

**Summary of Issues and Concerns Raised
in Submissions by the above Panel**

SUNBURY OUT OF HUME CITY COUNCIL

June 2014

1. Introduction

Following the public advertisement on 1 March 2014 advising of the Terms of Reference for the Panel and inviting submissions, the Panel Secretariat Local Government Victoria received 70 submissions. *(The names of the submitters and the name of any organisation they represent are identified in Appendix C).*

The submissions were considered by the Panel. This Appendix summarises and captures the main issues and concerns raised in the individual submissions under the relevant clauses in the Terms of Reference, i.e.

- ☐ 1 a) boundary, b) method of division of assets and liabilities, c) process – administrative structure, d) process – transfer of responsibility for delivery of services, e) process – for establishing rates, fees and charges, f) matters referred to the Panel for consideration from the Community Consultative Committee, g) any other transitional requirement associated with establishing a new unbury municipality.
- ☐ 2 a) economic sustainability, b) communities of interest – sociological, demographic, topographic, economic, employment, and adjoining municipalities.
- ☐ 3 a) views of the community, b) opportunities to achieve the vision of the Planning Provisions, Plan Melbourne, and Regional Growth Areas.

The Panel did not consider it necessary to seek any additional information or meet with any of the submitters with the exception of Submission 35 from the Sunbury Community Health Centre, and the Hume City Councillors whom the Panel met with individually.

The Panel did not receive any requests to inspect any of the submissions. The Panel has not nominated any submission to remain confidential.

The Panel noted that of the 70 Submissions received 18 were against, 18 were for, and 34 were not specific in relation to the separation of a new municipality.

The Panel also noted that of the 70 Submissions received 16 were against, 23 were for, and 30 were not specific in relation to the Melbourne Airport being included in a new Sunbury based municipality.

The Panel has noted and considered the following comments which summarise the main matters raised in the 70 submissions.

1 a) Boundary

- ☐ The southern area of the Macedon Ranges Shire is not considered to be a compatible mix with a new Sunbury based municipality.
- ☐ There should be another plebiscite taken if the suburbs of Diggers Rest, Tullamarine, Bulla, and the Melbourne Airport (and include the extent of the areas zoned Commonwealth Land), are to be included.
- ☐ Must maintain communities of interest to reduce confusion and retain cohesion in representation, and those areas that traditionally and practically have looked to Sunbury to provide the economic, recreational, and social support should remain in the new Sunbury based municipality.
- ☐ Diggers Rest, Clarkefield, Wildwood and Oaklands Junction (west of the creek) should be included in a new Sunbury based municipality, however the splitting of Oaklands Junction would appear to have little impact overall on the rural community.
- ☐ Supported the split from Hume City Council based on the KPMG Report as the only references, and if the boundary is to be different from this then ratepayers will have been misled.
- ☐ If the Outer Metropolitan Ring road is to be used as a boundary, then this would only guarantee future service delivery anomalies like Gowanbrae being located in the Moreland City Council, however it is unreachable. It may be appropriate to tweak the boundaries with Brimbank and Melton where all converge, however this should not be undertaken until sometime after the new Sunbury based municipality has settled down.
- ☐ The residents of Tullamarine, Gladstone Park, West Meadows and Attwood will be impacted with the 25 ANEF zone when the 3rd and 4th runways are built and will find themselves in a minority and overlooked if included in the new Sunbury based municipality.
- ☐ The boundary should be Deep Creek, Maribynong River from the boundary between Hume City Council and Sunbury and that areas west, north and south of Deep Creek and Maribyrnong River be considered for incorporation into the new Sunbury based municipality.
- ☐ Hume City Council without Sunbury will have some financial and demographic changes imposed on it which will need to be addressed. However Greenvale is able to contribute to the resolution of this matter in part, with a refocussing on building Greenvale as a more financially and socially self-supporting community. Future development of Greenvale West is supported as a response to Plan Melbourne, as there is the opportunity for Greenvale to replace the loss of the Sunbury area in the Hume City Council.
- ☐ The new Sunbury based municipality should include Oaklands Junction, Wildwood and the boundary should be Link Road, include Melbourne Airport buildings and car park, west to

Maribyrnong River to Deep Creek, crossing the Calder Highway to Holden Road, proceeding north to Diggers Rest, then north and parallel to Black Hill Road, through Millet Road and Berry Road to the intersection of Calder Highway with Mundy/Dalrymple Roads. The boundary with the Macedon Ranges Council should not be changed.

- ☐ Consideration must be given by the Victorian Electoral Commission to redrawing the Ward boundaries in the new Sunbury based municipality and remaining area of the Hume City Council.
- ☐ The areas of responsibility for City West Water and Yarra Valley Water are consistent with the Deep Creek boundary proposed in the KPMG Report.

1 b) Method – assets /liabilities

- ☐ The distribution of assets and liabilities must be seen as fair, equitable and transparent.
- ☐ All Sunbury assets should be frozen until new municipality is established.
- ☐ After the new municipality is established, there should be a timeline allowance of 5 years extended in relation to settling the liabilities with the Hume City Council.
- ☐ There should be service level agreements put in place for a period of time to allow a smooth operational transition of services from the Hume City Council, i.e. Information Technology services and staffing arrangements.
- ☐ A program should be established to seek expressions of interest in commercial development of a new municipality owned sites in the Sunbury Town Centre with 'conditions precedent' to protect existing uses.
- ☐ The development at 275 Racecourse Road should be preserved for the new Sunbury based municipality. The Hume City Council depot at MacDougall Road Sunbury should be made available as a Sunbury based municipal depot. The Victoria University buildings should be considered for the establishment of a tertiary institution. The new Sunbury based municipality offices could be used in conjunction with Western Water.
- ☐ Racecourse Road Land – The KPMG Report recommended that 80% of the proceeds from the sale of this land should be allocated to the Hume City Council. The assets are located in Sunbury and the proceeds should remain in Sunbury.
- ☐ The proceeds from the sale of the Racecourse Road land be firstly used to fund the Elizabeth Drive connection to Lancefield Road and then secondly to fund other Sunbury Growth Area Precinct Structure Plan projects that are unfunded through Development Contribution Plans.

- ☐ Assets should be apportioned and take into account the investment to date by Hume City Council.
- ☐ The Panel identify and report on the total property assets owned by Hume City Council (commercial and other), including an assessment of the land behind the old Bulla Shire Offices should be undertaken.
- ☐ It would be unhelpful if the division between the new Sunbury based municipality and Hume City Council was to transfer to the new municipality the problematic sliver including the eastern margins of Melbourne Airport through to the Creek. That section contains both a capped toxic dump that demands long term monitoring and a likely route for improved cycling trail connection to Westmeadows and Greenvale particularly suited to increasing active transport of Airport and precinct workers.
- ☐ The concept of the Global Learning Centre is badly needed in Sunbury, and the Sunbury area in dire need of an injection of new infrastructure.
- ☐ Assets should be maintained as status quo until the future Sunbury based municipality can decide on their future. The new municipality should investigate acquisition of the Victoria University campus as possible uses might include a Municipal Office, library and meeting rooms for a variety of community uses.
- ☐ The Minister for Local Government should seek the agreement of the Minister for Education to transfer the vacant Sunbury Campus of Victoria University to the Sunbury based municipality for community use.
- ☐ A business case should be prepared for the long term construction of new Municipal Office accommodation.
- ☐ Whilst there is some support for the Submission No 1 from L. Seyers, (*his submission and recommendations are referred to in a number of other submissions*) a number of people do not support
 - a) to relocate / alter in any way the current Evans Street Grasslands Reserve, its administration or covenants,
 - b) the construction of a third rail crossing for Sunbury as the more appropriate site is Watsons Road, or
 - c) the road infrastructure across Jacksons Creek to the north of Sunbury and to the east of the proposed Elizabeth Drive 'Ring Road' extension.
- ☐ Retain the McDougall Road Depot for its current use.

- ☐ The Federation Arch equipment which is currently stored at the McDougal Road Depot in Sunbury should remain with Hume City Council.
- ☐ Plant and equipment for the new Sunbury based municipality should be leased but maintained by staff.

1 c) Process – Administrative Structure

- ☐ The Minister should present legislation to the Spring Session of Parliament to create the new Sunbury based municipality, and Commissioners should be appointed for an extended period to facilitate an orderly transition.
- ☐ Administrators should be appointed for the new Sunbury based municipality only, and the existing Councillors of Hume City Council continue until the next local government 2016 elections, and Councillors for the new municipality to be elected for the first time at the October 2016 election.
- ☐ The new Sunbury based municipality should be established as a ‘model Council of the future’ based on being community driven, lean and having a collaborative approach to shared services.
- ☐ The Administrative Structure should be one that maximises partnerships and links with existing organisations where mutual advantage can occur and cost benefits can be achieved.
- ☐ The Minister immediately appoint Commissioners for the combined Melton, Sunbury and Hume City Councils for an extended period to facilitate an orderly transition to a new Sunbury based municipality.
- ☐ The Terms of Reference for Commissioners to include any outcomes from ‘Securing Victoria’s Economy’ in regard to local government reform.
- ☐ The Commissioner meetings to be held in public with meeting locations equally rotated between Melton, Sunbury and Broadmeadows.
- ☐ The Commissioners publicly advertise all executive management positions on a three year contract with genuine performance based incentives.
- ☐ An expression of interest process for identifying suitable candidates for the new Sunbury based municipality on a merit based system, and remaining staff to work at Hume or Melton City Council. There should not be any job losses.

1 d) Process – Transfer of responsibility for delivery of services

- ☐ Contracting community service provision to locally controlled Not-For-Profit agencies provides the greatest opportunity to maximise efficiency. Opportunities for service integration and a stream lined (one stop shop) client access such as Maternal and Child Health Nursing, Kindergartens and Early Year Services, Youth Services, Leisure Services, Community Aged Care Services.
- ☐ That Commissioners introduce innovative service delivery methods.
- ☐ A Cloud based ICT System should be considered in relation to
 - a) managing Environmental Health and Immunisation services, and
 - b) to manage (staff, services, legislation, day to day operations) the Council’s Environmental Health Unit at a lower cost c) a content management system which delivers a one stop shop for standardised documents and procedures.
- ☐ Concern as to whether a new Sunbury based municipality will be able to continue to provide the range of community health services and provide the community grants program that is currently administered by the Hume City Council.
- ☐ The Panel review current and past contracts to determine areas of possible application of contract managed service delivery in the new Sunbury based municipality.
- ☐ In relation to the transfer of services the Panel give consideration to the Enterprise Bargaining Agreement (EBA) which expires 30 June 2017 and the timing of a new Sunbury based municipality in relation to negotiating a new EBA and current deliberations in Fair Work Commission regarding a range of public sector transitional awards including the Vic Local Authorities Award 2001, and the Nurses (ANF – Vic LG) Award 2002. Hume City Council negotiated the current EBA with a strong emphasis on collaboration and respect for staff and their commitment to providing high quality services which led to the EBA’s affordable and responsible conditions.
- ☐ The Commissioners progressively introduce Compulsory Competitive Tendering in the new municipality.

1 e) Process – for establishing rates, fees, and charges

- ☐ Creation and set up of the new municipality should not place an impost on the communities to remain in the Hume City Council.
- ☐ The burden of governance and financial risks of a new Sunbury should not be placed onto Hume City Council.

- ☐ Western Water should be retained as a tenant at Macedon Street administration complex to generate returns and provide local employment.
- ☐ the Panel to consider the impact of rate increases on the most vulnerable members of the community and the pressure of providing services in the short term while the growth in the rate base will be over a longer period of time.
- ☐ Residents will not accept a reduction in service and an increase in rates.
- ☐ A review should be undertaken in relation to user fees and charges.
- ☐ The Panel ascertain the actual 'rates in lieu' paid by Melbourne Airport and attribute this to the new Sunbury based municipality for use in the preservation of the Green Wedge areas.
- ☐ That Commissioners undertake a 'bottom up' budget (zero budgeting) rather than take the 'business as usual' data from Hume City Council to reduce the projected rate increase from 6.5% per annum to within the Australian Bureau of Statistics CPI range.
- ☐ Developer Contributions paid for Sunbury area should be transferred to the new municipality.
- ☐ Audit of Hume City Council finances and any poor economical judgements be made public.
- ☐ Rate increases should be capped at CPI for first year.
- ☐ Rates in lieu from Melbourne Airport.

The rates in lieu began with the Shire of Bulla because they were missing out on revenue from a significant part of the municipality. It was done on the basis that most of the airport was in the shire of Bulla. The later planning controls were mainly in the shire of Bulla also. There is an impact from the airport due to vehicular traffic and aeroplane noise. The rates in lieu should be in part used for compensation for the ANEF noise contour area above 20 where the residents are affected by noise and planning restrictions. 50 % of the rates in lieu should be applied to the actual area of the airport while the remaining amount is split between all the municipalities where ANEF 20 and above planning restriction zones apply. The split of the revenue should be on an area basis so that all the affected municipalities have at least some compensation. The rates in lieu should be used in the preservation of green wedge areas.

- ☐ The Commissioners investigate the set up costs and report on the ability to spread the costs of de-amalgamation over multiple years.

1 f) Matters referred to the Panel for consideration – from the Community Consultative Committee

- ☐ Refer separate Appendix for the Report from Community Consultative Committee.

1 g) Any other transitional requirement associated with establishing a new Sunbury based municipality

- ☐ That Commissioners to forensically investigate one-off costs and report on the ability to spread the costs of de-amalgamation over multiple years.
- ☐ The costs of separation of Sunbury from Hume City Council be borne:
 - In the first instance by the State Government or the new Sunbury based municipality.
 - In the event of this not being accepted then by Local Government Victoria (through Department of Treasury and Finance) establish a working capital facility, for the sole purpose of paying de amalgamation costs and capitalised interest relating to the working capital facility which would be transferred to the new municipality on a future changeover date as a debt.
 - Alternatively then should the Department of Treasury and Finance be unable or unwilling to provide this facility, then Hume City Council continue to pay the separation costs up until changeover day, which will then become a debt by the new municipality, which the Hume City Council can deduct from the cash assets to be transferred to the new Sunbury based municipality on changeover day.
 - That costs by Hume City Council in responding to the Panel and the Sunbury Project culminating in the two KPMG Reports be reimbursed to Hume City Council as part of the separation costs.
- ☐ The cost of the separation should be paid for by State government as it was a State government decision.

2 Have regard to when recommending:

- a) Economic Sustainability of the new Sunbury based municipality and Hume City Council
- A new Sunbury based municipality will have greater availability of revenue and less demand for services, and therefore the Airport should remain with Hume City Council for economic stability.
 - The new Sunbury based municipality strive to be economical prudent, sustainable, and environmentally aware.
 - Commissioners maintain Western Water as the main tenant at the Macedon Street administration complex to continue to generate rental returns to the new municipality and also providing local employment at the location in Macedon Street, Sunbury.
- b) Reflect Communities of interest – sociological, demographic, topographic, economic, employment, and adjoining municipalities
- Must maintain communities of interest to reduce confusion and retain cohesion in representation, those areas that traditionally and practically have looked to Sunbury to provide the economic, recreational, and social support should remain in the new Sunbury based municipality.
 - There is a shared community of interest between a) Attwood, Craigeburn, Greenvale, Roxburgh Park and Somerton, and b) Bulla, Wildwood, Oaklands Junction, Diggers Rest and Sunbury (rural environment).
 - Tullamarine should remain with Hume City Council as it has no community of interest with a new Sunbury based municipality.
 - Deep Creek and Nixon separated for environmental and sustainability matters, with City West Water managing the western side of Deep Creek and Yarra Valley Water managing the east side.

3 Have regard to when undertaking review

a) Views of communities affected by the change

- They (the public) should be given another opportunity to vote in a properly conducted compulsory ballot with "Yes" and "No" arguments provided as in a referendum.
- Some submitters are opposed to Sunbury leaving Hume City Council, because of potentially increased rates, and costly to change over.
- Disappointed at limited time frames, lack of information, unclear on what people were voting for, Community Consultative Committee is disadvantaging Hume City Council residents.
- A small section of the Sunbury community is never satisfied.
- The process has been politically motivated by a minority group.
- The entire process has been a disaster, poor communication of community consultation.
- If the Panel estimate rates for the new Sunbury based municipality are to be significantly higher than in the KPMG Report then there should be a follow up plebiscite on the split of Sunbury at the State Government elections in Nov 2014.
- The economic sustainability of the two Councils should have been made available to residents prior to the Government making the decision to split the Hume City Council.
- Some submitters indicated they need more time to evaluate the impact of a new Sunbury based municipality.
- Concerned that the rate base and asset base will not be sufficient to sustain a viable and sound Sunbury based municipality.
- Other Hume City Council residents who voted to remove Sunbury did so because they are sick of a small group of Sunbury agitator's whinging about being in Hume City Council.
- Concerns with the way Sunbury has not improved as a healthy town, too many people and their cars, traffic at stand still, infrastructure very poor, same old town not coping with the traffic.
- A concern that Hume City Council is not value for rates paid, as they don't have the services the Bulla Council provided, and streets (in Sunbury area?) look like the tip, and trash dumped everywhere. The condition of the (Sunbury) town toilet is a disgrace and hasn't had a face lift in years. The footpaths are disgraceful and the roundabouts are a war zone.

- There are issues with the public transport system a) to get to the Sunbury Community Health Services, b) the distances to be travelled to attend pre-school and maternal and child health services in Sunbury. Concern also about changes to the existing home help, meals on wheels services. Concern at increasing cost of a Sunbury based municipality and non-support of programs like the Neighbourhood House Facility and sporting facilities and parks will be forgotten.
 - Concerned at set up expense and having to pay increased rates for as per the KPMG Report, possible/probable loss of a Global Learning Centre in Sunbury. Hume City Council has been an ethical and proactive council with long term goals.
 - Requesting the Panel and the Community Consultative Committee to clarify what the rate increases for Sunbury will be. There is considerable confusion and a lot of statements being made by Councillors about what might impact the rates.
 - Establishing a Sunbury based municipality should not come at any cost.
 - Sunbury area is not represented well with Jackson Creek Ward Councillors.
 - Rate increases should be capped at CPI for first year. Concern at the level of debt Sunbury will inherit. Sunbury has a backlog of capital works not done.
 - Confusion when vote was taken. A compulsory Vote should be taken again at next election.
 - That the Minister for Local Government and the Panel have ongoing discussions and briefings with Hume City Council to enable the CEO to staff, unions and stakeholders, and to work with all groups and stakeholders to ensure proper continuation of services to the community.
 - Sunbury Residents Association does not represent the Sunbury residents.
 - Those Sunbury residents will have more of a say in their future.
 - That our town will get its leaders back and our heart and soul that was taken away when we moved to Hume City Council twenty years ago.
 - That Sunbury is a true satellite city; we are not urban nor are we country.
- b) Opportunities arising from this reform to contribute to achieving the vision of – Vic Planning Provisions, Plan Melbourne, and Regional Growth Plans.
- A separation based on Deep Creek would be logical and workable, with collaboration on common board issues such as OMR, Green Wedge cleaning, pest and weed control, and Bulla Road crossing. Hume City Council to retain Melbourne airport as planning and noise

impacts are most severe in areas of Keilor, Tullamarine (South), Attwood, Gladstone Park, Westmeadows and Broadmeadows.

- That Commissioners determine an appropriate level of resources allocated to growth area planning in the context of existing pressures in established areas of Sunbury and the ability of the Metropolitan Planning Authority to act as the planning authority in Urban Growth Zone areas.
- That Commissioners be directed to immediately implement the Victorian Planning Provisions of (a) implementation of the Sunbury Town Centre Plan rezoning aspects in the translation to the new Residential, Commercial and Industrial Zones and (b) fund the land acquisition to enable the construction of the local crossing of the Melbourne-Bendigo railway line in accordance with the Jacksons Hill Local Structure Plan and Public Acquisition Overlay.