



AGENDA

Ordinary Meeting of Council

9:30am Wednesday 29 September 2021

VENUE:

Council Chambers

Yarriambiack Shire Council

34 Lyle Street, Warracknabeal Vic 3393

Next Meeting

Wednesday 27 October 2021

Copies of the Yarriambiack Shire Council's Agendas and Minutes
can be obtained online at www.yarriambiack.vic.gov.au

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OUR VISION:

In consultation with our community, Yarriambiack Shire Council aims to provide a viable, sustainable, and vibrant future.

OUR VALUES:

Customer Service

- treat our customers with courtesy and respect.
- lead and develop leadership within our community.
- constantly strive to improve our services.
- forge closer relationships with customers.
- investigate matters thoroughly and objectively and keep our customers informed, in plain language, about the process and outcome.
- treat people fairly, with respect and have proper regard for their rights.
- make decisions lawfully, fairly, impartially and in the public interest.
- we are honest, trustworthy, reliable, transparent, and accountable in our dealings.
- we are careful, conscientious, and diligent.
- use public resources economically and efficiently.
- actively pursue positive outcomes for the community

CONTINUOUS IMPROVEMENT:

Continuous Improvement We drive continuous and sustainable improvement in service provision, operational efficiency, and stakeholder relations to create a leading organisation.

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1 WELCOME

2 ACKNOWLEDGEMENT AND PRAYER

Cr G Massey to open the meeting at 9:30am by acknowledging the Indigenous Community and offering the opening prayer.

Acknowledging Traditional Owners

'I would like to acknowledge that this meeting is being held on the traditional lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk people, and I pay respects to their Elders, both past, present and emerging'.

Prayer

Almighty God, without whom no Council can stand, nor anything prosper we ask that you be present and guide us in our deliberations today. We pray that we will be fair in our judgements and wise in our actions and that decisions will be made with goodwill and a clear conscience for the betterment and welfare of the people of Yarriambiack Shire.

Amen

3 PRESENT

Joel Turner - Manager Operations

4 APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE

Michael Evans – Director Asset & Operations

5 CONFIRMATION OF MINUTES

5.1 Minutes of the Ordinary Council Meeting of 25 August 2021

Minutes of the ordinary Council Meeting held on Wednesday 25 August 2021 be taken as an accurate record and confirmed.

Recommendation:

That the minutes of the Ordinary Meeting of Council held on Wednesday 25 August 2021, as circulated be taken as read and confirmed.

5.2 Minutes of the Closed Council Meeting of 25 August 2021

Minutes of the Closed Council Meeting held on Wednesday 25 August 2021 be taken as an accurate record and confirmed

Recommendation:

That the minutes of the Closed Council Meeting of Council held on Wednesday 25 August 2021, as circulated, be taken as read and confirmed.

6 DECLARATION OF CONFLICT OF INTEREST

Pursuant to Division 2 – Conflict of Interest, of the *Local Government Act 2020* general and material conflict of interest must be declared prior to debate on specific items within the agenda; or in writing to the Chief Executive Officer before the meeting.

A Councillor who has declared a conflict of interest in respect of a matter must;

- a) Disclose the conflict of interest in the manner required by the Yarriambiack Shire Council Governance Rules.
- b) Exclude themselves from the decision-making process in relation to that matter, including any discussion or votes on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

General conflict of interest is if a relevant person has an interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty

- a) *Private interests* mean any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.
- b) *Public duty* means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person.

Material conflict of interest is if a relevant person has an interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter

- a) The benefit or loss incurred may be directly or indirectly

OR

- b) In a pecuniary or non-pecuniary form.

Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

7 BUSINESS ARISING

7.1 Business arising from previous Minutes

7.2 Ongoing and Pending Action List

Council Meeting	Recommendation Action	Action Taken
Council Forum 8 September 2021	That Council write to Jaala Pulford to amend the previously requested arrangements for the Melbourne Cup public holiday.	Letter sent to Jaala Pulford 9/9/2021

8 PETITIONS

Nil

9 CORRESPONDENCE

9.1 Letter from Minister of Transport

Response letter received from The Hon Ben Carroll MP, Minister for Public Transport, Minister for Roads and Road Safety to a motion made at Council meeting 23 June 2021 to send a letter regarding Road works undertaken across the Yarriambiack Shire Council

Attachment: [Response Letter](#)

9.2 Letter from Hon Jaala Pulford MP

Response letter received from the Hon Jaala Pulford MP, Minister for Small Business, to revise previous letter sent on 9 September 2021 requesting changes made to previous request of public holiday arrangements for towns within the Yarriambiack Shire Council in lieu of Melbourne Cup full day public holiday.

Attachment: [Response Letter including notice Gazetted](#)

10 SPECIAL COMMITTEES

10.1 Audit and Risk Meeting 27 September 2021

Minutes to be Tabled

9 September 2021

The Hon Jaala Pulford
Minister for Small Business
Level 20
1 Spring Street
MELBOURNE Vic 3000
jaala.pulford@parliament.vic.gov.au

To The Hon Jaala Pulford

Re: Change to Public Holiday arrangements (Melbourne Cup Day and Local Show Days)

In respect to the above subject matter, I sent a letter to your office (dated 26 July) requesting public holiday arrangements for towns within the Yarriambiack Shire Council. Unfortunately, with the uncertainty of changing COVID-19 restrictions the local A & P Society's have met and made the tough decisions to cancel the Shows for 2021.

Therefore, Councillors respectfully request our original requests of a half day Melbourne Cup Day holiday and the other half day public holiday utilised for the local Show Days in 2021 be altered to reflect a full day public holiday for Melbourne Cup Day 2021 for all applicable businesses in the Yarriambiack Shire Council.

I trust that the above information is acceptable but if you require any further information or clarification please do not hesitate to contact me directly.

Yours Sincerely



Jessie Holmes
Chief Executive Officer



The Hon Ben Carroll MP

Minister for Public Transport
Minister for Roads and Road Safety

1 Spring Street
Melbourne Victoria 3000
Telephone: +61 3 9095 4301
DX210292

Ref: CMIN-1-21-10073

Ms Jessie Holmes
Chief Executive Officer
Yarriambiack Shire Council
PO Box 243
WARRACKNABEAL VIC 3393
info@yarriambiack.vic.gov.au

Dear Ms Holmes

Thank you for your correspondence of 30 June 2021 about recent roadworks undertaken by Regional Roads Victoria (RRV) in the Yarriambiack Shire.

The Victorian Government acknowledges maintenance is a critical part of the smooth running of Victoria's road network. A well-maintained network supports safer and more reliable journeys for all road users, particularly in rural areas.

The Victorian Government will continue to make the necessary investments to maintain, improve and expand Victoria's regional road network. This more recently has included road rehabilitation, asphalt resurfacing and routine maintenance works on the Wimmera Highway and other locations across Yarriambiack Shire.

In the 2021-2022 maintenance season, the Victorian Government through RRV will continue to deliver key maintenance treatments on a network of 4000+ kilometres of roads throughout the Grampians region.

I look forward to continuing the strong relationship with Yarriambiack Shire Council and appreciate your support.

Thank you again for raising this matter with me.

Yours sincerely

The Hon Ben Carroll MP
Minister for Public Transport
Minister for Roads and Road Safety
Date: 14/09/2021



Hon Jaala Pulford MP

Minister for Employment
Minister for Innovation, Medical Research
and the Digital Economy
Minister for Resources
Minister for Small Business

GPO Box 4509
Melbourne, Victoria 3001 Australia
Telephone: +61 3 839 26006
DX 210477

Ref: CMIN-2-21-11903

Ms Jessie Holmes
Chief Executive Officer
Yarriambiack Shire Council
PO Box 243
WARRACKNABEAL VIC 3393
By email: JHolmes@yarriambiack.vic.gov.au

Dear Ms Holmes

Thank you for your letter dated 30 August 2021 requesting for a full-day public holiday for Melbourne Cup Day 2021 in lieu of the council's request on 26 July 2021 for substitute public holiday arrangements.

The Victorian Government certainly appreciates the impact and uncertainties the COVID-19 pandemic has brought, creating challenges for event planning across Victoria.

I have made a declaration in the Victorian Government Gazette that 1 October 2021 is not a full-day public holiday for the township of Murtoa and district in Yarriambiack Shire. Additionally, 7 October 2021 and 2 November 2021 are not half-day public holidays for the township of Warracknabeal and district in Yarriambiack Shire.

As a substitute for these days, 2 November 2021 is appointed a full-day public holiday for Melbourne Cup Day 2021 for the townships of Murtoa and district, and Warracknabeal and district, in Yarriambiack Shire.

A copy of the notice has been attached for your records.

If you require further information, please contact Ylva Carosone, Executive Director, Small Business Victoria at the Department of Jobs, Precincts and Regions on 0418 985 653 or at ylva.carosone@ecodev.vic.gov.au.

Yours sincerely

Hon Jaala Pulford MP
Minister for Small Business

22 / 09 / 21

In this Interim Prohibition Order ‘general health service’ and ‘general health service provider’ have the same meaning as in section 3 of the **Health Complaints Act 2016**.

This Interim Prohibition Order takes effect on the service of the order on the general health service provider to whom it applies.

This Order will be published in the Victoria Government Gazette and on the internet site of the Health Complaints Commissioner, www.hcc.vic.gov.au

KAREN CUSACK
Health Complaints Commissioner

HERITAGE
VICTORIA
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VICTORIA

Heritage Act 2017

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 2017**, I give notice under section 53 that the Victorian Heritage Register is amended by modifying a place in the Heritage Register:

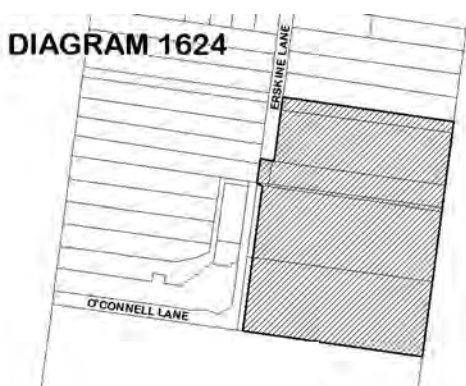
Number: H1624

Category: Registered Place

Place: Carlton Gardens Primary School

Location: 201–231 Rathdowne Street, Carlton
Municipality: Melbourne City

All of the place shown hatched on Diagram 1624 encompassing all of Lots 1 and 2 on Title Plan 572091, all of Lots 1 and 2 on Title Plan 624317, all of Lot 1 on Title Plan 551363, and all of Lots 1 and 2 on Title Plan 836240.



Dated 23 September 2021

STEVEN AVERY
Executive Director

HERITAGE
VICTORIA
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HERITAGE
VICTORIA

Heritage Act 2017

CORRECTION TO NOTICE OF REGISTRATION

The notice printed in Victoria Government Gazette G 33 14 August 2014 incorrectly stated the Category of Registration of H0301 Purumbete as: Heritage Place. The correct Category for Registration is: Heritage Place and a Registered Archaeological Place.

Dated 23 September 2021

STEVEN AVERY
Executive Director

Public Holidays Act 1993

I, Hon. Jaala Pulford MP, Minister for Small Business, under section 8 of the **Public Holidays Act 1993**, declare –

- 1 October 2021 is not a full day public holiday for the township of Murtoa and district in Yarriambiack Shire.
- 7 October 2021 is not a half day public holiday for the township of Warracknabeal and district in Yarriambiack Shire.
- 2 November 2021 is not a half day public holiday for the township of Warracknabeal and district in Yarriambiack Shire.
- 2 November 2021 is a full day public holiday for the township of Murtoa and district in Yarriambiack Shire.
- 2 November 2021 is a full day public holiday for the township of Warracknabeal and district in Yarriambiack Shire.

Dated 21 September 2021

HON. JAALA PULFORD MP
Minister for Small Business

11 ACTIVITY REPORTS

11.1 Mayor's Report

Prepared by Graeme Massey

25 August	Attended Council Meeting via ZOOM
	Attended CEO Annual Review via ZOOM
3 September	Attended DOT & Rural Roads via ZOOM
8 September	Attended Council Forum via ZOOM
9 September	Attended Local Government Victoria (LGV) Briefing via ZOOM
14 September	Attended Warracknabeal Action Group (WAG) Meeting via ZOOM
17 September	Attended meeting with Ali Cupper regarding rates relief proposal via TEAMS
27 September	Attended YSC Audit & Risk Committee Meeting

11.2 Councillor's Reports**Cr A McLean**

31 August Attended Sunraysia Highway Improvement Committee Meeting via ZOOM

8 September Attended Council Forum via ZOOM

Cr T Hamilton

8 September Attended Council Forum via ZOOM

9 September Attended Stick Shed Meeting

13 September Attended Rupanyup Progress Meeting

15 September Attended Lubeck Memorial Hall Annual Meeting

15 September Chaired Lubeck Parks (Cricket oval) Committee of Management Tri Annual Meeting

16 September Attended Murtoa Big Weekend Meeting

21 September Attended Murtoa progress Annual Meeting

Cr K Zanker

17 August Attended Chaplaincy Meeting

25 August Attended CEO Review

8 September Attended Council Forum via ZOOM

9 September Attended Rural Financial Counselling General Meeting via ZOOM

14 September Attended Wimmera Mallee Tourism Meeting via ZOOM

16 September Attended Rural Financial Counselling Services General Meeting

17 September Attended Rural Financial Counselling Services Strategic Planning Session in Mildura

23 September Attended Volunteer Meeting regarding volunteers / COVID responses

Cr C Lehmann

8 September Attended Council Forum via ZOOM

Cr C Heintze

2 September Attended Grampians Central West Waste and Resource Recovery Group (GCWWRRG) Annual Budget and Planning review via ZOOM

6 September Attended Grampians Central West Waste and Resource Recovery Group (GCWWRRG) Implementation Meeting via ZOOM

8 September Attended Council Forum via ZOOM

9 September Grampians Central West Waste and Resource Recovery Group (GCWWRRG) Executive Officer update via ZOOM

13 September Attended Rupanyup Progress Meeting via ZOOM

Cr K Kirk

8 September Attended Council Forum via ZOOM

14 September Attended Wimmera Development Association (WDA) Meeting via ZOOM

29 September Attended Council Meeting

11.3 Chief Executive Officer Report

Prepared by Jessie Holmes

26 August	NBN Briefing for regional roll out Local Government Victoria COVID CEO Update
27 August	WDA Constitution and MOU Discussions
30 August	LGV Community Loan Scheme Inception Meeting
1 September	DJPR and MAV CEO Forum Planning Reforms CEO Update Rural Council Transformation Fund Opportunity meeting
2 September	WDA Drought Resilience Project
3 September	Department of Transport Liaison meeting
6 September	Conducted BY5 Coordinator interviews on behalf of WDA
7 September	Mallee Silo Art Project Control Group
8 September	Council Forum MAV Emergency management forum
9 September	Wimmera Southern Mallee RP Check in Wimmera Regional CEO Meeting Covid Fire preparedness meeting with COVID em
11 September	Covid regional outbreak relief update Department of Health Local Government Communications Forum
14 September	DEWLP Public Land Meeting Digital jobs discussion with Hudsons
15 September	MAV CEO Forum Rates judgement – Horsham Magistrates Court Regional Partnership Visitor Economy PCG
17 September	Mayor and CEO participated in Member Cupper Rate Discussion LG Pro CEO Forum
20 September	On site planning discussion D Symes
21 September	Murtoa Progress AGM
23 September	Wimmera Southern Mallee Housing PCG Meeting DJPR LG Forum

12 REPORTS FOR DECISION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

12.1 Rupanyup Land Transfer

Prepared by Jessie Holmes

SUMMARY

A request for Council to approve the consultation on a transfer of land in Gibson Street, Rupanyup for the purpose of development of housing to the Rupanyup Future Fund. On title of the proposed subdivision, an allotment, with services, will be returned to Yarriambiack Shire Council for Community Housing purposes.

RECOMMENDATION

That Council:

- 1) Consult with the community utilising the Community Engagement Policy on the transfer of the land known as Lot 4 Plan of Subdivision 4121665 (Gibson Street) to Rupanyup Future Fund for the purpose of creating appropriate housing stock.
- 2) That the transfer of land require one allotment created in the proposed subdivision to be titled, with services connected, to Yarriambiack Shire Council for the purpose of Community Housing.
- 3) That any financial gain from the development of the property by the Rupanyup Future Fund be allocated for community purpose.

ATTACHMENTS

[Attachment 1: Valuation Report Lot 4, Gibson Street, Rupanyup](#)

DISCUSSION

The issue of housing has been raised on multiple occasions across our communities with challenges including:

- A minimal amount of suitably zoned land for housing development
- A shortage of housing for sale or rent
- A shortage of affordable housing for downsizing
- A shortage of domestic builders
- A shortage of executive homes to attract workforce segments.

Many communities require a range of interventions in their housing markets to ensure adequate supply to meet the needs of their demographics.

Wimmera Development Association finalised their housing strategy in 2020 with a range of recommendations on addressing the above challenges.

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As a result of community consultation and the WDA Housing Strategy, Council has embarked on an ambitious intervention in to the Yarriambiack Housing market to attempt to address some of the varied challenges.

In addition to partnering with DEWLP and WDA through the Housing Taskforce, Council is pursuing funds form the Big Build to develop an additional 14 Affordable dwellings across five communities.

Rupanyup Action Group and a number of interested parties from the Rupanyup community have identified an opportunity to develop a large parcel of land in to suitable housing blocks for the purpose of building executive style housing.

Initial discussion on the site proposed were that there would be a number of challenges with the property frontage being a Road Zone Category 1, so an alternate location was identified.

The land identified was Lot 4 Plan of Subdivision 4121665 (Gibson Street) which is owned by Yarriambiack Shire Council.

A valuation was undertaken on the land and it has been valued at \$79,000 as per the attached report. The land currently has the opportunity to connect to power, water and sewer but is not tapped in.

The proposal from the community is that funds from the RMFG be utilised in creating the Rupanyup Future Fund for the purpose of subdividing the block in to eight Lots, 20m by 60m for the purpose of sale to build executive style housing. A caveat would eb placed on the titles to ensure they were designed appropriately.

On title of the subdivision, Lot 8 would be gifted back to Yarriambiack, fully serviced, for the purpose of community housing dwellings.

Any profit from the sale of the blocks would be used for the Rupanyup Future Fund to advance community objectives.

Before the sale of Council owned land, a land valuation is required and must be valid within six months of a Council decision. In additional Council is required to use deliberative engagement as per our adopted Community Engagement Policy to seek the views of the Yarriambiack community in relation to the appropriate exchange of land for financial gain or community purpose.

RELEVANT LAW

Local Government Act 2020

Land Act 1958

COUNCIL PLANS AND POLICIES

Council Plan Strategic Objective 4: A Planned Future

Council Plan Strategic Objective 4.1: Strong and diverse local economy.

RELATED COUNCIL DECISIONS

Not Applicable

OPTIONS

Option 1:

That Council put the identified land to the public market for sale.

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Option 2:

That Council develop the land for the purpose of subdivision and sale.

Option 3:

That Council retain ownership of the land and undertake no developments.

SUSTAINABILITY IMPLICATIONS

Economic: Not applicable

Social: The opportunity to provide appropriately located and well designed, service land for housing to ensure the community can build adequate executive housing stock with minimal intervention by Council following transfer of the land is a significant social benefit as identified in the Rupanyup Community Action Plan and in line with wider housing commitments in the Yarriambiack Council Plan 2021-2025.

Environmental: Not Applicable

Climate change: The land is currently vacant with an open drain traversing through the eastern end. The development of the blocks will consider appropriate drainage whilst also ensuring adequate building envelopes and housing designs that consider 6 star plus energy rating.

Financial: The land is valued at \$79,000 and could be put to the market for sale. However, this could result in the underutilisation of the land. The opportunity for the land to be subdivided, serviced appropriately and be made available offers a range of benefits including:

- Use of Rupanyup Minyip Finance Group funding to develop the blocks appropriately with electricity, water and sewerage connections
- Orderly planning of the land to ensure consideration for the open drainage
- Council will receive one of the proposed subdivided blocks, serviced, for the purpose of building community affordable housing stock in a central location.

The land once subdivided and sold, will see rates levied against up to seven blocks.

Any profit from the sale of land will be reinvested in to the community for future planning and development.

COMMUNITY ENGAGEMENT

The community has raised the need for more affordable housing in the Rupanyup Community as well as support for executive style housing to address shortages for teachers, paramedics and other health staff. The original proposed site for community housing was not endorsed by the community so the alternative Gibson location was discussed. Meetings with a range of community members has seen the proactive formation, utilising RMFG seed funding, of Rupanyup Future Fun as a vehicle to develop housing land for the community.

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GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)		Status
Does this Council report recommendation Introduce a new policy, program and/or service; or Is it a review of a policy, program and/or service; that directly and significantly impacts the public?		YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment		GIA – Not Applicable

RISK

Utilising the Risk Management Framework the following assessment has been made:

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Political Risk - Residual Risk Level Low	Risk of reduced community involvement in the delivery of quality affordable housing stock.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Wimmera Development Association Housing Strategy 2020

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

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National Property Consultants

Preston Rowe Paterson is one of Australia's most experienced and well-regarded property services companies with expertise across the full spectrum of property classes.

Specialising in valuation, advisory and property management, we provide value added and risk adverse solutions to a wide range of property decision makers including; owners, investors and tenants.

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Our services include:

- ☐ Real Estate investment valuation
- ☐ Real Estate development valuation
- ☐ Property consultancy and advisory
- ☐ Transaction advisory
- ☐ Property and asset management
- ☐ Listed fund, property trust advisors
- ☐ Super fund and syndicate advisors
- ☐ Plant and machinery valuation
- ☐ General insurance valuation
- ☐ Property market research

Preston Rowe Paterson is a growing and sustainable national business that harnesses the energy of local ownership that ensures expert local knowledge in all the areas we operate in.



Preston Rowe Paterson Horsham & Wimmera Pty Ltd

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Directors

Ben Sawyer Certified Practicing Valuer AAPI Reg 63163

M 0429 826 541

E ben.sawyer@prp.com.au

Valuation Summary

This Executive Summary must be read in context of and in conjunction with the full valuation report of which this Executive Summary forms part. All comments, terms and conditions contained in the full valuation report relate directly to this Executive Summary.

All investigations have been conducted independently and without influence from a third party in any way.

The Valuer/firm (in addition to the principal valuer) has no Potential Conflict of Interest or Pecuniary Interest (real or perceived) relating to the subject property.

This valuation has been carried out in accordance with the Royal Institution of Chartered Surveyors (RICS) Red Book valuation professional standards and/or the Australian Property Institute (API) 'Professional Practice' guidance notes.



Property Address:	Lot 4 PS412166S, Gibson Street, Rupanyup VIC 3388
Assessment Number:	7383
Real Property Description:	Lot 4 PS412166S
Instructing Party / Client:	Chantelle Pitt Yarriambiack Shire Council 34 Lyle Street Warracknabeal VIC 3393
Instructions:	To determine the 'As Is' Market Value of the subject property
Interest Assessed:	Fee simple unencumbered freehold
Purpose of Assessment:	Consultancy purposes and for no other purpose

Date of Instruction: 10/08/2021

Date of Inspection: 17/08/2021

Relevant Date: 17/08/2021

Property Type: Vacant residential land

Land Area:	PARCEL	SIZE
	Lot 4 PS412166S	1.056 ha

Zoning: Township Zone (TZ) – Yarriambiack Shire Council Planning Scheme

Occupancy: Vacant land

Comments: The subject property comprises a mostly rectangular-shaped 1.056 ha vacant Township Zone allotment situated approximately 300 metres east from the Rupanyup post office in a mixed use area on the northern side of Gibson Street. The Rupanyup football oval is located effectively opposite the subject to the south.

The allotment is predominantly cleared and has sealed road access but has no kerbing or footpaths. The allotment is unfenced on the eastern and western boundaries and has basic ag-style fencing along the northern boundary. All usual services are available for connection. We note that there is a drain running through the allotment.

Market Value 'As Is': We are of the opinion that the **Market Value 'As Is'** of **Lot 4 PS412166S, Gibson Street, Rupanyup VIC 3388** as at the date of valuation is in the sum of:-

\$75,000 (Seventy-Five Thousand Dollars) excluding GST and subject to Vacant Possession

- We assume that information provided by the Instructing Party is correct and not misleading towards forming an understanding of the property for the purposes of this valuation;
- We assume that the property is unaffected by any road resumption proposals;
- The above land area has been taken from the Plan of Subdivision, which is replicated in Appendix C. Should a formal survey reveal otherwise, we reserve the right to reconsider our valuation herein;
- We assume that the subject site as inspected is within Title boundaries and there are no encroachment issues;
- We assume that the property is free from any contamination issues.

Valuer:



Signature of Valuer: on behalf of
**Preston Rowe Paterson Horsham & Wimmera
Pty Ltd**
Tyler Neville
Certified Practising Valuer AAPI Reg. 105391



Signature of Check Valuer/Director:
**Preston Rowe Paterson Horsham & Wimmera
Pty Ltd**
Ben Sawyer, Director
Certified Practising Valuer AAPI Reg. 63163

Reliance on this report should only be taken upon sighting the original document that has been signed by the Inspecting Valuer who has undertaken the valuation. The Counter Signatory or Director has read this report and verifies that the report is genuine and is endorsed by Preston Rowe Paterson Horsham & Wimmera Pty Ltd. The Counter Signatory or Director has not inspected the property or the comparable sales and/or rental evidence amongst other things. The opinion of value expressed herein has been solely arrived at by the Valuer who undertook the inspection and prepared the valuation report.

Appendix A Photographs



Appendix B Sales Evidence and Calculations

Lot 36 LP9711, McIntosh Avenue, Rupanyup VIC 3388



Sale Price:

\$39,000

Sale Date:

02/07/2021

Land Area / Rate:

1,012 sqm / \$39 per sqm

Description: Comprises a vacant rectangular-shaped Township Zone allotment of 1,012 sqm. Gravel road access. All usual services available for connection.

Comparison to Subject Property: Smaller allotment. Comparable location with inferior access. Higher rate per sqm due to the smaller size of the allotment.

104 Cromie Street, Rupanyup VIC 3388



Sale Price:

\$25,000

Sale Date:

20/04/2021

Land Area / Rate:

1,394 sqm / \$18 per sqm

Description: Comprises a vacant rectangular-shaped Township Zone allotment of 1,394 sqm. Located at the end of a sealed road. All usual services available for connection.

Comparison to Subject Property: Smaller allotment. Comparable location with inferior access. Higher rate per sqm due to the smaller size of the allotment.

Lot 31 LP9711, McIntosh Avenue, Rupanyup VIC 3388**Sale Price:**

\$25,000

Sale Date:

14/04/2021

Land Area / Rate:

1,012 sqm / \$25 per sqm

Description: Comprises a vacant rectangular-shaped Township Zone allotment of 1,012 sqm. Gravel road access. All usual services available for connection.

Comparison to Subject Property: Smaller allotment. Comparable location with inferior access. Higher rate per sqm due to the smaller size of the allotment.

24 Mill Street, Minyip VIC 3392**Sale Price:**

\$35,000

Sale Date:

25/06/2021

Land Area / Rate:

1,929 sqm / \$18 per sqm

Description: Comprises a vacant, almost rectangular-shaped Township Zone allotment of 1,929 sqm. Sealed and gravel road access. All usual services available for connection.

Comparison to Subject Property: Smaller allotment. Comparable location. Higher rate per sqm due to the smaller size of the allotment.

Lot A RP018413, Anderson Street, Warracknabeal VIC 3393**Sale Price:**

\$111,500

Sale Date:

26/03/2021

Land Area / Rate:

9,838 sqm / \$11 per sqm

Description: Comprises a vacant irregular-shaped Township Zone allotment of 9,838 sqm. There is some timber on the northern portion of the allotment. Dual sealed road access. All usual services available for connection. Irregular shape may make the allotment difficult to develop.

Comparison to Subject Property: Smaller allotment. Superior location within the larger township of Warracknabeal. Higher rate per sqm due to the superior location.

Calculations:

COMPONENT			
Lot 4 PS412166	10,560 sqm @	\$7.00 per sqm	\$73,920
For practical valuation purposes adopt			\$75,000

Appendix C Certificate of Title and Plan of Subdivision

AS133026L_10405.366
 Department of Environment, Land, Water and Planning

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REGISTRATION CONFIRMATION STATEMENT

Produced: 02/05/2019 02:36:14 PM

VOLUME 10405 FOLIO 366

LAND DESCRIPTION

 Lot 4 on Plan of Subdivision 412166S.
 PARENT TITLES :
 Volume 09795 Folio 284 Volume 10330 Folio 321
 Created by instrument PS412166S 07/10/1998

REGISTERED PROPRIETOR

 Estate Fee Simple
 Sole Proprietor
 YARRIAMBIAK SHIRE COUNCIL of 34 LYLE STREET WARRACKNABEAL VIC 3393
 AS131445A 02/05/2019

ENCUMBRANCES, CAVEATS AND NOTICES

 Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

 SEE PS412166S FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AS131445A	RECTIFY PROPRIETORSHIP	Registered	02/05/2019
AS131497E	RECTIFY PROP. DERIVATION	Registered	02/05/2019

AS133026L AS133026L_10405.366
AMEND pCT TO eCT Registered 02/05/2019

Additional information:

Street Address: GIBSON STREET RUPANYUP VIC 3388

ADMINISTRATIVE NOTICES

NIL

eCT Control 09900L YARRIAMBIACK SHIRE COUNCIL
Effective from 02/05/2019

DOCUMENT END

Lodgement No: 4888213
Email:
Customer Code: 00035D
Customer Name: REGISTRAR OF TITLES

LAND USE VICTORIA, 2 Lonsdale Street Melbourne Victoria 3000
GPO Box 527 Melbourne VIC 3001, DX 250639
Telephone: (03) 9194 0601 Facsimile 9194 0616
ABN 90 719 052 204

PLAN OF SUBDIVISION		STAGE No. NOT APPLICABLE	LTO USE ONLY EDITION	PLAN NUMBER PS 412166 S
LOCATION OF LAND PARISH: LALLAT TOWNSHIP: ----- SECTION: ----- CROWN ALLOTMENT: 11(PT) CROWN PORTION: ----- LTO BASE RECORD: DCHB DUMMUNKL SHI TITLE REFERENCE: VOL 9795 FOL 284 VOL 10330 FOL 321 LAST PLAN REFERENCE: LOT 2 PS 403913 G POSTAL ADDRESS: (At time of Subdivision) GIBSON ST, RUPANYUP AMG Co-ordinates E 646 100 (of approx centre of land in plan) N 5 945 200 ZONE 54		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: YARRIAMBIACK SHIRE REF: 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988 Date of original certification under Section 6 / / 3. This is a Statement of Compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for Public Open Space under Section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date / / Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		LTO USE ONLY STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input type="checkbox"/> DATE: / / LTO USE ONLY PLAN REGISTERED TIME DATE: / / Assistant Registrar of Titles NOTATIONS DEPTH LIMITATION - DOES NOT APPLY. STAGING This is not a staged subdivision. Planning Permit No. SURVEY This plan is based on survey. This survey has been connected to Permanent Marks No. 21, 28, 29. In Proclaimed Survey Area No. N/A LOTS 1 AND 2 HAVE BEEN OMITTED FROM THIS PLAN.
VESTING OF ROADS AND/OR RESERVES				
IDENTIFIER	COUNCIL/BODY/PERSON			
	NIL			
EASEMENT INFORMATION				
LEGEND A-Appurtenant Easement E-Encumbering Easement R-Encumbering Easement(Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
			NIL	
<p>Scot Douglas Land Surveyor P.O. Box 83, STANWELL, 3380 h (03) 5358 1200 Fax (03) 5358 4928</p> <p>ORIGINAL LICENSED SURVEYOR SCOT DOUGLAS</p> <p>SCALE 1:2500 SHEET SIZE A3 SIGNATURE REF 626 B DATE 26 NOV 1997 VERSION 2</p> <p>SHEET 1 OF 1 SHEETS</p>				

Appendix D Terms and Conditions

Explanation

1. The following terms and conditions are the standard terms and conditions that apply to all Valuations or the Valuation Services or consultancy services and Services provided by Preston Rowe Paterson Horsham & Wimmera Pty Ltd.
2. These terms and conditions form part of the appointment of Preston Rowe Paterson Horsham & Wimmera Pty Ltd by the Client to provide the Services.
3. Preston Rowe Paterson Horsham & Wimmera Pty Ltd and its valuers are members of a Limited Liability Scheme in the meaning of the Professional Standards Act 1994.
4. The Valuation and all Valuation Services are provided by Preston Rowe Paterson Horsham & Wimmera Pty Ltd subject to these Terms and Conditions;

Definitions

5. The following definitions apply to these Terms and Conditions and the provision of our Valuations, Valuation Services and Services:-

'Client' shall mean Yarriambiack Shire Council.

'Confidential information' means information that:

(a) Is by its nature confidential;

(b) Is designated by Us as confidential;

(c) You know or ought to know is confidential; and

(d) Includes, without limitation:

(i) Information comprised in or relating to any of Our intellectual property in the Services or any reports or certificates provided as part of the Services; and

(ii) The Quotation which We have provided to You.

'Date Of Valuation' means, in relation to any Valuation, Valuation Services, Services or consultancy services or advice, the date of preparation of our report or the specific date as at which our opinions are stated to apply (the Relevant Date).

'Director' means a Director noted on the Australian Securities and Investment Companies (ASIC's) records for Preston Rowe Paterson Horsham & Wimmera Pty Ltd

'Fee' means the amount agreed to be paid for the Services by You as set out in the Quotation.

'Limited Liability Scheme' means a scheme pursuant to the Professional Standards Legislation in the State of Victoria

'Parties' means You and/or Us as the context dictates.

'Quotation' means the written quote provided by Us in relation to the Services.

'Relevant Date' means the specific date that our opinion is stated to apply where we are instructed to value at a specific date other than the date of inspection.

'Services' means the Valuation, Valuation Services, asset management, property management, facilities management or consultancy services or advice provided by Us pursuant to these Terms and Conditions and the Quotation.

'Valuation' shall include a Valuation, Valuation services, or feasibility study, made or given in relation to any real or personal property, freehold or leasehold property, asset, liability or item or items of plant and machinery, proposed development, infrastructure, carbon, water or native title property right, business, fixtures, fittings or other property;

'Valuation Services', shall include any oral or written advice, opinion, recommendation or statement communicated to the Client by Us consequent upon or incidental to the request for a Valuation;

'Valuer' means the individual valuer that has undertaken the valuation or valuation services;

'We', 'Us', 'Our (s)' means Preston Rowe Paterson Horsham & Wimmera Pty Ltd, our employees, contractors, servants and agents;

'You', 'Your' means the Client engaging Us to perform the Valuation, Services or Valuation Services;

Quotation

6. Prior to commencing work We will provide you with a Quotation that sets out who the report is for; the purpose for which the report is being prepared and the fee to be charged. You agree that:
 - (a) you will not use any advice we provide for any purpose other than as stated in the Quotation;
 - (b) you will not pursue any claim against Us for any loss you suffer because you have used Our advice for any other purpose;
 - (c) you will keep this report confidential, unless otherwise agreed by Us in writing; and
 - (d) you will indemnify Us in relation to any loss suffered by a third party that relies on Our advice without first receiving our written consent to do so.

Your Obligations

7. You agree that:
 - (a) You will not use any advice We provide for any purpose other than as stated in the Quotation;
 - (b) You will not pursue any claim against Us for any loss You suffer because You have used Our advice for any other purpose;
 - (c) You will keep this report confidential, unless otherwise agreed by Us in writing; and
 - (d) You will indemnify Us in relation to any loss suffered by a third party that relies on our advice without first receiving Our written consent to do so.
8. You warrant that the instructions and subsequent information supplied by You contain a full and frank disclosure of all information that is relevant to Our provision of the Valuation, Valuation Services or Services. You also accept all risk and any loss that might occur should you withhold any relevant information from Us.

9. You warrant that all third party expert or specialist reports provided to Us by You for the purpose of Us providing the Valuation, Valuation Services or Services are provided with the authority of the authors of those reports.
10. You authorise and license Us to incorporate Your intellectual property within Our report(s).
11. The Valuation and all Valuation Services are provided by Us solely for the use of the Client. You will not release any part of Our valuation or consultancy report or its substance to any third party without the written consent of one of Our Directors. Such consent will be provided at Our absolute discretion and on such conditions as We may require including that a copy of these Terms and Conditions must be provided to such third party. This clause shall not apply to persons noted as recipients in Your prior instruction to Us or in the Quotation provided. You are obligated to provide any such recipient with a copy of these Terms and Conditions.
12. If You release any part of the valuation or consultancy advice or its substance with Our written consent, You agree: a) to inform the other person of the terms of our consent; and b) to compensate Us if You do not do so. We have no responsibility to any other person even if that person suffers damage as a result of any other person receiving this Valuation, Valuation Services, Services or consultancy advice.
13. You agree that We do not and will not assume any responsibility to any person other than the Client for any reason whatsoever including, without limiting the generality of the foregoing, for breach of contract, negligence (including negligent mis-statement) or wilful act or default of itself or others by reason of or arising out of the provision of the Valuation, Valuation Services or Services and notwithstanding that any damages have been suffered or incurred by that person as a result of the provision of this Valuation or those Valuation Services to the Client or the use of either of them (or any part of either of them) by the Client for any purpose whatsoever;
14. You must pay our Fees within 14 days of the date of a correctly rendered invoice, unless otherwise dealt with in the Quotation. Fees that remain unpaid for a period of 30 days or more will attract an administration charge of 2% of the total of the invoice calculated per month or part thereof.
15. You agree that We reserve the right to reconsider or amend the Valuation, Valuation Services, Services or consultancy advice, or the Fee set out in Our Quotation to You, if we identify information or facts that were not provided to Us at the time of quoting that reveal that the task is much greater than we initially anticipated from the information you provided. In such circumstances, once We have identified additional issues that necessitate additional work, we will advise you of the additional fees for additional time required to complete the task.
16. You agree that neither the whole nor any part of Our Valuation or the substance of any of Our Valuation Services or Services may be communicated to any third party (whether by way of inclusion in a document, circular, statement, prospectus, Product Disclosure Statement (PDS), public offer document or otherwise) without first obtaining the written consent of one of Our Directors. Neither the whole nor any part of Our valuation report or Valuation Services report or any reference to it may be included in any published document, circular or statement, prospectus, Product Disclosure Statement (PDS), public offer document, nor published in any way, without written approval by one of Our Directors as to the form and context in which our Valuation or Valuation Services may appear. Notwithstanding the foregoing, the Client agrees that in the event that it does communicate to a third party the whole or any part of this Valuation or the Valuation Services it shall also communicate to that third party these Terms and Conditions. Furthermore You agree to indemnify Us in the event of any failure so to do;
17. You agree that every right, immunity, exemption and limitation or liability in these terms and conditions shall continue to have its full force and effect in all circumstances notwithstanding

any breach of contract or the Terms and Conditions hereof by Us or any person entitled to the benefit of these Terms and Conditions;

18. You agree that if any provision or any part of a provision hereof is unenforceable for any reason whatsoever, such unenforceability shall not affect any other part of such provision or any other provision of these Terms and Conditions;
19. You will only use the valuation or valuation services for the specific purpose stated by us. You agree that you will not use the valuation or valuation services for any other purpose, unless you have our expert's written consent to do so.

Intellectual Property

20. All Our intellectual property contained within any advice We provide, remains Our property. We only grant you licence to use Our intellectual property to carry out the purpose for which the advice was provided.

Length of Time Our Valuation or Valuation Services can be relied upon

21. Our Valuation and or Valuation Services are current at the Date of Valuation only. The value assessed in Our Valuation or Valuation Services Report may change significantly and unexpectedly over a relatively short period of time (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, We do not assume responsibility or accept any liability where the valuation is relied upon after the expiration of ninety (90) days from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation. Notwithstanding the above You accept that our Valuation and or Valuation Services are current as at the Date of Valuation only and no representation or warranty is made as to the future value of the property.

Assignment of Valuation or Valuation Services

22. You acknowledge that We reserve the right, at Our absolute discretion, to determine whether or not to assign Our valuation to any third party. Without limiting the extent of Our discretion, We may decline a request for assignment where:
 - a) the proposed assignee is not a major recognised lending institution (such as a bank or other lender regulated by the Banking Act 1959);
 - b) the assignment is sought in excess of 3 months after the date of valuation;
 - c) we consider that there has been a change in conditions which may have a material impact on the value of the property;
 - d) the proposed assignee seeks to use the valuation for an inappropriate purpose; or
 - e) Our Fee has not been paid in full.
23. Where We decline to provide an assignment We may be prepared to provide an updated valuation on terms to be agreed at that time.
24. In the event that You request us to assign Our valuation and We agree to do so, You authorise Us to provide to the assignee a copy of these Terms and Conditions, the original Quotation and any other document, including instructions provided by You, relevant to the scope of Our Valuation or Valuation Services.

Property or Valuation Circumstance Specific Qualifications, Assumptions and Conditions Precedent within our reports

25. We are providing You with our professional opinion as valuers. Our opinion is usually provided by way of a valuation report. That report will set out a number of important qualifications, assumptions and conditions precedent which We may need to make, in addition to these Terms and Conditions, relative to the circumstances of the particular property or properties (real or personal property) under consideration.
26. You agree to read these qualifications, assumptions and conditions precedent carefully, and understand that if the assumptions that we have made or relied on are circumstances that do not prevail or eventuate, or are found later to be inaccurate, Our opinion as to value may be materially different. You agree to solely bear the risk in relation to any loss you might suffer, should this occur.
27. The qualifications, assumptions, and conditions precedent that We make will usually depend on the circumstances of the property being valued and are made in relation to matters that We do not have expertise to verify or We cannot verify information provided to Us within the time required to complete the valuation. These will be set out in detail in the Valuation, Valuation Service report or Services report that We provide to You.
28. These qualifications, assumptions and conditions precedent typically will relate to:-

(a) Land contamination and environmental risk; (b) Planning Information; (c) Planning and Development Controls and Consents; (d) Title including Notifications on Title such as Easements, Caveats, Restrictions and other dealings; (e) Building Areas; (f) Building Structural Integrity; (g) Building Compliance with the Building Code of Australia; (h) Pest Infestation; (i) Leases, Licences and Tenancies; (j) Strata Title Certificates; (k) Plant and Equipment within Buildings; (l) The veracity of and sources of Sales and Letting Information and Transaction Data; (m) The nature of forecasting, future value assessment and discounted cash flow analysis; (n) The basis of Value where access to the property is restricted; and (o) Whether or not the property has been completed where a development.
29. You agree that we will include property specific qualifications, assumptions and conditions precedent within Our reports as circumstances require. Furthermore You agree that it is Your responsibility to carefully read and consider these qualifications, assumptions and conditions precedent and discuss them with Us if they cause You any concern.

Pecuniary Interest

30. You acknowledge that We do not have any pecuniary interests in the subject property, the property owner, the Responsible Entity or the manager/ promoter of the scheme or the Product Disclosure Statement;

Undertaking and Statement by the Valuer

31. You acknowledge that We confirm that the valuer whom has undertaken this Valuation or Valuation Services is registered and qualified to carry out the valuation of properties. Furthermore We confirm that the valuer has had 5 years continuous experience in valuation, including more than 2 years' experience in Australia and including experience in valuing properties in the locality where the subject property is situated or in valuing properties of a similar nature.

Executive Summary

32. Our executive summary in Our Valuation or Valuation Services Report must be read in context of and in conjunction with the full valuation report of which this executive summary forms part. All comments, terms and conditions contained in the full valuation report and

Quotation relate directly to this Executive Summary.

COVID-19

33. Our valuation has been prepared at a time when the economy and real estate markets for all asset classes / property types continue to be affected by the ongoing COVID-19 pandemic, some positively and some negatively.

To date, the impact of the pandemic has been characterised by periods of disruption followed by short periods of an almost return to pre-COVID normality and in turn, further outbreaks of the virus causing ongoing economic and real estate market disruption.

The disruption has been in the form of people movement and other restrictions, geographic lockdowns, state and international border closures, all of which have adversely impacted certain sectors of the economy and real estate markets. Also, these COVID-19 pandemic mitigation measures have not been consistently and concurrently applied in inter and intra state and territory geographic locations of Australia, which has at times further exacerbated the impact of the disruption.

Some real estate asset classes/ property types have been more resilient than others based on the extent to which tenants and owners (landlords) and their businesses have been affected. In fact, some asset classes/property types have improved during the rolling COVID-19 Pandemic economic disruption.

As is the case in any economic and real estate market cycle, in preparing our valuation we have, where possible, considered recent sales and letting transaction evidence/market activity to inform our direct comparison approaches to valuation. Recent transaction data is more readily available in currently active markets compared to those which are more adversely impacted and where activity may have slowed.

Where rental and sales market activity has slowed for certain asset classes/property types and, as a result, rental and capital values have been or are likely to be impacted, we have made appropriate adjustments to our valuation based on our experience and to the best of our ability as is appropriate. This may have included consideration and adjustment of more dated transaction evidence where there has been limited recent activity. Where we have had to make adjustments in these circumstances, we reserve the right to reconsider our valuation should the particular market correct more than has been anticipated.

13 REPORTS FOR DECISION – DIRECTORATE BUSINESS STRATEGY AND PERFORMANCE

Organisational Performance Responsibilities	Corporate Services Responsibilities
<ul style="list-style-type: none"> Human Resources Customer Service Executive Assistant to CEO Records (Information Management) Information Communication Technology Governance Risk Audit and Planning Occupational Health and Safety Corporate System Administration (Happy HR, AvePoint, RelianSys, Learning Management System) <p>Manager Organisational Performance delegated roles:</p> <ul style="list-style-type: none"> Return to Work Coordinator Freedom of Information Officer Privacy Officer Welfare Officer 	<ul style="list-style-type: none"> Payroll Accounts Payable Procurement and Contracts Debtors Insurance Rates Corporate Planning (Performance Reporting) Media and Communications Corporate System Administration (Property, Rating, Animal Management, Infringement, Financial, Happy HR Payroll, Website) <p>Manager Corporate Services delegated role:</p> <ul style="list-style-type: none"> Principal Accounting Officer

13.1 Draft Annual Report and Performance Statement for Year End 30 June 2021***By: Anita McFarlane, Manager Corporate Services (Principal Accounting Officer)*****SUMMARY**

In accordance with the *Local Government Act 2020* (Section 98 and 99), that came into effect on 24 October 2020, Council is required to approve a set of financial statements in principle and submit the resolution with the Financial Statements to the Victorian Auditor General Office (VAGO).

The Audit and Risk Committee is to consider the Annual Financial Accounts and Performance Statement at its meeting scheduled for 27 September 2021. It is anticipated that the Committee will move a recommendation that Council approve the Annual Financial Statements and Performance Statement in principle, subject to no material change as a result of VAGO's review.

RECOMMENDATION

That Council:

1. Approves "in principle" subject to no material changes as a result of the Victorian Auditor General Office review, the draft Annual Financial Report (attachment 1) for the year ended 30 June 2021, and the draft Performance Statement (attachment 2); and
2. Nominates Councillor Kylie Zanker and Councillor Karly Kirk to be authorised to sign the Financial Statement and Performance Statement in their final form after any changes recommended, or agreed to, by auditor have been made.

ATTACHMENTS

Attachment: To be Circulated as a Late Addition – Draft Annual Financial Report and Draft Performance Statement

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

DISCUSSION

Financial Report

Key financial data for the 2020/21 financial year includes:

Financial Overview	2021 \$'000	2020 \$'000
Total income	29,882	27,050
Total expenses	25,350	24,379
Surplus	4,532	2,671
Comprehensive result	2,113	2,877
Cash balance	14,909	9,558
Total equity	152,678	150,564

- The 2021 total income of \$29.882 million is more than the prior 2020 year mainly due to the increase in the number of capital and operating grants.
- Total expenses of \$25.350 million are \$0.971 million more than the prior 2020 year mainly due to an increase in materials and services relating to grant purchases.
- The comprehensive result is \$2.113 million for the 2020/21 year.
- Council's cash balance as at 30 June 2021 was \$19.246 million comprising \$14.909 million 'cash and cash equivalents' plus \$4.337 million cash from term deposits that are disclosed as 'other financial assets'. The total cash balance of \$19.246 million is \$8.382 million higher than the prior year of \$10.864 million mainly due to unspent monies held to partly fund 2020/21 financial year projects and services.
- Total equity has increased to \$152.678 million from \$150.564 million.
- Capital spending was under budget during 2020/21 by \$1.326 million due to delays in being able to engage contractors as a result of COVID19.

Performance Statement

- The draft Performance Statement 2020/21 is in the seventh year of reporting against the auditable measures of the Local Government Performance Reporting Framework (LGPRF).
- Reporting has been prepared in accordance with relevant Local Government Better Practice Guides - Performance Reporting Framework Indicator Workbook.
- Comments have been provided for all performance measures, and where possible comment on trend over time and any material variations (+/- 10%) for current year versus prior year results. Variations of +/- have occurred in a significant number of performance measures.

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

- Financial Performance Measures are identified by the following LGPRF broad classifications:
 - Liquidity – Council is able to meet its liabilities when they fall due.
 - Obligations – including the ability to fund asset renewal while maintaining loan borrowing within prudent limits.
 - Stability – a measure of rate concentration and rate effort. The stability measure assesses the total of rate revenue relative to total revenue and relative to property values.
 - Underlying surplus – Council's ability to generate a surplus from day to day activities.

RELEVANT LAW

- Local Government Act 2020, Division 3 Reporting.

COUNCIL PLANS AND POLICIES

Yarriambiack Shire Council Plan 2017-2021

RELATED COUNCIL DECISIONS

Nil

OPTIONS

Council must comply with its obligations under Section 98 and 99 of the Local Government Act 2020 by passing a resolution giving its approval in principle to the performance statement and financial statements.

Council has the option of either:

- a) nominating two Councillors to certify the Financial Statements and the Performance Statements; or
- b) Can appoint any other persons prescribed by the regulations for the purposes of Section 99 sub-section 3(b) of the Act;

to sign the certified statements.

Once all certifications are received, the Annual Report must be forwarded to the Minister by 30 November 2021.

SUSTAINABILITY IMPLICATIONS

One of the Overarching governance principles in section 9 of the Local Government Act 2020 is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

The subject matter of the report does not raise any sustainability implications.

COMMUNITY ENGAGEMENT

The development of the draft Annual Financial Report and Performance Statement has been undertaken in consultation with Council's external auditors on behalf of the Victorian Auditor General, and the Audit and Risk Committee

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)	Status
Does this Council report recommendation a) Introduce a new policy, program and/or service; or b) Is it a review of a policy, program and/or service; that directly and significantly impacts the public?	YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment	GIA – Not Applicable

RISK

Utilising the Risk Management Framework the following assessment has been made:

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Financial Risk - Residual Risk Level Medium	The Financial and Performance Statements do not identify any risks that would increase Council's financial strategic risk levels.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low	The preparation of the Annual Report and adhering to the legislation requirements ensure good corporate governance is being achieved.	Maintains Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

14 REPORTS FOR DECISION – DIRECTORATE ASSETS AND OPERATIONS

Operations Responsibilities	Assets Responsibilities	Development Services Responsibilities
<ul style="list-style-type: none"> Town Maintenance Capital Works & Maintenance Programs- Roads, footpaths, kerb & Channel, Bridges & Culverts Parks & Gardens Gravel Pits Plant & Equipment 	<ul style="list-style-type: none"> Aerodromes Technical Services Asset Engineer Asset Inspectors Waste Services GIS Caravan Parks 	<ul style="list-style-type: none"> Planning Building Projects Sustainability

14.1 Permits issued by Assets and Operations Department – August 2021

RECOMMENDATION:

That Council note the permits issued by Council between 1 August 2021 and 31 August 2021.

Reference No	Description	Address	Date of Issue
Building Permits			
BP64-21	Extension to carport	Warracknabeal	19/8/2021
Planning Permits			
TP29-21	Farm Shed	Speed	5/8/2021
TP27-21	Dwelling	Hopetoun	5/8/2021
TP51-20A	Service Station	Hopetoun	5/8/2021
TP23-21	Signage	Murtoa	3/8/2021
TP36-21	Farm Shed	Hopetoun	13/8/2021
TP37-21	Garage	Hopetoun	13/8/2021
TP39-21	Carport	Warracknabeal	13/8/2021
TP30-21	Signage	Warracknabeal	13/8/2021
TP31-21	Alterations to Station	Patchewollock	13/8/2021
TP32-21	Alterations to Station	Woomelang	13/8/2021
Road Reserve Works & Asset Protection Permits			
2021-18	RRWP	Warracknabeal	3/8/2021
2021-19	RRWP	Warracknabeal	12/8/2021
2021-21	RRWP	Hopetoun	17/8/2021

**14.2 Licencing of Road Reserve South of Lot 2 on TP761458, Parish of Bitchigal
(Located West of Hollands Road, Lascelles)****Prepared by Ram Upadhyaya, Manager Assets****SUMMARY**

A request for consent to lease a section of the abovementioned road reserve was received from a resident. This section of road reserve is not currently gazetted as a public road and is not likely to be used in the future as a public road. Hence the officer recommends approving the request to licence this road reserve for grazing purposes.

RECOMMENDATION

That Council;

Grants the approval to licence the unused road reserve South of Lot 2 on TP761458, Parish of Bitchingal via Department of Environment Land Water and Planning (DELWP) by signing the schedule 4 form with the Council Seal

ATTACHMENTS

Attachment 1: [locality details](#)

Attachment 2: [Published notice of intent](#)

Attachment 3: [Consent Form](#)

DISCUSSION

A request was received from a resident of Lascelles to provide consent to licence the proposed section of unused road reserve South of Lot 2 on TP761458, Parish of Bitchingal. Attachment 1 shows the proposed section of the road reserve. This section of road reserve is currently used for farming and not included on Council's "Register of Public Roads". The requestor intends to licence this section of road for grazing purposes.

Since the road reserve is not a gazetted road, the resident is required to liaise directly with DELWP for licencing arrangements. However, Council needs to provide the consent for licencing via the form provided on Attachment 3.

DELWP has advertised its intention to provide the licence and sought comments from the impacted residents (if any) on the proposal Attachment 2.

Officers believe that the proposed section of road reserve is not likely to be utilised as a road and hence recommend providing the consent.

RELEVANT LAW

Local Government Act 2020

Road Management Act 2004

Land Act 1958

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

COUNCIL PLANS AND POLICIES

Council Plan Strategic Objective 4: A Planned Future

Council Plan Strategic Objective 4.1: Strong and diverse local economy.

RELATED COUNCIL DECISIONS

Not Applicable

OPTIONS

Option 1:

Accept officer's recommendation

Option 2:

Reject the recommendation

SUSTAINABILITY IMPLICATIONS

Economic: Not applicable

Social: Not applicable

Environmental: Not Applicable

Climate change: Not Applicable

Financial: Not applicable

COMMUNITY ENGAGEMENT

The community was not consulted formally by Council. DELWP sought comments from the residents in the locality between 5 to 19 August 2021.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)		Status
Does this Council report recommendation Introduce a new policy, program and/or service; or Is it a review of a policy, program and/or service; that directly and significantly impacts the public?		YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment		GIA – Not applicable

RISK

Utilising the Risk Management Framework the following assessment has been made:

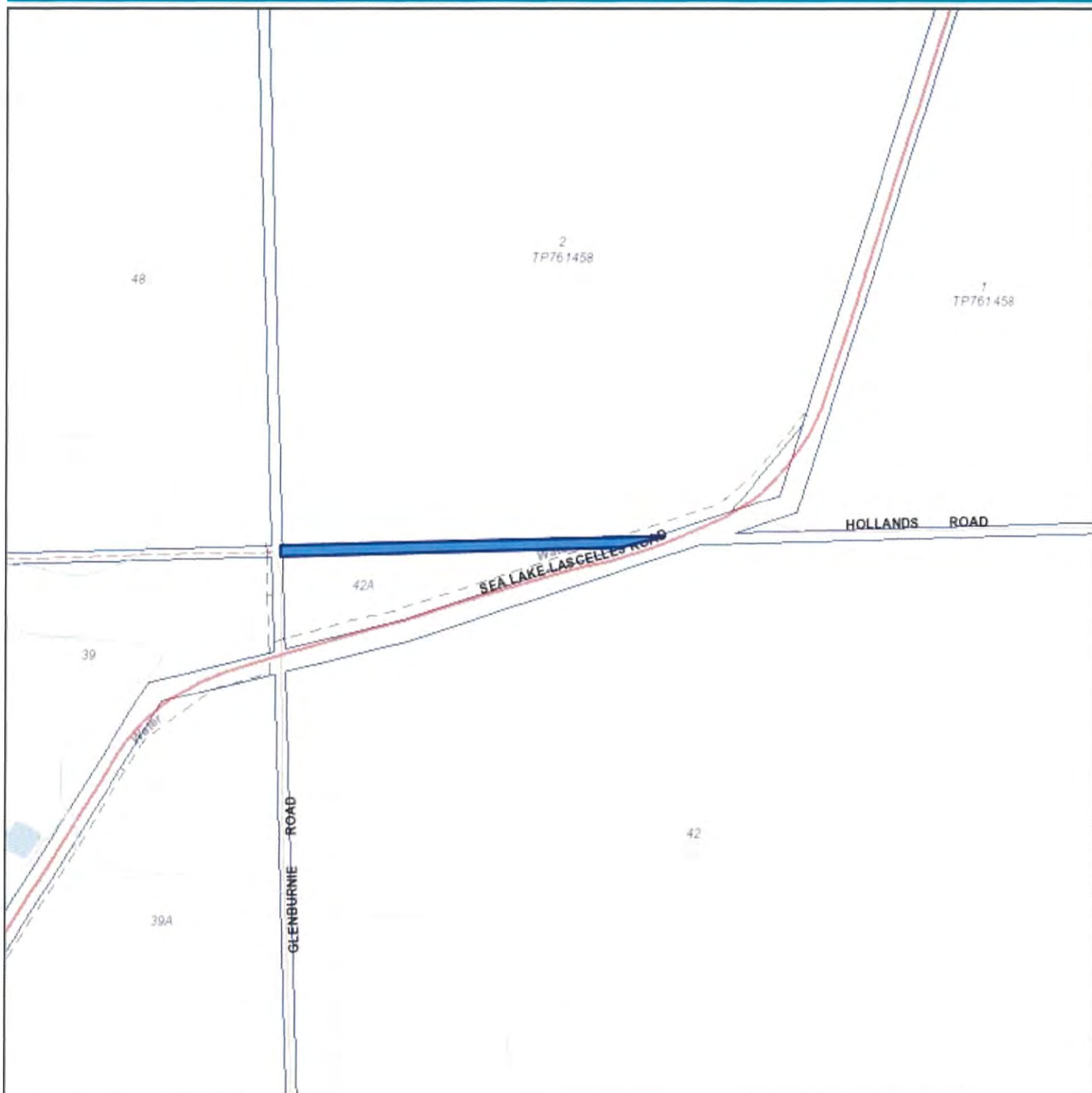
<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Political Risk - Residual Risk Level Low	Risk of having a disgruntled customer by not providing consent. Approving the request will resolve the issue as it is unlikely that this road reserve will be required for public access.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.



Legend

- Township
- Parish
- Parcel

- Crown Parcel
- Crown Land
- Government Road

Plan Noting

- Apiary
- Temporary Apiary Rights
- Beefarm and Range Licences

Linear Tenure

- Other Pipelines
- Industrial Commercial licences
- Recreation Amusement licences
- Occupancy licences
- Radio TV Telecom site licences
- Emergency Services Use licences
- Water Supply licences
- Miscellaneous General licences
- Easements
- Pipe Consents

- Lease
- General Licence
- Delegated Lease
- Delegated Licence
- Grazing Licence
- Riparian Management Licence
- Water Frontage Licence
- Unused Road Licence
- Delegated Management Reserve
- Direct Management Reserve

Government Road

- Government Road
- Dual Status Government Road

-MapScale-

1: 10,000



Overview Map

Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiry to assess the currency of the data.

THE COURIER CLASSIFIEDS

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EFTPOS facilities available

PUBLIC NOTICES

HOPETOUN SWIMMING POOL

ANNUAL GENERAL MEETING

7.00 pm
Monday 9th August
At Gateway BEET

ALL WELCOME

HOPETOUN LANDCARE GROUP ANNUAL GENERAL MEETING

18th August 2021
Community Hotel
@ 6.30pm

If you would like to have a meal please advise Trina at the Pub or Gateway BEET.

PUBLIC NOTICES

NOTICE OF INTENTION

LAND ACT 1958

Notice is hereby given that it is the intention of the Department of Environment, Land, Water & Planning to grant a licence under Section 130 of the Land Act 1958 to Craig Anderson over the Government Road South of Lot 2 on TP761458, Parish of Bitchigal for the purposes of Grazing. Further information or comments can be lodged with the Property Officer, Danielle Fowler on 136 186 within 14 days.
Ref 3000444.

Hopetoun Garden Club

Members please note – Sea Lake trip POSTPONED

Meeting Wed. 11th Aug
2 p.m. at
Gateway BEET

New members welcome.

Apologies 50833393

Check Our Rates Hopetoun Courier

Ph 5083 3544
Fax 5083 3080

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PUBLIC NOTICES

Kaye's Kollection

\$\$\$\$

Men's and Ladies Winter clothing all reduced by 20 to 50% and on Fridays and Saturdays take an extra 10% OFF these already reduced prices.

W.B. Gardiner & Son Funeral Directors Warracknabeal

Are experiencing phone difficulties and are unsure as to when this will be resolved. In the meantime please contact us on

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HOPETOUN P-12 COLLEGE

Thursday 5th

Try VET Day

Monday 9th

Pupil Free Day

Thursday 12th

GAT

Monday 16-Friday 20

Year 10 Snow Camp

Tuesday 24th

School Photos

PUBLIC NOTICES

HOPETOUN IGA PLUS LIQUOR SPECIALS COMMENCING 11th AUG 2021



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range
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Bunderberg Rum 4.6%
10 pk Varieties
\$36.00

Nescafe
Coffee sachets
8-10pk Varieties
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Friday: 7.00am - 5.30pm
Saturday: 8.00am - 1.00pm
Sunday: 8.00am - 1.00pm

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Tumby Bay Cement Troughs • Waterslores tanks • Camping Gear • Belts • LED Lights
Craftsman Ride on Lawn Mowers • Hella and Light Force Driving lights
Würth Products • Wide range of bolts and Agricultural bearings

GUIDANCE REQUIREMENTS

FARMSCAN AG & KEE PRODUCTS, AUTO STEER FACILITIES, VARIABLE RATE
SEEDING, MAPPING, AIR SEEDER MONITORS, RANGE OF MONITORS

"Come in and talk to your local dealer
about 2cm Base Station options."



Sick of travelling across the country to source the correct filter?
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DEPARTMENT OF ENVIRONMENT, LAND, WATER & PLANNING

SCHEDULE 4

Notice of a municipal council under section 400 that a road is unused.

Secretary to the Department of Environment, Land, Water & Planning

Under Section 400 of the Land Act 1958, the municipal council of the municipal district of

YARRIAMBLACK

gives notice that *the road / *each of the roads described in the Schedule below is considered by Council to not be required for public traffic and is therefore an unused road.

SCHEDULE

PARISH	DESCRIPTION OF LOCATION OF ROAD
BITCHIGAL	SOUTH OF LOT 2 ON TP761458
<i>As indicated by shading on the plan copy attached</i>	

* Signed:

Dated:

witness

* The seal of the municipal council of
.....

as affixed to this on

by

witness

* Delete whichever is not applicable

Our ref. 3000444

OFFICIAL

14.3 Naming of Unnamed Road (2050) North of Maxwells, Lascelles**Prepared by Ram Upadhyaya, Manager Assets****SUMMARY**

Following the receipt of request from the three families residing near Maxwells Road, Council adopted the decision to upgrade the section Maxwells Road and Unnamed Road (2050) on 26 August 2020. Further communication was received from the resident of 32 Maxwells Road regarding naming of Unnamed Road (2050). After following the consultation protocol and subsequent discussion with the requester, the officer recommends naming this road as "Minapre Road".

RECOMMENDATION

That Council:

Accept the recommendation made by the resident of 32 Maxwells Road to name this road to 'Minapre Road'

ATTACHMENTS

Nil

DISCUSSION

Following the receipt of request from the three families residing near Maxwells Road, Council adopted the decision to upgrade the section Maxwells Road and Unnamed Road (2050) on 26 August 2020.

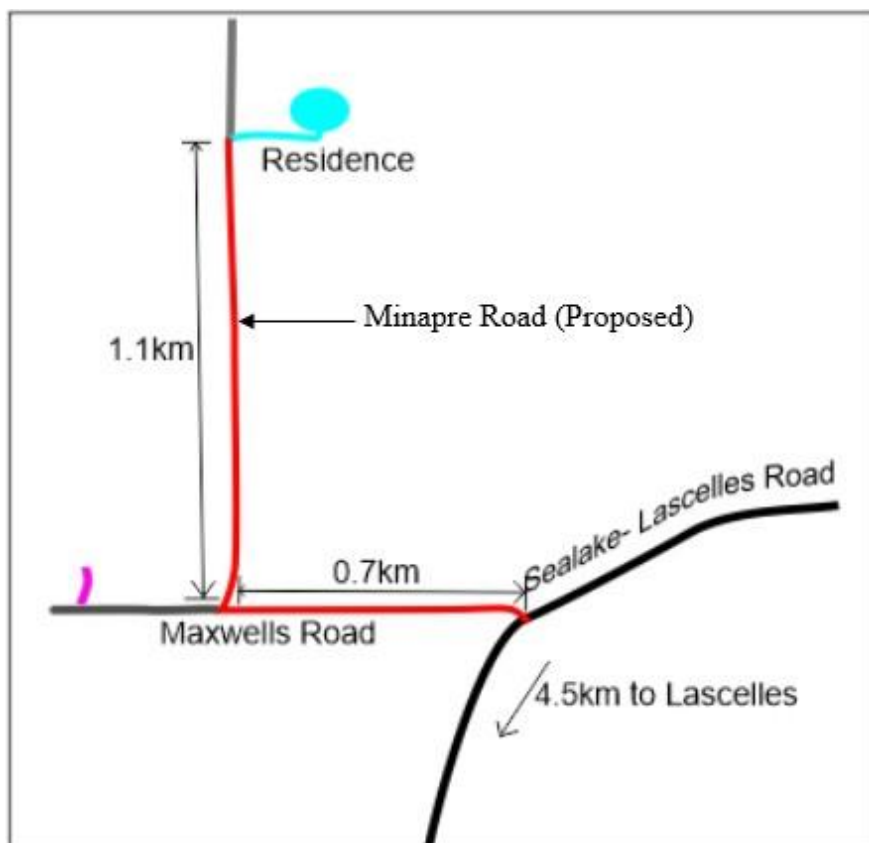
Following that decision, the residents of 32 Maxwells Road have approached Council officers for naming of the Unnamed Road (2050) for the ease of identity by Australia Post and other emergency authorities. The Unnamed Road (2050) leads to a residential property situated on 32 Maxwells Road at approximately 1100 meters North of Maxwells Road.

Council officers advertised the request for naming of this road via local papers. At the close of submission on Friday 12 March 2021, no formal submissions were received. An email was received from the resident of 32 Maxwells Road requesting road to be named Minapre Road.

The current township of Lascelles was known as Minapre until it was renamed in 1909 after Edward Lascelles, who surveyed the town in 1891.

Hence, the "Minapre Road" name is considered to have the historical importance and therefore meets the requirement under Geographic Names guidelines.

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	



RELEVANT LAW

Local Government Act 2020

Road Management Act 2004

COUNCIL PLANS AND POLICIES

Road Management Plan

RELATED COUNCIL DECISIONS

Request for Maintenance of Maxwells Road and Unnamed Road (2050) – 26 August 2020.

OPTIONS

Option 1:

Accept officer's recommendation

Option 2:

Request officers to seek community feedback on proposed road name.

SUSTAINABILITY IMPLICATIONS

Economic: Not applicable

Social: Not applicable

Environmental: Not applicable

Climate change: Not applicable

Financial: Not applicable

COMMUNITY ENGAGEMENT

The request to provide the road name was advertised in local papers for a four-week period and closed on 12 March 2021. No formal submission was received.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)		Status
Does this Council report recommendation Introduce a new policy, program and/or service; or Is it a review of a policy, program and/or service; that directly and significantly impacts the public?		YES <input type="checkbox"/> A GIA has been completed. NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment		GIA – Not applicable

RISK

Utilising the Risk Management Framework the following assessment has been made:

Strategic Risk Description and Residual Risk Level	Action to Mitigate/Reduce Risk	Does Action maintain or reduce Residual Risk Level
Reputational Risk - Residual Risk Level Low	There is a risk that the emergency services will struggle to locate the resident's property. Providing the name to this unnamed road will eliminate this risk.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

15 REPORTS FOR DECISION – DIRECTORATE COMMUNITY DEVELOPMENT AND WELLBEING

Community Health Responsibilities	Community and Economic Development Responsibilities
<ul style="list-style-type: none"> Local Laws (including infringement and animal management) Sale Yards Environmental Health Sports and Recreation Positive Ageing (Commonwealth Home Support Program, Brokered & Packaged care) Leisure Centre Kindergartens Playgroup Maternal Child Health (including enhanced services) Immunisation Program 	<ul style="list-style-type: none"> Libraries Economic Development Community Development Tourism Housing Youth Stakeholder Engagement

15.1 Permits Issued by Community Development and Wellbeing Department August 2021

RECOMMENDATION

That Council note the permits issued by Council between 1 August 2021 and 31 August 2021.

Reference No	Name / Location	Description	Date of Issue
Local Laws Permits			
Firewood collection Permits			
	Murtoa	Firewood Collection Permit	5/8/2021
	Warracknabeal	Firewood Collection Permit	10/8/2021
	Hopetoun	Firewood Collection Permit	17/8/2021

15.2 Draft Domestic Animal Management Plan 2021-2024

Prepared by Craig Byron, Local Laws Officer / Ranger

SUMMARY

A four-year Domestic Animal Management Plan (DAM Plan) is a statutory requirement for every Victorian municipality under the Domestic Animal Act 1994. It is intended to provide Yarriambiack Shire Council (Council) with a management plan for all dogs, cats and domestic animal businesses within the municipality. Council's existing Domestic Animal Management Plan was adopted by Council in November 2017 and expires at the end of 30 June 2021. This plan is expected to operate from 1 July 2021 through to 30 June 2024. The Domestic Animal Management Plan is due to be presented to the Secretary (of the Department of Economic Development, Jobs, Transport and Resources) by 4 December 2021.

RECOMMENDATION

That Council:

- a) Adopt the draft Domestic Animal Management Plan 2021-2024 that was made available for public exhibition and consultation for a period of 30 days.
- b) Present the Domestic Animal Management Plan 2021-2024 to the Secretary of the Department of Economic Development, Jobs, Transport and Resources.

ATTACHMENTS

[Attachment: Draft Domestic Animal Management Plan](#)

DISCUSSION

The Domestic Animal Management plan addresses responsible pet ownership and animal welfare by focussing on registration, identification, dog attacks, nuisance behaviour, dangerous/ menacing/restricted breed dogs, and animal businesses. It also deals with Council's domestic animal control services, authorised officer training, emergency management and matters relating to the enforcement, compliance and evaluation of the Council's control measures.

RELEVANT LAW

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

68A Councils to prepare domestic animal management plans

- (1) *Every Council must, in consultation with the Secretary, prepare at 4-year intervals a domestic animal management plan.*
- (2) *A domestic animal management plan prepared by a Council must—*
 - (a) *set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and*
 - (b) *outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and*

- (c) *outline programs, services and strategies which the Council intends to pursue in its municipal district—*
 - i) *to promote and encourage the responsible ownership of dogs and cats; and*
 - ii) *to ensure that people comply with this Act, the regulations and any related legislation; and*
 - iii) *to minimise the risk of attacks by dogs on people and animals; and*
 - iv) *to address any over-population and high euthanasia rates for dogs and cats; and*
 - v) *to encourage the registration and identification of dogs and cats; and*
 - vi) *to minimise the potential for dogs and cats to create a nuisance; and*
 - vii) *to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and*
 - (d) *provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and*
 - (e) *provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and*
 - (f) *provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.*
- (3) *Every Council must—*
- (a) *review its domestic animal management plan annually and, if appropriate, amend the plan; and*
 - (b) *provide the Secretary with a copy of the plan and any amendments to the plan; and*
 - (c) *publish an evaluation of its implementation of the plan in its annual report.*

COUNCIL PLANS AND POLICIES

Dangerous Dog & Restricted Breed Policy –

The Domestic Animal Management Plan 2021-24 covers what programs, services and strategies that Yarriambiack Shire Council uses to identify all dangerous dogs, menacing dogs and restricted breed dogs in the municipal district, and to ensure that those dogs are kept in compliance with Domestic Animals Act 1994.

RELATED COUNCIL DECISIONS

Endorsement of Domestic Animal Management Plan 2017-2021

OPTIONS

1. Council could adopt the Domestic Animal Management Plan 2021-2024 in final.
2. Council could opt to not adopt the Domestic Animal Management Plan 2021-2024.

SUSTAINABILITY IMPLICATIONS

The previous Domestic Animal Management Plan correctly focused on Council's limited resources on the key issues confronting the Shire; an area that covers 7158 Sq Km, which is currently serviced by 1.5 staff. These included unregistered dogs and cats, dogs at large and dog attacks on people and livestock and cats – both wild and nuisance. These key issues have not altered and remain a priority for Council.

COMMUNITY ENGAGEMENT

The draft Domestic Animal Management Plan was made available on Council website, in various publications and at Council reception, for public viewing and consultation for a period of 30 days. No submissions were received during this time.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Complete the table below for Gender Impact Assessment Requirements.

Gender Impact Assessment (GIA)		Status
Does this Council report recommendation		
c) Introduce a new policy, program and/or service; or		YES <input type="checkbox"/>
d) Is it a review of a policy, program and/or service;		A GIA has been completed.
that directly and significantly impacts the public?		NO <input checked="" type="checkbox"/>
		A GIA is not required.
Link to Gender Impact Assessment	GIA – Not applicable	

RISK

Assess the risk for the decision.

Utilising the Risk Management Framework the following assessment has been made:

Strategic Description	Risk and Residual Risk Level	Action to Mitigate/Reduce Risk	Does maintain or reduce Residual Risk Level
Choose an item.			Choose an item.
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low		By having a Domestic Animal Management Plan that sets out plans, strategies and goals to achieve desire	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.



DOMESTIC ANIMAL MANAGEMENT PLAN

2021-2024



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1. STATUTORY REQUIREMENTS

A four year Domestic Animal Management Plan (DAM Plan) is a statutory requirement for every Victorian municipality under the Domestic Animal Act 1994. It is intended to provide Yarriambiack Shire Council (Council) with a management plan for all dogs, cats, and domestic animal businesses within the municipality. Council's existing Domestic Animal Management Plan was adopted by Council in November 2017 and expires at the end of 30 June 2021. This plan is expected to operate from 1 July 2021 through to 30 June 2024.

The plan addresses responsible pet ownership and animal welfare by focussing on registration, identification, dog attacks, nuisance behaviour, dangerous/ menacing/restricted breed dogs, and animal businesses. It also deals with Council's domestic animal control services, authorised officer training, emergency management and matters relating to the enforcement, compliance and evaluation of the Council's control measures.

The Domestic Animal Act 1994 sets out the following requirements:

68A Councils to prepare domestic animal management plans

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

(3) *Every Council must—*

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

2. INTRODUCTION

The purpose of the Domestic Animal Management Plan (the Plan) is to provide the Yarriambiack Shire Council with a strategic framework that delivers policy direction and action plans for animal management over the next 4 years.

The preparation of the Plan follows a recent amendment to the Domestic Animals Act 1994 (DAA) which now requires all Victorian councils to have a four year plan in place for the management of dogs and cats within their area.

The Plan integrates the developing expertise in domestic animal management with Council's own investigations to produce a program of action to be undertaken over the next four years (2021-2024). Relevant issues include those prescribed under relevant legislation and local laws as well as the generally understood notion of responsible pet ownership.

The Plan is confined to Council's management of dogs and cats under the DAA

2.1. WHAT WILL THE PLAN ADDRESS?

Section 68A of the DAA sets out the statutory requirements of the Plan which state that the Plan must:

- *Set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and*
- *Outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and*
- *Outline programs, services, and strategies which the Council intends to pursue in its municipal district-*
 - *to promote and encourage the responsible ownership of dogs and cats; and*
 - *to ensure that people comply with this Act, the regulations, and any related legislation; and*
 - *to minimise the risk of attacks by dogs on people and animals; and*
 - *to address any over-population and high euthanasia rates for dogs and cats; and*
 - *to encourage the registration and identification of dogs and cats; and*
 - *to minimise the potential for dogs and cats to create a nuisance; and*
 - *to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and*
- *Provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and*
- *Provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and*
- *Provide for the periodic evaluation of any program, service, strategy, or review outlined under the plan.*

2.2. ANIMAL MANAGEMENT AT THE YARRIAMBIAK SHIRE COUNCIL

The Yarriambiack Shire Council is located at Warracknabeal. It covers an area of 7158 Sq Km.

The Shire is bounded by the Shires of Buloke, Hindmarsh, Mildura Rural City Council, Horsham Rural City Council and the Northern Grampians Shire Council. It includes the towns of Beulah, Brim, Hopetoun, Lascelles, Lubeck, Minyip, Murtoa, Patchewollock, Rupanyup, Sheep hills, Speed, Tempy, Warracknabeal, Woomelang and Yaapect.

In the 2016 Census, the Shires population was 6,674.

The Yarriambiack Shire Council has many key features – Yarriambiack Creek, Lake Lascelles, Dunmunkle Creek and Lake Marma.

2.3. STRUCTURE OF THIS PLAN

Section 2 describes the context for developing the Plan. It provides an overview of animal management at the Yarriambiack Shire Council including a brief overview of the shire, a summary of the DAA, key Council animal management statistics and Council animal management staffing. It also outlines the role of other stakeholders.

The **Statement of Purpose** is provided in Section 4. It includes overarching goals for the provision of Council's animal management services. It also identifies key issues that the plan will address.

The **Strategic Directions** contained in Section 5 outline how Council will achieve and implement its goals. Each strategic direction contains objectives and a discussion that explains the issues and Council's intentions.

2.4. PREVIOUS PLAN

In September 2007, a group of 10 Councils in northern and western Victoria engaged consultants to prepare a single Domestic Animal Management Plan that could then be customised by each Council in the group. Council's existing comprehensive animal management services, outlined in part 2.6 operated under this now expiring Domestic Animal Management Plan. Council is required to prepare a new four year Domestic Animal Management Plan.

The previous Domestic Animal Management Plan correctly focused Council's limited resources on the key issues confronting the Shire. These included unregistered dogs and cats, dogs at large and dog attacks on people and livestock and cats – both wild and nuisance. These key issues have not altered and remain a priority for Council. Existing Domestic Animal Controls

2.5. EXISTING DOMESTIC ANIMAL CONTROLS

Domestic Animal Act 1994

Council is responsible for implementing the Act, which has been in operation now for well over a decade. It replaced the former Dog Act. Its introduction heralded a new era in animal control with cats included for the first time in animal control, tougher penalties for dangerous dogs, clearer nuisance provisions and a greater emphasis on prevention.

The purpose of the DAA is to promote animal welfare, the responsible ownership of dogs and cats and the protection of the environment by providing for:

- *A scheme to protect the community and the environment from feral and nuisance dogs and cats.*
- *A registration and identification scheme for dogs and cats which recognises and promotes responsible ownership.*

- *The identification and control of dangerous dogs.*
- *A registration scheme for domestic animal businesses which promotes the maintenance of standards of those businesses.*
- *Matters related to the boarding of dogs and cats.*
- *Payments to the Treasurer from fees received by Councils under this Act; and*
- *Other related matters.*

A recent amendment to the Act saw the introduction of a requirement for all councils to develop and implement the four year animal management plans for dealing with all matters relating to dog and cat management issues. Section 1.1 of this Plan outlines what the Plan is required to include.

Council Local Laws

Council's existing local laws relating to animal management are summarised below. A mechanism will be established to ensure that they are reviewed over the life of the Plan.

Local Law No .5

Has been made under Section 111 of the Local Government Act. It exists to protect the wellbeing and livelihood of all animals within the shire of Yarriambiack and to protect people from nuisance and dangerous animals while keeping a well balanced approach to animal management

2.6. EXISTING DOMESTIC ANIMAL SERVICES

Council through its Local Laws Department provides the following domestic animal services to the community of the Shire:

- registration and identification for domestic dogs and cats, including renewal follow-ups and doorknocks;
- registration and identification of dangerous, menacing and restricted breed dogs.
- dog attack (immediate - including 24-hour emergency service) and dog at large (as available) call-out services.
- cat trap hire services.
- vehicle patrols and nuisance complaint response.
- a domestic animal pound.
- euthanasia services where no alternative occurs.
- identification of, registration and audits of domestic animal businesses.
- prevention of cruelty to animals' authorisation and attendance services.
- infringement notice system and where required, prosecution services; and
- educational and informational services provided, as resources and opportunity allow.

2.7. DOMESTIC ANIMAL MANAGEMENT STATISTICS

Table 1: Animal Management Statistics

	2018/19	2019/2020	2020/2021
Dogs registered	1033	1162	1104
Cats registered	319	394	372
Dogs impounded	81	74	85
Dogs euthanased	2	2	3
Cats impounded	31	23	26
Cats euthanased	92	84	73
Number of declared dogs	0	0	1
Number of registered Domestic Animal Businesses	1	1	2

Table 2: Animal Management Complaints received by Council

	2018/2019	2019/2020	2020/2021
Dogs wandering	74	68	75
Dog attack/rushing	10	12	14
Dog Barking	15	17	23
Cat trespassing (does not include impounded cat figures)	30	36	42

Comments on Table 1

The previous Domestic Animal Management Plan had emphasis on increasing pet registration rates. There has been a slight decrease in the last financial year in dogs and cats getting registered; this could be attributed to COVID-19 and the subsequent lockdowns and restrictions that were present during 2020/21. There has also been a slight decrease in dog attacks; whilst Dog impoundments have gradually increased. These issues will continue to be further addressed in this Domestic Animal Management Plan.

2.8. PRIORITIES IN DOMESTIC ANIMAL MANAGEMENT

The following priorities have been identified for the period of the new Domestic Animal Management Plan.

- Increase numbers of registered and microchipped dogs and cats.
- Decrease dogs' attacks on people and animals
- Decrease dogs and cats wandering at large

- Decrease wild cat populations
- Encourage desexing of domestic animals
- Decrease euthanasia rates
- Increase community awareness with education programs and information availability
- Review Orders and increase community awareness of the orders
- Improve animal management officer training
- Monitor, evaluate and report performance

These priorities underlie Part 3 of this Plan, the Action Plan (which uses the 2012 template provided by The Animal Welfare Bureau of the Department of Primary Industries). Measurable and achievable targets, as well as proposed implementation actions are given in the Four Year Action Plan in Part 3.

3. FOUR YEAR ACTION PLAN

The following 4 year Action Plan is structured according to the 2017 Template provided by Animal Welfare Victoria. A general overview of Yarriambiack Shire Council's domestic animal management issues, controls, services, statistics and priorities can be read in Part 2 of this Plan.

It should be noted that Council is a small rural Council with limited resources. Council's animal management staff has many responsibilities, both administrative and in the community, including local laws, permit processing, prosecutions, fire prevention tasks and litter enforcement. Inevitably, this heavily committed small unit has limited opportunity and few resources to undertake additional service activities. Simple maintenance of existing basic services is of itself an ongoing challenge.

Consequently, this Action Plan is targeted to provide the maintenance and improvement of basic animal management services and controls within the municipality.

4. STATEMENT OF PURPOSE

Our GOALS for animal management are:

- To protect people and animals (pets, livestock, wildlife) from attack by dogs and cats.
- To create an environment where people and pets can peacefully co-exist within the community.
- To promote the welfare of companion animals; and
- To inform and educate the community about the needs of companion animals and promote responsible pet ownership.

KEY ISSUES for the delivery of animal management services in the Yarriambiack Shire Council are:

- Unregistered dogs and cats.
- Dogs wandering at large and attacks on livestock.
- Cats – both feral and nuisance cats.
- Limited resources compared to metropolitan councils.
- The large size of the Shire compared to metropolitan councils.

The Plan is based on the following priorities or STRATEGIC DIRECTIONS for the delivery of Council's animal management services:

- AMO training and development.
- Responsible pet ownership.
- Compliance and enforcement.
- Registration and Identification.
- Confinement of dogs and cats.
- Prevention of animal attacks and risk to the community.
- Animal welfare.
- Domestic animal businesses/ puppy farms.

5. STRATEGIC DIRECTIONS

AMO training and development

Objective

Ensure that all staff involved in animal management has the knowledge and skills necessary to carry out their work.

Discussion

All Animal Management Officers receive ongoing on the job training. This includes Safe Dog Handling, Apprehension & Dog Bite Prevention training.

All Animal Management Officers will be encouraged to have or attain the Certificate IV in Animal Control and Regulation and Certificate IV in Government.

Council will encourage officers to undergo further study to obtain higher animal management and welfare qualifications.

The annual review of this Plan will include a skills audit to identify any gaps in the skills available within the animal management team.

Council will ensure that annual performance reviews include a review of the staff member's skills and training undertaken in the last year.

Council will encourage the Animal Liaison Group (recommended in Section 5) to operate as an information sharing network.

6. Encouraging responsible pet ownership

Objectives

Implement appropriate community education programs in responsible pet ownership.

Discussion

Animal Welfare Victoria operates education programs and activities on a statewide basis.

These include:

Each primary school in Victoria is entitled to a free annual visit from a trained Pet Educator.

They educate the children on issues such as choosing an appropriate pet for the family pet health and welfare and the importance of registration. Particular attention is also given to recognizing the warning signs given by dogs, the correct way to approach a dog and what to do if approached by an aggressive dog. Council will encourage all schools in the Shire to take up this opportunity annually. Council will also consider augmenting the State Government's schools visitation program.

Council's community education programs in responsible pet ownership will focus on the following priorities:

- Registration and microchipping of dogs and cats.
- Desexing of dogs and cats; and
- Confinement of dogs and cats.

Council will ensure the Animal Welfare Victoria brochures on responsible pet ownership are appropriately distributed.

The Animal Management Liaison Group will consider regional approaches to education in responsible pet ownership.

7. Compliance and enforcement

Objectives

Maximise compliance with domestic animal laws, orders and regulations (State and Local).

Discussion

Council will review its procedures for dealing with animal management complaints and incidents in Year 2 of the Plan.

Council will review all existing animal management laws and orders in Year 3 of the Plan.

8. TRAINING OF AUTHORISED OFFICERS

This section outlines programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district.

Compliant with Section 68(A)(2)(b) of the Domestic Animal Act 1994.

8.1. CURRENT SITUATION

All Animal Management Officers receive ongoing on the job training and are encouraged to have or attain the Certificate IV in Animal Control & Regulation. Council's annual performance reviews include a review of the staff members' skills and training undertaken in the last year.

The current organisational structure and list of relevant staff is as follows:

Staff

- Local Laws Officer (1)
- Relieving Local Laws Officer (1)

Duties of all officers include responsibilities under a large variety of legislation. Domestic Animal Management services forms only a part of each role. These responsibilities include Local Laws administration, livestock control, parking enforcement, production of Local Law permits, preparation of infringement and offence prosecutions, administration of fundraising and events, issuing of fire prevention notices and subsequent works and litter control.

Authorised Officer Training	Current (2021)	Planned
Certificate IV in Animal Control and Regulation	Officer 1	Officer 2 (2022-23)
Cert IV in Local Government	Officer 1	Officer 2 (2022-23)
Dangerous Dog – Safe Dog Handling & Bite Prevention	Officer 1 & 2	Officer 1 & 2 (2023)
Industry Training	Officer 1	Officer 1 & 2 2021-22
OH&S Dealing with aggressive customers	Officer 1	Officer 1 & 2 (2022)

8.2. ORGANISATIONAL CHART



8.3. OUR PLANS

Objective 1: Develop a training policy that clearly identifies minimum training requirements and any additional training opportunities that should be undertaken by Animal Management Officers.

Activity	When	Evaluation
Identify minimum training requirements by consultation with management and staff	2021/2022	Documentation to be finalised and incorporated into an approved council training policy by end 2021
Identify additional training opportunities by consultation with management and staff	Ongoing	Evaluation of staff skill levels at all times and summarised at yearly staff performance appraisal.

Objective 2: Council will encourage officers to undergo further study to obtain higher animal management, welfare qualifications and, where practical, to attend relevant conferences and seminars.

Activity	When	Evaluation
Identify additional training opportunities e.g. prosecutions training, conflict management, communication / education technique, networking opportunities and conferences.	Ongoing	Annually – review how many officers undertook training that was in addition to their minimum requirements. Meet objective of providing at least 2 additional training opportunities annually

9. REGISTRATION AND IDENTIFICATION

This section outlines programs, services and strategies to encourage the registration and identification of dogs and cats.

Compliant with Section 68A(2)(c)(v) of the Domestic Animal Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

9.1. CURRENT SITUATION

Our data - Council dog and cat registration figures 2019/20 and 2020/21 compared (see full Table in Part 2.8)

	2019/2020	2020/2021	Difference
Dogs registered	1162	1104	% -5.0
Cats registered	394	372	% -5.6

Our Orders, Local Laws, Council Policies and Procedures

Council has no Orders or Local Laws relevant to the registration of cats and dogs. Council's current controls are under the Domestic Animal Act 1994. Council currently provides:

- registration and identification for dogs and cats, including renewal follow-ups;
- registration and identification of dangerous, menacing and restricted breed dogs including identification programs.
- Council website updated regularly with pet registration information.

Our Education/Promotion Activities

Council currently provides:

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- Regular media information releases on pet registration.
- Provision of online payment options
- Introduction of lifetime tags

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Our Compliance Activities

Council currently provides:

- Issue of registration notices annually.

- Follow up of non-renewals with reminder notices and phone calls.
- Follow up of registration for animals notified as sold by domestic animal businesses; and
- Use of notice to comply, infringements where required, prosecution of owners with unregistered dogs and cats.

9.2. OUR PLANS

Objective 1: Improve the dog and cat registration renewal process to encourage prompt response to renewal invitations

Activity	When	Evaluation
Improve accuracy of council pet registration database by ensuring consistency in entry of data and appropriate training of staff members using the system.	Ongoing	Reduction of returned notices and contact from customers advising previous changes advised of not having been changed on database
Exploration of alternative methods of payment of renewal notices and issue of reminder notices	Ongoing	Increase of renewals paid prior to reminders being sent.

Objective 2: Increase dog and cat registration numbers by 5% each year.

Activity	When	Evaluation
Ensure all seized and impounded animals are registered to their owner prior to release.	Prior to every release.	Review annual increase in registration numbers. Review number of dogs and cats being seized and impounded who are not registered to their owner.
Ensure all Animal Registration Renewals are followed up on, and that there are no outstanding registrations.	May/June after new Animal Registration period begins from April 10th	Review animal registration renewal numbers one month after April 10 th . Send out reminder notices to owners who have outstanding registration(s) Review numbers again one month after reminder letters are sent. Issue Infringements for not renewing registrations
Media articles	Annually	Review annual increase in registration numbers.
Website update	Annually as part of the	Review annual increase in registration

	website review and at time of any significant change	numbers.
Ensure that animal complaints are checked for registration compliance as part of the process of dealing with the complaint. Issue of notices to comply for unregistered animals and appropriate follow up in non-compliance continues	Ongoing	Review annual increase in registration numbers and reduction in issue of notice to comply for non-registration.

10. NUISANCE

This section outlines programs, services and strategies to minimise the potential for dogs and cats to create a nuisance.

Compliant with Section 68A(2)(c)(vi) of the Domestic Animal Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

10.1. CURRENT SITUATION

Our data - Council dog and cat nuisance complaint figures 2019/20 and 2020/21 compared (see full Table in Part 2.8)

	2019/2020	2020/21	Difference
Dogs wandering	68	75	10% Increase
Barking dog complaints	17	23	27% Increase

Orders, Local Laws, Council Policies and Procedures

Local Law No.5 Animals 2010 includes local laws on maximum numbers of domestic animals on certain size allotments, excess animal permits, appropriate animal accommodation including nuisance provisions and removing animal excrement on Council land. Extensive community consultation was undertaken in the preparation of this Local Law

Our Education/Promotion Activities

Council currently undertakes the following educational and promotional activities in support of nuisance offences:

- Barking dog kit for dog owners and complainants.
- Availability of brochures and educational information.
- Local Media Press Release

Our Compliance Activities

Council treats the issues of animal nuisance very seriously. Council currently undertakes the following compliance activities in support of nuisance offences:

- Vehicle patrols and nuisance complaint response.

- Cat trap hire services.
- Barking dog kits
- Issuing of notice to comply, infringements and prosecutions of non-compliance issues.

Summary

The most significant issue to Council relating to nuisance animals is barking dog complaints and dogs wandering at large. Numbers of complaints regarding nuisance cats are low and the number of cats impounded has reduced significantly also. The rate of complaint of wandering dogs has reduced however the number of barking dog complaints continues to rise, and this will be an area of focus in this Domestic Animal Management Plan

10.2. OUR PLANS

Objective 1: Reduce cat impounding rates by 2% per year.

Activity	When	Evaluation
Provide education material about cat enclosures and nuisance issues to cat owners with registration renewals	Commencing 2021/22 pet registration year	Evaluate number of owned cats being impounded and complaints received for trespassing cats.
Assist residents with dealing with cat trespass / nuisance problems by purchasing an additional cat cages and provide them to local residents for trapping nuisance cats	Ongoing	Number of traps purchased Numbers hired out Number of cats impounded
Media release on responsible cat ownership	Annually	Evaluate number of owned cats being impounded and complaints received for trespassing cats.

Objective 2: Reduce dog nuisance complaints by 5% each year.

Activity	When	Evaluation
Review of current orders and consideration of additional orders for "on lead" areas	Annually	Number of incidents involving dogs that are with their owners but not on lead.
Produce barking dog kit and procedure	2021/2022	Number of ongoing barking dog complaints

Review the number and placement of dog faeces bag dispensers and increase numbers in areas that require them.	Annually	Number of bags used in each area.
Media release on responsible dog ownership and nuisance issues	Annually	Evaluate number of dogs being impounded and complaints received for wandering dogs.
Ensure ongoing promotion of the health benefits of owning a dog and exercising your dog regularly.	Ongoing	In conjunction with Councils healthy living programs
Ensure ongoing promotion of responsible pet ownership, dog training and dog walking opportunities.	Ongoing	Evaluate number of new dog registrations.

11. DANGEROUS, MENACING AND RESTRICTED BREED DOGS

This section outlines programs, services, and strategies to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations.

Compliant with Section 68A(2)(c)(vii) of the Domestic Animal Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

11.1. CURRENT SITUATION

Our data - Council declared dog figures 2019/20 and 2020/21 compared (see full Table in Part 2.8)

	2019/2020	2020/2021
Dangerous dogs registered	0	0
Menacing dogs registered	0	1
Restricted breed dogs registered	0	0

Our Orders, Local Laws, Council Policies and Procedures

Dangerous, menacing, and restricted breed dogs are controlled by the *Domestic Animal Act* 1994.

Our Education/Promotion Activities

Council currently undertakes the following educational and promotional activities, including providing information of dangerous, menacing, and restricted breed dogs:

- Information regarding declared dogs on Councils website;
- Availability of brochures and information regarding declared dogs.

Our Compliance Activities

Council treats all dangerous, menacing, and restricted breed dogs very seriously. Council currently undertakes the following compliance activities in support of such offences:

- Declaration of dogs in appropriate situations.
- Audits of potential areas housing dangerous dogs (guard).

- Registration and identification of dangerous, menacing, and restricted breed dogs including audits of properties containing declared dogs; and
- Updating of declared dog database.

Summary

Whilst there are currently no declared dogs in the Yarriambiack Shire Council, there is constant consideration is given to any dogs that are involved in any type of incident that they may be declared as dangerous. Council has adopted a policy that does not allow registration of restricted or declared dangerous dogs within the Shire.

11.2. OUR PLANS

Objective 1: Identify and register all Declared Dogs in the municipality.

Activity	When	Evaluation
Inspect all industrial properties in the municipality for dogs housed or kept for guarding purposes	Annually	All guard dogs either removed from premises or declared appropriately
Educate the community about what is a declared dog	2021/2022 & 2022/2023	Media releases and website updates

Objective 2: Effectively inspect and audit all declared dog premises annual to ensure they are following the keeping requirements.

Activity	When	Evaluation
Inspect all premises housing declared dogs	Annually	Compliance with requirements

12. DOG ATTACKS

This section outlines programs, services, and strategies to minimise the risk of attacks by dogs on people and animals.

Compliant with Section 68A(2)(c)(iii) of the Domestic Animal Act 1994, (and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

12.1. CURRENT SITUATION

Our data - Council dog attack and rushing complaint figures 2019/20 and 2020/21 compared (see full Table in Part 2.8)

	2019/2020	2020/2021	Difference
Reported dog attack and rushing complaints	12	14	15% Increase

Our Education/Promotion Activities

Council currently undertakes the following educational and promotional activities in support of dog attack issues:

- Media releases
- Council website information.
- Brochures and information available at Council offices.

Our Compliance Activities

Council treats the issues of dog attack very seriously. Council currently undertakes the following compliance activities in support of nuisance offences:

- vehicle patrols and nuisance complaint response.
- dog attack (immediate - including 24-hour emergency service) call-out services.
- investigation of reported attacks including issuing of notice to comply, infringement notices and court prosecutions

Summary

The number of dog attacks reported has increased.

Confinement of dogs is a priority because the instances of wandering dog's increases risk to other pets, humans, and livestock, and consumes time and resources of Local Laws officers. Desexed animals are less likely to wander so Council will continue to encourage people to have their pet desexed.

Council will ensure there is information available on the importance of animal confinement at Council service centres and other key locations. Council will also encourage responsible pet ownership practices and continue to investigate methods of encouraging and assisting this behaviour.

12.2. OUR PLANS

Objective 1: Decrease number of dog attacks in the community by 2% each year.

Activity	When	Evaluation
Publicise key dog attack prevention messages (e.g., confinement of dogs to property, leash laws etc) through media articles, mail outs, website info.	Annually	Compare number of reported dog attack incidents
Develop dog attack enforcement and investigation policy	2021/2022	To be developed
Create dog attack database	2021/2022	Database to be used to identify "hot spots" and trends and patterns of attacks
Run an education campaign targeting dog attack issues	2021/2022	To be targeted at the issue at the time and evaluated at the conclusion of the campaign with comparison to previous data.

13. OVERPOPULATION AND HIGH EUTHANASIA

This section outlines programs, services, and strategies to address any over-population and high euthanasia rates for dogs and cats.

Compliant with Section 68A(2)(c)(iv) of the Domestic Animal Act 1994, and also Section 68A(2)(a),(c)(i),(c)(ii),(d),(f).

13.1. CURRENT SITUATION

Our data - Council dog and cat euthanasia figures 2019/20 and 2020/21 compared (see full Table in Part 2.8)

	2019/2020	2020/2021
Impounded dogs euthanased	2	3
Impounded cats euthanased	84	73

Orders, Local Laws, Council Policies and Procedures

Council's pound and euthanasia policies are guided by the *Domestic Animal Act 1994*. Council operates under its own pound and policies and procedures in accordance with the Domestic Animals Act 1994 and code of practice for shelters and pounds.

Our Compliance Activities

Council currently undertakes the following compliance activities in support of increasing registration and thereby reducing euthanasia rates:

- renewal follow-ups for registration and identification for domestic dogs and cats.
- vehicle patrols and nuisance complaint response.
- registration of animals released from the pound
- Follow up of registration for animals notified as sold by domestic animal businesses; and
- Use of notice to comply, infringements where required, prosecution of owners with unregistered dogs and cats.

Summary

The number of cat's euthanased has shown a moderate decrease in the last financial year due to an increase in Cat registration, microchipping and desexing. Significant work has been done by Council in partnership with local animal rescue groups to rehome unwanted cats; this will continue to be a priority in this Domestic Animal Management Plan.

13.2. OUR PLANS

To decrease euthanasia rates of seized animals. Council plans to achieve this objective by increasing the registration rates, identification and return to owners will increase.

Objective 1: Identify all illegally operating Domestic Animal Breeding establishments in the municipality

Activity	When	Evaluation
Follow up of complaints relating to breeding establishments and monitoring of advertisements and excess pet registrations.	Ongoing	Compare number of council registered breeding establishments before and after campaign

Objective 2: Identify reasons for euthanasia of unclaimed animals

Activity	When	Evaluation
Create database to clearly define euthanasia reasons i.e. unable to be rehoused due to health/temperament issues rather than no new home available	Ongoing	Compare numbers of animals euthanased .

Objective 3: Reduce number of animals euthanased by 5% each year (not including wild, feral, or diseased animals)

Activity	When	Evaluation
Look at offering subsidised cat desexing program	Annually	Reduction of animals euthanased
Continue re-homing programs	Annually	Reduction of animals euthanased

Objective 6: Reduced number of wild and feral cats in the community.

Activity	When	Evaluation
Continue to offer cat trapping program to residents	Annually	Numbers of wild or feral cats impounded via trapping program

14. DOMESTIC ANIMAL BUSINESSES

This section outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations, and any related legislation.

Compliant with Section 68A(2)(c)(ii) of the Domestic Animal Act 1994, and also Section 68A(2)(a),(c)(i),(d),(f).

14.1. CURRENT SITUATION

Our data - Council registered Domestic Animal Business figures 2015/16 and 2016/17 compared (see full Table in Part 2.8)

	2019/2020	2020/2021
Shelter/pound	1	1
Boarding facilities	1	1
Breeding/rearing establishments	0	0
Training facilities	0	1
Pet shops	0	0

Our Orders, Local Laws, Council Policies and Procedures

Domestic animal business registration is controlled by the *Domestic Animal Act 1994*.

Council will continue to investigate all reports on domestic animal breeding businesses and seek compliance for any non-registered domestic animal business by conducting door knocks and property inspections.

Our Education/Promotion Activities

Council provides information and guidance to every domestic animal business on the necessity of registration, the procedure, and the requirements to be fulfilled under the Act.

Our Compliance Activities

Council currently undertakes the following compliance activities in support of ensuring compliance with businesses registered and the identification of unregistered businesses by;

- Annual audits of registered businesses.

- Production of work plans to ensure DAB's meet the requirements of the relevant code of practice.
- Follow up of properties identified with excess animals and any complaints regarding suspected DAB's.

Summary

Yarriambiack Shire Council does not have many animal businesses. There are mandatory Codes of Practice for the operation of breeding and rearing establishments, boarding establishments, shelters, and pounds. Pet shops and breeding and rearing establishments. Council is obliged to ensure each establishment complies with the relevant Code of Practice with regular audits.

14.2. OUR PLANS

Objective 1: Identify and register all Domestic Animal Businesses in the municipality.

Activity	When	Evaluation
Identify all businesses that should be registered DABs in the municipality, using yellow pages (or similar, including online sites) identify businesses selling pets / pet products / services in the municipality. Follow up to determine whether they are and should be registered with council.	Annually	Compare number of registered DABs before and after activity
Media release to advise the public of the definition of a domestic animal business	2021/2022	Compare number of registered DABs before and after activity

Objective 2: Ensure compliance of all registered domestic animal businesses.

Activity	When	Evaluation
Audit all registered businesses	End of April of each year	Rate of compliance of registered businesses

15. OTHER MATTERS

This section provides for the review of other matters related to the management of dogs and cats in the Council's municipal district.

Compliant with Section 68A(2)(e) of the Domestic Animal Act 1994.

15.1. CURRENT SITUATION

Our data – Yarriambiack Shire Council has over the past few years experienced drought, fires and floods. This is an ongoing issue of concern and emphasis has been placed by the shire on preparation of a MEMP, other related sub plans and general emergency management procedures and processes.

While full responsibility for domestic animals in all circumstances rests with the owner of the animal, Council needs to consider issues of domestic animal management when considering evacuation procedures and emergency relief centres. Housing and feeding animals may become an important issue, when people bring domestic animals into relief centres or domestic animal businesses require evacuation.

Our Orders, Local Laws, Council Policies and Procedures

Provision for emergency management planning for domestic animals should be included within the MEMP. Council might also develop separate plan/procedures/contact lists as appropriate by the Emergency Management Committee of Council.

Our Education/Promotion Activities

Council may need to undertake community education about owner responsibility for domestic animals in emergency planning.

This may include the provision of advice/brochures/media releases on what to consider for pets in an emergency – include their needs as part of your emergency planning, e.g. food, water, bowls, bedding, cage, medication, registration and microchipping to help reunite pets with their owners after emergencies, external identification – e.g. collar with registration tag

Summary

Domestic animal management planning a municipal emergency can become a significant logistical issue, even though primary responsibility rests on the owners of domestic animals. Confusion, conflict and diverted resources can all result from a failure to consider domestic animals in evacuation and relief centres. The numbers of animals involved in domestic animal businesses could further aggravate these issues.

15.2. OUR PLANS

Objective 1: To ensure consideration is given to the management of Domestic Animals during emergency events.

Activity	When	Evaluation
Review all emergency management plans relevant to domestic animals	Annually	Review results and any feedback after an event
Officers to maintain involvement in emergency management groups within the shire to ensure that the needs of domestic animals in the event of an emergency are met	Ongoing	Involvement of officers at emergency management meetings and discussions and input into sub-plans and organisational plans relating to domestic animals.

16. ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING

This section provides for the annual review of the Plan and Annual Reporting.

Compliant with Section 68A(3)(a)(b)(c) of the Domestic Animal Act 1994 as below:

68A(3) Every Council must—

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

Our Performance Monitoring and Evaluation Process

Council will monitor performance of the animal management services that are detailed in this plan by reporting annually through the Councils established reporting system.

Review Cycle/Date for This Plan

Council has a comprehensive business planning and monitoring system in place. Any new initiatives or ongoing programs identified in this plan will be recorded in that system and reported against in accordance with any actions shown in the previous sections.

This system also feeds into Councils annual report.

This plan will be reviewed on an annual basis by the Local Laws Coordinator in conjunction with council officers and key stakeholders. A report will be presented to Council and any amendments made to the plan will be forwarded the secretary.

The plan will be reviewed, and a new Domestic Animal Management Plan will be completed on or before 30 June 2021.

15.3 Council Property - 18 Cromie Street, Rupanyup**Prepared by Gavin Blinman, Director Community Services & Wellbeing.****SUMMARY**

Council owns a property at 18 Cromie Street, Rupanyup that is zoned Public Use Zone and contains our Public Toilet Facility. The surplus land behind the toilet block has previously been leased for storage and this lease has ended. This report makes recommendations about the future use of the land.

RECOMMENDATION

That Council:

1. Demolish the current asbestos shed, identified in Councils Asbestos Audit
2. Place an Expression of Interest to lease the area for storage on public exhibition

ATTACHMENTS

Nil

DISCUSSION

The land at 18 Cromie Street has historically been leased to a local business for storage. This arrangement has been in place for over two decades and the leasee no longer requires the land.

The land has previously been used for fuel storage and is zoned Public Use Zone.

A recent Asbestos Audit undertaken by Council at the property has identified that a shed on the site is in disrepair and requires demolition and removal by a certified demolition consultant.

A business in town has indicated that they wish to enter into a lease with Council for storage on site.

In order to enable Council to enter into a lease or sale of the land, a valuation must be undertaken and this request has been made and will be tabled if Council recommends public exhibition.

As the current title contains the Public Toilet a subdivision would be required to enable sale of the rear area. Any sale price would be significantly reduced by the inappropriate zoning of the land and the need for an Environmental Audit Overlay requirement to be met (significant soil rehabilitation from former fuel tank contamination)

The land could not be developed without significant expense and the most appropriate use would be a storage lease.

It is recommended that Council endorse the demolition of the asbestos clad shed and move to advertise an Expression of Interest to lease the area for consideration, in conjunction with the valuation, at the October Ordinary Council Meeting.

RELEVANT LAW

Local Government Act 2020 Part 5 , Division 4 , Section 115

That Council has the right to enter into appropriate land management arrangements.

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

COUNCIL PLANS AND POLICIES

Yarriambiack Shire Council Leasing and Licence Policy 2019.

RELATED COUNCIL DECISIONS

Council meeting date 28th July Lease Lascelles Street, Hopetoun - Gateway BEET discussed the leasing of Council owned land.

OPTIONS

Alternate options:

1. Move to subdivide the allotment and sell the lot created behind the toilet block.
 *The land is contaminated and would require a rezoning from Public Use Zone and the application of an Environmental Audit Overlay.
2. Council does not lease the land.

SUSTAINABILITY IMPLICATIONS

Economic: Little impact to council some income derived from lease

Social: Good outcome for a local based business

Environmental: Block is maintained by business at no costs to council

Climate change: Block maintained

Financial: Some income for block not used by council

COMMUNITY ENGAGEMENT

We would advertise sale or lease to public as per the adopted Community Engagement Policy.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)		Status
Does this Council report recommendation		
e) Introduce a new policy, program and/or service; or		YES <input type="checkbox"/>
f) Is it a review of a policy, program and/or service;		A GIA has been completed.
that directly and significantly impacts the public?		NO <input checked="" type="checkbox"/>
		A GIA is not required.
Link to Gender Impact Assessment	GIA – Not applicable	

RISK

Utilising the Risk Management Framework the following assessment has been made:

Strategic Description Residual Risk Level	Risk and	Action to Mitigate/Reduce Risk	Does maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low		Long term lease may recover some costs to council	Maintains Residual Risk Level
Reputational Risk - Residual Risk Level Low		Council; supporting locally employing business	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Local Government Act 2020

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

15.4 SHARE GRANT – ROUND 1, 2021.

Prepared by Gavin Blinman, Director Community Development and Wellbeing

SUMMARY

In this Round of the Share grant program 35 applications totalling \$74,359 was requested, council has allocated \$30,000 for the two rounds of the program this financial year.

RECOMMENDATION

That Council approve the following:

Project Number	Project Name	Grant	Score
2021RD10017	Minyip 150 celebration Minyip 150 committee	\$1,000.00	83
2021RD10012	Improved shop front Murtoa Supermarket	\$2,000.00	80
2021RD10031	Increased play space Beulah Playgroup	\$2,854.00	80
2021RD10030	Vacant shop windows W'Beal Townscape committee	\$3,000.00	79
2021RD10022	Safety switches Lubeck hall	\$3,000.00	79
2021RD10020	Upgraded lighting BBQ area Boolite hall	\$2,400.00	79
2021RD10035	Ongoing upgrade to hall Warrack Town Hall	\$2,700.00	77.3
2021RD10033	Temporary Fencing Rupanyup Playgroup	\$1,000.00	77
2021RD10003	Front Fascade upgrade Clugston Butchers	\$2,000.00	77
2021RD10025	Practice facility upgrade Lubeck/Murtoa cricket	\$2,500.00	74
2021RD10036	Tourist info board W'Beal Tourist centre	\$2,500.00	73.3
2021RD10027	Painting of internal and external windowsills Concordia cottage	\$1,250.00	73
2021RD10021	Outdoor seating Minyip Golf Club	\$2,948.00	73
	TOTAL	\$29,152.00	

ATTACHMENTS

[Attachment 1: Evaluation report](#)

[Attachment 2: Council template](#)

DISCUSSION

Council allocates \$30,000 per round of the Share grant program across two rounds each year totalling \$60,000.

In this round applications were received from across the shire and assessed as per the Councils Community Grant policy.

The attached council template shows the full applications list and scoring.

RELEVANT LAW

Local Government Act 2020, Part 3 Council Decision making.

COUNCIL PLANS AND POLICIES

The Community Grant Policy and Procedures 2019.

RELATED COUNCIL DECISIONS

Share grants round 2. Council meeting March 2021

OPTIONS

1. Council award funding to alternate applications from those recommended.
2. Council award additional funding in Round 1 and reduce funding available in Round 2.

SUSTAINABILITY IMPLICATIONS

Discuss whether the subject matter of the report raises any sustainability implications.

Economic: Funding is allocated as part of the budget

Social: Allocation of the grant improves social outcomes across small communities

Environmental: Projects are asked to consider the impact of their project on the environment

Climate change: Impact on the environment is a consideration for all projects

Financial: Allocation this round is \$30,000

COMMUNITY ENGAGEMENT

Grant round was widely advertised across shire.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)	Status
Does this Council report recommendation g) Introduce a new policy, program and/or service; or	YES <input type="checkbox"/> A GIA has been completed.

h) Is it a review of a policy, program and/or service; that directly and significantly impacts the public?	NO <input checked="" type="checkbox"/> A GIA is not required.
Link to Gender Impact Assessment	GIA – Not applicable

RISK

Utilising the Risk Management Framework the following assessment has been made:

Strategic Description Residual Risk Level	Risk and	Action to Mitigate/Reduce Risk	Does maintain or reduce Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low		Share grants are covered in the Community Grant policy and evaluations carried out as per guidelines	Reduces Residual Risk Level
Financial Risk - Residual Risk Level Medium		Budget allocation for two rounds of grant	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low		Grant rounds advertised and a good cross representation is considered	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not Applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.

A recommended grant recipient is Clugston Butchers which is co-owned by a member of staff. That member of staff was not a part of the decision making or scoring process nor was any of the scoring undertaken by staff in her directorate.

Evaluation Report

Name: SHARE GRANT EVALUATION – ROUND 1 2021

Date: 17/09/2021

Officer: BRENTON CHENEY

1. DESCRIPTION

1.1 Scope

Evaluation of SHARE Grant submissions for Round 1 (2021) – all submissions scored using 0 – 9 scoring.

1.2 Term of Contract

The projects were to be completed by 30 June 2022 however due to Covid19 restrictions they are now required to be completed by 30 December 2022.

1.3 Budget (excluding GST)

- Yarriambiack Shire Council **\$30,000**

2. SUBMISSIONS

2.1 Refer to attached spreadsheet

3. EVALUATION PANEL

In accordance with Council's SHARE Grants Policy & Procedure, the evaluation team were selected from within Council's employees. All participants declared no conflict of interest. The evaluation team includes:

- Brenton Cheney – Project support Officer
- Rebecca Botheras – Project Co-Ordinator
- Andrea Stepney – Project Officer

4. EVALUATION CRITERIA

Applications were evaluated in accordance with the qualitative criteria and weightings relevant to each funding stream. Funding streams are as follows:

- Community Share Grant - Event and Sponsorship (up to \$1,000 with no matching funding)
- Community Share Grant – Business and Streetscape (Up to \$2,000 with 1:1 funding)
- Community Share Grant – Community Building Grants (up to \$3,000 with no matching funding)

5. EVALUATION SCORES

Evaluations were conducted independently through an online link to the submissions and scorecard. Scores from the three evaluations were averaged and the final score is identified in the attached evaluation spread sheet.

6. SUMMARY

There were 35 submissions with the first 13 highest scoring applications totaling \$29,152.00. The summary of scores is below.

Project Number	Project Name	Applicant	Grant Requested	Average Score
2021RD10017	Minyip 150 celebration	Minyip 150 committee	\$1,000	83
2021RD10012	Improved shop front	Murtoa Supermarket	\$2,000	80
2021RD10031	Increased play space	Beulah Playgroup	\$2,854	80
2021RD10030	Vacant shop windows	W'Beal Townscape committee	\$3,000	79
2021RD10022	Safety switches	Lubeck hall	\$3,000	79
2021RD10020	Upgraded lighting BBQ area	Boolite hall	\$2,400	79
2021RD10035	Ongoing upgrade to hall	Warrack Town Hall	\$2,700	77.3
2021RD10033	Temporary Fencing	Rupanyup Playgroup	\$1,000	77
2021RD10003	Front Fascade upgrade	Clugston Butchers	\$2,000	77
2021RD10025	Practice facility upgrade	Lubeck/Murtoa cricket	\$2,500	74
2021RD10036	Tourist info board	W'Beal Tourist centre	\$2,500	73.3
2021RD10027	Painting of internal and external windowsills	Concordia cottage	\$1,250	73
2021RD10021	Outdoor seating	Minyip Golf Club	\$2,948	73
			\$29,152.00	

7. RECOMMENDATION OF EVALUATION PANEL

A) That Council accepts the report for evaluated submissions for \$29,152.00.

8. DELEGATED AWARDING OF CONTRACT

I have reviewed the attached report and evaluation process and endorse the Evaluation Team's recommendation.

Name: Gavin Blinman

Signature:

Gavin Blinman

DATE: 21/09/21

DIRECTOR OF COMMUNITY DEVELOPMENT & WELLBEING

Applicant	Town	Project	Amount	Score	1	2	3	Total
Minyip 150	Minyip	Costs of running event	1,000		85	80	83	83
Murtoa SuperMKT	Murtoa	Shop front improvement	2,000		80	81	78	80
Beulah Playgroup	Beulah	Increased play area	2,854		81	81	77	80
Warrack Townscape	Warracknabeal	Sticker photo shop windows	3,000		80	83	73	79
Lubeck Hall	Lubeck	Install RCD switches	3,000		83	81	74	79
Boolite Hall	Boolite	upgrade lights BBQ area	2,400		81	79	76	79
Warrack Town Hall	Warracknabeal	ongoing hall upgrade	2,700		81	80	71	77.3
Rupanyup Playgroup	Rupanyup	Temporary fencing	1,000		79	77	76	77
Clugston Butchers	Hopetoun	Shop front improvement	2,000		82	78	72	77
Lubeck Murtoa Cricket Club	Murtoa	Practice facility development	2,500		61	78	83	74
Tourist centre	Warracknabeal	Information Board	2,500		78	74	68	73.3
Concordia College	Murtoa	Window restoration	1,250		75	75	68	73
Minyip Golf Club	Minyip	Outdoor seating	2,948		76	75	67	73
			29,152	Total				
Beulah recreation reserve	Beulah	Upgrade lights	3,000		78	80	58	72
Rupanyup Hall	Rupanyup	New doors	3,000		82	77	58	72
Beulah Hall	Beulah	New roof over kitchen area	1,900		74	72	70	72
Rupanyup Consultative committee	Rupanyup	Audio Video Hardware	2,578		75	79	61	72
Hopetoun Golf club	Hopetoun	Mini Golf	3,000		78	77	59	71
Hopetoun swimming pool	Hopetoun	New auto cleaner	3,000		70	69	72	70
Murtoa Golf Club	Murtoa	Entrance signs upgrade	2,500		69	66	68	68
Warracknabeal Historical	Warrack	Metal Bender	1,000		73	70	60	68
Warrack Home Timber & Hardware	Warrack	Upgrade shop front	2,000		70	74	60	68
SMG Cricket club	Hopetoun	New Nets	3,000		66	70	65	67
Seed n Sprout	Rupanyup	Fun food Fridays	1,000.00		68	66	61	65
Warrack Eagles	Warrack	Heating and seating	2,500		66	62	68	65
Woods Museum	Rupanyup	Entrance photo boards	2,439		69	67	58	65
Beulah Cemetry trust	Beulah	Grave Info board	2,700		65	64	56	62
Murtoa show	Murtoa	Covid safe show	957		63	62	60	61.6
Rupanyup Bowls club	Rupanyup	Back Timber Wall	3,000		61	66	53	60
Warrack Ladies Rest Room	Warrack	Storage shed	1,733		61	56	61	59
Warrack Trap & Skeet Club	Warrack	New Computer	900		59	54	54	56
Patche Progress	Patche	Sun Shelter	2,000		59	61	46	55
Murtoa Bowls Club	Murtoa	Sponsorship of season & tournament	1,000		57	60	48	55
Mens shed	Warrack	New T-Shirts	1,000		50	52	52	52
Murtoa Racing Club	Murtoa	Murtoa Cup costs	1,000		12	20	50	27

15.5 Excess animal permit application for the keeping of three dogs at 11 Goudie Street, Speed**Prepared by Craig Byron, Local Laws Officer / Ranger****SUMMARY**

On the 6th of August 2021, the 11 Goudie Street, Speed property occupier applied for a permit to keep extra dog(s). On this day he also registered two of his Kelpie dogs following requests and infringements being issued for unregistered dogs.

The applicant informed Council Local Laws Officer that the dogs are rescue dogs (there were five at one stage); Council have had many complaints about the dogs being at large outside the property and trespassing on surrounding properties, including from the local Police Officer.

The RSPCA have been involved with complaints about the welfare of the dogs; having recently seized two of them that needed immediate Veterinary care.

RECOMMENDATION

That Council does not grant an excess animal permit to the applicant from 11 Goudie Street, Speed

ATTACHMENTS

[Attachment: 3 x returned Objection to Permit forms](#)

DISCUSSION

Since the 22nd of June 2021, Council Local Laws Officers have received numerous complaints from the townsfolk of Speed including the local police, about roaming dogs from 11 Goudie Street Speed. Local Laws Officers have witnessed a couple of these roaming dogs when attending Speed, but have been unable to catch them, as they went back to the property they are kept at.

Council Local Laws Officer was able to eventually speak to the owner who explained that he had moved from Hoppers Crossing and that the dogs were all rescue dogs. There were 5 dogs in total at the time, two Kelpie X, a Staffy, a Ridgeback X and a Rottweiler. None of these dogs were registered and only the Rottweiler was microchipped.

The owner was given a warning about his dogs being at large and told that he needed to fix the fence(s) and register his dogs and apply for a permit.

Whilst the owner did fix the front fence, Local Laws was still receiving calls to say that his dogs were getting out and going onto neighbouring properties and knocking over bins etc.

Due to the size and attitude of the Rottweiler, the owner keeps the Rottweiler tethered with a chain, and to Councils knowledge it hasn't been out again.

The owner has since registered two of his dogs (the kelpies) and has applied for a permit to keep extra dogs. He has had two of his dogs (the Staffy and the Ridgeback X dogs) seized by the RSPCA because he failed to get them immediate Veterinary treatment.

Council also understands that one of his Kelpies has just had 9 puppies.

Local Laws Officers believe that the owner has no demonstrated responsible pet ownership in relation to containing the animals and caring for them.

AGENDA	Ordinary Meeting of Council
Issue Date: 29 September 2021	

RELEVANT LAW

- Yarriambiack Shire Council General Local Law No.5 – Clause 412 – Limit to the number of animals to be kept.
An owner or occupier of any separate rateable land must not, without a permit keep or allow to be kept on that land any more in number of each kind of animal than that determined by Council in accordance with clause 702.

COUNCIL PLANS AND POLICIES

Not applicable

RELATED COUNCIL DECISIONS

August 2018 - Excess animal permit was declined on the grounds of objections from neighbours for excessive barking and not registering animals.

OPTIONS

To grant the permit for one extra dog (the Rottweiler) but to have strict conditions on the permit e.g., similar to keeping a menacing dog – must have a muzzle on.

Permit can be revoked if conditions are broken.

SUSTAINABILITY IMPLICATIONS:

Financial: The cost of monitoring compliance with an approved excess animal permit would be borne by Council and there has already been complaints received by Council in relation to the dogs at large.

COMMUNITY ENGAGEMENT

Objection to Permit forms were posted to six immediate neighbours of 11 Goudie Street Speed. Three of these forms were returned.

Compliance staff have also had regular verbal contact with a neighbouring properties.

GENDER IMPACT ASSESSMENT

The Gender Equality Act 2020 requires entities to conduct gender impact assessments on all new policies, programs and services that directly and significantly impact the public as well as those up for review.

Gender Impact Assessment (GIA)		Status
Does this Council report recommendation		
i) Introduce a new policy, program and/or service; or		YES <input type="checkbox"/>
j) Is it a review of a policy, program and/or service;		A GIA has been completed.
that directly and significantly impacts the public?		NO <input checked="" type="checkbox"/>
		A GIA is not required.
Link to Gender Impact Assessment	GIA – Not applicable	

RISK

Utilising the Risk Management Framework the following assessment has been made:

<i>Strategic Risk Description and Residual Risk Level</i>	<i>Action to Mitigate/Reduce Risk</i>	<i>Does Action maintain or reduce Residual Risk Level</i>
Environmental Sustainability Risk - Residual Risk Level Medium	Reduce risk by removing aggressive dog from the community of Speed.	Reduces Residual Risk Level

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in the subject matter of this report.



Local Law No. 5- General Local Law.

OBJECTION TO PERMIT ISSUE

COUNCIL WISHES TO ADVISE THAT IT HAS RECEIVED THE FOLLOWING
PERMIT APPLICATION.

PERMIT FOR:

ADDRESS OF ACTIVITY:

ITEMS TO BE KEPT:

To keep more than the allowed number of animals.
11 Goudie Street Speed
For dogs; 2 x Kelpies, are registered
1 x Rottweiler, 1 x Ridgeback X

IMPORTANT INFORMATION

If you wish to object to the issue of this permit please complete all the sections below
and return this document to Council within 14 days.

Failure to return this document within the specified time shall indicate to Council that
you have no objections and are agreeing to the issue of this permit.

PLEASE WRITE IN BLOCK LETTERS.

Your Name:

Address:

..... Ph:

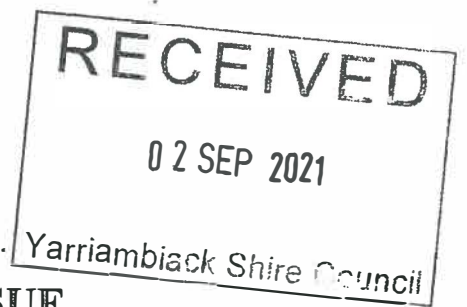
Please state your objection in block letters.

No objections so long as he
keeps them on the property and
feed and if they keep getting
cut his permit can be revoked

NOTE: If an objection is received the permit application shall go before Council and all
information from the applicant and the objector shall be given full consideration.

Signed:

Date: 25/8/2021



Local Law No. 5- General Local Law.

OBJECTION TO PERMIT ISSUE

COUNCIL WISHES TO ADVISE THAT IT HAS RECEIVED THE FOLLOWING PERMIT APPLICATION.

PERMIT FOR:

ADDRESS OF ACTIVITY:

ITEMS TO BE KEPT:

To keep more than the allowed number of animals.
11 Goudie Street Speed
Four dogs; 2 x kelpies are registered
1 x Rottweiler, 1 x Ridgeback X

IMPORTANT INFORMATION

If you wish to object to the issue of this permit please complete all the sections below and return this document to Council **within 14 days**.

Failure to return this document within the specified time shall indicate to Council that you have no objections and are agreeing to the issue of this permit.

PLEASE WRITE IN BLOCK LETTERS.

Your Name: .

Address: Ph:

Please state your objection in block letters.

Dogs are often loose, roaming the streets + homes
owner is uncontactable

NOTE: If an objection is received the permit application shall go before Council and all information from the applicant and the objector shall be given full consideration.

Date: 26.08.2021

Return in the pre-paid envelope supplied with this document.



RECEIVED

02 SEP 2021

Local Law No. 5- General Local Law. Yarriambiack Shire Council

OBJECTION TO PERMIT ISSUE

COUNCIL WISHES TO ADVISE THAT IT HAS RECEIVED THE FOLLOWING
PERMIT APPLICATION.

PERMIT FOR:

ADDRESS OF ACTIVITY:

ITEMS TO BE KEPT:

To keep more than the allowed number of animals.
11 Goudie Street Speed
Four dogs; 2 x kelpies, are registered
1 x Rottweiler, 1 x Ridgeback X

IMPORTANT INFORMATION

If you wish to object to the issue of this permit please complete all the sections below
and return this document to Council within 14 days.

Failure to return this document within the specified time shall indicate to Council that
you have no objections and are agreeing to the issue of this permit.

PLEASE WRITE IN BLOCK LETTERS.

Your Name:

Address: Ph:

Please state your objection in block letters.

I HAVE NO ISSUE, IF ALL DOGS ARE REGISTERED
AND ARE KEPT IN A SECURED BACKYARD

NOTE: If an objection is received the permit application shall go before Council and all
information from the applicant and the objector shall be given full consideration.

Signed: Date: 29-08-2021

2021

Return in the pre-paid envelope supplied with this document.

16 OTHER BUSINESS**16.1 Questions from Councillors****17 CLOSED SESSION – Reports for Decision****17.1 CEO Review****17.2 C289-2021 Rupanyup Modular Build****18 Next Meeting**

27 October 2021

CLOSE

 Mayor