



Alpine Shire

ORDINARY COUNCIL MEETING

MINUTES

M10 – 1 October 2019

Bright Council Chambers

7:00pm



The next **Ordinary Meeting** of the **Alpine Shire Council** was held in Council Chambers, Great Alpine Road, Bright on **1 October 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

Cr Tony Keeble – Councillor

OFFICERS

Mr Charlie Bird - Chief Executive Officer

Ms Nathalie Cooke - Director Corporate

Mr William Jeremy - Director Assets

APOLOGIES

Nil



AGENDA

1	RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS	4
2	ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE	4
3	CONFIRMATION OF MINUTES.....	4
3.1	ORDINARY COUNCIL MEETING – M9 – 10 September 2019	4
4	APOLOGIES.....	4
5	OBITUARIES / CONGRATULATIONS.....	4
6	DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST.....	5
7	PUBLIC QUESTIONS	5
8	PRESENTATION OF REPORTS BY OFFICERS.....	6
8.1	CHIEF EXECUTIVE OFFICER – CHARLIE BIRD	6
8.1.1	Contracts approved by the CEO.....	6
8.2	DIRECTOR ASSETS – WILLIAM JEREMY.....	7
8.2.1	Supply and Delivery of Steel Drum Roller.....	7
8.3	DIRECTOR CORPORATE – NATHALIE COOKE.....	9
8.3.1	Alpine Shire Council Annual Report 2018/19	9
8.3.2	Audit Committee Meeting No. 2019/20-2, 10 September 2019	15
8.3.3	Revocation of Best Value Policy.....	17
8.3.4	Annual Review of the Domestic Animal Management Plan.....	21
8.3.5	Fraud and Corruption Control Policy	23
8.3.6	Planning Application 5.2019.33.1 Use and Development of Land for Clay Extraction	25
9	ASSEMBLY OF COUNCILLORS.....	38
10	GENERAL BUSINESS	39
11	MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN.....	39
12	RECEPTION AND READING OF PETITIONS	39
13	DOCUMENTS FOR SEALING.....	40



1 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS

The CEO will 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 will read the following statement:

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

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

3 CONFIRMATION OF MINUTES

3.1 ORDINARY COUNCIL MEETING – M9 – 10 SEPTEMBER 2019

Cr Nicholas

Cr Forsyth

That the minutes of Ordinary Council Meeting M9 held on 10 September 2019 as circulated be confirmed.

Carried

4 APOLOGIES

Nil

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 MOTIONS WITHOUT NOTICE

That Council considers an item of urgent business.

Cr Pearce

Cr Roper

That Council:

Allows a delegation of Bright business people led by Jason Reid to submit an event application for an event to be held in the Bright CBD during the period 7-10 November 2019 which is complementary to the Bright Iconic Rod Run event, for evaluation by Council, with the risk management plan to be assessed by the Risk Assessment Panel.

Carried

Cr Pearce called for a division.

For: Cr Roper, Cr Forsyth, Cr Nicholas, Cr Pearce

Against: Cr Janas, Cr Keeble, Cr Knappstein

The motion was carried.

8 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.



9 PRESENTATION OF REPORTS BY OFFICERS

9.1 CHIEF EXECUTIVE OFFICER – CHARLIE BIRD

9.1.1 Contracts approved by the CEO

Cr Forsyth

Cr Nicholas

That the Contracts approved by the CEO be noted.

Contract No:	CQ19044	Process:	Request for Quotation
Title:	Supply of 40mm crushed rock for Alpine Shire's annual Gravel re-sheeting program		
Tenderer:	Indigo Shire Council		
\$ (excl. GST):	\$86,400		

Carried



9.2 DIRECTOR ASSETS – WILLIAM JEREMY

9.2.1 Supply and Delivery of Steel Drum Roller

File Number: AS.0082.00

INTRODUCTION

This report relates to the award of a Contract for the supply and delivery of a 12.5 tonne steel drum roller.

Cr Keeble

Cr Nicholas

That Council awards a Contract for the supply and delivery of a CAT CS66B Tier 4 12.5 tonne steel drum roller to Williams Adams for the lump sum price of \$154,000+GST.

Carried

BACKGROUND

Council currently operates a steel drum roller which is used for routine maintenance of roads and to support the annual gravel re-sheeting program. The frequency of breakdowns and the maintenance costs have both been increasing over recent years, and it has become challenging to source replacement parts for the machine. Replacement of the machine is recommended while the trade-in value is still good.

Quotes were sought from three separate manufacturers through the Local Government Procurement Service provided by Municipal Association of Victoria Procurement. Three conforming and one non-conforming quotes were received.

EVALUATION

The evaluation panel consisted of the Director Assets, Manager Asset Maintenance, Civil Works Coordinator and the Depot Operations Officer.

The quotes were evaluated according to the following key selection criteria:

- Cost
- Suitability
- Previous Performance
- Capacity to Deliver
- Social
- Environment

Through this evaluation process it was determined that the non-conforming quote received from Williams Adams based on the supply and delivery of a CAT CS66B Tier 4 roller best met the selection criteria.



ISSUES

The CAT CS66B roller is an overseas model that has not yet been released in Australia, and is currently only available for sale as a demonstration model. The machine that has been quoted has recorded 9 hours of usage. The CAT CS66B roller has an engine which meets the United States Tier 4 emissions standards, which imposes significantly more stringent restrictions on the emission of particulates and nitrogen oxides than older models. The three conforming quotes were all based on the supply of a machine meeting the less stringent Tier 3 emissions standard.

POLICY IMPLICATIONS

Quotes were sought and evaluated in accordance with Council's Procurement Policy. This recommendation is consistent with the following Strategic Objective of the Council Plan:

- Infrastructure and open space that our community is proud of.

FINANCIAL AND RESOURCE IMPLICATIONS

Council's 2019/20 budget includes an allocation of \$160,000 for the purchase of a replacement roller. The proposed purchase is within this budget allocation.

CONSULTATION

Input was sought from external contractors and from internal staff to assist in the preparation of the specification, and the subsequent evaluation of the quotes received.

CONCLUSION

Following a comprehensive assessment process, the quote from Williams Adams for the supply of a CAT CS66B 12.5 tonne steel drum roller is deemed to present the best value for Council.

DECLARATION OF CONFLICT OF INTEREST

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

- Director Assets
- Manager Asset Maintenance
- Civil Works Coordinator
- Depot Operations Officer

ATTACHMENT(S)

- Nil



9.3 DIRECTOR CORPORATE – NATHALIE COOKE

9.3.1 Alpine Shire Council Annual Report 2018/19

File Number: 900.01

INTRODUCTION

The purpose of this report is to present Council's 2018/19 Annual Report for consideration by Council.

Cr Keeble

Cr Forsyth

That in accordance with section 134 (1) of the Local Government Act 1989, Council consider the Alpine Shire Council 2018/19 Annual Report.

Carried

BACKGROUND

Council's 2018/19 Annual Report (the "Report") has been prepared in accordance with requirements of the *Local Government Act 1989* and includes a report on the operations of the Council, an audited performance statement, and audited financial statements.

The Financial Statements and Performance Statement included in the report have been approved in principle by Council, audited, endorsed by Audit Committee, and certified by two Councillors authorised by Council. In addition the Report will be submitted to the Minister for Local Government by the legislated date of 30 September, and the final Report must now be considered by Council.

The Report includes the following sections:

- *Performance Report*
- *Governance Report*
- *Grants and Funding*
- *Financial Report.*

PERFORMANCE REPORT

This section of the Report provides an overview of progress of the strategic themes outlined in the 2017-2021 Council Plan. This is the second year of reporting against this Council Plan. Key achievements include:

A high performing organisation

- Council adopted the Mount Buffalo Business Case Assessment Report which provides an assessment of seven key concepts to reinvigorate Mount Buffalo. The assessment recommends a \$2 million café in the front rooms of the Mount Buffalo Chalet.



- Council advocated strongly for investment for this concept leading up to the State Government election and will continue to advocate strongly on behalf of the community.
- Council published its online Project Dashboard in July 2018, enabling the community and other stakeholders to view and track the progress of current capital works projects across the Alpine Shire.

A responsible and sustainable organisation

- Improving how Council delivers customer service to the community continues to be a priority for Council. In 2018/19 we launched our digital transformation project which will deliver a new website and Customer Request Management system in 2019/20. This will significantly improve the experience for customers and enhance the delivery of effective, efficient and timely customer service to the community.

Incredible places for our community and visitors

- In 2018/19 we exceeded the delivery of our adopted capital works program by delivering on our commitments, whilst also securing additional funding to deliver more outcomes for our community (\$13.4 million expenditure vs \$11.8 million budgeted). Key deliverables included:
 - Completion of the 5-year, \$4.85m Roads to Recovery program;
 - Completion of the \$3.74m Alpine Events Park, Bright;
 - Completion of the \$3.3m Alpine Better Places - Myrtleford project;
 - Completion of the \$467k Myrtleford Library Upgrade project;
 - Completion of the \$650k McNamara Netball and Tennis Facilities project in Myrtleford; and
 - Completion of stage 2 of the \$195k Dinner Plain Mountain Bike trails project.

Infrastructure and open space that our community is proud of

- Council's Municipal Emergency Management Plan (MEMP) was endorsed by Council at the Council Meeting held on 7 August 2018.
- A successful audit of the MEMP was completed on 25 September 2018.

Highly utilised and well managed community facilities

- A satisfaction survey conducted across branch library patrons showed that 95.4% of respondents were satisfied with their library service.
- Council completed the upgrade of the Myrtleford Library, providing the opportunity to present a modern and welcoming space that better meets the needs of library user groups.
- Contracts were awarded for the transport and disposal of waste, and the operation of the Council's three transfer stations.



A well planned and safe community

- Council completed the Local Laws review, with the Community Local Law 2019 being adopted by Council at its April 2019 Council meeting. The Law came into effect from 1 July 2019 and replaces the previous Local Laws 2-7, and removes a large amount of duplication compared to the previous Laws.

A thriving and connected community

- A total of 131 events were delivered across the Shire throughout the financial year.
- Visitation data reports for the calendar year of 2018 shows continued growth in visitors to the Alpine Shire, with visitor expenditure reaching \$336m, up 29% on the previous year.

GOVERNANCE REPORT

This section of the Report contains required statutory information including:

- Council's role and administrative details;
- How Council obtains best value for ratepayers;
- Council documents available for public inspection;
- Council's compliance to relevant Acts;
- An overview of Council's local laws.

GRANTS AND FUNDING

This section of the Report provides an overview of Grants awarded by Council through its community grants and tourism festival and events funding programs.

FINANCIAL REPORT

This section of the Report contains the audited Financial and Standard Statements, Audit Certificate, Performance Statement and Independent Auditor's Report.

Council's Financial Performance

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"), which was primarily due to the reclassification of capital expenditure to operating expenditure

1. Income

Council received more income than expected in 2018/19. In total 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 discount in income from AGL Rates in Lieu for 2018/19 as a result of



reduced electricity generation. 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 expected to be 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

There have been no material variations to the Report since the Financial Statements were approved in principle by Council. The auditors provided recommendations for minor adjustments only.

POLICY IMPLICATIONS

Council has prepared its 2018/19 Annual Report in line with the requirements of the *Local Government Act 1989*.

CONSULTATION

The Report will be made available on Council's website on Tuesday 1 October 2019. Printed hard copies will also be available at the following customer service locations:

- Alpine Shire Council, Great Alpine Road, Bright;
- Mount Beauty Library, Lakeside Avenue, Mount Beauty; and
- Myrtleford Library, Standish Street, Myrtleford.

CONCLUSION

The 2018/19 Annual Report shows that Council is financially sustainable and that Council services are being delivered within expected parameters.

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 Alpine Shire Council 2018/19 Annual Report



9.3.2 Audit Committee Meeting No. 2019/20-2, 10 September 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 10 September 2019.

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

- 2018/19 Annual Financial Report (Draft)
- 2018/19 Annual Performance Statement (Draft)
- VAGO Closing Report for the year ending 30 June 2019 (Draft)
- VAGO Final Management Letter for the year ending 30 June 2019 (Draft)

Cr Keeble

Cr Forsyth

That Council receive and note the minutes of the 10 September 2019 Audit Committee Meeting No.2019/20-2.

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. 2019/20-2 held on 10 September 2019.

ISSUES

External Auditor

The Audit Committee held a teleconference with Nathan Barber, Principal, RSD Audit Pty Ltd to discuss the 2018/19 year-end financial audit results, the Performance Statement and closing report. In addition, the Committee and the Auditor discussed matters relating to audit findings including valuation of assets, provision of doubtful debts and the satisfactory resolution of four previous management letter items.

2018/2019 Annual Financial and Performance Statements

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

The Financial Statements show Council's financial performance, financial position, and cash flows against the previous year and comprise a balance sheet and statements of income, changes in equity, cash flows and capital works.

The Annual Performance Statement is a specific requirement of section 131 of the *Local Government Act 1989*, and is generated from indicators and measures from the Local Government Performance Reporting Framework. It consists of six sustainable



capacity indicators, 12 service performance indicators, and 12 financial performance indicators – all of which are subject to audit.

The Committee noted and endorsed in principle the draft 2018/19 Annual Financial Statement and Performance Statement subject to minor adjustments and corrections.

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 consistent with the following Strategic Objective in the Council Plan 2017-2021:

- A responsible and sustainable organisation.

CONCLUSION

The Audit Committee, being satisfied with the advice of the External Auditor and the detail provided in the Draft Financial and Performance Statements, submits the minutes of its 10 September 2019 Meeting No. 2019/20-2 to Council for noting.

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)

- 8.3.2 Audit Committee Meeting No. 2019/20-2 Minutes 10 September 2019



9.3.3 Revocation of Best Value Policy

File Number: Policy Register

INTRODUCTION

Council is in the process of undertaking a holistic review of its policies.

The Best Value Policy was originally developed in 2000 to demonstrate and report on how Council gives effect to Best Value Principles, as outlined in the *Local Government Act 1989*.

As the annual Council Plan and Annual Report together address the *Local Government Act 1989* requirements in relation to Best Value Principles, the Best Value Policy is redundant and should be revoked.

Cr Nicholas

Cr Keeble

That Council Revoke Alpine Shire Council Best Value Policy No. 29, adopted 22 August 2000.

Carried

BACKGROUND

In 1999 the Victorian Government introduced the *Local Government (Best Value Principles) Act 1999*, which replaced compulsory tendering requirements within the *Local Government Act 1989* with an obligation to ensure that Councils seek the best value in providing services.

The objective in implementing best value was to ensure councils were accountable to their own communities for the provision of services.

Council conducts reviews of its operations in accordance with the principles of Best Value to ensure the continuous improvement of services to the community. These reviews are reported annually to the community in Council's Annual Report.

The Best Value Policy was developed in 2000 as a response to requirements outlined in the *Local Government Act* in relation to Best Value Principles.

In order to meet the Best Value Principles contained within the Act Council must:

- meet quality and cost standards
- be responsive to the needs of the community and provide services that are accessible
- achieve continuous improvement in relation to our services
- regularly consult with the community in relation to our services
- report regularly on our achievements against these principles

The Best Value Policy was developed in 2000 in response to these requirements.



ISSUES

Councils who have achieved the implementation of Best Value with the greatest benefit have done so by incorporating the Best Value principles into the broader operational framework. Doing so ensures the principles are implemented consistently and effectively, and as such provides a mechanism for councils to consistently improve services. Achieving Best Value requires an ongoing process of review and improvement.

Best Value principles are formally addressed within other Council mechanisms; therefore a standalone Best Value Policy is no longer required.

Below is a table detailing how Best Value principles are embedded within Council:

Document	Best Value principle	How the principle adds value to the process
Community Vision 2030	Consult with the community	A key focus is to encourage all plans to be developed in consultation with the local community and other stakeholders.
	Be responsive to community needs	As the documentation of the Council's longer term vision for the community, the vision reflects the current and proposed future community and user needs.
Council Plan	Consult with the community	Strategic indicators linked to Council Plan Strategic objectives) The Council Plan documents the scope or services as agreed in consultation with the community, Councillors and staff.
	Be responsive to community needs	The Council Plan documents Council's understanding of the community's needs and expectations. The Council Plan documents the mechanisms by which Council will plan for and manage changing community and user needs.
	Reporting Performance	Quarterly public reporting against strategic indicators for service provision.
Strategic Resource Plan	Quality and cost standards	In considering appropriate resources to achieve objectives, Council assesses the value for money in the service delivery, taking into account affordability an accessibility of services.
Annual Budget	Consult with the community	Formal public consultation processes and amendment of draft budget in response to community feedback.



	Be responsive to community needs	Forward planning of future budget requirements and allocation of project and service review to the project pipeline for current, or future, Council Plan terms.
Business Planning	Consult with the community	Specific plans developed in consultation with affected stakeholder groups.
	Be responsive to community needs	Services delivered reflect the needs of the general community and service users, within the resources available.
	Quality and cost standards	Budgetary management and performance standards address service quality and service costs.
	Be accessible	Barriers to accessibility to services identified and barriers addressed through action.
	Continuous improvement	Strategies employed to continuously improve the delivery of services within the resources available. Hours of operation, services offered and service delivery reviewed periodically and in response to community use and feedback.
Procurement Policy	Quality and cost standards	Council seeks to maximise value in all purchasing activities. Factors such as quality, quantity, risk, timeliness and cost on a whole of contract and whole of asset life basis is considered to achieve the optimal combination.
Capital Works Dashboard	Reporting Performance	Reporting to the community on specific project status and budget.
Project Pipeline	Be responsive to community needs	Recording of community requests and prioritisation in line with Council Plan timeframes.
Annual Report	Reporting Performance	Section in the Annual Report, dedicated to reporting against Best Value principles. Performance Statement reporting detail service level achievement.
Other Regular Community Engagement	Consult with the community	Stakeholder group meetings and direct communication.
	Reporting Performance	Regular media releases, social media management, public notices, attending community forums, newsletters, stakeholder group meetings, digital dashboards.



POLICY IMPLICATIONS

The policy has been reviewed in accordance with the *Local Government Act 1989*.

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

- A responsible and sustainable organisation.

CONSULTATION

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

CONCLUSION

The review of the Best Value Policy is now complete and should 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 Corporate
- Health, Safety and Risk Officer

ATTACHMENT(S)

- Nil



9.3.4 Annual Review of the Domestic Animal Management Plan

INTRODUCTION

The purpose of this report is for Council to note the changes to the Domestic Animal Management Plan (DAMP) arising from the normal annual review, and to note the progress in implementing the DAMP in 2018/19.

Under the *Domestic Animals Act 1994* (the Act), Council is required to have a DAMP. The current DAMP was adopted by Council on 3 October 2017 and expires in October 2021.

Cr Pearce

Cr Knappstein

That Council:

- 1. Note the changes to the Domestic Animal Management Plan arising from the annual review; and*
- 2. Note the progress against the objectives and actions of the Domestic Animal Management Plan in 2018/19.*

Carried

BACKGROUND

The DAMP is required to be reviewed on an annual basis, with progress against the targets of the DAMP reported in Council's Annual Report. The DAMP documents and provides guidance on the following matters:

- Training of Authorised Officers
- Domestic Animal statistics and data
- Registration and identification of domestic animals
- Dangerous, menacing and restricted breed dogs
- Local Laws relating to domestic animals
- Education / promotion activities
- Domestic animal businesses

ISSUES

DAMP Review

The DAMP required updating to address the following matters:

- Removal of reference to various Local Laws, to be replaced with reference to the Community Local Law 2019;
- Updating of actions to note where they have been completed;
- Updating staff skills matrix due to the appointment of a new Ranger in 2019; and
- Minor text updates / editing for clarity.



Progress against targets

For 2018/19, the majority of key targets were met. However, a software system error resulted in incomplete animal registration renewals being sent out in March. This in turn meant that the target of 95% of animal registrations being renewed by 1 June was not met; however progress is currently being made to make up this target.

Other key areas of progress for Council to note are:

- Participation in 'desex your pet month' in 2018 and 2019, where Council partnered with local vets to provide discounted desexing and microchipping of animals, provided they are registered with the Shire. This was a very popular initiative which we plan to continue with in following years.
- Very high rehoming statistics (particularly for dogs), with a low proportion of animals transferred to RSPCA or euthanised. Only 5 domestic cats were euthanised in the period, due to being unsuitable to rehome. 92% of animals collected by Local Laws Officers were returned to their owner or rehomed.

POLICY IMPLICATIONS

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

- A well planned and safe community.

FINANCIAL AND RESOURCE IMPLICATIONS

The ongoing implementation of the DAMP will not affect current financial and resource arrangements for the Local Laws department.

CONSULTATION

Consultation has been undertaken with internal Council departments as applicable. The changes to the DAMP are minor in nature and do not require external consultation.

CONCLUSION

The updates to the DAMP are appropriate at the half way point of the lifespan of the Plan. This report also provides an overview of progress in implementing the key measures of the Plan.

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
- Local Laws Officer

ATTACHMENT(S)

- 8.3.4 Alpine Shire Council Domestic Animal Management Plan (Review 2019).



9.3.5 Fraud and Corruption Control Policy

File Number: Policy Register

INTRODUCTION

The purpose of this report is to present to Council the 2019 review of the Fraud and Corruption Control Policy No.91 and seek Council's adoption of the revised policy.

Cr Nicholas

Cr Knappstein

That Council:

- 1. Revoke Alpine Shire Council Fraud and Corruption Control Policy No.91, Version 1.0, 6 August 2013.*
- 2. Adopt Alpine Shire Council Fraud and Corruption Control Policy No.91, Version 2.0.*
- 3. Sign and seal Alpine Shire Council Fraud and Corruption Control Policy No.91, Version 2.0 at the appropriate stage of this meeting.*

Carried

BACKGROUND

The current Fraud and Corruption Control Policy was approved in August 2013. Council had commenced a review of this policy as part of a holistic policy review however held off finalising the review until the outcome of two recent fraud control reviews was known.

ISSUES

Council Fraud Control Review 2019

Crowe Horwath recently completed a review of Council's fraud controls. The review noted Council's Fraud and Corruption Control Policy but made no recommendations for changes to the policy.

The review did however recommend that Council undertake regular fraud and corruption control training for councillors and employees.

VAGO Report on Fraud and Corruption Control - Local Government

The Victorian Auditor-General's Office (VAGO) tabled in June 2019 its Report on Fraud and Corruption Control - Local Government. VAGO examined whether local councils' fraud and corruption controls are well designed and operating as intended. It made no recommendations in relation to local councils' fraud policies but also recommended regular fraud and corruption control training.

Policy review

The content has been reviewed for compliance with relevant legislation and has been benchmarked against other local government fraud and corruption control policies.



The review did not result in any change to the intent of the policy, that is Council is committed to the prevention, mitigation, deterrence, detection and investigation of all forms of fraud and corruption.

The content of the policy however has been expanded to clearly articulate Council's position in relation to:

- its expectations around ethical behaviour
- the integration of risk management practices to areas of the organisation vulnerable to fraud and corruption exposures, including the use of internal controls to mitigate those risks
- the reporting of suspected and actual incidents of fraudulent or corrupt conduct.

The review has also articulated training and awareness requirements and provided improved clarity around the responsibilities of various roles/positions within Council including that of councillors.

Finally, the policy has been transferred to Council's new policy template.

POLICY IMPLICATIONS

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

- A responsible and sustainable organisation.

CONSULTATION

The current policy has been reviewed by the Health, Safety and Risk Officer and the Director Corporate in consultation with the Audit Committee.

CONCLUSION

The review of the Fraud and Corruption Control Policy is now complete. While there is no change to the intent of the policy the review has provided an opportunity to expand, improve and clearly articulate Council's position on fraud and corruption and its expectations of ethical behaviour.

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)

- 8.3.5 Alpine Shire Council Fraud and Corruption Control Policy No.91, Version 2.0



9.3.6 Planning Application 5.2019.33.1 Use and Development of Land for Clay

Extraction

Application number:	5.2019.33.1
Proposal:	Use and Development of Land for Clay Extraction
Applicant's name:	Alpine Shire Council
Owner's name:	Myrtleford Gravel Pty Ltd
Address:	55 Merri Meadows Lane, Merriang South
Land size:	103.9ha
Current use and development:	Extraction area (Borrow Pit) is currently a cleared area sown to pasture. Some of the surrounding area has previously been used for stone extraction.
Site features:	Cleared pasture area with gradual undulations located on the edge the valley floor that and begins rising to the west. The extraction area will be located between 220m and 300m from the Buffalo River located to the east.
Why is a permit required?	A planning permit is required: - to use and develop the land for stone extraction pursuant to Clause 35.07-1 and Clause 35.07-4 respectively of the Farming Zone - to use and develop land for earth and energy resources industry pursuant to Clause 52.08-1 of Clause 52.08 Earth and Energy Resources Industry
Zoning:	Farming Zone (FZ)
Overlays:	Bushfire Management Overlay (BMO)
Restrictive covenants on the title?	None
Date received:	5 March 2019
Statutory days:	211
Planner:	Sam Porter

Cr Nicholas

Cr Forsyth

That a Notice of Decision to grant a planning permit be issued for the use and development of the land for clay extraction in accordance with the conditions outlined in Attachment (a) and for the following reasons:

- 1. The proposed use and development is consistent with the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework.*



- 2. The proposal is consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone as the proposed use and development would not adversely affect the use of the land and nearby land for agriculture, and would result in the land being rehabilitated and returned to agriculture.*
- 3. The proposal has adequately addressed the purpose of Clause 52.08 Earth and Energy Resources Industry.*
- 4. With appropriate conditions imposed, the amenity of the surrounding area and haulage route will be able to be managed and protected.*

Carried

The application is generally consistent with the general decision guidelines of Clause 65.

PROPOSAL

Alpine Shire Council is the applicant and is proposing to source suitable clay to be used as capping material at its former landfill sites in order to meet Environment Protection Agency (EPA) remediation requirements. The proposal consists of a 65m long by 65m wide pit plus a 1 in 4 batter beyond this area and will be an average of 1.5m deep. The total amount of clay to be removed is 10,000m³ and is proposed to be removed in two stages with rehabilitation completed after each stage.

Once the clay is stockpiled it would be carted off site via Merri Meadows Rd and Merriang South Rd out to the Buffalo River Rd and then to the appropriate landfill site at either Myrtleford or Porepunkah. The haulage vehicles to be used are a truck and "quad dog" capable of carrying up to 50t. per trip. Truck movements are proposed to be Monday to Friday from 7am to 6pm, and will exclude school bus transit times along Merriang South Rd.

In order to minimise the overall impact of the truck movements on the road and better manage amenity impacts, like dust, it is proposed to condense the overall truck activity so that there is a maximum of 16 truckloads moved per day (totalling 32 truck movements).

The clay is proposed to be removed in two stages each requiring 5,000m³ of clay, weather permitting and in line with the truck movements above, each of the two stages is expected to be hauled from the site in a five week period.

The applicant has agreed to a permit expiry condition of 31 December 2021. Should further time or volume of clay be required after this expiry condition, a further planning permit would be required with full notifications.



The proposed burrow pit is shown below in Figure 1.

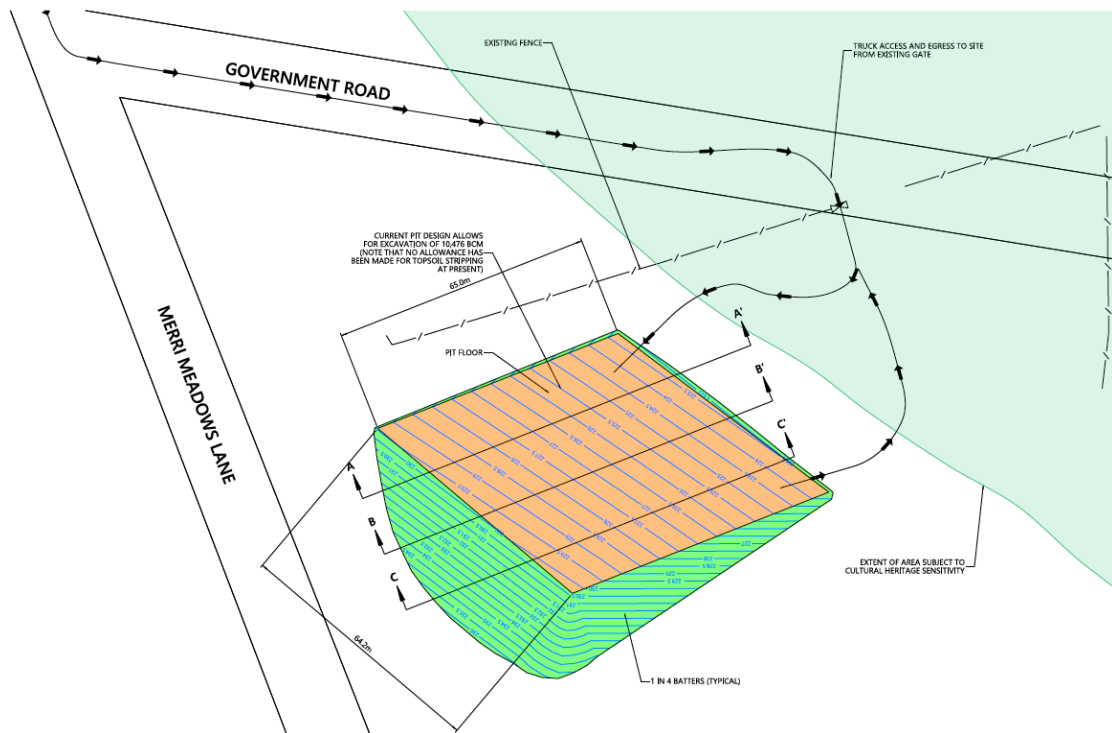


Figure 1: Development layout.

SUBJECT LAND AND SURROUNDS

The subject land is a Farming zone lot 103.9ha in size and made up of three parts due to two unmade government roads intersecting the property. The easterly boundary abuts the Buffalo River and consequently the eastern portion of the site is representative of river flat farmland. The westerly half of the property is made up of steeply vegetated hillside that isn't readily accessible. The proposed area for the clay extraction is located centrally to the southern end and is positioned on a raised foothill area clear of the road reserves, as identified in Figure 2.

The prevailing land use in the surrounding area is agriculture, along with associated houses and shedding. To the north, east and south the land is predominately used for grazing, while a vineyard is positioned to the west and further west and south-west beyond this area is an HVP softwood plantation.

The northern cleared half of the subject land has historically been used for an Earth Resources Work Authority for Gravel and Stone extraction. Evidence of this use and only partial rehabilitation along with the surrounding site context can be seen in Figure 2.



Figure 2: Subject land and Excavation Area.

PUBLIC NOTIFICATION

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987*. Notice of the application was sent to 39 surrounding landholders and occupiers. The surrounding land owners in this instance also included the land parcel along the haulage route up to the intersection with the Buffalo River Road. Three objections were received. The reasons for objecting are as follows:

- Traffic
- Noise
- Dust
- Use of prime farm land
- Hours of operation
- Excessive rate payer transportation costs



PLANNING FORUM

A planning forum was held to discuss the application on 22 August 2019 at the Alpine Shire Council, Bright Offices. All three objectors participated in the meeting along with two Councillors and Council officers. Following the meeting a draft planning permit was circulated to all the parties. This communication resulted in two objectors been comfortable with the proposal and one objection being formally withdrawn in writing.

REFERRALS

Referrals / Notice	Advice / Response / Conditions
Section 55 referrals:	Goulburn Murray Water - no objection subject to conditions Department of Economic Development, Jobs, Transport and Resources - no objection and no planning permit
Internal / external referrals:	Department of Environment Land Water and Planning - no objection and no planning permit conditions required Council's Development Engineer has no objection subject to conditions.

PLANNING ASSESSMENT AND RESPONSE TO GROUNDS OF OBJECTION

All applicable policy and decision guidelines can be found in Attachment (b).

Planning Policy Framework and Local Planning Policy Framework

The Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) give support to the proposal. Clause 14.03-1S Resource Exploration and Extraction and Clause 14.03-1R Resource Exploration and Extraction - Hume encourage the exploration and extraction of natural resources in accordance with acceptable environmental standards. With regard to quarrying, clearly defined buffers between extractive activities and sensitive land uses must be established and maintained.

Clause 13.05-1S Noise seeks to "[e]nsure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area". EPA Noise in Regional Victoria (NIRV) guideline should be considered in the assessment of an application where noise from industry may affect sensitive land uses.

Clause 13.06-1S Air Quality Management seeks to "(e)nsure, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses". State Environment Protection Policy (Air Quality Management) and Recommended Buffer Distances for Industrial Residual Air Emissions (Environment Protection Authority, 1990) should be considered in decision making.

Clause 14.01-1S Protection of Agricultural Land aims to preserve and protect productive farmland.



The proposed use and development of the land for clay extraction is considered to be an appropriate use of the site taking into account the above policy considerations. The site contains a resource that is able to be extracted easily and efficiently over a short time frame with the end result being the rehabilitation of the land so that the area can continue to be used for agriculture. In doing so, the amenity and environment of the surrounding area is able to be acceptably protected through the use proposed planning conditions that will require, drainage plans, dust mitigation plans, rehabilitation plans and a traffic management plan.

It is important to understand that the proposal, if approved, is both limited to 10,000m³ of clay to be removed from the site and that this is to occur before 31 December 2021.

In addition to the excavation works required to stockpile the clay onsite and respreading the topsoil for remediation the haulage will extend for two bursts of approximately five weeks over the life of this permit. The summary of this is that the activity onsite is expected to extend for a total of four months over the two year life of the proposed approval.

Overall it is considered that the proposed use and development of the site has both State and local planning policy support.

Zoning

The subject land is located in the Farming Zone. A planning permit is required for the use and development of the land for clay extraction. The use and development is consistent with the Farming Zone purpose and decision guidelines as:

- with emissions of noise and dust from the extraction area will be kept at levels as recommended by EPA guidelines and these can form appropriate conditions as part of any approval. The extraction area (borrow pit) is buffered over 400m from the nearest dwelling that is located on the eastern side of the Buffalo River. The proposed borrow pit area contains not only generous buffers to surrounding residential uses but the pit itself has been carefully selected to ensure appropriate separation to watercourses, vegetation, road reserves and cultural heritage areas.
- the amenity impacts of dust and noise from the haulage proposed to occur along Merri Meadows Lane and Merriang South Rd will be protected via a Dust Mitigation Plan and Traffic Impact Assessment. The dust mitigation plan will need to ensure no adverse impact on surrounding residents along the haulage route. It is expected that this plan will contain traffic speed restrictions and watering requirements (but not limited to) along Merri Meadows lane that is currently unsealed. The relatively short timeframes of the project will also give the applicant the ability to select a seasonal more appropriate time so as provide greater ease of compliance with dust mitigation.
- the number of vehicle movements, the amount of material to be removed from the site, and the timeframe within which to undertake the works are interrelated, with the development proposed to be completed within a two year window. Vehicle movements are proposed to be condensed into the shortest possible



period so as to minimise impact on the residents along the haulage route. Based on the expected capacity of a contractor undertaking the works combined with the round trip times for unloading, 16 loads per day is considered the maximum movements per day. As a result this level of increase of heavy vehicles upon the surrounding road network requires the preparation of a Traffic Impact Assessment in order to assess safety. The surrounding road network currently services a high level of heavy vehicle movements as a result of the softwood plantation land owners (HVP) also using these roads for haulage. This current heavy vehicle usage on the road network isn't adversely impacting agriculture in the surrounding area; therefore, it is considered that the proposed additional traffic as a result of this proposal from an agricultural perspective won't be of detriment.

- no vegetation removal is proposed therefore the proposal will not have an impact on the biodiversity of the area.

Overlay

The site is subject to the Bushfire Management Overlay however there is no permit requirement for the use and development under the overlay provisions.

Clause 52.08 Earth and Energy Resources Industry

A planning permit is required to use and develop land for the earth and energy resources industry under this clause. Clay extraction is a use associated with this industry. The clause has a purpose but no decision guidelines for stone extraction. The proposal is considered to be consistent with the relevant clause purpose as:

- the land would be used and developed for the extraction of earth and energy resources in accordance with acceptable environmental standards.
- the proposal would be consistent with other legislation governing stone extraction. In this instance the Code of Practice for Small Quarries (Code) is applicable.

Code of Practice for Small Quarries

The Code applies to small-scale quarries that are less than five hectares in area and less than five metres in depth where no blasting or no native vegetation clearance is proposed. A small quarry meeting these requirements is exempt from the Work Plan requirements of the Mineral Resources (Sustainable Development) Act 1990 (MRSD Act) and must comply with the Code.

A small quarry operator must hold a Work Authority under the MRSD Act. The Work Authority will specify that the operator is bound by the requirements of the Code.

The Code sets out objectives, requirements and recommended practice for issues such as control of noxious weeds, drainage and erosion control, noise, dust control, visual management, rehabilitation, and community relations.

A condition of any approval issued will require the permit operator to comply with the Code.



Response to Grounds of Objection

Traffic

- Council's Development Engineer has reviewed the application and the proposal of 16 trucks per day (totalling 32 movements), Monday to Friday, 7am to 6pm avoiding school bus periods (see proposed condition 16). The Development Engineer's finding was that conditional consent to the proposal based on the current road network combined with the already held traffic count data was appropriate. Given the existing conditions a Traffic Impact Assessment Report must be completed by a suitable qualified person prior to the use commencing. Such a report in this instance is likely to outline a range of traffic management measure (but not limited to) that will be require for heavy vehicle haulage to occur. Once Council's Development Engineer approves this report a further condition stipulates that all its requirements must be met for the duration of the proposal. Overall from a traffic perspective Council is satisfied that the additional movements on existing road networks are acceptable.

Noise

- Noise from the proposal based on the clay material to be extracted will be largely that of just machinery and transport vehicle noise. The proposed hours of operation of 7am to 6pm combined with the buffers to surrounding residents is expect to deliver compliant noise levels with the EPA Guideline - Noise in Regional Victoria (NIRV). A condition will be included on any permit issued to ensure that these levels remain complaint.

Dust

- As discussed, a dust mitigation plan will be required to be submitted to Council for approval which outlines measures that will be undertaken to ensure that dust is acceptable managed. The plan must also outline under what circumstance the use will cease due to an inability to comply with the plan. A further condition will require that the applicant/site manager must notify and communicate with the surrounding residents of the proposed activity timeframes.

Hours of operation

- The hours of operation are considered to be reasonable and have been determined via a number of factors. The haulage will only occur Monday to Friday as the recipient sites are public facilities and maintaining opening hours on weekends is necessary. Following consultation with the surrounding residents, the trucks are to avoid movements on Merriang South Rd during school bus transit times. A 7am to 6pm window will allow appropriate latitude for the trucks to avoid these school bus periods whilst still ensuring 16 trucks per day is achievable rather than elongating the development's haulage timeframe.

Enforcement

- Council's Planning Department will be responsible for the enforcement of planning permit conditions. All the proposed conditions are drafted in a way so that the applicant is clear on requirements and so that, should a dispute or issue arise, the conditions able to be enforced.



- Additional concern was raised over the lack of remediation that has occurred on the subject land as a result of its former gravel extraction use that held a Work Authority via Earth Resources. The proposed borrow area is located in a different part of the property and is unrelated to the former land use. Council's Planning Department has raised the remediation concern with Earth Resources who enforce and hold bonds for rehabilitation works on Work Authority areas.

Use of Farmland

- The use of Farming zone land for an earth resource extraction is a discretionary use. With all amenity impacts able to be managed by proposed conditions the remaining consideration is the impact on the subject land itself. The proposed borrow pit area targets a higher rise area on the ground, once this area is removed the initially stripped away top soil will be replaced and sown back to pasture. The remaining slight depression will not affect the medium or long term agricultural capacity of the land. A rehabilitation plan will form a conditional requirement of any permit issued to ensure an acceptable rehabilitation outcome is reached.

CONCLUSION

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

- The proposed development is generally consistent with the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework.
- The proposal is consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone as the proposed use and development would not adversely affect the use of the land and nearby land for agriculture, and would result in the land being rehabilitated and returned to agriculture.
- The proposal has adequately addressed the purpose of Clause 52.08 Earth and Energy Resources Industry.
- With appropriate conditions imposed, the surrounding amenity of the rural area and traffic movements will be able to be managed and protected.

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
- Planning Coordinator

ATTACHMENT(S)

- (a) Conditions
- (b) Policy and decision guidelines



ATTACHMENT (A)

GENERAL CONDITIONS

1. The layout of the site and the size of the proposed use and works must be generally in accordance with the endorsed plans which form part of this permit. The endorsed plans must not be altered or modified (whether or not to comply with any statute statutory rule or local law or for any other reason) without the consent of the responsible authority.

ENGINEERING CONDITIONS

2. Prior to commencement of use, a properly prepared drainage discharge plan with computations as necessary must be submitted to, and approved by, Alpine Shire Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions.

The information and plan must include:

- a) details of how the extraction area and internal access road are to be drained and runoff controlled and treated.
- b) measures to control stormwater discharge quality from the site and protect Buffalo River. Including the expected discharge quality emanating from the development and design calculation summaries of the treatment elements.

Prior to commencement of use, the drainage detailed in the approved Drainage Discharge Plan must be constructed to the satisfaction of the Responsible Authority.

3. Appropriate measures must be implemented throughout the development to ensure and/or minimise mud, crushed rock or other debris being carried onto public roads or from the subject land, to the satisfaction of the Alpine Shire Council.

TRAFFIC IMPACT ASSESSMENT REPORT

4. Prior to commencement of use, the applicant shall provide details of the timeframe for the use and expected daily truck movements.

Unless it is demonstrated the traffic volume on Merriang South Rd will not be increased by more than 10%, a Traffic Impact Assessment Report is to be provided in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of Alpine Shire Council.

TRAFFIC MANAGEMENT WORKS

5. Prior to commencement of use the applicant or owner must construct any traffic management works identified by Council Officers or contained within relevant Traffic Impact Assessment Reports, to the satisfaction of Alpine Shire Council. The cost of such works shall be fully met by the applicant.
6. As a minimum Trucks Entering signage is to be placed on Merriang South Road during extraction periods in accordance with relevant standards.



7. The operator and or contract manager must notify the surrounding residents of all pending operations timeframes and make available an individual's name and contact phone number to be used for any follow up enquiries.
8. The operator and or contract manager must keep a register of any complaints by the public concerning the operations and the register must be made available to the Responsible Authority on request.
9. The use and development hereby approved must be undertaken in accordance with the Code of Practice for Small Quarries (2010).
10. No works (including stockpiling, drainage works and the like) must occur within any areas of Cultural Heritage Sensitivity.
11. Noise levels emanating from the development must not exceed those required to be met under State Environment Protection Policy (EPA Guideline – NIRV).

DUST MITIGATION PLAN CONDITION

12. Prior to the use and development commencing, a Dust Mitigation Plan (DMP) must be prepared by a suitably qualified person and submitted to the Responsible Authority for approval. The DMP must detail, but not be limited to, a risk management strategy addressing measures to reduce air emissions to acceptable levels at nearby sensitive locations and to address the potential for nuisance dust off-site including details of the following:
 - a. how activities which generate dust on site will be managed to minimise dust emissions;
 - b. the circumstances in which extraction activities will cease on site due to weather conditions that will result in visible dust being discharged beyond the boundaries of the premises;
 - c. how dust will be monitored, following the receipt of complaints at locations to be determined in consultation with the Responsible Authority.
 - d. contingency measures to deal with any elevated dust conditions or upset conditions.

Once approved, the DMP will be endorsed and will form part of this permit.

The use and development must at all times be conducted in accordance with the DMP to the satisfaction of the Responsible Authority.

HOURS OF OPERATION

13. The use must only occur between the following hours:
 - Monday to Friday 7am to 6pm



TRUCK MOVEMENTS

14. The number of trucks accessing the site is limited to 16 per day (32 movements total) day unless otherwise agreed to in writing by the Responsible Authority.
15. All trucks must be covered to minimise dust generation from the load, prior to leaving the site.
16. No truck movements may occur along Merriang South Road during school bus run operation hours between hours 8:10am - 8:40am and 3:50 pm - 4:20pm on any school day.

REHABILITATION CONDITIONS

17. Prior to commencement of works, a Rehabilitation Plan for the entire site must be submitted to the Responsible Authority for approval. The Rehabilitation Plan must include, but not be limited to:
 - a. existing conditions and vegetation (e.g. windrows and road plantings);
 - b. objective of the end use (i.e. agricultural);
 - c. progressive rehabilitation methodology of disturbed areas;
 - d. staging and timing of rehabilitation (must all be done within permit expiration timeframe); and
 - e. species and planting densities.

When approved, the Rehabilitation Plan will be endorsed as evidence of its approval.

18. The use and development must be undertaken in accordance with the approved Rehabilitation Plan to the satisfaction of the Responsible Authority.

GOULBURN-MURRAY WATER CONDITIONS

19. All construction and ongoing activities must be in accordance with sediment control principles outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (May 1991).
20. No works may be carried out within 30 metres of any waterways and any drainage lines.
21. All stockpiled topsoil must be stored within a bunded or silt trapped area located at least 30 metres from any waterways and drainage lines.
22. Stormwater unaffected by the extraction operations must be diverted around the extraction site as unconcentrated overland flow so as not to cause any erosion, channelling or discharge of sediment off-site.
23. At the completion of the extraction activities, the site must be rehabilitated to prevent erosion and sediment transport off-site.
24. If groundwater is to be dewatered or taken from the site a licence to take and use water must be obtained from Goulburn Murray Water.

EXPIRY CONDITION

25. This permit will expire on the 31 December 2021.



ATTACHMENT (B)

Planning Policy Framework

The Planning Policy Framework (PPF) provides relevant direction to the proposal at the following clauses:

Clause 11.01 Settlement

Clause 11.01-1R Settlement - Hume

Clause 13.05 Noise

Clause 13.06 Air Quality

Clause 13.07 Amenity and Safety

Clause 14.01 Agriculture

Clause 14.03-1S Resource Exploration and Extraction

Clause 14.03-1R Resource Exploration and Extraction - Hume

Clause 17.01 Employment

Clause 17.04 Tourism

Clause 18 Transport

Local Planning Policy Framework

Applicable local planning policy can be found in the Local Planning Policy Framework (LPPF) section as follows:

Clause 21.05-3 Agriculture

Clause 21.07-11 Rural Precincts

Clause 22.03-2 Agriculture

Zone

The subject land is zoned Farming Zone pursuant to the Alpine Planning Scheme. The purpose of the zone and applicable decision guidelines can be found at the following link: http://planning-schemes.delwp.vic.gov.au/schemes/vpps/35_07.pdf

Overlays

The site is subject to the Bushfire Management Overlay however the proposed use and development does not trigger the need for a planning permit under the overlay provisions.

Provisions that Require, Enable or Exempt a Permit

Clause 52.08 Earth and Energy Resources Industry

General Provisions

Clause 65 Decision Guidelines



10 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 Keeble

That the summary of the Assemblies of Councillor for September 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
10 September	Briefing Session
17 September	Local Government Rating System Review – Wodonga

ATTACHMENT(S)

- 9.0 Assemblies of Councillors – September 2019



11 GENERAL BUSINESS

12 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

13 RECEPTION AND READING OF PETITIONS



14 DOCUMENTS FOR SEALING

Cr Pearce
Cr Nicholas

That the following documents be signed and sealed.

1. *Alpine Shire Council Contract No CT19043 in favour of MomentumOne Shared Services Pty Ltd for the provision of labour hire and accompanying technology solutions.*
2. *Section 173 Agreement – Scott Richard Hovenga & Julie Ann Hovenga & Goulburn Murray Water.*
Lot 8 on Lodged Plan 127843 Volume 9327 Folio 613. Condition 14 of Planning Permit 2018.141.1 for the construction of a dwelling. The Agreement covers wastewater requirements from Goulburn Murray Water.
3. *Section 173 Agreement – Darryl and Nicole Farmer and Goulburn Murray Water.*
Crown Allotments 8, 8B, 9A, 9B and 9C, Section Q, Parish of Bright. Volume 9481 Folio 492; Volume 6504 Folio 647; Volume 6382 Folio 364; Volume 8504 Folio 203. Condition 16 of Planning Permit 2017.151.1 for a re-subdivision at 62 Dunstan Track, Bright. The Agreement covers wastewater management requirements from Goulburn Murray Water.
4. *Section 173 Agreement – Mark Brown and Belinda Rees*
Crown Allotment 24 Section 8. Volume 7720 Folio 133. Condition 30 of Planning Permit 2019.22.1 for a two lot subdivision of land at 38 Dredge Hole Lane, Harrietville. The Agreement provides for Bushfire Management Overlay provisions.
5. *Alpine Shire Council Fraud and Corruption Control Policy No.91, Version 2.0.*
6. *Section 173 Agreement – Goulburn Murray Water and Casey Laurence Healy and Rebecca Anne Carne*
Lot 1 on Lodged Plan 142190. Volume 9578 Folio 306. Condition 21 of Planning Permit 2017.32.2 for buildings and works for the construction of a dwelling and associated outbuildings. The Agreement satisfies Goulburn Murray Water wastewater management conditions.



7. Section 173 Agreement – Renato and Lili Pasqualotto

Lot 3 Lodged Plan 221934 and Crown Allotment 5, Section Q1, Parish of Myrtleford. Volume 10014 Folio 944 Volume 8872 Folio 570. Condition 3 of Planning Permit 2018.105.1 for re-subdivision of land. The Agreement provides that Lot B will not be further subdivided so as to create an additional lot for an existing dwelling.

Carried

There being no further business the Chairperson declared the meeting closed at 8:08p.m

.....
Chairperson