



Alpine Shire

ORDINARY COUNCIL MEETING

MINUTES

M9 – 10 September 2019

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 **10 September 2019** and commenced at **7:00pm**.

PRESENT

COUNCILLORS

Cr Ron Janas - Mayor

Cr Sarah Nicholas - Deputy Mayor

Cr Kitty Knappstein - Councillor

Cr Daryl Pearce - Councillor

Cr Peter Roper - Councillor

Cr John Forsyth - Councillor

OFFICERS

Mr Charlie Bird - Chief Executive Officer

Ms Nathalie Cooke - Director Corporate

Mr William Jeremy - Director Assets

APOLOGIES

Cr Tony Keeble – Councillor



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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 – M8 – 6 AUGUST 2019

Cr Knappstein

Cr Roper

That the minutes of Ordinary Council Meeting M8 held on 6 August 2019 as circulated be confirmed.

Carried

4 APOLOGIES

Cr Tony Keeble

5 OBITUARIES / CONGRATULATIONS

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



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 – CHARLIE BIRD

Nil



8.2 DIRECTOR ASSETS – WILLIAM JEREMY

8.2.1 E-Waste Infrastructure Upgrades

File Number: CT19033/34

INTRODUCTION

The report relates to the award of two contracts for the upgrade of infrastructure to manage electronic waste (E-waste) received at the three transfer stations in the Alpine Shire.

Cr Pearce

Cr Nicholas

That Council:

- 1. Awards Contract Number 1903301 - 'E-Waste Infrastructure Upgrades - Storage Facilities' to FNG Group for the lump sum price of \$229,500+GST; and*
- 2. Awards Contract Number 1903401 - 'E-Waste Infrastructure Upgrades - Civil Works' to FNG Group for the lump sum price of \$108,132.50+GST.*

Carried

BACKGROUND

The E-Waste Infrastructure Upgrades project involves the construction of a storage shed for E-waste at each of the Alpine Shire Council's three transfer stations. E-waste was banned from landfill on 1 July 2019 with the State Government introducing a new waste management policy specifying how E-waste shall be handled and stored.

\$298,880 of funding was received through Sustainability Victoria's E-Waste Infrastructure Grant program (\$100,000 for Porepunkah, \$100,000 for Myrtleford and \$98,900 for Mount Beauty) for the construction of E-waste storage sheds.

Shed layout design, geotechnical reports and concept drawings were prepared by a civil engineering consultant in April 2019.

In May 2019, a tender process was run for both the storage facilities and civil works combined. Only one tender submission was received and the tendered price significantly exceeded the available budget for the project. No contract was awarded and the scope of works was subsequently reviewed and revised.

The works were subsequently separated in the two packages; Storage Facilities and Civil Works. The Invitation to Tender for the both the packages were advertised on 27 June 2019 on Tenders.net and The Alpine Shire Council website and were also advertised also in the Border Mail, Myrtleford Times and Alpine Observer.

The Storage Facilities Tender was downloaded 10 times and two tender submissions were received, however only one submission was conforming. The Civil Works Tender was downloaded 12 times and three conforming submissions were received.



EVALUATION

The key selection criteria listed in the Invitation to Tender are:

- Price
- Qualifications and previous performance
- Delivery
- Social

The evaluation panel consisted of the Director Assets, Manager Asset Development, the Manager Facilities and the Project Officer.

Through the evaluation process it was determined that the tenders from FNG Group best met the selection criteria.

POLICY IMPLICATIONS

Implementation of the E-Waste Infrastructure Upgrades project will enable Council to fulfil its obligations under the State Government's *Waste Management Policy (E-Waste) - Victorian Government Gazette, No. G26 28 June 2018*.

The tender was advertised and evaluated according to Council's Procurement Policy.

This recommendation is in consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

FINANCIAL AND RESOURCE IMPLICATIONS

The E-Waste Infrastructure Upgrades project is jointly funded by Sustainability Victoria (\$298,800) and the Alpine Shire Council (\$61,200). There is an allocation of \$360,000 in Council's 2019/20 capital works budget to deliver this project.

CONSULTATION

A civil engineering consultant was engaged to prepare the layout drawings, geotechnical reports and site surveys.

Council's Facilities Manager and Waste Officer were engaged to ensure that the shed locations and designs meet the regulations and satisfy the operational requirements for each site. The planning and building departments were also consulted during the design phase of the project.

CONCLUSION

Following a comprehensive tender evaluation assessment and reference checks the tenders received from FNG Group for both Storage Facilities and Civil Works were considered to present the best value option for Council.

**DECLARATION OF CONFLICT OF INTEREST**

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

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

ATTACHMENT(S)

- Nil



8.3 DIRECTOR CORPORATE – NATHALIE COOKE

8.3.1 Annual Financial Statements and Performance Statement - Approval in Principle

File Number: 900.01

INTRODUCTION

The purpose of this report is to present the draft Financial Statements and Performance Statement for the year ended 30 June 2019 for review and approval in principle.

Cr Pearce

Cr Forsyth

That Council:

- 1. Approve in principle the Financial Statements and the Performance Statement for the year ended 30 June 2019; and*
- 2. Authorise Cr Forsyth and Cr Knappstein to certify the Financial Statements and Performance Statement for the year ended 30 June 2019 on behalf of Council, once any amendments or changes are made as requested by the Victorian Auditor General.*

Carried

BACKGROUND

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report for each financial year that contains a report on the operations of the Council, an audited performance statement and audited financial statements.

Section 132 of the *Local Government Act* requires Council to pass a resolution giving its approval in principle to the draft Financial Statements and draft Performance Statement prior to submitting the statements to the auditor so that they may prepare their reports.

This report provides an overview of the results in Council's draft Financial Statements and draft Performance Statement which are provided in full in the attachments.

Once approval in principle has been provided and Council has incorporated any changes recommended or agreed by the auditor, the Financial Statements and Performance Statement must be certified by two Councillors authorised by the Council prior to the auditors signing their reports.

FINANCIAL STATEMENTS

The Financial Statements show Council's financial performance, financial position and cash flows against the previous year.

In summary, Council ended the 2018/19 year with a surplus of \$2.4m, which was \$1.3m less than the \$3.7m surplus projected in the 2018/19 Annual Budget (the Budget). The lower surplus result was driven by a focused asset write-down initiative which added new expenses to the income statement. As requested by VAGO, Council



conducted a focused review of its parks, open spaces, streetscapes and waste asset classes and has revised its method of capitalisation for certain asset categories.

1. Income

In a continuation of the trend from 2017/18, Council received more income than expected in 2018/19. Altogether Council received \$31.6m in income which was \$3.6m favourable to the Budget projection of \$28m. This income result can be further illustrated across the following categories:

1.1 Rates and charges

Council received total rates and charges of \$17.9m which was \$0.1m unfavourable to Budget due to a reduction in the discount applicable to AGL Rates in Lieu for 2018/19. This unfavourable result was partially offset by continuing supplementary development in the Shire.

1.2 Grant income

Council received total grant income (both operating and capital) of \$9.3m which was \$2.8m favourable to Budget. Major contributors to this result included:

- Early receipt of half of the 2019/20 Victorian Grants Commission grant, being an unbudgeted payment of \$1.9m;
- Unbudgeted grants including:
 - \$0.2m in additional rates valuation grants received due to the centralisation of valuations;
 - \$0.8m Roads Reconstruction grant.

These gains were partially offset by grants which had been budgeted for 2018/19 but which were received in late 2017/18 which included:

- \$0.5m for the Alpine Better Places Myrtle Street project.

1.3 Contributions monetary

Council received \$1.0m in monetary contributions, \$0.2m favourable to Budget due to higher than expected developer contributions.

1.4 Contributions non-monetary

Council received \$0.6m in non-monetary contributions, \$0.4m favourable to Budget due to higher than expected development activity in the Shire.

1.5 Other income

Other income was \$1.0m which was \$0.1m favourable to Budget due to higher than expected interest earned on investments as a result of cash balances that were higher than budgeted.



2. Expenses

Overall expenses were \$29.2m which was \$4.9m higher than Budget. This result was primarily due to asset write-downs of \$3.4m, higher than expected landfill rehabilitation expenses of \$1.0m, and increased materials and service expenses; but offset by savings in employee costs and materials and services. In further detail:

2.1 *Assets written-off / impaired*

\$0.1m was written down in relation to the revaluation of assets held for sale.

2.2 *Employee costs*

Employee costs of \$7.4m were lower than Budget by \$0.7m (and also slightly lower than 2017/18 costs) due to the impact of vacant positions, the majority of which are now filled or in the process of being filled.

2.3 *Materials and services*

Materials and services were \$1.8m greater than budgeted. Influencing this result was \$2.3m of project expenditure originally classified as capital expenditure in the Budget, but since re-classified as operating expenditure. This project expenditure included:

- \$0.3m of works to restore storm-damaged assets;
- \$1.0m of works for the Alpine Better Places Myrtle Street project that related to outdoor furniture and landscaping which are asset categories not capitalised under Council's revised asset capitalisation approach;
- \$0.3m of works for of the Alpine Events Park project that related to outdoor furniture, landscaping and demolition which are asset categories not capitalised under Council's revised asset capitalisation approach;
- \$0.2m of works for the Myrtleford Library Upgrade and McNamara Reserve Netball and Tennis Facilities projects that related to outdoor furniture and landscaping which are asset categories not capitalised under Council's revised asset capitalisation approach.

2.4 *Depreciation*

Depreciation was \$4.4m which was \$0.3m favourable to Budget due to the timing of certain Council assets that were fully depreciated in 17/18 but not reflected in the 18/19 Budget.

2.5 *Landfill rehabilitation expense*

Landfill rehabilitation expenses of \$1.0m were \$0.8m unfavourable to Budget due to an increase in the provision for future expected landfill rehabilitation and monitoring expenses for the Porepunkah and Myrtleford landfill sites. This is also due to changes in assumptions around discount factors in the net present cost assessment.



2.6 *Net loss on disposal of property, infrastructure, plant and equipment*

Council made an overall loss of \$3.3m which was \$3.2m higher than Budget, primarily due to a continuing review of the valuation of Council's waste, parks and open spaces assets classes which resulted in selected assets being written-down and reclassified as non-capital expenses.

PERFORMANCE STATEMENT

The Performance Statement provides an overview of Council progress against key performance indicators. The Local Government Performance Reporting Framework (LGPRF) provides the basis for these indicators to enable a uniform Performance Statement across all Victorian councils.

The majority of indicators were consistent with last year with only minor movements.

Satisfaction with Council Decisions reduced slightly compared to the previous year down from 60 to 59, while Satisfaction with Sealed Local Roads increased from 60 to 64.

There was a significant improvement in follow-ups on critical and major non-compliance notifications in Food Safety from 33% to 83%. Food safety will continue to be a focus for the Environmental Health team during 2019.

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

Workforce turnover increased from 7% to 14%, which is consistent with the sector average of 15%.

ISSUES

The Financial Statements and Performance Statement are still being audited at the time of writing this report. Whilst the Victorian Auditor General can still make changes, any changes would be expected to be minor in nature.

POLICY IMPLICATIONS

Council has prepared draft Financial Statements and a draft Performance Statement for Council Approval in Principle, in line with the requirements Section 131 and Section 132 of the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

The authorised Councillors are required to certify the final Financial Statements and Performance Statement after any amendments or changes requested by the Victorian Auditor General have been made, and prior to adoption by Council.



The Annual Report must be submitted to the Minister by 30 September each year as required by Section 133 of the *Local Government Act 1989*. Public notice must then be given that the Report has been prepared and can be inspected at the Council office and on the Council's website. The Report must then be considered at a meeting of the Council as soon as practicable after the Council has sent the Annual Report to the Minister as required by Section 134 of the *Local Government Act 1989*.

This recommendation is in consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation.

FINANCIAL AND RESOURCE IMPLICATIONS

The draft Financial Statements and Performance Statement for the year ended 30 June 2019 show that Council is financially sustainable and that Council services are being delivered within expected parameters.

CONSULTATION

The Audit Committee Charter states that the Committee is required to review the Annual Financial Report and consider whether it is complete, consistent with information known to audit committee members and reflects appropriate accounting principles. At the time of submitting this paper the key contents of the Annual Financial Report, comprising the Financial Statements and Performance Statement, have been submitted to the Audit Committee for review.

CONCLUSION

Council ended the 2018/19 year with a surplus of \$2.4 million, which is less than that predicted in the 2018/19 Annual Budget. The lower surplus result is largely attributed to a large asset write-down and revaluation initiative due to a revised asset capitalisation method.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate
- Accountant
- Governance Officer

ATTACHMENT(S)

- 8.3.1(a) 2018/19 Financial Statements (Draft)
- 8.3.1(b) 2018/19 Performance Statement (Draft)



8.3.2 Election Period Policy review

File Number: 646.10

INTRODUCTION

Local Government elections occur every four years - the next scheduled election for all Victorian councils is October 2020. Council is required to maintain the Election Period Policy, and if it requires updating, to do this no later than 12 months prior to the next general election period.

Cr Pearce

Cr Nicholas

That Council:

- 1. Note the Election Period Policy and Guidelines (version 2, 2016) have been reviewed, with no changes proposed to the content of the policy for 2019 other than updating dates for the October 2020 election;*
- 2. Note that further changes to an Election Period Policy will be required if the Local Government Bill is presented to parliament prior to the 2020 election;*
- 3. Revoke the previous Election Period Policy and Guidelines (version 2, 2016);*
- 4. Adopt the Election Period Policy (version 3, 2019);*
- 5. Sign and seal the Election Period Policy (version 3, 2019) at the appropriate time at this meeting; and*

Ensure that a copy of the Election Period Policy (version 3, 2019) is provided to each Councillor following adoption of the policy.

Carried

BACKGROUND

The next general election for all Victorian councils is scheduled to occur on the fourth Saturday in October (24 October) 2020. Section 93B of the *Local Government Act 1989* requires all councils to adopt and maintain an election period policy in relation to procedures to be applied by Councils during the election period.

Section 93B(2)(b) states that the policy must be maintained by reviewing, and if required amending the policy, not later than 12 months before the commencement of each general election period.



Section 93B(3) of the Act states:

An election period policy must include the following—

- a. procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;*
- b. limits on public consultation and the scheduling of Council events;*
- c. procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.*

ISSUES

Election Period

The 'election period' commences when candidate nominations close - which is defined by the Act as 32 days prior to election day. Hence, in 2020 the election period will be operational during the following period:

Commences: Tuesday 22 September 2020

Concludes: 6:00pm on Saturday 24 October 2020 (election day)

Therefore the election period policy must be reviewed during September 2019 to ensure that Council meets the obligations to review the policy not later than 12 months prior to the commencement of the election period.

Changes in 2019

There have been no changes to section 93B since the last election period policy was adopted in March 2016. The Act requires that if there are any amendments to be made to the policy, they must be undertaken no later than 12 months before the next general election period.

The Election Period Policy (version 2, 2016) was adopted in March 2016. At the time it was written, the dates contained within it referred to the 2016 elections. The policy needs to be updated to point these dates to the 2020 election instead. There are no other changes intended to be made to the policy in this review.

In summary, the Election Period Policy (version 3, 2019) has been updated to reflect Council's current policy template, and dates within the policy have been updated to reflect the October 2020 election.

Potential additional changes required before October 2020

It is noted that the proposed Local Government Bill 2019 has not been presented to parliament at the time of writing this report. If it is presented to parliament in the coming months and achieves royal assent, then it is likely that there will be additional changes to the Election Period Policy required before the 2020 election. Officers will ensure any changes that are required are updated and the policy re-presented to Council for adoption.



POLICY IMPLICATIONS

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

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- High performing organisation.

FINANCIAL AND RESOURCE IMPLICATIONS

The Election Period Policy has been reviewed by Council officers.

CONSULTATION

External consultation is not required. Councillors have been briefed on the changes made to the policy. Adoption of the policy is a legislative requirement, and must be endorsed by Council prior to 23 September 2019.

CONCLUSION

The update to the Election Period Policy is to ensure it remains current for the 2020 elections, and Council is complying with the legislative requirement to make any changes not later than 12 months before the next general election period.

Council should adopt the policy to ensure that it is being maintained in accordance with the Act. Any requirement for future changes will be closely monitored.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

- 8.3.2 Election Period Policy (version 3, 2019) - for adoption



8.3.3 Audit Committee Meeting No. 2019/209-1, 26 July 2019

File Number: 0900.06

INTRODUCTION

The purpose of the report is to present the minutes and recommendations of the Audit Committee meeting held on 26 July 2019.

Key items presented to and considered by the Committee at this meeting included:

- Nomination and recommendation of Audit Committee Chair
- VAGO report on Fraud and Corruption Control - Local Government
- VAGO report on Local Government Asset Management and Compliance
- VAGO report on Reporting Local Government Performance
- Audit Committee annual performance survey

The Committee also received updates on a number of ongoing action items.

Cr Forsyth

Cr Knappstein

That Council:

1. *Receive and note the minutes of the 26 July 2019 Audit Committee Meeting No.2019/20-1.*
2. *Appoint Sue Lebish to the role of Chair of the Audit Committee for 2019/20.*

Carried

BACKGROUND

Council's Audit Committee is established under section 139 of the *Local Government Act 1989*. The Committee's Charter requires it to report to Council its activities, issues and related recommendations. This report relates to Audit Committee Meeting No. 2019/20-1 held on 26 July 2019.

ISSUES

Welcome of new members

The Audit Committee extended a welcome to one returning independent member, Sinead Ryan, and one new member, Craig Covich.

Nomination and recommendation of Chair

The Alpine Shire Council Audit Committee Charter 2019 sets out the requirements for the appointment of the Chair of the Audit Committee.

Section 3.4 of the Charter stipulates that:

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



The chair must have suitable qualifications in line with the member knowledge and skills criteria in this Charter and as required by section 139 (2A) of the Local Government Act 1989.

The Committee will nominate and recommend to Council a chair each year.

Council will formally appoint the Committee Chair.”

The Audit Committee nominated and recommends to Council independent member Sue Lebish as Chair of the Committee for the 2019/20 period.

VAGO report on Fraud and Corruption Control - Local Government

The Victorian Auditor General Office (VAGO) report on Fraud and Corruption Control - Local Government examined whether local councils' fraud and corruption controls are well designed and operating as intended. It primarily focused on expenditure and processes involving councillors and senior council staff.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council takes the internal and financial controls of Council very seriously and will continue to action all findings through to closure accordingly.

VAGO report on Local Government Asset Management and Compliance

The VAGO report on Local Government Asset Management and Compliance examined whether local councils' accurately document infrastructure assets in their information systems and use this data in their asset management and planning.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council's ongoing development of asset management plans and the implementation of an asset management system will address the findings. The Committee also noted the impact that resourcing issues in the Asset Maintenance team has had on Council's ability to progress asset management processes and documentation.

VAGO report on Local Government Performance Reporting

The VAGO report on Reporting Local Government Performance assessed whether the Local Government Performance Reporting Framework (LGPRF) communicates performance information that is relevant, timely, accurate and easy to understand for councils and the community. It also examined whether councils use the LGPRF to improve their performance and specifically examined the services in maternal child health, statutory planning and waste collection.

The Committee considered VAGO's recommendations and Council's level of compliance and note that Council is generally compliant however will continue to make improvements in detailed mapping of data sources, implementing targets for each measure and providing a link on its new website to the Know Your Council website.



Audit Committee Annual Performance Survey

The Victorian Government's *Audit Committees – A Guide to Good Practice for Local Government* and the current Audit Committee Charter require the Committee to undertake a self-assessment of its performance each year. An online survey has been made available to Committee members since 2017 and was again provided in this format for the 2018/19 survey with a 100% return rate.

Feedback this year has again been positive with members satisfied with the overall performance of the Committee. There was recognition that the Committee has matured and that there has been an improvement in, information and reporting, and a focus on identifying risks and improving internal controls. However the Committee did identify opportunities for improvement including the sophistication of information to enable a focus on high risk areas and a continued focus on asset management, IT business systems and outstanding audit actions.

POLICY IMPLICATIONS

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

Section 136: Requires Council to implement the principles of sound financial management.

Section 139: Requires Council to have an Audit Committee and act within the guidelines made by the Minister for Audit Committees.

This recommendation is in consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation.

CONCLUSION

The Audit Committee, being satisfied with the detail provided in its agenda and the officer reports, submits the minutes of its 26 July 2019 Meeting No. 2019/20-1 to Council for noting and recommends to Council the appointment of independent member Sue Lebish as Chair of the Committee for 2019/20.

DECLARATION OF CONFLICT OF INTEREST

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

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

ATTACHMENT(S)

- 8.3.3 Audit Committee Meeting No. 2019/20-1 Minutes 26 July 2019



8.3.4 Review of Instrument of Delegation to Section 86 Committees

File Number: Delegations Register

INTRODUCTION

The purpose of this report is to extend the Instruments of Delegation to special committees under Section 86 of the *Local Government Act 1989*.

Section 86 of the *Local Government Act 1989* allows Councils to delegate functions, duties or powers to special committees.

The current Instruments of Delegation to these committees end 31 October 2019.

Cr Nicholas

Cr Pearce

That Council:

1. *Extend the Instruments of Delegation made under s86 of the Local Government Act 1989 until 31 October 2021 for the following Special Committees:*
 - *Bright Senior Citizens Centre Committee of Management; and*
 - *Mount Beauty Recreation Reserve Committee of Management.*
2. *Ensure that the powers, duties and functions conferred on the Committees by the Instruments of Delegation are exercised in accordance with any guidelines or policies Council may from time to time adopt;*
3. *Implement the governance and reporting obligations as detailed in the Instruments of Delegation; and*
4. *Sign and seal the Instruments of Delegation at the appropriate time of this meeting.*

Carried

BACKGROUND

Section 86(3) of the *Local Government Act 1989* (the Act) provides that a Council may, by instrument of delegation, delegate any of its functions, duties or powers under this or any other Act to a special committee.

Section 86(6) of the Act further stipulates that Council must review any delegations to a special committee in force under this section within the period of 12 months after a general election.

A review of the delegations to special committees was undertaken in 2017. Subsequent to the review Council extended the Instruments of Delegation for the Bright Senior Citizens Centre Committee of Management and the Mount Beauty Recreation Reserve Committee of Management.

The current Instruments of Delegation ends on 31 October 2019.



ISSUES

The review of Committees of Management undertaken in 2017 recommended that s86 special committee delegation was appropriate for the Bright Senior Citizens Centre, as Council is appointed as the Committee of Management of the Crown Reserve. The Committee has not been incorporated and therefore cannot be issued a licence, and the facility has multiple users thereby ruling out the establishment of a lease agreement.

These reasons still remain in force and the current best approach to ongoing management of the Bright Senior Citizens Centre is to continue to appoint a committee under s86 of the *Local Government Act 1989*.

The 2017 review recommended that s86 committee delegation was appropriate for the Mount Beauty Recreation Reserve until such time as alternate management arrangements have been reached for the management of the Reserve. Though discussions have been held with the Mount Beauty Recreation Reserve Committee of Management regarding alternate management models no agreement has been reached regarding this at this stage. Until such time as agreement is reached on alternate management arrangements for the Reserve the best approach for ongoing management of the Reserve is to continue to appoint a committee under s86 of the *Local Government Act 1989*.

In order to facilitate continuous improvement for both the Bright Senior Citizens Centre and the Mount Beauty Recreation Reserve further consultation will occur with the current committees, Council and the wider community users of the facility so that the best model for future governance of the site can be determined.

POLICY IMPLICATIONS

The review of delegations to s86 committees ensures that Council is compliant with the requirements of s86(6) of the *Local Government Act 1989*, to review the delegations to all special committees within 12 months of the election.

This recommendation is in consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Highly utilised and well managed community facilities.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial and resource implications identified with the recommendations of this report.

CONSULTATION

Existing members of the Bright Senior Citizens Centre Committee of Management and Mount Beauty Recreation Reserve Committee have been consulted regarding the extension of the current delegation for an additional two years.



CONCLUSION

The current best approach to the ongoing management of the Bright Senior Citizens Centre and the Mount Beauty Recreation Reserve is through delegation to them as special committees under s86 of the *Local Government Act 1989*. These delegations are being extended until 31 October 2021, unless varied or revoked earlier, and subject to the ongoing review of the performance of the Committee's in meeting their obligations under the Instruments of Delegation.

Further consultation will continue to occur with the current committees, Council and the wider community users of the facility so that the best model for future governance of the site can be determined.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Facilities
- Governance Officer

ATTACHMENT(S)

8.3. 4 (a) Instrument of Delegation – Bright Senior Citizens Centre Committee of Management

8.3.4 (b) Instrument of Delegation - Mount Beauty Recreation Reserve Committee of Management



8.3.5 Omnibus Planning Scheme Amendment C60

File Number:

INTRODUCTION

The purpose of this report is to:

1. Advise that there is opportunity to expand the scope of proposed amendment C60 to include extra land that has been found to be subject to anomalous zonings and overlay controls as detailed in this report.
2. Recommend that Council seek formal authorisation from the Minister for Planning to prepare the revised Amendment C60, and when authorised, exhibit the amendment.

Cr Nicholas

Cr Knappstein

That Council note the proposed revision of the content of Amendment C60 and reaffirm its previous resolution to:

1. *Request under Section 8A (2) and (3) of the Planning and Environment Act 1987 that the Minister for Planning authorise Alpine Shire Council to prepare Amendment C60 to the Alpine Planning Scheme;*
2. *Notify the Minister for Planning that when it exhibits Amendment C60, Alpine Shire Council intends to give full notification of the amendment under Section 19 of the Planning and Environment Act 1987 for the minimum statutory exhibition period of one month; and*
3. *When authorised by the Minister for Planning exhibit Amendment C60 to the Alpine Planning Scheme under Section 19 of the Planning and Environment Act 1987.*

Carried

BACKGROUND

It has come to the attention of Council officers that there are several more errors in the planning scheme that warrant correction than was previously reported in relation to Amendment C60.

The additional areas are:

- An additional instance of freehold land being included in a Public Land Zone, in particular the Mount Beauty Golf Course is within a Public Conservation and Resource Zone (PCRZ) and it is only by virtue of its long term use as a golf course that it can be granted planning permission under existing use rights.
- Two instances of North East Water land in the Mount Beauty and Tawonga South area that are currently in the Farming Zone and are more appropriately included in a Public Use 1 Zone.



ISSUES

The errors that have been identified are having an unnecessary and unforeseen impact on land use and development potential and add an unnecessary risk to a heritage asset.

The additional corrections are confined to map amendments, the full set of proposed planning scheme map corrections are attached for information.

POLICY IMPLICATIONS

The proposal improves the delivery of planning policy through the planning scheme.

This recommendation is in consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A well planned and safe community.

FINANCIAL AND RESOURCE IMPLICATIONS

Administration of these changes will be undertaken in house with associated costs contained within the Strategic Planning operational budget.

CONSULTATION

Informal consultation has taken place with officers of Department Environment, Land, Water and Planning and stakeholders.

CONCLUSION

It is considered appropriate that Council prepare an amendment to correct various errors, omissions and anomalies in the planning scheme as detailed in attachments.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Strategic Planner

ATTACHMENT(S)

- 8.3.5(a) Proposed planning scheme map corrections (4 Sheets).
- 8.3.5 (b) Copy of previous Council report.



8.3.6 Revocation of Policies

File Number: Policy Register

INTRODUCTION

Council is in the process of undertaking a holistic review of its policies. A review of Policy 62, Parking Zone Policy is complete.

The review of this policy has determined that the matters addressed by the policy are managed through alternate and current documents and/or systems.

Cr Roper

Cr Forsyth

That Council:

- 1. Revoke Alpine Shire Council Parking Zone Policy No. 62, adopted 4 July 2006.*

Carried

BACKGROUND

Council developed the Parking Zone Policy to provide a consistent approach to the use of parking restrictions across the Shire. This policy has been reviewed as part of Council's holistic policy review program.

ISSUES

Council manages the application of parking restrictions across the Shire effectively through either precinct wide parking reviews (e.g. Bright Car Parking Plan, Dinner Plain car parking review) or by working with local stakeholders to resolve localised issues. As such, the Parking Zone Policy is not used as a reference document.

POLICY IMPLICATIONS

The policies have been reviewed in accordance with the *Local Government Act 1989*.

This recommendation is in consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A well planned and safe community.

CONSULTATION

The review and revocation of the policy has been consulted with the relevant Council officers.

**CONCLUSION**

The review of the Parking Zone Policy has been completed and it is recommended that it now be revoked.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Corporate
- Manager Building and Amenity

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 Knapstein

That the summary of the Assemblies of Councillor for July / August 2019 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
30 July	Briefing Session
6 August	Briefing Session
20 August	Briefing Session

ATTACHMENT(S)

- 9.0 Assemblies of Councillors – July / August 2019



10 GENERAL BUSINESS

That the following motion be presented to the Ordinary Council Meeting in November:

That the Alpine Shire Council recognises, supports, advocates for and adopts initiatives that will help address the effects of climate change.

Cr Forsyth

Cr Knappstein

Division:

For:

All Councillors with the exception of Cr Nicholas

Against:

Cr Nicholas

11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

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

12 RECEPTION AND READING OF PETITIONS



13 DOCUMENTS FOR SEALING

Cr Knappstein

Cr Forsyth

That the following documents be signed and sealed.

- 1. Section 173 Agreement – Michael John Pearce and Shireen Joyce Pearce Lot 2 on Plan of Subdivision 142586 Volume 9512 Folio 380. Condition 13 of Planning Permit 2018.187.1 for a two lot subdivision at 62 Coronation Avenue, Bright. The Agreement states that the adjoining land is used for plantation forestry which may at times affect amenity conditions.*
- 2. Section 173 Agreement – David Joseph Hogg Lot 2 on Plan of Subdivision 212320Q Volume 9821 Folio 666 Building Notice (under Section 11 of the Building Act 1993) for illegal habitation of a shed at 21 Standish Street, Myrtleford. The Agreement provides for North East Catchment Management flood level requirements.*
- 3. Instrument of Delegation – Bright Senior Citizens Centre Committee of Management.*
- 4. Instrument of Delegation – Mount Beauty Recreation Reserve Committee of Management.*
- 5. Election Period Policy (version 3, 2019).*

Carried

There being no further business the Chairperson declared the meeting closed at 9:18p.m

.....
Chairperson



Attachment 8.3.1 – Alpine Shire Council Annual Report 2018/19

Will be attached as a separate file – available on Council’s website on Tuesday
1 October 2019.



MEETING: Audit Committee Meeting No: 2019/20-2

HELD: Tuesday 10 September 2019
9.00am Members only session
9.15am Meeting

LOCATION: Committee Room, Bright Office

IN ATTENDANCE:

Members:

Sue Lebish, Chair Elect
Mark Anderson
Craig Covich
Gerard Moore
Sinead Ryan
Cr John Forsyth
Cr Kitty Knappstein

Officers:

Charlie Bird, Chief Executive Officer
Nathalie Cooke, Director Corporate
Will Jeremy, Director Assets
Victoria Schmidt, Manager Corporate
Kirsten McDonald, Health, Safety and Risk Officer
Warren Bennett, Accountant

Vision Statement:

*The Alpine Shire provides outstanding opportunities
for its residents and visitors through sustainable growth
in balance with the natural environment.*

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1. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS AND RECOGNITION OF ALL PEOPLE

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.

2. APOLOGIES

Nil

3. DECLARATION OF CONFLICT OF INTEREST

No new declarations.

S Lebish reminded Committee of her membership of the Mount Hotham Resort Management Board in relation to Dinner Plain matters.

4. TELECONFERENCE WITH EXTERNAL AUDITORS

INTRODUCTION

External Auditor, Nathan Barber, Principal, RSD Audit Pty Ltd, Bendigo will join the meeting via teleconference at 9.30am. The teleconference will be held in two sessions as follows:

Session	Participants	Items for discussion
1	Committee members and management	<ul style="list-style-type: none">• Year-end financial audit results• Performance statement• Closing report• Any other specific queries raised by the Committee or the External Auditor
2	Committee members only 9.53am – 10.25am	<ul style="list-style-type: none">• Matters raised by Committee or External Auditor under section 8.7 of Committee Charter

The External Auditor thanked Council management for its preparation prior to and assistance during the audit.

The External Auditor provided the Committee with an overview of the audit findings including key matters as follows:

Financial Statement

- *Accounts lodged with VAGO Monday 09/09/2019 and VAGO providing immediate feedback.*

Performance Statement

- *There were no issues identified with the service indicators.*
- *Awaiting final financial indicators but not expecting any issues.*

Closing Report

- *Areas of audit focus were generally considered satisfactory with no material changes but it was noted that there were some minor deficiencies in current practices relating to valuation of infrastructure property, plant and equipment which will be monitored in 2020.*
- *At the time of audit a performance statement with management commentary had not been provided but no issues are foreseen.*

Management Letter - draft

- *Only one new item identified - provision of doubtful debts assessment.*
- *Four outstanding items resolved - returns and credits review, WC5 kerbside collection waste diverted from landfill, long service leave model, and asset register review.*
- *Progress of outstanding items from previous management letters is noted and progress will be monitored at 2020 interim audit.*

The Committee sought clarification on a range of items in the Financial Statement and requested correction of minor errors, grammar and punctuation

ACTIONS:

- *Circulate final management letter to Committee.*
- *Inform Committee if there are any significant auditor findings prior to finalisation of the Financial Statements.*
- *Update and finalise the Financial and Performance statements.*

5. OFFICER REPORTS

5.1 2018/2019 Annual Financial Report (Draft) – Endorsement in Principle

Directorate: Corporate

Department: Corporate

Manager: Director Corporate

Author: Manager Corporate

INTRODUCTION

The purpose of this report is to present the draft Financial Statements and draft Performance Statement for the year ended 30 June 2019 for review and endorsement in principle.

The Manager Corporate responded to the questions on notice submitted by C Covich.

The Committee were pleased with the result of the audit and thanked management for the effort from all involved in preparing the draft statements.

RECOMMENDATION

That the Audit Committee endorse in principle the Financial Statements and Performance Statement for the year ended 30 June 2019.

Moved: M Anderson

Second: S Ryan

That the Audit Committee endorse in principle the Financial Statements and Performance Statement for the year ended 30 June 2019 including minor amendments as required by the External Auditor relating to MomentumOne, and valuation of open space and waste assets but excluding any major amendments exceeding \$100,000 which must be reported back to the Committee.

ACTIONS:

- Finalise Financial and Performance Statements including corrections and changes identified by the Audit Committee*
- Notify the Committee of any further findings from VAGO or the External Auditor.*

BACKGROUND

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report in respect of each financial year containing a report on the operations of the Council, an audited performance statement, and audited financial statements.

The Annual Report must be submitted to the Minister by 30 September each year as required by Section 133 of the *Local Government Act 1989*. Public notice must then be given that the Report has been prepared and can be inspected at the Council office and on the Council's website. The Report must then be considered at a meeting of the Council as soon as practicable after the Council has sent the Annual Report to the Minister as required by Section 134 of the *Local Government Act 1989*.

The Audit Committee Charter requires the Audit Committee to review the annual financial report and consider whether it is complete, consistent with information known to Audit Committee members, and reflects appropriate accounting principles. The Committee is also to review with management and the external auditors the results of the audit, including any difficulties encountered.

This report provides an overview of the results in Council's draft Financial Statements and draft Performance Statement which are provided in full in the attachments.

Once approval in principle for the statements has been provided and Council has incorporated any changes recommended or agreed by the auditor, the Financial Statements and Performance Statement must be certified by two Councillors authorised by the Council prior to the auditors signing their reports.

REPORT

Financial Statements

The Financial Statements show Council's financial performance, financial position and cash flows against the previous year.

In summary, Council ended the 2018/19 year with a surplus of \$2.4m, which was \$1.3m less than the \$3.7m surplus projected in the 2018/19 Annual Budget (the Budget). The lower surplus result was driven by a focused asset write-down initiative which added new expenses to the income statement. As requested by VAGO, Council conducted a focused review of its parks, open spaces, streetscapes and waste asset classes and has revised its method of capitalisation for certain asset categories.

1. Income

In a continuation of the trend from 2017/18, Council received more income than expected in 2018/19. Altogether Council received \$31.6m in income which was \$3.6m favourable to the Budget projection of \$28m. This income result can be further illustrated across the following categories:

1.1 Rates and charges

Council received total rates and charges of \$17.9m which was \$0.1m unfavourable to Budget due to a reduction in the discount applicable to AGL Rates in Lieu for 2018/19. This unfavourable result was partially offset by continuing supplementary development in the Shire.

1.2 Grant income

Council received total grant income (both operating and capital) of \$9.3m which was \$2.8m favourable to Budget. Major contributors to this result included:

- Early receipt of half of the 2019/20 Victorian Grants Commission grant, being an unbudgeted payment of \$1.9m;
- Unbudgeted grants including:
 - \$0.2m in additional rates valuation grants received due to the centralisation of valuations;
 - \$0.8m Roads Reconstruction grant.

These gains were partially offset by grants which had been budgeted for 2018/19 but which were received in late 2017/18 which included:

- \$0.5m for the Alpine Better Places Myrtle Street project.

1.3 Contributions monetary

Council received \$1.0m in monetary contributions, \$0.2m favourable to Budget due to higher than expected developer contributions.

1.4 Contributions non-monetary

Council received \$0.6m in non-monetary contributions, \$0.4m favourable to Budget due to higher than expected development activity in the Shire.

1.5 Other income

Other income was \$1.0m which was \$0.1m favourable to Budget due to higher than expected interest earned on investments as a result of cash balances that were higher than budgeted.

2. Expenses

Overall expenses were \$29.2m which was \$4.9m higher than Budget. This result was primarily due to asset write-downs of \$3.4m, higher than expected landfill rehabilitation expenses of \$1.0m, and increased materials and service expenses; but offset by savings in employee costs and materials and services. In further detail:

2.1 Assets written-off / impaired

\$0.1m was written down in relation to the revaluation of assets held for sale.

2.2 Employee costs

Employee costs of \$7.4m were lower than Budget by \$0.7m (and also slightly lower than 2017/18 costs) due to the impact of vacant positions, the majority of which are now filled or in the process of being filled.

2.3 Materials and services

Materials and services were \$1.8m greater than budgeted. Influencing this result was \$2.3m of project expenditure originally classified as capital expenditure in the Budget, but since re-classified as operating expenditure. This project expenditure included:

\$0.3m of works to restore storm-damaged assets;

\$1.0m of works for the Alpine Better Places Myrtle Street project that related to outdoor furniture and landscaping which are asset categories not capitalised under Council's revised asset capitalisation approach;

\$0.3m of works for of the Alpine Events Park project that related to outdoor furniture, landscaping and demolition which are asset categories not capitalised under Council's revised asset capitalisation approach;

\$0.2m of works for the Myrtleford Library Upgrade and McNamara Reserve Netball and Tennis Facilities projects that related to outdoor furniture and landscaping which are asset categories not capitalised under Council's revised asset capitalisation approach.

2.4 Depreciation

Depreciation was \$4.4m which was \$0.3m favourable to Budget due to the timing of certain Council assets that were fully depreciated in 17/18 but not reflected in the 18/19 Budget.

2.5 Landfill rehabilitation expense

Landfill rehabilitation expenses of \$1.0m were \$0.8m unfavourable to Budget due to an increase in the provision for future expected landfill rehabilitation and monitoring expenses for the Porepukah and Myrtleford landfill sites. This is also due to changes in assumptions around discount factors in the net present cost assessment.

2.6 Net loss on disposal of property, infrastructure, plant and equipment

Council made an overall loss of \$3.3m which was \$3.2m higher than Budget, primarily due to a continuing review of the valuation of Council's waste, parks and open spaces assets classes which resulted in selected assets being written-down and reclassified as non-capital expenses.

Performance Statement

The Performance Statement provides an overview of Council progress against key performance indicators. The Local Government Performance Reporting Framework (LGPRF) provides the basis for these indicators to enable a uniform Performance Statement across all Victorian councils.

The majority of indicators were consistent with last year with only minor movements.

Satisfaction with Council Decisions reduced slightly compared to the previous year down from 60 to 59, while Satisfaction with Sealed Local Roads increased from 60 to 64.

There was a significant improvement in follow-ups on critical and major non-compliance notifications in Food Safety from 33% to 83%. Food safety will continue to be a focus for the Environmental Health team during 2019.

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

Workforce turnover increased from 7% to 14%, which is consistent with the sector average of 15%.

ISSUES

The Financial Statements and Performance Statement are still being audited at the time of writing this report. Whilst the Victorian Auditor General can still make changes, any changes would be expected to be minor in nature.

KEY IMPLICATIONS

Legislative Compliance

Council has prepared draft Financial Statements and a draft Performance Statement for endorsement by the Committee and approval by Council in principle, in line with the requirements Section 131 and Section 132 of the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

The authorised Councillors are required to certify the final Financial Statements and Performance Statement after any amendments or changes requested by the Victorian Auditor General have been made, and prior to adoption by Council.

The Annual Report must be submitted to the Minister by 30 September each year as required by Section 133 of the *Local Government Act 1989*. Public notice must then be given that the Report has been prepared and can be inspected at the Council office and on the Council's website. The Report must then be considered at a meeting of the Council as soon as practicable after the Council has sent the Annual Report to the Minister as required by Section 134 of the *Local Government Act 1989*.

Risk Management

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Inability to accurately plan and manage finances due to inaccurate financial data	L	M	<ul style="list-style-type: none"> Asset management policy and plan Regular reporting Year-end controls and reconciliations Audit processes
Failure to address changes in accounting standards and legislation	L	L	<ul style="list-style-type: none"> Continuous liaison with auditors Industry updates Staff attendance at professional development days

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Manage our financial resources sustainably
Audit Committee Charter	
Clause 8.2	Financial management and reporting
Clause 8.4	Effective control
Clause 8.7	External audit
Clause 8.9	Compliance
Clause 8.10	Reporting responsibilities

CONCLUSION

Council ended the 2018/19 year with a surplus of \$2.4 million, which is less than that predicted in the 2018/19 Annual Budget. The lower surplus result is largely attributed to a large asset write-down and revaluation initiative due to a revised asset capitalisation method.

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.

- Chief Executive Officer
- Director Corporate
- Manager Corporate
- Accountant
- Governance Officer

Attachments

- 5.1.1 2018/19 Financial Statements (Draft)
- 5.1.2 2018/19 Performance Statement (Draft)
- 5.1.3 Auditor's Closing Report 2019 (Draft)
- 5.1.4 Auditor's Final Management Letter 2019 (Draft)

6. GENERAL BUSINESS

Nil

7. NEXT MEETING

Monday 2 December 2019 at 9.00am

8. ATTACHMENTS

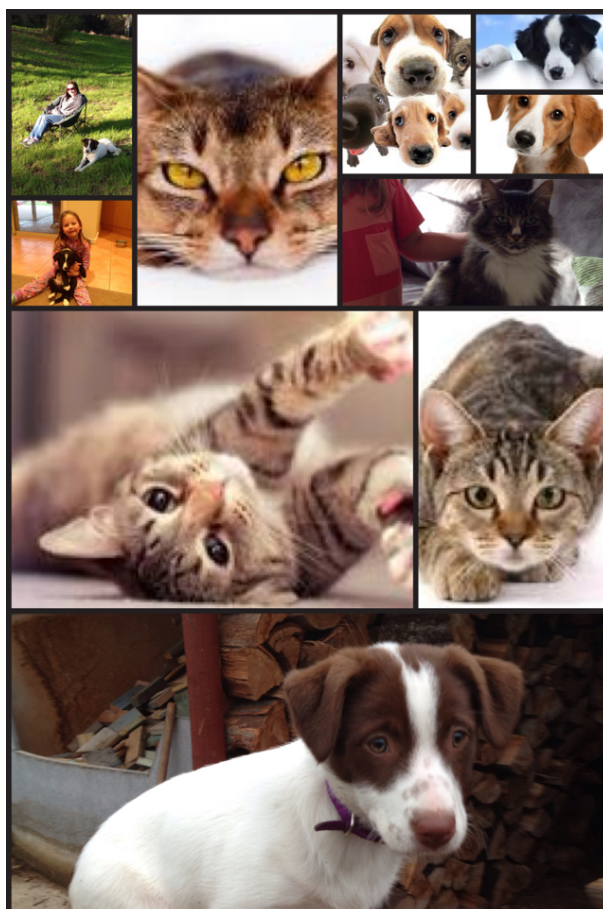
- 5.1.1 2018/19 Financial Statements (Draft)
- 5.1.2 2018/19 Performance Statement (Draft)
- 5.1.3 Auditor's Closing Report 2019 (Draft)
- 5.1.4 Auditor's Final Management Letter 2019 (Draft)

12. MEETING CLOSE

The meeting closed at 11.27am



ALPINE SHIRE COUNCIL DOMESTIC ANIMAL MANAGEMENT PLAN 2017-2021



REVISION RECORD

03/10/2017	1.0	Adopted Version 1.0
01/10/2019	1.1	Review of Version 1.1 updated to reflect alignment with Community Local Law 2019. Updating of completed actions; Update of staff skills and matrix; and Minor text modifications for clarity purposes

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1. DOMESTIC ANIMAL MANAGEMENT PLAN REQUIREMENTS

Under Section 68A of the Domestic Animals Act 1994, every Council must prepare a domestic animal management plan, as follows:

68A Councils to prepare domestic animal management plans

- (1) Every Council must, in consultation with the Secretary (*of the Department of Economic Development, Jobs, Transport and Resources*), prepare at 4 year intervals a domestic animal management plan.
- (2) A domestic animal management plan prepared by a Council must—
 - (a) set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and
 - (b) outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and
 - (c) outline programs, services and strategies which the Council intends to pursue in its municipal district—
 - (i) to promote and encourage the responsible ownership of dogs and cats; and
 - (ii) to ensure that people comply with this Act, the regulations and any related legislation; and
 - (iii) to minimise the risk of attacks by dogs on people and animals; and
 - (iv) to address any over-population and high euthanasia rates for dogs and cats; and
 - (v) to encourage the registration and identification of dogs and cats; and
 - (vi) to minimise the potential for dogs and cats to create a nuisance; and
 - (vii) to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and
 - (d) provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view

to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and

- (e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
- (f) provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

(3) Every Council must—

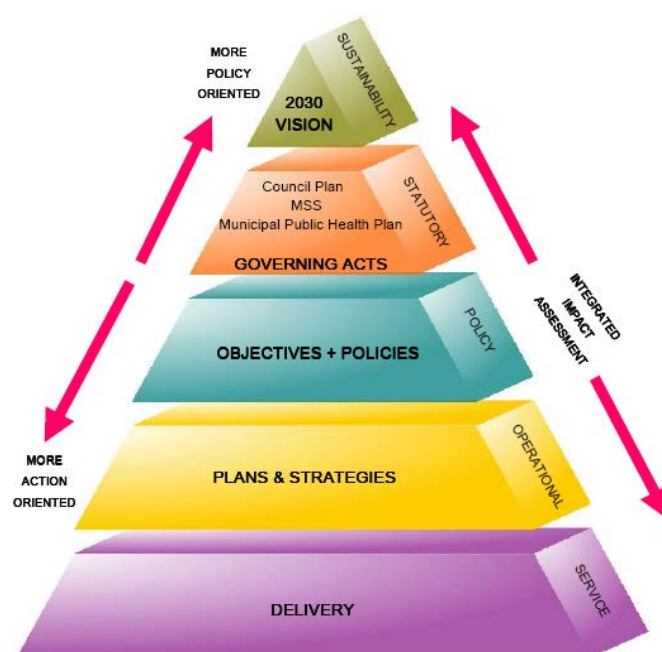
- (a) review its domestic animal management plan annually and, if appropriate, amend the plan; and
- (b) provide the Secretary with a copy of the plan and any amendments to the plan; and
- (c) publish an evaluation of its implementation of the plan in its annual report.

2. INTRODUCTION

This Domestic Animal Management Plan (DAMP) has been developed by Alpine Shire Council in accordance with the requirements stipulated under Section 68A of the Domestic Animals Act 1994, as well as Council's Local Laws and relevant policies applicable to this plan. The Plan will be reviewed annually, with a major review every four years, in consultation with the Secretary of the Department of Economic Development, Jobs, Transport and Resources.

Figure 1 diagram describes Council's general model for managing policies, plans and strategies. Therefore, this plan is positioned in Council's corporate planning structure by seeking to establish a bridge between the blue and yellow shaded areas. It is anticipated that the strategic direction the plan articulates will ultimately be reflected in the Council Plan.

Figure 1 – Alpine Shire Council Policy Management Pyramid



2.1 Purpose and objectives of the Plan

The purpose of this plan is to provide Alpine Shire Council and the Alpine community with a clear and concise statement as to how animal management is administered by Alpine Shire Council by:

- Documenting current processes and practices under the Alpine Shire animal management responsibilities
- Minimising non-compliance with the Domestic Animals Act 1994
- Increasing pet owners' knowledge of the principles of responsible pet ownership and enhancing community safety and awareness

- Supporting the Domestic Animal Unit to achieve its stated objectives of reducing the numbers of dogs and cats being euthanized
- Maximising the numbers of dogs and cats that are registered in the Alpine Shire
- Reducing the harmful effect of domestic pets on the population of native birds, mammals and reptiles
- Take into account the broader community views on animal management matters
- Comply with the relevant provisions of the Domestic Animals Act 1994

2.2 Process applied in developing this Plan

The community and key stakeholders were invited to provide comments on the draft plan. A newspaper advertisement was put in the Alpine Observer and the Myrtleford Times to alert the community to the review of the DAMP. A Facebook post was also made to encourage the non-resident community to make a comment on the DAMP.

Local veterinary clinics, the RSPCA and the Ovens Valley Canine Club were emailed to alert them to the review of the DAMP.

The draft plan was also made available in hard copy at the three Council customer service outlets and also available on Council's Web site. Feedback has been incorporated.

2.3 ABS Census 2016: demographic profile and mapping

The Shire is about 300 kilometres north-east of Melbourne and 70 kilometres south of Albury/Wodonga, situated within the Hume Region. About 92% of the Shire is public land, including areas of the Alpine National Park and all of the Mount Buffalo National Park. The major economic activities of the Alpine Shire are: agriculture, horticulture, viticulture, timber, tourism and service industries.

In 2016, Alpine Shire had approximately 12,450 residents. Most of the population lives in the suburbs of Bright, Dederang, Harrierville, Mount Beauty, Myrtleford, Porepunkah, Tawonga, Tawonga South and Wandiligong. Together, these towns account for 80% of the total Alpine population. The population is most highly concentrated around the areas of Myrtleford with a population of 3215, Bright with 2397 residents and Mount Beauty with a population of 1261 residents.

Alpine Shires key features include:

- Stunning natural beauty
- Diverse and exceptional life-style with an exciting mix of culture, history and experience
- Broad range of community services
- High level of professional and health services
- Accommodation and food services is the largest employer with agriculture and retail trade following respectively
- Unemployment rate of 3.8% compared to 5.5% Country Victoria

The 2016 ABS Census population shows that Alpine Shire has a high proportion of elderly persons those aged 65 to 85 years plus than regional Victoria. This being 36.1% compared to 27.2% in regional Victoria as a whole.

Other unique features of the shire are:

- 92% Crown Land, meaning that only 8% of the Shire is rateable;
- 30% absentee land owners, generally owners of holiday properties;
- High tourism [more than one million visitors annually] and high associated service costs;
- Alpine Shire is ranked 45 out of the 79 councils in Victoria in terms of disadvantaged according to the SEIFA index.
- Very prone to natural disasters such as bushfires and floods; and,
- The major mountain resorts of Falls Creek and Mount Hotham are not part of the Alpine Shire.

The main towns in the Alpine Shire are Bright, Dederang, Harrietville, Mount Beauty, Myrtleford, Porepunkah, Tawonga, Tawonga South and Wandiligong.

3. TRAINING OF AUTHORISED OFFICERS

68(A)(2)(b) of the *Animal Management Act 1994* outlines programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of Domestic Animals Act 1994 in the Council's municipal district

3.1 Animal management staffing and operational structure

Domestic animal management is a function of the Local Laws section of the Alpine Shire Council. Local Laws is part of the Building and Amenity Department which is responsible for the delivery of regulatory services for the Alpine Shire Council. The Building and Amenity department comprises building services, environmental health services and local laws. There are 11 staff delivering these services with an operational budget of \$666,500.

Local Laws has an annual expenditure budget of approximately \$47,000 and employs the equivalent of 1.4 full time people. Line management for local laws service delivery is provided by the following structure:

Figure 2 – Operation structure of local laws



3.2 Current and planned training

Council has undergone some structural changes since the last Domestic Animal Management Plan. This is due to changes in government funding and a change to the charge and collection of rates which forms part of Council's overall operating budget. This has meant a change to staffing levels with Council now having the equivalent of one full time Local Laws Ranger. These staffing levels are provided by two part time staff; one operating 4 day a week and one operating 1 day a week. For training purposes this means different levels of training are required for each staff member, much of it on the job.

The Local Laws Ranger has extensive experience in providing local laws function and in handling animals suitable to meet the requirements of the Animal Management Act 1994. The membership of the North East Authorised Council Officers Association where Officers meet up twice a year, have an on-line forum to provide assistance to each other and enable joint training to take place with other councils is a valuable resource especially for smaller councils within the North East.

Table 1 below shows the training the Local Laws Ranger has had and will participate in. The other Local Laws Ranger will be provided with a training program as per the objectives set out in this Domestic Animal Management Plan.

Table 1 – Authorised officer training

Authorised Officer Training	Current(2019)	Planned (state when)
Certificate IV in Animal Control and Regulation		2020
Cert IV in Local Government (regulatory services)		2020
<i>Department of Jobs, Precincts and Resources</i> – training and information days	X	ongoing
Driving under emergency conditions		2019
First aid training	X	Yearly updates
Animal handling and assessment	X	
Statement taking and prosecutions	X	

Restricted dog breed training		2019
Fire arms training	X	Each year for certification
NE Authorised Council Officers Association	X	

3.3 Our plans

Objective 1: Develop a training policy that clearly identifies minimum training requirements and any additional training needs that should be undertaken by Authorised Officers by November 2018.

Activity	When	Evaluation
Identify minimum training requirements in consultation with management and staff	August to October 2018	Documentation to be finalised and incorporated into an approved council training policy by November 2018
Identify additional training opportunities in consultation with management and staff	October 2019	Documentation to be finalised and incorporated into an approved council training program by November 2019
Create a database/spread sheet to record all Officers completed and proposed training	December 2018	Staff annual performance review, to ensure training goals have been reached and then log them
Create a matrix of current and required skills of each officer	October 2019	Documentation to be finalised and incorporated into an approved council training policy by November 2019

Objective 2: To provide training to all authorised officers and review annually to monitor both relevancy and completion

Activity	When	Evaluation
Ensure participation in the induction program	When an Officer start	Staff annual performance review, to ensure training goals have been reached and then log them
Develop a training program for new officers		Documentation to be finalised and incorporated into an approved council training program by November 2019

4. REGISTRATION AND IDENTIFICATION

68A(2)(c)(v) of the Domestic Animal Management Act 1994 outlines programs, services and strategies to encourage the registration and identification of dogs and cats and also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

4.1 Current situation - domestic animal statistics and data

Table 2 below constitutes known animal management data. The table shows a decrease in pet registrations has taken place.

Table 2 – Animal Management Data, Alpine Shire

	Alpine Shire Council Key Statistics 2017/18	Alpine Shire Council Key Statistics 2018/2019
Population	12515	12730
No. of EFT Authorised Officers	1	1
Hours training per officer annually	40	40
No. of Registered Dogs	2516	1975
No. of Registered Cats	645	503
No. of Registered Declared Dogs	6	18
No. of Prosecutions Completed	0	0
No. of Successful Prosecutions	na	na
No. of domestic animals collected	99	64
No. of domestic animals reclaimed or rehomed	89	59
No. of domestic animals euthanized	10	5

The estimated dog and cat population registered within the Alpine Shire in 2018/2019 period is 2478 animals (1975 dogs and 503 cats).

4.2 Service levels

Table 3 below provides an outline of current animal management service levels provided by Alpine Shire Council.

Table 3 – Service levels for animal management

Program Service	Service Level
Identification and registration of dogs and cats	95% of registrations received by 1 June each year
Domestic animal complaint	Respond within 24 hours and follow up within immediate action according to urgency
Dangerous dogs complaint	Response within 2 hours or less
Pound open	38 hours per week
After hours emergency response	24 hours a day 365 days a year
Domestic animal business	Inspected and registered every year

Council's current identification and registration activities include:

- Issuing of identification tags and registration renewal notices;
- Enforcement of compulsory registration at 3 months of age;
- Compulsory micro-chipping of animals with first registration;
- Follow up of animal non-renewal registration from previous year record;
- Advertising in local papers about requirements for pet ownership and registration; and,
- Cat trap program for feral and wandering cats.

4.3 Our orders, local laws, Council policies and procedures

4.3.1 Council's Community Local Law 2019

Council's Community Local Law provides the guidance on animal keeping and expected behaviour of animal and owner.

The following is an extract of Part 4 of the Alpine Shire Council Community Local Law 2019. A full version is available on Council's website, www.alpineshire.vic.gov.au.

Extract of Community Local Law 2019

Keeping Animals

An owner or occupier of property within a residential area must not without a permit keep or allow to be kept any more in number for each kind of animal than as set out in the following table:

Table 4 – Animals allowed to be kept without a permit

Type of animal	Maximum number allowed in residential areas without a permit
Bees and Beehives	1
Cats	2
Cockatoos	2
Dogs	2
Domestic Birds	50
Domestic Rabbits	10
Farm Animals	0
Ferrets	3
Goats	0
Guinea pigs	10
Horses	0
Peacocks	2
Pigeons	50
Pigs	0
Poultry	10
Reptiles	0
Roosters	0

3.7 Animal housing

3.7.1 The owner or occupier of any land on which animals are kept must provide housing which is adequate and appropriate in the circumstances, taking into consideration:

- a. the type and number of animals to be kept;
- b. the capacity to maintain the housing in a sanitary and inoffensive condition;
- c. the capacity to protect neighbours from noise from animals on the land; and
- d. any other matters considered by Council to be relevant.

3.7.2 All animal housing must be maintained so that:

- a. all manure and other waste is removed and/or treated as often as necessary so that it does not cause a nuisance or offensive condition;
- b. all manure and other waste is stored in a fly and vermin proof receptacle until removed from the premises or otherwise disposed of to the satisfaction of an Authorised Officer;
- c. the ground surrounding the housing is drained to the satisfaction of an Authorised Officer;
- d. the area of land within 3 metres of the area or structure in which the animal is kept must be kept free from dry grass, weeds, refuse, rubbish or other material capable of harbouring vermin;
- e. all food, grain or chaff is kept in vermin proof receptacles; and
- f. it is kept in a clean and sanitary manner to the satisfaction of an Authorised Officer.

3.8 Removal of animal faeces

3.8.1 A person in charge of an animal must:

- a. remove any faeces deposited by that animal on Council land or land occupied by another person;
- b. dispose of the animals faeces in a manner which does not cause any nuisance or health hazard to any person or detriment to the environment; and
- c. carry a suitable device for the collection of excrement from that animal.

3.9 Objectionable noises

3.9.1 An owner or occupier of land within the municipal district must ensure that all animals and birds kept on that land do not:

- a. habitually make an objectionable noise at unreasonable times; or

b. cause a nuisance by the emission of sounds.

3.9.2 If an Authorised Officer is of the opinion that an animal or bird is causing a nuisance, he or she may service a Notice to Comply directing the nuisance to be abated.

3.11 Wandering animals and birds

3.11.1 The owner or person in charge of any animal or bird must:

- a. not allow that animal or bird to wander from where it is normally kept; and
- b. ensure that the land on which the animal or bird is kept is adequately fenced to prevent the animal or bird from being at large or escaping.

3.11.2 Clause 3.11.1(a) does not apply to dogs and cats.

Note: Sections 24 and 25 of the Domestic Animals Act 1994 provide that an owner of a dog or cat found at large will be guilty of an offence.

4.4 Summary

Council has policies for the registration of domestic animals and for animals that are taken to Council's pounds. This enables Officers to trace owners or re-home animals. The information is also used for Government reporting purposes. Most administration for the registration of animals is undertaken by main reception customer service staff.

Alpine Shire includes areas with a low socio-economic index, and as such payment plans are offered for pound release, pet registration and microchipping.

Council has a strong customer service ethic and where possible tries to ensure that the community are made aware of their obligations. Reminders for annual animal registrations are sent each year and followed up if Council has not been notified of an animal's demise or other change in circumstance.

The use of 'Tradify' a database system for logging customer service calls enables the Local Laws Ranger to be able to retrieve call information and make contact with the complaint quickly. This has an 'app' mode so can be used out in the field and saves the Officer coming back to the office to collect information. This therefore enables quicker action to be taken particularly in the case of dangerous dogs and potential or actual attacks or nuisance.

'Tradify' is also used by 'on-call' staff over the weekend and again provides quick access to inform and enables the Local Laws Ranger to see what has

been done in their absence to enable follow ups to be made to customers or deal with animals in the Council pound.

Council has a number of cat traps available for public use. These traps are available for use from local libraries ensuring that access around the Shire is provided. Any feral cats that are captured cannot be rehomed and are therefore euthanized.

Council is working on renewing its 84Y Agreement with the RSPCA (in Wangaratta) for re-homing cats and dogs. This has been a good working relationship in particular as the Alpine Shire Ranger provides a shared service for inspecting animal cruelty cases with the RSPCA Inspector. This enables resources to be shared for the best outcome especially in a shire that has a large geographic area,

Council also uses its website to re-home animals. It places a description and photo of the animal to alert an owner of a missing animal. Council also uses its Facebook page to locate owners or re-home domestic animals.

Council is aware that dogs and cats that are not de-sexed have an inclination to wander. In this respect Council currently teams up with the local vets to offer a discount in de-sexing costs when coupled with registration and microchipping. Both veterinarians in Alpine Shire participate in Desex Your Pet month in July. It is hoped that this initiative will encourage people to register and microchip their animals as well as having them de-sexed.

4.5 Our Plans

Objective 1: To maximise the number of registered and identifiable domestic animals

Activity	When	Evaluation
Follow up of animal non-renewal registration from previous year's record	June every year	Record number of animals found unregistered but still with owner.
Ensure all seized and impounded animals are registered to their owner prior to release.	Prior to every release	Review number of dogs and cats being seized and impounded who are not registered to their owner.
Increase the number of registrations by 30%	Up to 2021	Review annual increase in registration numbers
Run an education	Every 2 years	Review increases in registration

campaign on the importance of registering and microchipping	of the Plan	numbers and microchipping numbers
Consider or run a microchipping day	Selected days during one month of every year of the plan	Review increases in registration numbers and microchipping numbers.

5. NUISANCE

68A(2)(c)(vi) of the *Domestic Animal Management Act 1994* outlines programs, services and strategies to minimise the potential for dogs and cats to create a nuisance and also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

5.1 Current situation

Current activities relating to nuisance animals are:

- Investigating nuisance complaints in a timely manner to ensure minimal timeframes;
- Sending out barking dog formal complaint statements and barking dog log sheets with Statutory Declarations attached;
- The issuing of infringement notices for non-registration of animals;
- Report outcomes of prosecutions when appropriate regarding each area of nuisance to local media to raise awareness in the community of the benefits of preventing dog and cat nuisance;
- Issuing notices to comply, notices of objection, infringements where necessary and taking the matter to the Magistrates' Court;
- Providing cat traps to residents; and,
- Provide animal excrement bags around designated parks and streets to ensure dog owners clean up after their dogs.

5.2 Our Orders, Local Laws, Council Policies and Procedures

Council local laws

Part 3 of the Alpine Shire Council Community Local Law 2019 deals with the control of animals within the municipality. To minimise nuisance from domestic animals it is a Local Law that:

- No more than two dogs/cats are to be kept on a residential property without a permit; and,

- Dogs must be on leash within a municipal reserve or within a shopping district.

5.2.1 Barking Dogs

Council has a standard operating procedure for barking dog complaints to ensure all complaints received are handled in the same consistent matter by all authorised Officers. The procedure steps out the required processes involved to investigate the complaint, liaise with the dog owner and surrounding neighbours.

Where nuisances are found to be proven pursuant to Section 32 of the Act, Council can issue notices to the dog owner to abate the nuisance, issue infringements and/or have the matter heard in the Magistrate's Court to seek an order from the Court for the owner to abate the nuisance.

5.2.2 Dogs and Cats at Large

The Local Laws department has developed a procedure for dealing with domestic animals found at large.

Repeat offenders for roaming or trespassing cats or dogs are issued with an infringement and must pay the relevant pound release fees. In circumstances where infringements have been issued to an owner and continued breaches occur Council may pursue the matter through the Magistrates' Court to seek an order from the Court to require the owner to carry out works to ensure the animal is not able to escape from the owner's premises.

Orders under the Domestic Animals Act

As part of the Local Laws review undertaken in 2018-19, the dog on / off lead areas were removed from the Local Law and made through an order under S. 26 of the Domestic Animals Act. The on lead areas are generally very similar to the previous areas, with some minor changes made through consultation as part of the Local Laws review.

5.3 Current education/promotion activities

The following activities are regularly undertaken by Council officers to minimise animal nuisance and to educate the community:

- Providing barking dog information;
- Providing information relating to building cat enclosures;
- Information provided on Council's website;
- Providing information brochures from the relevant state government department to the public;
- Regular media releases including Facebook posts on Council website;

- Encouraging the de-sexing of cats and dogs to reduce wandering and creating a nuisance;
- Encouraging dog owners to seek advice from professional dog trainers and trial barking dog citronella collars; and,
- Promote cat trapping.

5.4 Summary

Education and compliance activities are centred on dealing with complaints that have been received via 'Tradify' and ensure they are dealt with quickly. Education leaflets are handed out to owners to ensure they know their animals are being a nuisance and to assist them in overcoming the issue.

5.5 Our plans

Objective 1: Reduce nuisance complaints by 5% per year.

Activity	When	Evaluation
Provide education material about cat enclosures and nuisance issues to cat owners in registration information packs each year.	Life of plan	Number of booklets distributed and when
Assist residents with dealing with cat trespass / nuisance problems by purchasing cat cages and provide them to local residents for trapping nuisance cats	2017-2021	Number of traps purchased Numbers hired out
Reduce number of barking dog complaints	Each year	Number of incidents and response time entered into Tradify

Objective 2: To maximise compliance with domestic animal laws, orders and regulations to reduce animal nuisance complaints.

Activity	When	Evaluation
Review existing Council Local Laws and orders relating to dog and cat provisions, including Councils on leash areas	Ongoing	Assess public feedback and comments using Tradify

Community education – via expos, brochures, handouts, social media, website	Each year	Increase in registrations and reduction in nuisance complaints
Investigate introduction of a cat curfew across the Shire	2020	Consideration of inclusion of a cat curfew

6. DOG ATTACKS

68A(2)(c)(iii) of the *Domestic Animal Management Act 1994* outlines programs, services and strategies to minimise the risk of attacks by dogs on people and animals and also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

6.1 Current situation

Authorised Council Officers investigate dog attack reports thoroughly.

Evidence pertaining to the incident is collated to formulate a prosecution brief. This includes taking statements from all parties involved, vet/medical reports, photographs and providing a summary with recommendations.

The brief is then reviewed by the Local Laws Officer who makes further recommendations to the Manager of Building and Amenity in order for Council to decide on an appropriate course of action.

Possible courses of action Council can choose include:

- Infringements;
- Surrendering dog to Council for destruction;
- Menacing/Dangerous dog declaration as per the Domestic Animal Act;
- Prosecution in Magistrates' Court;
- Seek destruction/compensation orders by Magistrates;
- Animal Management Agreements;
- Seek mediation between parties; and
- No further action.

6.2 Our orders, local laws, Council policies and procedures

Council's procedure for dealing with dog attacks whether on other animals or people is clear. Following an investigation a prosecution brief is prepared and a recommendation on an appropriate course of action is decided.

6.3 Current education/promotion activities

Council currently undertakes the following education activities to minimise the number of dog attacks within the municipality:

- Reporting outcomes of all dog attack prosecutions to local media to raise awareness in the community of the need to report dog attacks and Council's action in relation to attacks to promote responsible pet ownership;
- Media releases relating to livestock attacks;
- Promoting the effective confinement and control of dogs; and,
- Promoting puppy socialisation and obedience training.

6.4 Current compliance activities

Dog attacks are a serious matter that is dealt with as a priority by Council staff. In dealing with dog attacks Council currently undertakes the following:

- Investigates dog attacks thoroughly;
- Seizing and holding attacking dogs pending investigation/prosecution outcome;
- Providing an afterhours service to respond to reports of aggressive or attacking dogs;
- Prosecuting matters pursuant to the Domestic Animal Act;
- Issuing infringements;
- Proactive declarations for Menacing or Dangerous Dogs;
- Seeking destruction Orders from Magistrates' Court where necessary;
- Seeking confinement Orders from Magistrates' Court for dogs continually found wandering or not confined to property; and,
- Recording data of reported dog attacks in the municipality.

6.5 Our plans

Objective 1: Increase reporting of dog attacks in the community

Activity	When	Evaluation
Improve public awareness of what a dog attack is and how to report using media articles, public notices, website updates, etc.	Annually	Evaluate this activity (and overall objective) by comparing number of dog attacks reported to council pre and post campaign. Meet objective of increasing reports.

Objective 2: Decrease the number of dog attacks across the Alpine Shire.

Activity	When	Evaluation
Publicise key dog attack prevention messages (e.g. confinement of dogs to property, leash laws etc.) through media articles, mail outs, website info, social media.	Ongoing	Compare number of reported dog attack incidents pre and post campaign.

Objective 3: Decrease the number of dog attacks on livestock.

Activity	When	Evaluation
Run an education campaign directed at farmers regarding responsibilities of owning dogs: -Distribute booklet "Responsible ownership of working dogs"	Ongoing	Number of booklets distributed. Number of complaints received.

7. DANGEROUS, MENACING AND RESTRICTED BREED DOGS

68A(2)(c)(vii) of the *Domestic Animal Management Act 1994* outlines programs, services and strategies to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations and also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

7.1 Current situation

Alpine Shire Council has the following declared dogs currently registered within the municipality.

Table 5: Registered dogs

Registered restricted breed dogs	0
Registered declared dangerous dogs	2
Registered declared menacing dogs	16

The Act defines restricted breed dogs as any one of the following breeds:

- Japanese Tosa;
- Fila Brasileiro;
- dogo Argentino;
- Perro de Prasa Canario (or Presa Canario); and,
- American Pit Bull Terrier (or Pit Bull Terrier).

Owners of restricted breed dogs are required to abide by specific regulations, in particular; secure enclosures, warning signs on premises, having the dog muzzled in public and on a lead at all times, as defined by the Act and the Domestic Animals Regulations 2005 (the Regulations).

Section 34A(a) of the Act states:

A dog is a dangerous dog if—

The dog is kept as a guard dog for the purpose of guarding non-residential premises.

Owners of declared dangerous dogs must abide by the same regulations as owners of guard dogs other than the perimeter fencing requirements.

Section 41A (1) of the Act states:

(1) A Council may declare a dog to be a menacing dog if—

(a) the dog has rushed at or chased a person; or

(ab) the dog bites any person or animal causing injury to that person or animal that is not in the nature of a serious injury.

Alpine Shire Council currently has sixteen declared menacing dogs within the municipality. Owners of menacing dogs must abide by conditions specified by Council namely; when the dog is outside the premises of its owner it must be leashed and muzzled at all times.

7.2 Our orders, local laws, Council policies and procedures

Council must register all dangerous/menacing/restricted breed dogs with the Victorian Dangerous Dog Register (VDDR). This is a database that records all declared dogs for all relevant parties to see. Any dangerous, menacing and restricted breed dog entered into the VDDR is declared for the life of the animal and cannot be revoked by Council. Microchip registries are also updated.

7.3 Current education/promotion activities

These are the current activities undertaken:

- Promoting the 'Dangerous Dog Hotline' (1300-101-080);

- Media releases relating to legislation/changes/updates; and,
- Providing information relating to declared dogs.

7.4 Current compliance activities

In dealing with restricted dog breeds and menacing and dangerous dogs Council currently undertakes the following:

- Ensuring all declared dogs are registered on the VDDR;
- Conducting inspections on premises housing declared dogs to ensure compliance;
- Seizing dogs suspected of being Restricted Breed Dogs;
- Dog declarations made where applicable;
- Prosecution/Infringements issued for any determined breach;
- Assessing suspected restricted breed dogs via the gazetted standard;
- Flagging certain breeds from registration database for assessment.

7.5 Our plans

Objective 1: Ensure restricted and declared dogs within the Alpine Shire are compliant and in accordance with the relevant legislation and regulations.

Activity	When	Evaluation
Random property inspections of declared dogs to ensure compliance	Annually	Review checklists as occurs
Prosecute repeat offenders or serious breaches detected	As occurs	Number of prosecutions
Educate the community about what is a declared dog	Ongoing	Review complaints received
Inspect and audit all declared dog premises annually to ensure they are following the keeping requirements	Ongoing	Number of premises inspections carried out

Objective 2: Ensure certain breeds on registration database for restricted breed assessment.

Activity	When	Evaluation
Assess certain breeds with the gazetted standard for potential	On-going	Number of Restricted Breeds Declared from registration

restricted breed dogs		database
Cross reference microchip database information for potential restricted breed dogs requiring assessment	Annually	Number of declarations compared to number of assessments

8. OVERPOPULATION AND HIGH EUTHANASIA

68A(2)(c)(iv) of the *Domestic Animal Management Act 1994* outlines programs, services and strategies to address any over-population and high euthanasia rates for dogs and cats and also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

8.1 Current situation

Table 6 below provides details on the number of animals impounded, euthanized and rehomed across two financial years within the Alpine Shire.

Table 6 - Number of Animals Euthanized, Impounded and Rehomed

Category	2017/18	2018/19
Dogs impounded	55	37
Returned to owner	52	33
Rehomed	3	4
Euthanized	0	0
Cats impounded	67	55
Returned to owner	7	9
Rehomed	17	13
Euthanized	43 (incl 33 feral)	33 (incl 28 feral)

The Alpine Shire Council is currently in a good position in relation to euthanasia rates of animals especially dogs. The percentage of cats euthanized will continue to be relatively high due to the amount of feral cats which breed out of human control.

Dog euthanasia rates are particularly low due to high rates of dogs being returned to owners. Over the last 3 years there has been a significant rise in the rate of dogs being returned to owners due to more identifiable dogs being

impounded such as being micro-chipped and/or wearing Council identification. The increased rate of micro-chipped dogs is mainly due to the requirement of the *Domestic Animals Act 1994*, which requires all newly registered cats and dogs to be micro-chipped.

Reduced animal euthanasia rates can also be attributed to Council's agreement with the RSPCA for any seized dogs and cats to be handed over to them as per Section 84Y of the *Domestic Animals Act 1994*, after the mandatory 8 days of impoundment.

8.2 Our orders, local laws, Council policies and procedures

Councils Community Local Law sets out how many and the type of animal that can be kept on a property and how animals should be housed. Therefore an owner or occupier of property within a residential area must not without a permit keep or allow to be kept any more in number for each kind of animal as set out in the Community Local Law.

8.3 Current education/promotion activities

The following education activities are undertaken by Council to minimise the number of animals impounded:

- Promoting benefits of de-sexing to decrease wandering animals;
- Promoting 'Who's for cats?' campaign;
- Promoting appropriate pet selection for the owner and accommodation; and,
- Promoting cat enclosures and build your own cat enclosures.

8.4 Current compliance activities

The following compliance activities are undertaken by Council staff:

- Cat trapping program enforcement of current legislation in relation to cats found at large;
- Investigating unregistered breeding establishments;
- Micro-chipping all unregistered impounded animals prior to release to the owner; and,
- Enforcing the local laws relating to prescribed number of animals on the property.

8.5 Our plans

Objective 1: Encourage de-sexing by 10% annually.

Activity	When	Evaluation
Participation in Desex Your	Annually	Number of animals de-sexed as

Pet month annually in partnership with local veterinarians		part of the scheme Cost to run scheme Any changes in the longer term re proportion of de-sexed animals on pet registration database, proportion of impounded pets that are de-sexed etc.
Promote the benefits of de-sexing, via media, social media, website	Yearly (with additional educational and promotional material)	Increased in de-sexed animals known via registrations discount
Discount registration fees for cats and dogs that are de-sexed to encourage registration of animals over 3 months of age.	Ongoing	Number of new animals registered in category yearly

Objective 2: Develop programs to assist with compliance and management of domestic animals

Activity	When	Evaluation
Increase microchipping of animals with free microchipping and registration in conjunction with de-sexing education program	Few days over one month of the year / Desex Your Pet month	Increase in animals microchipped and registered
Work with the RSPCA to renew Section 84Y agreement	November 2019	Agreement in place

9. DOMESTIC ANIMAL BUSINESSES

68A(2)(c)(ii) of the *Animal Management Act 1994* outlines programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation and also addresses 68A(2)(a),(c)(i),(d),(f)

9.1 Current situation

Alpine Shire has three Domestic Animal Businesses. Two are boarding facilities and the other is the Municipal Pound. All these business are registered and inspected annually.

9.2 Our orders, local laws, Council policies and procedures

Council regularly inspects authorised businesses to ensure they comply as well as inspecting new businesses to ensure registration.

9.3 Our plans

Objective 1: Annually inspect and audit all registered domestic animal businesses.

Activity	When	Evaluation
Audit DAB randomly to ensure compliance	Ongoing	Number of audits compared to number of follow ups required

10. ANNUAL REVIEW AND REPORTING

Pursuant to section 68A of the *Domestic Animals Act 1994*, Council must prepare a Domestic Animal Management Plan (DAMP) every four years, review the plan annually, and publish an evaluation of its implementation of the plan in its annual report.

The DAMP 2017-2021 sets out how Council manages its responsibilities under the *Domestic Animals Act 1994* and delivers services to enhance and promote responsible pet ownership in the community.

Council's 2017-2021 DAMP was reviewed and formally adopted by Council on 3 October 2017. Key actions in the DAMP 2017-2021 were developed with input from staff and key stakeholders such as the RSPCA, customer request data, and service delivery statistics. They include:

- Educating the community on the benefits and requirements of registering dogs and cats;
- Reducing the number of feral cats;
- Reducing the incidence of dogs and cats wandering at large; and
- Reducing the incidence of dog attacks.

New initiatives in the 2017-2021 DAMP include:

- Certificate IV in Local Government (Regulatory Services) 2018;
- Renew s84Y agreement with RSPCA (in accordance with the Domestic Animals Act 1994);
- Vet discounted de-sexing;

- Improve use of existing systems; and
- Further improve public awareness program.

All outcomes from the DAMP were met in 2017/18.

All outcomes from the DAMP were met in 2018/19 apart from the 95% registration payments. This was due to a software system malfunction which was not corrected until July 2019

COUNCIL POLICY

Fraud and Corruption Control

DOCUMENT UNCONTROLLED WHEN PRINTED

DOCUMENT CONTROL

Policy number 091	Status Draft	Approved by Council
Date approved	Next review date 2021	
Directorate Corporate	Department Corporate	Internal / External Internal

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REVISION RECORD

Date	Version	Revision description
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1. Purpose

This policy outlines Council's commitment to the prevention, mitigation, deterrence, detection and investigation of all forms of fraud and corruption.

2. Scope

This policy applies to all Councillors, Council employees, contractors, volunteers and anyone undertaking business with Council.

3. Policy details

3.1 Commitment

Council has no tolerance for fraud and corruption and is committed to protecting its reputation and assets from any attempt by employees or others to gain financial or other benefits by deceit or dishonest conduct.

This commitment will be met by:

- Establishing a culture where transparency, accountability and integrity are the norm.
- Identifying activities and processes potentially at risk of exposure to fraud and corruption.
- Establishing effective operational controls and procedures for the prevention, mitigation, deterrence and detection of fraudulent or corrupt conduct.
- Investigating any fraud or corruption suspected, committed or attempted against the Council irrespective of the position, length of service or relationship to Council of the alleged perpetrator.
- Taking appropriate disciplinary action against any person involved in fraudulent or corrupt conduct.
- Providing training, awareness and enforcement of policies, procedures and codes of conduct.

3.2 Ethical behaviour

An anti-fraud and corruption culture is promoted throughout the organisation.

A culture of ethical behaviour, accountability, honesty and integrity encourages the reporting of any suspicion of fraudulent or corrupt activities.

3.3 Fraud and corruption risk management

Fraud and corruption risk management is integrated with Council's risk management framework and register.

Council's overall vulnerability to fraud and corruption and areas most vulnerable to the risks must be risk assessed, the adequacy and effectiveness of internal controls for managing the risk evaluated and monitored through internal and external audit and compliance monitoring programs.

3.4 Internal controls

Council will develop and maintain:

- Effective internal controls designed to prevent and detect fraud and corruption.
- Policies for high risk activities such as procurement, cash handling, banking authorisation and management of assets.
- Processes to disclose, document and manage conflicts of interest.
- Training and awareness programs, particularly for employees undertaking high risk activities.

3.5 Disclosures and allegations

Reports and disclosures may be made to:

- Protected Disclosures Coordinator.
- Any member of the Alpine Management Team.
- Health, Safety and Risk Officer.
- Independent Broad-Based Anti-Corruption Commission (IBAC) in accordance with the *Protected Disclosures Act 2014* or the *Independent Broad-based Anti-corruption Commission Act 2011*.

Reporting can be completed anonymously.

Suspected and actual incidents of fraud and corruption will be investigated. Investigations will ensure:

- Parties who become aware of, or suspect that fraudulent or corrupt activity may be occurring, will not be victimised or disadvantaged for making allegations.
- A fair process for staff against which allegations are made.
- All matters concerning the suspicion of fraud are treated with strictest of confidence.

3.6 Awareness

Councillors and employees will be informed of this policy and the consequences arising from fraudulent or corrupt conduct.

Induction training will be provided to foster awareness of the significance of fraud and corruption, how to manage conflicts of interest (including accepting gifts and hospitality) and appropriate actions when faced with unethical behaviour.

Training will be provided on Council's commitment to fraud and corruption control and the procedures for preventing and reporting fraud and corruption.

4. Roles and responsibilities

Role / Position	Responsibility
Councillors	<ul style="list-style-type: none"> • Adopt policy. • Support policies, procedures and measures taken to prevent, deter, detect and resolve instances or suspected instances of fraud. • Comply with the conflict of interest obligations pursuant to Part 4 of the <i>Local Government Act 1989</i>. • Maintain awareness of this policy and its applicability to elected Councillors. • Exercise Council's powers, duties and responsibilities in an open fair and proper manner to the highest standards of probity. • Comply with the Code of Conduct.
Chief Executive Officer	<ul style="list-style-type: none"> • Accountable for fraud and corruption control within Council, ensuring policies and procedures are followed and that appropriate governance structures are in place and are effective. • Report to IBAC, relevant agencies and the Audit Committee in accordance with this policy. • Manage Council resources to develop and implement systems and practices to minimise the risk of fraud and corruption.
Alpine Management Team	<ul style="list-style-type: none"> • Embed fraud and corruption control into risk management. • Monitor the implementation of this policy. • Display and promote ethical behaviour. • Assist with the handling of any incidents and investigations as appropriate.
Employees (including volunteers and contractors)	<ul style="list-style-type: none"> • Comply with this policy and internal control requirements and procedures. • Maintain awareness of this Policy. • Maintain awareness of protocols regarding inducements, gifts and incentives in the Gifts, Benefits and Hospitality Policy. • Comply with the conflict of interest obligations pursuant to Part 4 of the <i>Local Government Act 1989</i>. • Comply with the Code of Conduct. • Report breaches or suspected breaches of this policy or the Code of Conduct or suspected acts of fraud, corruption and misconduct to their manager or director, the Health Safety and

Role / Position	Responsibility
	<p>Risk Officer or the Protected Disclosures Co-ordinator as appropriate.</p> <ul style="list-style-type: none"> • Assist with any enquiries and investigations pertaining to a breach of this policy.
Audit	<ul style="list-style-type: none"> • Independently review systems, procedures and controls to ensure that there are adequate safeguards to prevent, deter and detect fraud and corruption. • Identify areas of concern through specific audits and testing of systems. • Advise on the development of rules regulations and policies which deter fraud and corruption.
Health Safety and Risk Officer	<ul style="list-style-type: none"> • Assist management to develop policies, procedures, and processes to effectively manage the risk of fraud or corrupt conduct. • Maintain and update this Policy. • Provide contact point for fraud advice. • Assist management in the conduct of fraud or corruption investigations. • Assist in the development of fraud training and other ongoing awareness material. • Notify management of any potential fraud risk exposures. • Maintain and update the risk register.

5. Breaches

Suspected or actual incidents of fraud or corruption will be investigated and appropriate action taken including possible dismissal, suspension, reporting of fraudulent or corrupt activity to IBAC or Victoria Police or another regulator, and potential prosecution including recovery of any financial loss suffered by Council.

6. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

7. Supporting documents

This policy should be read in conjunction with all other relevant, Council policies and procedures, as well as relevant legislative requirements.

Related legislation

- *Crimes Act 1958 [Vic]*
- *Independent Broad-based Anti-corruption Commission (IBAC) Act 2011 [Vic]*
- *Local Government Act 1989 [Vic]*
- *Privacy and Data Protection Act 2014 [Vic]*
- *Protected Disclosure Act 2012 [Vic]*

Related guidelines, operational directives or policies

- Employee Code of Conduct
- Councillor Code of Conduct
- Gifts, Benefits and Hospitality Policy No. 65
- Risk Management Policy No.54
- Procurement Policy No.89
- Cash Handling Policy No.94

Australian Standards

- Australian Standard for Fraud and Corruption Control (AS8004:2008)

8. Definitions and abbreviations

Term	Meaning
Alpine Management Team (management)	Council's Chief Executive Officer, directors and managers.
Corruption	<p>Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity.</p> <p>The concept of corruption can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly.</p> <p>Ref: AS8004:2008</p>
Corrupt Conduct	<p>Conduct that:</p> <ul style="list-style-type: none"> • Adversely affects honest performance of functions. • Involves dishonest performance of functions. • Involves knowingly or recklessly breaching public trust. • Involves misuse of information or material acquired in the course of performing functions. • Is intended to adversely affect the performance or exercise of functions and powers of Council or an employee. <p>Could constitute a conspiracy or attempt to engage in any of the above conduct</p> <p>Ref: <i>Independent Broad-based Anti-corruption Commission Act 2011</i></p>
Fraud	<p>Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.</p> <p>The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered fraud.</p> <p>Ref: AS8004:2008</p>

9. Approval

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ALPINE SHIRE COUNCIL was
hereunto affixed this day of
.....2019 in the
presence of:

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COUNCILLOR

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COUNCILLOR

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CHIEF EXECUTIVE OFFICER

RECORD OF ASSEMBLY OF COUNCILORS

Meeting Title: Briefing Session
Date: 3 September 2019
Location: Committee Room, Bright Office
Start Time: 3.00pm
Chairperson: Cr Ron Janas, Mayor

Councillor and staff attendees:

Name	Position	Name	Position
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr John Forsyth	Councillor	Will Jeremy	Director Assets
Cr Kitty Knappstein	Councillor	Nathalie Cooke	Director Corporate

Councillor and staff apologies:

Name	Position
Cr Sarah Nicholas	Deputy Mayor
Cr Tony Keeble	Councillor
Cr Daryl Pearce	Councillor
Cr Peter Roper	Councillor

1. Conflict of interest disclosures

Nil

2. Record of Councillors that have disclosed a conflict of interest leaving the assembly

Nil

3. Matters considered

- Councillor only time
- Email spam
- Tree Management
- Bright Rod Run communications
- Planning application : Merri Meadows
- Fraud and Corruption Policy
- Election Period Policy
- Energy Contract
- Rating System Framework and Review
- Ordinary Council Meeting Agenda Review

RECORD OF ASSEMBLY OF COUNCILORS



Meeting Title: Local Government Rating System Review Panel meeting with Councils
Date: 17 September 2019
Location: The Cube, Wodonga
Start Time: 5.00pm

Councillor and staff attendees:

Name	Position	Name	Position
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Tony Keeble	Councillor	Nathalie Cooke	Director Corporate
Cr John Forsyth	Councillor		
Cr Kitty Knappstein	Councillor		

1. Panel meeting with Councils

- Discussion around the Rating System Review – report to be presented to the Minister for Local Government by 31 March 2020.