

Agenda

Ordinary Meeting of Council

Corryong Council Office

Tuesday 6 May 2014

This information is available in alternative formats on request

AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT THE TOWONG SHIRE COUNCIL, CORRYONG OFFICE ON TUESDAY 6 MAY 2014 COMMENCING AT 10.00 AM.

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1 Opening Prayer

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

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

Amen."

2 Councillor and Officer presence at the meeting

3 Apologies and granting of leave of absence

4 Declaration of pecuniary interest and/or conflict

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

5 Confirmation of minutes

Ordinary meeting of 1 April 2014.

6 Petitions, joint letters and declarations

7 Assembly of Councillors

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

RECOMMENDATION:

THAT THE INFORMATION BE NOTED.

8 Open Forum

9 Organisational improvement

9.1 Finance Report as at 31 March 2014(DCCS)

At the time of printing this report was unavailable. It will be emailed to Councillors before the Council meeting.

RECOMMENDATION:

THAT THE FINANCE REPORT BE NOTED.

9.2 Action Sheet Reports (06/05/0010-EA)

Items requiring action from the 1 April 2014 Council Meeting are attached at Appendix 2.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

9.3 Performance Reporting Graphs (DCCS)

The Performance Reporting Graphs are attached at Appendix 3 for information.

At the time of printing this information was unavailable. The Graphs will be tabled at the Council Meeting.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

10 Community wellbeing

No report.

11 Asset management

11.1 Works Schedule (DTS)

The works scheduled for the period 15 to 28 March 2014 is attached at Appendix 4 for information.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

12 Land-use planning

12.1 Planning Permit Application Extensive 2014/014 - Animal Husbandry (239200-MP)

Property: Lot 2 LP 140229, 29 Hedley Lane and part land contained in PC362116, 5538 Omeo Highway, Mitta Mitta

Applicant: Mrs Lynette F Taylor-Hale

Owner: Mrs Lynette F Taylor-Hale

Zoning: Township Zone (TZ)

Overlays: Wildfire Management Overlay (WMO)

Disclosure of Interests (S.80C):

This report was prepared by Mr Ron Mildren, Living Streets Designs Pty Ltd.

At the time of preparation of the report neither Mr Mildren nor Living Streets Designs have a direct or indirect interest in any matter to which the report or advice relates.

Permit Triggers:

Township Zone

32.05-1 nominates any other use not in section 1 or 3 as requiring a permit. Extensive Animal Husbandry is an innominate use. Therefore a Permit is required if the use is so defined pursuant to Clause 74.

If the use is defined as Intensive Animal Husbandry pursuant to Clause 74 then the activity is listed in section 3 of the Table of Uses to the Township Zone and therefore prohibited.

Relevant State Planning Policies:

Nil.

Relevant Local Planning Policies:

Nil.

DESCRIPTION OF PROPOSAL

The application proposes extensive animal husbandry comprising the grazing of two Boer goats. The application form nominates only one lot being 29 Hedley Lane however the plan accompanying the application also indicates inclusion of part of the land at 5538 Omeo Highway Mitta Mitta being PC 362116. The applicant has confirmed to Council officers that the application refers to the indicated parts of both lots and that the owner of the second lot has been informed about the application. The indicated grazing area as per the plan included with the application is not currently fenced.

The application does not provide plans of the structure for the penning or shelter of the goats or how they will be contained to the indicated grazing area.

SITE DESCRIPTION

The subject land as described in the documents accompanying the application is situated on 29 Hedley Lane in the township of Mitta Mitta and extends across the boundary onto part of the land at 5538 Omeo Highway. The 29 Hedley Lane lot contains an area of approximately 1368.9m², with the shelter being contained under the trees on this site but the indicated grazing areas also include 5538 Omeo Highway which has a total site area of approximately 3044.6m². It is only a loosely defined part of 5538 Omeo Highway that is proposed to be grazed as indicated on the plan accompanying the application. The total area indicated as to contain the grazing goats is estimated to be in the order of 500m² as approximated from the drawing provided (Appendix 5).

There are no detailed site plans showing comprehensive dimensions or contours submitted with the application, only a freehand drawing over an aerial photo.

HISTORY AND COMMUNITY CONSULTATION:

The application was lodged on 12 March 2014. The application was referred to the following referral authorities as well as public notice given to neighbouring properties.

REFERRALS – S55

GMW – satisfied under the MOU so no referral sent

REFERRALS – S52

DEPI -14 March 2014 – the below comments were received on 1 April 2014.

In the event that a permit be granted DEPI have recommended inclusion of the conditions below:

1. *The land-holder must have a stock proof / goat proof boundary fence around the entire perimeter of the property in question as the goats have been known to escape and climb onto equipment within the DEPI depot.*
2. *The total number of goats on the property should not exceed 2.*

16 OBJECTIONS RECEIVED

In the interests of privacy a list of objectors names and addresses as well as objectors locations is provided to Councillors as a confidential attachment (Confidential Appendix 13).

The main concerns raised in the objections are summarised below:

- Previous pattern of behaviour in lack of control of their goats
- Impacts on native vegetation on neighbouring properties
- Containment of the proposed goats
- Adherence to regulations

GOAT BEHAVIOUR

The following information has been obtained from DEPI and AG Facts and provides some background to the nature and impact of goats.

Adequate fencing is a first priority for without good fencing goats will roam and potentially upset neighbours. Goats are intelligent, inquisitive animals that tend to test a fence more than other livestock. Any fault in a fence is soon detected by goats. In particular goats test the lower third of the fence – especially the gap between the ground and bottom wire.

Surface irregularities like gullies or stump holes need to be filled or blocked. A bottom selvage wire and correct wire tension are good deterrents to goats going under fences. Gaps under gates will need to be filled.

The climbing habits of goats mean fence lines must be clear of rocks, stumps, fallen timber, earth works or anything on which a goat will climb and play, of particular interest is fencing angle stays.

Electric fencing is an option for fencing but it must be built to the correct standards, maintained and checked regularly.

Goats are particularly destructive to trees and therefore consideration needs to be given to tree guards.

Keeping agricultural livestock on urban/township land, if permitted by Council, still requires that animal owners have the same responsibility as commercial owners in maintaining the welfare and health of the animals. Goats are still required to be drenched and vaccinated at correct intervals, must be provided with adequate feed and water plus clean and protected shelter. Goats also require their hooves to be maintained and managed to avoid foot rot.

The ideal pet goats if male are wethers as it eliminates the odour (stink) associated with non-desexed male goats.

Stocking Rates

The DEPI produced document *"A guide to the grazing requirements of fibre and meat goats"* (Jan 2007) refers to stocking rates and although recognising that carrying capacities of different properties will influence stocking rates, the general application for wether goats aged between one (1) and four (4) years has a dry sheep equivalent (DSE) of one (1), (up to 1.2 in areas with severe winters). This is an appropriate tool in the absence of more property specific data. Additional allowance should be made for animals over 50kg.

In general, consequent of animal health considerations, it is recommended that goats not be grazed at rates greater than 8DSE/ha, therefore not greater than eight (8) goats per ha or 6.6 goats per ha in areas with severe winters.

For the purposes of this assessment it is assumed that Mitta Mitta is not regarded as having severe winter conditions in this context.

In order to break down the stocking rates to the land area and number of goats the subject of this application we can divide 1ha or 10,000m² by the eight (8) goats per ha to determine a square metre rate per goat. 10,000 divided by eight (8) = 1250m² per goat.

In this application the proposal is for two (2) goats per an estimated area in the order of 500m². Clearly the proposal is entirely inappropriate in terms of inadequate area requirements for 'extensive animal husbandry' and therefore the proposal falls short for the use as defined under the planning scheme.

It could be argued that this logically then leads to another reason for the proposal being defined as 'intensive animal husbandry' which is a prohibited activity in the Township Zone.

TOWONG PLANNING SCHEME REQUIREMENTS

State Planning Policy Framework (SPPF)

Nil.

Local Planning Policy Framework (LPPF)

Nil.

Clause 74 Definitions

Clause 74 defines **Extensive Animal Husbandry** as *"Land used to keep or breed farm animals, including birds, at an intensity where the animals' main food source is obtained by grazing, browsing, or foraging on plants grown on the land."*

Clause 74 defines **Intensive animal husbandry** as *"Land used to keep or breed farm animals, including birds, by importing most food from outside the enclosures."*

Clause 32.05 Township Zone

Clause 32.05-11 refers to **Decision guidelines** and provides that Council must consider:

General

- *The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.*

The proposal has raised numerous objections from the surrounding area which express concern in relation to vegetation and environmental impacts.

In the circumstances although there is a history of the goats roaming, Council has to consider the application from the viewpoint that the goats will be grazed in the area as proposed and that any conditions will be adhered to.

However the assessment of area required for keeping goats contained establishes a requirement for a considerably larger enclosure. The anticipated consequence of containing two (2) goats in an area of approximately 500m² is denuding of vegetation and ultimate creation of a bare earth enclosure. Such a result is not consistent with maintaining local character or vegetation.

- *The scale and intensity of the use and development.*

The enclosure of two (2) goats in an area in the order of 500m² constitutes an intensity of use not consistent with a residential or township environment.

Clause 44.06 Bushfire Management Overlay

Although the land is covered by a Bushfire Management Overlay it is of no specific relevance to the proposed use.

Clause 65.02 – Decision Guidelines

The planning scheme sets out a framework of matters that need to be considered in the determination of an application. Although an application for permit can be made, that does not imply that a permit should or will be granted.

- *The matters set out in Section 60 of the Act;*

S60 (1) specifies that before deciding on an application, the responsible authority must consider—

- (a) the relevant planning scheme; and*
- (b) the objectives of planning in Victoria; and*
- (c) all objections and other submissions which it has received and which have not been withdrawn; and*
- (d) any decision and comments of a referral authority which it has received; and*
- (e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development; and*
- (f) any significant social effects and economic effects which the responsible authority considers the use or development may have.*

The circumstances surrounding this proposal raise a number of issues some of which can legitimately be considered in determining the application for planning permit and some that cannot.

A relevant objective to this matter is to provide for the fair, orderly, economic and sustainable use and development of land. In the context of this application the question should be considered as to the orderly use of the land and the potential effects upon adjacent land uses. Also a question of fairness arises in respect to the applicant's wish to use the land as proposed and whether the impacts on others are sufficient to warrant a refusal should that be Council's decision.

The objectives establish a desire to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians. The question arises in the circumstances as to whether the proposed use will secure a pleasant living environment for adjacent landholders.

In regard to potential effects on the environment the size of the land area to be the goat enclosure raises real concerns as to the resultant state of vegetation and the likely denuding of grass cover leaving not only an unsightly and disorderly scene but also potentially creating dust and odour.

- *The orderly planning of the area;*

The proposal is anticipated as likely to have an adverse impact on orderly planning for the area. The land is within a Township and the proposal is effectively for an intensive animal husbandry activity which is entirely inconsistent with the orderly township use and development of the land.

- *The effect on the amenity of the area;*

Given that the enclosure land area is inadequate for keeping two (2) goats then it is reasonable to expect adverse amenity effects such as noise, dust and odour.

RECOMMENDATION:

THAT COUNCIL HAVING CAUSED NOTICE OF PLANNING APPLICATION NO. 2014/014 TO BE GIVEN UNDER SECTION 52 OF THE PLANNING AND ENVIRONMENT ACT 1987 AND HAVING CONSIDERED ALL THE MATTERS REQUIRED UNDER SECTION 60 OF THE PLANNING AND ENVIRONMENT ACT 1987 DECIDES TO ISSUE A REFUSAL OF PERMIT PURSUANT TO SECTION 65 OF THE PLANNING AND ENVIRONMENT ACT WITH RESPECT TO THE LAND KNOWN AND DESCRIBED AS LOT 2 LP 140229, 29 HEDLEY LANE AND PART LAND CONTAINED IN PC362116, 5538 OMEO HIGHWAY, MITTA MITTA FOR USE OF THE LAND FOR KEEPING TWO (2) GOATS (INTENSIVE ANIMAL HUSBANDRY) FOR THE FOLLOWING REASONS:

- 1. THE PROPOSED USE CONSTITUTES INTENSIVE ANIMAL HUSBANDRY AS DEFINED IN THE TOWONG PLANNING SCHEME AND INTENSIVE ANIMAL HUSBANDRY IS PROHIBITED WITHIN THE TOWNSHIP ZONE.**
- 2. THE PROPOSAL FAILS TO ESTABLISH THAT THE GOATS WILL BE CONTAINED AT ALL TIMES WITHIN THE IDENTIFIED AREA.**
- 3. THERE IS INSUFFICIENT LAND WITHIN THE IDENTIFIED AREA TO PERMANENTLY SUSTAIN EXTENSIVE GRAZING OF TWO (2) GOATS.**
- 4. THERE IS INSUFFICIENT LAND WITHIN THE IDENTIFIED AREA TO PERMANENTLY CONTAIN TWO (2) GOATS WITHOUT CAUSING UNSATISFACTORY LAND DEGRADATION AND VEGETATION REMOVAL.**

5. THERE IS INSUFFICIENT LAND WITHIN THE IDENTIFIED AREA TO PERMANENTLY CONTAIN TWO (2) GOATS WITHOUT CREATING UNREASONABLE NUISANCE AND LOSS OF AMENITY CONSEQUENT OF DUST, SMELL AND NOISE.

6. THERE IS INSUFFICIENT LAND WITHIN THE IDENTIFIED AREA TO PERMANENTLY CONTAIN TWO (2) GOATS IN A MANNER SUCH THAT ANIMAL WASTE WOULD BE DEALT WITH ADEQUATELY AND APPROPRIATELY WITHIN THE LAND AREA.

7. ANY ANIMAL WASTE REMOVAL REQUIREMENT CONSEQUENT OF THE INADEQUATE ENCLOSURE AREA IS INDICATIVE OF THE PROPOSAL BEING AN INTENSIVE ANIMAL HUSBANDRY USE WHICH IS PROHIBITED WITHIN THE TOWNSHIP ZONE.

13 Environmental sustainability

No report.

14 Economic and tourism development

14.1 Economic Development Report (05/01/0001-MED)

Disclosure of Interests (S.80C):

This report was prepared by Ms Lauren Elvin, Manager Economic Development.

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

Background/History:

This report is a bi-monthly report on Economic Development activities throughout the Shire.

Regional Victoria Living Expo

The expo was held from 11 – 13 April 2014 and was well attended. Genuine leads for people looking to relocate to the Towong Shire have been captured and follow up will be undertaken in the coming weeks.

Tallangatta Holiday Park planning study

The Tallangatta Holiday Park planning study continues to progress with consultant Matthew Williams from Southern Cross Parks meeting with stakeholders during March at a public meeting. While the meeting was well attended, feedback from the community has confirmed the importance of having these type of events advertised in the Tallangatta Herald. There were extenuating circumstances which prevented such advertising for the March meeting. This will be considered for future events of this nature. The Holiday Park plan will be further refined based on the feedback received and Council updated as the project progresses.

Corryong Airport

A formal request for Broadcast Australia to provide obstacle lighting on Mt Elliot was submitted in early February and as yet no response has been received. Feedback from Broadcast Australia is that the request is currently being assessed by the legal and management teams and a response will be forthcoming shortly.

A draft application to the Regional Aviation Fund has been prepared and a meeting with Regional Aviation Fund representatives was held on 6 March. The fund

representatives were positive in their feedback about the project and the work done to date, and indicated that the application should be lodged once a response from Broadcast Australia was received. In order to lift the current night time landing restrictions at the Corryong Airport, it is necessary to light the high points of both Mt Elliot and Mt Mittamatite, so an application for airport lighting requires confirmation of the lighting for both mountain obstacles before it would be considered.

Upper Murray 2030 Vision Plan

Interviews with the three shortlisted consulting firms were held on 21 March. Following a period of consideration and exploration of referees for each consultant, a decision has been made to appoint Planisphere and the project will now commence.

Corryong Visitor Information Centre

In April the Visitor Information Centre (VIC) becomes the central ticketing venue for the Man from Snowy River Bush Festival (MFSRBF). This year the MFSRBF introduced on-line ticket sales, which added another dimension to ticket sales in the centre. A well thought through system of serving customers worked well, although as always there were a number of areas for improvement. The one thing that will increase our efficiency in coming years is having all volunteers trained in the use of SalesVu and this will be a focus for the VIC over the next 12 months. Once all volunteers are trained on SalesVu they will be able to take a much larger role in the sale of tickets, spreading the workload more evenly and ensuring that we can be responsive and flexible during peak periods.

Positive feedback has been received from Bush Festival representatives in relation to the assistance provided by Council staff and volunteers at the Visitor Information Centre as well as our outdoor staff who performed many functions during the Festival.

Feasibility Study of the Narrows Project

Entura (Hydro Tasmania) and VIVID Consulting (Alicia Power) have been engaged to undertake the project management and administration for the Narrows project. The first Steering Committee meeting was held on 17 April and is progressing well.

Our Valley, Our Future

Interviews with the shortlisted candidates for the position of Project Manager were undertaken on 28 March. It is expected that an appointment will be made in the coming weeks.

Corryong Saleyards

Initial discussions with Regional Development Victoria (RDV) indicated that there was potential to fund a planning study through the Putting Locals First – Planning stream, however RDV have now advised that they will not be funding any further saleyards projects through their funding programs. Other avenues for funding will be explored, however it may be necessary to fund this project directly.

Omeo Highway opening

The Omeo Highway was completed in mid-March and local resident feedback indicates that the volume of traffic on the road has increased threefold following the opening. The Mitta Valley Tourism Action Group (TAG) has created a touring route brochure to promote the area. Discussions are currently underway as to how Council can assist in promoting the touring route, which will likely include placing the brochure on the Towong Shire Corporate website and promoting through facebook, as well as providing support and advice regarding media exposure for the product.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Nil.

Risk Assessment:

Nil.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

The Economic Development area is making good progress in relation to the Council Plan.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

15 Councillor reports

16 Urgent business

17 Committee minutes

17.1 Roadsaf North East (Cr Scales)

The minutes of the meetings held 20 February 2014 (confirmed) and 20 March 2014 (unconfirmed) of the Roadsaf North East Community Road Safety Council Inc are attached at Appendix 6.

RECOMMENDATION:

THAT THE MINUTES OF THE MEETINGS HELD ON 20 FEBRUARY 2014 (CONFIRMED) AND 20 MARCH 2014 (UNCONFIRMED) BE NOTED.

17.2 Murray Darling Association (Cr Wortmann)

The unconfirmed minutes of the Murray Darling Association held on 21 February 2014 are attached at Appendix 7.

RECOMMENDATION:

THAT THE UNCONFIRMED MINUTES OF THE MURRAY DARLING ASSOCIATION BE NOTED.

17.3 Alliance of Councils and Shires of the Upper Murray (ACSUM) (Cr Joyce)

The unconfirmed minutes of the Alliance of Councils and Shires of the Upper Murray (ACSUM) held on 6 March 2014 are attached at Appendix 8.

RECOMMENDATION:

THAT THE UNCONFIRMED MINUTES OF THE ALLIANCE OF COUNCILS AND SHIRES OF THE UPPER MURRAY (ACSUM) BE NOTED.

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

The unconfirmed minutes of the meeting held on 6 March 2014 are attached at Appendix 9 for information.

RECOMMENDATION:

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

17.5 Upper Murray Business Inc [UMBI] (Cr Gadd)

The unconfirmed minutes from the UMBI General Meeting held on 8 April 2014 are attached at Appendix 10.

RECOMMENDATION:

THAT THE UNCONFIRMED UPPER MURRAY BUSINESS INC MINUTES BE NOTED.

17.6 Audit Committee (07/07/0010-CEO)

The unconfirmed minutes of the meetings held on 3 March 2014 (confirmed) are attached at Appendix 11 for information.

Recommendations from the meeting are tabled below:

Final Management Letter

MR HAYSEY
MR FAGENCE

THAT THE MANAGEMENT COMMENTS AND ACTIONS FOR ISSUES RAISED BY THE EXTERNAL AUDITOR IN THEIR MANAGEMENT LETTER ARE NOTED.

CARRIED

Internal control and internal audit

Internal Audit Plan

MR FAGENCE
CR FRASER OAM

THAT THE UNDERLYING PROGRESS REPORTS BE PROVIDED AS APPENDICIES AT FUTURE MEETINGS.

THAT EXPLANATIONS OF CHANGES TO RISK RATINGS BE PROVIDED TO COUNCIL FOR INFORMATION.

THAT THE REPORT BE NOTED.

CARRIED

Risk management

Risk Management Strategy and Action Plan

CR FRASER OAM
MR HAYSEY

THAT COUNCIL CONSIDER THE LEVEL OF REPORTING REQUIRED OF RISKS AT DEFINED LEVELS.

THE DOCUMENT BE PRESENTED FOR REVIEW TO THE AUDIT COMMITTEE AT THE JUNE 2014 MEETING.

CARRIED

Business Continuity

Human Resources Update

MR HAYSEY
MR FAGENCE

THAT THE VERBAL UPDATE ON HUMAN RESOURCES BE NOTED.

CARRIED

Compliance

Current or Potential Legal Actions

CR FRASER OAM
MR HAYSEY

THAT THE VERBAL UPDATE ON CURRENT OR POTENTIAL LEGAL ACTIONS BE NOTED.

CARRIED

Reporting and Other Responsibilities
VAGO Best Practice Reports

MR HAYSEY
MR FAGENCE

THAT THE REPORT BE NOTED.

THAT THE FOLLOWING ITEMS BE CONSIDERED FOR FUTURE REVIEW:

- THE AUDIT COMMITTEE CHARTER BE REVIEWED AGAINST RECOMMENDATIONS SHOWN IN FIGURE 6A (PG37)
- THE AUDIT COMMITTEE COMPARE THE RATING STRATEGY AGAINST THE CHECKLIST (6.4.1), FOLLOWED BY A REVIEW OF THE ROBUSTNESS OF THE INTERNAL CONTROLS (6.4.3).

CARRIED

Reports for Review

MR FAGENCE
CR FRASER OAM

THAT THE COUNCIL PLAN PRIORITIES AND MONTHLY FINANCE REPORTS BE NOTED.

CARRIED

Council Policies for Review

MR HAYSEY
MR FAGENCE

THAT THE AUDIT COMMITTEE CONSIDER THE FOLLOWING POLICIES AND PROVIDE ANY FEEDBACK TO COUNCIL:

- ASSET MANAGEMENT
- COUNCILLOR CORRESPONDENCE
- COUNCILLOR RESOURCES
- DISABLED ACCESS
- DISABILITY ACCESS FUNDING

- DISCRIMINATION AND WORKPLACE SEXUAL HARASSMENT
- EMPLOYEE CODE OF CONDUCT
- EMPLOYEE RECOGNITION
- FLEXI TIME POLICY
- FLORAL AND MEMENTO DISPLAYS AT CORRYONG CEMETERY
- HUMAN RIGHTS
- INVESTMENT
- ISSUE RESOLUTION
- NO SMOKING
- PRIVACY
- PROCUREMENT
- RENEWABLE ENERGY AND DEVELOPMENT
- STOCK GRID
- TEMPORARY ROAD CLOSURE
- TOWN ENTRANCE SIGNAGE
- YOUNG PERSON AWARD

THE AUDIT COMMITTEE HAS REVIEWED THE FOLLOWING POLICIES SINCE DECEMBER 2013:

- CONFLICT OF INTEREST GUIDELINES FOR PLANNING STAFF
- OCCUPATIONAL HEALTH AND SAFETY COMMITTEE CONSTITUTION
- OCCUPATIONAL HEALTH AND SAFETY
- TREE

CARRIED

Tenders underway or awarded

MR HAYSEY
MR FAGENCE

THAT THE TENDERS UNDERWAY AND AWARDED BE NOTED.

CARRIED

Annual Self Assessment

MR FAGENCE
MR HAYSEY

THAT THE REPORT BE NOTED.

THAT THE SCOPE OF EXTERNAL AUDIT AND RECOMMENDATIONS BE
PROVIDED TO THE AUDIT COMMITTEE OUT OF SESSION.

CARRIED

General Business and Correspondence

Audit Committee Membership

MR FAGENCE
CR FRASER OAM

THAT THANKS BE GIVEN TO MR HAYSEY FOR THE TIME, EFFORT AND SERVICE
TO THE TOWONG SHIRE COUNCIL AUDIT COMMITTEE.

CARRIED

RECOMMENDATION:

**THAT THE UNCONFIRMED MINUTES OF THE AUDIT COMMITTEE MEETING
HELD ON 3 MARCH 2014 BE NOTED AND RECOMMENDATIONS BE ADOPTED.**

17.7 Rural Councils Victoria (CEO)

The unconfirmed minutes of the meeting held on 11 April 2014 are attached at
Appendix 12 for information.

RECOMMENDATION:

THAT THE UNCONFIRMED RURAL COUNCILS VICTORIA MINUTES BE NOTED.

18 Occupational health and safety

18.1 Occupational Health and Safety Report (06/04/0212-DCCS)

Disclosure of Interests (S.80C):

This report was prepared by Mr Wayne Carter, Occupational Health and Safety Officer.

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

Background/History:

This report is a bi-monthly progress report on Occupational Health and Safety (OHS) activities that we are delivering throughout the organisation.

Key areas for noting are as follows:

OHS Plan

The OHS Plan continues to be developed and will allow us to capture and monitor the progress of all OHS items being addressed as the OHS Management System is progressively developed and implemented.

WorkCover

WorkCover claims and Return to Work plans are being managed internally by the OHS Officer. There are currently two claims and these are being actively managed.

Echelon Audit Action Plan

In November/December 2011, Echelon Australia was commissioned by Towong Shire Council to conduct an audit on the Council's current level of alignment with Australian Standard 4801 (requirements for implementing a Occupational Health and Safety Management System) and the Work Health and Safety Act.

An Action Plan was developed to address the identified improvement opportunities. Since the last report improvements have been made to Council's OHS documentation, facilities and event risk assessment processes and addressing hearing protection requirements.

The status of these actions at 31 March 2014 was:

Risk Rating	High	Medium	Low	Total
Total Recommendations – Original Risk rating	13	81	28	122
Total Recommendations – Revised Risk Rating	11 ¹	82 ²	29	122
Recommendations addressed / completed	11	39	16	66
% complete	100%	48%	55%	54%
% complete (last report)	100%	38%	46%	46%
Recommendations remaining to be addressed	0	43	13	56 ³

Notes:

1. Reassessed two risks originally rated as High to Medium – both items related to a specific road maintenance task and the signage being used. Further training has been undertaken.
2. Reassessed one risk originally rated as Medium to Low – action required to “Develop and Implement Procedure for OHS information distribution and document control” – reassessed as a Low risk, as there is currently paperwork which covers some information distribution and document control
3. A large number of remaining items refer to current Policies and documents which are due for review throughout 2014.

Safety Improvement Plans – Tallangatta and Corryong Pools

At the request of Council, Life Saving Victoria conducted Aquatic Facility Safety Assessments of the Corryong and Tallangatta Pools on 4 November 2011. The Assessments identified gaps between the Royal Life Saving Society of Australia (RLSSA) Guidelines for Safe Pool Operation and our current pool operations.

A number of best practice actions were recommended to bring operations at both pools more in line with the RLSSA Guidelines.

At 31 March 2014, the following recommendations have been completed:

	Corryong				Tallangatta			
	High	Medium	Low	Total	High	Medium	Low	Total
Total Recommendations with Revised Risk Rating	13	39	18	70	14	49	9	72
Recommendations addressed / completed	13	36	15	64	14	45	6	65
% complete	100%	92%	83%	91%	100%	92%	67%	90%
% complete (last report)	100%	74%	24%	66%	100%	85%	40%	82%
<i>Recommendations remaining to be addressed</i>	0	3	3	6 ¹	0	4	3	7 ¹

Notes:

1. Remaining items are to be addressed during the off-season.

Impact on Council Policy:

Nil.

State Government Policy Impacts:

Nil.

Budget Impact:

Recommendations from the Echelon Audit and the Swimming Pool Safety Improvement Plans are still being addressed and implemented where appropriate. These actions may impact on future year budgets.

Risk Assessment:

All recommendations rated High have been addressed. Lower risk recommendations are continuing to be addressed.

Community Consultation/Responses:

Nil.

Discussion/Officers View:

It is the Officer's view that Council has made steady progress in addressing items in the Echelon Audit Action Plan and the Safety Improvement Plans for both Pools.

RECOMMENDATION:

THAT THE REPORT BE NOTED.

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

The following policies were tabled for review at the 4 March 2014 Council meeting and are presented at Appendix 13 for adoption. Please note that recommended changes are shown in colour.

- Asset Management (DTS)
- Councillor Correspondence (DCCS)
- Employee Recognition (DCCS)
- Flexi Time (DCCS)
- Human Rights (DCCS)
- Issue Resolution (DCCS)
- Procurement (DCCS)

RECOMMENDATION:

THAT THE FOLLOWING POLICIES AS AMENDED BE ADOPTED:

- **ASSET MANAGEMENT**
- **COUNCILLOR CORRESPONDENCE**
- **EMPLOYEE RECOGNITION**
- **FLEXI TIME**
- **HUMAN RIGHTS**
- **ISSUE RESOLUTION**
- **PROCUREMENT**

The following policy is attached at Appendix 14 for review. Councillors are requested to provide feedback on the policy to the Director Community and Corporate Services by 3 June 2014.

- Privacy (DCCS)

20 Sealing of documents

Nil.

21 Confidential

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

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

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

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

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

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

RECOMMENDATION:

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

21.1 Consideration of tender - Design and construction of bridge to replace existing twin cell box culvert on Jarvis Creek Road over Dan's Creek, Old Tallangatta (2013/14 – 06 -DTS)

21.2 Consideration of tender - Design and construction of replacement bridge at Cudgewa North Road bridge over Stoney Creek, Cudgewa North (2013/14 – 05 – DTS)

21.3 Consideration of Tender – New Purchase of a side loader kerbside collection truck with 18m³ capacity compactor (DTS)

21.4 CEO Performance Review (Mayor)