMENDATION:**

**THAT THE INFORMATION BE NOTED.**

**8 Open Forum**

## 9 Organisational improvement

### 9.1 Finance Report as at 30 June 2014 (DCCS)

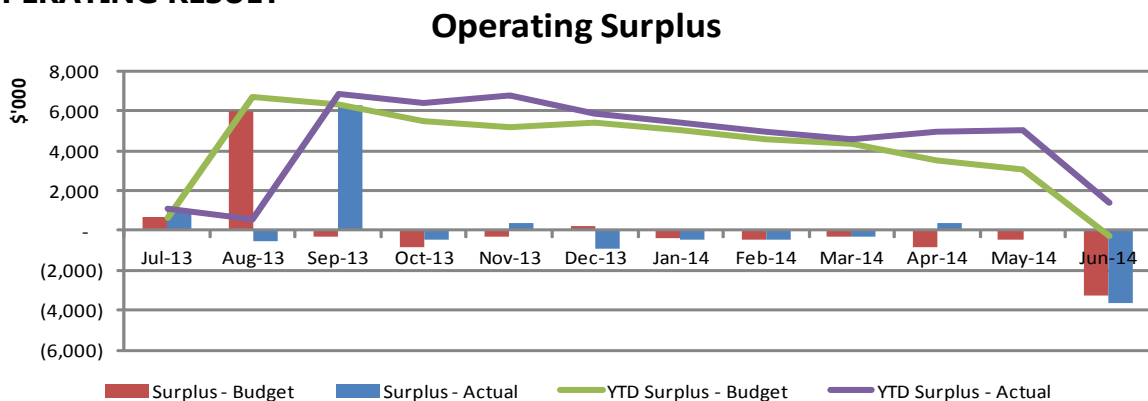
#### Disclosure of Interests (S.80C):

This report was prepared by Mr Blair Phillips, Manager Finance.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

This report is based on preliminary year end financial data, prior to final year end adjustments.

#### OPERATING RESULT



	Note	Jun-14 (Actual)	Jun-14 (Budget)	YTD (Actual)	YTD (Budget)	YTD (Variance)	YTD (Variance)
		\$'000	\$'000	\$'000	\$'000	\$'000	%
Income	1	766	1,053	15,610	14,541	1,069	7%
Expenditure	2	4,387	4,353	14,212	14,790	(578)	-4%
Surplus		(3,621)	(3,300)	1,398	(249)	1,647	-661%

Table 1: Operating Result

#### Note 1:

Income for the full year is higher than budget, primarily due to:

- Timing of grant funding payments (\$490,000). Refer "Grant Income" below.
- Recognition of the total Walwa Wastewater Special Charge earlier than budgeted (\$177,000 variance)
- Interest income being greater than budgeted by \$138,000
- Receipt of \$55,447 from the Victorian Government to assist with administering the Fire Services Property Levy that had not been budgeted.

Note 2:

Expenditure for the full year is lower than budget, primarily due to the timing of grant funded projects and actual employees being lower than originally budgeted.

Projects or activities that were budgeted to have occurred in 2013/14 and that will now be delivered in 2014/15 include:

- \$199,000 Strategies and Master Plans
- \$98,000 Insight 360 Development
- \$90,000 Planning legal fees, contractors and scheme amendment expenses
- \$65,000 Community Development Officer (advertised April 2014)
- \$62,000 Community and Recreation facility projects
- \$54,000 Community Health and Wellbeing Manager (appointed Jan 2014)

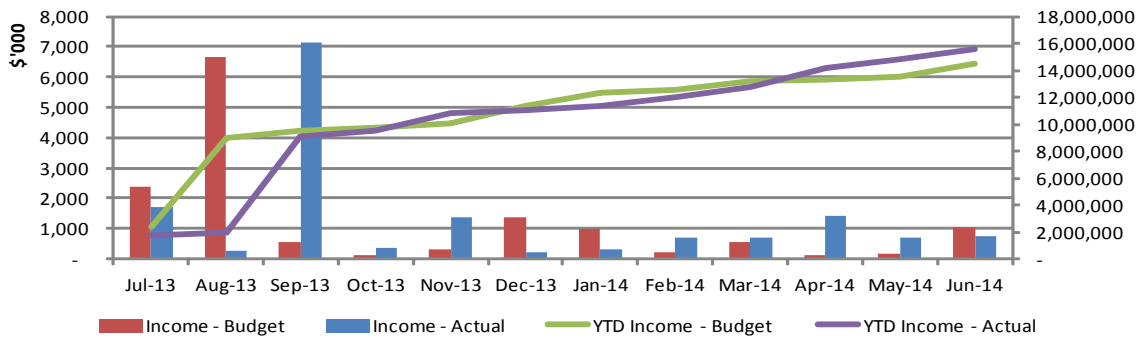
Projects or roles that were budgeted but have not proceeded include:

- \$179,000 Director Development Services
- \$114,000 Flood Recovery Officer
- \$71,000 Statutory Planner (maternity leave relief) and planning support

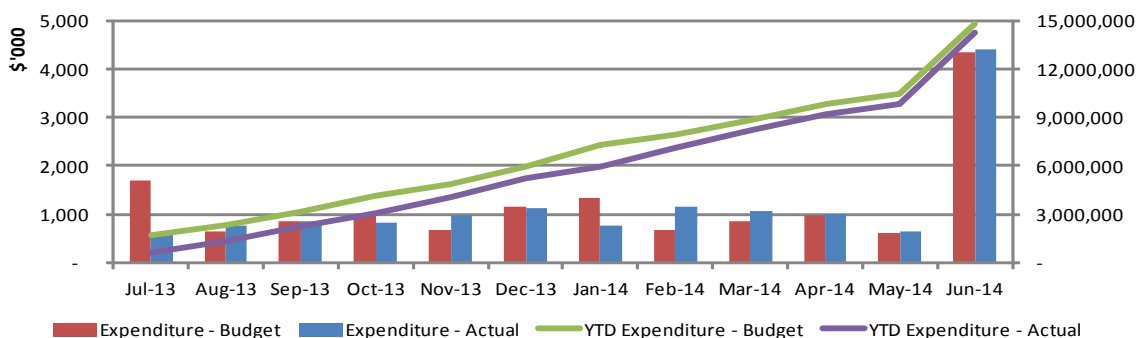
The actual full time equivalent employees for the year is currently 66.3, whilst the budget is 70.6.

**Operating result**

**Income**



**Expenditure**



**Grant Income**

	<b>Note</b>	<b>Jun-14</b> (Actual)	<b>YTD</b> (Actual)	<b>YTD</b> (Budget)	<b>YTD</b> (Variance)	<b>12 Month</b> (Budget)
		<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Recurring		68	2,147	2,184	(37)	2,184
Non-Competitive	1	(156)	3,087	2,773	314	2,783
Competitive	2	213	1,799	1,586	213	1,576
<b>Total</b>		<b>125</b>	<b>7,033</b>	<b>6,543</b>	<b>490</b>	<b>6,543</b>

Table 2: Grant Income

Note 1:

Council received \$500,000 from the Local Government Infrastructure Program that had been budgeted in 2015/16. Council will receive \$1.82 million in total over this four year funding program.

The final Emergency Response grant relating to the March 2012 flood event was budgeted at \$195,000 in the 2013/14 budget. The amount of the grant is related to the value of expenditure required to restore damaged assets. The final instalment of the grant, estimated at approximately \$65,000, will now be received early in 2014/15.

Note 2:

The following grant was budgeted for in the 2013/14 budget but will not be received until 2014/15:

- \$354,000 Blackspot funding

Whilst the following grant was budgeted for in the 2013/14 budget, it will not be received:

- \$235,000 Tallangatta Senior Citizens-RDAF Round 5 terminated by the Federal Government

The following grants were received in 2013/14 but were not budgeted until 2014/15:

- \$200,000 Magorra Park
- \$450,000 Tallangatta Integrated Community Centre



*Grants received Year-to-Date (YTD) are shown in the following table:*

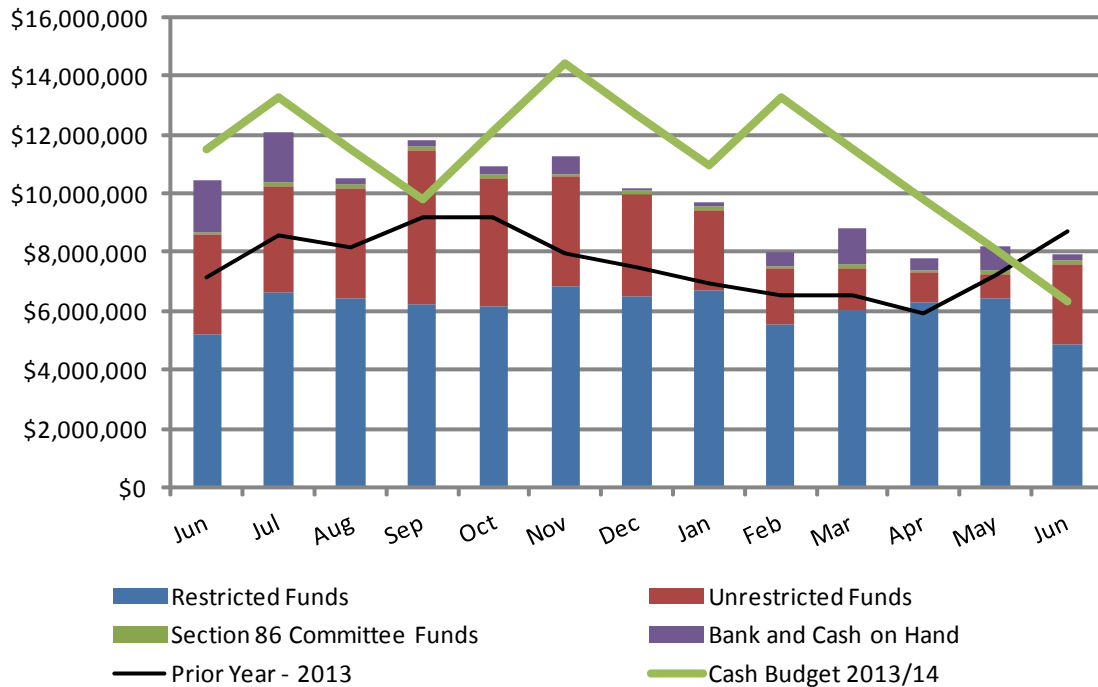
	<b>\$'000</b>
<b>Recurring</b>	
VGC General Purpose and Road Funding	1,725
Corryong Pre School	126
Maternal and Child Health	124
Tallangatta Pre School	74
Berringa Pre School	63
State Emergency Service Corryong	13
State Emergency Service Tallangatta	13
State Emergency Service Mitta	7
Health Admin (Tobacco Activity Service Agreement)	3
<b>Total Recurring Grants</b>	<b>2,147</b>
<b>Competitive and Non-Competitive</b>	
Country Roads and Bridges	1,000
R2R Supplementary	822
Emergency Response	576
LG Infrastructure Projects	500
Tallangatta Integrated Community Centre	450
Tallangatta Multi-sport Precinct	339
Magorra Park (DSE)	200
Walwa Community Recovery Centre	135
Scenic Wayside Stop Project	117
Colac Colac Bike Path	108
Library	93
Upper Murray 2030 Vision	60
Municipal Emergency Response Program	60
Weed Project	55
Children Services Review	45
L2P Program	45
Tallangatta Swimming Pool Upgrade	40
Community Access	36
Tallangatta Neighbourhood House	29
Caravan Park Masterplan	27
The Narrows Project	26
Our Valley Our Future	25
Pre-School Cluster	25
Towong Racecourse (DSE)	20
Comm Health & Wellbeing	13
Freeza Funding	12
Regional Living Expo	10
Corryong Netball Courts	8
NE Dairy Regional Growth Plan	6
Seniors Week	2
Youth Week	2
<b>Total Competitive and Non-Competitive Grants</b>	<b>4,886</b>
<b>Total Grants Received</b>	<b>7,033</b>

## CASH POSITION

### *Cash on Hand*

The cash position moved during the month as detailed below:

	Current Month	Prior Month	Variance	
	Jun-14	May-14	\$	%
	\$	\$	\$	%
Unexpended Grants	3,868,860	5,500,802	(1,631,942)	-29.7%
Provisions and reserves	965,429	965,429	-	0.0%
<b>Restricted Funds</b>	<b>4,834,289</b>	<b>6,466,231</b>	<b>(1,631,942)</b>	<b>-25.2%</b>
Unrestricted Funds	2,726,112	754,630	1,971,482	261.3%
Section 86 Committee Funds	135,751	135,588	163	0.1%
<b>Total Investments</b>	<b>7,696,153</b>	<b>7,356,449</b>	<b>339,704</b>	<b>4.6%</b>
Bank and Cash on Hand	231,350	844,454	(613,104)	-72.6%
<b>Total Cash</b>	<b>7,927,503</b>	<b>8,200,903</b>	<b>(273,401)</b>	<b>-3.3%</b>
Average Interest Rate	3.48%	3.48%		



**Restricted Funds**

	<b>\$'000</b>
Unexpended Grants	
Tallangatta Integrated Community Centre	1,471
LG Infrastructure Projects	1,179
Country Roads and Bridges	342
Magorra Park (DSE)	196
Local Gov Business Collaboration (A Maclean)	81
Upper Murray 2030 Vision	59
Municipal Emergency Response Program	57
Tallangatta Neighbourhood House	52
Community Access	51
Flood Recovery (Community projects)	51
Flood Recovery Officer (T Hall)	47
Our Valley Our Future	47
Towong Racecourse (DSE)	45
Children Services Review	45
Cudgewa Rec Reserve	42
Weed Project	36
The Narrows Project	24
Improving Liveability of Older People	19
Bushfire Management Overlay	13
Freeza Funding	7
Caravan Park Masterplan	3
Fire Access Track Maintenance	2
<b>Total Unexpended Grants</b>	<b>3,869</b>
Provisions and Reserves	
Long Service Leave	765
Landfill Rehabilitation	200
<b>Total Provisions and Reserves</b>	<b>965</b>
<b>Total Restricted Funds</b>	<b>4,834</b>

## Investments

Investments were made up of the following at the month end:

Date	Product	Institution	Principal	Yield	Term	Rating	Maturity
17/06/2014	Term Deposit	CommInvest (CBA)	1,000,000	3.50%	90 Days	A1+	17/09/2014
23/04/2014	Term Deposit	NAB	2,000,000	3.58%	90 Days	A1+	22/07/2014
11/06/2014	Term Deposit	Bank of Queensland	1,000,000	3.50%	92 Days	A2	11/09/2014
13/06/2014	Term Deposit	Wide Bay Australia Ltd	500,000	3.60%	91 Days	A2	12/09/2014
26/03/2014	Term Deposit	WAW	800,668	3.55%	90 Days		26/09/2014
N/A	Online Saver	ANZ	2,259,733	2.25%	On Call	AA-	N/A
N/A	S86 Committees	Various	135,588	4.68%	N/A		N/A
<b>Total Investments</b>			<b>6,695,989</b>				

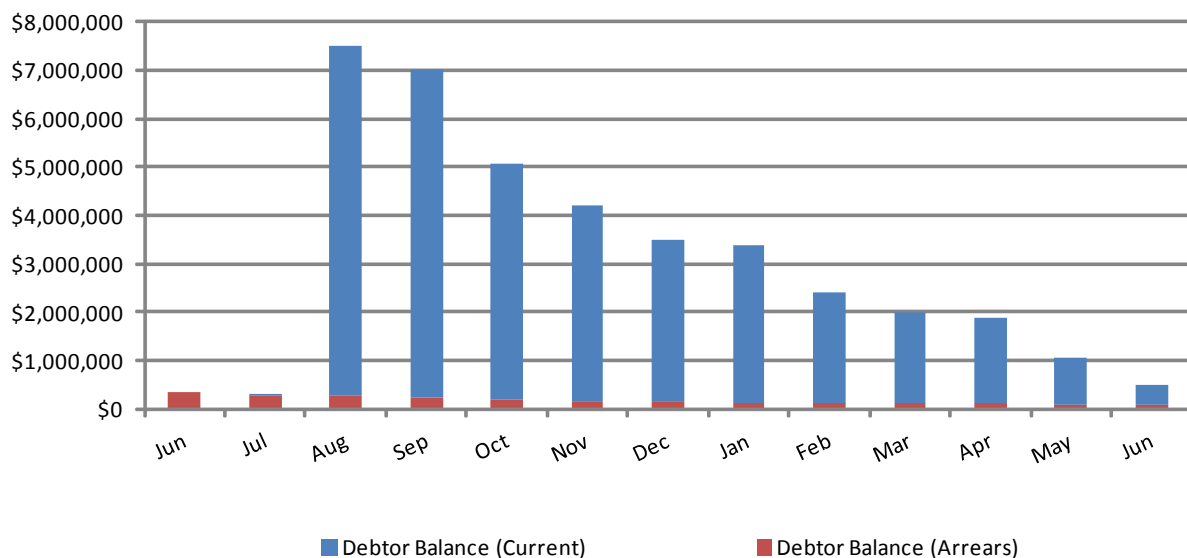
Table 4: Investments at month end

## RECEIVABLES

### *Rates, Municipal Charge, Waste Management Charge and Waste Collection Charge*

The breakdown of rates received for the current month and year-to-date is shown in the following table and graph:

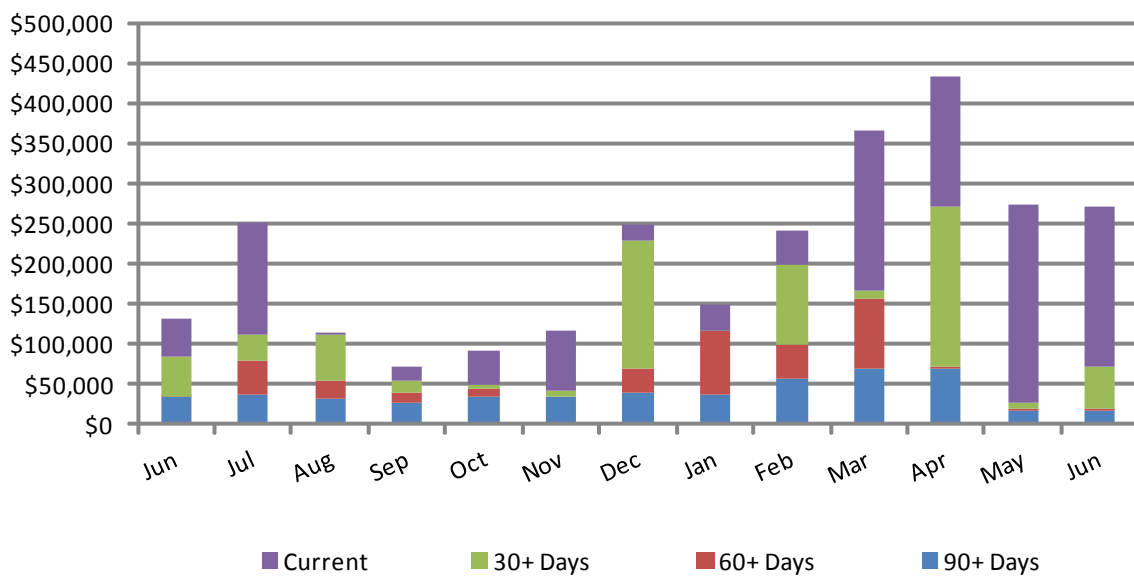
Rates, charges and FSPL Debtors	Amount	Received	% Collected	Received	Collected	Balance
	\$	Jun-14	Jun-14	YTD	YTD	Outstanding
	\$	\$	%	\$	\$	\$
Levied 2013/14	7,275,929	558,288	7.7%	6,867,444	94.4%	408,485
Arrears prior to 2013/14	339,358	3,723	1.1%	244,868	72.2%	94,490
<b>Total Charges</b>		<b>562,011</b>		<b>7,112,312</b>		<b>502,975</b>



*Sundry Debtors*

The Sundry Debtors outstanding at month end and the movement from the prior month is shown below:

Sundry Debtors	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
<b>June 2014</b>	199,778	52,376	1,679	17,795	271,628
<b>May 2014</b>	246,456	5,957	1,894	18,244	272,551
<b>Movement</b>	(46,678)	46,419	(215)	(449)	(923)



Significant debtors (>\$1,000) with ageing of greater than 90 days are as follows:

Debtor	Amount	Description	RO	Notes
Debtor 18925	\$4,000	Community Group Loan	JS	The long term binding payment agreement has not yet been signed but making payments within terms. Paying \$500 per annum. \$500 received May 2013.
Debtor 17007	\$2,950	Infringement Notice	JS	Debt undergoing review.
Debtor 19755	\$1,548	50% Cost Recovery for weed control	JS	Debt undergoing review.

Table 6: Significant debtors > 90 days

## LOCAL ROADS

### *Local Roads and Bridges Capital Works*

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
402 Survey and Design		44,382	105,000	(60,618)	105,000
410 Road Construction		780,516	923,952	(143,436)	923,952
413 Storm Damage	1	51,882	418,951	(367,069)	418,951
416 Sealing	2	805,712	188,500	617,212	188,500
417 Resealing	2	-	750,000	(750,000)	750,000
420 Drainage Construction	3	65,371	91,500	(26,129)	91,500
421 Digouts		730,638	722,020	8,618	722,020
422 Resheeting	4	148,103	230,000	(81,897)	230,000
432 Footpaths		34,881	30,000	4,881	30,000
433 Kerb and Channel		79,693	100,000	(20,307)	100,000
450 Bridge Construction	5	1,525,258	2,239,077	(713,819)	2,239,077
<b>Total</b>	<b>6</b>	<b>4,266,436</b>	<b>5,799,000</b>	<b>(1,532,564)</b>	<b>5,799,000</b>

Table 7: Local Roads & Bridges – Capital Works (YTD)

Note 1: Works relating to the March 2012 flood event have been completed, with the last claim to be submitted in July 2014. Prior to the commencement of the 2013/14 year, remaining works were estimated at \$418,951. Works have now been completed and the final claim for \$66,000 has been submitted in July 2014.

Note 2: Reseal program complete. Final line marking and culvert head wall lift works to be completed by end of August 2014 (delay is due to wet weather).

Note 3: Works underway on drainage at the depot to be completed early in the 2014/15 financial year.

Note 4: Resheet program complete.

Note 5: Two bridges remaining. Contracts have been awarded, construction commenced in early June.

Note 6: This report has been prepared prior to year end accruals and adjustments. Significant accruals relating to the construction of the final two bridges are expected.

*Local Roads and Bridges Maintenance*

	Note	YTD Actual \$	YTD Budget \$	Variance \$	Annual Budget \$
301 Inspections		766	-	766	-
302 Survey and Design		16,080	5,000	11,080	5,000
304 Pavement Maintenance	7	76,072	180,000	(103,928)	180,000
306 Grading		515,609	480,000	35,609	480,000
308 Shoulder Maintenance		52,599	100,000	(47,401)	100,000
310 Drainage Maintenance	7	99,867	195,000	(95,133)	195,000
312 Call Outs		12,470	12,000	470	12,000
313 Storm Damage		56,807	-	56,807	-
322 Resheeting		739	-	739	-
324 General Roadside Maintenance		61,377	65,000	(3,623)	65,000
326 Mowing		663	-	663	-
328 Tree Maintenance		74,381	89,749	(15,368)	89,749
330 F/Path Maintenance		4,990	8,000	(3,010)	8,000
331 K and C Maintenance		2,263	5,000	(2,737)	5,000
334 Roadside Treatments		-	15,000	(15,000)	15,000
336 Signs Maintenance		9,991	12,000	(2,009)	12,000
338 Linemarking		7,773	10,000	(2,227)	10,000
340 Guideposts		5,245	7,000	(1,755)	7,000
342 Guardrail		5,535	5,000	535	5,000
346 Bridge Maintenance		21,160	15,256	5,904	15,256
<b>Total</b>		<b>1,024,387</b>	<b>1,204,005</b>	<b>(179,618)</b>	<b>1,204,005</b>

Table 8: Local Roads & Bridges - Maintenance (YTD)

Note 7: Road pavement is in good condition with independent review contained in the Moloney's Report supporting this view. Invoices not yet received for Pavement maintenance (approx \$50k) and Drainage maintenance (approx \$40k) for work completed in June.

**RECOMMENDATION:**

**THAT THE FINANCE REPORT BE NOTED.**

## 9.2 Proposed Budget 2014-2015 (06/02/0065-DCCS)

### **Disclosure of Interests (S.80C):**

This report was prepared by Ms Jo Shannon, Director Community and Corporate Services.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

### **Background/History:**

At its Special Meeting held on 25 June 2014 Council considered the 2014-2015 Proposed Budget. Council agreed to publicly exhibit the proposed budgeted for 2014-2015 with a 5.8% rate increase. At that time Council also resolved to accept submissions on the Proposed Budget with the closing date being 29 July 2014. At the time of writing, the public exhibition period had not closed.

### **Impact on Council Policy:**

Nil.

### **State Government Policy Impacts:**

Nil.

### **Budget Impact:**

Nil.

### **Risk Assessment:**

Nil.

### **Community Consultation/Responses:**

Should any submissions be received a report detailing the submission(s) will be forward to Councillors prior to the Council meeting.



**Discussion/Officers View:**

The budget report had not been finalised at the time of agenda preparation. The budget report will be forwarded to Councillors prior to the Council meeting.

**RECOMMENDATION:**

**FOR INFORMATION**

**9.3 Art and cultural development (05/01/0054-EA)**

**Disclosure of Interests (S.80C):**

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

**Background/History:**

A report was tabled at the 2 December 2012 Council meeting regarding art that has been collected over a period of twenty years from the former Shires of Tallangatta and Upper Murray. At that time Council was advised that twenty-nine works of art were on loan around the Shire to local hall committees and Community Centres for the benefit of all people within the Shire. Significant historic pieces had also been donated to the Tallangatta and District Heritage Society.

At the 2 December 2012 meeting, it was resolved:

THAT COUNCIL CONTINUE WITH MAKING THE ARTWORK AVAILABLE TO COMMUNITIES AS HAS BEEN DONE IN THE PAST AND COMMUNICATE WITH HALL COMMITTEES THAT THE ART IS AVAILABLE.

The Executive Assistant wrote to hall committees and Community Centres on 12 February 2014 and again on 2 June 2014 advising that Council was preparing to rotate the artwork and invited them to contact Council if they wished to participate in the program.

The Fernvale Hall Committee returned the art on loan advising they did not wish to participate further. The Lucyvale Hall Committee also returned their art and indicated their ambivalence regarding future participation. The Tallangatta and District

Heritage Society (via the Heritage Museum) also returned their pieces advising that the Museum was to be closed down. Other organisations have responded indicating:

- That they are either happy to rotate the art works; or
- Keep the works they already have; or
- Take more art if available.

Council has responded accordingly by rotating artworks as requested to those who wished to participate.

**Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

Nil.

**Risk Assessment:**

Nil.

**Community Consultation/Responses:**

Nil.

**Discussion/Officers View:**

Due to the lack of interest in the rotation program and the size and impracticality of moving some of the works, it is the Officer's opinion that Council continue with periodic audits of the artwork on loan, but not continue with further rotations.

**RECOMMENDATION:**

**THAT COUNCIL CONTINUE WITH PERIOD AUDITS OF THE ARTWORK ON LOAN BUT NOT CONTINUE WITH THE ROTATIONS PROGRAM.**

## 9.4 Say 'No' to Violence Campaign - Alliance of the Councils and Shires of the Upper Murray [ACSUM] (07/05/0007-CEO)

### **Disclosure of Interests (S.80C):**

This report was prepared by Mrs Diana Snaith, Executive Assistant.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

### **Background/History:**

Council is a member of the Alliance of the Councils and Shires of the Upper Murray [ACSUM]. Correspondence has been received from the Secretariat in relation to the Say 'No' to Violence Campaign proposal that was discussed at a Working Party meeting held on 21 February 2013. The item was listed again for discussion at the 8 August 2013 meeting. At that meeting it was also agreed to promote the *White Ribbon Day* as an aside to the original concept. A briefing letter is attached at Appendix 2.

ACSUM is requesting member Councils reaffirm their commitment to the proposal by giving 'in-principle' financial support for the production of a two to three minute video to promote the message using local identities. At this point in time no dollar figure has been suggested. This item is due to be discussed at the next ACSUM Working Party meeting scheduled for 4 September 2014.

As *White Ribbon Day* falls on 25 November 2014, the ACSUM Chair believes it is time to initiate the project with some urgency.

Council will remember that at the 1 April 2014 meeting, it considered a report that detailed the Hume Region Preventing Violence against Women and Children, Regional Strategy 2013-2017. Council resolved to endorse the Strategy and indicated its willingness to participate in the local government working group. The proposed ACSUM project further supports preventing violence and is another example of continuing Council's support.

### **Impact on Council Policy:**

Nil.

**State Government Policy Impacts:**

Nil.

**Budget Impact:**

There is no budget allocation for this request.

**Risk Assessment:**

Nil.

**Community Consultation/Responses:**

Nil.

**Discussion/Officers View:**

Although there has been no recommendation from the Chairman of ACSUM in relation to an amount to be committed, Cr Kevin Mack will lead a discussion at the next Working Party Meeting to be convened on 4 September 2014. We do not have a budget for such a commitment but it is the Officer's opinion that \$500 may be a reasonable amount to contribute.

**RECOMMENDATION:**

**THAT COUNCIL GIVES 'IN-PRINCIPLE' SUPPORT TO THE PRODUCTION OF THE SAY 'NO' TO VIOLENCE VIDEO AND A FINANCIAL CONTRIBUTION OF \$500.**

### **9.5 Action Sheet Reports (06/05/0010-EA)**

Items requiring action from the 1 July 2014 Council Meeting are attached at Appendix 3.

**RECOMMENDATION:**

**THAT THE REPORT BE NOTED.**

### **9.6 Council Plan Priorities (07/05/0022-DCCS)**

The monthly updates on the 2013-2017 Council Plan priorities are attached at Appendix 4 for information.

**RECOMMENDATION:**

**THAT THE REPORT BE NOTED**

### **9.7 Performance Reporting Graphs (DCCS)**

The Performance Reporting Graphs are attached at Appendix 5 for information.

**RECOMMENDATION:**

**FOR INFORMATION**

## **10 Community wellbeing**

No report.

## **11 Asset management**

### **11.1 Works Schedule (DTS)**

The works scheduled for the period 7 June to 18 July 2014 is attached at Appendix 6 for information.

#### **RECOMMENDATION:**

**THAT THE REPORT BE NOTED.**

## **12 Land-use planning**

### **12.1 Planning Application 2014/029 (210400 - CEO)**

**Proposal:** Two dwellings, one of which is to be converted into a storage shed upon completion of the main dwelling.

**Property:** Lot 16 Plan of Subdivision 641225Y

**Applicant:** Mr Graham McLaws

**Zoning:** Rural Activity Zone (RAZ)

**Overlays:** Significant Landscape Overlay – Schedule 1 (SLO1)

#### **Disclosure of Interests (S.80C):**

This report was prepared by Mr Simon Hollis, Manager Planning.

At the time of preparation of the report the officer preparing the report did not have a direct or indirect interest in any matter to which the report or advice relates.

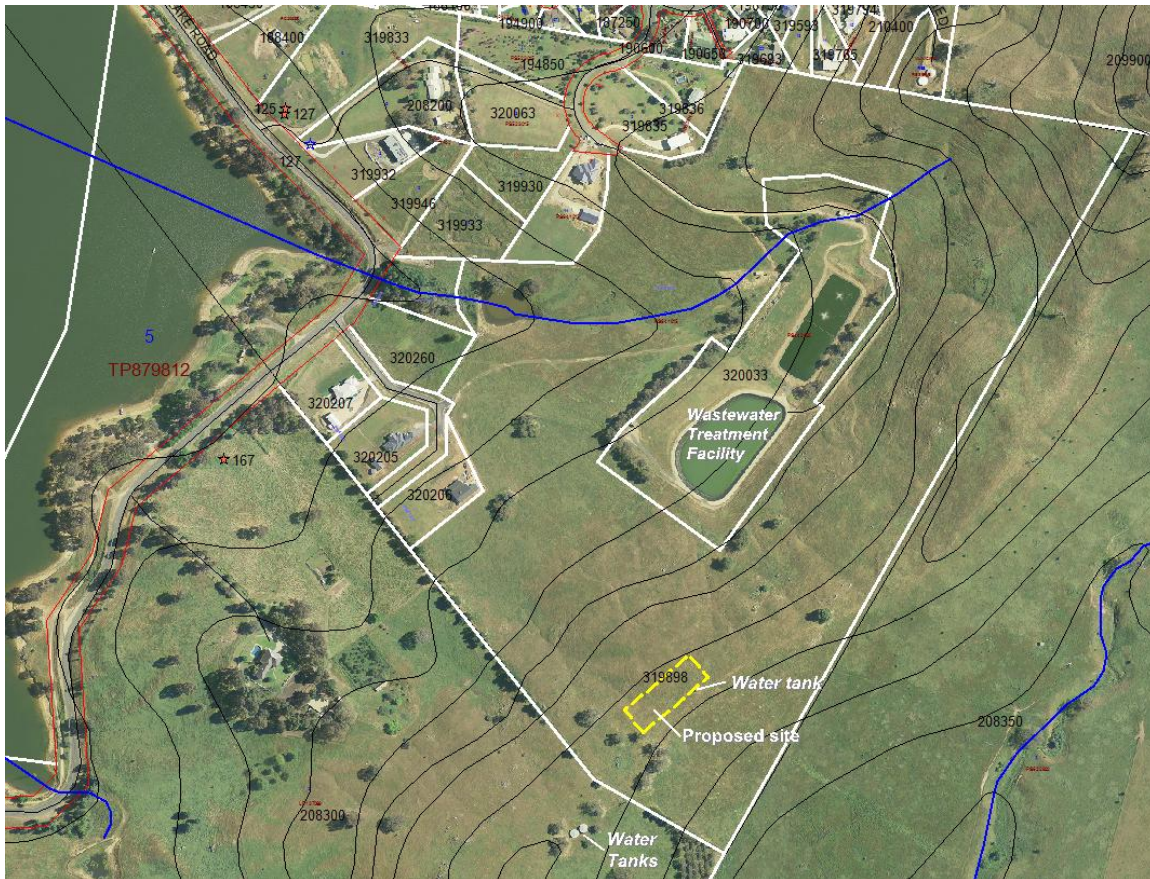
**Permit Trigger:** Clauses 35.08-1 and 43.03-2 of the Towong Planning Scheme

#### **DESCRIPTION OF PROPOSAL**

The application seeks approval for two dwellings, one of which is to be converted into a storage shed upon completion of the main dwelling. The site is to be accessed via Eucalypt Drive and is located approximately 80 metres from the southern property boundary and 110 metres from the eastern boundary. The development is to be connected to sewer, which is located in Eucalypt Drive. The application included a site plan with building envelopes, but did not include detailed building floor and elevation plans.

#### **SITE DESCRIPTION**

The site proposed for the development is on rural land surrounding the North East Water wastewater treatment facility. The land is formally described as Lot 16 on Plan of Subdivision 641225Y (Volume 11247 Folio 021) and is an irregular shaped 24.14 hectare land parcel located to the south of Bellbridge.



**Figure 1: Proposed location**

The subject land is zoned Rural Activity Zone (RAZ) and is included within the Significant Landscape Overlay – Schedule 1 (SLO1). It abuts land zoned Township Zone to the north and Low Density Residential Zone to the west as well as rural land that is primarily used for rural residential purposes to the south and east.

The nominated development site (Figure 1) is on a ridge crest at about 273m above sea level and the land falls both to the west of the nominated building envelope down toward Lake Hume and also to the east toward Kurrajong Gap Road.

According to the permit applicant, the reasons for selecting this site are that:

- The proposed site provides a suitable position relative to the North East Water wastewater treatment facility, particularly in relation to odour drift;
- The proposed development is located well away from existing residential development in Eucalypt Drive with the closest dwelling around 270m to the north west;
- The elevated position offers excellent views, particularly toward Lake Hume;



- Mature paddock trees will provide a backdrop to the development when viewed from the north which will assist in reducing the visual impact of the development; and
- There is minimal need for a site cut at the nominated location providing a relatively straight forward building site.

### **HISTORY AND COMMUNITY CONSULTATION**

Planning application 2014/029 was lodged on 27 May 2014 and upon receipt of the application, adjoining and nearby land owners were given direct notification about the application pursuant to Section 52 of the Planning and Environment Act.

One objection was received to the application (Appendix 7).

### **REFERRALS**

Goulburn Murray Water (GMW) is a statutory Section 55 referral authority and in this instance, GMW has consented to the granting of the permit with conditions.

Section 52 notification was given to North East Water, the Environment Protection Authority and National Trust. None of these authorities have objected to the granting of the permit.

### **TOWONG PLANNING SCHEME REQUIREMENTS**

#### **State Planning Policy Framework:**

The State Planning Policy of direct relevance to this application is Clause 12.04-2 – 'Landscapes'.

The objectives of this policy include:

- The protection of landscapes and significant open spaces that contribute to character, identity and sustainable environments;
- Ensure sensitive landscape areas are protected and that new development does not detract from their natural quality;
- Recognition of the natural landscape for its aesthetic value and as a fully functioning system; and
- Ensure natural key features are protected and enhanced.

The subject land is included within the Significant Landscape Overlay - Schedule 1 (SLO1) which has been applied to rural areas adjacent to Lake Hume and is intended to assist in the protection of landscape values around the Lake. Issues relating to landscape impacts are discussed later in this report with reference to the SLO1.

## **LOCAL PLANNING POLICY FRAMEWORK**

### **Municipal Strategic Statement:**

The Local Planning Policy Framework includes Council's *Municipal Strategic Statement (MSS)*. Of relevance within the MSS is Clause 21.02-3 which articulates a vision for Towong Shire that seeks to maintain, protect and enhance key natural assets, in particular with reference to important landscapes. Clause 21.02-4 of the MSS seeks to encourage different settlement outcomes in a variety of locations across the Shire that can contribute to the environmental, social and economic well-being of the Shire.

Within this Clause, the vision for future settlement in Towong Shire is one that:

- Takes advantage of existing infrastructure and promotes infrastructure efficiencies;
- Locates future settlement where there is access to services; and
- Seeks provision of additional rural living particularly on the Bethanga Peninsula and adjacent to existing settlements.

The subject land interfaces with the town of Bellbridge and the proposal seeks the rural residential use of the land consistent with the strategic policy direction promulgated by the MSS.

### **Clause 22.02 – Rural Dwellings:**

This policy applies to applications for dwellings in the Rural Activity Zone.

Key policy objectives and decision guidelines are to:

- Protect high quality agricultural land;
- Avoid land use conflict;
- Recognize environmental assets or constraints; and
- Avoid environmental hazards.

The intent of Clause 22.02 is that landscape and environmental values are to be considered, protected and enhanced and that dwellings constructed on rural lots are to be compatible with the environmental characteristics of the area.

The subject land abuts the town Bellbridge and the surrounding rural land is used chiefly for rural residential purposes. In this regard there is little prospect of conflict with surrounding land uses. In addition, the proposed siting of the development approximately 200m south and slightly upslope from the wastewater treatment facility should reduce the chance of amenity impacts from the facility.

The subject land is not identified as being of high quality for agriculture or being of strategic importance for agriculture from a regional or state perspective. There are

no identified environmental assets or hazards and the property is not included in the Floodway, Land Subject to Inundation or Bushfire Management Overlays. Accordingly, the proposal is considered to be consistent with the requirements of Clause 22.02 of the Towong Planning Scheme Local Planning Policy Framework.

**Rural Activity Zone – (RAZ):**

The site is located within the Rural Activity Zone (RAZ) and the purpose of this zone is to:

- Provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area;
- Ensure that use and development does not adversely affect surrounding land uses;
- Provide for the use and development of land for the specific purposes identified in a schedule to this zone;
- Protect and enhance natural resources and the biodiversity of the area; and
- Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Pursuant to Clause 35.08-1 of the Towong Planning Scheme, a dwelling is a 'Section 2' use (permit required). The Decision Guidelines of the Rural Activity Zone at Clause 35.08-5, require the Responsible Authority to consider a range of issues included in the general, agricultural, dwelling, environmental and design and siting categories listed.

The schedule to the Rural Activity Zone contains some specific purposes of the RAZ within the Towong Shire Context. They include:

- To provide for a range of land use and development that does not adversely affect surrounding uses;
- To recognise the need to strengthen and diversify the economic base of the Shire;
- To provide a flexible approach to the consideration of land use and development proposals to off-set the adverse effects of economic restructuring and climate change on the agricultural sector;
- To encourage opportunities that contribute to population stability and growth in the Shire; and
- To recognise the natural beauty and "pure" image of the Shire.

The Schedule encourages a flexible and merits-based approach when exercising discretion in relation to new dwelling applications. It is unambiguous in encouraging diverse land use outcomes and in particular ones which assist in enabling settlement in appropriate locations. In this regard, the proposal is considered to be consistent with the purpose of the Schedule and provides the type of planning outcome explicitly sought by the Schedule.

In response to other relevant heads of consideration within the RAZ, it is considered that:

- The proposal meets the relevant State Planning Policy Framework and Local Planning Policy Framework;
- Given the site abuts residential, low density residential and rural residential land uses, the proposed use and development is consistent and compatible with nearby land uses and the proposed siting maximises separation between the wastewater treatment facility;
- The proposal will not limit the operation or expansion of nearby agricultural land uses;
- The development will not result in the loss of high quality or strategically important agricultural land;
- The development will be connected to sewer and will require a limited site cut, thereby reducing soil and water impacts;
- There will be no impacts on flora, fauna and biodiversity;

- Whilst the siting of the proposed development is at the crest of the ridge, the landscape impacts are likely to be comparable to those already provided by existing rural residential development in the Lake Hume environs. The site is only partially visible from the nearby Kurrajong Lookout and will be most prominent for west-bound traffic on Kurrajong Gap Road in the vicinity of 306 Kurrajong Gap Road, although the ridge already contains development in the form of several large water tanks and a historic marker close to the nominated development site.
- The proposed use and development can utilise existing road, water and sewer infrastructure, thereby promoting infrastructure efficiencies.

**Clause 42.03 - Significant Landscape Overlay - Schedule 1 (SLO1):**

The Purpose of the Significant Landscape Overlay is:

- To identify significant landscapes; and
- To conserve and enhance the character of significant landscapes.

A planning permit is required for buildings and works pursuant to Clause 42.03.

The statement of nature and key elements of landscape with regard to SLO1 (Lake Hume and Environs) notes the following:

*Lake Hume is an important environmental and recreational resource that provides considerable economic, social and cultural benefits to both local and downstream communities. Lake Hume and its tributaries contain many important landscape features. There are several landscapes within the environs of Lake Hume that are classified by the National Trust. These include:*

- *Bethanga lookout.*

*The use and development of land around the Lake can have an impact on the way the area is perceived and enjoyed by the visitors who use the Lake and also by residents who seek out this environment for the lifestyle and amenity it provides. It is intended to protect the scenic and environmental values of the Lake Hume and its environs in order to preserve the values that attract people to live and recreate in this attractive part of the Shire.*

Landscape character objectives to be achieved which are relevant to this application include:

- To ensure that development is sited and designed so as to minimise the visual impact from an aesthetic and landscape impact perspective;
- To protect the Lake and the surrounding landscapes from visual intrusion from obtrusive development that may spoil the landscape attributes;

- To maintain, protect and enhance the character and diversity of Lake Hume landscapes including sites of remnant vegetation and sites of environmental significance;
- To encourage land development that does not degrade environmental values; and
- To prevent land use and development from degrading water quality and polluting Lake Hume.

In response to the SLO1 requirements and landscape impacts:

- The proposed development will not degrade environmental values;
- The proposed development has been sited in such a way that it will not significantly impact on the primary view-shed of town residents, which is essentially towards Lake Hume and Bethanga Bridge;
- The main visual impact of the proposed development will be on those properties to the east of the subject land. However the dwellings on these properties that are most affected are a considerable distance away from the proposed development, typically in the order of 700 - 800 metres;
- From most vantage points, including Kurrajong Lookout, the proposed development will not be silhouetted against the sky. The main exceptions are for west-bound traffic on Kurrajong Gap Road in the vicinity of 306 Kurrajong Gap Road and when viewed from the termination of Allan Crescent at Bellbridge;
- The landscape values of the immediate area are already compromised by existing development adjacent to the nominated development site. This existing development includes the North East Water wastewater treatment facility, which occupies a four hectare site within the subject land, several large water tanks and a historic marker which are located on the ridge in the vicinity of the proposed development. The tanks and the historic marker all breach the skyline when viewed from key vantage points to the east; and
- The location of the facility will require limited earthworks and site cut. Whilst a lower slope position could provide a more discrete site for the development, this is likely to involve an increased site cut which in itself could be visually intrusive.

It is considered that landscape protection as sought by the SLO1 can ultimately be achieved by planning permit conditions that include a combination of landscaping to help conceal the development when viewed from the east and built form controls such as the use of a single storey design and non-reflective cladding materials.

## **CONSIDERATION OF OBJECTIONS**

One written objection has been received by Council (see Appendix 7). The main theme within the objection is that the nominated location is on a ridge-top and will 'break the skyline'. The objection also suggested that the applicant should consider alternative sites below the ridgeline on the western side of the ridge that might offer a more discrete location for the proposed development.

In summary the objection articulates a concern about the visual impact of the proposal on properties to the east and that a ridge-top position would unacceptably compromise landscape values.

Mediation between the parties was attempted and in response to the suggested alternative development site offered by the objector, the applicant has indicated that they are reluctant to drop the proposed development site down-slope to the west because they feel that this would require increased earth works, particularly a larger site cut which itself would compromise landscape values. They also state that this location would also potentially reduce setbacks from the wastewater treatment facility.

The applicant has offered two alternative development scenarios in response to the objection:

1. Moving the building envelope to a location approximately 40m to the south to a site whereby a cluster of existing mature paddock trees could help to conceal the development; or
2. Retaining the nominated site but reducing the impact on properties to the east through a combination of an earth mound and landscaping behind the proposed development on the eastern side.

In response to these alternatives, the objector has indicated that neither of these two options provides the level of landscape protection that they feel is appropriate and they have indicated that they would retain their objection if either of these options were pursued.

### **Clause 65.01 – Decision Guidelines:**

Because a permit can be granted does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the Decision Guidelines of this clause.

Any listed matters previously dealt with in this report are not repeated in detail and should be taken as read. Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

*The matters set out in Section 60 of the Act:*

*(a) The Towong Planning Scheme:*

This report addresses the relevant requirements under the Towong Planning Scheme.

*(b) The objectives of planning in Victoria:*

This proposal is in accordance with the relevant planning scheme provisions and planning law is considered consistent with the objective of provision of fair orderly, economic and sustainable use of land and other relevant objectives as set out in the *Planning and Environment Act 1987*.

*(c) All objections and other submissions which have been received and which have not been withdrawn:*

The application has received one objection which has been considered in this report.

*(d) Any decision and comments of a referral authority which it has received:*

A Section 55 referral to Goulburn Murray Water was undertaken and GMW conditions are to be included on the permit.

Section 52 notification was given to North East Water, the National Trust and the Environment Protection Authority, all of which have not objected to the granting of the permit.

*(e) The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies:*

This report addresses the relevant requirements under the Towong Planning Scheme *State Planning Policy Framework (SPPF)* and the *Local Planning Policy Framework (LPPF)*. The proposal is considered to be consistent with both the *SPPF* and *LPPF*.



*(f) The purpose of and any matter required to be considered by the zone, overlay or other provision:*

This report addresses the relevant requirements under the Rural Activity Zone (RAZ) and Significant Landscape Overlay (SLO1). The proposal is considered to be consistent with the RAZ, and through the use of specific permit conditions, also consistent with the SLO1.

*(g) The orderly planning of the area:*

The proposed facility provides an appropriate balance between development impacts and the overall community benefits and an appropriately conditioned permit would provide an orderly planning outcome for the area.

*(h) The effect on the amenity of the area:*

The effect on the amenity of the area, both in terms of visual impact and emissions, has been addressed by this report.

*(i) The proximity of the land to any public land:*

The subject land is adjacent to land occupied by North East Water and they have not objected to the granting of a permit.

*(j) Factors likely to cause or contribute to land degradation, salinity or reduce water quality:*

The development is unlikely to degrade the land, contribute to salinity or reduce water quality.

*(k) Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site:*

The proposal will not significantly change stormwater discharges.

*(l) The extent and character of native vegetation and the likelihood of its destruction:*

The land has previously been cleared. No native vegetation is proposed to be removed or destroyed.

*(m) Whether native vegetation is to be or can be protected, planted or allowed to regenerate:*

No native vegetation is to be removed and landscaping is to be a requirement of the issued planning permit.

*(n) The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as minimise any such hazard.*

There are no overlays over the land indicating a fire or flood hazard and erosion control measures can be implemented during the construction phase.

## **CONCLUSION**

The location nominated for the proposed development is a logical response to the constraints to developing the land caused by the proximity of the Bellbridge wastewater treatment facility and the topography of the site. Odour and amenity issues arising from the adjacent facility dictate that a site in the elevated southern part of the subject land would be the most appropriate to maximise separation and mitigate possible future impacts from the wastewater facility.

Landscape considerations are pivotal in determining the outcome of the application and whilst a lower slope position could possibly provide a more discrete site for the development, this is likely to involve an increased site cut which in itself could be visually intrusive. In any case, Council must consider the application before it and make a decision on the application as presented.

Ultimately, it is considered that the landscape protection as sought by the SLO1 can be achieved by planning permit conditions. These include a combination of landscaping to help conceal the development when viewed from the east and built form controls such as the use of a single storey design and non-reflective cladding materials.

The recommendations in this report are based on:

- Appropriate planning law;
- Provisions of the Towong Planning Scheme;
- The submissions made by the applicant in support of the proposal;
- The submissions made in objection to the proposal; and
- A site inspection.

The officer is satisfied that the substantive requirements of the SPPF and LPPF, MSS, Rural Activity Zone, Significant Landscape Overlay – Schedule 1 and the Decision

Guidelines of Clause 65 of the Towong Planning Scheme are met and that this determination presents a considered review of the relevant issues.

**RECOMMENDATION:**

**THAT COUNCIL HAVING CAUSED NOTICE OF PLANNING APPLICATION NO. 2014/029 TO BE GIVEN UNDER SECTION 52 OF THE PLANNING AND ENVIRONMENT ACT 1987 AND HAVING CONSIDERED ALL THE MATTERS REQUIRED UNDER SECTION 60 OF THE PLANNING AND ENVIRONMENT ACT 1987 DECIDES TO ISSUE A NOTICE OF DECISION TO GRANT A PERMIT UNDER THE RELEVANT PROVISIONS OF THE TOWONG PLANNING SCHEME IN RESPECT TO THE LAND KNOWN AND DESCRIBED AS LOT 16 PLAN OF SUBDIVISION 641225Y, FOR THE USE AND DEVELOPMENT OF THE LAND FOR TWO DWELLINGS, ONE OF WHICH IS TO BE CONVERTED TO A STORAGE SHED ANCILLARY TO THE MAIN DWELLING ONCE THE MAIN DWELLING IS COMPLETED, SUBJECT TO THE FOLLOWING CONDITIONS:**

**PLANS NOT TO BE ALTERED**

- 1. THE PROPOSAL IS TO BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED ENDORSED PLANS AND INFORMATION ACCOMPANYING THE APPLICATION. THESE PLANS AND DETAILS ARE NOT TO BE ALTERED EXCEPT WITH THE PRIOR WRITTEN CONSENT OF COUNCIL.**

**FURTHER PLANS TO BE SUBMITTED**

- 2. THE DEVELOPMENT PART OF THIS PERMIT HAS NO FORCE OR EFFECT AND CANNOT START UNTIL SUCH TIME AS TWO (2) COPIES OF SCALED AND DIMENSIONED PLANS OF THE APPROVED BUILDINGS HAVE BEEN SUBMITTED TO AND APPROVED BY THE RESPONSIBLE AUTHORITY. THESE PLANS MUST INCLUDE DIMENSIONED FLOOR AND ELEVATION PLANS OF ALL THE APPROVED BUILDINGS AND A SCHEDULE OF MATERIALS AND COLOURS. ONCE APPROVED THESE PLANS WILL FORM PART OF THE PERMIT.**

**ROOFING AND CLADDING**

- 3. THE ROOF AND CLADDING COLOURS OF ALL BUILDINGS AND THE FINISHED COLOURS OF ANY ABOVEGROUND WATER STORAGE TANKS MUST BE NON-REFLECTIVE IE: NOT A ZINCALUME-TYPE MATERIAL AND BE NEUTRAL EARTH COLOURS IE: GREENS, REDS, GREYS OR BROWNS.**

**SINGLE STOREY DEVELOPMENT**

- 4. THE APPROVED DEVELOPMENT MUST BE SINGLE STOREY ONLY.**

**VEHICLE ENTRANCE**

5. A NEW VEHICLE ENTRANCE IS TO BE CONSTRUCTED FROM EUCALYPT DRIVE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. A WORKS WITHIN ROAD RESERVE PERMIT MUST BE OBTAINED FROM THE RESPONSIBLE AUTHORITY PRIOR TO THE CONSTRUCTION OF THE ENTRANCE.

**STORMWATER**

6. STORMWATER MUST BE DISPOSED OF AT A LEGAL POINT OF DISCHARGE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

**LANDSCAPING**

7. PRIOR TO THE ISSUE OF A BUILDING PERMIT, LANDSCAPING PLANS MUST BE SUBMITTED TO COUNCIL. THE PLANS MUST SHOW:
- THE LOCATION OF LANDSCAPING; AND
  - SPECIES TO BE USED IN THE LANDSCAPING.

THE LANDSCAPING MUST INCLUDE ADVANCED PLANTS THAT WILL GROW TO A SUFFICIENT HEIGHT UPON MATURITY TO SCREEN THE APPROVED BUILDINGS WHEN VIEWED FROM THE EAST AND BE DIRECTED TO THE EASTERN SIDE OF THE DEVELOPMENT.

THE LANDSCAPING WORKS SHOWN ON THE PLANS SUBMITTED FOR ENDORSEMENT MUST BE CARRIED OUT AND COMPLETED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY PRIOR TO THE COMMENCEMENT OF THE APPROVED USE AND MAINTAINED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY INCLUDING THAT ANY DEAD, DISEASED OR DAMAGED PLANTS ARE TO BE REPLACED.

**CONVERSION OF INITIAL DWELLING**

8. THIS PERMIT PROVIDES APPROVAL FOR TWO DWELLINGS AND WITHIN TWO (2) MONTHS OF THE ISSUE OF A CERTIFICATE OF OCCUPANCY FOR THE APPROVED SECOND DWELLING, ALL PLUMBING FITTINGS WITHIN THE INITIAL DWELLING ARE TO BE REMOVED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY AND THE BUILDING CONVERTED TO A STORAGE BUILDING ANCILLARY TO THE MAIN DWELLING.

## **WATER SUPPLY REQUIREMENTS**

**9. THE DWELLING MUST BE CONNECTED TO A RETICULATED WATER SUPPLY OR HAVE A STATIC WATER SUPPLY, SUCH AS A TANK. THIS STATIC WATER SUPPLY MUST MEET THE FOLLOWING REQUIREMENTS:**

- A) A MINIMUM OF 20,000 LITRES ON-SITE STATIC STORAGE MUST BE PROVIDED ON THE LOT AND BE MAINTAINED SOLELY FOR FIRE FIGHTING.**
- B) THE WATER SUPPLY MUST BE LOCATED WITHIN 60 METRES OF THE DWELLING.**
- C) FIRE BRIGADE VEHICLES MUST BE ABLE TO GET ACCESS TO WITHIN FOUR METRES OF THE CFA OUTLET ON THE TANK.**
- D) THE STATIC WATER SUPPLY MUST BE READILY IDENTIFIABLE FROM THE BUILDING OR APPROPRIATE SIGNAGE MUST POINT TO THE WATER SUPPLY (SEE APPENDIX A: FIGURE 1). ALL BELOW-GROUND WATER PIPELINES MUST BE INSTALLED TO THE FOLLOWING DEPTHS:**
  - SUBJECT TO VEHICLE TRAFFIC – 300 MM**
  - UNDER HOUSES OR CONCRETE SLABS – 75 MM**
  - ALL OTHER LOCATIONS – 225 MM**
  - ALL FIXED ABOVE-GROUND WATER PIPELINES AND FITTINGS INCLUDING WATER SUPPLY, MUST BE CONSTRUCTED OF NON-CORROSIVE AND NON-COMBUSTIBLE MATERIALS OR PROTECTED FROM THE EFFECTS OF RADIANT HEAT AND FLAME.**

**IF THE STATIC WATER SUPPLY IS ABOVE GROUND THE FOLLOWING ADDITIONAL STANDARDS APPLY:**

- ALL ABOVE-GROUND STATIC WATER SUPPLIES MUST BE PROVIDED WITH AT LEAST ONE 64 MM 3 THREAD / 25 MM X 50 MM NOMINAL BORE BRITISH STANDARD PIPE (BSP), ROUND MALE COUPLING (SEE APPENDIX A: FIGURE 2);**
- ALL PIPE WORK AND VALVING BETWEEN THE WATER SUPPLY AND THE OUTLET MUST BE NO LESS THAN 50 MM NOMINAL BORE; AND**
- IF LESS THAN 20 METRES FROM THE BUILDING, EACH OUTLET MUST FACE AWAY FROM THE BUILDING TO ALLOW ACCESS DURING EMERGENCIES.**

## **ACCESS REQUIREMENTS**

**10. ACCESS TO THE DWELLING AND THE WATER SUPPLY MUST BE DESIGNED TO ALLOW EMERGENCY VEHICLES ACCESS FROM EUCALYPT DRIVE. THE MINIMUM DESIGN REQUIREMENTS ARE AS FOLLOWS:**

- **CURVES MUST HAVE A MINIMUM INNER RADIUS OF TEN METRES;**
- **THE AVERAGE GRADE MUST BE NO MORE THAN 1 IN 7 (14.4%) (8.1°) WITH A MAXIMUM OF NO MORE THAN 1 IN 5 (20%) (11.3°) FOR NO MORE THAN 50 METRES;**
- **DIPS MUST HAVE NO MORE THAN A 1 IN 8 (12.5%) (7.1°) ENTRY AND EXIT ANGLE.**

**A) IF THE ACCESS FROM EUCALYPT DRIVE TO THE DWELLING AND WATER SUPPLY, INCLUDING GATES, BRIDGES AND CULVERTS, IS GREATER THAN 30 M LONG, THE DRIVEWAY:**

- **MUST BE DESIGNED, CONSTRUCTED AND MAINTAINED FOR A VEHICLE CAPACITY OF AT LEAST 15 TONNES, AND**
- **BE ALL WEATHER CONSTRUCTION; AND**
- **MUST PROVIDE A MINIMUM TRAFFICABLE WIDTH OF FOUR METRES, AND**
- **BE CLEAR OF ENCROACHMENTS FOUR METRES VERTICALLY (SEE APPENDIX A: FIGURE 3).**

**B) IF THE ACCESS FROM EUCALYPT DRIVE TO THE DWELLING IS LONGER THAN 100 METRES, A TURNING AREA FOR FIRE FIGHTING VEHICLES CLOSE TO THE DWELLING MUST BE PROVIDED BY EITHER:**

- **A TURNING CIRCLE WITH A MINIMUM RADIUS OF TEN METRES; OR**
- **BY THE DRIVEWAY ENCIRCLING THE DWELLING; OR A "T" HEAD OR "Y" HEAD WITH A MINIMUM FORMED SURFACE OF EACH LEG BEING EIGHT METRES IN LENGTH MEASURED FROM THE CENTRE POINT OF THE HEAD AND FOUR METRES TRAFFICABLE WIDTH (SEE APPENDIX A: FIGURE 4).**

**C) IF THE LENGTH OF THE ACCESS IS GREATER THAN 200 METRES, PASSING BAYS MUST BE PROVIDED. PASSING BAYS MUST BE 20 METRES LONG AND MUST BE PROVIDED EVERY 200 METRES, WITH A TRAFFICABLE WIDTH OF 6 METRES (SEE APPENDIX A: FIGURE 5).**

## **GOULBURN MURRAY WATER CONDITIONS**

**11. ALL WASTEWATER FROM THE PROPOSED DEVELOPMENT MUST BE DISPOSED OF VIA CONNECTION TO THE RETICULATED SEWERAGE SYSTEM IN ACCORDANCE WITH THE REQUIREMENTS OF NORTH EAST WATER.**

**12. NO BUILDINGS OR WORKS MAY BE ERECTED OR CARRIED OUT WITHIN 30 METRES OF A WATERWAY.**

**13. ALL CONSTRUCTION AND ONGOING ACTIVITIES MUST BE IN ACCORDANCE WITH SEDIMENT CONTROL PRINCIPLES OUTLINED IN 'CONSTRUCTION TECHNIQUES FOR SEDIMENT POLLUTION CONTROL' (EPA 1991).**

**PERMIT EXPIRY**

**14. THIS PERMIT WILL EXPIRE IF ONE OF THE FOLLOWING CIRCUMSTANCES APPLIES:**

- (A) THE DEVELOPMENT IS NOT STARTED WITHIN TWO (2) YEARS OF THE ORIGINAL ISSUE DATE OF THIS PERMIT.**
- (B) THE DEVELOPMENT IS NOT COMPLETED AND THE USE OF THE SECOND DWELLING COMMENCED WITHIN TWO (2) YEARS OF THE DATE OF COMMENCEMENT.**

**THE RESPONSIBLE AUTHORITY MAY EXTEND THE TIMES REFERRED TO IF A REQUEST IS MADE IN WRITING BEFORE THIS PERMIT EXPIRES OR WITHIN THREE (3) MONTHS AFTER THE EXPIRY DATE.**

**13 Environmental sustainability**

No report.

**14 Economic and tourism development**

The Economic Development report is presented every second month. The next report is due in September 2014.

**15 Councillor reports**

**16 Urgent business**



## **17 Committee minutes**

### **17.1 Hume Region Local Government Network [HRLGN] (07/05/0007-Mayor)**

The unconfirmed minutes of the meeting held on 5 June 2014 are attached at Appendix 8 for information.

#### **RECOMMENDATION:**

**THAT THE UNCONFIRMED HUME REGION LOCAL GOVERNMENT NETWORK MINUTES BE NOTED.**

### **17.2 High Country Councils Coalition Meeting (07/05/0007-Cr Gadd)**

The unconfirmed minutes of the meeting held on 16 May 2014 are attached at Appendix 9 for information.

#### **RECOMMENDATION:**

**THAT THE UNCONFIRMED MINUTES OF THE HIGH COUNTRY COUNCILS COALITION MEETING BE NOTED.**

## **18 Occupational health and safety**

### **18.1 OHS Committee (06/04/0212-DCCS)**

The unconfirmed minutes of the meeting held on 3 July 2014 are attached at Appendix 10 for information.

#### **RECOMMENDATION:**

**THE UNCONFIRMED MINUTES OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON 3 JULY 2014 BE NOTED.**

## **19 Council policies (10/01/0007-CEO)**

The following policy was tabled for review at the 3 June 2014 Council meeting and is presented at Appendix 11 for adoption.

- No Smoking (DCCS)

### **RECOMMENDATION:**

**THAT THE NO SMOKING POLICY AS PRESENTED BE ADOPTED.**

The following policies are attached at Appendix 12 for review. Councillors are requested to provide feedback on the policies to the Responsible Officer by 2 September 2014.

- Community use of Council Meeting Spaces and Facilities (DCCS)
- Debt Collection (AA)
- Young Person Award (EA)
- Workplace Bullying and harassment (DCCS)

### **19.1 Procurement Policy (CEO)**

#### **Disclosure of Interests (S.80C):**

This report was prepared by Ms Juliana Phelps, Chief Executive Officer.

At the time of preparation of the report the officer did not have a direct or indirect interest in any matter to which the report or advice relates.

#### **Background/History:**

Section 186A of the *Local Government Act 1989* (the Act) requires:

*(1) A Council must prepare and approve a procurement policy.*

and

*(7) At least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.*

Alpine, Indigo and Towong Shire Councils have been working together to achieve a harmonised or aligned procurement policy across the three councils. A single harmonised Procurement Policy has been finalised and is presented for Council adoption.

Council reviewed its Procurement Policy at the May 2014 Council Meeting however during that time work has been carried out in conjunction with Alpine and Indigo to establish the harmonised policy for the three councils.

#### North East Collaboration Project

Over the past six months Council staff have been working with Indigo and Alpine councils on the North East Business Collaboration Project to assess opportunities for a collaborative approach to projects and services.

Collaboration provides an opportunity for Council to address its long term sustainability, work smarter by reducing overheads and creating an environment of continuous improvement.

The review of the councils' procurement policies has provided an opportunity to explore collaboration through structural alignment. In this sense the focus is on the strategic position of the councils. Services are still provided by each individual council but they share: common policies; aligned business processes; and sharing of systems.

#### **Impact on Council Policy:**

The initial outputs of this project will be a single harmonised procurement policy that:

- Aligns approval amounts.
- Aligns procurement conditions.
- Is supported by a single procedure manual and set of templates.

The outcome of this approach will be:

- Easier for suppliers to do business with the three councils.
- Shared procurement across the three councils.
- One policy and procedure manual maintained.

Future stages of a collaborative procurement process may include:

- Automated invoice processes.
- Aligned accounts payable processes and policies.
- Reduced costs and productivity improvements.

### Procurement Policy Details

The harmonised procurement policy has been developed from a review of the existing policy of each council and the Victorian Local Government Best Practice Procurement Guidelines 2013.

The policy statement, purpose and scope of each council's existing Procurement Policy and the harmonised policy are consistent.

### Principles

A key feature of the procurement policy is the principles on which it is based. The harmonised procurement policy holds the councils to ten procurement principles:

- Value for money;
- Open and fair competition;
- Probity and transparency;
- Accountability;
- Risk Management
- Environmental Sustainability (Sustainable procurement and Source of Manufacture);
- Local sourcing;
- Continuous Improvement (Business improvement);
- Reporting; and
- Collaboration.

The reporting principle identifies that each council's internal audit committee will be able to monitor and review the policy and the related internal controls.

The collaboration principle encourages each council to work together but also with other collaborative or group procurement providers such as the Municipal Association of Victoria or Procurement Australia.

### Procurement Methods and Thresholds

A key difference between Council's current Procurement Policy and the harmonised policy is the specification of the type of procurement method used within a specified value range or spend threshold.

The proposed threshold and methods are outlined in the following table:

<b>Spend Thresholds</b>	<b>Purchasing Method</b>
Up to \$1,000	Verbal quotation
>\$1,000 up to \$2,500	Written quotation (at least one (1) quote)
>\$2,500 up to \$10,000	Written quotation (at least two (2) quotes)
>\$10,000 up to \$75,000	Request for Quotation (RFQ) from at least three (3) suppliers
>\$75,000 up to \$149,999.99	Request for Quotation (RFQ) from at least five (5) suppliers
\$150,000 and over	Invitation to Tender (ITT)

*Effective from Date*

The implementation of the harmonised procurement policy is reliant on the development of single procurement manual and training of relevant staff across the three councils. To enable this to be planned and implemented the harmonised procurement policy will not come into effect until 1 September 2014.

**Budget impact:**

The review of the Procurement Policy and participation in the North East Collaboration Project has been managed by the Business Collaboration Executive Manager with existing human resources at each council. Additional resources may need to be considered to finalise procedures and the necessary staff training. Any future stages of the project to implement collaborative or shared processes and systems will require additional financial and human resource allocations.

**Risk Assessment:**

Whilst a formal risk assessment has not been carried out, regard has been had for the requirements of the Local Government Act, the Victorian Local Government Best Practice Procurement Guidelines 2013 and Council's existing policy.

**Community Consultation Responses:**

There has been no community consultation on this policy.

Council's Director Community and Corporate Services has taken an active role in participating in this project and has been working with the Executive Manager

Business Collaboration (Towong) and the Business Improvement Manager (Indigo) to review and prepare the harmonised procurement policy.

Throughout the development of the policy each the three councils' Chief Executive Officers, executive and key officers have been engaged in providing critical assessment, feedback and suggestions to the content of the policy.

**Discussion /Officer's View:**

The development of a harmonised procurement policy between Alpine, Indigo and Towong councils meets Council's legislative obligation and will achieve improved outcomes and efficiencies by working collaboratively.

The harmonised procurement policy has been developed taking into account best practice procurement principles and practices with a level of compromise and rationalisation by all three councils.

**RECOMMENDATION:**

**THAT THE PROCUREMENT POLICY AS PRESENTED AT APPENDIX 13 BE ADOPTED.**

## **20 Sealing of documents**

No documents for sealing.

## **21 Confidential**

In accordance with S77(2) information is 'confidential information' if:

- (a) The information was provided to the Council or a special committee in relation to a matter considered by the Council or special committee at a meeting closed to members of the public and the Council or special committee has not passed a resolution that the information is not confidential; or
- (b) The information has been designated as confidential information by a resolution of the Council or a special committee which specifies the relevant ground or grounds applying under section 89(2) and the Council or special committee has not passed a resolution that the information is not confidential; or
- (c) Subject to sub-section (3), the information has been designated in writing as confidential information by the Chief Executive Officer specifying the relevant ground or grounds applying under section 89(2) and the Council has not passed a resolution that the information is not confidential.

In accordance with Section 89(2) and 89(3) of the Local Government Act 1989:

(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

(3) If a Council or special committee resolves to close a meeting to members of the public the reason must be recorded in the minutes of the meeting

**RECOMMENDATION:**

**THAT THE MEETING BE CLOSED TO THE PUBLIC TO CONSIDER INFORMATION CONSIDERED UNDER SECTION 89(2) (b) OF THE LOCAL GOVERNMENT ACT TO BE CONFIDENTIAL.**

**21.1 Request to waive rates (290200-AEA)**