



# MINUTES

## Ordinary Meeting of Council

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**9:30am Wednesday 27 October 2021**

VENUE:

Council Chambers  
Yarriambiack Shire Council  
34 Lyle Street, Warracknabeal Vic 3393

Next Meeting

Wednesday 24 November 2021

Copies of the Yarriambiack Shire Council's Agendas and Minutes  
can be obtained online at [www.yarriambiack.vic.gov.au](http://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.

## **Recording**

Consistent with section 2.44.3 of our Governance Rules, consent given by the Chair to the recording of any Council Meeting must be obtained prior to the commencement of the Council Meeting.

## **Live Streaming**

Council meetings will now be live streamed to allow those interested in viewing proceedings greater access to Council decisions and debate without attending the meeting in person.

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**18 Next Meeting**

## 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

### CHAIRPERSON:

Councillor Graeme Massey                      Warracknabeal Ward

### COUNCILLORS:

Councillor Kylie Zanker                      Warracknabeal Ward

Councillor Karly Kirk                      Warracknabeal Ward

Councillor Tom Hamilton                      Dunmunkle Ward

Councillor Corinne Heintze                      Dunmunkle Ward

Councillor Andrew McLean                      Hopetoun Ward

Councillor Chris Lehmann                      Hopetoun Ward

### OFFICERS:

Jessie Holmes                      Chief Executive Officer

Tammy Smith                      Director Business Strategy & Performance

Gavin Blinman                      Director Community Development & Wellbeing

Michael Evans                      Director Asset & Operations

## 4 APOLOGIES OR REQUEST FOR LEAVE OF ABSENCE

## 5 CONFIRMATION OF MINUTES

### 5.1 Minutes of the Ordinary Council Meeting of 29 September 2021

Minutes of the ordinary Council Meeting held on Wednesday 29 September 2021 be taken as an accurate record and confirmed.

**Recommendation:**

That the minutes of the Ordinary Meeting of Council held on Wednesday 29 September 2021, as circulated be taken as read and confirmed.

Moved Cr K Kirk Seconded Cr K Zanker

That the recommendation be adopted

**Carried**

### 5.2 Minutes of the Closed Council Meeting of 29 September 2021

Minutes of the Closed Council Meeting held on Wednesday 29 September 2021 be taken as an accurate record and confirmed

**Recommendation:**

That the minutes of the Closed Council Meeting of Council held on Wednesday 29 September 2021, as circulated, be taken as read and confirmed.

Moved Cr C Heintze Seconded Cr T Hamilton

That the recommendation be adopted

**Carried**

## 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

## 8 PETITIONS

Warracknabeal Youth filed a petition on 26/10/2021 regarding the Warracknabeal Skate Park. This petition will be tabled at the November meeting

## 9 CORRESPONDENCE

## 10 SPECIAL COMMITTEES

### 10.1 Audit and Risk Meeting 18 October 2021

[Attachment: \*Audit and Risk Meeting Minutes\*](#)

#### **RECOMMENDATION:**

That Council note the minutes from the Audit and Risk Meeting held on 18 October 2021.

Moved Cr K Zanker Seconded Cr T Hamilton

That the minutes be noted

**Carried**

**MINUTES OF MEETING OF THE YARRIAMBICK SHIRE COUNCIL AUDIT AND RISK COMMITTEE CONDUCTED AT THE MUNICIPAL OFFICE 34 LYLE STREET WARRACKNABEAL AT 6.00PM ON MONDAY 18<sup>th</sup> OCTOBER 2021**

- 1) **WELCOME** – Welcome by James Gregson (Chair)
- 2) **PRESENT** - Diane Connolly, Martin Moynihan, Graeme Massey, Kylie Zanker, Simon Coutts, Tammy Smith, Jessie Holmes, Anita McFarlane, Daniel Brandon, Kathie Teasdale (Internal Auditor),
- 3) **APOLOGIES**  
Martin Thompson (External Auditor)
- 4) **CONFLICT OF INTEREST**  
NIL
- 5) **WORK PLAN**

The Audit and Risk Committee is required to adopt an Annual Work Plan in accordance with the *Local Government Act 2020*.

A copy of the Work Plan for the 2021 – 2022 financial year is attached in the agenda.

**5.1 October Work Plan Tasks**

Work Plan Task	Attachment / References
Financial and Performance Reporting Responsibilities	Item 11 Financial and Non-Financial Performance Report Item 10 External Audit
Internal Control Environment	Item 9 Internal Audit Program
Risk Management	Item 11 Financial and Non-Financial Performance Report
Fraud Prevention Systems and Controls	Item 17 Fraud Prevention Systems and Controls
Oversee Internal Audit Function	Item 9 Internal Audit Program
External Audit Function	Item 10 External Audit
Compliance Management	Item 18 Compliance Matters

**6) MINUTES OF PREVIOUS MEETING**

**Motion:** That the Minutes of the previous meetings held on 19 July 2021 and 27 September 2021 both be accepted.

Draft minutes of Audit and Risk Committee July 19<sup>th</sup>, 2021, attached in the agenda

**Moved:** Martin Moynihan                      **Seconded:** Simon Coutts                      **Motion Carried**

Draft Special Meeting Minutes Audit and Risk Committee - September 27<sup>th</sup>, 2021, attached in the agenda

**Moved:** Martin Moynihan                      **Seconded:** Diane Connolly                      **Motion Carried**

**7) BUSINESS ARISING FROM THE PREVIOUS MEETING**

The GST / FBT Accounting Internal Audit will be completed by next Audit and Risk Committee Meeting.

The full insurance programme will be presented at the next Audit and Risk Committee Meeting.

**7.1 COVID 19 Update**

Jessie Holmes provided a COVID 19 Update

- a) No current positive cases of Covid 19 in the Shire.
- b) Over 90% of eligible community are 1<sup>st</sup> dose vaccinated in the Shire.
- c) All Local Government staff to be vaccinated.
- d) The Business Continuity Plan is active and is reviewed annually.
- e) Council has provided regular updates on COVID-19 via social media for the community benefit.

**8) STRATEGIC INTERNAL AUDIT PLAN REVIEW**

Internal Status Report attached in the agenda.

Kathie provided an update of upcoming Audits including:

- a) Service Planning
- b) Disaster Recovery & Business Continuity Planning
- c) Occupational Health & Safety

**9) INTERNAL AUDIT**

Audit Scope: Service Planning

The draft Service Planning Scope is attached in the agenda and was discussed during the meeting.

**10) EXTERNAL AUDIT**

Outcome of External Audit.

Closing Report for Financial Year 2020-21 has not been provided to management or the Audit and Risk Committee.

Martin Thompson (External Auditor) was an apology for this meeting. Anita McFarlane provided a brief update that the external Audit had been reviewed, signed off on 30 September via a Council resolution and submitted to VAGO.

Martin Moynihan was seeking further clarification from the external Auditors on the outcome of his feedback in relation to the annual financial statements, particularly the cashflow statement comments he provided. Management confirmed that the external auditors did not recommend changes to the cashflow statement, however management will request that the external auditors provide feedback to the Audit and Risk Committee at the next scheduled meeting to be held in January 2022 meeting.

**11) FINANCIAL AND NON – FINANCIAL PERFORMANCE REPORT**

Financial and non- financial performance report – Quarter 1 as of 30 September 2021 attached in the agenda.

Reported by: Tammy Smith and Anita McFarlane

**Discussion**

- a) Martin Moynihan asked whether Fire Service Levy should be classified as a “Current liability” rather than “Other income”. Advice is to be sought from Local Government Victoria and reported on at next meeting.
- b) The cash flow reporting is still a work in progress until account mappings in Xero are completed.
- c) A query was raised as to why the Commonwealth Operating Grants paid in advance were not taken up as ‘Unearned Income’ at the end of the 20/21 financial year. It was confirmed that the difference in accounting treatment related to milestones assigned to grant funding, which required specific accounting treatment.
- d) It was confirmed that rebate claims are recompensed to Council.
- e) Explanation was sought as to the relationship between the amounts shown in the “CollectAU Debt Collection Report Summary” and the amounts in the top table. It was confirmed that not all debt is referred to the Collection Agency. Only amounts that management deem can actively be recovered.
- f) Martin Moynihan requested that, due to the high number of categories, an alternate graphical representation be provided for the “CollectAU Debt Collection Status” report.

**Recommendation**

That the Audit and Risk Committee accepted the:

Yarriambiack Shire Council Financial and Non-Financial Performance Report for Quarter 1 as of 30 September 2021.

**Moved:** Simon Coutts

**Seconded:** Martin Moynihan

**Motion Carried**

It was noted that:

- a) Martin Moynihan raised a question on how the Fire Services Levy was classified.
- b) Simon Coutts suggested that the committee take a more in depth look at some of our higher-level risks with the first being a review of the program of Project Risks at the next meeting (Jan 2022).

**12) CCTV QUARTERLY REPORT**

The CCTV Quarterly Report, as of 30 September 2021 is attached in the agenda.

**Recommendation**

That the Audit and Risk Committee accept the CCTV quarterly report as of 30 September 2021.

**Moved:** Diane Connolly

**Seconded:** Martin Moynihan

**Motion Carried**

**13) AUDIT RECOMMENDATION ACTIONS**

The latest Audit Tasks Report is attached to the agenda for discussion with Seven audit actions highlighted to be closed.

A presentation was distributed to the Audit and Risk Committee prior to the meeting which contained supporting evidence the actions were completed.

**Motion:**

That the Audit and Risk Committee:

- a) Note the updated Audit Recommendation Actions Report dated 30 September 2021.
- b) Approve the closure of the Seven Audit Actions highlighted in the report as attached in the agenda.

**Moved:** Simon Coutts

**Seconded:** Martin Moynihan

**Motion Carried**

**14) SUMMARY OF POLICIES AND PLANS**

In accordance with section 54 (2) of the *Local Government Act 2020* the Audit and Risk Committee is to review Council Policy and Procedures with the overarching governance principles, and the act, regulations, and any ministerial directions.

Policies Overdue and Policies Due Soon Report attached in the agenda

**Recommendation**

That the Audit and Risk Committee accept:

a) The Policies Overdue and Policies due Soon Reports.

**Moved:** Diane Connolly

**Seconded:** Martin Moynihan

**Motion Carried**

**15) LOCAL GOVERNMENT ACT 2020 IMPLEMENTATION AND TIMELINES**

A schedule was included on the Local Government Act 2020 implementation and Council's progress. Council has met all key milestones to date.

**16) INFORMATION, COMMUNICATION AND TECHNOLOGY UPDATE**

The information communication technology report was provided in the agenda.

An update on the progress was provided to the Committee by Tammy Smith (Director Business Strategy and Performance).

**17) FRAUD PREVENTION SYSTEMS AND CONTROLS**

A report was provided to the Committee that noted the following:

- a) There were no instances of fraud or corruption to be reported to the Audit and Risk Committee.
- b) There have been no reports of such matters to the appropriate integrity bodies.

**Recommendation**

That the Audit and Risk Committee accept the report.

**Moved:** Simon Coutts

**Seconded:** Diane Connolly

**Motion Carried**

**18) COMPLIANCE MATTERS**

**18.1 Podcasts**

VLGA Connect Podcast Series link provided in the agenda.

**18.2 RSD Internal Audit update**

Attachment link: RSD Audit Internal Audit Update – Q1 FY 2022 Recent Reports and Publications of Interest Update provided in the agenda

**19) GENERAL BUSINESS**

NIL

**20) NEXT MEETING**

17<sup>th</sup> January 2022

**21) MEETING CLOSED**

The meeting closed at 7.54pm

## 11 ACTIVITY REPORTS

### 11.1 Mayor's Report

Prepared by Graeme Massey

11 October	Chaired Warracknabeal Senior Citizen Annual General Meeting
12 October	Chaired Warracknabeal Action Group (WAG) Annual General Meeting
13 October	Attended Council Forum via ZOOM
18 October	Attended Audit and Risk Committee by TEAMS
19 October	Attended Warracknabeal Action Group (WAG) Christmas Promotion Meeting

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

- 13 October Attended Council Forum via ZOOM
- 22 October Attended Grampians Central West Waste and Resource recovery Group (GCWWRRG) LG Forum via ZOOM
- 26 October Met with Hopetoun former School site working party

**Cr T Hamilton**

- 11 October Attended Rupanyup Progress Meeting AGM via ZOOM
- 12 October Attended Council Forum via ZOOM
- 13 October Attended Stick Shed Meeting

**Cr K Zanker**

- 12 October Rural financial Counselling Meeting
- 13 October Attended Council Forum viz ZOOM
- 18 October Attended Audit and Risk Committee by TEAMS

**Cr C Lehmann**

- 13 October Attended Council Forum via ZOOM
- 26 October Met with Hopetoun former School site working party

**Cr C Heintze**

- 6 October Attended Municipal Association Victoria (MAV) Land Use and Planning Workshop
- 9 October Attended Municipal Association Victoria (MAV) Land Use and Planning Workshop
- 11 October Attended Rupanyup Progress AGM via ZOOM
- 13 October Attended Council Forum via ZOOM
- 15 October Attended Grampians Central West Waste and Resource recovery Group (GCWWRRG) Board Meeting
- 22 October Attended Grampians Central West Waste and Resource recovery Group (GCWWRRG) LG Forum via ZOOM

**Cr K Kirk**

- 13 October    Attended Council Forum via ZOOM
  
- 14 October    Attending Wimmera Development Association Course 'Running Brilliant Meetings'
  
- 19 October    West Vic Business Annual General Meeting

### 11.3 Chief Executive Officer Report

#### Prepared by Jessie Holmes

4 Oct	Met with Hopetoun School Site Architects
5 October	Local Government Victoria (LGV) Mandatory Vaccination session Mallee Silo Art Trail Program Regional Development Victoria (RDV) Meeting
6 October	Municipal Association Victoria (MAV) and Department Jobs, Precincts and Regions (DJPR) CEO forum
7 October	Grampians ACOT (Covid) Meeting Department Health Local Government Functions in supporting outbreaks
8 October	Covid CEO Briefing
11 October	RDV Regional Community Leadership Future Funding DJPR CEO COVID Briefing WAG AGM
13 October	Council Forum
14 October	Wimmera Southern Mallee Regional Partnership Meeting Grampians ACOT (COVID) Meeting Wimmera CEO Meeting Small Shire MAV COVID 19 Vaccine Briefing
15 October	Haven Homes Meeting Regional Development Australia Catch up
18 October	COVID debrief with local Health Services Audit and Risk Committee Meeting
19 October	Met with Murtoa Housing Committee
21 October	Rural Council Victoria Future Planning Workshop Grampians ACOT (COVID) Meeting
22 October	Wimmera Southern Mallee Housing Taskforce Meeting
25 October	Municipal Association Victoria (MAV) CEO Forum Met with Graeme Holmes – Hopetoun P-12 visit
26 October	Met with Hopetoun former School site working party

## 12 REPORTS FOR DECISION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 12.1 Annual Report 2020-2021

Prepared by Graeme Massey, Mayor

#### SUMMARY

In accordance with the *Local Government Act 2020*, Council is required to prepare an annual report in respect of each financial year and the Mayor must report on the implementation of the Council Plan by presenting the annual report at a Council meeting open to the public.

The Annual Report includes the audited annual financial and performance statements that have been prepared in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014 and have been certified by the Victorian Auditor General's Office (VAGO).

#### RECOMMENDATION

That Council adopt the Annual Report for the 2020-21 financial year that contains the following sections as detailed in section 98 of the *Local Government Act 2020*:

- a) A report of Operations of Council.
- b) An audited Performance Statement.
- c) Audited Financial Statements.
- d) A Copy of the Auditors Report on the Performance Statement.
- e) A Copy of the Auditors Report of the Financial Statements under Part 3 of the *Audit Act 1994*, and
- f) Any other matters prescribed in the regulations.

Moved Cr K Kirk Seconded Cr C Heintze

That the recommendation be adopted

**Carried**

#### ATTACHMENTS

[Attachment: Annual Report 2020-21](#)

#### DISCUSSION

The Annual Report has been prepared in accordance with sections 98, 99 and 100 of the *Local Government Act 2020*.

The Report outlines Council's financial and non-financial performance in the last 12 months and celebrates a number of key achievements.

The highlights from the 2020-2021 financial year include:

- a) Being awarded the 2021 MAV Technology Digital Leadership Achievement of the Year Award, along with the Victorian Achievement of the Year Award for Council's ICT Business Transformation.
- b) Attracting over two million dollars for tourism projects, including increased accommodation and artists experience.

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- c) Assisted with COVID business support, including the supply of outdoor furniture and waiving of health registration fees.
- d) Council undertook significant photographic imagery of our sealed and gravel road network for disaster funding preparedness.
- e) Attracted over \$3million dollars' worth of sport and recreation funding.
- f) Installed new outdoor street furniture across 14 communities.
- g) Successfully rolled out three-year-old kindergarten across six early years sites.
- h) Implemented Gender Equity assessments for all new and renewed services, policies, and assets.
- i) Partnered with health promotion from our health services to deliver improved early years outcomes through the By 5.
- j) Delivered the Rupanyup integrated water management project in consultation with the Wimmera CMA.
- k) Received funding from DELWP to implement the Flood Management Plans across Yarriambiack.
- l) Partnered with the Yarriambiack Landcare organisations to plant over 5,000 trees.

A new Council was elected in October 2020 and in the ensuing months we have conducted an extensive community engagement program to develop a ten-year community vision.

The coronavirus pandemic has persisted into 2021. This continued to place heavy restrictions on how our staff operate and has impacted the delivery of our services and community activities. Once again most annual events had to be cancelled and sporting competitions were greatly interrupted.

The Annual Report endorses the sound framework of the 2017-2021 Council Plan and paints a picture of a Council that understands its purpose to serve its community.

#### **RELEVANT LAW**

Local Government Act 2020 – Division 3 Reporting - Section 98, 99 and 100.  
local Government Act 1989 – Financial Reporting requirements of Part 6.

Applicable Australian Accounting Standards.

#### **COUNCIL PLANS AND POLICIES**

- Council Plan 2017 -2021
- Annual Budget 2020-21

#### **RELATED COUNCIL DECISIONS**

Minutes: 27 May 2020 – Adoption of Budget 2020-21

#### **OPTIONS**

Not applicable

#### **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**

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Community Engagement has occurred in the development of the Council Plan 2017-2021 and the Annual Budget. Both documents inform the key performance metrics included in the Annual Report.

### GENDER IMPACT ASSESSMENT

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	Not applicable

### RISK

*Assess the risk for the decision.*

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

<b>Strategic Description and Residual Risk Level</b>	<b>Risk and</b>	<b>Action to Mitigate/Reduce Risk</b>	<b>Does maintain or reduce Residual Risk Level</b>
Financial Risk - Residual Risk Level Medium		The Annual Report includes the Annual Financial and Performance Reports that are audited and certified by VAGO.	Maintains Residual Risk Level
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low		The presentation of the Annual Report within the required timeframes outlined in the Act demonstrates Council has meet the requirements of section 98, 99 and 100 of the Local Government Act.	Maintains Residual Risk Level
Strategy Execution and Change Management Risk - Residual Risk Level Medium		The Council Plan is Council's overarching strategic document that outlines Council's key actions for a four-year period. The annual report identifies and reports on how Council has meet the actions outlined in the Council Plan.	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.



**Yarriambiack**  
SHIRE COUNCIL



# ANNUAL REPORT

2020/21

*providing a viable, sustainable and vibrant future*

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# INTRODUCTION

## Welcome to the Report of Operations 2020/21.

Council is committed to transparent reporting and accountability to the community and the Annual Report 2020/21 is the primary means of advising the Yarriambiack Shire community about Council's operations and performance during the financial year.

### SNAPSHOT OF YARRIAMBIACK SHIRE COUNCIL

Yarriambiack Shire Council is situated in north-western Victoria, in the heart of the State's wheat belt. The population is concentrated in a number of small towns which service the surrounding broad hectare farming properties.

Our primary centres are Warracknabeal, Murtoa, and Hopetoun. Smaller communities include Minyip, Rupanyup, Beulah, Woomelang, Lascelles, Lubeck, Patchewollock, Speed, Tempy, Brim, Yaapeet, Sheep Hills, Rosebery, Lah and Turriff.

Yarriambiack Shire is the heartland of grain production and handling in the Wimmera and Mallee. The main industry is agriculture which accounts for almost half the workforce.

Yarriambiack Shire Council offers a relaxed atmosphere, affordable housing options, a safe and healthy family environment and easy access to public land, lakes and recreational activities.

What makes our Municipality a true community, beyond the Yarriambiack Creek, parks, buildings and lakes, is the people who call this place their home.

Our Municipality is such a vibrant, special place involving everyone from all families and their children, students and business owners, the 'born and bred' and the newly arrived.

Council administration is based in the township of Warracknabeal, and a Council service centre also operates from the township of Hopetoun, administered by Gateway BEET.

Excellent educational facilities are available in Yarriambiack Shire, including early learning centres, kindergartens, primary schools, secondary schools and a special developmental school. Information centres, a 'static' library and a mobile library that travels the district are also available.

Recreational activities are available in abundance in our shire giving community members and visitors wonderful opportunities to experience new activities. Most townships in the shire have their own sporting facilities, such as football ovals and netball/tennis courts. Hopetoun, Warracknabeal and Murtoa also have skate parks.

Tourism is ever growing throughout our shire. We are located immediately to the east of some of Victoria's main eco-tourist attractions, including the Big Desert, Wyperfeld National Park, Lake Hindmarsh, Lake Albacutya and the Little Desert. In recent years, The Silo Art Trail has become Australia's largest outdoor gallery. The trail stretches over 200 kilometres, linking Brim with neighbouring towns Lascelles, Patchewollock, Rosebery, Rupanyup and Sheep Hills.



# Overview

## QUICK STATS 2020/21

figures as of 30 June 2021



### Tourism

- Approximately 93,075 visitors to the Silo Art Trail
- 30,954 Likes & 32,307 Followers - Silo Art Trail Facebook page
- 2,422 Likes & 2,488 Followers - Yarriambiack Tourism Facebook page
- 10,000 Instagram Followers Silo Art Trail
- 1,011 Likes & 1,096 Followers - Yarriambiack Shire Council Facebook page



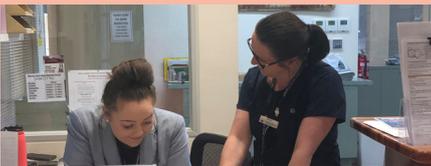
### Roads

- 52.09 kilometres of roads re-sheeting completed
- 550 square metres of footpaths replaced
- 12.19 kilometres of sealed road rehabilitation



### Community Care

- 16,691 meals delivered
- 1,274 hours of personal care delivered
- 6,441 hours of domestic assistance delivered
- 57 clients received home modifications
- 298 hours of respite care delivered
- 108 hours of individual Social Support delivered



### Customer Service

- Approximately 50 incoming calls per day
- 7,255 rates notices issued
- \$11,192,501.62 rate revenue collected
- 82 phone enquires for information packs about Yarriambiack Shire Council region and Silo art.



### Youth

- 10 Youth Action Council Meetings held
- 3 Youth organised events



### Building & Planning

- Planning – 67 Applications – Value \$21,645,773
- Building – 73 Applications – Value \$7,983,062
- 18 median processing days to confirm responsible authority determination for planning permits



### Local Laws

- 154 new dogs registered
- 57 new cats registered
- 52 animals rehoused



### Other Services

- 1,968 tonnes of recycled and general waste collected
- 735 active library borrowers to Council's Library in Warracknabeal
- 6 food complaints received
- \$55,018.61 provided to 26 groups through the Community Grants SHARE Program



### Maternal Child Health

- 68 babies born
- 852 vaccinations were administered through Council's 0-5 year old immunisation program
- 24 families experienced the birth of their first baby
- 662 key ages and stages consultations completed.

## Our Vision

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

## Our Mission

Through strong leadership, transparency and strategic planning Councillors and Staff in partnership with community will achieve our vision.

## Our Values

### ICARE VALUES:

#### *Integrity*

- Make decisions lawfully, fairly, impartially, and in the public interest.
- We are honest, trustworthy, reliable, transparent and accountable in our dealings.
- Keep our customers informed, in plain language, about the process and outcome.

#### *Community Focus*

- Lead and develop leadership within our community.
- Constantly strive to improve our services.
- Forge closer relationships with customers.

#### *Accountability*

- We are careful, conscientious and diligent.
- Use public resources economically and efficiently.
- Investigate matters thoroughly and objectively.

#### *Respect*

- Treat people fairly, with respect and have proper regard for their rights.
- Treat our customers with courtesy and respect.

#### *Excellence*

- Actively pursue positive outcomes for the community.
- Investigate matters thoroughly and objectively.

### **Continuous Improvement**

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



*New playground at Patchewollock*

## Message from the Mayor

As Yarriambiack Shire Mayor it is with much honour and pride that I present the introduction to the Annual Report for 2020-2021. I have once again enjoyed my year as Mayor and leader of a Council that has worked co-operatively to represent the residents of Yarriambiack Shire.

The Victorian Local Government Act 2020 requires the Mayor to present the Annual Report in a meeting open to the public within four months of the end of the financial year. The Annual Report is an important document that provides a transparent record of the Shire Council's performance in addressing the strategic objectives that are set out in the Council Plan. The report ensures that all individuals, groups and organisations are kept informed of Council's decision-making processes during the last financial year.

A new Council was elected in October 2020 and in the ensuing months we have conducted an extensive community engagement program to develop a ten-year community vision. Many of the ideas and information put forward during these consultations have since been collated and incorporated into the Council Plan for 2021-2025. I thank our communities for their support, advice and suggestions during this process.

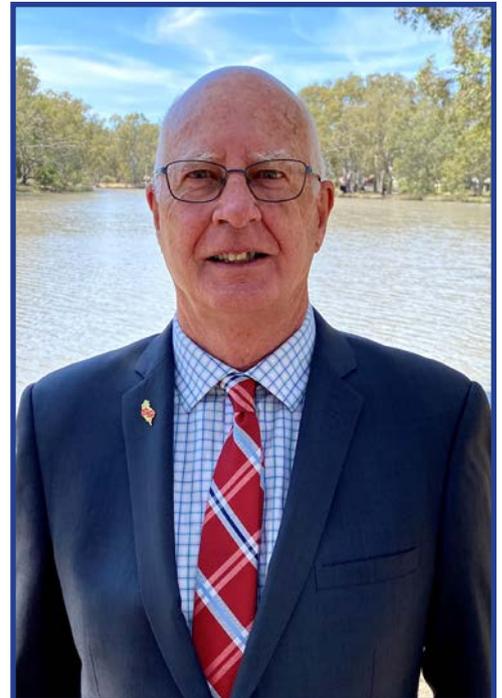
I am pleased to be able to highlight a number of achievements. Our IT transformation to upgrade hardware and software has met with state-wide success as Council won the 2021 MAV Digital Leadership Achievement of the Year. We have continued our pursuit of Federal and State funding to finance projects in many towns. Among the new projects is the redevelopment of the Hopetoun Powerhouse building to create a venue for an artist in residence. Grants were obtained to upgrade our 14 halls and significant finance was obtained to develop netball and tennis facilities at Beulah, Brim and Rupanyup. We have successfully delivered a transformed library service through Yarriambiack Libraries with an increased borrowing rate from 9% to 14% and our first year of 3-year-old kinder reported nearly 100% of eligible children had participated. All our achievements are elaborated on in more detail throughout the Annual Report.

The coronavirus pandemic has persisted into 2021. This continued to place heavy restrictions on how our staff operate and has impacted the delivery of our services and community activities. Once again most annual events had to be cancelled and sporting competitions were greatly interrupted. Council obtained CASI funding to assist community groups to bring their members together in the days when we were not in lockdown. Support has also been given to local businesses to help them transition to an environment when not as many restrictions are placed on their ability to trade.

I sincerely thank our Chief Executive Officer, Jessie Holmes, and her staff for their conscientious dedication to their respective responsibilities. At all times they have been willing to assist Councillors with any concerns or issues they brought forward.

I thank my fellow Councillors for their co-operation in all matters. Their role in representing ratepayers has been carried out thoughtfully and diligently.

I believe that this report endorses the sound framework of the current Council Plan. It paints a picture of a Council that understands that its purpose is to serve its community.



A handwritten signature in black ink, appearing to read 'Graeme Massey'.

**CR GRAEME MASSEY**

# Highlights of the Year

The Council Plan 2017-2021 guides the work of Council in providing services and projects for the community. The plan is set out in five strategic objectives and what follows is a summary of achievements under those five key areas.

## STRATEGIC OBJECTIVE 1

### *Good Governance*

- Good Governance through leadership.
- Organisation Risk.
- Professional and skilled staff in a safe and supportive environment.
- Sustainable, long term financial management.
- Effective Community Engagement & Participation.

#### *2020/21 achievements:*

- Won the MAV Technology - Digital Leadership Achievement of the Year: ICT Business Transformation
- Won the MAV Technology - Victorian Achievement of the Year: ICT Business Transformation
- Adopted Council's revised Strategic Risks in May 2021
- Reduced Audit actions by 40%
- Adopted Community Engagement Policy

## STRATEGIC OBJECTIVE 2

### *A place to live & Grow*

- Assets and facilities.
- Attractive streetscapes, town entrances, parks and gardens.
- Community services that are accessible and responsive to the community's needs.
- Community facilities that are developed and maintained.
- Advocacy for regional living.

#### *2020/21 achievements:*

- Attracted over 3 million dollars worth of Sport and Recreation funding.
- New outdoor street furniture installed across all 14 communities.
- Successful rollout of three year old kinder across 6 early years sites.

## STRATEGIC OBJECTIVE 3

### *A safe and active community and sustainable environment*

- Assist Communities to develop and prosper.
- Community safety.
- Protected and enhanced natural environment.

#### *2020/21 achievements:*

- Delivered the Rupanyup Integrated water management project in consultation with the Wimmera CMA.
- Received funding from DELWP to implement the Flood Management Plans across Yarriambiack.
- Partnered with the Yarriambiack Landcare organisations to plant over 5,000 trees.

## STRATEGIC OBJECTIVE 4

### *A planned future*

- Economic growth within the municipality.
- A strong and diverse local economy.
- Long term asset management.

#### *2020/21 achievements:*

- Attracted over two million dollars for tourism projects including increased accommodation and Artist experiences.
- Assisted with Covid business support including supply of outdoor furniture and waiving of health registration fees.
- Undertook significant photographic imagery of our sealed and gravel network for disaster funding preparedness.

## STRATEGIC OBJECTIVE 5

### *Health & Wellbeing*

- Physical activity.
- Healthy eating.
- Family Violence & Gender Equality.

#### *2020/21 achievements:*

- Employed a dedicated Sport and Recreation Officer.
- Implemented the Gender Equity Assessment for all new and renewed services, policies and assets.
- Partnered with Health Promotion from our health services to deliver improved Early Years outcomes through By 5.



*Outdoor crew member Marc, planting trees in Murtoa as part of the streetscape program.*

# Financial Summary

## Council's financial position continues to remain sound

Detailed information relating to Council's financial performance is included within the Financial Statements and Performance Statement sections of this report.

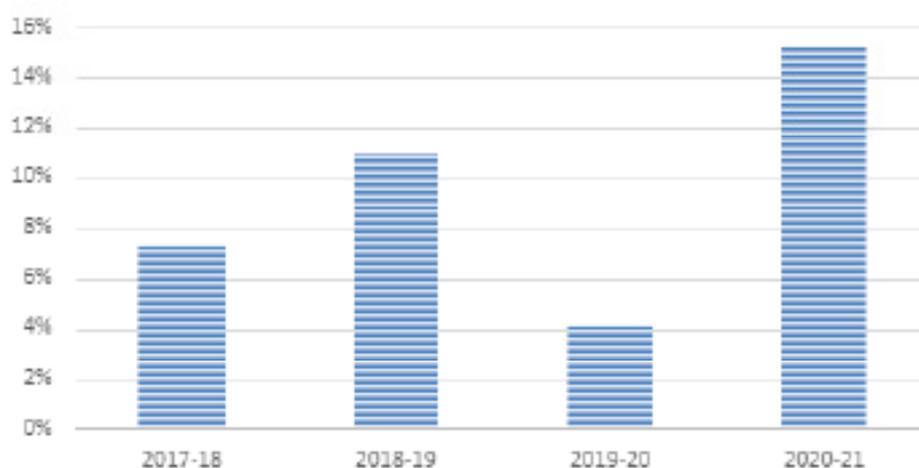
The following is a snapshot of Council's 2020/2021 financial position:

<b>TOTAL REVENUE</b>	\$ 29.882 million
<b>TOTAL EXPENDITURE</b>	\$ 25.350 million
<b>SURPLUS</b>	\$ 4.532 million
<b>TOTAL ASSETS</b>	\$ 164.889 million
<b>TOTAL LIABILITIES</b>	\$ 12.210 million
<b>EQUITY</b>	\$ 152.678 million
<b>NET CASH FROM OPERATING ACTIVITIES</b>	\$ 15.933 million

### Operating Position

Council achieved a surplus of \$4.532 million in 2020/21. The surplus has increased on the prior year surplus of \$2.671 million. As per the Comprehensive Income Statement in the Financial Report, the variance is mainly due to an increase in the number of grants that were received for Council and community projects.

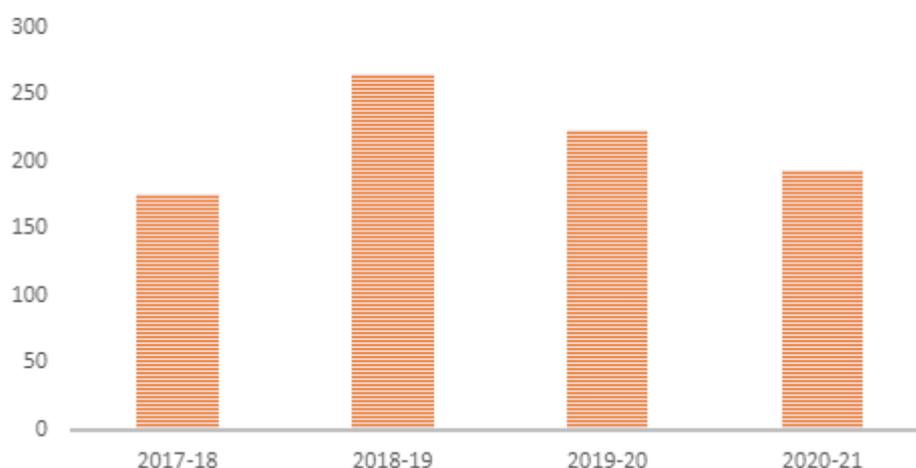
### OPERATING POSITION



### Liquidity

While cash has increased by \$5.351 million, current liabilities have also increased by \$5.125 million mainly due to an increase in unexpended grants of \$4.981 million. The working capital ratio which assesses Council's ability to meet current commitments is calculated by measuring Council's current assets as a percentage of current liabilities. Council's result of 182% is an indicator of a satisfactory financial position and is in the expected target band of 100% to 300%.

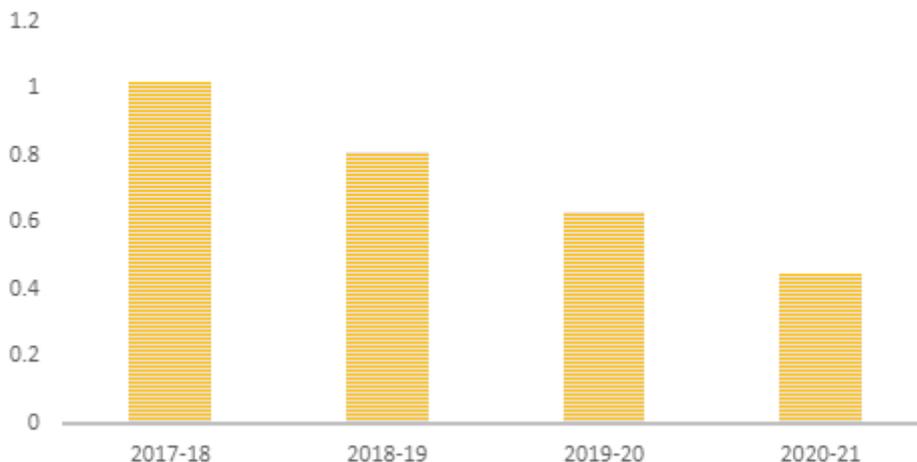
### LIQUIDITY



### Obligations

Council aims to ensure that it can maintain its infrastructure assets at the expected levels, while at the same time continuing to deliver the services needed by the community. To bridge the infrastructure gap, Council invested \$6.883 million in renewal works during the 2020/21 year. This was funded from operations and cash reserves. At the end of the 2020/21 year Council's debt ratio, which is measured by comparing interest-bearing loans and borrowings to rate revenue, was 0.45% which was within the expected target band of 0% - 10%.

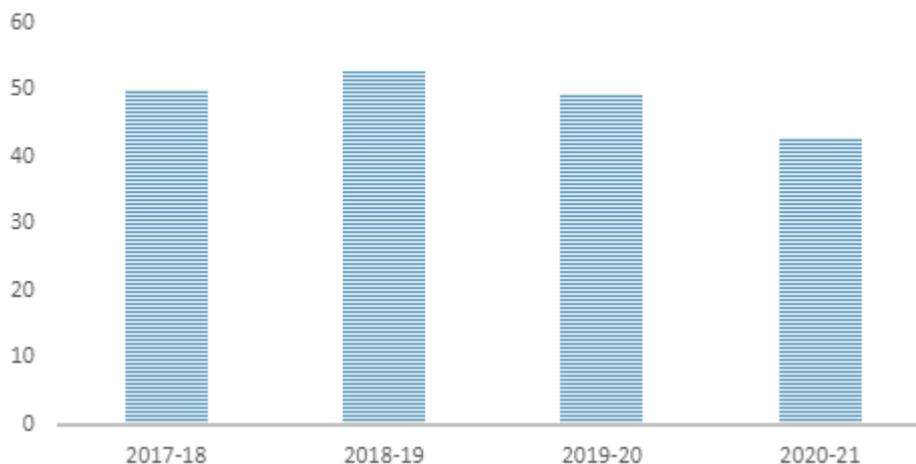
## OBLIGATIONS



### Stability and Efficiency

Council raises a wide range of revenues including rates, user fees, fines, grants and contributions. Despite this, Council's rates concentration, which compares rate revenue to adjusted underlying revenue was 42.99% for the 2020/21 year which is within the expected target band of 40% - 80%.

## STABILITY & EFFICIENCY



# Description of Operations

Yarriambiack Shire Council is responsible for services ranging from roads, family and children's services, economic development, recreation facilities, waste management, open space, libraries, youth and community development, planning for appropriate development and ensuring accountability for Council's budget.

This broad range of community services and infrastructure for residents supports the wellbeing and prosperity of our community.

Council's vision, strategic objectives, and strategies to further improve services and facilities are described in our Council Plan 2017/2021 and the associated Budget 2020/21 and reported on this document.

The delivery of services and facilities are described in our Council Plan Strategic Objectives is measured by a set of service performance indicators and measures.



## MAJOR CAPITAL WORKS

The 2020/21 capital works year delivered an exceptional capital works program compared to recent years for Yarriambiack Shire with capital works expenditure totalling over \$7,407 million.

The major capital works included the following:

### Buildings

- Hopetoun Power House Accommodation section one completed.
- Warracknabeal Town Hall Refurbishment
- Heritage Halls refurbishment at Sheep Hills, Hopetoun, Warracknabeal and Brim
- Warracknabeal Leisure Centre Upgrade
- Supporting the community to deliver the Rupanyup ERup project
- Warracknabeal Live Stock Exchange ramp replacement
- Warracknabeal Transfer station shed extension

### Roads, bridges and footpaths

- 35 gravel renewal re-sheets throughout the shire
- 8 major construction work projects were completed throughout the shire as part of the renewal program
- 16 shoulder re-sheet jobs completed throughout the shire
- Urban construction works were completed with three projects in Minyip and a new sealed parking area in front of the Warracknabeal cemetery
- 2 footpaths were constructed, one in Hopetoun & one in Murtoa
- Replacement of a major culvert on the Minyip Banyena Road
- Council resealed 42 roads as part of the 2020-21 Capital Works Program.

### Parks and open spaces

- Replacement of playground equipment at Patchewollock Recreation Reserve
- Tempy Recreation Reserve shade sails and cricket pitch upgrade

# Community Satisfaction

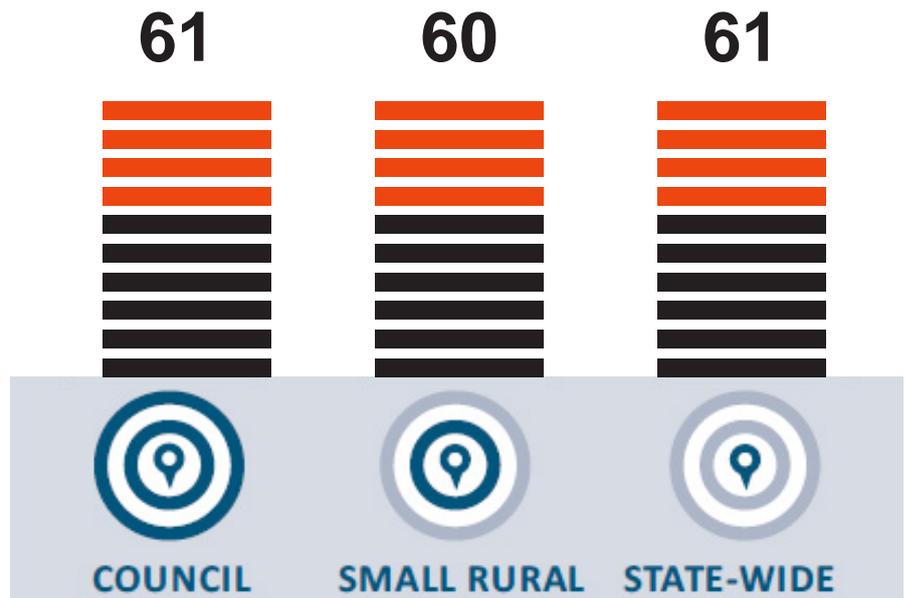
## 2021 Community Satisfaction Survey

Each year Local Government Victoria (LGV) coordinates a State-wide Local Government Community Satisfaction Survey throughout Victorian local government areas. The main objectives of the survey are to assess the performance of councils across a range of measures and to seek insight into ways to provide improved or more efficient service delivery.

### YARRIAMBIACK CORE PERFORMANCE

Council's overall performance is rated in line with the average rating for councils in the Small Rural group and State-wide (60 and 61 respectively).

- The exception is Hopetoun residents (down one point), who are especially unhappy in most areas this year, a departure from past years when they have been some of Council's most satisfied.
- Residents aged 65 years and over are particularly pleased (66) rating overall performance significantly higher than the average. Conversely, ratings among 50 to 64 year olds and Hopetoun residents are significantly lower (index score of 55 for each).
- Over a third (37%) rate the value for money they receive from Council in infrastructure and services provided to their community as 'very good' or 'good', compared to 22% who rate it as 'very poor' or 'poor'. A further 37% rate Council as 'average' here.



### OVERALL COUNCIL PERFORMANCE

Results Shown are Index Scores Out of 100

Services	Yarriambiack 2021	Yarriambiack 2020	Small Rural 2021	State-wide 2021	Highest score	Lowest score
<b>Overall Performance</b>	<b>61</b>	56	60	61	Aged 65+ years	Hopetoun residents, Aged 50-64 years
<b>Overall council direction</b>	<b>54</b>	53	53	53	Aged 65+ years, Warracknabeal residents	Aged 18-34 years
<b>Customer service</b>	<b>75</b>	73	69	70	Aged 18-34 years, Aged 65+ years	Aged 35-64 years
<b>Consultation &amp; engagement</b>	<b>62</b>	59	56	56	Dunmunkle residents	Hopetoun residents
<b>Lobbying</b>	<b>58</b>	58	55	55	Aged 65+ years	Aged 18-34 years
<b>Community decisions</b>	<b>61</b>	58	56	56	Warracknabeal residents	Hopetoun residents
<b>Business/Community Development/Tourism</b>	<b>62</b>	-	62	61	Dunmunkle residents	Warracknabeal residents
<b>Sealed local roads</b>	<b>39</b>	40	53	57	Dunmunkle residents, Aged 65+ years	Aged 50-64 years

## Contributions & Memberships

PROJECT	AMOUNT \$	PROJECT	AMOUNT \$
<b>CONTRIBUTIONS</b>			
Mallee Machinery Field Days	\$1,300.00	Warracknabeal Anglican Church (SG)	\$ 909.09
Murtoa Stick Shed (SG)	\$1,135.00	Yaapeet Community Club Inc (CASI)	\$ 2,000.00
Hopetoun & District Historical Society Inc. (SG)	\$3,000.00	Murtoa Progress Association - Murtoa Events (CASI)	\$ 4,090.91
Hopetoun Gun Club Inc (SG)	\$3,000.00	Shared Learning & Activities Murtoa Inc (CASI)	\$ 863.64
Woomelang & District Bush Nursing (SG)	\$ 909.09	Rupanyup Primary School Parents Club (CASI)	\$ 1,818.18
Woomelang & District Bush Nursing (SG)	\$2,727.27	Hopetoun & District Neighbourhood House (CASI)	\$ 5,000.00
DJ & JA Grigg (SG)	\$2,000.00	Warracknabeal Ladies Probus Club (CASI)	\$ 1,980.00
Hopetoun Golf Club (SG)	\$2,727.27	Rupanyup Senior Citizens (CASI)	\$ 2,850.00
Rupanyup Bowls Club (SG)	\$3,000.00	Minyip Show & Shine (SG)	\$ 1,000.00
Minyip Murtoa Football & Netball Club (SG)	\$2,727.27	Hopetoun & District Neighbourhood House (SG)	\$ 2,727.27
Minyip Golf Club Inc (SG)	\$2,750.00	Warracknabeal Action Group (CASI)	\$ 3,000.00
Lake Marma Committee of Management (SG)	\$2,700.00	Woomelang Senior Citizens (CASI)	\$ 1,000.00
Rupanyup Major Events Committee (CSG)	\$4,400.00	Active Farmers Ltd (CASI)	\$ 2,081.82
Rotary Club of Warracknabeal (CSG)	\$4,400.00	Patchewollock Progress Association (CASI)	\$ 1,800.00
Minyip Lions Club (CSG)	\$4,400.00		<u>\$163,771.97</u>
Wallup Ag Group (CSG)	\$4,400.00		
Murtoa Progress Association (CSG)	\$4,400.00	Warracknabeal Town Hall Committee (AC)	\$ 657.01
Minyip Meats (SG)	\$ 909.09	Beulah Memorial Hall (AC)	\$ 3,040.63
Rupanyup Consultative Committee (SG)	\$2,450.00	Sheep Hills Mechanics Institute (AC)	\$ 657.01
Anzac Park Trustees (SG)	\$2,727.27	Minyip Memorial Hall (AC)	\$ 4,061.50
Beulah Business & Information Centre (SG)	\$1,529.09	Boolite Public Hall & Recreation Reserve (AC)	\$ 1,294.30
Yaapeet Community Club Inc (SG)	\$3,000.00	Patchewollock Memorial Hall (AC)	\$ 4,467.65
Warracknabeal Golf Bowls Club (SG)	\$1,818.18	Lubeck Memorial Public Hall Inc (AC)	\$ 3,040.63
Rupanyup Major Events Committee (SG)	\$3,000.00	Woomelang Memorial Hall (AC)	\$ 6,039.21
Warrack Hot Bread (SG)	\$1,818.18	Rupanyup Public Memorial Hall (AC)	\$ 4,300.77
Dianne Marchment & Associates (SG)	\$1,818.18	Murtoa Mechanics Hall (AC)	\$ 4,467.65
Brim Kellalac Sheep Hills Cricket Club (SG)	\$ 727.27	Wallup Hall Committee (AC)	\$ 1,939.48
Warracknabeal Fire Brigade (SG)	\$ 909.09	Hopetoun Memorial Hall (AC)	\$ 657.01
Hopetoun Lake Lascelles/Corrong (CASI)	\$5,000.00	Aubrey Public Hall (AC)	\$ 1,256.61
1st Warracknabeal Cub Scout (CASI)	\$4,272.73	Tempy Memorial Hall (AC)	\$ 597.28
Murtoa Mechanics Hall (CASI)	\$4,800.00		<u>\$ 36,476.74</u>
Murtoa Progress Association (CASI)	\$1,090.91	Beulah Business & Information Centre (AAF)	\$ 1,251.44
Brim Memorial Bowling Club (CASI)	\$1,550.00	Warracknabeal Action Group (AAF)	\$ 1,251.44
Gateway BEET Inc (CASI)	\$5,000.00	Murtoa Progress Association (AAF)	\$ 1,251.44
Beulah Memorial Hall (CASI)	\$2,600.00	Rupanyup Consultative Committee (AAF)	\$ 1,251.44
Minyip Historical Society Inc (CASI)	\$1,000.00	Gateway BEET Inc (AAF)	\$ 1,251.44
Woomelang CWA (CASI)	\$ 909.09	Brim Active Community Group (AAF)	\$ 1,251.44
Hopetoun Golf Club (CASI)	\$4,117.00	Minyip Progress Association (AAF)	\$ 1,251.44
Southern Mallee Giants Cricket Club (CASI)	\$5,000.00	Woomelang & District Development Association (AAF)	\$ 1,251.44
Warracknabeal & District Band (CASI)	\$4,545.45	Yaapeet Community Club Inc (AAF)	\$ 1,251.44
Murtoa & District Historical Society (CASI)	\$3,670.00	Lascelles Progress Association (AAF)	\$ 1,251.44
Minyip Historical Society Inc (SG)	\$3,000.00		<u>\$ 12,514.41</u>
Rupanyup Community Garden (CASI)	\$1,000.00		
Shared Learning & Activities Murtoa Inc - Murtoa & District Neighbourhood House (CASI)	\$4,090.91		
Minyip Lions Club (CASI)	\$5,000.00		
Shared Learning & Activities Murtoa Inc - Dunmunkle Rupanyup (CASI)	\$ 795.45		
West Wimmera Health Service (CASI)	\$4,527.27		

## Contributions & Memberships

PROJECT	AMOUNT \$
Beulah Park Trustees Committee (AC)	\$ 9,300.36
Minyip Recreation Reserve Committee (AC)	\$ 12,721.44
Hopetoun Recreation Reserve (AC)	\$ 21,467.94
Speed Recreation Reserve (AC)	\$ 3,349.68
Anzac Park Trustees (AC)	\$ 56,328.00
Woomelang Recreation Reserve (AC)	\$ 3,203.82
Lubeck Recreation Reserve (AC)	\$ 3,349.68
Murtoa Showyards Reserve Inc (AC)	\$ 18,791.46
Yaapeet Community Club Inc - Recreation Reserve (AC)	\$ 3,349.68
Patchewollock Recreation Reserve (AC)	\$ 3,349.68
Brim Recreation Reserve Trustees (AC)	\$ 9,204.48
Rupanyup Recreation Reserve (AC)	\$ 18,890.40
Tempy Memorial Park (AC)	\$ 8,360.94
	<b>\$171,667.56</b>
Lake Lascelles/Corrong Committee of Management (AC)	\$ 11,710.48
Brim Lions Club (AWPC)	\$ 5,855.25
Lake Marma Committee of Management (AWPC)	\$ 6,552.30
Beulah Public Purpose Reserve Committee of Management (AWPC)	\$ 4,739.96
	<b>\$ 28,857.99</b>
Hopetoun Swimming Pool (AC)	\$ 33,216.00
Warracknabeal Memorial Swimming Pool (AC)	\$ 72,680.00
Woomelang Swimming Pool (AC)	\$ 20,720.91
Minyip Swimming Pool Inc (AC)	\$ 26,551.00
Tempy Swimming Pool (AC)	\$ 8,746.00
Rupanyup Swimming Pool (AC)	\$ 22,166.00
Rupanyup Swimming Pool (AC)	\$ 10,840.00
Murtoa Swimming Pool Inc (AC)	\$ 38,306.20
Beulah Swimming Pool (AC)	\$ 24,381.64
	<b>\$257,607.75</b>
<b>MEMBERSHIPS</b>	
Australian Livestock Saleyards	\$ 752.22
Early Learning Association of Australia	\$ 681.82
Keep Australia Beautiful Inc	\$ 454.55
Local Government Professionals	\$ 1,249.09
National Saleyards Quality Assurance Inc	\$ 540.00
North West Municipalities Association	\$ 1,000
Rural Councils Victoria	\$ 3,000
Wimmera Development Association	\$ 58,500
Wimmera Mallee Tourism	\$ 7,106.58
	<b>\$ 73,284.26</b>
<b>TOTAL</b>	<b>\$744,180.68</b>



Minyip Progress Association at the opening of their new 24/7 fuel station



New rubbish bins and seating being installed at Beulah in March 2021



New Tennis/Netball Courts being constructed at Rupanyup



Turkey Bottom Lake located at Yaapeet

SG = Share Grant, CSG = Grant money for running a COVID safe Australia Day Event, CASI = Community Activation and Social Isolation Initiative, AC = Annual Contribution, AAF = Administration Assistance Funding, AWPC = Annual Weir Pool Contribution

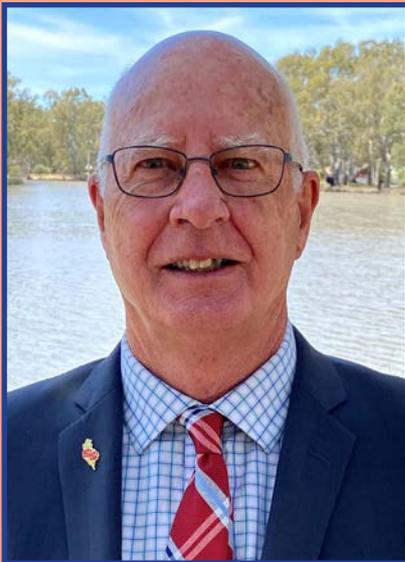
# OUR COUNCIL

## Our Councillors

The Council was elected to provide leadership and good governance of Yarriambiack Shire and the local community. The seven elected Councillors are the representatives of all residents and ratepayers across the Shire.

They have the responsibility for setting the strategic direction for the Shire, policy development, identifying service standards and monitoring performance across the organisation. The Councillors are listed below:

### CR GRAEME MASSEY - MAYOR



#### WARRACKNABEAL WARD

First elected: 2012

Email: [gmassey@yarriambiack.vic.gov.au](mailto:gmassey@yarriambiack.vic.gov.au)

#### Meeting attendance:

Ordinary meetings: 9

Special meetings: 1

*Cr Massey provides representation on the following committees:*

- Internal Audit and Risk Committee
- Municipal Association of Victoria
- North West Municipalities Association
- Yarriambiack Tourism Association



## YARRIAMBIACK SHIRE COUNCIL IS DIVIDED INTO 3 WARDS

### HOPETOUN

includes the townships of: Hopetoun, Patchewollock, Beulah, Woomelang, Lascelles, Speed, Yaapect, Tempy, Turriff and Rosebery

### WARRACKNABEAL

includes the townships of: Warracknabeal, Brim, Sheep Hills and Lah

### DUNMUNKLE

includes the townships of: Murtoa, Minyip, Rupanyup and Lubeck

## CR KYLIE ZANKER



WARRACKNABEAL WARD

First elected: 2008

Email:

kzanker@yarriambiack.vic.gov.au

### Meeting attendance:

Ordinary meetings: 8

Special meetings: 1

*Cr Zanker provides representation on the following committees:*

- Internal Audit and Risk Committee
- Warracknabeal Saleyards Committee
- Wimmera Mallee Tourism Association
- Western Highway Action Committee
- Council Youth Action Committee

## CR TOM HAMILTON



DUNMUNKLE WARD

First elected: 2016

Email:

thamilton@yarriambiack.vic.gov.au

### Meeting attendance:

Ordinary meetings: 9

Special meetings: 1

*Cr Hamilton provides representation on the following committees:*

- Rail Freight Alliance
- Yarriambiack Tourism Association

## CR CHRIS LEHMANN



HOPETOUN WARD

First elected: 2020

Email:

clehmann@yarriambiack.vic.gov.au

### Meeting attendance:

Ordinary meetings: 7

Special meetings: 1

*Cr Lehmann provides representation on the following committees:*

- Henty Highway Action Group
- Yarriambiack Tourism Association



## CR CORINE HEINTZE



DUNMUNKLE WARD

First elected: 2016

Email:

[cheintze@yarriambiack.vic.gov.au](mailto:cheintze@yarriambiack.vic.gov.au)

### Meeting attendance:

Ordinary meetings: 10

Special meetings: 1

*Cr Heintze provides representation on the following committees:*

- GWM Water Regional Recreation Water Users Group
- Seasonal Conditions Committee
- Yarrilinks – Yarriambiack Landcare Group

## CR ANDREW MCLEAN



HOPETOUN WARD

First elected: 2020

Email:

[amclean@yarriambiack.vic.gov.au](mailto:amclean@yarriambiack.vic.gov.au)

### Meeting attendance:

Ordinary meetings: 7

Special meetings: 1

*Cr McLean provides representation on the following committees:*

- Grampians Central West Waste & Resource Recovery Group
- Sunraysia Highway Improvement Committee

## CR KARLY KIRK



WARRACKNABEAL WARD

First elected: 2020

Email:

[kkirk@yarriambiack.vic.gov.au](mailto:kkirk@yarriambiack.vic.gov.au)

### Meeting attendance:

Ordinary meetings: 6

Special meetings: 1

*Cr Kirk provides representation on the following committees:*

- Wimmera Development Association
- Wimmera Southern Mallee Regional Transport Group
- BY5 Steering Committee



# OUR PEOPLE

## Executive Management Team

Council is the governing body that appoints a Chief Executive Officer (CEO).

The CEO has the responsibility for the day-to-day management of operations in accordance with the strategic directions of the Council Plan. Three Directors, seven Senior Managers and the CEO lead the organisation. Details of the CEO and the Directors reporting directly to the CEO are set out below:



**JESSIE HOLMES**  
Chief Executive Officer

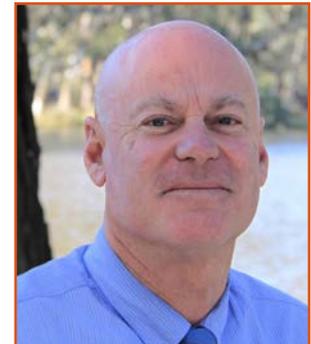
*Directors reporting directly to the Chief Executive Officer:*



**TAMMY SMITH**  
Director Business, Strategy & Performance



**MICHAEL EVANS**  
Director Assets & Operations



**GAVIN BLINMAN**  
Director Community Development & Wellbeing

*Areas of responsibility:*

- Finance
- Rates
- Information Technology
- Procurement
- Media
- Payroll
- Corporate Planning
- Human Resources
- Risk and Safety
- Customer Service

*Areas of responsibility:*

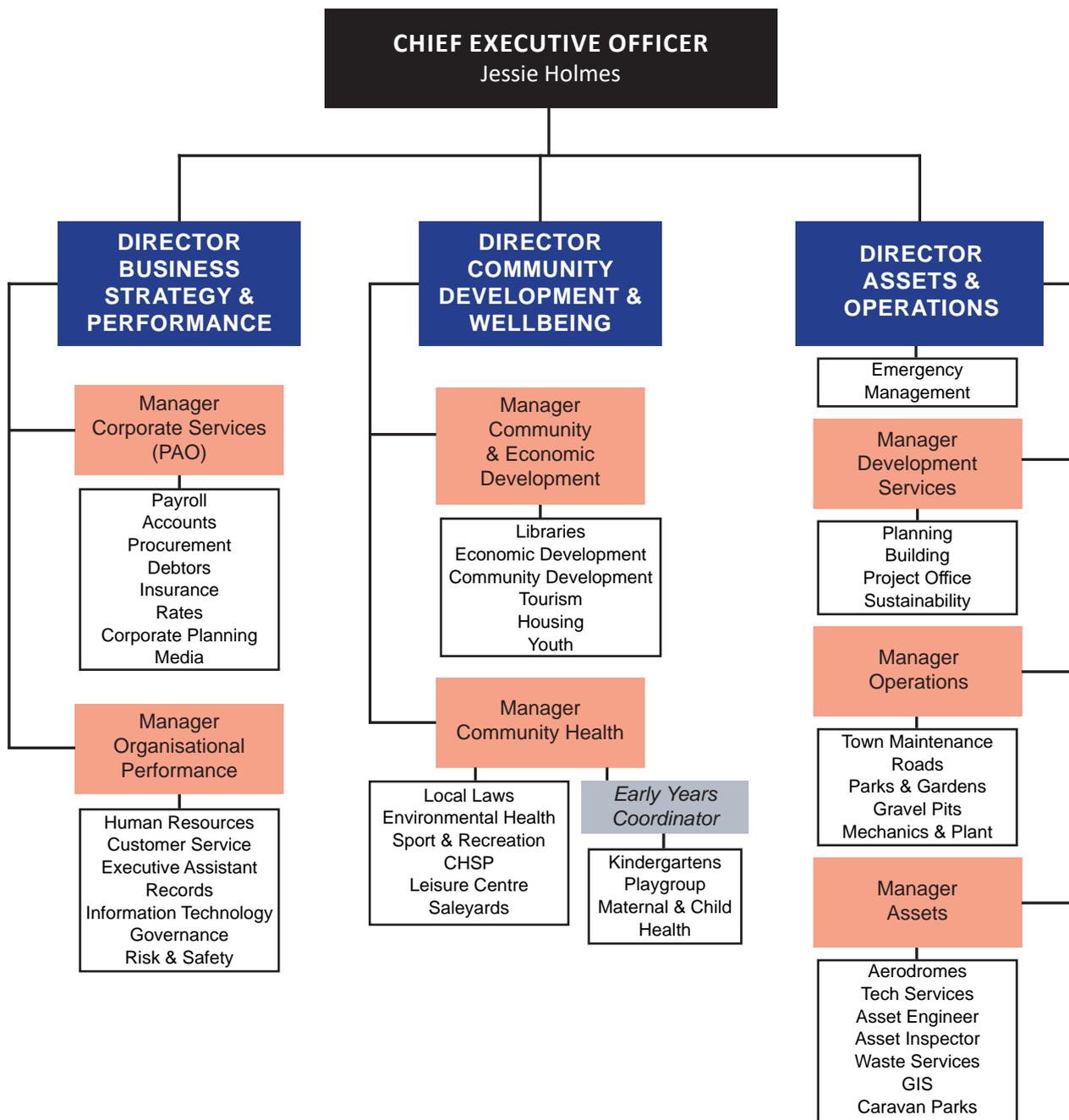
- Emergency Management
- Roads, Footpaths, Kerb & Channel
- Bridges, Culverts, Drainage
- Parks & Gardens
- Planning & Building
- Waste Management
- Plant & Depot Operations

*Areas of responsibility:*

- Aged & Disability Services
- Youth and Early Years
- Economic Development
- Tourism
- Libraries
- Local Laws
- Sport & Recreation
- Maternal & Child Health

# Organisational structure

The chart setting out the organisational structure of Council is shown below:



## Council Staff

A summary of the number of full time equivalent (FTE) Council staff by organisational structure, employment type and gender is set out below:

Employment type/gender	CEO	Community Development & Wellbeing	Business Strategy & Performance	Assets & Operations	Total
	FTE	FTE	FTE	FTE	FTE
Permanent FT - F	1	2	8	2	13
Permanent FT - M	-	4	2	66	72
Permanent PT - F	-	22.96	1.32	.76	25.04
Permanent PT - M	-	.87	.79	3.64	5.3
<b>Total</b>	<b>1</b>	<b>29.83</b>	<b>12.11</b>	<b>72.4</b>	<b>115.3</b>

### Number

As of 30 June 2021 Council had 142 staff in total, with an effective full-time equivalent staff of 115.34. A majority of our staff work from depots.

Other areas where Council employs staff are in the Kindergartens, Maternal and Child Health centres, Transfer Stations and in Caravan parks.

### Status

Council has 139 full-time and part-time staff with three casual employees.

### Gender

Of total staff numbers, 56% are male and 44% female. There is a larger percentage of male staff filling positions such as outdoor works crew.

Positions such as Home Care, Kindergartens and administration areas are filled predominantly with female staff.

Council has six depots, which have a very high percentage of males. Kindergartens and Community Support Workers are all-female staff. Office staff have a greater proportion of females. The management team has a greater proportion of males.

Throughout the 2020-21 financial year Yarriambiack Shire Council has welcomed and farewelled a number of staff.

### WELCOME TO NEW STAFF

- Renee Lee-Fleming
- Sonia Schodde
- Alison Bish
- Grace Phelan
- Rosemary McLean
- Kelsea Wall
- Joanne Campbell
- Thomas Huf
- Janelle Reichelt
- Scott Hicks
- Campbell Howell
- Jeri Warren
- Monique Metlika
- Kimberley Garcia
- Brooke Delahunty
- Anne Pulham
- Helene Wortley
- Pamela Tischler
- Janelle Barbary
- Debra Membrey
- Lisa Inkster

### STAFF FAREWELLS

#### Over 10 years

- Laurence Davidson
- Alan Peters
- Beverley Rowney
- Cheryl Woods
- Warren Perris
- Rhonda Russell
- Robert Taylor

#### 5 - 10 years

- Christopher Roche
- Christopher White
- William Wellington

#### Under 5 years

- Anne Plevy
- Barbara Whiteford
- Benjamin Zoli
- Christiana Henke
- Georgia Lenon
- Helen McGuinness
- Jason Roberts
- Joel Robins
- Jordan Khan
- Kelly-Ann Hill
- Lauren McBriarty
- Lionel Curren
- Mark Mongan
- Monique Middleton
- Rani Wellington
- Sally Momblan
- Wayne Sturrock
- William Naylor

## SERVICE MILESTONES

### *Staff years of service recognition*

Staff who have reached service periods across milestone years are presented with Certificates of Recognition at the all-staff Christmas lunch.

At the December 2020 lunch held at the Commercial Hotel, Rupanyup the following certificates were presented:

#### *35 years service*

- Tony Wise
- Robert Taylor

#### *20 years service*

- Christina Campbell
- Viv Yetman
- Chantelle Pitt

#### *10 years service*

- Kerrie Crafter
- Karen Adams
- Darren Winsall
- Nanette Freckleton
- Bernardine Schilling

#### *5 years service*

- Michelle Schilling
- Belinda Penny
- Debbie Thewlis
- Joel Turner
- Clint Castleman
- William Wellington

#### *30 years service*

- Ken Pitt

#### *15 years service*

- Tim Christian
- Colin Reid
- Michael Evans
- Greg Wilson

## Other Staff Matters

Staff and volunteers are Council's most valuable asset and the strength behind Council's success. We are proud of the commitment and dedication they show to the community and each other.

### STAFF IMPACTS OF COVID-19

From late March 2020 most of our indoor workforce have been working from home. Our outdoor staff workforce continued their great work, even with increased social distancing requirements. Our customer facing services have adapted quickly and without fuss as state restrictions continue to change. Working from home, particularly when combined with children learning from home, has been challenging for the workforce, but they have continued to deliver important services to the community and for that we are very proud.

### EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Yarriambiack Shire Council is committed to providing a workplace free of all forms of discrimination and harassment including bullying. It aims for equality of opportunity for all employees – both permanent and temporary.

By effectively implementing our Equal Opportunity and Anti-discrimination Guidelines within Council's Human Resources Policy & Guidelines we will attract talented people and use their abilities to maximum advantage for both the organisation and the employee alike.

The objective of Council's Equal Employment Opportunity and Anti-discrimination Guidelines is to ensure there is no discrimination relating to the characteristics listed under the Equal Opportunity Act 2010 such as race, colour, sex, marital status, parenthood, physical or mental impairment, age, religious or political affiliation, gender identity and sexual orientation. Further objectives include ensuring the workplace is free from bullying and harassment. Discrimination, harassment and bullying is not only unacceptable it is unlawful.

### PROFESSIONAL DEVELOPMENT

Council's workforce plays a vital role in ensuring that Council meets current and future business needs. Council is committed to continually developing and improving the skills and capacity of its staff by providing access to a range of professional development opportunities. This year there was a focus on leadership development with several training sessions and workshops attended. Staff also continued to attend a range of training, conference, and forum opportunities to ensure currency in their field of expertise.

Council supports pathways for local students by providing work experience, work placement and traineeships. This year Council again offered several opportunities in the areas of Engineering, Kindergartens, and Mechanics. Council's work experience programs allow students from across the municipality to experience working in a variety of Council departments. This allows young people to see the many career opportunities available in local government and increase awareness of Council's operations.

### HEALTH & SAFETY

Council continued its strong commitment to Occupational Health & Safety during 2020/21. Our OH&S committee is represented by employees from across the business with attention given to both preventative and relief measures.

## WORKING FOR VICTORIA PROGRAM

Council was successful in receiving funding from the State Government to recruit 12 staff members on a six-month, fixed term basis, as part of the Working for Victoria Program initiative. The staff commenced in July 2020 and concluded their contract with Council in December 2020.

The staff members worked across the construction, town maintenance and positive ageing teams within the Shire, and assisted with maintaining our COVID safe operating environments, meeting our construction program demands, and implement our street beautification programs. The program has been successful in enhancing the skills and experience of participants who reside in the region, resulting in four people being successful in gaining a permanent position with Council, since the program concluded.

The Working for Victoria Program has contributed to the higher-than-average staff turn-over ratio in 2020-21, due to 12 additional staff members being recruited and 9 staff member contracts concluding within the financial year.



Working for Victoria Project at Woomelang - 17 December 2020

## WORKFORCE TURNOVER

Percentage of resignations and terminations compared to average staff.

*(Number of permanent staff resignations and terminations / Average number of permanent staff for financial year) x 100*

2017/18	2018/19	2019/20	2020/21
8.7%	9.0%	10%	16.84%

## ~ WINNERS AT THE MAV AWARDS ~

On Thursday 29 April 2021, Council staff attended the 2021 MAV Technology National Awards for Excellence in Melbourne. Yarriambiack Shire took home the digital Leadership Achievement of the Year Award and the overall Victorian Council of the Year Award.

These awards recognise the hard work and dedication of all staff who have successfully implemented over a dozen new systems throughout the organisation, from online timesheets through to procurement.



Bernardine Schilling and Tammy Smith accepting two awards on behalf of Yarriambiack Shire Council at the MAV Technology National Awards in Melbourne

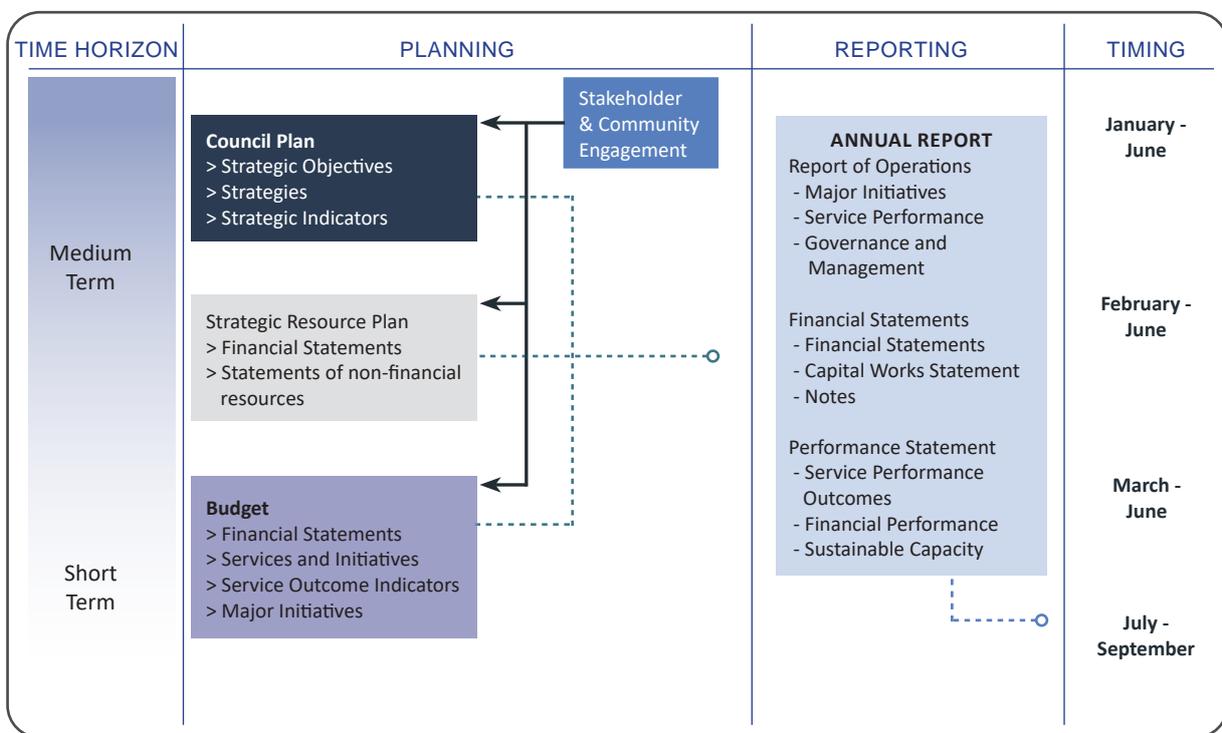
# OUR PERFORMANCE

## Planning and Accountability Framework

The Local Government Act 2020 requires Council to prepare the following planning and reporting documents:

- A Council Plan within the six months after each general election or by 30 June, whichever is later;
- A Strategic Resource Plan for a period of at least four years and include this in the Council Plan;
- A budget for each financial year; and
- An Annual Report in respect of each financial year.

The following diagram shows the relationships between the key planning and reporting documents that make up the planning and accountability framework for local government. It also shows that there are opportunities for community and stakeholder input and feedback at each stage of the planning and reporting cycle.



## Council Plan

The Council Plan 2017-2021 includes strategic objectives, strategies for achieving these over the four-year period and strategic indicators for monitoring achievement of the objectives.

*The following are the five strategic focus areas as detailed in the Council Plan.*

### *Good Governance*

- A well-managed and service-focused organisation.

### *A Place to Live and Grow*

- To develop partnerships and advocate for community wellbeing and economic development priorities and projects, as well as capitalising on existing and emerging opportunities in tourism and visitation.

### *A Safe & Active Community and Sustainable Environment*

- Engage and empower our community and support our volunteers.

### *A Planned Future*

- To plan for future service delivery and local community support as well as secure state and federal funding to maintain and upgrade roads, Council and community infrastructure.

### *Health and Wellbeing*

- Through effective planning and consultation, create environments for our communities that will enable residents to prosper and enjoy improved health and wellbeing.

## PERFORMANCE

Council's performance for the 2020/21 year has been reported in a number of ways:

- Results achieved in relation to the strategic indicators in the Council Plan
- Progress in relation to the major initiatives identified in the Budget
- Services funded in the budget and the persons or sections of the community who are providing those services
- Results against the prescribed service performance indicators and measures



# Strategic Objective 1: Good Governance

*A well-managed and service-focused organisation.*

## STRATEGIC OBJECTIVES

- Good Governance through leadership
- Organisation Risk
- Professional and skilled staff in a safe and supportive environment
- Sustainable, long term financial management
- Effective Community Engagement & Participation

## STRATEGIC INDICATORS

The following statement reviews the performance of Council against the Council Plan, including results achieved in relation to the strategic indicators included in the Council Plan.

Strategic Indicator/Measure	Result	Comments
<i>Consultation and Engagement</i> Community satisfaction rating out of 100 with the consultation and engagement efforts of Council.	<b>62</b>	Results provided from the Community Satisfaction Survey 2021.
<i>Satisfaction with Council Decisions</i> Community satisfaction rating out of 100 with how Council has performed in making decisions in the interests of the community.	<b>61</b>	Results provided from the Community Satisfaction Survey 2021.
<i>Workforce Turnover</i> Percentage of staff who resigned or were terminated from the organisation.	<b>16%</b>	Increase in turnover due to Working for Victoria recruitment for fixed term, six month contracts, and a number of retirements within the financial year.

## OUR INITIATIVES FOR 2020/21

Major Initiatives	Progress
1) Implementation of a new finance and corporate system	Council has implemented a Best of Breed Corporate Finance System. The following systems were implemented from 1 July 2020; Xero, ApprovalMax, WorkflowMax, Calxa, Happy HR (payroll module Key Pay), e-procure, Polixen.
2) Implementation of the new Local Government Act requirements	Council has met the following key milestones of the Local Government Act 2020 with the implementation of the following requirements: Governance Rules, Expense Policy, Delegated Committees, Audit and Risk Committee, Public Transparency Policy, Mandatory Candidate Training, Councillor Code of Conduct, Community Engagement Policy, Gift Policy Councillor Induction Program, Annual Budget, Revenue and Rating Plan Financial Plan, CEO Employment and Remuneration Policy, Recruitment Policy, Staff Code of Conduct and Complaints Policy.
3) Continue to implement the Local Government Inspectorate Action Plan	Council has completed all actions as reported in the Inspectorate Action Plan.
4) Focus on reducing long term medium risk and reducing long term audit risk recommendations.	Council has reduced the outstanding Audit Actions to 26, with a plan to close out all actions by 30 June 2022. An Audit and Risk Committee Annual Workplan is adopted to manage and monitor risk.
5) Continue to actively pursue the recovery on unpaid rates	CollectAU was referred \$1,728m in outstanding rates debt in the 2020/21 Financial Year. As at 30 June 2021, the agency had collected \$0.481m and entered into payment arrangements for the collection of a further \$0.211m.
6) Build a compliant records storage facility	Council has implemented an Electronic Document Records Management System (EDRMS) and has opted to commence a digitisation plan as opposed to building a records storage facility.
7) Develop and implement a Customer Service Request system	Council implemented AssetFinda as its Customer Request Management System in July 2020. This system differentiates between customer service requests and complaints.

## SERVICE PERFORMANCE INDICATOR

The following statement provides the results of the prescribed service performance indicators and measures including an explanation of material variations:

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Governance</b> <i>Transparency</i> Council decisions made at meetings closed to the public	17%	15%	12%	<b>21%</b>	The number of contracts and tenders that Council has had to consider in closed sessions due to a sensitive nature has increased during the 2020/21 financial year.
<i>Consultation and engagement</i> Community satisfaction rating out of 100 with community consultation and engagement.	62	63	59	<b>62</b>	Results provided from the Community Satisfaction Survey 2021.
<i>Attendance</i> Council attendance at Council meetings	93%	83%	89%	<b>92%</b>	No material variation
<i>Service Cost</i> Cost of elected representation	\$31,683	\$32,429	\$34,179	<b>\$37,305</b>	No material variation
<i>Decision making</i> Community satisfaction rating out of 100 for satisfaction with Council decisions.	61	63	58	<b>61</b>	Results provided from the Community Satisfaction Survey 2021.

## Strategic Objective 2: A Place to Live & Grow

To develop partnerships and advocate for community wellbeing and economic development priorities and projects as well as capitalising on existing and emerging opportunities in tourism and visitation.

### STRATEGIC OBJECTIVES

- Assets and facilities
- Attractive streetscapes, town entrances, parks and gardens
- Community services that are accessible and responsive to the community's needs
- Community facilities that are developed and maintained
- Advocacy for regional living

### STRATEGIC INDICATORS

The following statement reviews the performance of Council against the Council Plan including results achieved in relation to the strategic indicators included in the Council Plan.

Strategic Indicator/Measure	Result	Comments
<i>Participation in MCH Service</i> Percentage of children enrolled who participate in the MCH service.	<b>86%</b>	Council continues to have an acceptable participation rate in the Maternal Child Health service.
<i>Participation in MCH Service by Aboriginal Children</i> Percentage of Aboriginal children enrolled who participate in the MCH service.	<b>90%</b>	Variation reflects small number of Aboriginal people within the Shire. Participation in key ages and stage visits reflect the results over the years.
<i>Critical and Major Non-compliance Notifications</i> Percentage of critical and major non-compliance notifications that are followed up by Council.	<b>0%</b>	Council engages proactively with businesses to achieve compliance through education.
<i>Active Library Members</i> Percentage of Municipality that are active library members.	<b>8%</b>	Council is continuing to promote and educate the community on how to use the new library service.

### OUR INITIATIVES FOR 2020/21

Major Initiatives	Progress
1) Develop the Hopetoun Power House into accommodation	The stage one, accommodation section has been completed. Stage two, art gallery is currently under construction. Due to open in 2021-22 financial year.
2) Warracknabeal Tourist Information Centre and amenities upgrades	Concept plans approved, tender specifications being prepared.
3) Support the development of the Minyip Community Fuel project	This project is completed and is providing a positive benefit to the community.
4) Caravan Park master plans completed across six sites	Master Plans completed for the Minyip, Murtoa, Warracknabeal, Hopetoun, Brim caravan parks and the Cronomby Tanks camping area.
5) Upgrade Patchewollock playgrounds and streetscapes	Playground complete, tennis shed renovated, fence around reserve erected. Signage and bollard installation pending.
6) Support the completion of the ERup project	Supermarket finalised with opening date scheduled for September 2021.
7) Install accommodation at Yaapeet Recreation Reserve	Cabin installed final fitout being completed.

## SERVICE PERFORMANCE INDICATOR

The following statement provides the results of the prescribed service performance indicators and measures including explanation of material variations:

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Food Safety</b> <i>Timeliness</i> Time taken to action food complaints	2	3	1	<b>3</b>	Council engages proactively with complainants to address complaints received in a timely manner.
<i>Service Standard</i> Food safety assessments	109%	51%	71%	<b>53%</b>	During the 2020/21 financial year, there were extended periods of business lockdown due to the ongoing Covid pandemic.
<i>Service Cost</i> Cost of food safety service	\$821	\$802	\$1,029	<b>\$195.05</b>	Due to staff restructure, Council has engaged a part-time EHO officer who is employed for two days per week to address food safety. The full-time EHO has moved to a different role resulting in a decrease in the food safety costs.
<i>Health and Safety</i> Critical and major non-compliance notifications	100%	100%	100%	<b>100%</b>	There were no critical and major non-compliance notifications

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Libraries</b> <i>Utilisation</i> Physical library collection usage	1.32	1.28	1.01	<b>0.51</b>	Council has withdrawn from the Wimmera Regional Library Corporation and are now providing this service to the community inhouse. While Council is actively promoting this service it is still in the early stages.
<i>Resource Standard</i> Recently purchased library collection	42%	40%	41%	<b>42%</b>	No material variation
<i>Participation</i> Active library borrowers in municipality	9%	9%	10%	<b>8%</b>	Council is continuing to promote and educate the community on how to use the new library service.
<i>Service Cost</i> Cost of library service per population	\$26.88	\$28.57	\$31.14	<b>\$31.07</b>	No material variation

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Maternal &amp; Child Health</b> <i>Service Standard</i> Infant enrolments in the MCH service	100%	98%	103%	<b>101%</b>	All newborns in the shire have received a first home visit from the MCH nurses.
<i>Service Cost</i> Cost of the MCH service	\$114	\$122	\$169	<b>\$102</b>	The costs for the Playgroup Coordinator have decreased due to playgroups being closed due to COVID restrictions for parts of the 2020-21 financial year. The staff member was redeployed within the Early Years business unit.
<i>Participation</i> Participation in MCH service	75%	93%	91%	<b>86%</b>	Council continues to have an acceptable participation rate in the MCH service.
<i>Participation</i> Participation in MCH service by Aboriginal children	100%	100%	94%	<b>90%</b>	Variation reflects small number of Aboriginal people within the shire. Participation in key ages and stage visits reflect the results over the years.
<i>Satisfaction</i> Participation in 4-week key age and stage visit	<i>New in 2020</i>	<i>New in 2020</i>	98%	<b>98%</b>	No material variation

# Strategic Objective 3: A Safe and Active Community and sustainable environment

*Engage and empower our community and support our volunteers.*

## STRATEGIC OBJECTIVES

- Assist communities to develop and prosper
- Community safety
- Protected and enhanced natural environment

## STRATEGIC INDICATORS

The following statement reviews the performance of Council against the Council Plan, including results achieved in relation to the strategic indicators included in the Council Plan.

Strategic Indicator/Measure	Result	Comments
<i>Utilisation of Aquatic Facilities</i> Number of visits to aquatic facilities per head of municipal population.	<b>0.49</b>	The number of visitors to the Hopetoun Pool has increased by 861 visitors.
<i>Animal Management Prosecutions</i> Number of successful animal management prosecutions.	<b>1</b>	There was one successful animal management prosecution recorded. In previous years Council have had no animal management prosecutions.
<i>Waste Diversion</i> Kerbside collection waste diverted from landfill, calculated as the percentage of garbage and recyclables collected from kerbside bins that is diverted from landfill.	<b>22%</b>	During the 2020/21 year the recycable industry has resumed accepting waste as per previous years.

## OUR INITIATIVES FOR 2020/21

Major Initiatives	Progress
1) Implementation of streetscape designs across the Council	Street furniture has been installed, street vegetation plans are being prepared.
2) Redevelop the Warracknabeal Leisure Centre Gymnasium	Completed and operational, 24 hour Gym run by independent operator on licence with Council.
3) Undertake the development of a waste strategy and trial a recycling trailer for smaller townships.	Council has cancelled the recycling trailer and is investigating other opportunities in waste through the state government legislation and schemes. A waste strategy is programmed to be developed over the next 6-8 months.
4) Carry out major maintenance at Minyip Swimming Pool	Council in partnership with the Minyip Swimming Pool Committee of Management completed major maintenance and repainting of the Minyip Swimming Pool. The Minyip Swimming Pool was able to reopen prior to the 2020/21 season with the completed works appreciated by the Committee and community members.
5) Update cricket pitch and shade area at the Tempy Recreation Reserve	Council have completed project works at the Tempy Recreation Reserve. The Tempy Cricket Club now have access to a brand new synthetic cricket pitch, while shade sails have been installed over the new playground.
6) Caravan Park Fire Safety Upgrades at five caravan park sites	The Caravan Park Fire Safety Upgrades have been carried forward into the 2021-22 Financial Year.
7) Develop a masterplan for ANZAC Park Warracknabeal	The process for development is well underway with user groups committing & coming together to draft a site plan which will then go to a consultant to develop conceptual plans.

## SERVICE PERFORMANCE INDICATOR

The following statement provides the results of the prescribed service performance indicators and measures including an explanation of material variations:

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Aquatic Services</b> <i>Service Standard</i> Health inspections of aquatic facilities	1	0	0	<b>0</b>	No inspection was undertaken of the aquatic facility during the 2020/21 financial year.
<i>Utilisation</i> Utilisation of aquatic facilities	0.48	0.51	0.35	<b>0.49</b>	The number of visitors to the Hopetoun Pool has increased by 861 visitors.
<i>Service Cost</i> Cost of outdoor aquatic facilities	<i>New in 2020</i>	<i>New in 2020</i>	\$14.75	<b>\$10.98</b>	Due to the pool opening for 2-3 months of the year instead of 4 months, the cost associated with operating the pool was lower than the previous year.

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Animals</b> <i>Timeliness</i> Time taken to action animal requests	1.14	1.24	1.04	<b>1.17</b>	Animal management requests are actioned within one business day.
<i>Service Standard</i> Animals reclaimed	73%	57%	50%	<b>91%</b>	The number of animals reclaimed has increased. Council continues to ensure as many impounded animals as possible are reclaimed by their owners.
<i>Service Standard</i> Animals rehomed	<i>New in 2020</i>	<i>New in 2020</i>	71%	<b>45%</b>	Due to the number of animals being reclaimed by their owners, this has resulted in a decrease in the number of animals that need to be rehomed.
<i>Service Cost</i> Cost of animal management service per population	\$14.26	\$15.38	\$17.13	<b>\$13.80</b>	The number of call outs have declined due to the amount of impounded animals being reclaimed by their owners or where appropriate rehoused.
<i>Health and safety</i> Animal management prosecutions	<i>New in 2020</i>	<i>New in 2020</i>	0	<b>100%</b>	There was one successful animal management prosecution recorded. In previous years Council have had no animal management prosecutions.

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Waste Collection</b> <i>Satisfaction</i> Kerbside bin collection requests	19	31	51	<b>7</b>	The number of bin collection requests recorded in our CRM System has decreased in the 2020/21 year.
<i>Service Standard</i> Kerbside collection bins missed	.86	1.44	.32	<b>.64</b>	The number of reported missed bins recorded in our CRM System has decreased in the 2020/21 year.
<i>Service Cost</i> Cost of kerbside garbage collection service	\$97	\$169	\$179	<b>\$191</b>	No material variation
<i>Service Cost</i> Cost of kerbside recyclables collection service	\$130	\$164	\$96	<b>\$137</b>	The cost of providing the recyclables collection service increased due to recycling being accepted by recycling contractors as per previous years.
<i>Waste Diversion</i> Kerbside collection waste diverted from landfill	25%	25%	19%	<b>22%</b>	During the 2020/21 year Council was sending recyclables waste to the Doon Landfill due to China's refusal to accept waste from Australia. The recycling industry has resumed accepting waste as per previous years.

## Strategic Objective 4: A Planned Future

*Plan for future service delivery and local community support as well as secure state and federal funding to maintain and upgrade roads, Council and community infrastructure.*

### STRATEGIC OBJECTIVES

- Economic growth within the municipality
- A strong and diverse local economy
- Long term asset management

### STRATEGIC INDICATORS

The following statement reviews the performance of Council against the Council Plan including results achieved in relation to the strategic indicators included in the Council Plan.

Strategic Indicator/Measure	Result	Comments
<i>Satisfaction with Sealed Local Roads</i> Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads.	39	Results provided from the Community Satisfaction Survey 2021.
<i>Planning Scheme Outcomes</i> Percentage of planning application decisions subject to review by VCAT that were not set aside	0	No planning applications were sent to VCAT during the 2020/21 financial year.

### OUR INITIATIVES FOR 2020/21

Major Initiatives	Progress
1) Applications for improved Early Years facilities in Warracknabeal and the southern part of the shire	Funding applied for and received for Warracknabeal 3 year old kindergarten, project at permit approval stage. Southern shire services being scoped and in planning stage.
2) Capitalise on additional Roads to Recovery Funding	The funding is utilised to upgrade some of the strategic routes. In 20/21 this fund was also used as a seed fund for the Agrilinks Upgrade program.
3) Implementation of Yarriambiack Libraries	Libraries now functional and also servicing outreach areas across the shire.
4) Upgrade 14 halls as part of the 'Home is Where the Hall is' funding	All halls on schedule for completion as per funding guidelines.
5) Increase funding for footpath, kerb and channel	Council is still looking at ways to attract funding and increase footpath and kerb & channel where possible.
6) Complete streetscape designs for four townships	Streetscape designs complete.
7) Fire design implementation for Warracknabeal Livestock Exchange	Tender awarded. Original designs amended following consultation with stakeholder group. New design, better accommodating traffic movements, has been submitted to Fire Rescue Victoria and awaiting approval.

## SERVICE PERFORMANCE INDICATOR

The following statement provides the results of the prescribed service performance indicators and measures including an explanation of material variations:

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Roads</b> <i>Satisfaction of use</i> Number of sealed local road requests	1.20	3.82	13	<b>33</b>	Due to the new Customer Request Management (CRM) system being implemented, Council is now recording the number of sealed local road requests.
<i>Condition</i> Sealed local roads maintained to condition standards	90%	98%	80%	<b>100%</b>	Council maintains a strong focus on asset renewal, including local sealed roads.
<i>Service Cost</i> Cost of sealed local road reconstruction per square metres	\$22	\$25	\$61	<b>\$94</b>	The result is higher than the previous year due to receiving grant money for Fixing Country Roads and extra Roads to Recovery funding.
<i>Service Cost</i> Cost of sealed local road resealing per square metres	\$4	\$5	\$7	<b>\$18</b>	The local road resealing is contracted out and the cost varies with the amount of resealing required to be undertaken. Extra road reseals were added to the 2020/21 financial year.
<i>Satisfaction</i> Community satisfaction out of 100 with sealed local roads	38	42	40	<b>39</b>	Results provided from the Community Satisfaction Survey 2021.

Service/Indicator/Measure	Actual				Material Variations
	2017/18	2018/19	2019/20	2020/21	
<b>Statutory Planning</b> <i>Timeliness</i> Time (days) taken to decide planning applications	17	16	18	<b>18</b>	No material variation.
<i>Service Standard</i> Planning applications decided within required time frames	98%	88%	102%	<b>98%</b>	No material variation.
<i>Service Cost</i> Cost of statutory planning service	\$1,625	\$1,731	\$2,423	<b>\$4,725</b>	The increase is a reflection of a full time planner and support officer.
<i>Decision Making</i> Council planning decisions upheld at VCAT	0	0	0	<b>0</b>	No planning applications were sent to VCAT during the 2020-2021 financial year.

# Strategic Objective 5: Health & Wellbeing

*Through effective planning and consultation, create environments for our communities that will enable residents to prosper and enjoy improved health and wellbeing.*

## STRATEGIC OBJECTIVES

- Physical activity
- Healthy eating
- Family Violence & Gender Equality

## OUR INITIATIVES FOR 2020/21

Major Initiatives	Progress
1) Increase active living	New gym facilities Warracknabeal. Three netball tennis court facility upgrades underway in Rupanyup, Beulah and Brim. Assistance given to Hopetoun community gym to develop.
2) Increase healthy eating	Healthy eating program rolled out to new 3 year old kinder program.
3) Participation in organised sport	Improved facilities across shire with sport and recreation funding and assistance during COVID to set safe standards in place for events.
4) Reduce prevalence and impact of family violence	Council has joined the Communities of Respect and Equality (CoRE) Alliance. The alliance is a partnership of organisations, businesses, clubs and groups who share a vision for safe, equal and respectful communities in the Grampians region.
5) Increase gender equality	CEO member of Gender Equity Advisory Committee.



Yarriambiack Creek

# OUR GOVERNANCE

## GOVERNANCE

Yarriambiack Shire Council is constituted under the Act to provide leadership for the good governance of the municipal district and the local community. Council has a number of roles including:

- Taking into account the diverse needs of the local community in decision-making;
- Providing leadership by establishing strategic objectives and monitoring achievements;
- Ensuring that resources are managed in a responsible and accountable manner;
- Advocating the interests of the local community to other communities and governments;
- Fostering community cohesion and encouraging active participation in civic life.

Council is committed to effective and sustainable forms of democratic and corporate governance as the key to ensuring that Council and its administration meet the community’s priorities. The community has many opportunities to provide input into Council’s decision making processes including community consultation, Progress Association meetings and the ability to make submissions to Special Committees of Council.

Council’s formal decision-making processes are conducted through Council meetings and Special Committees of Council. Council delegates the majority of its decision-making to Council staff. These delegations are exercised in accordance with adopted Council policies.

### Meetings of Council

Council conducts open public meetings on the 4th Wednesday of each month from January to November. When COVID restrictions are not in place, members of the community are welcome to attend Council meetings and observe from the gallery. Whilst COVID restrictions are in place, Council live streams meetings to YouTube.

Council meetings provide the opportunity for community members

to submit a question to the Council, make a submission or speak to an item.

For the 2020/21 year Council held the following meetings:

- 10 Ordinary Council meetings
- 1 Special Council meeting

\*No Ordinary meeting was held in September due to the election period.

A Statutory Meeting was held on 18th November to swear in the new Councillors. Council welcomed new Councillors Karly Kirk, Chris Lehmann and Andrew McLean.

Council farewelled our outgoing Councillors Shane Roberts, Helen Ballentine and Jean Wise. We thank you for all your time and dedication towards Council.

The table at left provides a summary of Councillor attendance at Council meetings and Special Meetings for the 2020/21 financial year.

Councillors	Council Meeting	Special Council Meeting	Total
Cr Graeme Massey	9	1	10
Cr Corinne Heintze	10	1	11
Cr Jean Wise	3	-	3
Cr Kylie Zanker	8	1	9
Cr Shane Roberts	3	-	3
Cr Tom Hamilton	9	1	10
Cr Andrew McLean	7	1	8
Cr Chris Lehmann	7	1	8
Cr Karly Kirk	6	1	7



Cr Kirk at Wallup Hall - Australia Day celebrations



Cr Zanker with Australia Day recipient Lachie Stewart



Cr Massey laying a wreath at Sheep Hills

## Code of Conduct

The Local Government Act 2020 requires Council to develop and approve a Councillor Code of Conduct within the period of four months after a general election.

The Code of Conduct is part of Council's commitment to governing our Shire effectively and adhering to the principles of good governance.

Good governance is the complex set of processes, protocols and behaviours which lead to good decisions. Good decisions are those which are informed by evidence and good advice, contributed to and understood by communities, underpinned by integrity and make sense in the long term interests of the community.

As per the Local Government Act 2020, Council may review or amend the Councillor Code of Conduct at any time.

On 27 February 2021 the Councillor Code of Conduct was reviewed and amended to meet the requirements of section 139 of the Local Government Act 2020. These amendments include the five standards of conduct listed below to assist Councillors in understanding the conduct that is expected of them in the course of performing their duties and functions, including prohibiting discrimination, harassment (including sexual harassment) and vilification.

1. Treatment of others
2. Performing the role of a Councillor
3. Compliance with good governance measures
4. Councillors must not discredit or mislead Council or public standards
5. Standards do not limit robust political debate.

Other additions/amendments included:

- Governance Rules and Local Law 2020 – Common Seal and Conduct at Meetings
- Appendix 1 – Internal Resolution Procedure
  - Phase 1 – Direct Negotiation
  - Phase 2 – External Mediation
  - Phase 3 – Internal Resolution Procedure – Arbitrator
- Review of Councillor Code of Conduct

## Conflict of Interest

Councillors are elected by the residents and ratepayers to act in the best interests of the community. This is a position of trust that requires Councillors to act in the public interest. When a Council delegates its powers to a Council officer or a committee, the committee or officer also needs to act in the public interest.

A conflict of interest occurs when a personal or private interest might compromise the ability to act in the public interest. A conflict of interest exists even if no improper act results from it.

Council has a comprehensive procedure in place to accommodate the disclosure of a conflict of interest. Declaration of a conflict of interest is a standard agenda item for all Council and committee meetings.

While the procedures vary depending on the role and circumstances, in general they involve disclosing the relevant interests in a specific way and then stepping aside from the relevant decision-making process or from the exercise of the public duty. A register is maintained to record all disclosed conflicts of interest.

During the 2020-21 year, 10 conflicts of interest were declared at Council and Special Council meetings.

## Councillor Allowances

In accordance with Division 6 Entitlements, Section 39 of the Local Government Act 2020, Councillors are entitled to receive an allowance while performing their duty as a Councillor. The Mayor is also entitled to receive a higher allowance.

The State Government sets the upper and lower limits for all allowances paid to Councillors and Mayors. Councils are divided into three categories based on the income and population of each Council. In this instance, Yarriambiack Shire Council is recognised as a category one Council.

The table at right contains a summary of the allowances paid to each Councillor during the year.

Councillors	Councillor allowance including superannuation
Cr Graeme Massey	\$69,169.56
Cr Corinne Heintze	\$23,046.12
Cr Jean Wise	\$7,682.04
Cr Kylie Zanker	\$23,046.12
Cr Shane Roberts	\$7,682.04
Cr Tom Hamilton	\$23,046.12
Cr Andrew McLean	\$15,364.08
Cr Chris Lehmann	\$15,364.08
Cr Karly Kirk	\$15,364.08
<b>Total</b>	<b>\$199,734.24</b>

## COUNCILLOR EXPENSES

In accordance with Section 40 and 41 of the Local Government Act 2020, Council is required to reimburse a Councillor for expenses incurred whilst performing his or her duties as a Councillor. Council is also required to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors. The policy provides guidance for the payment of reimbursements of expenses and the provision of resources, facilities and other support to the Mayor and Councillors to enable them to discharge their duties. Council also publishes in its Annual Report the details of the expenses, including reimbursement of expenses for each Councillor and member of a Council Committee paid by the Council.

The details of the expenses including reimbursement of expenses for each Councillor and member of a Council committee paid by the Council for the 2020/21 year are set out in the following table.

Councillors	TR \$	RF \$	Total \$
Cr Graeme Massey	-	-	-
Cr Corinne Heintze	-	-	-
Cr Jean Wise	-	-	-
Cr Kylie Zanker	-	-	-
Cr Shane Roberts	-	-	-
Cr Tom Hamilton	-	-	-
Cr Andrew McLean	\$2,640.98	\$880	<b>\$3,520.98</b>
Cr Chris Lehmann	-	\$520	<b>\$520</b>
Cr Karly Kirk	-	\$5.45	<b>\$5.45</b>
<b>Total</b>	<b>\$2,640.98</b>	<b>\$1,405.45</b>	<b>\$4,046.43</b>

Legend: TR - Travel; RF - Remote Factor Allowance;



Left - Right: Cr Hamilton, Cr Heintze, Cr Kirk, Cr Massey, Cr Zanker, Cr McLean and Cr Lehmann

## MANAGEMENT

Council has implemented a number of statutory and better practice items to strengthen its management framework. Having strong governance and management frameworks leads to better decision making by Council.

The Local Government Act requires Council to undertake an assessment against the prescribed governance and management checklist and include this in its report of operations. Council's Governance and Management Checklist results are set out on the following pages. The following items have been highlighted as important components of the management framework.

### Audit and Risk Committee

The Audit and Risk Committee's role is to oversee and monitor the effectiveness of Council in carrying out its responsibilities for accountable financial management, good corporate governance, maintaining an effective system of internal control and risk management and fostering an ethical environment. The Audit and Risk Committee includes independent members James Gregson (Chair), Diane Connolly, Martin Moynihan and Simon Coutts. Councillor representatives are Cr Kylie Zanker and Mayor Graeme Massey. The independent members are appointed for a one year, two year or three-year term. The Committee meets at minimum four times per year.

The CEO, Director Business Strategy and Performance, Manager Corporate Services and Business Transformation Officer all attend the Audit and Risk Committee Meetings, along with the Internal Auditors, RSD Audit.

The External Auditors are invited to all scheduled Audit and Risk Committee Meetings. The meetings were held in August, October, December 2020, February, and May 2021.

### External Audit

Council is externally audited by the Victorian Auditor-General. For the 2020-21 year, the annual external audit of Council's Financial Statements and Performance Statement was conducted by the Victorian Auditor-General's representative. The external auditors attend the Audit and Risk Committee meetings in January, May and July each year to present the audit plan and Independent Audit Report. The external audit management letter and responses are also provided to the Audit and Risk Committee.

### Internal Audit

Council's internal audit function provides independent and objective assurance that the appropriate processes and controls are in place across the Council. A risk based Strategic Internal Audit Plan (SIAP) is revised annually to ensure the audit resources remain focused on the appropriate areas. The review process considers Council's risk framework, the Council Plan, the impact of any change on operations, systems or the business environment; prior audit coverage and outcomes and management input. The SIAP is reviewed and approved by the Audit and Risk Committee annually.

The Internal Auditor attends each Audit and Risk Committee meeting to report on the status of the SIAP to provide an update on the implementation of audit recommendations and to present findings of completed reviews. All audit issues identified are risk rated. Recommendations are assigned to the responsible Manager and tracked in Council's performance management system. Managers provide status updates that are reviewed by the Internal Auditor and the Audit and Risk Committee.

Internal Audits Completed in 2020-21 were;

- Budget Submission Management
- Human Resource and Payroll Management
- GST and FBT Accounting (rescheduled until October 2021)

### Risk Management

In April 2014, Council adopted the Risk Management Framework and Policy in line with current best practice in the management of business enterprise risks and current AS/NZS 31000 guidelines.

The Risk Management Framework and Policy addresses items such as:

- risk management culture and branding;
- communication and training;
- best practice in risk management;
- responsibilities of and to internal and external stakeholders;
- risk registers and risk management software development;
- the Council planning cycle, budget cycle and annual audit cycle; and
- a performance measurement system to determine the effectiveness of the framework.

# GOVERNANCE AND MANAGEMENT CHECKLIST

The following are the results in the prescribed form of Council's assessment against the prescribed governance and management checklist

Governance & Management Items	Assessment
<b>1. Community Engagement Policy</b> - <i>policy outlining Council's commitment to engaging with the community on matters of public interest.</i>	<b>Policy:</b> Council adopted its Community Engagement Policy in accordance with the Local Government Act 2020 on 24 March 2021.
<b>2. Community Engagement Guidelines</b> - <i>guidelines to assist staff to determine when and how to engage with the community.</i>	<b>Guidelines:</b> Community Engagement Guidelines forms part of the Community Engagement Policy that was adopted on 24 March 2021.
<b>3. Financial Plan</b> - <i>plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next 10 financial years.</i>	<b>Plan:</b> Adopted in accordance with Section 91 of the Act. The Long Term Financial Plan is included as part of the Council Plan.  Date of adoption: 25 August 2021
<b>4. Asset Plan</b> - <i>plan that sets out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years.</i>	<b>Plan:</b> Plans are currently being developed to meet Local Government Act 2020 timelines.
<b>5. Revenue and Rating Plan</b> - <i>plan setting out the rating structure of Council to levy rates and charges.</i>	<b>Plan:</b> Adopted in accordance with Section 93 of the Act 23/06/2021
<b>6. Annual Budget</b> – <i>plan setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required</i>	<b>Annual Budget:</b> Date of adoption: 24/06/2020
<b>7. Risk Policy</b> - <i>policy outlining Council's commitment and approach to minimising the risks to Council's operations.</i>	<b>Policy:</b> The Risk Management Manual incorporates Council's Strategy, Policy and Framework and was adopted on 25 August 2021.
<b>8. Fraud Policy</b> - <i>policy outlining Council's commitment and approach to minimising the risk of fraud.</i>	<b>Policy:</b> The Fraud and Corruption Prevention policy was adopted on 23/06/2021
<b>9. Municipal Emergency Management Plan</b> - <i>plan under section 20 of the Emergency Management Act 1986 for emergency prevention, response and recovery.</i>	<b>Plan:</b> Prepared and maintained in accordance with Section 20 of the Emergency Management Act 1986.  Date of adoption: 13/12/2017
<b>10. Procurement Policy</b> - <i>policy outlining the principles, processes and procedures that will apply to all purchases of goods and services by the Council.</i>	<b>Policy:</b> Date of Adoption: 27/05/2020  Revised and adopted to meet the requirements of Section 108 of the Local Government Act 2020 on 25 August 2021.
<b>11. Business Continuity Plan</b> - <i>plan setting out the actions that will be taken to ensure that key services continue to operate in the event of a disaster.</i>	<b>Plan:</b> Revised and adopted on 05 May 2021.

Governance & Management Items	Assessment
<p><b>12. Disaster Recovery Plan</b> - plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster.</p>	<p><b>Plan:</b></p> <p>The Disaster Recovery Requirements and Procedure was revised on 25 November 2019 and is currently under review.</p>
<p><b>13. Risk Management Framework</b> - framework outlining Council's approach to managing risks to the Council's operations.</p>	<p><b>Framework:</b></p> <p>The Risk Management Manual incorporates Council's Strategy, Policy and Framework and was adopted on 25 August 2021.</p>
<p><b>14. Audit and Risk Committee</b> - advisory committee of Council under section 53 and 54 of the Act</p>	<p><b>Audit and Risk Committee:</b></p> <p>Date of establishment: 9/02/2004</p> <p>Audit and Risk Charter was revised and adopted on 26 August 2020.</p>
<p><b>15. Internal Audit</b> - independent accounting professionals engaged by the Council to provide analysis and recommendations aimed at improving Council's governance, risk and management controls</p>	<p><b>Engaged:</b></p> <p>RSD Audit commenced as Council's Internal Audit Firm on 1 July 2020.</p>
<p><b>16. Performance Reporting Framework</b> - a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Local Government Act 1989.</p>	<p><b>Framework:</b></p> <p>This framework is currently under review with a plan revision to be adopted in the 21-22 Financial Year.</p> <p>Date of operation of current framework: 27/11/2019</p>
<p><b>17. Council Plan Reporting</b> - report reviewing the performance of the Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year.</p>	<p><b>Report:</b></p> <p>Date of operation of current report: 24/06/2020 Council Plan was adopted on 25 August 2021.</p>
<p><b>18. Financial Reporting</b> - quarterly statements to Council under section 138(1) of the Local Government Act 1989 comparing budgeted revenue and expenditure with actual revenue and expenditure.</p>	<p><b>Financial Reporting:</b></p> <p>Statements presented to Council in accordance with section 138(1) of the Act.</p> <p>Statements are presented monthly at Council meetings. 9 Monthly Reports: 23/6/2021, 26/5/2021, 28/4/2021, 24/3/2021, 24/2/2021, 27/1/2021, 25/11/2021, 21/10/2020, 22/07/2020</p>
<p><b>19. Risk Reporting</b> - six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies.</p>	<p><b>Reports:</b></p> <p>Date of operation of current report: 26/05/2021</p>
<p><b>20. Performance Reporting</b> - six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the 1989 Act.</p>	<p><b>Reports:</b></p> <p>Performance Reporting Framework was adopted in November 2019.</p> <p>Date of operation of current report: 24/03/2021</p>
<p><b>21. Annual Report</b> - annual report under sections 131, 132 and 133 of the Local Government Act 1989 to the community containing a report of operations and audited financial and performance statements.</p>	<p><b>Annual Report:</b></p> <p>Considered at a meeting of Council in accordance with section 134 of the Act.</p> <p>Date statements presented: 21/10/2020</p>

Governance & Management Items	Assessment
<p><b>22. Councillor Code of Conduct</b> - Codes setting out the standards of conduct to be followed by Councillors and other matters.</p>	<p><b>Code of Conduct:</b></p> <p>Reviewed in accordance with Section 139 of the Local Government Act 2020. (Section 139 replaced Section 76C from the LG Act 1989)</p> <p>Date reviewed: 27 February 2021</p>
<p><b>23. Delegations</b> - documents setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff.</p>	<p><b>Delegations:</b></p> <p>Reviewed in accordance with Section 47 of the Local Government Act 2020 (Section 47 replaced Section 96 (6) from the LG Act 1989).</p> <p>Date of review: 26 August 2020</p>
<p><b>24. Meeting Procedures</b> – Government Rules governing the conduct of meetings of Council and delegated committees.</p>	<p><b>Meeting procedures:</b></p> <p>The Governance Rules were prepared in accordance with Section 60 (7) of the Local Government Act 2020 and were adopted at the Council meeting held on 22 July 2020.</p>

We certify that this information presents fairly the status of Council's governance and management arrangements.



**Jessie Holmes**

Chief Executive Officer

Dated: 29th September 2021



**Cr Graeme Massey**

Mayor

Dated: 29th September 2021

# STATUTORY INFORMATION

## Freedom of Information

In accordance with section 7(4AA)(a) and 7(4AA)(b) of the Freedom of Information Act 1982, Yarriambiack Shire Council is required to publish certain statements in their Annual Report or separately, such as on its website, concerning its functions and information available. Council has chosen to publish the statements separately, however, provides the following summary of the application and operation of the Freedom of Information Act 1982.

Access to documents may be obtained through written request to the Freedom of Information Officer, as detailed in section 17 of the Freedom of Information Act 1982 and in summary as follows:

- it should be in writing;
- it should identify as clearly as possible which document is being requested; and
- it should be accompanied by the appropriate fee (the fee may be waived in certain circumstances).

Further information regarding Freedom of Information can be found at [www.foi.vic.gov.au](http://www.foi.vic.gov.au) and on the Yarriambiack Shire Council website.

## Service Performance Principles

In accordance with section 106 of the Local Government Act 2020, Council must plan and deliver services to the municipal community in accordance with the service performance principles.

Council incorporates the service performance principles into business planning and performance monitoring activities, with particular focus on the following areas:

- a) Services will be provided in an equitable manner and be responsive to the diverse needs of the Yarriambiack Shire Community.
- b) Services will be accessible to the members of the Shire for whom the services are intended.
- c) Quality and cost standards for services is set by Council and will provide good value for money to the Shire's community.
- d) Council will seek to continuously improve service delivery to the Shire's community in response to performance monitoring.
- e) Service delivery will include a fair and effective process for considering and responding to complaints about service provision.

## Organisational Plans, Policies & Strategies

*This year, the following plans, policies and strategies have been developed and/or reviewed:*

### STAFF POLICIES

- Meals - At Centre
- Budget Framework & Guidelines
- Finance & Payroll Management Manual
- Fit for Work Policy & Procedure
- Occupational Health & Safety & Wellbeing
- Procurement Management Manual
- WorkflowMax Project & Financial Management Manual
- Yarriambiack Shire Council COVID Safe Plan

### PLANS & STRATEGIES

- Governance Rules & Common Seal and Conduct at Meetings Local Law 2020
- Audit and Risk Committee Charter
- Annual Report 2020
- Municipal Fire Management Plan 2021-2024
- Councillor Code of Conduct
- Business Continuity Plan
- Annual Budget 2021/2022
- Council Plan 2021-2025
- Revenue and Rating Plan 2021-2025

### COUNCIL POLICIES

- Public Transparency Policy & Freedom of Information
- Part II Statement
- Procurement Policy
- Asset Lifecycle Policy
- Gender Equality Policy and Guidelines
- Information Privacy Policy
- External Private Works Policy
- Community Engagement Policy
- COVID-19 Hardship Policy
- Council's Gift, Benefits and Hospitality Policy & Guidelines
- Complaints Handling Policy and Supporting Customer Service Charter
- Fraud and Corruption Prevention Policy
- Debit and Credit Card Policy
- CEO and Directors Employment and Remuneration Policy

## Food Act Ministerial Directions

In accordance with Section 7E of the Food Act 1984, Council is required to publish a summary of any Ministerial Directions received during the financial year in its Annual Report.

No such Ministerial Directions were received by Council during the financial year.

## Disability Action Plan

In accordance with Section 38 of the Disability Act 2006, Council has prepared a Disability Action Plan for 2017-2021. This was passed by Council at its meeting on 22 March 2017.

It is available to view on our website.

Council has prepared a Disability Action Plan and implemented the following actions in the last 12 months:

- 1.1 of action plan lobbied state government about lack of public transport at regional forums and ministers visits
- 1.2 of action plan remarked all disabled parking bays
- 4.1 of action plan quarterly published Improving Liveability for Older People newsletter promoting activities for over 55 age groups of all abilities with over 800 copies going out each time.

## Contracts

During the 2020-21 financial year Yarriambiack Shire Council entered into various contracts valued at \$150,000 or more for the supply of plant and equipment and services.

*The following contracts listed are with a value over \$150,000:-*

C264-2020	Supply of Plant & Equipment	Schedule of Rates
C270-2020	Motor Vehicle Purchase x 5 Vehicles	\$ 192,312.73
C268-2020	Supply & Delivery of New Tractors x 2	\$ 315,000.00
C272-2020	Hopetoun Powerhouse Redevelopment	\$ 186,486.26
C279-2020	Awarded on behalf of Wimmera Mallee Tourism - Caravan Park & Township Plans	\$ 194,735.00
C281-2020	Brim & Rupanyup Netball/Tennis Courts Reconstruction	\$ 1,395,548.11
C274-2021	Road Stabilisation Works 2021-2023	Schedule of Rates
C266-2020	Warracknabeal Children's Centre – 3 year-old Kindergarten Building	\$ 1,045,160.00
ACP5-2021	Supply & Delivery of Flocon Truck (MAV Vendorpanel Purchase)	\$ 366,010.26
ACP4-2021	Supply & Delivery of Jetpatcher Truck Replacement (MAV Vendorpanel Purchase)	\$ 431,615.15

## Domestic Animal Management Plan

In accordance with the Domestic Animals Act 1994, Council is required to prepare a Domestic Animal Management Plan at four yearly intervals and evaluate its implementation in the Annual Report. The Domestic Animal Management Plan 2017-2021 was adopted by Council in October last year and was endorsed by the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

The Plan is developed through consultation with Council's Animal Management team along with input from other Council Departments, government agencies and animal groups. All actions relating to the document are continually implemented through Council's Animal Management team on a daily basis to ensure compliance with animal related issues within the Yarriambiack Shire Council.

## Public Interest Disclosure Procedures

In accordance with the Public Interest Disclosure Act 2012 a Council must include in their Annual Report information about how to access the procedures established by the Council under Part 9 of that Act. It is also required to provide certain information about the number and types of protected disclosures complaints investigated during the financial year.

The Protected Disclosure Act 2012 aims to ensure openness and accountability in government by encouraging people to disclose improper conduct within the public sector and provide protection for people who make disclosures. Procedures on how to make a disclosure are publicly available on Council's website.

During the 2020-21 year no disclosures were notified to Council Officers appointed to receive disclosures, or to Independent Broad-based Anti-Corruption Commission (Ibac).

## Road Management Act Ministerial Direction

In accordance with section 22 of the Road Management Act 2004, Council must publish a copy or summary of any Ministerial Direction in its Annual Report.

No such Ministerial Directions were received by Council during the financial year.



# FINANCIAL STATEMENTS

# ANNUAL FINANCIAL REPORT

FOR THE YEAR ENDED 30 JUNE 2021

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# FINANCIAL REPORT

## CERTIFICATION OF THE FINANCIAL STATEMENTS

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, the Australian Accounting Standards and other mandatory professional reporting requirements.



**ANITA J MCFARLANE** B.COMM (ACC)

*Principal Accounting Officer*

Location: Warracknabeal

Date: 29th September 2021

In our opinion the accompanying financial statements present fairly the financial transactions of Yarriambiack Shire Council for the year ended 30 June 2021 and the financial position of the Council as at that date.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.



**KARLY KIRK**

*Councillor*

Location: Warracknabeal

Date: 29th September 2021



**KYLIE ZANKER**

*Councillor*

Location: Warracknabeal

Date: 29th September 2021



**JESSIE HOLMES**

*Chief Executive Officer*

Location: Warracknabeal

Date: 29th September 2021

# Independent Auditor's Report

## To the Councillors of Yarriamback Shire Council

<b>Opinion</b>	<p>I have audited the financial report of Yarriamback Shire Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• balance sheet as at 30 June 2021</li> <li>• comprehensive income statement for the year then ended</li> <li>• statement of changes in equity for the year then ended</li> <li>• statement of cash flows for the year then ended</li> <li>• statement of capital works for the year then ended</li> <li>• notes to the financial statements, including significant accounting policies</li> <li>• certification of the financial statements.</li> </ul> <p>In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2021 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 6 of the <i>Local Government Act 1989</i> and applicable Australian Accounting Standards.</p>
<b>Basis for Opinion</b>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the Financial Report</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<b>Councillors' responsibilities for the financial report</b>	<p>The Councillors of the council are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the <i>Local Government Act 1989</i>, and for such internal control as the Councillors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.</p> <p>In preparing the financial report, the Councillors are responsible for assessing the council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.</p>

**Auditor's responsibilities for the audit of the financial report**

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Councillors
- conclude on the appropriateness of the Councillors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the council to cease to continue as a going concern.
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

MELBOURNE  
20 October 2021



Sanchu Chummar

*as delegate for the Auditor-General of Victoria*

# COMPREHENSIVE INCOME STATEMENT

FOR THE YEAR ENDED 30 JUNE 2021

	NOTE	2020/21 \$'000	2019/20 \$'000
<b>Income</b>			
Rates and charges	3.1	12,848	12,607
Statutory fees and fines	3.2	191	214
User fees	3.3	870	925
Grants - operating	3.4	10,111	10,014
Grants - capital	3.4	4,974	3,601
Contributions - monetary	3.5	106	-
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.6	(158)	(952)
Share of net profits (or loss) of associates and joint ventures	6.3	200	(39)
Other income	3.7	741	680
<b>Total Income</b>		<b>29,882</b>	<b>27,050</b>
<b>Expenses</b>			
Employee costs	4.1	(11,029)	(9,333)
Materials and services	4.2	(6,367)	(7,446)
Depreciation	4.3	(5,337)	(5,181)
Amortisation - right of use assets	4.4	(334)	(277)
Bad and doubtful debts	4.5	25	(9)
Contributions and donations	4.6	(834)	(775)
Finance costs - leases	4.7	(20)	(19)
Other expenses	4.8	(1,454)	(1,339)
<b>Total Expenses</b>		<b>(25,350)</b>	<b>(24,379)</b>
<b>Surplus/(deficit) for the year</b>		<b>4,532</b>	<b>2,671</b>
<b>Other Comprehensive Income</b>			
<i>Items that will not be reclassified to surplus or deficit in future periods</i>			
Net asset revaluation increment/(decrement)	6.2	(2,419)	206
<b>Total Comprehensive Result</b>		<b>2,113</b>	<b>2,877</b>

The above comprehensive income statement should be read in conjunction with the accompanying notes.

# BALANCE SHEET

AS AT 30 JUNE 2021

	NOTE	2020/21 \$'000	2019/20 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1	18,577	9,558
Trade and other receivables	5.1	1,875	2,646
Other financial assets	5.1	669	1,011
Inventories	5.2	555	326
Non current assets classified as held for sale	6.1	15	15
Other assets	5.2	165	232
<b>Total Current Assets</b>		<b>21,855</b>	<b>13,788</b>
<b>Non-current assets</b>			
Trade and other receivables	5.1	418	-
Other financial assets	5.1	-	295
Investments in associates	6.3	280	493
Property, infrastructure, plant and equipment	6.2	141,681	142,521
Right-of-use assets	5.8	655	937
<b>Total Non-current Assets</b>		<b>143,034</b>	<b>144,246</b>
<b>Total Assets</b>		<b>164,889</b>	<b>158,034</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3	2,541	2,141
Trust funds and deposits	5.3	5,017	36
Provisions	5.5	3,354	3,646
Interest-bearing liabilities	5.4	58	21
Lease liabilities	5.8	333	335
<b>Total Current Liabilities</b>		<b>11,303</b>	<b>6,179</b>
<b>Non-current liabilities</b>			
Provisions	5.5	460	638
Interest-bearing liabilities	5.4	-	58
Lease liabilities	5.8	447	595
<b>Total Non-current Liabilities</b>		<b>907</b>	<b>1,291</b>
<b>Total Liabilities</b>		<b>12,210</b>	<b>7,470</b>
<b>Net Assets</b>		<b>152,678</b>	<b>150,564</b>
<b>Equity</b>			
Accumulated surplus		79,116	74,584
Reserves	9.1	73,561	75,980
<b>Total Equity</b>		<b>152,678</b>	<b>150,564</b>

The above balance sheet should be read in conjunction with the accompanying notes.

# STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2021

	NOTE	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2020/21</b>					
Balance at beginning of the financial year		150,564	74,584	75,965	15
Surplus/(deficit) for the year		4,532	4,532	-	-
Net asset revaluation increment/(decrement)	6.2	(2,419)	-	(2,419)	-
<b>Balance at end of the financial year</b>		<b>152,678</b>	<b>79,116</b>	<b>73,546</b>	<b>15</b>

	NOTE	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2019/20</b>					
Balance at beginning of the financial year		147,687	71,913	75,759	15
<b>Adjusted Opening balance</b>		<b>147,687</b>	<b>71,913</b>	<b>75,759</b>	<b>15</b>
Surplus/(deficit) for the year		2,671	2,671	-	-
Net asset revaluation increment/(decrement)	6.2	206	-	206	-
<b>Balance at end of the financial year</b>		<b>150,564</b>	<b>74,584</b>	<b>75,965</b>	<b>15</b>

*The above statement of changes in equity should be read with the accompanying notes.*

# STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 2021

	NOTE	2020/21 Inflows/ (Outflows) \$'000	2019/20 Inflows/ (Outflows) \$'000
<b><i>Cash flows from operating activities</i></b>			
Rates and charges		12,572	12,607
Statutory fees and fines		191	214
User fees		870	925
Grants - operating		10,111	10,014
Grants - capital		4,974	3,601
Contributions - monetary		106	-
Interest received		19	101
Trust funds and deposits taken		5,017	1,498
Other receipts		1,463	579
Net GST refund/payment		961	1,691
Employee costs		(10,927)	(9,333)
Materials and services		(6,767)	(7,446)
Short-term, low value and variable lease payments		(333)	(285)
Trust funds and deposits repaid		(36)	(1,500)
Other payments		(2,288)	(1,886)
<b>Net cash provided by/(used in) operating activities</b>	<b>9.2</b>	<b>15,933</b>	<b>10,780</b>
<b><i>Cash flows from investing activities</i></b>			
Payments for property, infrastructure, plant and equipment	<b>6.2</b>	(7,407)	(9,362)
Proceeds from sale of property, infrastructure, plant and equipment		337	75
Payment for investments		(3,000)	-
Payment for financial assets		3,668	-
Loans and advances made		(491)	-
<b>Net cash provided by/(used in) investing activities</b>		<b>(6,893)</b>	<b>(9,287)</b>
<b><i>Cash flows from financing activities</i></b>			
Finance costs		-	(21)
Interest paid - lease liability		(20)	(19)
Repayment of lease liabilities		-	(285)
<b>Net cash provided by/(used in) financing activities</b>		<b>(20)</b>	<b>(325)</b>
Net increase/(decrease) in cash and cash equivalents		9,019	1,168
Cash and cash equivalents at the beginning of the financial year		9,558	8,390
<b>Cash and cash equivalents at the end of the financial year</b>		<b>18,557</b>	<b>9,558</b>
Financing arrangements	<b>5.6</b>		
Restrictions on cash assets	<b>5.1</b>		

*The above statement of cash flows should be read with the accompanying notes.*

# STATEMENT OF CAPITAL WORKS

FOR THE YEAR ENDED 30 JUNE 2021

	NOTE	2020/21 \$'000	2019/20 \$'000
<b>Property</b>			
Land		114	-
<b>Total land</b>		<b>114</b>	<b>-</b>
Buildings		430	596
Heritage buildings		6	92
<b>Total buildings</b>		<b>436</b>	<b>688</b>
<b>Total Property</b>		<b>550</b>	<b>688</b>
<b>Plant and Equipment</b>			
Plant, machinery and equipment		757	1,115
Fixtures, fittings and furniture		11	2
Computers and telecommunications		-	195
Library books		224	-
<b>Total Plant and Equipment</b>		<b>992</b>	<b>1,312</b>
<b>Infrastructure</b>			
Roads		5,535	5,993
Footpaths and kerb and channel		38	307
Recreational, leisure and community facilities		106	795
Waste management		87	267
Parks, open space and streetscapes		99	-
<b>Total Infrastructure</b>		<b>5,865</b>	<b>7,362</b>
<b>Total Capital Works Expenditure</b>		<b>7,407</b>	<b>9,362</b>
<b>Represented by:</b>			
New asset expenditure		524	771
Asset renewal expenditure		6,883	6,117
Asset upgrade expenditure		-	2,474
<b>Total Capital Works Expenditure</b>		<b>7,407</b>	<b>9,362</b>

The above statement of capital works should be read with the accompanying notes.

# OVERVIEW

## Introduction

The Yarriambiack Shire Council was established by an Order of the Governor in Council on 19 January 1995 and is a body corporate.

The Council's main office is located at 34 Lyle Street, Warracknabeal.

### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1989, and the *Local Government (Planning and Reporting) Regulations 2014*.

### Significant accounting policies

#### (a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of AASB 15 Revenue from Contracts with Customers or AASB 1058 Income of Not-for-Profit Entities (refer to Note 3)
- the determination, in accordance with AASB 16 Leases, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not AASB 1059 Service Concession Arrangements: Grantors is applicable (refer to Note 8.2)
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

#### (b) Impact of Covid-19

On 16 March 2020, a state of emergency was declared in Victoria due to the global pandemic COVID-19 virus, known as coronavirus. A state of disaster was subsequently declared on 2 August 2020. While the impacts of the pandemic have abated somewhat through the 2020-21 year, Council has noted the following significant impacts on its financial operations:

- Additional revenue – Council has received extra grant funding as a result of COVID-19. Council receive \$20,000 for Australia Day 2021 COVID Safe Grant Program, \$15,000 for COVID Relief Program, \$60,000 for Business Concierge & Hospitality Support Program and \$132,000 for the Community Activation and Social Isolation Initiative Program. Council also continued to receive funding for the Work for Victoria program (\$396,000) during the 2020/21 year.
- Revenue reductions – Council's main reduction in user fees as a result of COVID was \$31,000 due to the Warracknabeal Leisure Complex being closed during lockdown and no revenue being generated.
- Revenue foregone – Council waived Health Registrations in 2020/21 due to COVID which was a reduction of \$19,000 and Council waived interest for the 2020/21 year which was a reduction of \$66,000.
- Revenue increases - Council has seen an increase during 2020/21 in Caravan Park fees of \$76,000. This increase has been due to tourists holidaying in the regional areas.

# NOTES TO FINANCIAL STATEMENTS

## NOTE 1: PERFORMANCE AGAINST BUDGET

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$500,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 24 June 2020. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014*.

	Budget 2021 \$'000	Actual 2021 \$'000	Variance 2021 \$'000	Variance 2021 %	Ref
<b>1.1 Income and Expenditure</b>					
<b>Income</b>					
Rates and charges	12,862	12,848	(14)	(0%)	
Statutory fees and fines	187	191	4	2%	
User fees	966	870	(96)	(10%)	
Grants - operating	8,633	10,111	1,478	17%	1
Grants - capital	2,666	4,974	2,308	87%	2
Contributions - monetary	234	106	(128)	(55%)	3
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	(72)	(158)	(86)	119%	
Share of net profits/(losses) of associates and joint ventures	-	200	200	100%	
Other income	46	741	695	1510%	4
<b>Total Income</b>	<b>25,522</b>	<b>29,882</b>	<b>4,360</b>	<b>17%</b>	
<b>Expenses</b>					
Employee costs	10,776	11,029	(253)	(2%)	
Materials and services	6,138	6,367	(229)	(4%)	
Depreciation	5,193	5,337	(144)	(3%)	
Amortisation - Right of use assets	-	334	(334)	0%	
Bad and doubtful debts	1	(25)	26	2600%	
Contributions and donations	674	834	(160)	(24%)	5
Borrowing costs	60	20	40	67%	
Other expenses	1,718	1,454	264	15%	6
<b>Total Expenses</b>	<b>24,560</b>	<b>25,350</b>	<b>(790)</b>	<b>(3%)</b>	
<b>Surplus/(deficit) for the Year</b>	<b>962</b>	<b>4,532</b>	<b>5,151</b>	<b>535%</b>	

## EXPLANATION OF MATERIAL VARIATIONS

Ref	Item	Explanation
1	Grants - operating	Council operating grants are higher than budgeted due mainly to extra funding being received for projects such as the Community Activation and Social Isolation Initiative funding (\$132,000), Financial Assistance Grants (\$278,000), Kindergarten grants (\$518,000) and CHSP funding \$193,000.
2	Grants - capital	Council capital grants are \$2.3 million higher than budget due mainly to receiving 2 rounds of funding from the Local Roads and Community Infrastructure Program (\$1.79 million) funds and Agrilinks funding \$484,000. Council did not budget for this funding.
3	Contributions - monetary	Monetary contributions were less than budgeted due to delays in the delivery of projects.
4	Other income	Other income is higher than budgeted due mainly to the raising of the debtor for the overpayment of the recycling collection. The contractor and Council have both agreed on the amount to be repaid to Council over a 5 year period.
5	Contributions and donations	Council received Community Activation and Social Isolation Initiative funding (\$132,000) and Australia Day COVID Safe funding (\$20,000) which were given to community groups who applied for the funding.
6	Other expenses	The increase in other expenses is attributed to the increase in insurance premiums for the 2020/21 year.

	Budget 2021 \$'000	Actual 2021 \$'000	Variance 2021 \$'000	Variance 2021 %	Ref
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## 1.2 Capital works

### Property

Land	-	114	114	100%	1
<b>Total land</b>	<b>-</b>	<b>114</b>	<b>114</b>		
Buildings	640	430	(210)	(33%)	2
Heritage buildings	183	6	(177)	(97%)	3
<b>Total buildings</b>	<b>823</b>	<b>436</b>	<b>(387)</b>	<b>(47%)</b>	
<b>Total Property</b>	<b>823</b>	<b>550</b>	<b>(273)</b>	<b>(33%)</b>	

### Plant and Equipment

Plant, machinery and equipment	1,139	757	(382)	(34%)	4
Fixtures, fittings and furniture	7	11	4	57%	
Computers and telecommunications	35	-	(35)	(100%)	
Library Books	20	224	204	1020%	5
<b>Total Plant and Equipment</b>	<b>1,201</b>	<b>992</b>	<b>(209)</b>	<b>(17%)</b>	

### Infrastructure

Roads	6,187	5,535	(652)	(11%)	6
Bridges	50	-	(50)	(100%)	
Footpaths and kerb and channel	100	38	(62)	(62%)	
Kerb and channel	200	-	(200)	(100%)	7
Drainage	27	-	(27)	(100%)	
Recreational, leisure and community facilities	135	106	(29)	(21%)	
Waste management	-	87	87	0%	
Parks, open space and streetscapes	10	99	89	890%	8
<b>Total Infrastructure</b>	<b>6,709</b>	<b>5,865</b>	<b>(844)</b>	<b>(13%)</b>	
<b>Total Capital Works Expenditure</b>	<b>8,733</b>	<b>7,407</b>	<b>(1,326)</b>	<b>(15%)</b>	

Represented by:

New asset expenditure	1,072	524	(548)	(51%)	
Asset renewal expenditure	4,511	6,883	2,372	53%	
Asset upgrade expenditure	3,150	-	(3,150)	(100%)	
<b>Total Capital Works Expenditure</b>	<b>8,733</b>	<b>7,407</b>	<b>(1,326)</b>	<b>(15%)</b>	

## EXPLANATION OF MATERIAL VARIATIONS

Ref	Item	Explanation
1	Land	Council has purchased a block of land in Warracknabeal for the development of community units. Council is currently seeking funding for the build.
2	Buildings	Council had several projects that were budgeted for in the 2020/21 year that had not commenced at the end of the financial year due to various reasons. The Warracknabeal Office Records Shed (\$75,000) has been withdrawn, the Warracknabeal Tourist Information Centre and Public Amenities project (\$150,000) has been moved to the 2021/22 financial year and is awaiting on funding and the Caravan Park projects for fire safety equipment had had a contractor appointed to commence the project, but they have experienced some delays.
3	Heritage Buildings	Council had received funding to carry out works on Council halls. These projects had not been completed at the end of the 2020/21 year due to delays in being able to secure contractors to carry out the works.
4	Plant, machinery and equipment	Due to the delays in the delivery of the Flocon (\$400,00) this purchase has been transferred to the 2021/22 year.
5	Library Books	Council withdrew from the Wimmera Regional Library Corporation in September 2020. As part of the separation Council was given \$163,000 worth of book stock which has enabled Council to set up our own library service. Council also purchased \$60,000 new book stock. The withdrawal from the Wimmera Regional Library Corporation was supposed to be settled prior to 30 June 2020.
6	Roads	Several road projects which were budgeted to be completed in the 2020/21 year were moved forward and completed at the end of the 2019/20 year.
7	Kerb and channel	This project has been held over to the 2021/22 year.
8	Parks, open space and streetscapes	Council received funding for the purchase of street furniture which has been allocated across all towns.

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## **NOTE 2: ANALYSIS OF COUNCIL RESULTS BY PROGRAM**

Council delivers its functions and activities through the following programs.

### **2 (a) Community Services**

Administration of maternal & child health services, immunisations, kindergartens and rental accommodation, homecare, senior citizen centres, meals on wheels, home maintenance and sundry welfare services.

### **Corporate Services**

General rates and grants commission revenue, general administration and finance costs, which are not allocated to the other functions.

### **Economic Development**

Commercial and industrial promotion, caravan parks, livestock exchange, tourist promotion and public conveniences.

### **Engineering**

Construction and maintenance of roads and bridges, footpaths, packing facilities, traffic control, street lighting, street cleaning and drainage, plant operations, workshops and depots and quarries.

### **Governance**

Governance provides an effective oversight of the organisation. Human resource management provides support to the organisation and ensures Council's customer focus includes communication and community engagement processes. Service areas include governance, enterprise risk and legal services.

### **Recreation, Culture and Leisure**

Maintenance of halls, cultural buildings and operations of the library, parks and reserves, recreation centres, swimming pools, sporting clubs, saleyards and other sundries.

### **Regulatory Services**

Planning, building control, fire prevention, animal control and the administration of local laws and the health act.

### **Waste and Environment**

Rubbish collection, recycling and disposal and tree schemes.

## 2 (b) Summary of revenues, expenses, assets and capital expenses by program

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2020/21</b>					
Community Services	3,013	3,302	(289)	2,651	2,566
Corporate Services	17,766	2,358	15,408	5,873	20,626
Economic Development	1,836	1,196	640	1,443	2,015
Engineering	4,461	11,877	(7,416)	4,553	130,964
Governance	127	1,948	(1,821)	22	-
Recreation, Culture and Leisure	244	1,844	(1,600)	161	8,137
Regulatory Services	214	723	(509)	-	-
Waste and Environment	2,221	2,102	119	382	581
	<b>29,882</b>	<b>25,350</b>	<b>4,532</b>	<b>15,085</b>	<b>164,889</b>

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2019/20</b>					
Community Services	3,868	2,992	876	3,532	4,522
Corporate Services	17,393	2,003	15,390	5,641	14,379
Economic Development	851	1,725	(874)	538	3,699
Engineering	2,732	10,340	(7,608)	3,325	126,052
Governance	4	1,468	(1,464)	-	-
Recreation, Culture and Leisure	427	2,077	(1,650)	330	8,875
Regulatory Services	256	788	(532)	30	-
Waste and Environment	1,519	2,985	(1,466)	219	507
	<b>27,050</b>	<b>24,378</b>	<b>2,672</b>	<b>13,615</b>	<b>158,034</b>

## NOTE 3: FUNDING FOR THE DELIVERY OF OUR SERVICES

2020/21	2019/20
\$'000	\$'000

### 3.1 Rates and charges

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The Capital Improved Value of a property is the net market value after deducting selling costs.

The valuation base used to calculate general rates for 2020/21 was \$2,726 million (2019/20 \$2,565 million).

Residential	2,116	2,153
Commercial	347	354
Farm/Rural	8,713	8,493
Municipal charge	383	375
Waste management charge	1,204	1,179
Supplementary rates and rate adjustments	-	41
Interest on rates and charges	-	-
Revenue in lieu of rates	85	12
<b>Total Rates and Charges</b>	<b>12,848</b>	<b>12,607</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2020, and the valuation will be first applied in the rating year commencing 1 July 2020.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

### 3.2 Statutory fees and fines

Animal control fees and fines	33	48
Town planning and building fees	146	135
Health	2	20
Other	9	11
<b>Total Statutory Fees and Fines</b>	<b>191</b>	<b>214</b>

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

### 3.3 User fees

Aged and health services	58	146
Aged and health services brokerage fees	99	79
Meals on wheels	86	-
Meals on wheels brokerage fees	35	-
Leisure centre and recreation	1	31
Caravan park fees	224	148
Waste management services	86	121
Rents	71	62
Saleyards fees and charges	106	100
Vic Roads fees and charges	10	10
Private works	-	40
Tourism	-	61
Rates	45	60
Maternal and child health	-	56
Other fees and charges	49	11
<b>Total User Fees</b>	<b>870</b>	<b>925</b>

	2020/21 \$'000	2019/20 \$'000
<b>User fees by timing of revenue recognition</b>		
User fees recognised over time	870	925
<b>Total user fees</b>	<b>870</b>	<b>925</b>

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

### 3.4 Funding from other levels of government

Grants were received in respect of the following :

#### Summary of grants

Commonwealth funded grants	10,928	9,724
State funded grants	4,157	3,890
<b>Total Grants Received</b>	<b>15,085</b>	<b>13,614</b>

#### (a) Operating Grants

##### *Recurrent - Commonwealth Government*

Financial Assistance Grants	5,807	5,618
General home care	615	545
Meals on wheels	97	104
Senior citizens	-	40
Other	522	-
<b>Total Recurrent - Commonwealth Government</b>	<b>7,041</b>	<b>6,307</b>

##### *Recurrent - State Government*

Kindergartens	1,218	913
Aged care	18	77
Meals on wheels	-	2
Senior citizens	-	10
Maternal and child health	370	361
Recycling	-	12
Library	126	-
Sustainability	113	81
Youth	47	78
CASI	150	-
Other	93	12
<b>Total Recurrent - State Government</b>	<b>2,135</b>	<b>1,546</b>

<b>Total Recurrent Operating grants</b>	<b>9,176</b>	<b>7,854</b>
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##### *Non-recurrent - Commonwealth Government*

Drought	-	1,400
<b>Total Non-recurrent - Commonwealth Government</b>	<b>-</b>	<b>1,400</b>

	2020/21 \$'000	2019/20 \$'000
<i>Non-recurrent - State Government</i>		
Work for Victoria	396	213
Economic development	350	441
Covid	75	-
Information Technology	66	-
Heritage	6	-
Tourism	-	75
Planning	10	30
Other	32	1
<b>Total Non-recurrent - State Government</b>	<b>935</b>	<b>760</b>
<b>Total Non-recurrent Operating grants</b>	<b>935</b>	<b>2,160</b>
<b>Total Operating grants</b>	<b>10,111</b>	<b>10,014</b>
<b>(b) Capital Grants</b>		
<i>Recurrent - Commonwealth Government</i>		
Roads to Recovery	1,984	1,984
<b>Total Recurrent - Commonwealth Government</b>	<b>1,984</b>	<b>1,984</b>
<b>Total Recurrent Capital Grants</b>	<b>1,984</b>	<b>1,984</b>
<i>Non-recurrent - Commonwealth Government</i>		
Livestock exchange	184	20
Drought	-	12
Local Roads and Community Infrastructure	1,719	-
<b>Total Non-recurrent - Commonwealth Government</b>	<b>1,903</b>	<b>32</b>
<i>Non-recurrent - State Government</i>		
Library	-	120
Halls	-	122
Sustainability	-	24
Recreation	10	89
Fixing Country Roads	-	1,023
Vic Roads	195	-
AgriLinks	484	-
Local Roads to Market	31	-
Waste Management	367	207
<b>Total Non-recurrent - State Government</b>	<b>1,087</b>	<b>1,585</b>
<b>Total non-recurrent capital grants</b>	<b>2,990</b>	<b>1,617</b>
<b>Total Capital Grants</b>	<b>4,974</b>	<b>3,601</b>
<b>TOTAL GRANTS</b>	<b>15,085</b>	<b>13,615</b>

	2020/21 \$'000	2019/20 \$'000
<b>(c) Unspent grants received on condition that they be spent in a specific manner</b>		
<b>OPERATING</b>		
Balance at start of year	573	70
Received during the financial year and remained unspent at balance date	4,108	573
Received in prior years and spent during the financial year	(573)	(70)
<b>Balance at year end</b>	<b>4,108</b>	<b>573</b>
<b>CAPITAL</b>		
Balance at start of year	100	1,070
Received during the financial year and remained unspent at balance date	909	100
Received in prior years and spent during the financial year	(100)	(1,070)
<b>Balance at year end</b>	<b>909</b>	<b>100</b>

Grant income is recognised at the point in time when the council satisfies its performance obligations as specified in the underlying agreement.

### 3.5 Contributions

Monetary	106	-
<b>Total contributions</b>	<b>106</b>	<b>-</b>

Monetary and non monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

### 3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

Proceeds of sale	337	75
Written down value of assets disposed	(495)	(1,027)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>(158)</b>	<b>(952)</b>

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

	2020/21 \$'000	2019/20 \$'000
<b>3.7 Other Income</b>		
Interest	19	35
Interest on rates	-	66
Workcover reimbursements	3	35
Private use vehicle reimbursements	75	74
Insurance recoupment	44	11
Leave Transfer from other Councils	27	47
Income protection	82	328
Community facilities	-	77
Legal costs recovered	61	-
Recycling recoupment	526	-
Fire Service Levy	30	-
Employee contributions	38	-
Other	(163)	7
<b>Total Other Income</b>	<b>741</b>	<b>680</b>

Interest is recognised as it is earned. Rate interest was waived for 2020/21 due to the impacts of COVID 19.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

## NOTE 4: THE COST OF DELIVERING SERVICES

	2020/21 \$'000	2019/20 \$'000
<b>4.1 (a) Employee costs</b>		
Wages and salaries	8,512	6,778
WorkCover	242	219
Superannuation	1,002	816
Fringe benefits tax	32	21
Annual leave and long service leave	718	931
Conferences and training	165	-
Councillor allowances	204	186
Income protection	15	-
Redundancies	-	95
Other	139	287
<b>Total Employee Costs</b>	<b>11,029</b>	<b>9,333</b>

### (b) Superannuation

Council made contributions to the following funds:

#### Defined benefit fund

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	66	74
Employer contributions payable at reporting date.		

#### Accumulation funds

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	589	548
Employer contributions - Other Funds	253	194
	<b>842</b>	<b>742</b>

Employer contributions payable at reporting date.

Refer to note 9.3 for further information relating to Council's superannuation obligations.

### 4.2 Materials and service

Contracts	929	690
Waste management	1,208	1,131
Weir pool	84	495
Swimming pool	87	479
Community projects	234	537
Road works	413	-
Gravel Pit works	40	-
Communication	35	-
Information technology contract	527	118
Materials and services	1,187	2,325
Building and ground maintenance	93	282
Supply of meals	231	142
Utilities	388	282
External plant hire	166	33
Information technology and equipment	280	235
Consultants	422	634
Other	41	63
<b>Total Materials and Services</b>	<b>6,367</b>	<b>7,446</b>

	2020/21 \$'000	2019/20 \$'000
<b>4.3 Depreciation</b>		
Property	613	533
Plant and equipment	1,091	1,043
Infrastructure	3,634	3,605
<b>Total Depreciation</b>	<b>5,337</b>	<b>5,181</b>

Refer to note 5.2 (c), 5.8 and 6.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

#### 4.4 Amortisation - Right of use assets

Vehicles	334	277
<b>Total Amortisation - Right of use assets</b>	<b>334</b>	<b>277</b>

#### 4.5 Bad and doubtful debts

Rates other	13	-
Rates debtors	(38)	9
<b>Total Bad and Doubtful Debts</b>	<b>(25)</b>	<b>9</b>

#### Movement in provisions for doubtful debts

Balance at the beginning of the year	272	265
New provisions recognised during the year	147	207
Amounts already provided for and written off as uncollectible	-	1
Amounts provided for but recovered during the year	(172)	(201)
<b>Balance at end of Year</b>	<b>247</b>	<b>272</b>

Provision for doubtful debt is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

#### 4.6 Contributions and donations

Regional Library	-	167
Sporting reserves	172	171
Swimming pools	224	220
Economic development	204	118
Community halls	36	34
Kindergartens	-	3
Weir Pools	29	31
Others	169	31
<b>Total contributions and donations</b>	<b>834</b>	<b>775</b>

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

#### 4.7 Finance Costs - Leases

Interest - Lease Liabilities	20	19
<b>Total finance costs</b>	<b>20</b>	<b>19</b>

	2020/21 \$'000	2019/20 \$'000
<b>4.8 Other expenses</b>		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	28	26
Auditors' remuneration - Internal	29	41
Insurances	703	638
Operating lease rentals	136	92
Printing and stationery	56	75
Advertising	77	101
Postage	21	27
Legal costs	139	23
Subscriptions	207	153
Water	-	107
Registrations	125	-
Bank fees and charges	34	36
Others	(101)	20
<b>Total Other Expenses</b>	<b>1,454</b>	<b>1,339</b>

## NOTE 5: OUR FINANCIAL POSITION

	2020/21 \$'000	2019/20 \$'000
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### 5.1 Financial assets

#### (a) Cash and cash equivalents

Cash on hand	1	1
Cash at bank	14,908	9,557
Term deposits	3,668	-
<b>Total Cash and Cash Equivalents</b>	<b>18,577</b>	<b>9,558</b>

#### (b) Other financial assets

Term deposits - current	669	1,011
Term deposits - non-current	-	295
<b>Total other financial assets</b>	<b>669</b>	<b>1,306</b>

<b>Total Financial Assets</b>	<b>19,246</b>	<b>10,864</b>
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Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

Trust funds and deposits (Note 5.3)	-	36
Unspent grants (Note 3.4)	5,017	673
<b>Total Restricted Funds</b>	<b>5,017</b>	<b>709</b>

<b>Total Unrestricted Cash and Cash Equivalents</b>	<b>9,892</b>	<b>8,849</b>
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Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

	2020/21 \$'000	2019/20 \$'000
<b>(c) Trade and other receivables</b>		
<b>CURRENT</b>		
Rates debtors	1,688	2,000
Infringement debtors	-	3
Provision for doubtful debts	(172)	(211)
<i>Non statutory receivables</i>		
Loans and advances to community organisations	73	-
Other debtors	361	916
Provision for doubtful debts - other debtors	(75)	(62)
<b>Total current trade and other receivables</b>	<b>1,875</b>	<b>2,646</b>
<b>NON-CURRENT</b>		
<i>Non statutory receivables</i>		
Loans and advances to community organisations	418	-
<b>Total non-current trade and other receivables</b>	<b>418</b>	<b>-</b>
<b>Total trade and other receivables</b>	<b>2,293</b>	<b>2,646</b>

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

### (d) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	161	797
Past due by up to 30 days	98	19
Past due between 31 and 180 days	506	9
Past due between 181 and 365 days	12	29
Past due by more than 1 year	-	-
<b>Total trade and other receivables</b>	<b>777</b>	<b>854</b>

### (e) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$75,000 (2020: \$62,000) were impaired. The amount of the provision raised against these debtors was \$75,000 (2020: \$62,000). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	-	-
Past due by more than 1 year	75	62
<b>Total trade &amp; other receivables</b>	<b>75</b>	<b>62</b>

## 5.2 Non-financial assets

### (a) Inventories

Inventories held for distribution	555	326
<b>Total inventories</b>	<b>555</b>	<b>326</b>

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

### (b) Other assets

Prepayments	149	226
Accrued income	16	6
<b>Total other assets</b>	<b>165</b>	<b>232</b>

## 5.3 Trade and other payables

### (a) Trade and other payables

Trade payables	4,742	2,220
Net GST payable	(172)	(163)
Accrued expenses	(2,029)	84
<b>Total trade and other payables</b>	<b>2,541</b>	<b>2,141</b>

### (b) Trust funds and deposits

Refundable deposits	-	12
Fire services levy	-	24
<b>Total trust funds and deposits</b>	<b>-</b>	<b>36</b>

### (c) Unearned income

Grants received in advance - operating	4,108	-
Grants received in advance - capital	909	-
<b>Total unearned income</b>	<b>5,017</b>	<b>-</b>

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

#### Purpose and nature of items

**Fire Service Levy** - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

**Retention Amounts** - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

	2020/21 \$'000	2019/20 \$'000
<b>5.4 Interest-bearing liabilities</b>		
<b>Current</b>		
Finance leases	58	21
	<b>58</b>	<b>21</b>
<b>Non-current</b>		
Finance leases	-	58
<b>Total</b>	<b>-</b>	<b>58</b>
<b>Total Interest-bearing Liabilities</b>	<b>58</b>	<b>79</b>

(a) The maturity profile for Council's borrowings is:

Not later than one year	58	21
Later than one year and not later than five years	-	58
	<b>58</b>	<b>79</b>

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

	Annual Leave \$'000	Long Service Leave \$'000	Sick Leave \$'000	Landfill & Gravel Pit restoration \$'000	Total \$'000
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## 5.5 Provisions

### 2020/21

Balance at beginning of the financial year	1,337	1,935	126	885	4,283
Additional provisions	790	242	9		1,041
Amounts used	(818)	(318)	(27)	(356)	(1,519)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	-	9	-	-	9
<b>Balance at the end of the financial year</b>	<b>1,309</b>	<b>1,868</b>	<b>108</b>	<b>529</b>	<b>3,814</b>

### 2019/20

Balance at beginning of the financial year	1,386	2,044	138	524	4,092
Additional provisions	772	50	21	553	1,396
Amounts used	(821)	(268)	(33)	(192)	(1,314)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	-	109	-	-	109
<b>Balance at the end of the financial year</b>	<b>1,337</b>	<b>1,935</b>	<b>126</b>	<b>885</b>	<b>4,283</b>

	2020/21 \$'000	2019/20 \$'000
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### (a) Employee provisions

*Current provisions expected to be wholly settled within 12 months*

Annual leave	842	857
Long service leave	327	279
Sick Leave	64	88
	<b>1,233</b>	<b>1,224</b>

*Current provisions expected to be wholly settled after 12 months*

Annual leave	467	480
Long service leave	1,403	1,482
	<b>1,870</b>	<b>1,962</b>

<b>Total Current Employee Provisions</b>	<b>3,103</b>	<b>3,186</b>
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*Non-current*

Long service leave	138	174
Annual leave	44	38
<b>Total non-current employee provisions</b>	<b>182</b>	<b>212</b>

Aggregate carrying amount of employee provisions:

Current	3,103	3,186
Non-current	182	212
<b>Total Aggregate Carrying amount of Employee Provisions</b>	<b>3,285</b>	<b>3,398</b>

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

## WAGES AND SALARIES AND ANNUAL LEAVE

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

## LONG SERVICE LEAVE

Liability for long service leave (LSL) is recognised in the provision for employee benefits. LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non - current liability.

### Key assumptions:

	2020/21	2019/20
- discount rate	1.491%	0.872%
- index rate	2.950%	4.250%

	2020/21 \$'000	2019/20 \$'000
<b>(b) Landfill restoration</b>		
Current	251	459
Non-current	278	426
	<b>529</b>	<b>885</b>

Council is obligated to restore landfill and gravel pit sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

### Key assumptions:

- discount rate	1.491%	0.872%
- index rate	2.950%	4.250%

## 5.6 Financing arrangements

The Council has the following funding arrangements in place as at 30 June 2021.

Bank overdraft	3,500	2,500
Credit card facilities	5	5
Other facilities	300	300
<b>Total facilities</b>	<b>3,805</b>	<b>2,805</b>
Used facilities	(279)	(244)
<b>Unused facilities</b>	<b>3,526</b>	<b>2,561</b>

## 5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Total \$'000
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### 2020/21

#### Operating

Internal Audit Services	26	26	78	130
Supply of PPE Clothing	50	45	135	230
Meals on Wheels	160	-	-	160
Brim & Rupanyup Netball / Tennis Court Reconstruction	1,395	-	-	1,395
Communications Consultant	43	43	86	172
Kerbside Recycling Collection	286	-	-	286
Kerbside Garbage Collection	121	-	-	121
Information, Communication & Technology Managed Service Provider	204	204	-	408
<b>Total</b>	<b>2,285</b>	<b>318</b>	<b>299</b>	<b>2,902</b>

#### Capital

Buildings	1,140	-	-	1,140
Roads	530	330	330	1,190
<b>Total</b>	<b>1,670</b>	<b>330</b>	<b>330</b>	<b>2,330</b>

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Total \$'000
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### 2019/20

#### Operating

Recycling	460	-	-	460
Garbage collection	323	-	-	323
Grounds Maintenance contract for Council building	10	11	-	21
Meals for delivery	159	-	-	159
Cleaning contract for Hopetoun Caravan Park	29	-	-	29
<b>Total Commitments</b>	<b>981</b>	<b>11</b>	<b>-</b>	<b>992</b>

## 5.8 Leases

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

	Vehicles \$'000	Total \$'000
<i>Right-of-Use Assets</i>		
Balance at 1 July 2019	470	470
Additions	744	744
Amortisation charge	(277)	(277)
<b>Balance at 30 June 2020</b>	<b>937</b>	<b>937</b>

Balance at 1 July 2020	937	937
Additions	335	335
Amortisation charge	(617)	(617)
<b>Balance at 30 June 2021</b>	<b>655</b>	<b>655</b>

	2020/21 \$'000	2019/20 \$'000
<i>Lease Liabilities</i>		
<i>Maturity analysis - contractual undiscounted cash flows</i>		
Less than one year	333	285
One to five years	454	652
<b>Total undiscounted lease liabilities as at 30 June:</b>	<b>787</b>	<b>937</b>

Lease liabilities included in the Balance Sheet at 30 June:

Current	333	335
Non-current	447	595
<b>Total lease liabilities</b>	<b>780</b>	<b>930</b>

## Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

### *Expenses relating to:*

Leases of low value assets	-	2
<b>Total</b>	<b>-</b>	<b>2</b>

*Variable lease payments (not included in measurement of lease liabilities)*

### *Non-cancellable lease commitments - Short-term and low-value leases*

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:

Within one year	-	2
<b>Total lease commitments</b>	<b>-</b>	<b>2</b>

## NOTE 6: ASSETS WE MANAGE

	2020/21 \$'000	2019/20 \$'000
<b>6.1 Non current assets classified as held for sale</b>		
Cost of acquisition	15	15
<b>Total non current assets classified as held for sale</b>	<b>15</b>	<b>15</b>

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

### 6.2 Property, infrastructure, plant and equipment

#### Summary of property, infrastructure, plant and equipment

	<i>At Fair Value</i> 30 June 2020 \$'000	<i>Additions</i> \$'000	<i>Revaluation</i> \$'000	<i>Depreciation</i> \$'000	<i>Disposal</i> \$'000	<i>At Fair Value</i> 30 June 2021 \$'000
Land	1,869	114	22	-	-	2,005
Property	14,406	80	-	(612)	-	13,874
Plant and equipment	6,026	992	-	(1,091)	(93)	5,835
Infrastructure	120,223	5,298	(2,441)	(3,635)	(401)	119,044
Work in progress	-	923	-	-	-	923
<b>Total</b>	<b>142,524</b>	<b>7,407</b>	<b>(2,419)</b>	<b>(5,338)</b>	<b>(494)</b>	<b>141,681</b>

#### Summary of Work in Progress

	<i>Opening WIP</i> \$'000	<i>Additions</i> \$'000	<i>Write-off</i> \$'000	<i>Transfers</i> \$'000	<i>Closing WIP</i> \$'000
Property	-	356	-	-	356
Infrastructure	-	567	-	-	567
<b>Total</b>	<b>-</b>	<b>923</b>	<b>-</b>	<b>-</b>	<b>923</b>

	Land - specialised \$'000	Land - non specialised \$'000	Total Land \$'000	Heritage Buildings \$'000	Buildings - specialised \$'000	Buildings - non specialised \$'000	Total Buildings \$'000	Work In Progress \$'000	Total Property \$'000
<b>(a) Property</b>									
At fair value 1 July 2020	1,809	60	1,869	1,714	11,709	983	14,406	-	16,275
Accumulated depreciation at 1 July 2020	-	-	-	-	-	-	-	-	-
	<b>1,809</b>	<b>60</b>	<b>1,869</b>	<b>1,714</b>	<b>11,709</b>	<b>983</b>	<b>14,406</b>	-	<b>16,275</b>
<b>Movements in fair value</b>									
Additions	-	114	114	6	74	-	80	356	550
Revaluation	22	-	22	-	-	-	-	-	22
	<b>22</b>	<b>114</b>	<b>136</b>	<b>6</b>	<b>74</b>	-	<b>80</b>	<b>356</b>	<b>572</b>
<b>Movements in accumulated depreciation</b>									
Depreciation and amortisation	-	-	-	(138)	(449)	(25)	(612)	-	(612)
	-	-	-	<b>(138)</b>	<b>(449)</b>	<b>(25)</b>	<b>(612)</b>	-	<b>(612)</b>
At fair value 30 June 2021	1,831	174	2,005	1,720	11,783	983	14,486	356	16,847
Accumulated depreciation at 30 June 2021	-	-	-	(138)	(449)	(25)	(612)	-	(612)
	<b>1,831</b>	<b>174</b>	<b>2,005</b>	<b>1,582</b>	<b>11,334</b>	<b>958</b>	<b>13,874</b>	<b>356</b>	<b>16,235</b>

	Plant machinery and equipment \$'000	Fixtures, fittings and furniture \$'000	Computers and Telecoms \$'000	Library Books \$'000	Total plant and equipment \$'000
<b>(b) Plant and Equipment</b>					
At fair value 1 July 2020	12,127	329	808	-	13,264
Accumulated depreciation at 1 July 2020	(6,462)	(292)	(484)	-	(7,238)
	<b>5,665</b>	<b>37</b>	<b>324</b>	<b>-</b>	<b>6,026</b>
<b>Movements in fair value</b>					
Additions	757	11	-	224	992
Disposal	(481)	(38)	(307)	-	(826)
Prior period error	-	(1)	-	-	(1)
Impairment losses recognised in operating result	-	-	-	-	-
	<b>276</b>	<b>(28)</b>	<b>(307)</b>	<b>224</b>	<b>166</b>
<b>Movements in accumulated depreciation</b>					
Depreciation and amortisation	(988)	(13)	(71)	(19)	(1,091)
Accumulated depreciation of disposals	373	52	307	-	732
Prior period error	-	-	2	-	2
	<b>(615)</b>	<b>39</b>	<b>238</b>	<b>(19)</b>	<b>(357)</b>
At fair value 30 June 2021	12,403	302	501	224	13,430
Accumulated depreciation at 30 June 2021	(7,077)	(253)	(246)	(19)	(7,595)
	<b>5,326</b>	<b>49</b>	<b>255</b>	<b>205</b>	<b>5,835</b>

	Roads	Bridges	Footpaths, Kerb & Channel	Drainage	Recreational, Leisure & Community	Waste Management	Parks, Open spaces & Streetscapes	Aerodromes	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>(c) Infrastructure</b>											
At fair value 1 July 2020	193,038	4,308	18,099	8,786	8,271	507	1,000	3,026	900	-	237,935
Accumulated depreciation at 1 July 2020	(97,788)	(2,052)	(10,751)	(5,219)	-	-	-	(1,653)	(249)	-	(117,712)
	<b>95,250</b>	<b>2,256</b>	<b>7,348</b>	<b>3,567</b>	<b>8,271</b>	<b>507</b>	<b>1,000</b>	<b>1,373</b>	<b>651</b>	<b>-</b>	<b>120,223</b>
<b>Movements in fair value</b>											
Additions	4,968	-	38	-	106	87	99	-	-	567	5,865
Revaluation	(2,861)	(1,635)	(29)	(689)	-	-	-	77	-	-	(5,137)
Disposal	(1,756)	-	(44)	-	-	-	-	-	-	-	(1,800)
	<b>351</b>	<b>(1,635)</b>	<b>(35)</b>	<b>(689)</b>	<b>106</b>	<b>87</b>	<b>99</b>	<b>77</b>	<b>-</b>	<b>567</b>	<b>(1,072)</b>
<b>Movements in accumulated depreciation</b>											
Depreciation and amortisation	(2,931)	(33)	(230)	(104)	(240)	(13)	(14)	(47)	(23)	-	(3,635)
Accumulated depreciation of disposals	1,365	-	34	-	-	-	-	-	-	-	1,399
Revaluation	894	655	947	241	-	-	-	(39)	(2)	-	2,696
	<b>(672)</b>	<b>622</b>	<b>751</b>	<b>137</b>	<b>(240)</b>	<b>(13)</b>	<b>(14)</b>	<b>(86)</b>	<b>(25)</b>	<b>-</b>	<b>460</b>
At fair value 30 June 2021	193,389	2,673	18,064	8,097	8,377	594	1,099	3,103	900	567	236,863
Accumulated depreciation at 30 June 2021	(98,460)	(1,430)	(10,000)	(5,082)	(240)	(13)	(14)	(1,739)	(274)	-	(117,252)
	<b>94,929</b>	<b>1,243</b>	<b>8,064</b>	<b>3,015</b>	<b>8,137</b>	<b>581</b>	<b>1,085</b>	<b>1,364</b>	<b>626</b>	<b>567</b>	<b>119,611</b>

## Acquisition

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit \$'000
<i>Asset recognition thresholds and depreciation periods</i>		
<b>Land &amp; land improvements</b>		
land	-	1,000
land under roads	-	1,000
<b>Buildings</b>		
buildings	30 - 75 years	5,000
heritage buildings	50 years	5,000
<b>Plant and Equipment</b>		
plant, machinery and equipment	5 - 25 years	1,000
motor vehicles	1 - 15 years	1,000
fixtures, fittings and furniture	3 - 15 years	1,000
<b>Infrastructure</b>		
earthworks all		5,000
gravel road pavements / resheets	10 - 14 years	2,000
sealed road pavements	60 years	5,000
sealed road final seal	12 years	2,000
bridges	80 years	5,000
footpaths, kerb and channel	25 years	2,000
drainage	25 - 80 years	5,000
aerodromes	12 years	5,000
recreation and leisure	30 - 75 years	5,000
parks and open space	30 - 75 years	5,000
waste management	4 - 30 years	5,000
other infrastructure	4 - 30 years	5,000

## Land under roads

Council recognises land under roads it controls at fair value.

## Depreciation

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

### Repairs and maintenance

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

### Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer, Preston Rowe Paterson National Property Consultant - Benjamin Sawyer AAPI Reg 63163. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserved) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2021 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation
Land - non specialised	-	174	-	Jun-20
Land - specialised	-	-	1,831	Jun-20
Buildings - heritage	-	-	1,582	Jun-20
Buildings - specialised	-	-	11,334	Jun-20
Buildings - non specialised	-	958	-	Jun-20
<b>Total</b>	-	<b>1,132</b>	<b>14,747</b>	

### Valuation of infrastructure

Valuation of infrastructure assets has been determined in accordance with AASB 113 Fair Value utilising the cost approach (replacement cost) method, internally utilising Asseffinda software and processed by Ram Upadhyaya, Certified Engineer (BE Civil) (MIEAus).

The date of the current valuation is detailed in the following table.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2021 are as follows:

	Level 1	Level 2	Level 3	Date of Valuation
Roads	-	-	94,929	Jun-21
Bridges	-	-	1,243	Jun-21
Footpaths, kerb and channel	-	-	8,064	Jun-21
Drainage	-	-	3,015	Jun-21
Recreational, leisure and community facilities	-	-	8,137	Jun-21
Waste management	-	-	581	Jun-21
Parks, open space and streetscapes	-	-	1,085	Jun-21
Aerodromes	-	-	1,364	Jun-21
Other infrastructure	-	-	626	Jun-21
<b>Total</b>	-	-	<b>119,044</b>	

### **Description of significant unobservable inputs into level 3 valuations**

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$10 to \$6,500 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 30 years to 75 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 12 years to 80 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2020/21 \$'000	2019/20 \$'000
<b>Reconciliation of specialised land</b>		
Other land	1,831	1,809
<b>Total Specialised Land</b>	<b>1,831</b>	<b>1,809</b>

### 6.3 Investments in associates

#### (a) Investments in associates accounted for by the equity method are:

Wimmera Regional Library Corporation	-	361
Wimmera Development Association	280	132
<b>Total Investments in Associates</b>	<b>280</b>	<b>493</b>

#### Wimmera Development Association

##### Background

Yarriambiack Shire Council in conjunction with Horsham Rural City Council, Hindmarsh Shire Council, Northern Grampians Shire Council and West Wimmera Shire Council have an interest in the Wimmera Development Association. Wimmera Development Association (WDA) is the peak economic development organisation for the Wimmera Southern-Mallee region supporting existing local businesses and promoting economic development opportunities to investors. Yarriambiack Shire Council currently has a 13.58% equity interest, (13.58% in 2019/20).

<b>Fair value of Council's investment in Wimmera Development Association</b>	<b>280</b>	<b>132</b>
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#### Council's share of accumulated surplus/(deficit)

Council's share of accumulated surplus/(deficit) at start of year	55	67
Reported surplus (deficit) for year	148	5
Transfers (to) from reserves	(3)	(17)
Distributions for the year	-	-
<b>Council's share of accumulated surplus (deficit) at end of Year</b>	<b>200</b>	<b>55</b>

#### Council's share of reserves

Council's share of reserves at start of year	(19)	(2)
Transfers (to) from reserves	(3)	(17)
<b>Council's share of reserves at end of Year</b>	<b>(22)</b>	<b>(19)</b>

#### Movement in carrying value of specific investment

Carrying value of investment at start of year	132	128
Share of surplus (deficit) for year	148	4
<b>Carrying value of investment at end of Year</b>	<b>280</b>	<b>132</b>

#### Council's share of expenditure commitments

Operating commitments	218	157
<b>Council's share of expenditure commitments</b>	<b>218</b>	<b>157</b>

## Wimmera Regional Library Corporation

### Background

Yarriambiack Shire Council was a member of the Wimmera Regional Library Corporation but Council gave notice that they were withdrawing from the corporation as at the 30 June 2020. The final financial settlement of the withdrawal was received in October 2020.

<b>Fair value of Council's investment in Wimmera Regional Library Corporation</b>	-	132
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### Movement in carrying value of specific investment

Carrying value of investment at start of year	361	396
Share of surplus(deficit) for year	(113)	(35)
Share of asset revaluation	(164)	-
Distributions received	(84)	-
<b>Carrying value of investment at end of Year</b>	-	361

### Council's share of expenditure commitments

Operating commitments	(113)	-
Council's share of expenditure commitments	<b>(113)</b>	-

Associates are all entities over which Council has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

The consolidated financial statements of Council incorporate all entities controlled by Council as at 30 June 2021, and their income and expenses for that part of the reporting period in which control existed.

Where dissimilar accounting policies are adopted by entities and their effect is considered material, adjustments are made to ensure consistent policies are adopted in these financial statements.

Entities consolidated into Council include:

- Hopetoun Swimming Pool Committee of Management
- Murtoa Community Units Committee of Management
- Woomelang Community Units Committee of Management

### Committees of management

All entities controlled by Council that have material revenues, expenses, assets or liabilities, such as committees of management, have been included in this financial report. Any transactions between these entities and Council have been eliminated in full.

# NOTE 7: PEOPLE AND RELATIONSHIPS

2020/21 2019/20

## 7.1 Council and key management remuneration

### (a) Related Parties

#### Parent entity

Yarriambiack Shire Council is the parent entity.

#### Associates

Interests in subsidiaries and associates are detailed in Note 6.3.

### (b) Key Management Personnel

Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

#### Councillors:

Councillor Graeme Massey (Mayor)

Councillor Kylie Zanker

Councillor Tom Hamilton

Councillor Corrine Heintz

Councillor Karly Kirk (*elected 2020*)

Councillor Andrew McLean (*elected 2020*)

Councillor Chris Lehmann (*elected 2020*)

Councillor Jean Wise (*retired 2020*)

Councillor Shane Roberts (*retired 2020*)

Chief Executive Officer - Jessie Holmes

Director Business Strategy & Performance - Tammy Smith

Director Community & Development - Gavin Blinman

Director Assets & Operations - Michael Evans

<b>Total Number of Councillors</b>	<b>9</b>	<b>6</b>
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	<b>4</b>	<b>4</b>
<b>Total Number of Key Management Personnel</b>	<b>13</b>	<b>10</b>

### (c) Remuneration of Key Management Personnel

Total remuneration of key management personnel was as follows:

Short-term benefits	829	811
Long-term benefits	15	15
Post employment benefits	100	114
<b>Total</b>	<b>944</b>	<b>940</b>

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

\$0 - \$9,999	2	-
\$10,000 - \$19,999	3	-
\$20,000 - \$29,999	3	6
\$60,000 - \$69,999	1	1
\$140,000 - \$149,999	-	3
\$160,000 - \$169,999	2	1
\$170,000 - \$179,999	1	-
\$210,000 - \$219,999	1	1
	<b>13</b>	<b>12</b>

## (d) Senior Officer Remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000

There are no other senior officers other than the key management personnel

## 7.2 Related party disclosure

### (a) Transactions with related parties

During the period Council entered into a transaction with the Wimmera Development Association which is a related party.

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### (b) Outstanding balances with related parties

There are no outstanding balances as the end of the reporting period in relation to transactions with related parties

### (c) Loans to/from related parties

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party as follows:

*No loans have been made, guaranteed or secured by the Council during the reporting year. (2019/20 \$Nil)*

### (d) Commitments to/from related parties

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

*No commitments have been made, guaranteed or secured by the Council during the reporting year. (2019/20 \$Nil).*

## **NOTE 8: MANAGING UNCERTAINTIES**

### **8.1 *Contingent assets and liabilities***

#### **(a) Contingent assets**

There are no contingent assets of which Council is aware at balance date.

#### **(b) Contingent liabilities**

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

##### *Superannuation*

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

##### *Future superannuation contributions*

In addition to the disclosed contributions, Council has paid unfunded liability payments to Vision Super totalling \$0 during the 2020/21 year (\$0 during the 2019/20 year). There were no contributions outstanding and no loans issued from or to the above schemes as at 30 June 2021. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2022 are \$88,000.

##### *Liability Mutual Insurance*

Council is a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

#### **(c) Guarantees for loans to other entities**

The Department of Environment, Land, Water & Planning holds a National Australia Bank Guarantee given by the Council for the sum of \$244,000, which is being used if a site is damaged after gravel extraction. This continues to be reviewed on a yearly basis.

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that the right will be exercised.

## **(b) Market risk**

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

### *Interest rate risk*

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the Local Government Act 1989. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

## **(c) Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

## **(d) Liquidity risk**

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

## **(e) Sensitivity disclosure analysis**

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 1% and - 1% in market interest rates (AUD) from year-end rates of 1%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

## 8.4 Fair value measurement

### *Fair value hierarchy*

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

### *Revaluation*

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 3 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

### *Impairment of assets*

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

## 8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

## NOTE 9: OTHER MATTERS

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>9.1 Reserves</b>			
<i>(a) Asset Revaluation Reserves</i>			
<b>2020/21</b>			
<b>Property</b>			
Land & land improvements	2,173	22	2,195
Buildings	16,052	-	16,052
	<b>18,225</b>	<b>22</b>	<b>18,247</b>
<b>Infrastructure</b>			
Roads	48,090	(1,967)	46,123
Bridges	1,545	(980)	565
Footpaths and kerb and channel	3,414	918	4,332
Drainage	3,358	(448)	2,910
Recreational, leisure and community facilities	1,087	-	1,087
Waste management	(48)	-	(48)
Parks, open space and streetscapes	(250)	-	(250)
Aerodromes	383	38	421
Other infrastructure	161	(2)	159
	57,740	(2,441)	55,299
<b>Total Asset Revaluation Reserves</b>	<b>75,965</b>	<b>(2,419)</b>	<b>73,546</b>
<b>2019/20</b>			
<b>Property</b>			
Land & land improvements	1,725	448	2,173
Buildings	16,835	(783)	16,052
	<b>18,560</b>	<b>(335)</b>	<b>18,225</b>
<b>Infrastructure</b>			
Roads	48,329	(239)	48,090
Bridges	1,503	42	1,545
Footpaths and kerb and channel	3,453	(39)	3,414
Drainage	3,262	96	3,358
Recreational, leisure and community facilities	-	1,087	1,087
Waste management	-	(48)	(48)
Parks, open space and streetscapes	-	(250)	(250)
Aerodromes	340	43	383
Other infrastructure	312	(151)	161
	57,199	541	57,740
<b>Total Asset Revaluation Reserves</b>	<b>75,759</b>	<b>206</b>	<b>75,965</b>

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<i>(b) Other Reserves</i>			
<b>2019/20</b>			
Aerodrome Maintenance	15	-	15
<b>Total Other Reserves</b>	<b>15</b>	<b>-</b>	<b>15</b>
<b>2020/21</b>			
Aerodrome Maintenance	15	-	15
<b>Total Other Reserves</b>	<b>15</b>	<b>-</b>	<b>15</b>

	2020/21 \$'000	2019/20 \$'000
<b>9.2 Reconciliation of cash flows from operating activities to surplus/ (deficit)</b>		
Surplus/(deficit) for the year	4,532	2,671
Profit/(loss) on disposal of property, infrastructure, plant and equipment	158	952
Bad and doubtful debts	(25)	9
Share of net profit/(loss) of associates	148	(31)
Depreciation	5,337	5,450
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	353	801
(Increase)/decrease in other assets	(67)	(87)
Increase/(decrease) in trade and other payables	394	704
(Increase)/decrease in inventories	229	187
Increase/(decrease) in provisions	(470)	95
Increase/(decrease) in trust funds and deposits	4,981	(2)
(Increase)/decrease in investments in associates	213	31
Increase/(decrease) in lease liabilities	150	-
<b>Net cash provided by/(used in) operating activities</b>	<b>15,933</b>	<b>10,780</b>

### 9.3 Superannuation

Yarriambiack Shire Council (Council) makes all of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in Comprehensive Operating Statement when they are made or due.

#### Accumulation

The Fund's accumulation category, Vision MySuper/Vision Super Saver receives both employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2021, this was 9.5% as required under Superannuation Guarantee (SG) legislation).

#### Defined Benefit

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119 Employee Benefits.

#### Funding arrangements

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

A triennial actuarial review for the Defined Benefit category as at 30 June 2020 was conducted and completed by the due date of 31 December 2020. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 104.6%. The financial assumptions used to calculate the VBI were:

- Net investment returns 5.6% pa
- Salary information 2.5% pa for two years and 2.75% pa thereafter
- Price inflation (CPI) 2.0% pa.

As at 30 June 2021, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category.

Vision Super has advised that the estimated VBI at 30 June 2021 was 109.7%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2020 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

### *Employer contributions*

#### **Regular contributions**

On the basis of the results of the 2020 triennial actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2021, this rate was 9.5% of members' salaries (9.5% in 2019/2020). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

### *Funding calls*

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

### **The 2020 triennial actuarial investigation surplus amounts**

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. A full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	<b>2021</b>	<b>2020</b>
	<b>(Triennial)</b>	<b>(Triennial)</b>
	<b>\$M</b>	<b>\$M</b>
- A VBI Surplus	100.0	151.3
- A total service liability surplus	200.0	233.4
- A discounted accrued benefits surplus	217.8	256.7

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2020.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2020.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2020.

Council was notified of the 30 June 2020 VBI during August 2020 (2019: August 2019).

#### *The 2021 interim actuarial investigation*

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2021 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2021.

#### *Superannuation contributions*

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2021 are detailed below:

<b>SCHEME</b>	<b>TYPE OF SCHEME</b>	<b>RATE</b>	<b>2021 \$'000</b>	<b>2020 \$'000</b>
Vision super	Defined benefit	9.50%	66	74
Vision super	Accumulated fund	9.50%	842	742

There were \$88,000 contributions outstanding and no loans issued from or to the above schemes as at 30 June 2021.



# PERFORMANCE STATEMENT



# PERFORMANCE STATEMENT

For the year ended 30 June 2021

## DESCRIPTION OF THE MUNICIPALITY

Yarriambiack Shire Council is situated in the Grampians and Mildura and Mildura in the south and Mildura in the northern end of that region. The Yarriambiack Creek is the main natural feature traversing the Shire. The area is also linked by road and rail systems that run in a north-south direction. The area has an almost ideal climate with a short winter and delightful autumn and spring. Summer temperatures can be hot, particularly in the north.

Yarriambiack Shire has an estimated residential population of 6,658 people. Warracknabeal is the main service centre of the area, with a catchment pattern that extends from the northern Wimmera to the Southern Mallee. It is complemented by Hopetoun in the north and Minyip, Murtoa and Rupanyup in the south, with 13 small towns spread throughout the Municipality.

The Shire is the heartland of grain production and handling in the Wimmera and Mallee. The dry-land farming area produces one quarter of Victoria's total production of wheat and barley and is noted for the production of lambs and wool.

Of the population, almost half the workforce is employed in agriculture. Many other residents depend indirectly on farming as they are employed in services used by the farming population. The population trends are remarkably similar to other areas across most of the Wimmera/Mallee.

## TOWNSHIPS AND AREAS

- Ailsa
- Angip
- Areegra
- Aubrey
- Bangerang
- Beulah
- Boolite
- Brim
- Cannum
- Crymelon
- Hopetoun
- Hopevale
- Jung
- Kellalac
- Kewell
- Laen
- Lah
- Lascelles
- Lawler
- Langerenong
- Lubeck
- Minyip
- Murra Warra
- Murtoa
- Patchewollock
- Rich Avon West
- Rosebery
- Rupanyup
- Sheep Hills
- Speed
- Tempy
- Turriff
- Wallup
- Warracknabeal
- Wilkur
- Willenabrina
- Woomelang
- Wyperfield National Park
- Yaapeet
- Yarto
- Tempy
- Woomelang
- Yaapeet
- Sheep Hills
- Rosebery
- Turriff

## BORDERS

Yarriambiack Shire shares borders with the municipalities of:

- Mildura Rural City Council
- Buloke Shire Council
- Hindmarsh Shire Council
- Northern Grampians Shire Council
- Horsham Rural City Council

## OVERVIEW OF 2021

During the financial year council experienced a number of achievements. Our IT transformation to upgrade hardware and software has met with state-wide success as Council won the 2021 MAV Digital Leadership Achievement of the Year. We have continued our pursuit of Federal and State funding to finance projects in many of towns. Among the new projects is the redevelopment of the Hopetoun Powerhouse building to create a venue for an artist in residence. Grants were obtained to upgrade our 14 halls and significant finance was obtained to develop netball and tennis facilities at Beulah, Brim and Rupanyup. We have successfully delivered a transformed library service through Yarriambiack Libraries with an increased borrowing rate from 9% to 14% and our first year of 3-year-old kinder reported nearly 100% of eligible children had participated. All our achievements are elaborated on in more detail throughout the Annual Report.

## BASIS OF PREPARATION

Council is required to prepare and include a performance statement within its Annual Report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

Where applicable, the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from Council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 24 June 2020 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

## SUSTAINABLE CAPACITY INDICATORS

For the year ended 30 June 2021

<i>Indicator/measure</i>	<i>2017/18</i>	<i>2018/19</i>	<i>2019/20</i>	<i>2020/21</i>	<i>Material Variations</i>
<i>Population</i>					
<b>Expenses per head of municipal population</b> [Total expenses / Municipal population]	\$3,297.32	\$3,107.69	\$3,661.46	<b>\$3,847.91</b>	No material variation
<b>Infrastructure per head of municipal population</b> [Value of infrastructure / Municipal population]	\$21,094.11	\$20,901.47	\$21,125.26	<b>\$21,505.92</b>	No material variation
<b>Population density per length of road</b> [Municipal population / kilometres of local roads]	1.40	1.39	1.41	<b>1.39</b>	No material variation
<i>Own-source Revenue</i>					
<b>Own-source revenue per head of municipal population</b> [Own-source revenue / Municipal population]	\$2,074.10	\$1,972.81	\$2,017.72	<b>\$2,246.21</b>	There has been an increase in other income due to the reinitiation of an overpayment of a waste contract.
<i>Recurrent grants</i>					
<b>Recurrent grants per head of municipal population</b> [Recurrent grants / Municipal population]	\$1,357.56	\$1,320.07	\$1,477.77	<b>\$2,289.77</b>	There has been an increase in the number of recurrent grants such as the financial assistance grant (\$189,000), Kindergartens received an extra \$305,000 and library \$126,000.
<i>Disadvantage</i>					
<b>Relative socio-economic disadvantage</b> [Index of Relative Socio-economic Disadvantage by decile]	1	1	1	<b>1</b>	No material variation
<i>Workforce turnover</i>					
<b>Percentage of staff turnover</b> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	8.7%	9.0%	10.9%	<b>16.84%</b>	There has been an increase in the number of staff resignations during the 2020-2021 year. Due to the small number of staff employed by Council, staff turnover statistics are sensitive to resignations.

## SUSTAINABLE CAPACITY DEFINITIONS

“**adjusted underlying revenue**” means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

“**infrastructure**” means non-current property, plant and equipment excluding land

“**local road**” means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

“**population**” means the resident population estimated by council

“**own-source revenue**” means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

“**relative socio-economic disadvantage**”, in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage

“**SEIFA**” means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

“**unrestricted cash**” means all cash and cash equivalents other than restricted cash.

## SERVICE PERFORMANCE INDICATORS

For the year ended 30 June 2021

Indicator/measure	2017/18	2018/19	2019/20	2020/21	Material Variations
<b>Aquatic Facilities</b>					
<b>Utilisation</b>					
<b>Utilisation of aquatic facilities</b>	0.48	0.51	0.35	0.49	The number of visitors to the Hoptoun Pool has increased by 861 visitors.
[Number of visits to aquatic facilities / Municipal population]					
<b>Animal Management</b>					
<b>Health and safety</b>					
<b>Animal management prosecutions</b>	0	0	0	100%	There was one successful animal management prosecution recorded. In previous years Council have had no animal management prosecutions.
[Number of successful animal management prosecutions / Number of animal management prosecutions] x 100					
<b>Food Safety</b>					
<b>Health and safety</b>					
<b>Critical and major non-compliance notifications</b>	100.00%	100.00%	100.00%	100.00%	Council engages proactively with businesses to achieve compliance through education.
[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x 100					
<b>Governance</b>					
<b>Satisfaction</b>					
<b>Satisfaction with Council decisions</b>	61	63	58	61	Based on the annual Community Satisfaction Survey completed in the 2020-2021 financial year.
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]					

## SERVICE PERFORMANCE INDICATORS

For the year ended 30 June 2021

Indicator/measure	2017/18	2018/19	2019/20	2020/21	Material Variations
<b>Libraries</b> <b>Participation</b> <b>Active library borrowers in municipality</b> [Number of active library borrowers in the last three years / The sum of the population for the last three years] x100	9%	9%	9.61%	8.13%	Council is continuing to promote and educate the community on how to use the new library service.
<b>Maternal and Child Health (MCH)</b> <b>Participation</b> <b>Participation in the MCH service</b> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100	75%	93%	90.08%	90.00%	Council continue to have an acceptable participation rate in the MCH service.
<b>Participation</b> <b>Participation in the MCH service by Aboriginal children</b> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100	100%	100%	93.75%	98.48%	Variation reflects small number of Aboriginal people within the Shire. Participation in key ages and stage visits reflect the results over the years.

## SERVICE PERFORMANCE INDICATORS

For the year ended 30 June 2021

Indicator/measure	2017/18	2018/19	2019/20	2020/21	Material Variations
<b>Roads</b>					
<b>Satisfaction with sealed local road</b>					
[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]	38	42	40	39	Based on the annual Community Satisfaction Survey completed in the 2020-2021 financial year.
<b>Statutory Planning</b>					
<b>Decision making</b>					
<b>Council planning decisions upheld at VCAT</b>					
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	0	0	0	0	No planning applications were sent to VCAT during the 2020-2021 financial year.
<b>Waste Collection</b>					
<b>Waste diversion</b>					
<b>Kerbside collection waste diverted from landfill</b>					
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	25.31%	24.78%	2.18%	21.54%	During the 2020-2021 year the recyclable industry has resumed accepting waste as per previous years.

## SERVICE PERFORMANCE DEFINITIONS

“**Aboriginal child**” means a child who is an Aboriginal person

“**Aboriginal person**” has the same meaning as in the Aboriginal Heritage Act 2006

“**active library member**” means a member of a library who has borrowed a book from the library

“**annual report**” means an annual report prepared by a council under Sections 131, 132 and 133 of the Act

“**CALD**” means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English

“**class 1 food premises**” means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under Section 19C of that Act “class 2 food

“**premises**” means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under Section 19C of that Act

“**critical non-compliance outcome notification**” means a notification received by council under Section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health

“**food premises**” has the same meaning as in the Food Act 1984

“**local road**” means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

“**major non-compliance outcome notification**” means a notification received by a council under Section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorised officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

“**MCH**” means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

“**population**” means the resident population estimated by Council

“**WorkSafe reportable aquatic facility safety incident**” means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the Occupational Health and Safety Act 2004

## FINANCIAL PERFORMANCE INDICATORS

For the year ended 30 June 2021

<b>Dimension/indicator/measure</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>Material Variations</b>
<b>Efficiency</b>									
<b>Expenditure level</b>									
Expenses per property assessment	\$3,143.29	\$2,955.86	\$3,502.59	<b>\$3,621.43</b>	\$4,055	\$3,410	\$3,505	\$3,621	Expenses per property assessment have increased due to the increase in grants received for community projects.
[Total expenses / Number of property assessments]									
<b>Revenue level</b>									
Average rate per property assessment	New in 2020	New in 2020	\$1,634.34	<b>\$1,835.43</b>	\$1,870	\$1,913	\$1,952	\$1,991	Average rate per property assessment is forecast to increase in line with the expected rate cap.
[General rates and Municipal charges / Number of property assessments]									
<b>Liquidity</b>									
<b>Working capital</b>									
Current assets compared to current liabilities	176.23%	265.80%	223.14%	<b>193.36%</b>	149.31%	144.09%	140.34%	131.42%	Current assets have increased by \$7million due to receiving extra grant funding at the end of the 2020-2021 financial year. Liabilities have decreased by \$5million due to lower trade payables and decreases in provisions.
[Current assets / Current liabilities] x 100									
<b>Unrestricted cash</b>									
Unrestricted cash compared to current liabilities	118.17%	145.37%	154.69%	<b>131.90%</b>	33.18%	31.59%	29.19%	21.61%	The decline in grant monies will lead to a reduction in unrestricted cash in future years.
[Unrestricted cash / Current liabilities] x 100									

## FINANCIAL PERFORMANCE INDICATORS

For the year ended 30 June 2021

<i>Dimension/indicator/measure</i>	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	<i>Material Variations</i>
<b><u>Obligations</u></b>									
<b>Loans and borrowings</b>									
Loans or borrowings compared to rates	1.02%	0.81%	0.63%	<b>0.45%</b>	3.83%	3.38%	2.95%	2.54%	Loan for Street Sweeper has been reduced with \$21,000 paid off per year. Loans and borrowings are expected to increase in future years due to a proposed housing development.
<i>[Interest bearing loans and borrowings / Rate revenue] x 100</i>									
Loans or borrowings repayments compared to rates	1.30%	0.17%	0.17%	<b>0.00%</b>	0.53%	0.52%	0.51%	0.50%	Loan for Street Sweeper is to be finalised early in the 2021-2022 financial year. The increase in future years is due to the drawdown of the loan for the proposed housing development.
<i>[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x 100</i>									
<b>Indebtedness</b>									
Non-current liabilities compared to own source revenue	4.08%	4.72%	9.61%	<b>6.13%</b>	11.55%	11.11%	10.69%	10.30%	Council's non current liabilities have decreased due to reductions in provisions and loans.
<i>[Non-current liabilities / Own source revenue] x 100</i>									
<b>Asset renewal and Upgrade</b>									
Asset renewal and upgrade compared to depreciation	New in 2020	New in 2020	165.82%	<b>128.97%</b>	111.00%	91.56%	87.64%	92.78%	Council continues to prioritise asset renewal and upgrade but received less road funding compared to previous financial year.
<i>[Asset renewal and upgrade expense / Asset depreciation] x 100</i>									

## FINANCIAL PERFORMANCE INDICATORS

For the year ended 30 June 2021

Dimension/indicator/measure	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	Material Variations
<b><u>Operating position</u></b>									
<b>Adjusted underlying result</b>									
Adjusted underlying surplus (or deficit)	7.31%	10.90%	4.15%	<b>15.17%</b>	(13.32%)	(0.48%)	(1.34%)	(2.74%)	The surplus is higher than previous years due to increased grant funding.
[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100									
<b><u>Stability</u></b>									
<b>Rates Concentration</b>									
Rates compared to adjusted underlying revenue	50.05%	52.78%	49.57%	<b>42.99%</b>	52%	57%	57%	57%	No material variation
[Rate revenue / Adjusted underlying revenue] x 100									
<b>Rates effort</b>									
Rates compared to property values	0.63%	0.57%	0.49%	<b>0.47%</b>	0.42%	0.43%	0.43%	0.44%	No material variation
[Rate revenue / Capital improved value of rateable properties in the Municipality] x 100									

## FINANCIAL PERFORMANCE DEFINITIONS

“**adjusted underlying revenue**” means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

“**adjusted underlying surplus (or deficit)**” means adjusted underlying revenue less total expenditure

“**asset renewal expenditure**” means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

“**current assets**” has the same meaning as in the AAS

“**current liabilities**” has the same meaning as in the AAS

“**non-current assets**” means all assets other than current assets

“**non-current liabilities**” means all liabilities other than current liabilities

“**non-recurrent grant**” means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council’s Strategic Resource Plan

“**own-source revenue**” means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

“**population**” means the resident population estimated by Council

“**rate revenue**” means revenue from general rates, municipal charges, service rates and service charges

“**recurrent grant**” means a grant other than a non-recurrent grant

“**residential rates**” means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

“**restricted cash**” means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

“**unrestricted cash**” means all cash and cash equivalents other than restricted cash

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## BASIS OF PREPARATION

Council is required to prepare and include a performance statement within its Annual Report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

Where applicable, the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from Council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 24 June 2020 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

# PERFORMANCE STATEMENT

## CERTIFICATION OF THE PERFORMANCE STATEMENT

In my opinion the accompanying performance statement has been prepared in accordance with the Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2014.



**ANITA J MCFARLANE**

*Corporate Services Manager*

Date: 29th September 2021

In our opinion the accompanying performance statement of the Yarriambiack Shire Council for the year ended 30 June 2020 presents fairly the results of Council's performance in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2014 to certify this performance statement in its final form.



**KARLY KIRK**

*Councillor*

Date: 29th September 2021



**KYLIE ZANKER**

*Councillor*

Date: 29th September 2021



**JESSIE HOLMES**

*Chief Executive Officer*

Date: 29th September 2021

# Independent Auditor's Report

## To the Councillors of Yarriamback Shire Council

<p><b>Opinion</b></p>	<p>I have audited the accompanying performance statement of Yarriamback Shire Council (the council) which comprises the:</p> <ul style="list-style-type: none"> <li>• description of municipality for the year ended 30 June 2021</li> <li>• sustainable capacity indicators for the year ended 30 June 2021</li> <li>• service performance indicators for the year ended 30 June 2021</li> <li>• financial performance indicators for the year ended 30 June 2021</li> <li>• basis of preparation and</li> <li>• the certification of the performance statement.</li> </ul> <p>In my opinion, the performance statement presents fairly, in all material respects, the performance of the council for the year ended 30 June 2021 in accordance with the performance reporting requirements of Part 6 of the <i>Local Government Act 1989</i>.</p>
<p><b>Basis for Opinion</b></p>	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Standards on Assurance Engagements. I further describe my responsibilities under that Act and those standards in the <i>Auditor's Responsibilities for the Audit of the performance statement</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. I and my staff are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the performance statement in Victoria and have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
<p><b>Councillors' responsibilities for the performance statement</b></p>	<p>The Councillors are responsible for the preparation and fair presentation of the performance statement in accordance with the performance reporting requirements of the <i>Local Government Act 1989</i> and for such internal control as the Councillors determines is necessary to enable the preparation and fair presentation of the statement of performance that is free from material misstatement, whether due to fraud or error.</p>
<p><b>Auditor's responsibilities for the audit of the performance statement</b></p>	<p>As required by the <i>Audit Act 1994</i>, my responsibility is to express an opinion on the performance statement based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the performance statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Standards on Assurance Engagements will always detect a material misstatement when it exists.</p>

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Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of this performance statement.

As part of an audit in accordance with the Australian Standards on Assurance Engagements, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the performance statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council's internal control
- evaluate the overall presentation, structure and content of the performance statement, including the disclosures, and whether performance statement represents the underlying events and results in a manner that achieves fair presentation.

I communicate with the Councillors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

---

MELBOURNE  
20 October 2021



Sanchu Chummar

*as delegate for the Auditor-General of Victoria*

# CONTACT COUNCIL

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MAIN OFFICE WARRACKNABEAL



**Yarriambiack**  
SHIRE COUNCIL

### 13 REPORTS FOR DECISION – DIRECTORATE BUSINESS STRATEGY AND PERFORMANCE

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

### 13.1 Quarterly Financial and Non-Financial Performance Report

*Prepared by Tammy Smith, Director Business, Strategy and Performance*

*Anita McFarlane, Manager Corporate Services*

#### SUMMARY

In accordance with the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020, Council is required to have an integrated approach to strategic planning with the requirement that monitoring, and performance reporting is to be adopted.

#### RECOMMENDATION

That Council:

Adopt the Quarterly Financial and Non-Financial Performance Report as of 30 September 2021 as attached to this report.

Moved Cr T Hamilton Seconded Cr K Zanker

That the recommendation be adopted

**Carried**

#### ATTACHMENTS

[Attachment: Financial and Non-Financial Performance Report – Quarter 1 as of 30 September 2021](#)

#### DISCUSSION

Schedule 1 of the Local Government (Planning and Reporting Regulations) 2020, identifies that Council must produce the following reports within identified time frames as below:

- a) Quarterly Budget Reports, comparing actual and budgeted results and an explanation of any material variations must be completed.
- b) Risk Reports, 6-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies.
- c) Performance Reports, 6-monthly reports of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Act.

The Management Team has adopted a holistic approach to meet the requirements of the Local Government Act and Regulations, by compiling a Quarterly Financial and Non-Financial Performance Report.

The report incorporates budget, risk and performance reporting. The Council's risk appetite has been utilised to develop non-financial performance indicators for reporting purposes.

The report is presented to the Management Team and the Audit and Risk Committee, prior to the scheduled Council meeting each quarter.

## **RELEVANT LAW**

Local Government Act 2020 – Section 97 Quarterly Budget Report

Local Government (Planning and Reporting) Regulations 2020

## **COUNCIL PLANS AND POLICIES**

- Annual Budget 2021-2022
- Performance Reporting Framework
- Risk Management Manual

## **RELATED COUNCIL DECISIONS**

Minutes 26 May 2021 – Adoption of the Annual Budget 2021-2022

## **OPTIONS**

The governance principles in section 9 of the Local Government Act 2020 is that priority is to be given to achieving the best outcomes for the municipal community, including future generations.

The option presented in this report to provide Council with a quarterly report encompassing both financial and non-financial performance reporting, provides enhanced governance and oversight, and promotes transparency in decision making.

Options to be considered:

- a) The Reports could be separated into three distinct reports, opposed to a combined overarching report.
- b) The Risk Report and Performance Reports could be moved to 6 monthly in line with the Local Government Act requirements, with the Budget Reports being quarterly only.

## **SUSTAINABILITY IMPLICATIONS**

Council must give effect to the overarching governance principles in section 9 of the Local Government Act 2020, when considering sustainability implications.

*Financial:* Yarriambiack Shire Council is heavily reliant on operational and capital grants as a source of revenue funding. This poses a significant financial risk to Council. The reduction in the rate cap decreases Councils' ability to raise source revenue.

## **COMMUNITY ENGAGEMENT**

Engagement has not been undertaken to develop the Performance Reporting Framework.

In accordance with section 9 of the Local Government Act 2020, Council must in the performance of its role give effect to the overarching governance principles.

The financial and non-financial performance indicators are utilised as a tool for decision making to achieve good governance.

Council adopted a Community Engagement Policy which is applied when developing and consulting with the community in relation to the Annual Budget development and adoption. The quarterly report outlines Council's financial position against the adopted budget.

### 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.

<b>Gender Impact Assessment (GIA)</b>	<b>Status</b>
Does this Council report recommendation c) Introduce a new policy, program and/or service; or d) 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	Not Applicable

### RISK

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

<b>Strategic Description and Residual Risk Level</b>	<b>Risk and</b>	<b>Action to Mitigate/Reduce Risk</b>	<b>Does Action maintain or reduce Residual Risk Level</b>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low		The quarterly report incorporates the reporting requirements as outlined in the Local Government Planning and Reporting Regulations 2020 Schedule 1.	Maintains Residual Risk Level
Financial Risk - Residual Risk Level Medium		The quarterly report includes Budget v Actual reporting, which enables management, Audit and Risk Committee and Councillors to monitor the financial performance of Council and assess and address risks as they arise.	Maintains Residual Risk Level
Program and Project Risk - Residual Risk Level Medium		The quarterly report incorporates detailed project reporting, providing enhanced oversight on the performance of projects.	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.



# Financial and Non-Financial Performance Reporting

## Quarter 1

### 01 July – 30 September 2021



**Yarriambiack**  
SHIRE COUNCIL

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# 1 Executive Summary

This report is for the period ending 30 September 2021 and outlines Council's position and performance in the first quarter of the 21-22 Financial Year.

## **Profit and Loss**

The net profit variance between budget versus actuals for the first quarter relates to Income - Vic Grants – Operating Income. Council received funds in the 2020-21 financial year for the Brim and Beulah netball and tennis facility development, camping and caravan park cabins development, the Warracknabeal Courthouse Reactivation Program and Flagship Tourism and Regional Investment Programs. The funds were accounted for as unearned income in current liabilities – Trades and Other Payables on the balance sheet as of 30 June 2021. On the 01 July, the funds were then reversed out as a current liability and accounted for as income on the profit and loss statement in the 21-22 financial year, when the programs are expected to be expended.

## **Balance Sheet**

As stated above, the movement from the 30 June 2021 to 30 September 2021 relates to the current liabilities Trades and Other Payables account, where the unearned income in the 20-21 financial year is accounted for as income on the Profit and Loss statement in the 21-22 financial year.

The Fixed Assets – Work in Progress account has increased from 30 June and is expected to significantly increase throughout the year as the capital works program is delivered.

## **Financial Indicators**

The financial indicators for the first quarter are producing a positive result. This is due to rates and charges being raised and issued in the first quarter of 2021-22, generating \$12.7million in revenue, whilst expenditure is only \$5.2million, and \$1.3million less than budget estimates.

Council is also holding \$14million between bank and investments with maturity less than 12 months, being classified as current assets. This has a positive impact on Council's Working Capital Ratio.

It is predicted that as expenditure increases throughout the next three quarters, the financial indicators will decrease and be more inline with budget estimates.

Council Officers will continue to monitor return on investment opportunities with the possibility of funds being transferred to term deposits greater than 12 months if interest rates improve.

## **Projects**

Management has split the projects into four categories for reporting purposes.

*Roads and Associated Infrastructure Capital Works Program:* The \$7.1million program is on track to be delivered by 30 June 2022, with the kerb and channel tender currently being advertised and the hot mix asphalt works tender being extended to include the 21-22 program. All projects in this category are accounted for as Work in Progress (WIP) on the balance sheet and will be capitalised as Infrastructure Assets on the balance sheet once complete.

*Corporate Projects:* The corporate projects are estimated to be completed by 30 June 2022, with the machinery items being purchased through the MAV Vendor Panel, with estimated delivery dates between February and June 2022. The Digital Radio Program is in delivery phase, whilst the glass crusher being purchased between five municipalities is expected to be delivered in March 2022. Council is required to implement a new bin collection system for glass by July 2022. Management was able to procure the new bins via the MAV Vendor Panel and has received funding of \$31.3 thousand to contribute towards the estimated cost of \$84 thousand for the bin implementation. Management did not include the cost of the new bin system in the 2021-22 budget however believes there will be cost savings via other programs to account for the difference.

*Council Owned Building and Associated Infrastructure Projects:* Council has a \$6.194million capital works program being delivered on council owned buildings and associated infrastructure. During budget development, a number of projects were estimated to be completed by 30 June 2021. Due to the impacts of COVID-19 and a shortage of contractor availability several projects have been rolled over into the 21-22 financial year. Council also received Regional Airports Program Round 2 Funding from the Department of Industry, Science, Energy and Resources after the budget process was complete for \$0.135million for the

Hopetoun Aerodrome Fencing. The remaining value of projects rolled over into the 21-22 financial year without budget is \$0.498million, with majority being grant funded projects. Total capital works expenditure for this category being \$6.8million.

*Community Projects:* Council has been successful in securing funds to delivery upgrades and enhancements to community assets and infrastructure (not owned by Council) that provide a positive benefit to the Yarriambiack Shire Council residents. Several projects were estimated to be delivered by 30 June 2021, similarly to the category above, COVID-19 and a shortage of contractors impacted on Council's ability to deliver the projects by 30 June. Approximately \$0.222million of Community Projects have been carried forward into the 21-22 financial year and are not represented in the adopted budget.

Council is experiencing a significant difference between cost estimates for projects and tendered pricing. This is due to the rising cost of raw materials and the shortage of contractors available to deliver projects.

Council is continuously monitoring the increases and at present has been able to mitigate the shortfall with other funding streams. However, this is only a short-term solution, and 30 to 40% contingencies are being built into all future funding proposals to counteract the rising cost of raw materials.

### ***Additional Grant Funding***

Council was successful with several grants after the 2021-22 Budget was finalised. This includes the Hopetoun aerodrome funding, transfer station and waste related grants and Hopetoun recreation reserve lighting.

### ***Rates and Charges***

Council has informed residents via media release, social media and newspaper advertisement that there was a delay experienced in the distribution of the 21-22 Rates Notices. As a result of the delay, the first instalment payment date has been extended to the 29 October. Rates can be paid in full by the 15 February 2022, or by four instalments that are due on 29 October 2021, 30 November 2021, 28 February 2022 and 31 May 2022. Ratepayers have been encouraged if they have concerns meeting the 29 October deadline, or that the first two instalments are too close together, they can request and be granted an extension to pay or alternatively enter a payment plan. The balance sheet current assets, Trades and Other Receivables remains high for the quarter at \$15.8million. The delay on rates notices has impacted the balance sheet, however we are expecting to see a decrease in the second quarter when the first and second rates instalments are received.

### ***Non-Financial Performance***

Council's expenditure is outside of the tolerance levels within the adopted risk appetite. Expenditure as of 30 September is under budget by 31% due to the timing of programs being delivered.

Council has seen an increase in personal leave taken due to the requirement for staff to not attend work if they have COVID-19 symptoms. It is expected that the level of absenteeism will remain high whilst COVID-19 is circulating within the state and regions.

Council has actively been working with staff to reduce their annual leave balances. The balance between navigating a pandemic, meeting service delivery requirements and staff taking leave has been challenging. Staff with leave hours above 304 hours have completed a leave plan, with the requirement to take excess leave within the next 12 months.

Several administrative policies in the assets and operations department are overdue greater than 60 days. The Director is currently working through the directorate policies and procedures to develop an overarching guidelines manual. It is estimated that the manual will be implemented by 30 December 2021.

As of 30 September, one complaint has exceeded 30 days. As per our complaints handling policy the complainant has been notified and provided with an update on the delay and provided with progress updates.

### ***Occupational Health and Safety***

The implementation of Happy HR OHS reporting has resulted in the timely reporting of Incidents, Near Misses and Hazards. Public Incidents are being reported via an online internal digital form.

The incidents reported resulted in eight hours lost time injury for minor medical treatment.

A root cause analysis was commissioned for a near miss to assess opportunities for learning and improvements to work practices.

There were no Worksafe notified reports in the first quarter of 21-22.

### **Strategic Risk Register**

A review of the ten strategic risks and the associated control measure effectiveness was completed for the first quarter.

Council has implemented fifty-two control measures to manage Council's strategic risks. Of the fifty-two control measures implemented 41 have been assessed as effective this quarter, four are assessed as good and seven are fair / partially effective.

The seven fair/partially effective relate to the following areas:

*Innovation Risk:* Council is in the process of developing a tender to procure a glass crushing machine with five other municipalities. Fogo trials are only in the testing phase.

*Strategy Execution and Change Management Risk:* The workforce plan development has commenced with the plan due by 31 December 2021. A whole of staff engagement program has been completed along with the people matters survey to inform the plan. Asset Management Planning has also commenced for the development of the Asset Management Plan to be adopted by 30 June 2022.

*Financial Risk:* Internal testing against integrity body publications has not occurred this quarter due to focus being on the external audit. Testing and review of integrity reports is currently being undertaken.

*Program and Project Risk:* A review of OHS contractor requirements is partially undertaken and is aimed to be completed by 31 December 2021.

*Environmental and Sustainability Risk:* Council has recently engaged a Waste and Sustainability Officer who will develop an education program to inform the community on how to dispose of their waste items effectively.

### **Conclusion**

Council is in the midst of delivering one of its largest infrastructure, building and community project programs on record, outside of emergency response funding (floods, droughts, fires).

Due to the timing of programs being delivered and additional grants being received after the budget was populated and adopted, Council will adopt a revised budget in January 2022. The revised budget will reflect additional grant funding along with carry forward projects.

## 2 Profit and Loss Statement

01 July to 30 September 2021 (Quarter 1)						Notes
	(YTD)Actuals	(YTD) Budget	Variance	%Variance	Approved Budget Full Year	
<b>Operating Income</b>						
Asset Disposal	0	189,000	(189,000)	(100%)	229,000	1
Grants Commonwealth Capital	0	330,500	(330,500)	(100%)	2,589,000	2
Grants Commonwealth Operating	1,049,959	1,618,170	(568,211)	(35%)	6,472,680	3
Grants Vic Capital	914,352	153,560	760,792	495%	1,670,050	4
Grants Vic Operating	4,746,226	518,595	4,227,631	815%	2,416,990	5
Other Income	1,463,159	60,848	1,402,311	2305%	445,332	6
Rates and Charges	12,741,467	13,040,160	(298,693)	(2%)	13,040,160	
Statutory Fees and Fines	50,146	34,950	15,196	43%	177,125	
User Fees	149,006	193,331	(44,325)	(23%)	848,930	7
<b>Total Operating Income</b>	<b>21,114,315</b>	<b>16,139,115</b>	<b>4,975,200</b>	<b>31%</b>	<b>27,889,268</b>	
<b>Operating Expenses</b>						
Cost of Goods Sold - movement in inventory	400	0	(400)	100%	0	
Bad & Doubtful Debts	0	0	0	0%	500	
Contributions and Donations	14,545	82,000	67,455	82%	726,598	8
Depreciation Amortisation & Impairment	0	1,338,644	1,338,644	100%	5,354,575	9
Employee Costs	2,711,679	2,816,232	104,553	4%	11,095,303	
Materials and Services	1,312,629	2,099,352	786,723	37%	9,189,163	10
Other Expenses	1,165,998	1,157,615	(8,383)	(1%)	1,909,109	
<b>Total Operating Expenses</b>	<b>5,205,252</b>	<b>7,493,843</b>	<b>2,288,591</b>	<b>31%</b>	<b>28,275,249</b>	
<b>Net Profit</b>	<b>15,909,063</b>	<b>8,645,272</b>	<b>7,263,792</b>	<b>84%</b>	<b>(385,981)</b>	

### 3 Notes to the Profit and Loss Statement

Note	Item	Explanation of Variance
<b>Income</b>		
1	Asset Disposal	Three cars had been sent to auction during the 1 <sup>st</sup> quarter but payments for the disposal of the cars were not received until October.
2	Grants Commonwealth Capital	Council would normally claim an allocation for Roads to Recovery works in the 1 <sup>st</sup> quarter. This work has been scheduled to commence in the 2 <sup>nd</sup> quarter and is scheduled to be completed during the 3 <sup>rd</sup> quarter. A claim for this funding will be made in October.
3	Grants Commonwealth Operating	Half of the 2021/22 Federal Assistance Grants (FAGs) were paid in advance prior to the end of the 2020/21 financial year. Therefore, the quarterly amounts to be paid to Council throughout the 2021/22 year have been reduced. When preparing the 2021/22 budget the assumption was made that there would not be an advance FAGs payment made.
4	Grants Vic Capital	Relates to grants being for Warracknabeal Children Centre, Hopetoun Kindergarten toilet/store project, Minyip Kindergarten sand and science project, Warracknabeal Town Hall Living Heritage grant program, Home is Where the Hall is, Wimmera Southern Mallee Caravan Park upgrades and Hopetoun Recreation Reserve Lighting project being received in the 2020/21 financial year and taken up as a current liability as unearned income and recognised in the 2021/22 financial year profit and loss statement.
5	Grants Vic Operating	Relates to grants being for Beulah and Brim netball and tennis facility development, camping and caravan round 2 funding, Warracknabeal Court House reactivation program, Flagship Tourism Infrastructure and Investment Program being received in the 20-21 financial year and taken up as a current liability as unearned income and recognised in the 21-22 financial year profit and loss statement.
6	Other Income	The Fire Service Levy, which is raised as part of the annual rates, is allocated into this area and as it is collected this amount will be reduced as it will be passed on to the State Revenue Office. The amount of Fire Service Levy raised was \$1.398 million. Council has recouped \$11,655 in legal costs which have been recovered as a result of ongoing debt collection.
7	User Fees	At the time of preparing this report the Home and Community Care, Meals on Wheels and Brokerage debtor accounts for September had not been entered. This amount is approximately \$25,000.
<b>Expense</b>		
8	Contributions and Donations	During the 1 <sup>st</sup> quarter Council has paid \$14,545 to Murtoa Big Weekend and Y Fest which was funded from the RDV Regional Recovery Fund (Kickstart Project). Annual contributions to halls, recreation reserves, swimming pools, progress associations are

		usually paid out during September and October. This year they will be paid out during October and November.
<b>9</b>	Depreciation, Amortisation and Impairment	Depreciation will be allocated on a quarterly basis but there have been a few issues with AssetFinda which will be used to do all the depreciation calculations. It is expected that these issues will be addressed over the coming months and we will be able to report the depreciation in the next quarterly report.
<b>10</b>	Materials and Services	The use of consultants and contractors in the 1 <sup>st</sup> quarter are below budget. This has been due to delays in the commencement of community projects due to Covid restrictions and the timing of the procurement process. It is expected that these community projects will progress in the next quarter. Fuel and utilities are also lower than budget.

## 4 Balance Sheet

	Sep 2021	Jun 2021	Variance	% Variance	Notes
<b>Assets</b>					
<b>Current Assets</b>	<b>30,556,512</b>	<b>22,273,647</b>	<b>8,282,865</b>	<b>37%</b>	<b>1</b>
Bank	9,692,809	14,908,453	(5,215,643)	(35%)	
Financial Assets	(14,927)	164,426	(179,354)	(109%)	
Investments	4,337,438	4,337,438	0	0%	
Inventory	671,724	555,046	116,678	21%	
Trade & Other Receivables	15,854,468	2,293,284	13,561,184	591%	
Assets classified as held for sale	15,000	15,000	0	0%	
<b>Fixed Assets</b>	<b>142,504,243</b>	<b>141,680,187</b>	<b>824,056</b>	<b>1%</b>	<b>2</b>
Land	2,657,619	2,657,619	0	0%	
Plant & Equipment	5,838,736	5,834,084	4,653	0%	
Infrastructure Assets	110,348,666	110,348,666	0	0%	
Buildings	21,916,555	21,916,555	0	0%	
Work in Progress - Assets	1,742,667	923,263	819,404	89%	
<b>Non-Current Assets</b>	<b>788,449</b>	<b>935,473</b>	<b>(147,024)</b>	<b>(16%)</b>	<b>3</b>
Investments	132,785	279,809	(147,024)	(53%)	
Right of Use Assets	655,664	655,664	0	0%	
<b>Total Assets</b>	<b>173,849,204</b>	<b>164,889,306</b>	<b>8,959,898</b>	<b>5%</b>	
<b>Liabilities</b>					
<b>Current Liabilities</b>	<b>4,359,755</b>	<b>11,303,182</b>	<b>6,943,426</b>	<b>61%</b>	<b>4</b>
Provisions	3,405,130	3,353,425	(51,705)	(2%)	
Trade & Other Payables	556,835	7,557,962	7,001,126	93%	
Trusts Funds & Deposits	5,995	0	(5,995)		
Lease Liability	333,336	333,336	0	0%	
Loans & Borrowings Current	58,460	58,460	0	0%	
<b>Non-Current Liabilities</b>	<b>901,829</b>	<b>907,568</b>	<b>5,739</b>	<b>1%</b>	<b>5</b>
Lease Liability	447,210	447,210	0	0%	
Loans & Borrowings	(5,739)	0	5,739		
Provisions	460,358	460,358	0	0%	
<b>Total Liabilities</b>	<b>5,261,584</b>	<b>12,210,750</b>	<b>6,949,166</b>	<b>57%</b>	
<b>Total Liabilities</b>	<b>168,587,620</b>	<b>152,678,557</b>	<b>15,909,063</b>	<b>10%</b>	
<b>Equity</b>					
<b>Equity</b>	<b>168,587,620</b>	<b>152,678,557</b>	<b>15,909,063</b>	<b>10%</b>	
Accumulated Surplus	74,584,000	74,584,000	0	0%	
Reserves	73,562,130	73,562,130	0	0%	
Retained Earnings	4,532,426	0	4,532,426		
Current Earnings	15,909,063	4,532,426	11,376,637	251%	
<b>Total Equity</b>	<b>168,587,620</b>	<b>152,678,557</b>	<b>15,909,063</b>	<b>10%</b>	

## 5 Notes to the Balance Sheet

Note	Item	Explanation of Variance
1	Current Assets	<p>Council is holding approximately \$14million between the bank and short term (less than 12 months) investments. At present short-term investments provide Council with the greatest return. Interest rates will continue to be monitored to ensure Council is achieving maximum return on investment.</p> <p>Trades and Other Receivables has increased due to the Rates and Charges for the 2021-22 financial year being raised and issued in September, however the date for the first instalment payment has been extended to the end of October 2021.</p>
2	Fixed Assets	<p>No movement to report between end of financial year and 30 September 2021. Expected increase in fixed assets to occur in the third and fourth quarter when the delivery of plant occurs, and capital projects are completed.</p> <p>Work in progress will continue to increase due to our large capital work program currently being delivered.</p>
3	Non-Current Assets	There has been a slight decrease in investments due to movement between current assets to gain greater return on investment.
4	Current Liabilities	There has been a \$7million decrease in Trades and Other Payables from 30 June to 30 September 2021. This is due to unearned income recognised at the 30 June 2021 being recategorised as income from 01 July 2021.
5	Non-Current Liabilities	There has been no movement in non-current liabilities since 30 June 2021.

## 6 Cashflow Statement

	July 2021 - September 2021
<b>Bank at Beginning</b>	<b>14,908,453</b>
<b>Cashflow from Operating Activities:</b>	
<b>Net Profit</b>	<b>15,909,063</b>
<b>Adjustments for Balance Sheet Movement on Operating Activities:</b>	
<b>Current Assets</b>	<b>(13,498,508)</b>
Financial Assets	179,354
Inventory	(116,678)
Trade & Other Receivables	(13,561,184)
<b>Non-Current Assets</b>	<b>147,024</b>
Investments	147,024
<b>Current Liabilities</b>	<b>(6,949,421)</b>
Provisions	51,705
Trade & Other Payables	(7,001,126)
<b>Total Adjustments for Balance Sheet Movement on Operating Activities</b>	<b>(20,300,906)</b>
<b>Net Cashflow from Operating Activities</b>	<b>(4,391,842)</b>
<b>Cashflow from Investing Activities:</b>	
<b>Fixed Assets</b>	<b>(824,056)</b>
Plant & Equipment	(4,653)
Work in Progress - Assets	(819,404)
<b>Net Cashflow from Investing Activities</b>	<b>(824,056)</b>
<b>Cashflow from Financing Activities:</b>	
<b>Current Liabilities</b>	<b>5,995</b>
Trusts Funds & Deposits	5,995
<b>Non-Current Liabilities</b>	<b>(5,739)</b>
Loans & Borrowings	(5,739)
<b>Net Cashflow from Financing Activities</b>	<b>255</b>
<b>Net Cashflows</b>	<b>(5,215,643)</b>
<b>Bank at End</b>	<b>9,692,809</b>

## 7 Financial Indicators Summary

No Action Required			
Requires Active Monitoring			
Immediate Action Required			
As at 31 September 2021	Actual YTD	21-22 Budget	Indicator
<p><b>Adjusted underlying result (OP1)</b></p> <p>Measure: Adjusted underlying surplus (deficit) / Adjusted underlying revenue.</p> <p>Community Outcome / Data Use: Assessment of whether Council can generate a surplus. A significant surplus (or deficit) achieved in a particular financial year does not necessarily indicate good or band financial performance in that year.</p> <p>The full rates income is being accounted for in the first quarter as rates and charges for the 21-22 financial year have been raised and issued, whilst only the first quarter expenditure has occurred. This is producing a positive position, however it is expected to decline in the next three quarters as expenditure increases.</p>	63.86%	(13.32%)	
<p><b>Working Capital (L1)</b></p> <p>Measure: Current assets / current liabilities.</p> <p>This measures whether a Council can generate sufficient cash to pay bills on time.</p> <p>Community Outcome / Data Use: Assessment of Council's financial position. Higher assets relative to liabilities suggests Councils are in a strong position.</p> <p>The proportion of current liabilities represented by current assets. Working capital has increased due to more unrestricted cash being held in the first quarter.</p>	700.87%	149.31%	
<p><b>Unrestricted Cash (L2)</b></p> <p>Measure: Unrestricted cash / current liabilities.</p> <p>This measures unrestricted cash as a percentage of current liabilities.</p> <p>Community Outcome / Data Use: assessment of Council's abilities to pay bills on time. Higher unrestricted cash relative to liabilities suggests Council's are able to pay bills in a timely manner.</p> <p>Bank balance for the 1<sup>st</sup> quarter is at \$9million which is 2.22 times greater than Council's current liabilities for the 1<sup>st</sup> quarter which highlights Council is in a strong position to pay bills on time.</p>	222.32%	33.18%	
<p><b>Loans and Borrowings (O2)</b></p> <p>Measure: Interest bearing loans and borrowings / rate revenue.</p> <p>This measures whether the level of debt and other long term obligations is appropriate to the size and nature of the Council's activities.</p> <p>Community Outcome / Data Use: Assessment of whether Council's level of interest-bearing loans and borrowings are appropriate to the size and nature of Council's activities. Demonstration of Council managing its borrowing strategy in relation to the revenue it raises.</p> <p>Trend indicates Council is reducing reliance on debt against its annual rate revenue through redemption of long-term debt.</p>	3.92%	3.83%	
<p><b>Loans and Borrowings (O3)</b></p> <p>Measure: Interest and principal repayments on interest bearing loans and borrowings as a percentage of rate revenue.</p> <p>Community Outcome / Data Use: Same as (O2)</p>	0.05%	0.53%	

<p><b>Indebtedness (O4)</b></p> <p>Measure: Non-current liabilities / own source revenue.</p> <p>Community Outcome / Data Use: Assessment of whether Council's long term liabilities are appropriate to the size and nature of Council activities. Lower proportion of non-current liabilities suggests greater capacity to meet long term obligations.</p> <p>Council's own source revenue is 15.97 x greater than non-current liabilities, which indicates Council has greater capacity to meet long term obligations.</p>	626.11%	11.55%	
<p><b>Asset Renewal and Upgrade (O5)</b></p> <p>Measure: Asset renewal and upgrade expenditure / depreciation.</p> <p>Community Outcome / Data Use: Assessment of whether Council assets are being renewed or upgraded as planned. It compares the rate of spending on existing assets through renewing, restoring, replacing or upgrading existing assets with depreciation. Ratios higher than 1.0 indicate there is a lesser risk of insufficient spending on Council's asset base.</p> <p><b>Result is less than 0.5</b> – Spending on existing assets has not kept pace with the consumption of these assets. This highlights a need to prioritise asset maintenance.</p> <p><b>Results between 0.5 and 1.0</b> – May indicate insufficient spending on renewal or upgrading. This may highlight a need for better asset maintenance planning.</p> <p><b>Result is more than 1.0</b> – Demonstrates Council's commitment to investing in the renewal and upgrading of its community infrastructure and assets.</p>	To be reported annually	111.00%	N/A
<p><b>Rates Concentration (S1)</b></p> <p>Measure: Rate revenue / adjusted underlying revenue.</p> <p>Community Outcome / Data Use: Assessment of whether Council can generate revenue from a range of sources to fund services and activities. Lower proportion of rate to underlying revenue suggests greater stability.</p> <p>Reflects extent of reliance on rate revenues to fund all of Council's on-going services. The trend indicates that Council will become more reliant on rate revenue compared to all other revenue sources.</p>	63.08%	52%	
<p><b>Rates Effort (S2)</b></p> <p>Measure: Rate revenue / capital improved value of rateable properties in the municipality.</p> <p>Community Outcome / Data Use: Assessment of whether Councils set rates an appropriate level. Lower proportion of rate revenue suggests a reduced rate burden on the community.</p>	0.41%	0.42%	
<p><b>Expenditure Level (E2)</b></p> <p>Measure: Total expenditure / No. of property assessments.</p> <p>Community Outcome / Data Use: Assessment of whether resources are being used efficiently to deliver services.</p>	\$746.59	\$4,055	
<p><b>Revenue Level (E4)</b></p> <p>Measure: Residential rate revenue / No. of residential property assessments.</p> <p>Community Outcome / Data Use: Same as (E2).</p>	\$613.52	\$1,870	

## 8 Rates and Charges

Ward Total Rates & Charges	2020/2021 Budget	2020/2021 Actuals	2021/2022 Budget	Actual YTD Receipts	Rebates	Outstanding Rates		
						Current	Arrears/Legal/Interest	Total
Dunmunkle	\$4,154,635.37	\$486,039.14	\$4,174,638.57	-\$169,050.71	-\$81,872.57	\$4,001,203.33	\$408,551.10	\$4,409,754.43
Hopetoun	\$4,018,880.03	\$602,506.73	\$4,219,392.63	-\$136,533.25	-\$63,739.70	\$4,087,039.23	\$534,587.18	\$4,621,626.41
Warracknabeal	\$5,891,651.38	\$599,768.87	\$5,981,516.03	-\$192,315.68	-\$96,283.01	\$5,793,334.02	\$499,352.19	\$6,292,686.21
<b>Grand Total</b>	<b>\$14,065,166.78</b>	<b>\$1,688,314.74</b>	<b>\$14,375,547.23</b>	<b>-\$497,899.64</b>	<b>-\$241,895.28</b>	<b>\$13,881,576.58</b>	<b>\$1,442,490.47</b>	<b>\$15,324,067.05</b>

**2020-21 Budget:** Represents the amount raised in the 20-21 financial year for General Rates, Fire Services Levy, Waste and Garbage Charges, Recycling Charges and the Municipal Charge.

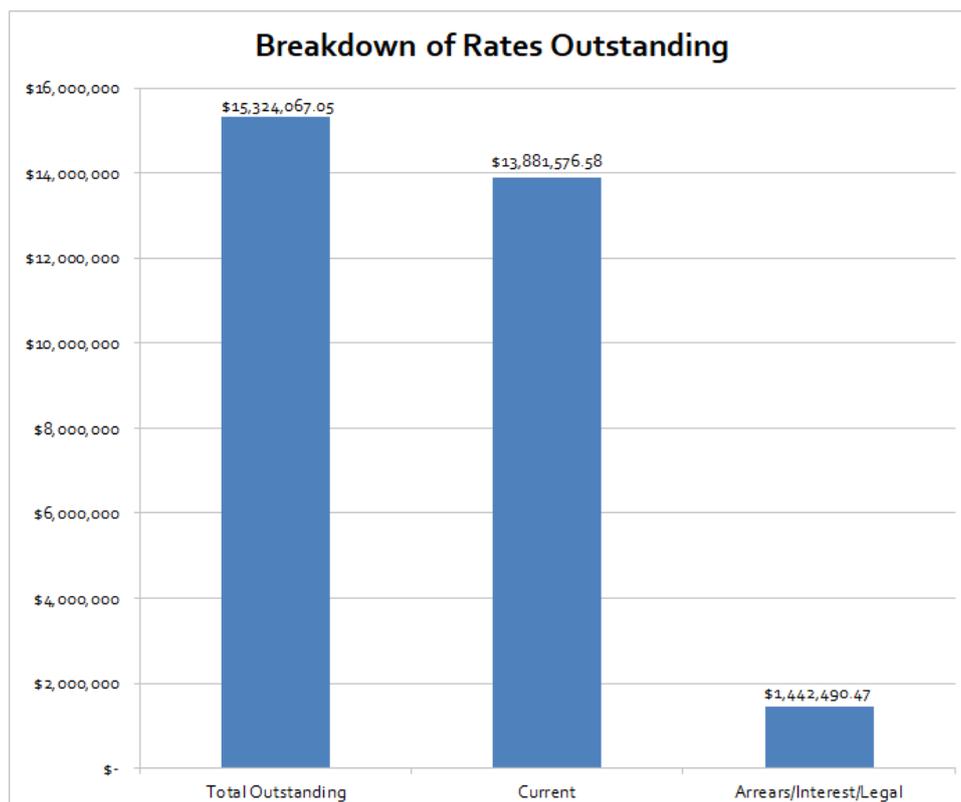
The **2020-21 Actuals** relates to the amount outstanding from the above raised charges as of 30 June 2021.

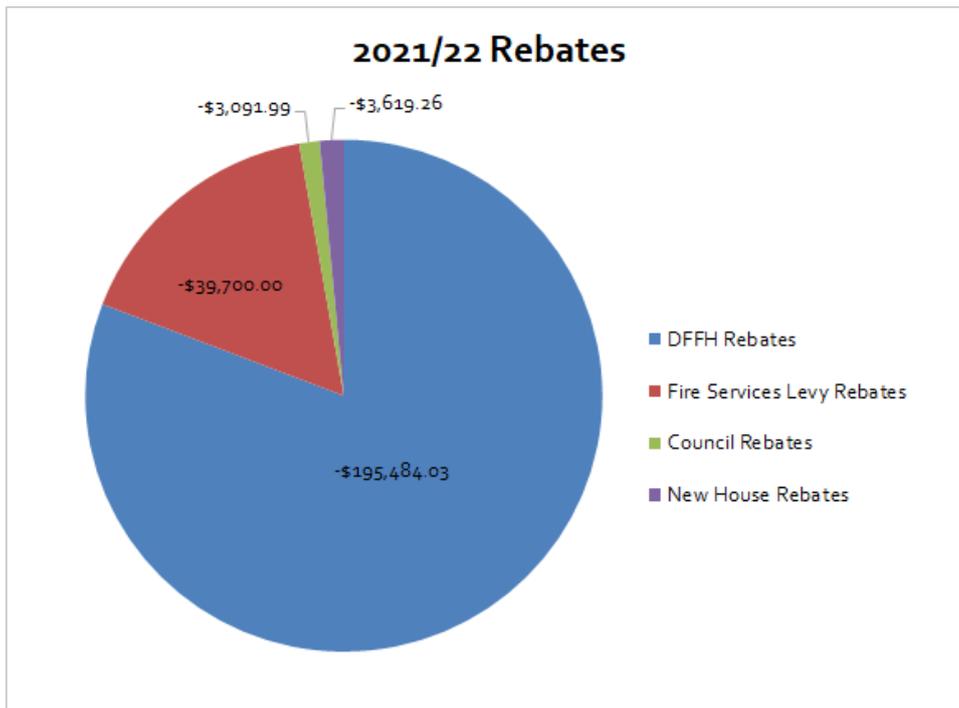
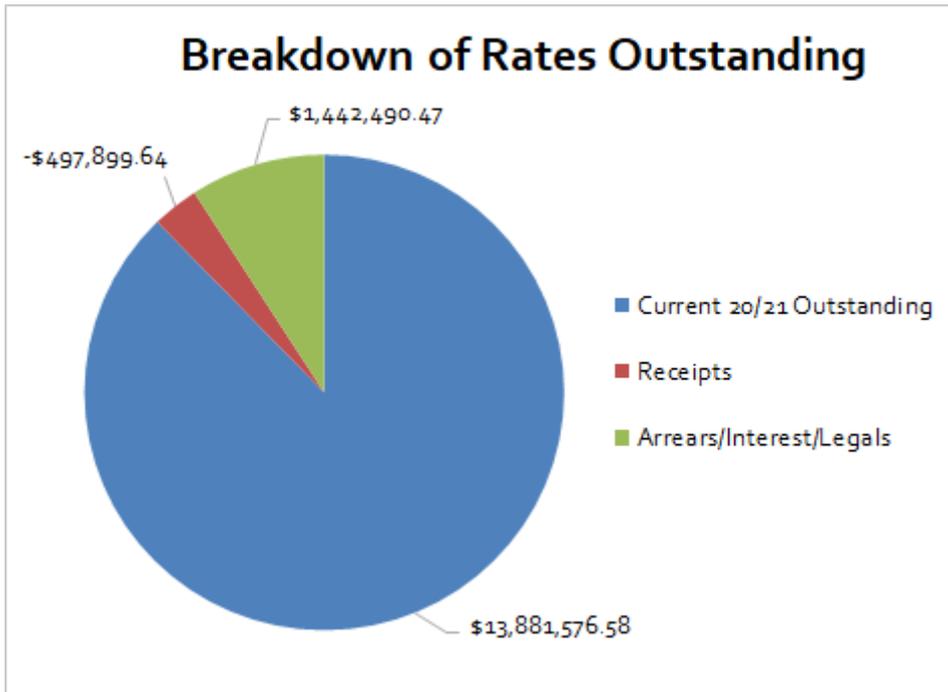
The **2021-2022 Budget** represents the amount raised in General Rates, Fire Services Levy, Waste and Garbage Charges, Recycling Charges and the Municipal Charge for the 2021-22 financial year.

The **Actual YTD Receipts** represents the value collected as at 07 October 2021 along with the **Rebates** to be claimed from the State Revenue Office. The receipts relate to both arrears payments and/or current rates and charges.

**Outstanding Rates** is separated into three categories. Current presents the balance owing on the Rates and Charges raised for the current financial year (e.g. Budget \$14.3m raised, \$13.8m currently outstanding). Arrears/Legal/Interest is amount outstanding from prior years, providing a total balance of current and arrears outstanding rates and charges.

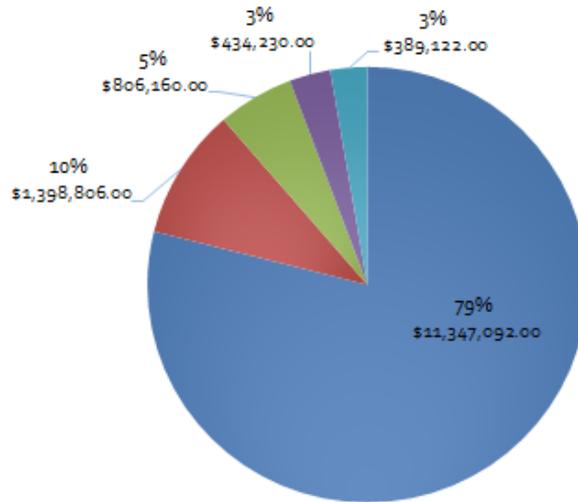
**Debt Collection:** Council has referred outstanding rates and charges to our Debt Collection Agency where there is a likelihood that the amount maybe recovered.



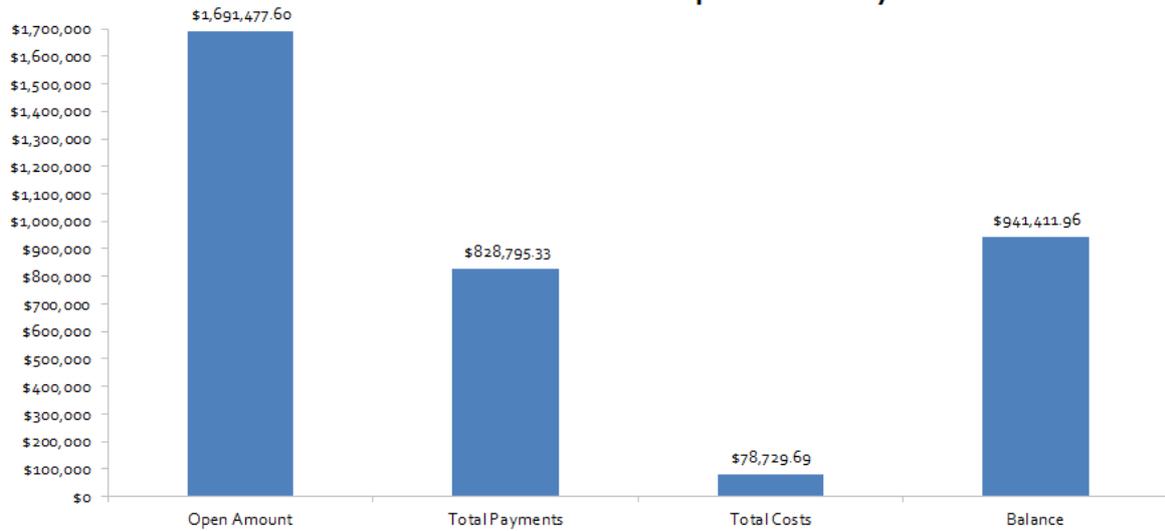


## Rates & Charges Calculation 2021/22

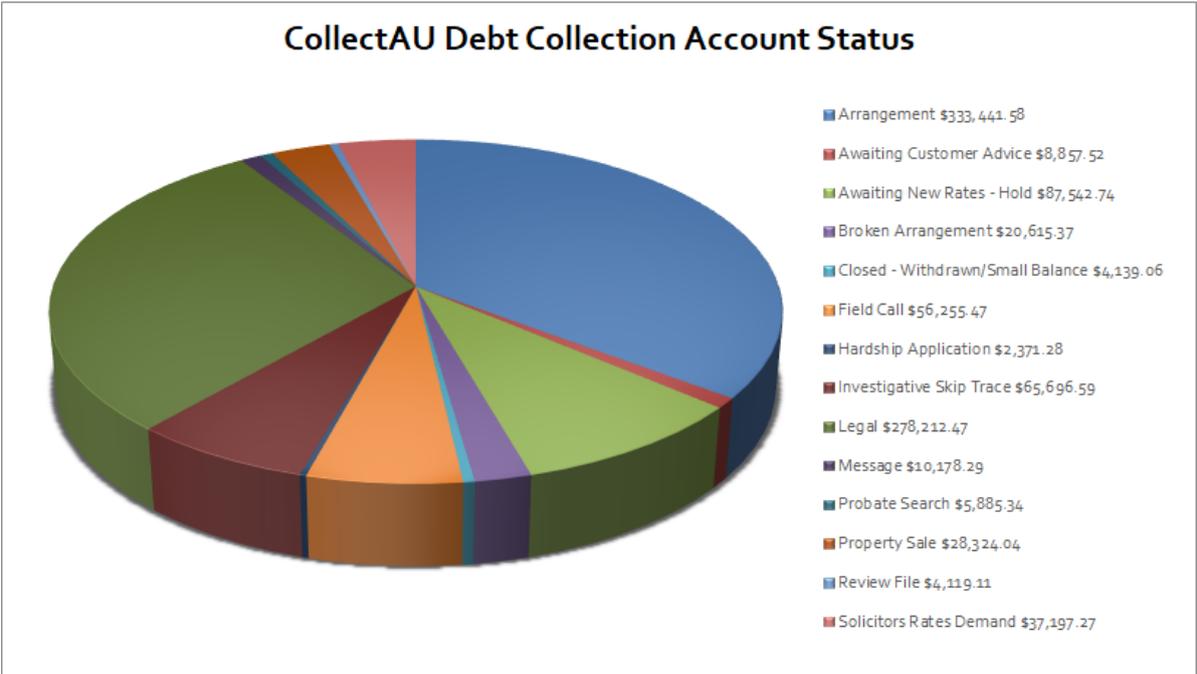
■ General Rates ■ FSPL ■ Garbage ■ Recycling ■ Municipal Charge



## CollectAU Debt Collection Report Summary

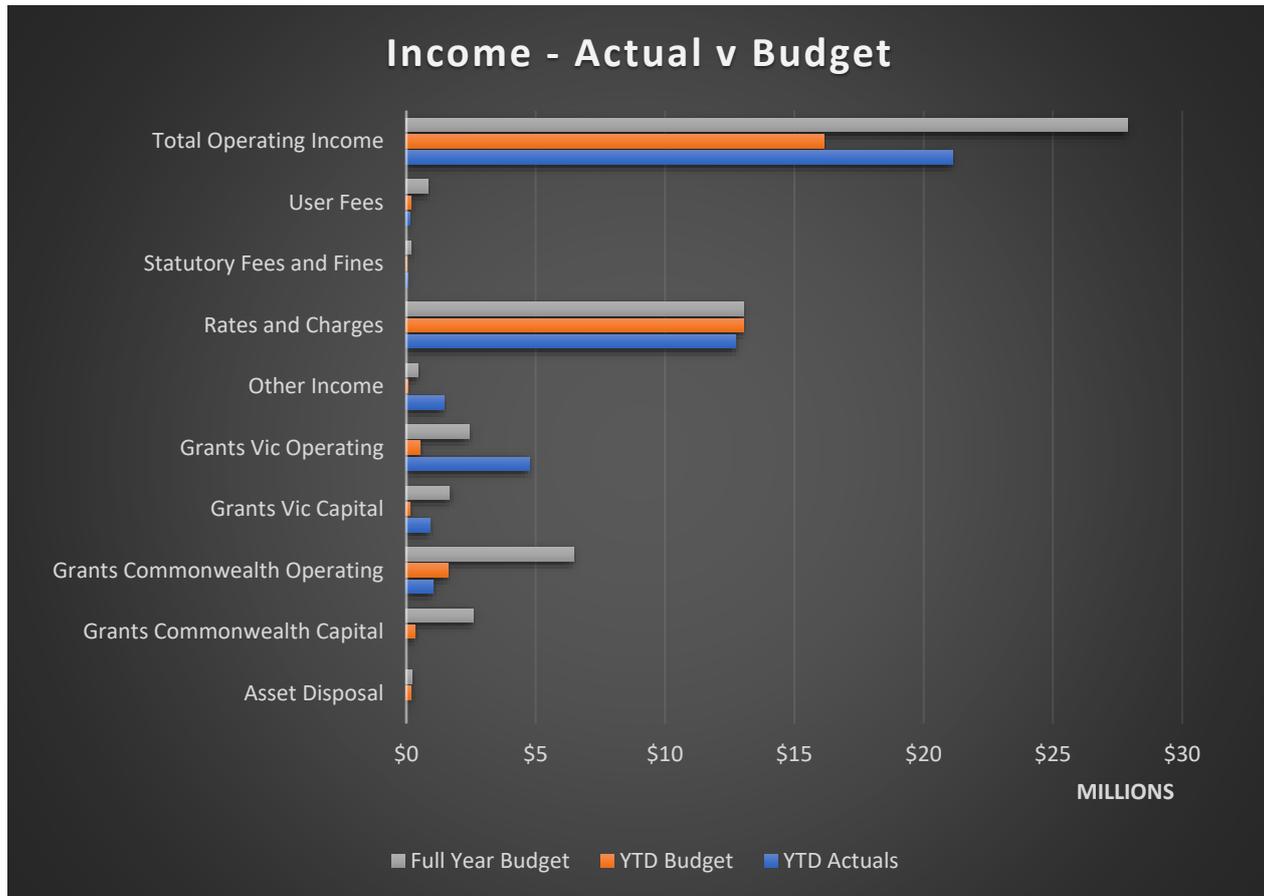


### CollectAU Debt Collection Account Status

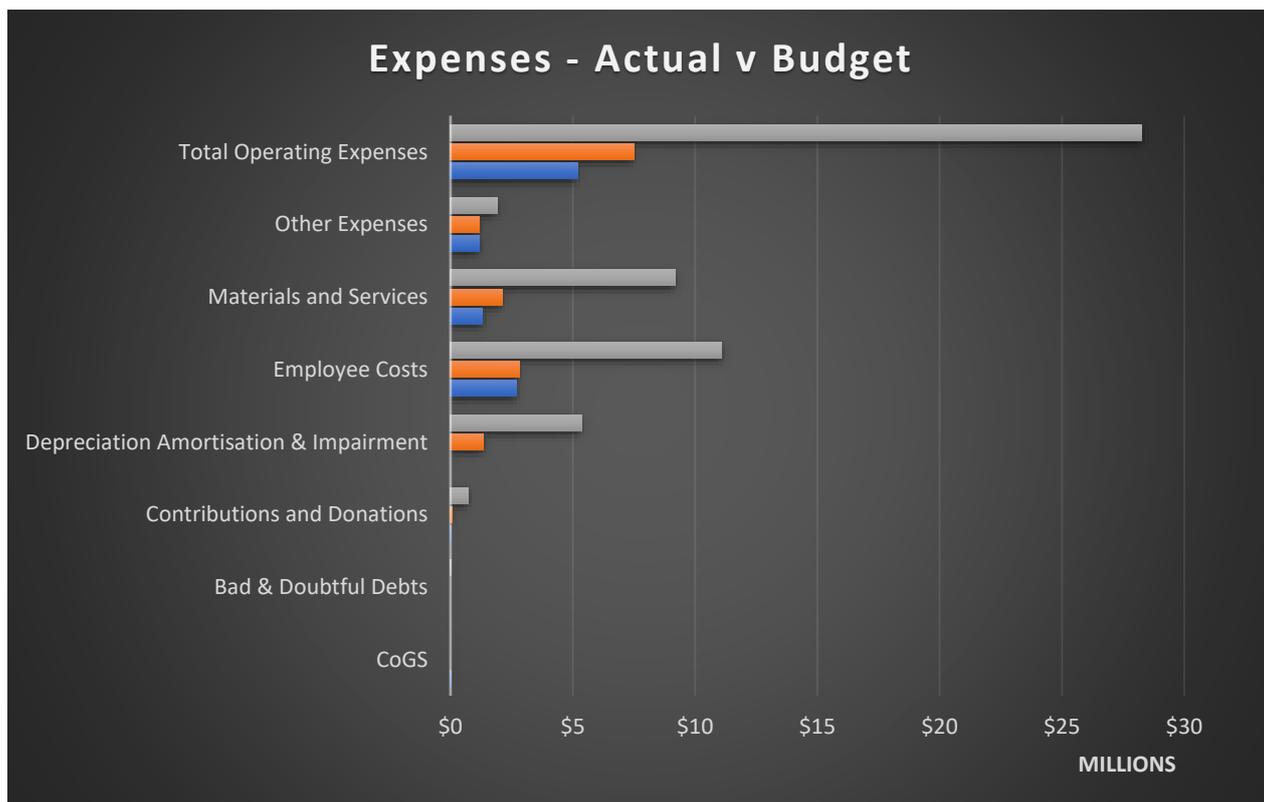


## 9 Graphs

### 9.1 Income



### 9.2 Expenses



## 10 Roads and Associated Infrastructure Capital Works Program

### Project Indicator

	Within Budget (in progress, or not started)
	Within Tolerance Range of 10% over Budget (in progress or completed)
	Over Budget greater than 10% (in progress or completed)
	Project Completed within Budget

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
<b>Construction</b>					
CONSTRUCTION - CENTRAL - 1248 - LAH EAST ROAD - 2021/22	0	136,000			
CONSTRUCTION - CENTRAL - 1316 - SHEEP HILLS BANGERANG ROAD - 2021/22	0	256,000			
CONSTRUCTION - CENTRAL - 1327 - ANTWERP ROAD - 2021/22	0	85,000			
CONSTRUCTION - NORTH - 1152 - SEA LAKE LASCELLES ROAD - 2021/22	0	262,000			
CONSTRUCTION - NORTH - 1277 - HOPETOON YAAPEET ROAD - 2021/22	922	400,000		<b>2%</b>	In tree trimming phase of the project.
CONSTRUCTION - NORTH - 1668 - GALAQUIL WEST ROAD - 2021/22	35,762	195,000		<b>10%</b>	Costs relate to gravel carting.
CONSTRUCTION - SOUTH - 1367 - RUPANYUP ROAD - 2021/22	0	216,000			
CONSTRUCTION - SOUTH - 1422 - BANYENA PIMPINIO ROAD - 2021/22	0	450,000			Jobs to be considered holistically from a budget perspective.
CONSTRUCTION - SOUTH - 1422 - BANYENA PIMPINIO ROAD - 2021/22	0				
CONSTRUCTION - SOUTH - 1579 - BURRUM NORTH ROAD - 2021/22	950	160,000		<b>0%</b>	Planning costs incurred, located optic fibre.
CONSTRUCTION - SOUTH - 1585 - HORSHAM LUBECK ROAD - 2021/22	0	360,000			
CONSTRUCTION - SOUTH - 1588 MINYIP DIMBOOLA ROAD - 2021/22	0	200,000			

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
DIMBOOLA-MINYIP ROAD (50% of 1KM)	0	100,000			
<b>Footpaths</b>					
FOOTPATH - CENTRAL - 8112 - CAMPBELL STREET - 2021/22	0	22,000			
FOOTPATH - CENTRAL - 8130 - ELIZABETH AVENUE - 2021/22	0	24,000			
FOOTPATH - NORTH - 9110 - DODGSHUN STREET - 2021/22	2,596	30,000	8/09/2021	100%	Job was far simpler than first estimated and came in 91.35% under budget.
FOOTPATH - SOUTH - 8408 - DUNCAN STREET - 2021/22	0	10,000			
FOOTPATH - SOUTH - 8419 - MCDONALD STREET - 2021/22	0	15,000			
<b>Hot Mix</b>					
HOT MIX - CENTRAL - 8169 - SCOTT STREET - 2021/22	0	33,000			Tender awarded. Estimated completion November 2021.
HOT MIX - SOUTH - 8215 - STEWART STREET - 2021/22	0	8,000			Tender awarded. Estimated completion November 2021.
HOT MIX - SOUTH - 8222 - WOOD STREET - 2021/22	0	1,000			Tender awarded. Estimated completion November 2021.
HOTMIX - CENTRAL - 8169 SCOTT STREET ROUNDABOUT (PHILLIPS ST) - 2021/22	0	40,000			Tender awarded. Estimated completion November 2021.
HOTMIX - SOUTH - 8401 - BREEN STREET MURTOA - 2021/22	0	13,000			Tender awarded. Estimated completion November 2021.
<b>Kerbing</b>					
KERBING - CENTRAL - 8169 - SCOTT STREET - 2021/22	0	20,000			Tender on exhibition
KERBING - SOUTH - 8412 - HAMILTON STREET - 2021/22	0	130,000			Tender on exhibition
KERBING - SOUTH - 8419 - MCDONALD STREET - 2021/22	0	60,000			Tender on exhibition
KERBING - SOUTH - 8419 - MCDONALD STREET - 2021/22	0	90,000			Tender on exhibition
<b>Reseals</b>					
RESEAL - NORTH - 9124 - YARRACK LANE - 2021/22	0	4,000			To commence in Mid-October.

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
RESEAL - CENTRAL - 1313 - BLUE RIBBON ROAD - 2021/22	0	43,000			To commence in Mid-October.
RESEAL - CENTRAL - 1318 - WATCHEM WARRACKNABEAL ROAD - 2021/22	0	66,000			To commence in Mid-October.
RESEAL - CENTRAL - 8101 - ALLAN STREET - 2021/22	0	8,000			To commence in Mid-October.
RESEAL - CENTRAL - 8112 - CAMPBELL STREET - 2021/22	0	28,000			To commence in Mid-October.
RESEAL - CENTRAL - 8124 - DEVEREUX STREET - 2021/22	0	41,000			To commence in Mid-October.
RESEAL - CENTRAL - 8134 - GARDINER STREET - 2021/22	0	28,000			To commence in Mid-October.
RESEAL - CENTRAL - 8160 - PARSONS STREET - 2021/22	0	2,000			To commence in Mid-October.
RESEAL - NORTH - 1157 - LASCELLES WEST ROAD - 2021/22	0	31,000			To commence in Mid-October.
RESEAL - NORTH - 1230 GALAQUIL WEST ROAD - 2021/22	0	25,000			To commence in Mid-October.
RESEAL - NORTH - 1248 - ROSEBERY RAINBOW ROAD - 2021/22	0	40,000			To commence in Mid-October.
RESEAL - NORTH - 1277 - HOPETOUN YAAPEET ROAD - 2021/22	0	10,000			To commence in Mid-October.
RESEAL - NORTH - 1295 - CAMBACANYA ROAD - 2021/22	0	4,000			To commence in Mid-October.
RESEAL - NORTH - 1586 - LUNA PARK ROAD - 2021/22	0	0			To commence in Mid-October.
RESEAL - NORTH - 9109 - DENNYS STREET - 2021/22	0	12,000			To commence in Mid-October.
RESEAL - NORTH - 9118 - MANDEVILLE STREET 2021/22	0	23,000			To commence in Mid-October.
RESEAL - NORTH - 9121 - STRACHAN STREET - 2021/22	0	8,000			To commence in Mid-October.
RESEAL - NORTH - 9206 - HIGGINBOTHAM STREET - 2021/22	0	11,000			To commence in Mid-October.
RESEAL - NORTH - 9213 - PHILLIPS STREET - 2021/22	0	14,000			To commence in Mid-October.
RESEAL - NORTH - 9213 - PHILLIPS STREET - 2021/22	0	5,000			To commence in Mid-October.
RESEAL - NORTH - 9308 - WOODS STREET - 2021/22	0	11,000			To commence in Mid-October.
RESEAL - SOUTH - 1588 - MINYIP DIMBOOLA ROAD - 2021/22	0	101,000			To commence in Mid-October.

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
RESEAL - SOUTH - 1588 - MINYIP DIMBOOLA ROAD - 2021/22	0	200,000			To commence in Mid-October.
RESEAL - SOUTH - 8305 - LOATS STREET - 2021/22	0	8,000			To commence in Mid-October.
RESEAL - SOUTH - 8402 - COLLINS STREET - 2021/22	0	23,000			To commence in Mid-October.
RESEAL - SOUTH - 8403 - COMYN STREET - 2021/22	0	9,000			To commence in Mid-October.
RESEAL - SOUTH - 8404 - CROMIE STREET - 2021/22	0	13,000			To commence in Mid-October.
<b>Resheets</b>					
RESHEET - CENTRAL - 1320 - DARTS ROAD - 2021/22	0	14,000			
RESHEET - CENTRAL - 1343 - ELSOMS ROAD - 2021/22	0	19,000			
RESHEET - CENTRAL - 1369 - CARRON ROAD - 2021/22	0	48,000			
RESHEET - CENTRAL - 1383 - KEWELL SCHOOL ROAD - 2021/22	0	48,000			
RESHEET - CENTRAL - 1536 - OULTONS ROAD - 2021/22	0	33,000			
RESHEET - CENTRAL - 1537 - RATTRAY ROAD - 2021/22	0	40,000			
RESHEET - CENTRAL - 1561 - KENT ROAD - 2021/22	0	42,000			
RESHEET - CENTRAL - 1666 - CANNUM 5 CHAIN ROAD - 2021/22	0	48,000			
RESHEET - CENTRAL - 1709 - BANGERANG ROAD - 2021/22	0	22,000			
RESHEET - CENTRAL - 1720 - DUNN ROAD - 2021/22	0	44,000			
RESHEET - CENTRAL - 1665 - KOSCHITZKE ROAD 2021/22	0	16,000			
RESHEET - NORTH - 1101- FRED FRANKLES ROAD 2021/22	0	72,000			
RESHEET - NORTH - 1151 - LASCELLES EAST ROAD 2021/22	0	24,000			
REHSEET - NORTH - 1132 - YARTO SPEED ROAD - 2021/22	0	29,000			
RESHEET - NORTH - 1102 - TORNEY ROAD 2021/22	0	24,000			

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
RESHEET - NORTH - 1119 - MITCHELLS ROAD - 2021/22	0	10,000			
RESHEET - NORTH - 1150 - MAXWELLS ROAD - 2021/22	15,385	28,000	25/08/2021	100%	700 ton of materials budgeted; 810 ton of materials used due to there being a low spot. Whilst job is complete, not all costs have been received for the project.
RESHEET - NORTH - 1166 - BURROIN ROAD - 2021/22	0	27,000			
RESHEET - NORTH - 1208 - GORYURA EAST SCHOOL BUS ROUTE - 2021/22	33,725	29,000	16/09/2021	100%	1200 ton of material still to be costed to the job, used 100 ton extra as there was an identified low spot in the road. Only 1100 ton of materials was budgeted.
RESHEET - NORTH - 1245 - SHANNONS ROAD - 2021/22	7,111	36,000		2%	Tree trimming undertaken and materials half carted to stack site.
RESHEET - NORTH - 1260 - HOFMAIERS ROAD - 2021/22	0	46,000			
RESHEET - NORTH - 1284 - GAALANUNGAH ROAD - 2021/22	1,983	31,000		75%	Wages, plant and materials still to be costed to project.
RESHEET - NORTH - 1295 - CAMBACANYA ROAD - 2021/22	0	93,000			
RESHEET - NORTH - 1534 - TURRIFF WEST ROAD - 2021/22	0	36,000			
RESHEET - NORTH - 1742 - GOLDERS ROAD - 2021/22	0	31,000			
RESHEET - NORTH - 1812 - ELLAM WILLENABRINA ROAD - 2021/22	0	30,000			
RESHEET - NORTH - 2050 - UNNAMED ROAD OFF MAXWELLS ROAD - 2021/22	12,028	44,000	31/08/2021	100%	1300 ton of materials used. 1100 ton budgeted. Extra materials used on sidetracks. Material to be costed to project.
RESHEET - NORTH - 1714 - BEYAL NORTH ROAD - 2021/22	3,269	36,000		5%	Commenced carting materials to site. Two days x two trucks.
RESHEET - SOUTH - 1426 - HOLTAMPS ROAD - 2021/22	0	26,000			
RESHEET - SOUTH - 1443 - RURADES ROAD - 2021/22	0	58,000			
RESHEET - SOUTH - 1460 - MATHESON ROAD - 2021/22	1,164	82,000		5%	Commenced small amount of material carting by northern truck.
RESHEET - SOUTH - 1464 - GRAHAMS ROAD - 2021/22	0	36,000			
RESHEET - SOUTH - 1472 - DYERS ESTATE ROAD - 2021/22	0	48,000			

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
RESHEET - SOUTH - 1487 - HILL CREST ROAD - 2021/22	0	27,000			
RESHEET - SOUTH - 1497 - 3LK ROAD - 2021/22	0	53,000			
RESHEET - SOUTH - 1655 - HUEBNEERS ROAD - 2021/22	0	23,000			
<b>Shoulder Resheets</b>					
SHOULDER RESHEET - CENTRAL - 1327 - ANTWERP ROAD - 2021/22	523	53,000		2%	Tree trimming commenced.
SHOULDER RESHEET - CENTRAL - 1316 - SHEEP HILLS BANGERANG - 2021/22	25,861	73,000		15%	Tree trimming undertaken and all materials carted to site.
SHOULDER RESHEET - CENTRAL - 8113 - CEMETERY ROAD - 2021/22	35,230	30,000		10%	Gravel carting from Charlton. This increased time on job to cart materials. Underestimated cost of cartage, due to truck costs.
SHOULDER RESHEET - NORTH - 1147 - GAMA SEA LAKE ROAD - 2021/22	0	46,000			
SHOULDER RESHEET - NORTH - 1157 - LASCELLES WEST ROAD - 2021/22	0	54,000			
SHOULDER RESHEET - NORTH - 1161 - CENTRE HILL ROAD - 2021/22	0	57,000			
SHOULDER RESHEET - NORTH - 1661 - RAINBOW YAAPEET ROAD - 2021/22	0	42,000			
SHOULDER RESHEET - SOUTH - 1313 - BLUE RIBBON ROAD - 2021/22	697	67,000		1%	Tree trimming commenced.
SHOULDER RESHEET - SOUTH - 1422 - BANYENA PIMPINO ROAD - 2021/22	3,033	77,000		5%	Project commenced with six loads of gravel carted to stack site. Purchase order raised for \$17k of material and awaiting invoice. Minimal costs of wages and plant to be allocated.
SHOULDER RESHEET - SOUTH - 1668 - GLENORCHY ROAD - 2021/22	0	58,000			
<b>Stabilisation</b>					
STABILISATION - CENTRAL - 1316 - SHEEP HILLS BANGERANG ROAD - 2021/22	0	23,000			Tender awarded. Estimated to be complete November 2021.
STABILISATION - VARIOUS - 2021/22 (will allocate when jobs are selected)	0	80,000			Tender awarded. Estimated to be complete November 2021.

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
<b>Urban Rehabilitation</b>					
URBAN REHABILITATION - CENTRAL - 9007 - SIMSON STREET - 2021/22	0	106,000			
URBAN REHABILITATION - NORTH - 9122 - TOOLE STREET - 2021/22	0	16,000			
URBAN REHABILITATION - SOUTH - 8205 - DYER STREET - 2021/22	0	40,000			
URBAN REHABILITATION - SOUTH - 8211 - MCINTOSH AVENUE - 2021/22	0	56,000			
URBAN REHABILITATION - SOUTH - 8304 - FOUNDRY STREET - 2021/22	0	10,000			
URBAN REHABILITATION - SOUTH - 8304 - FOUNDRY STREET - 2021/22	0	32,000			
URBAN REHABILITATION - SOUTH - 8412 - HAMILTON STREET - 2021/22	0	86,000			
<b>Bridge Works</b>					
BRIDGE - NORTH - 1248 - ROSEBERY RAINBOW ROAD - 2021/22	0	50,000			
BRIDGE - CENTRAL - LIONS PARK BRIDGE	0	50,000			
<b>Drainage Works</b>					
DRAINAGE - SOUTH - DYER STREET TO CONNOLLY PD	0	95,000			
DRAINAGE - NORTH - PHILLIP STREET - HIGGINBOTHAM STREET	0	5,000			
<b>CARRY FORWARD PROJECTS FROM 2020-21 FINANCIAL YEAR</b>					
Kerb & Channel - 8110 - BOWMAN STREET	0	12,000			Tender on exhibition
Kerb & Channel - 8124 - DEVEREUX STREET	0	100,000			Tender on exhibition
Kerb & Channel - 8140 - JAMOUNEAU STREET	0	66,000			Tender on exhibition
Kerb & Channel - 8312 - PETERING STREET	0	32,000			Tender on exhibition
HOTMIX - GOLF LINKS ROAD	0	15,000			Tender awarded. Estimated completion November 2021.
HOTMIX - HOPETOUN WEST ROAD - HOPETOUN YAAPEET ROAD INTERSECTION	0	15,000			Tender awarded. Estimated completion November 2021.

Job Name	Actual Cost	2021-22 Approved Budget	Completed Date	Physical Completion % & Indicator	Comment on Status
HOTMIX - HOPETOUN YAAPEET - YAAPEET KENMARE INTERSECTION	0	15,000			Tender awarded. Estimated completion November 2021.
HOTMIX - WARRACKNABEAL SHEEPHILLS ROAD - SHEEPHILLS BANGERANG ROAD INTERSECTION	0	17,000			Tender awarded. Estimated completion November 2021.
HOTMIX - LEARMONTH ROAD	0	15,000			Tender awarded. Estimated completion November 2021.
HOTMIX - GLENORCHY ROAD - WARRANOOKE ROAD INTERSECTION	0	17,000			Tender awarded. Estimated completion November 2021.
HOTMIX - SIMSON STREET BRIM	0	7,000			Tender awarded. Estimated completion November 2021.
RURAL REHABILITATION - MINYIP BANYENA ROAD (Agrilinks Funded)	216,425	200,000	10/08/2021	<b>100%</b>	Project came in 8.21% over budget. The additional costs relate to weather impacts, due to works having to be redone after rain.
<b>TOTAL</b>	<b>396,664</b>	<b>7,154,000</b>			

## 11 Council Owned Building and Associated Infrastructure Projects

### Project Indicator

	Within Budget (in progress, or not started)
	Within Tolerance Range of 10% over Budget (in progress or completed)
	Over Budget greater than 10% (in progress or completed)
	Project Completed within Budget
	Not included in 2021-22 Financial Year Budget

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator	Comment on Status
Brim Bowling Club	0	20,000	20,000	30 June 2022	Council own source revenue to repair clubhouse roofing and guttering. Council had to undertake some emergency maintenance on this facility following recent rainfall in June 2021 which saw the building begin to leak and water running under the building causing external damage. Will monitor these repairs undertaken to determine if further works are required.
Brim Memorial Hall - Upgrades	12,291	12,000	15,920		21-22 Financial Year, Curtains procured in 20/21 and installed in 21/22 due to Covid delays.
Enhancing Warracknabeal's Creekside Camping Assets	3,398	0	185,000		Council has received \$185k from Great Outdoors Grant. Documentation being prepared by Grampians I Design – due October 21.
Hopetoun Caravan Park - Fire Safety Upgrades	10,678	0	24,702		Budget was not carried forward to 21/22 as project was expected to be completed by 30 June 2021.
Hopetoun Caravan Park - Installation Of 2 New Cabins	0	130,000	134,000		Tender to be awarded at December 2021 Ordinary Meeting.
Hopetoun Caravan Park - Installation of Camp Kitchen	0	0	68,500		Documentation being prepared by Grampians I Design – due October 2021. Budget was not carried forward to 21/22 financial year.
Hopetoun Community Housing	0	0	500,000	30 June 2023	If this project is granted funding the aim is to complete the entire housing project (14 dwellings) by June 2023.
Hopetoun Depot - Emulsion Tank	0	25,000	25,000		Council's own source revenue is funding this project. This site will be assessed when Rupanyup emulsion tank is assessed.
Hopetoun Kindergarten Toilet and Store Project Upgrade	0	0	42,791		Budget was not carried forward to 21/22 as project was expected to be completed by 30 June 2021. Full funding was received in 20/21 Financial Year.

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator	Comment on Status
Hopetoun Memorial Hall -Upgrade	0	0	5,190		
Hopetoun Power House – Accommodation and Arts Studio	258,363	140,000	340,000	05 December 2021	DCP funding of \$180k, RIF funding of \$140k and Community Contribution of \$20k. There were unexpected Asbestos removal costs. \$44K left to be expended.
Hopetoun Recreation Reserve Lighting	74	295,000	295,000		Funding \$195k, Council own source revenue contribution \$40k and Club contributing \$60k. Tender to be awarded October Ordinary Meeting.
Hopetoun Swimming Pool Audit Condition Report & Repairs	0	50,000	50,000	30 June 2022	Own source revenue allocated for Capital Improvements. Independent Aquatic Engineer has been out to inspect the facility and is in the process of completing the condition audit report. Necessary repair works will be identified following receipt of this report and will be completed accordingly (post 21/22 pool season).
Lascelles Caravan Park - Powered Sites	0	30,000	30,000		
Lascelles Caravan Park Fire Safety Upgrade & Onsite Wastewater Upgrade	23,003	0	42,807		Project was estimated to be delivered in 20-21 Financial Year. Project funds not included in carry over for 2021-22 Financial Year. Expected spend 21/22 is \$32,807.
Minyip Kindergarten Sand And Science Project	0	0	28,025		Project was estimated to be delivered in 20-21 Financial Year. Project funds not included in carry over for 2021-22 Financial Year.
Murtoa Caravan Park - Fire Safety Upgrades	0	0	5,825		Project was estimated to be delivered in 20-21 Financial Year. Project funds not included in carry over for 2021-22 Financial Year.
Murtoa Caravan Park - Irrigation and Landscaping Upgrades	84	0	14,977		Project funds not included in carry over for 2021-22 Financial Year.
Murtoa Housing Units	0	515,000	515,000	30 June 2023	Community Infrastructure Loan \$250k for each location. Community Group contributing to project of approx. \$200k. Council applying for \$2.8million for Housing Projects across the shire from the State Government Regional Infrastructure Fund.
Rupanyup Depot - Emulsion Tank	0	25,000	25,000		Contractor has been sourced and will be coming to site in the coming weeks to assess. He has made estimate from photos and explanation.
Rupanyup Recreation Reserve - Courts & Building	167,841	1,183,000	1,377,830	28 March 2022	The project is well underway. Based on a recent Awarding of Tender Contract, the Modular Building side of the project will push entire project over budget.
Sheep Hills Memorial Hall - Upgrade	17,374	14,000	27,612		Includes curtains and refurbishment in 21-22 Financial Year.

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator	Comment on Status
Signage Boundary Signs	0	45,000	45,000		
Urban Development - Streetscape	0	100,000	100,000		
Warracknabeal Caravan Park - Installation Of 3 New Cabins	0	200,000	196,000		Tender to be awarded at December 2021 Ordinary Meeting.
Warracknabeal Caravan Park - Installation Of Camp Kitchen	0	0	68,500		Documentation being prepared by Grampians I Design – due October 21. Project funds not included in carry over for 2021-22 Financial Year.
Warracknabeal Depot - Office	0	200,000	200,000		Scope changed from Tea Room review to overall office / building review. Concept complete, specifications in progress and estimates have been acquired.
Warracknabeal Early Years Facilities Furniture	0	22,000	22,000		Furniture to be purchased once building works are complete.
Warracknabeal Early Years Facilities Upgrade	32,165	1,550,000	1,550,000		Current delays to commencement of project due to permits being issued.
Warracknabeal Landfill - Rehabilitation Work	149,936		150,000		No carry forward in 21-22 Budget as expectation was project was to be completed by 30 June 2021. Project was completed within budget.
Warracknabeal Livestock Exchange Upgrades and Fire Design	5,532	34,000	75,000		Budget was not carried forward to 21/22 as project was expected to be partially completed by 30 June 2021. Only 34k for 21-22 Financial Year in Budget. Awaiting CFA consent.
Warracknabeal Public Amenities Upgrade (Toilet)	0	150,000	150,000		\$150k own source revenue approved.
Warracknabeal Shire Office - Technical Services Building	0	25,000	25,000		
Warracknabeal Tourist Information Centre Amenities Upgrade	27,414	150,000	150,000	30 July 2022	\$150k own source revenue approved. Note: \$75 for outdoor dining to be included with this overall project. \$20k for plans being done. E-plus architects.
Warracknabeal Town Hall - Kitchen Upgrade	6,870	51,000	55,000		

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator	Comment on Status
Warracknabeal Town Hall - Ramp, Air Conditioning & Curtains	53,707	78,000	79,600		
Warracknabeal Town Hall Stronger Foundations Project	33,294	187,000	263,877		
Woomelang Housing Units	0	500,000	500,000	30 June 2023	Community Infrastructure Loan \$250k for location. Community Group contributing to project of approx. \$200k. Council applying for \$2.8million for Housing Projects across the shire from the State Government Regional Infrastructure Fund.
Hopetoun Aerodrome Project	0	0	135,450		Fully funded by Department of Industry, Science, Energy and Resources. No matching funds required. Design completed. Specifications are being developed for RFT.
Hopetoun - Poulton Park Sprinkler System	0	0	12,000		Sprinkler system has been installed. Awaiting invoices. Funds not allocated in 2021-22 Budget.
Rupanyup Community Housing Project	800	0	0	30 June 2023	If this project is granted funding the aim is to complete the entire housing project (14 dwellings) by June 2023.
Warracknabeal Community Housing Project	29	0	0	30 June 2023	If this project is granted funding the aim was to complete the entire housing project (14 dwellings) by June 2023.
Warracknabeal Leisure Centre - Lighting Upgrade	0	0	7,400		Council's own source revenue to rectify lighting issue for user groups.
Warracknabeal Leisure Centre - Upgrades	78,413	20,000	72,000		Expectation was project was to be completed by 30 June 2021. Project was completed within budget tolerance limit.
Transfer Station Upgrade	0	433,000	433,000		Project is funded by DELWP as a part of Transfer Station Upgrade Program. No Matching fund required. Design commenced. Negotiating with DELWP to alter the grant so that a portion can used towards purchase of bins.
<b>TOTAL</b>	<b>881,265</b>	<b>6,417,975</b>			

## 12 Community Projects

### Project Indicator

Within Budget (in progress, or not started)
Within Tolerance Range of 10% over Budget (in progress or completed)
Over Budget greater than 10% (in progress or completed)
Project Completed within Budget
Not included in 2021-22 Financial Year Budget

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator & Expected Completion Date	Comment on Status
Anzac Park Master Plan	0	30,000	40,000	28 March 2022	Community contributing \$10k and Council \$30k in the 21/22 adopted budget. Total project \$40k. Procurement of a Consultant currently in progress.
Aubrey Hall - Restumping, Plumbing & Painting	2,755	31,213	31,213		Verandah repairs, Restumping and Sand and Seal Hall Floor to be undertaken.
Beulah Caravan Park - Fire Safety Upgrade	7,992		20,239		Project was not complete in the 2020-21 Financial Year. Project currently being delivered and funds were not carried forward into 21-22 Financial Year.
Beulah Memorial Hall	8,900	70,400	80,632		Airconditioning and Restumping of Kitchen and Supper Room to be undertaken.
Beulah Recreation Reserve Changerooms	27,898	600,000	743,195	28 March 2022	Community Contributing \$50k, Federal Government \$26k, State Government \$668k. Confirm own source revenue for additional costs. Based on Awarding of Tender Contract, the project will be over budget.
Brim Caravan Park - Amenities Refurbishment	0	1,834	1,834		
Brim Caravan Park - Installation 8 Power Sites	0	10,912	10,912		
Brim Caravan Park - Solar Battery	0	15,450	15,450		
Brim Recreation Reserve - Resurfacing Netball / Tennis Courts	135,675	600,000	852,674	30 December 2021	Community Contributing 100k, Federal Government \$59k, State Government \$694k.
Brim Streetscape	0	0	17,420	08 October 2021	Walking track from creek to the street. Drought Community Programme Funds were not carried forward from 2020-21 Financial Year.
Business Innovation Pilot Project	0	60,000	60,000	01 March 2024	Project Plan developed for approval by Regional Development Victoria.

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator & Expected Completion Date	Comment on Status
Cultural Heritage Augmented & Virtually Reality Project	0	50,000	50,000	01 May 2023	Strategy development ARV across silo art trail. Project plan updated for RDV approval
Lubeck Memorial Hall - Upgrades	16,473		1,190		Beam to be replaced at Lubeck Hall, due to structural issues identified.
Mallee Silo Art Trail Signage Project	0	250,000	250,000	01 January 2023	Project plan updated for Regional Development Victoria approval.
Marketing - Silo Art Trail Project	0	120,000	120,000		Project plan updated for Regional Development Victoria approval.
Minyip Caravan Park - 4 New Caravan Sites	84	11,410	11,410		Works being carried out in conjunction with the Minyip Caravan Park Landscaping. Project almost complete.
Minyip Caravan Park - Landscaping	0	5,000	5,000		As above.
Minyip Memorial Hall	1,200	29,595	38,595		
Minyip Swimming Pool	41,680		37,000	30 June 2022	This project has been complete, and we are currently in dispute with the Contractor. The paint is flaking, and we have had an independent aquatic engineer assess and are now seeking legal advice. Contractor has been to site and has accepted liability on some elements, but Council is awaiting final report from independent aquatic engineer to fully confirm contractors scope of rectification works. Rectification works to take place following 21/22 pool season. The additional costs associated with the engagement of the aquatics engineer have not been included in the 2021-22 budget.
Murtoa - Stick Shed Refurbishment	4,460	350,000	350,000		Awaiting plans from Grampians I Design expected October 2021.
Murtoa Mechanics Hall	34,173	101,428	101,428		
Murtoa Recreation Reserve Master Plans	0	40,000	40,000	28 March 2022	Council's own source revenue of \$30k allocated for this project. Community Contributing \$10k.
Patchewollock - Recreation Reserve (including playgrounds and street scapes)	24,927	0	70,000		Playground, Tennis Court, Bollards and Fencing project. \$20k allocated for recreation reserve and \$50k for streetscape. This project is in delivery, budget in 20-21 was not carried forward to 21-22 Financial Year. \$45,074 expected to be spent in 21/22 Financial Year.

Job Name	Actual Costs (exc. GST)	Budget 21-22	Total Project Budget	Indicator & Expected Completion Date	Comment on Status
Patchewollock Memorial Hall	26,446	0	43,873		
Silo Art Trail Coordinator	0	80,000	160,000	01 September 2023	\$80k over two years. \$80k in 22-23 Financial Year. Budget included in employee costs for Tourism Officer.
Speed - Outdoor Dining And Activation	4,128	0	5,000	December 2021	Delivery has been extended until 31 December 2021. Project was to be completed by 30 June 2021 and was not carried forward.
Warracknabeal Artists-In-Residence Accommodation & Creative Hub Project	0	500,000	500,000	01 April 2023	Tender awarded to Monash School of Design.
Warracknabeal - Outdoor Dining And Activation	0	75,000	75,000	December 2021	Grant funding extended until 31 December 2021. To be completed this calendar year when works are undertaken at Tourist Information Centre.
Wonder Cabinette (Warracknabeal Court House Project)	0	248,750	248,750	01 June 2022	Tender awarded to Monash School of Design.
Woomelang Op Shop	9,925	128,000	120,000		Limited Tender released in August 2021.
Woomelang Memorial Hall	25,405		16,253		
Yaapeet Recreation Reserve - Accommodation (Cabin)	67,786	0	75,000		TV antenna to be installed in October, then all works complete. Still awaiting Electrical invoice.
Yaapeet Recreation Reserve - Hall	5,450	25,000	39,504		Yaapeet Hall works in progress.
<b>TOTAL</b>	<b>480,881</b>	<b>3,612,725</b>			

## 13 Corporate Projects

### Project Indicator

	Within Budget (in progress, or not started)
	Within Tolerance Range of 10% over Budget (in progress or completed)
	Over Budget greater than 10% (in progress or completed)
	Project Completed within Budget
	Not included in 2021-22 Financial Year Budget

Job Name	Actual Costs (exc. GST)	Budget 20-21	Expected Completion Date	Indicator	Comment on Status
Glass Crusher	0	34,000	March 2022		Manager Assets currently in process of developing Memorandum of Understanding between 5 municipalities. Report is being prepared to go to the Council for approval of purchase of machine. Machine will be delivered in March 2022.
Glass Bins	0	84,000	March 2022		Council is required to implement glass bins by July 2022. Council received \$31.5k Household Recycling Reform Support Funding from DELWP to support the implementation. Procurement finalised. Issuing PO this week. Bins to be delivered in March 2022.
Flocon	0	410,000	February 2022		Sourced through MAV Vendor panel, delivery anticipated to be in February 2022. Tender awarded.
Roller	0	200,000	February 2022		Sourced through MAV Vendor panel, delivery anticipated to be in February 2022. Tender awarded.
Jetpatcher	0	410,000	February 2022		Sourced through MAV Vendor panel, delivery anticipated to be in February 2022. Tender awarded.
Staff Vehicles	0	190,000			Specifications prepared for replacement of one vehicle. Three vehicles to be replaced early in the new year due to supply issue.
Rover	0	40,000			Top con rover purchased last financial year and already being used in field.
Digital Radio System	1,876	71,000	December 2021		Vehicle rollover and GPS components purchased, company to deliver items early November. Phone kits and aerials to be purchased shortly after.
Library Book	17,696	20,000	30 June 2022		Majority of library books purchased at the commencement of the financial year.
Computer Equipment	7,138	40,000	30 June 2022		Computer hardware laptops purchased.
<b>TOTAL</b>	<b>26,711</b>	<b>1,499,000</b>			

## 14 Non-Financial Performance Reporting

### Performance Indicator

Acceptable
Tolerable
Unacceptable

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
Financial	A <b>cautious appetite</b> for financial volatility and desire to carefully control costs. We will monitor this by:	Annual Councillor approved budget	1.0% – 5.0%		Expenditure is currently under budget by 31%. This is due to timing of projects being delivered.
	<ul style="list-style-type: none"> <li>We operate within the approved organisational budget expenditure limit of ≤10.0% (Operational, Capital and Labour).</li> </ul>		= or >10.0%		As at 30 June 2021 the rates debtors were \$1.68million. As at 07 October 2021 the arrears balance is \$1.44million. This is a reduction of 0.245million – 14.51%
	<ul style="list-style-type: none"> <li>Decrease in rates debtors from prior financial year by 10.0%</li> </ul>		>100%		Council's working capital ratio indicates Council is in a strong financial position and able to pay current liabilities as fall due.
	<ul style="list-style-type: none"> <li>Working capital ratio to be &gt;100%</li> </ul>		30 days or less		The average creditor days for July, August and September was 7.4 days
	<ul style="list-style-type: none"> <li>Suppliers paid in 30 days or less</li> </ul>				

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
	Completing the Local Government Performance Reporting bi-annually and the ratio's quarterly to Councillors and A&R Committee.		Quarterly		First quarterly report for 21-22 Financial Year completed.
Talent Management	An <b>accepting appetite</b> for applying new approaches to ensure we remain an employer of choice in our region, while maintaining safety and service levels. We will do this by: <ul style="list-style-type: none"> <li>maintaining an annualised staff turnover rate of 15% or less over a rolling 12-month period.</li> </ul>	Median staff initiated turnover rate for public sector agencies	≤15%		Number of permanent staff resignations and terminations / Average number of permanent staff for the quarter x 100 = 4.40%
	<ul style="list-style-type: none"> <li>ensuring our rate of staff absenteeism remains at ≤3% in each month.</li> </ul>	VPS benchmark	<3.0%		The rate of absenteeism is at 4.10%. The increased personal leave taken is due to COVID – 19 requirements to isolate and be tested if showing symptoms or being required to as per directions.
	<ul style="list-style-type: none"> <li>less than five accepted workers' compensation claims annually.</li> </ul>	2019 sector benchmark	<5		One workers compensation claim for the period, which was below the employer excess of 10 days. Currently no open claims.
	<ul style="list-style-type: none"> <li>Maintain the number of staff with excess of 8 weeks leave at &lt;10%.</li> </ul>	Key Pay Reports	<10.0%		Council has 30 staff (20.8%) with leave in excess of 8 weeks. All staff with excess leave have leave plans to ensure they take leave within the next 12 months.
Reputational	A <b>cautious appetite</b> to lose a valued position of trust with our community. We will maintain a level of community engagement of at least 60%.	Councillor approved minimum level	≥60%		Community satisfaction survey for 2021 was 62%. CRM Update: Council has 64 open CRM's that are overdue as of 30 September 2021.

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
	We will address all complaints within their required timeframes in accordance with Council's Complaints Handling Policy		Complaints open >30 days		One local law complaint still open after 30 days. The person has been contacted and is being updated on progress and actions are all in accordance with the Complaints Handling Policy. Awaiting statutory body advice before proceeding further.
Innovation	An <b>accepting appetite</b> to innovate through projects and R&D to benefit our community. We accept that 10% of project effort may not result in immediate or direct community benefits as long as lessons are learned for future services and products.	Annual Councillor approved budget	≥10%		Council was unsuccessful in receiving the Building Better Regions Funding for the Wandering Warracknabeal concept. The grant was for \$550 thousand. However, Council has been extremely successful in other grant funding opportunities delivering a combined Capital Works and Community Program of \$18million.
Corporate Governance, Compliance and Liability	A very <b>controlled appetite</b> for information security breaches, frauds or proven ethical complaints. We maintain a zero tolerance for such events. We will monitor this level by: <ul style="list-style-type: none"> <li>Reporting on Number of Policies overdue, with a zero tolerance to overdue legislative policies, and 60 days for administrative policies.</li> </ul>	Government Information Security Policy Standard, Compliance Standard	Legislative Policies & Plans 0 instances  Administrative Policies & Plans  Completed and adopted within >60 days	  	All legislative policies and plans up to date. The Road Management Plan review is to be completed by the 31 October 2021. It is anticipated that an extension to this consultation process will be required.  Four Assets and Operations policies are overdue greater than 70 days. The policies and procedures within the Assets and Operations area are in development to be incorporated

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
					into an overarching Assets and Operations Manual.  The Road Register, Environment and Waste management Strategy are all in the review process.
	<ul style="list-style-type: none"> <li>Number of extreme consequence level audit actions not rectified within one month.</li> </ul>	Internal and External Audits	Completed and adopted within >30 days		One outstanding Extreme item on the Audit action list. Relates to Tree Policy. It is updated and developed, requires community consultation. Tree inspection program and register required to be implemented.
	<ul style="list-style-type: none"> <li>Engaging an Internal Auditor and establishing a functioning Audit and Risk Committee that meets at minimum quarterly.</li> </ul>	Auditor engagement			Internal Auditor appointed via an Invitation to Supply process. Audit and Risk Committee Charter adopted, and Committee appointed. Four meetings scheduled per year.
	<ul style="list-style-type: none"> <li>Maintaining an Audit and Risk Committee Workplan.</li> </ul>	A&R Committee Charter			Workplan reviewed and adopted annually.
	<ul style="list-style-type: none"> <li>Reporting quarterly to Council and the Audit and Risk Committee on the Performance Management Framework Indicators, that are based on Council's Risk Appetite.</li> </ul>	Financial and Non-Financial Performance Report			Commenced as of quarter 1, 2021-22 Financial Year with revised process of reporting.
	<ul style="list-style-type: none"> <li>Monitoring the number of Public Liability Claims, Significant legislative breaches and reporting to Council and A&amp;R Committee quarterly.</li> </ul>				No public liability claims or significant legislative breaches to report.
	<ul style="list-style-type: none"> <li>100% of Staff to be up to date and completed Governance and Compliance Training and Induction Program.</li> </ul>		100% complete		All staff completed in person and/or online training.
	<ul style="list-style-type: none"> <li>Encouraging a 'just' culture that allows staff and community to identify and register risks, issues or complaints without fear of reprisal.</li> </ul>				Council has actively promoted and encouraged CRM reporting. Is continuously reviewing and improving our feedback loop to the community. Actively promotes

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
					transparency in decision making. Has a well-developed Complaints Handling Policy and process.
Programs and Projects	<p>An <b>accepting appetite</b> to apply for funding opportunities and/or utilise Council funds to delivery programs and project that meet Council Plan objectives and community expectations.</p> <p>We accept that to secure funding and to deliver additional projects and programs (in addition to current offered programs) our full-time equivalent employees may increase up to 1 FTE per \$5 million additional funds received.</p>	Council Plan objectives.  Priority Project List.	1 FTE increase		Engagement of one fixed term Project Officer to deliver a combined capital works and community projects grant funded program of approx. \$18million in the next 12 months.
	We will aim to apply for and be successful in securing funding opportunities in excess of \$1.5 million per year, in addition to already secured operational funding.		= or >\$1million		Grant funding in excess of \$1.5m (in additional to secured operational funding) secured for the 21-22 financial year.
	We will ensure all contracts are current and no contracts are past due date.	Contracts Register	0 due		Fire Prevention contract outstanding. The Tender is being evaluated and a contractor expected to be appointed by end of October.
Strategy Execution and Change Management	<p>An <b>accepting appetite</b> to be agile on the delivery of the Council Plan objectives to meet the changing internal and external environment.</p> <p>We accept that our Council Plan actions will be an evolving action plan being reviewed annually.</p> <p>We will monitor our Strategy Execution and Change Management by:</p> <ul style="list-style-type: none"> <li>Monitoring the number of overdue Strategies and Plans</li> </ul>	Council Plan	0 instance		Council currently has two strategies to be reviewed, to be incorporated into the one strategy Environment and Waste.

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
	<ul style="list-style-type: none"> <li>Delivery on each Year of Action Plan annually</li> </ul>		1 x action not delivered	N/A	To be reported to Council annually.
Security and Technology	<p>A very <b>controlled appetite</b> for security breaches and technology failures, due to our ICT environment not being maintained.</p> <p>We maintain a zero tolerance for such events.</p> <p>We will monitor this by:</p> <ul style="list-style-type: none"> <li>Aiming to have 80% of help desk tickets resolved.</li> </ul>	Contractor Compliance Reports	0 instances		For the 1 <sup>st</sup> quarter, 347 tickets received and 358 closed. With some closing from prior quarter.
	<ul style="list-style-type: none"> <li>Ensuring all back-ups of all systems are completed and successful each day.</li> </ul>		1 daily back-up		
	<ul style="list-style-type: none"> <li>Reporting annually on ICT Strategy completion</li> </ul>	ICT Business Transformation Strategy	1 x action not delivered	N/A	To be reported in June of each year.
Environment and Sustainability	<p>A <b>controlled appetite</b> for environment and sustainability breaches.</p> <p>We will maintain a zero tolerance for such events.</p> <p>We will monitor this level by:</p> <ul style="list-style-type: none"> <li>Adequate annual EPA approvals in place for saleyard and landfills.</li> </ul>		0 instances	N/A	<p>Council is required to register all Landfill Sites and the Sale Yard with the Environmental Protection Authority by 31 December 2021.</p> <p>Council currently working through the approval process.</p>
Political	<p>A <b>cautious appetite</b> to jeopardise a well-developed political relationship across all levels of government.</p> <p>We will maintain a level of respect and advocacy at a Councillor Senior Management Level to achieve positive outcomes for our community.</p>	Advocacy events and meetings			

Strategic Risk	Risk appetite statement	Source / Indicator	Acceptable Tolerance Range	Tolerance Traffic Light Indicator Qtr 1	Comment on 1 <sup>st</sup> Quarter Results
	<p>We will monitor this by:</p> <ul style="list-style-type: none"> <li>Recording the number of advocacy events attended by Councillors and Senior Management, with the aim to attend at minimum 10 per year.</li> </ul>		<p>&gt; 10 events per year</p>		<p>Nine advocacy meetings attended between the Mayor and CEO in the first quarter of 2021.</p>

## 15 Asset Management

Asset Class	% of condition assessment complete	Year Completed	Completion Due Date	Comments	Status
Road	100%	October 2020	30 June 2020	Sealed road inspection completed by IMG. Unsealed road inspection completed by Road inspector.	Sealed road condition assessment completed in 2020.
Footpath	100%	September 2020		Inspection regime to be completed again in 2022.	Annual condition assessment completed in November 2019. Due again in November 2022. All data in AssetFinda.
Bridges	100%	August 2019		Inspection regime to be completed again in 2022.	Last level 2 assessment completed in 2015. Data in AssetFinda. Next inspection in 2021/22 FY subject to budget availability.
Buildings	100%	June 2020		Building valuations and condition assessments undertaken and completed by 30 June 2020.	Building assessments to be undertaken again in 2022-23 Financial Year.
Fleet	60%		30 June 2020	Condition assessment is not applicable for fleet assets. The replacement is based on utilisation and age.	Data validation for major assets completed. Minor plant validation work ongoing.

## 16 Occupational Health and Safety

Quarter 1 - 01 July to 30 September 2021						
Incident Category	Number	Medical Treatment Required	Lost Time Injury Hours	No. Incident Category - Control Measured Implemented and Assessed	Number Remain Open as at 30 September 2021	Number of Worksafe Notified Reports
Incident	13	1	8	6	1	0
Near Miss	2	0	0	1	0	0
Hazard	0	0	0	0	0	0
Public Incident	3	0	0	0	1	0
<b>TOTAL</b>	<b>18</b>	<b>1</b>	<b>8</b>			

Risk Rating	Number of Incidents, Hazards, Near Misses & Public Incidents in Risk Rating Category
Extreme	
High	1
Medium	
Low	17

The implementation of Happy HR OHS reporting has resulted in the timely reporting of Incidents, Near Misses and Hazards. Public Incidents are being reported via an online internal digital form.

Public incidents reported in the quarter was graffiti at the Warracknabeal Skate Park and Victoria Police were notified, damage to a piece of art work that fell from the Council meeting room and minor damage to a Council vehicle after hours.

The incidents reported resulted in eight hours lost time injury.

A root cause analysis was commissioned for a near miss to assess opportunities for learning and improvements to work practices.

There were no Worksafe notified reports in the first quarter of 21-22.

## 17 Strategic Risk Register

Risk Description	Impact	Due Status	Risk Category	Risk Level	Target Risk Level
Innovation Risk	Failure to identify opportunities to find cost-effective solutions to improve efficiency within the organisation and longevity of our assets and infrastructure. Lack of investment or willingness to embrace innovation can lead to staff being unsatisfied and inability to retain high performing staff. Increased carbon emissions, increased waste.	Current	Financial	Low	Low
Corporate Governance, Compliance and Liability Risk	The risk that insiders (employees) won't act in the best interest of the Council. The risk that Council's services or corporate execution leads to legal liability issues. The risk of non-compliance with regulations and law.  Consequences: Leading to poor culture, fraud, and corruption, integrity being compromised, reputational damage, loss of funding or inability to attract funding, dismissal of Council, administrators appointed. Legal proceedings and significant financial losses, investigations by integrity bodies and compromised health and safety of staff and community.	Current	Legal and Compliance	Low	Low
Strategy Execution and Change Management Risk	The risk that business strategy and execution will fail. Failure to deliver the Council Plan objectives. The risks associated with organisational change and Management to achieve organisational objectives.  Consequences: Services to ratepayers compromised. Deterioration of assets and roadways. Financial losses and/or investment failures. Lack of staff buy-in, impacts negatively on culture. Investments not realised, financial losses.	Current	Management	Medium	Low
Security and Technology Risk	The risk that Council's technology strategy will fail, and we will fall behind other Council's and benchmark performance KPI's. The risk of an information security/privacy incident. Information security can damage the reputation, cause compliance issues.  Consequences: Loss of innovation. Financial loss, privacy compromised, business efficiencies not realised. OVIC Report (personal information data breach), legal action, negative media coverage and reputational damage.	Current	Legal and Compliance	Low	Low
Program and Project Risk	The risks associated with program/project delivery failures.  Consequences: Financial loss. Occupational health and safety compromised. Council Plan objectives not realised. Community expectations not met. Funding revoked.	Current	Reputation	Medium	Medium
Talent Management Risk	The risk of losing key talent to other Local Government Entities or Government Departments. Inability to attract high calibre staff to drive innovation and change.	Current	People	Low	Low

Risk Description	Impact	Due Status	Risk Category	Risk Level	Target Risk Level
	Consequences: Financial impact, loss of high calibre staff, high staff turnover, additional costs for training and development.				
Financial Risk	Risks to the financial health of Council. For example, the risk that you'll be unable to raise sufficient capital to fund operations. Consequences: Government funding changes, Government reduces rate cap, inability to pay staff and contractors. Poor project management leading to overspending and significant financial losses.	Current	Financial	Medium	Low
Environmental Sustainability Risk	The risk of missing sustainability targets or non-compliance with environmental laws and regulations. Depletion of natural resources, inability to maintain an ecological balance. Environmental sustainability is a central theme of the principles and ethics of many Councils.  Environmental sustainability is increasingly important to maintaining the reputation of a Council.  Consequences: Damage to the environment leading to significant financial loss, reputational damage, regulatory body fines and/or prosecutions.	Current	Environmental	Medium	Low
Reputational Risk	The risk of bad publicity or negative relationships with employees, ratepayers, partners, counterparties, and regulators. Reputational risk can be a serious threat to Councils.  Consequences: Loss of talent and/or inability to recruit staff. Poor media coverage, damage to reputation within Community and across the state. Loss of funding opportunities.	Current	Reputation	Low	Low
Political Risk	The risk that the political environment will turn hostile.  Consequences: Lack of funding opportunities, financial losses, inability to maintain assets.	Current	Financial	Low	Low

## 14 REPORTS FOR DECISION – DIRECTORATE ASSETS AND OPERATIONS

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

**14.1 Permits issued by Assets and Operations Department – September 2021**
**RECOMMENDATION:**

That Council:

Note the permits issued by Council between 1 September 2021 and 30 September 2021.

Moved Cr C Lehmann Seconded Cr C Heintze

That the permits be noted

**Carried**

Reference No	Description	Address	Date of Issue
<b>Building Permits</b>			
BP28-21	Garage	Murtoa	3/9/2021
BP74-21	Garage	Hopetoun	3/9/2021
BP91-21	Light Towers	Rupanyup Netball / Tennis Courts	9/9/2021
BP92-21	Light Towers	Brim Netball / Tennis Courts	9/9/2021
BP77-21	Installation of Fire Services	Beulah Caravan Park	10/9/2021
BP78-21	Installation of Fire Services	Hopetoun Caravan Park	10/9/2021
BP79-21	Installation of Fire Services	Murtoa Caravan Park	10/9/2021
BP80-21	Installation of Fire Services	Lascelles Caravan Park	10/9/2021
<b>Planning Permits</b>			
TP28-21	Rural Industry	Warracknabeal	21/9/2021
TP37-20A	Amendment to Planning Permit	Warracknabeal	21/9/2021
TP34-21	Dwelling	Brim	21/9/2021
TP19-20A	Amendment to Planning Permit	Warracknabeal	21/9/2021
TP41-21	Dwelling	Rupanyup	21/9/2021
<b>Road Reserve Works &amp; Asset Protection Permits</b>			
2021-22	Light Surface Drilling along various Road Reserves	South West Murtoa	28/9/2021

## 14.2 Planning Scheme Amendment C24yari - Flooding

*Prepared By Adam Moar, Manager Development Services*

### SUMMARY

The proposed Amendment to the Yarriambiack Planning Scheme will introduce new clauses and maps to the Scheme that implements recommendations from the Warracknabeal and Brim Flood Investigation (Water Technology, 2016) and the Dunmunkle Creek Flood Investigation (Water Technology, 2016) through the use of the Floodway Overlay (FO) and the Land Subject to Inundation Overlay (LSIO).

For the Amendment to proceed to its next stages Council is required to seek Authorisation from the Minister for Planning, via the Department of Environment, Land, Water and Planning, to proceed with the Amendment. Once Authorisation is issued the Amendment will be then placed on public exhibition.

### RECOMMENDATION

That Council:

Authorises the seeking of Authorisation from the Minister for Planning to undertake a planning scheme amendment to implement the recommendations of the Warracknabeal and Brim Flood Investigation (Water Technology, 2016) and the Dunmunkle Creek Flood Investigation (Water Technology, 2016).

Moved Cr T Hamilton Seconded Cr C Heintze

That the recommendation be adopted

**Carried**

### ATTACHMENTS

[Attachment 1: Draft Floodway and Land Subject to Inundation Overlay Schedules](#)

[Attachment 2: Land Subject to Inundation Overlay Draft Maps](#)

### DISCUSSION

The Yarriambiack Planning Scheme currently contains the Land Subject to Inundation Overlay which only affects areas of Warracknabeal and only allows a limited number of developments to proceed without a planning permit.

The proposed amendment will implement the recommendations of the Warracknabeal and Brim Flood Investigation (Water Technology, 2016) and the Dunmunkle Creek Flood Investigation (Water Technology, 2016). It is noted that GWMWater is currently undertaking decommissioning works to the channel network which may have an impact on the flooding regime of the Dunmunkle Creek. Submissions and further information requirements may result in the Dunmunkle Creek being removed from the amendment if the issues cannot be addressed.

The Flood Investigations provide relevant information to determine which land has the potential of inundation and flooding during a 100-year ARI (average recurrence interval). This information has been translated into the maps that will form part of the amendment.

Along with the maps a detailed Schedule will be provided to both Overlays. These schedules will outline what developments will be exempted from the requirement for a planning permit under these overlays. Examples of these exemptions include the construction of carport, verandahs, and other open structures, which currently require a planning permit.

A draft version of the Schedules and maps are attached to this report.

Once the amendment is on public exhibition comments will be sought from government agencies, and the public.

#### **RELEVANT LAW**

*Planning and Environment Act 1987*

*Planning and Environment Regulations 2015*

#### **COUNCIL PLANS AND POLICIES**

Yarriambiack Planning Scheme

#### **RELATED COUNCIL DECISIONS**

22 January 2020 item 13.10 Planning Scheme Amendment Relating to Flooding

#### **OPTIONS**

##### *Option 1:*

That Council seek authorisation for the full planning scheme amendment to include the recommendations from the Warracknabeal and Brim Flood Investigation (Water Technology, 2016) and the Dunmunkle Creek Flood Investigation (Water Technology, 2016)

##### *Option 2:*

That Council seek authorisation for the Warracknabeal and Brim Flood Investigation (Water Technology, 2016) only and postpone the inclusion of the Dunmunkle Creek Flood Investigation (Water Technology, 2016)

##### *Option 3:*

That Council makes no changes to the Yarriambiack Planning Scheme in relation to flooding.

#### **SUSTAINABILITY IMPLICATIONS**

*Economic:* The changes proposed in the amendment will reduce the Land Subject to Inundation Overlay area within Warracknabeal which will reduce the number of developments that require planning permits, and therefore will speed up building approvals.

*Social:* Not applicable

*Environmental:* Not applicable

*Climate change:* With the changes in the climate the number of floods may gradually increase. The amendment will better reflect the areas that are likely to flood in these events.

*Financial:* The number of planning permits is likely to reduce given the changes to the proposed maps.

#### **COMMUNITY ENGAGEMENT**

Once authorisation is granted by the Minister for Planning the amendment will be required to be advertised for a minimum of a month. Any submissions that are received will then be considered by Council, and potentially by an independent Planning Panel.

### 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.

<b>Gender Impact Assessment (GIA)</b>		<b>Status</b>
Does this Council report recommendation e) Introduce a new policy, program and/or service; or f) 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:

<b>Strategic Description Residual Risk Level</b>	<b>Risk and</b>	<b>Action to Mitigate/Reduce Risk</b>	<b>Does Action maintain or reduce Residual Risk Level</b>
Environmental Sustainability Risk - Residual Risk Level Medium		Risk of allowing developments to occur where there is a flood risk without proper assessment by Council or the relevant Catchment Management Authority.	Reduces Residual Risk Level

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Victorian Floodplain Management Strategy

Wimmera Floodplain Management Strategy 2017

### 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.

## **SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY**

Shown on the planning scheme map as **FO1**.

### **YARRIAMBIACK CREEK**

#### **1.0 Floodway objectives to be achieved**

None specified.

or

To ensure that any new development is suitably designed to ensure that it is compatible with the identified flood hazard and local drainage characteristics, or

To identify areas of high risk from flooding, or

To ensure development is commensurate with flood risk.

#### **2.0 Statement of risk**

None specified.

Or

Flooding carries significant costs for the community and the state. It can severely disrupt communities and in extreme cases, cause extensive damage to public and private property, agricultural losses, personal hardship and loss of life. The Yarriambiack Planning Scheme seeks to protect the community and development from the effects of flooding and control the effects of development on flood processes and behaviour.

#### **3.0 Permit requirement**

A permit is not required to construct or carry out the following buildings or works:

##### **Land subject to an existing planning permit, restriction or agreement**

- Land that has been developed in accordance with a planning permit, restriction or section 173 agreement requiring its ground level to be finished at least 300 millimetres above the 100-year ARI (average recurrence interval) flood level; and
- land where survey plans confirm that the ground level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision;
- Any buildings and works that do not lower the ground level or result in a finished floor level for a building that is below 300 millimetres above the ARI flood level; and
- Any proposed buildings and works that are constructed on land that is not less than 300 millimetres above the ARI flood level.

##### **Extensions and alterations to existing buildings**

- An extension to an existing building (not including an outbuilding associated with a dwelling) provided the floor level of the proposed extension is not less than the

existing floor level and the gross floor area of the extension does not exceed 20 square meters.

- An upper storey extension to an existing building if there is no increase in the ground floor footprint and the total number of bedrooms are not increased.
- A pergola or verandah with unenclosed foundations, including an open-sided pergola or verandah to a dwelling with a finished floor level not less than 800 millimetres above ground.
- A deck with unenclosed foundations, including a deck to a dwelling with a finished floor level not less than 800 millimetres above ground level and with unenclosed foundations.

#### **Other buildings and works**

- An in-ground domestic swimming pool or spa, and associated mechanical and safety equipment and open-style security fencing where:
  - the perimeter edging of the pool is finished at no more than 150 millimetres above natural ground level; and
  - and any excavated material is moved outside the ARI flood extent.
- A trough associated with agriculture.
- A rainwater tank with a capacity of not more than 25,000 litres and is the only rainwater tank on the lot.
- A carport constructed over an existing car space.
- A tennis court at natural surface level with curtain fencing.
- A sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area) with no change to natural ground level.
- A mast, antenna, or light poles.
- A pump shed less than 10sqm.
- A disabled access ramp with unenclosed foundations.

#### **Works**

- Undertake repairs and routine maintenance that do not affect the height, length or location of an approved levee or embankment.
- Undertake roadworks, including resurfacing and general maintenance, that do not raise the natural ground level.
- Earthworks that do not alter the natural ground level.
- Construct bicycle pathways and trails that do not raise the natural ground level.

#### 4.0 Application requirements

An application must be accompanied by the following information, as appropriate:

- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
  - The boundaries, dimensions, shape, size, orientation, slope and elevation of the site.
  - Relevant existing and proposed ground levels of the site, to Australian Height Datum, and the difference in levels between the site and surrounding properties.
  - Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding properties.
  - Floor levels of any existing or proposed buildings, to Australian Height Datum.
  - The use of surrounding properties and buildings.
  - Location of significant environmental values flora, fauna and wetlands on the site and surrounding properties.
  - Adjoining roads, internal driveways and access tracks.
  - Any other notable features or characteristics of the site.
- Plans, including elevations, of all proposed buildings, drawn to scale.
- Construction details of all proposed buildings, fences, works and driveways.

#### 5.0 Decision guidelines

None specified.

Or

The following decision guidelines apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal minimises the risk to life, health and wellbeing associated with flooding.
- Whether any development permitted on the floodplain:
  - increases the risk to the community, infrastructure and buildings from flooding.
  - maintains to the maximum possible extent the free passage and temporary storage of floodwaters.
  - will cause any significant rise in flood level or flow velocity to the detriment of other members of the community, infrastructure, or buildings.
- Whether the filling of the floodplain can be avoided unless it can be demonstrated that:
  - the floodplain storage and conveyance compensation can be achieved ensuring that there is no net loss of floodplain storage.
  - there will be no adverse impacts on neighbouring property as verified by hydraulic modelling approved by the Floodplain Management Authority.

- Whether subdivision of land create lots where there is an adequate building envelope on each lot where the inundation is less than 300 mm.
- Whether fences can be an open style construction that allows the free passage of flood water and can be aligned with direction of flow of flood water.
- Consider, as relevant, the Warracknabeal and Brim Flood Investigation, Water Technology Pty Ltd, 2020, and Guidelines for Development in Flood Affected Areas (DELWP – Feb2019).

DRAFT

## **SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO1**.

### **YARRIAMBIACK AND DUNMUNKLE CREEKS**

#### **1.0 Land subject to inundation objectives to be achieved**

None specified.

or

To ensure that any new development is suitably designed to ensure that it is compatible with the identified flood hazard and local drainage characteristics, or

To identify areas of low risk from flooding, or

To ensure development is commensurate with flood risk.

#### **2.0 Statement of risk**

None specified.

or

Flooding carries significant costs for the community and the state. It can severely disrupt communities and in extreme cases, cause extensive damage to public and private property, agricultural losses, personal hardship and loss of life. The Yarriambiack Planning Scheme seeks to protect the community and development from the effects of flooding and control the effects of development on flood processes and behaviour.

#### **3.0 Permit requirement**

A permit is not required to construct or carry out the following buildings or works:

##### **General Buildings and Works**

- Any buildings and works, if appropriately detailed information is submitted to the satisfaction of the responsible authority showing that the natural level of the land on which the entire buildings and works envelopes are proposed is at least 300mm above the 100-year Annual Recurrence Interval (ARI) flood level.
- Road works or works to any other access way (public or private), including construction of driveways, vehicle crossovers, footpaths or bicycle paths if there is no change to existing surface levels or if the relevant floodplain management authority has advised in writing that it supports the proposed works.

##### **Extensions and alterations to existing buildings**

- The internal alteration of an existing building where the original building footprint remains unchanged, and the total number of bedrooms is not increased.
- An upper storey extension to an existing building provided the extension is within the existing building footprint and, if a dwelling, the total number of bedrooms is not increased.

- An extension to a building at the existing floor level providing the extension does not exceed 20m<sup>2</sup>, and has unenclosed foundations.

#### **Buildings and works associated with an existing dwelling**

- An in-ground swimming pool and associated fencing where there is no increase in ground level and fencing complies with Guidelines for Riparian Fencing In Flood Prone Areas.
- An in-ground domestic swimming pool or spa, and associated mechanical and safety equipment and open-style security fencing where:
  - the perimeter edging of the pool is finished at no more than 150 millimetres above natural ground level; and
  - any excavated material is moved outside the ARI flood extent.
- A domestic rainwater tank provided:
  - The rainwater tank has a capacity less than 25,000 litres; and
  - The rainwater tank is on a stand more than 300 millimetres above the 1% ARI flood level which allows the free passage of floodwater.
- Maximum of 4 rainwater tanks of 25,000 litres capacity or less that are separated by 1 metre or more.
- A pergola, veranda, carport or any other open sided structure.
- A non-habitable building (including a shed), including replacement of an existing building, provided the floor area is 20 m<sup>2</sup> or less.
- A non-habitable building (including a shed) greater than 20m<sup>2</sup>, including replacement of an existing out building, provided:
  - the floor level is finished a minimum of 150mm above the 1% ARI flood level
  - the relevant floodplain management authority has advised in writing that there is no impact to flood storage through the development and flowpaths are retained. ; or
  - appropriately detailed information is submitted to the satisfaction of the responsible authority showing that the natural surface level of the land on which the buildings and works are proposed is unaffected by flood water.

#### **Fences**

- Open type fencing (not including solid fences such as wooden or metal paling fences, cyclone mesh fences or brick, stone or concrete wall).

#### **Rural (Land located within the Farming Zone)**

- An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in the Farming Zone with a floor area not more than 200m<sup>2</sup>, and the relevant floodplain management authority has advised in writing that there is no impact to flood storage through the development and flowpaths are retained.
- A pump shed with a footprint no larger than 10m<sup>2</sup>.
- Stockyards fencing.

#### **Replacement buildings**

- A replacement building (excluding non-habitable buildings associated with a dwelling) where:

- the floor level is finished at least 300 mm above the ARI flood level, or a higher level set by the responsible authority; and
- the footprint of the replacement building(s) is the same or less than the original building with the long axis of the building oriented to be parallel to the flowpath, and
- flood-free access to the building from a public road is available for all flood events up to and including the ARI event.

#### **Other development**

- An outdoor recreation facility; excluding any buildings or structures that alter water movement across the floodplain and/or impact flood storage capacity, and works that alter the topography of the land.
- A sporting surface at existing surface level with fencing designed to minimise obstruction to flows.
- A sign that is attached to the wall of a building or oriented parallel to the direction of floodwater flow.
- A mast, antenna, lighting or telecommunications tower.

#### **4.0 Application requirements**

An application must be accompanied by the following information, as appropriate:

- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
  - The boundaries, dimensions, shape, size, orientation and elevation of the site.
  - Relevant existing and proposed ground levels of the site to Australian Height Datum, and the difference in levels between the site and surrounding properties.
  - Floor levels of any existing and proposed buildings, to Australian Height Datum.
  - The use of surrounding properties and buildings.
  - Location of significant environmental values including flora, fauna and wetlands on the site and surrounding properties.
  - Adjoining roads, internal driveways and access tracks.
  - Any other notable features or characteristics of the site.
- Plans, including elevations, of all proposed buildings, drawn to scale.
- Construction details of all existing and proposed buildings, fences, works and driveways.

#### **5.0 Decision guidelines**

None specified.

or

The following decision guidelines apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal minimises the risk to life, health and wellbeing associated with flooding.
- Whether any development permitted on the floodplain:

- increases the risk to the community, infrastructure and buildings from flooding.
- maintains to the maximum possible extent the free passage and temporary storage of floodwaters.
- will cause any significant rise in flood level or flow velocity to the detriment of other members of the community, infrastructure, or buildings.
- Whether the filling of the floodplain can be avoided unless it can be demonstrated that:
  - the level for floodplain storage and conveyance compensation can be achieved consistent with the Floodplain Management Authority Guidelines for Floodplain Cut and Fill; or
  - there will be no adverse impacts on neighbouring property as verified by hydraulic modelling approved by the Floodplain Management Authority.
- Whether subdivision of land create lots where there is an adequate building envelope on each lot where the inundation is less than 300 mm, except for lots created for the purposes of Public Open Space.
- Whether fences can be an open style construction that allows the free passage of flood water and can be aligned with direction of flow of flood water.
- Consider, as relevant, Warracknabeal Brim Flood Investigation Report, Water Technology Pty Ltd, 2020, and Guidelines for Development in Flood Affected Areas (DELWP – Feb2019).

**LAND SUBJECT TO INUNDATION OVERLAY / FLOODWAY OVERLAY DRAFT MAPS**

**AMENDMENT C24yari - MAP No 27LSIO-FO**

**AMENDMENT C24yari - MAP No 30LSIO-FO**

**AMENDMENT C24yari - MAP No 31LSIO-FO**

**AMENDMENT C24yari - MAP No 25LSIO-FO**

**AMENDMENT C24yari - MAP No 35LSIO-FO**

**AMENDMENT C24yari - MAP No 36LSIO-FO**

**AMENDMENT C24yari - MAP No 37LSIO-FO**

**AMENDMENT C24yari - MAP No 38LSIO-FO**

**AMENDMENT C24yari - MAP No 40LSIO-FO**

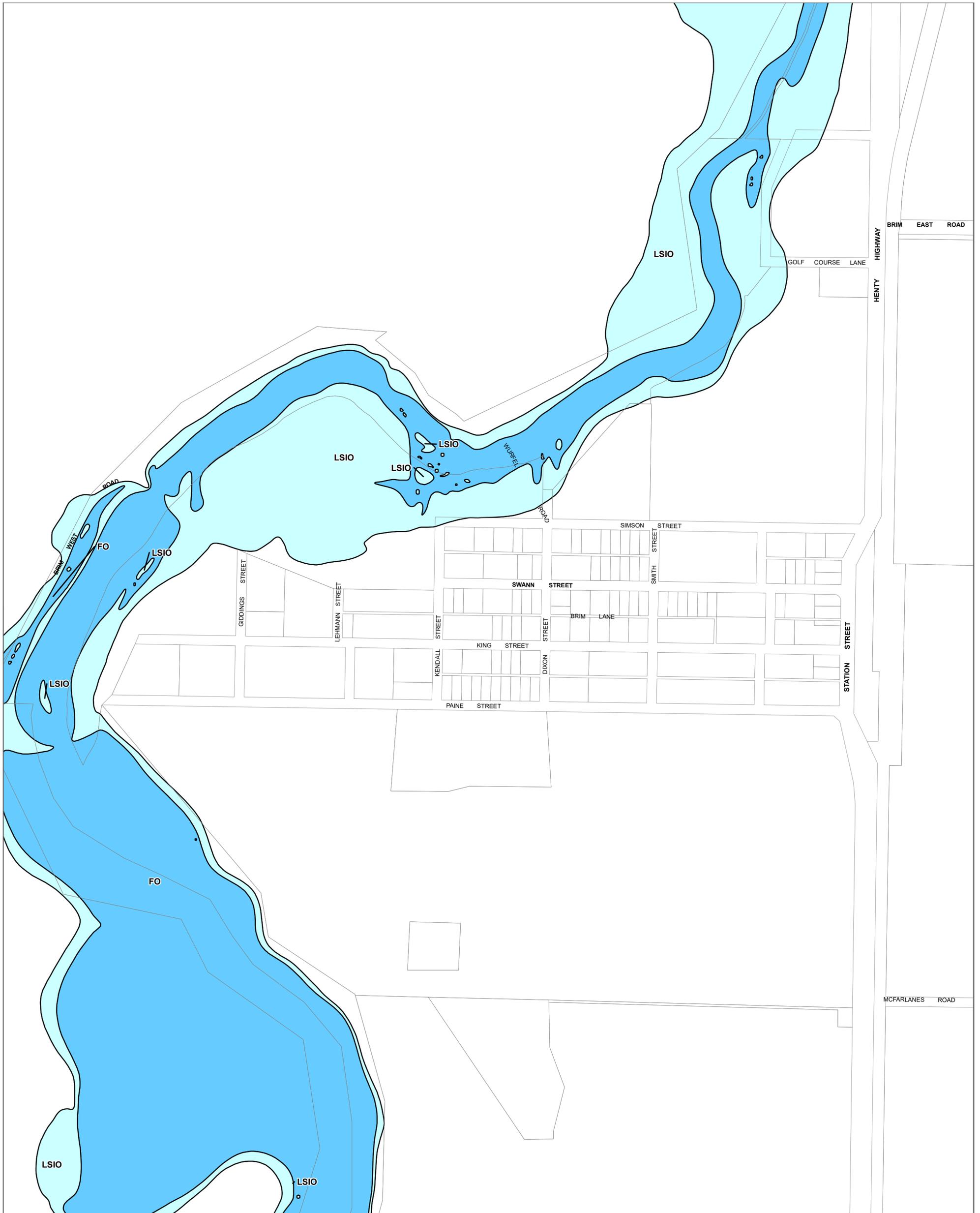
**AMENDMENT C24yari - MAP No 42LSIO-FO**

**AMENDMENT C24yari - MAP No 43LSIO-FO**

**AMENDMENT C24yari - MAP No 44LSIO-FO**

**AMENDMENT C24yari - MAP No 45LSIO-FO**

# YARRIAMBIACK PLANNING SCHEME - LOCAL PROVISION AMENDMENT C24yari

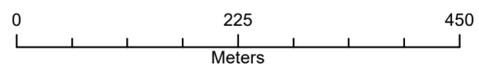


- LEGEND**
- FO - Floodway Overlay
  - LSIO - Land Subject to Inundation Overlay

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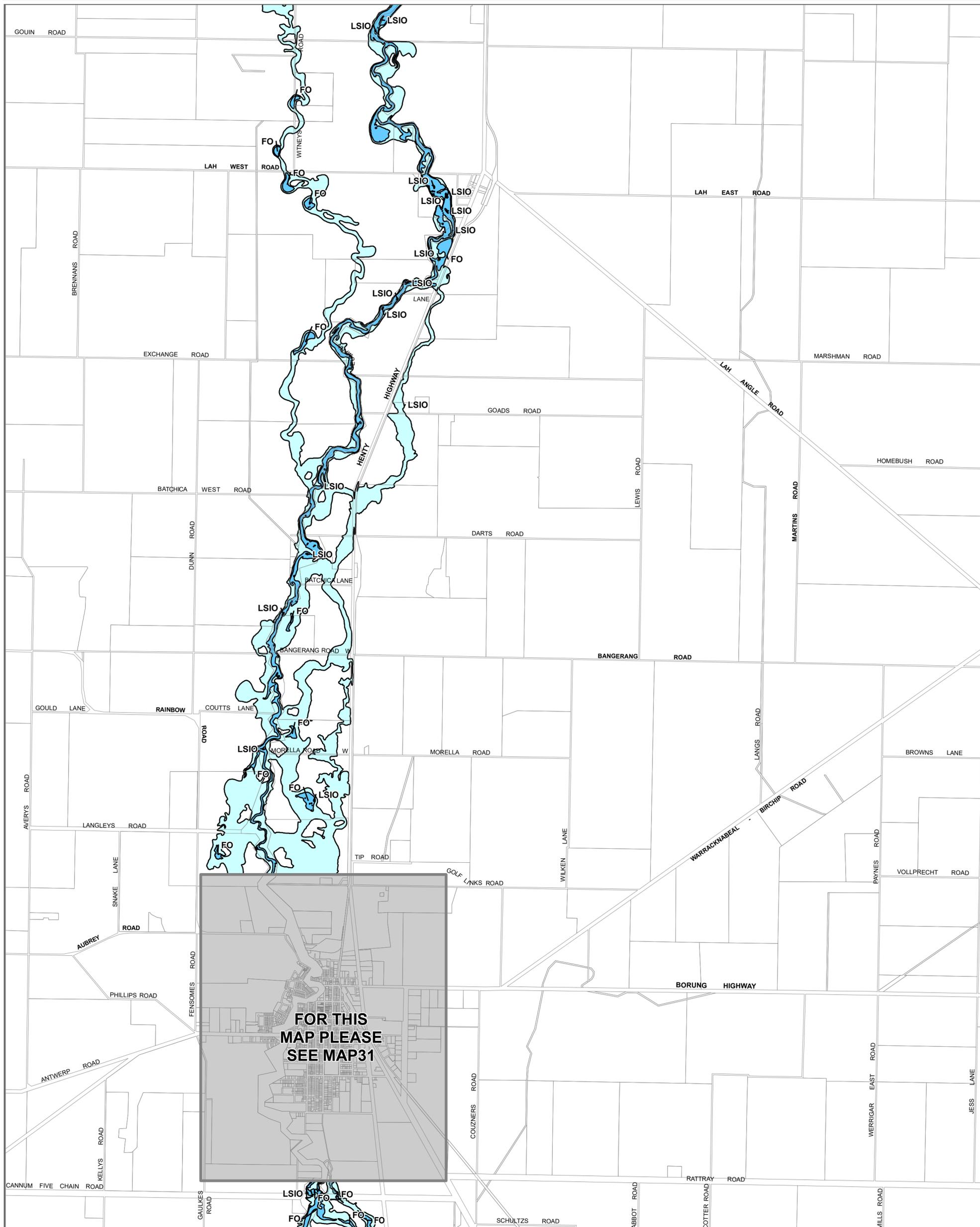
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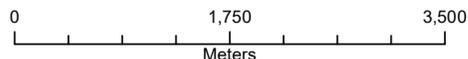


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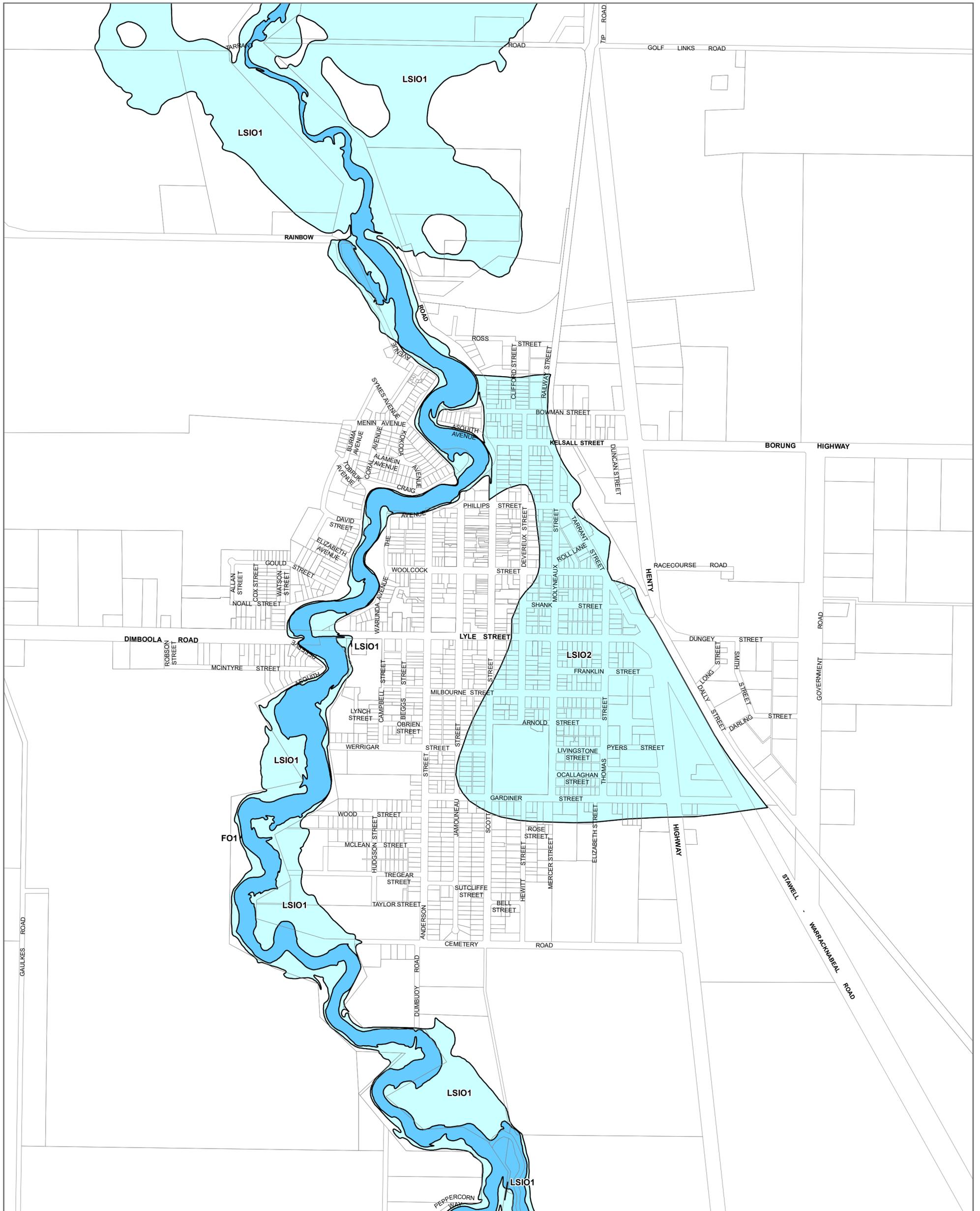
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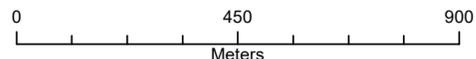


- LEGEND**
- FO1 - Floodway Overlay - Schedule 1
  - LSIO1 - Land Subject to Inundation Overlay - Schedule 1
  - LSIO2 - Land Subject to Inundation Overlay - Schedule 2

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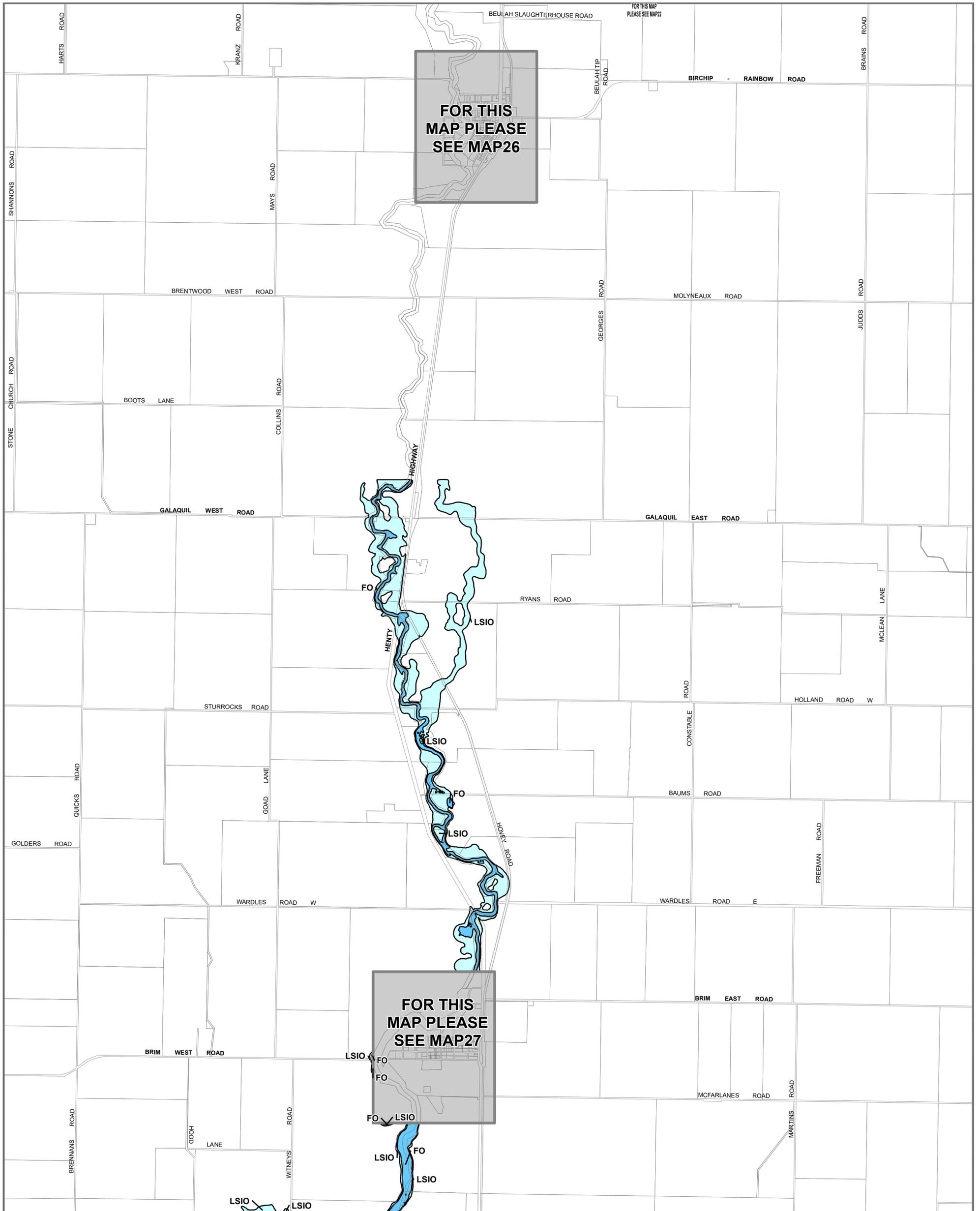
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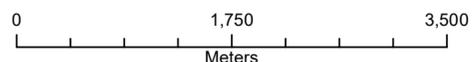
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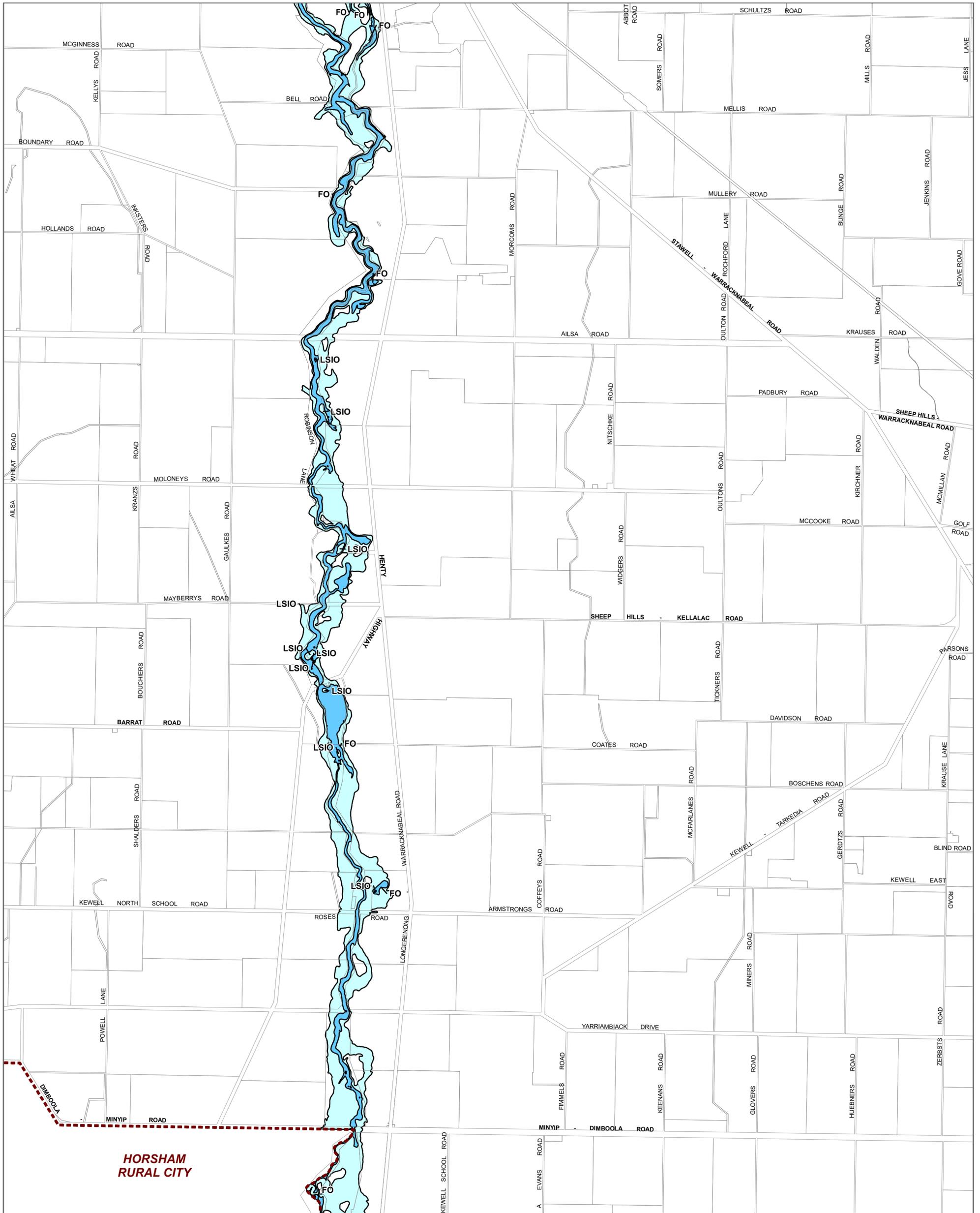
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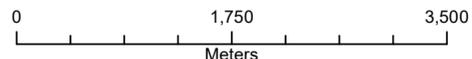
**HORSHAM  
RURAL CITY**

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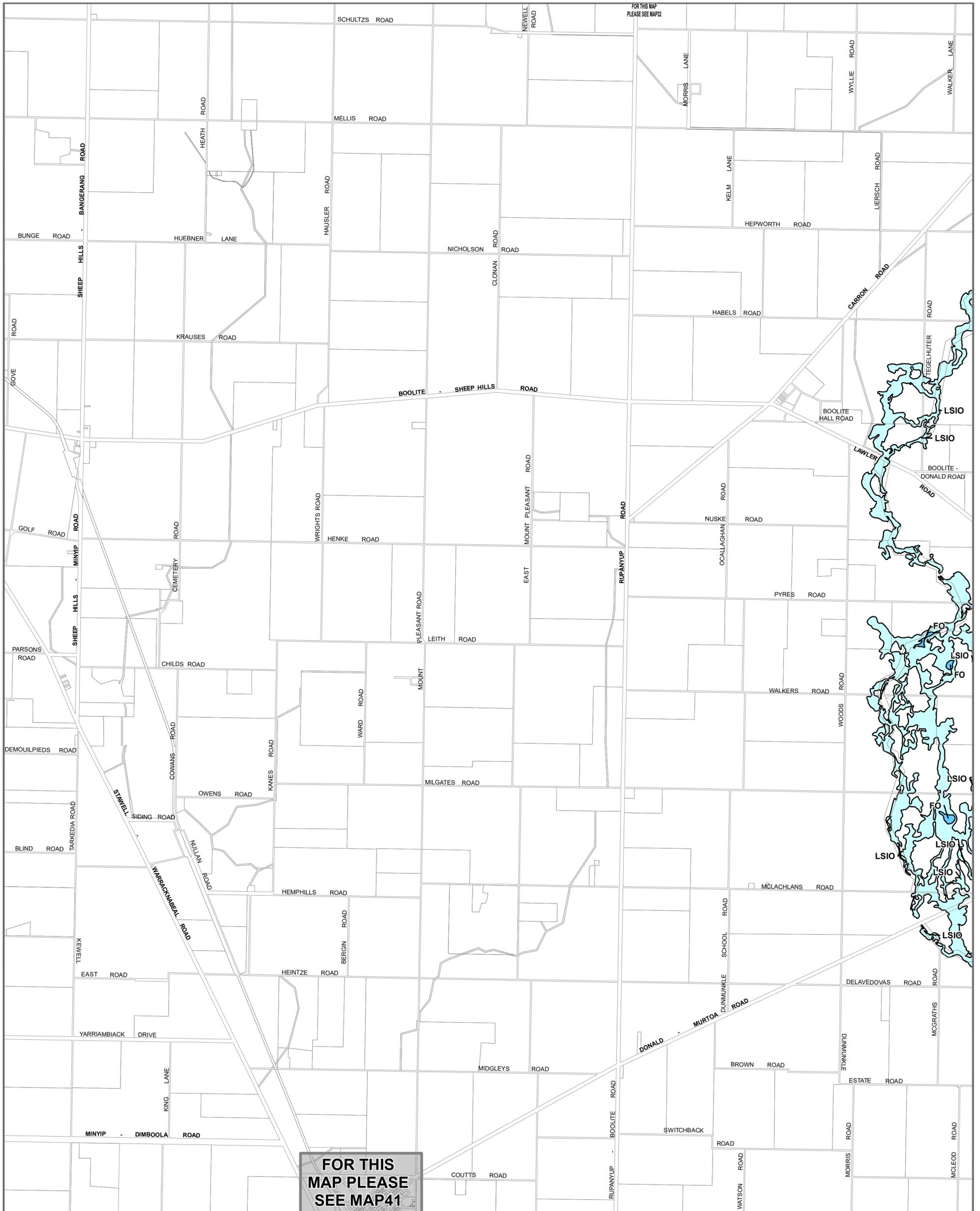


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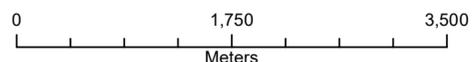
**FOR THIS  
MAP PLEASE  
SEE MAP41**

- LEGEND**
- FO - Floodway Overlay
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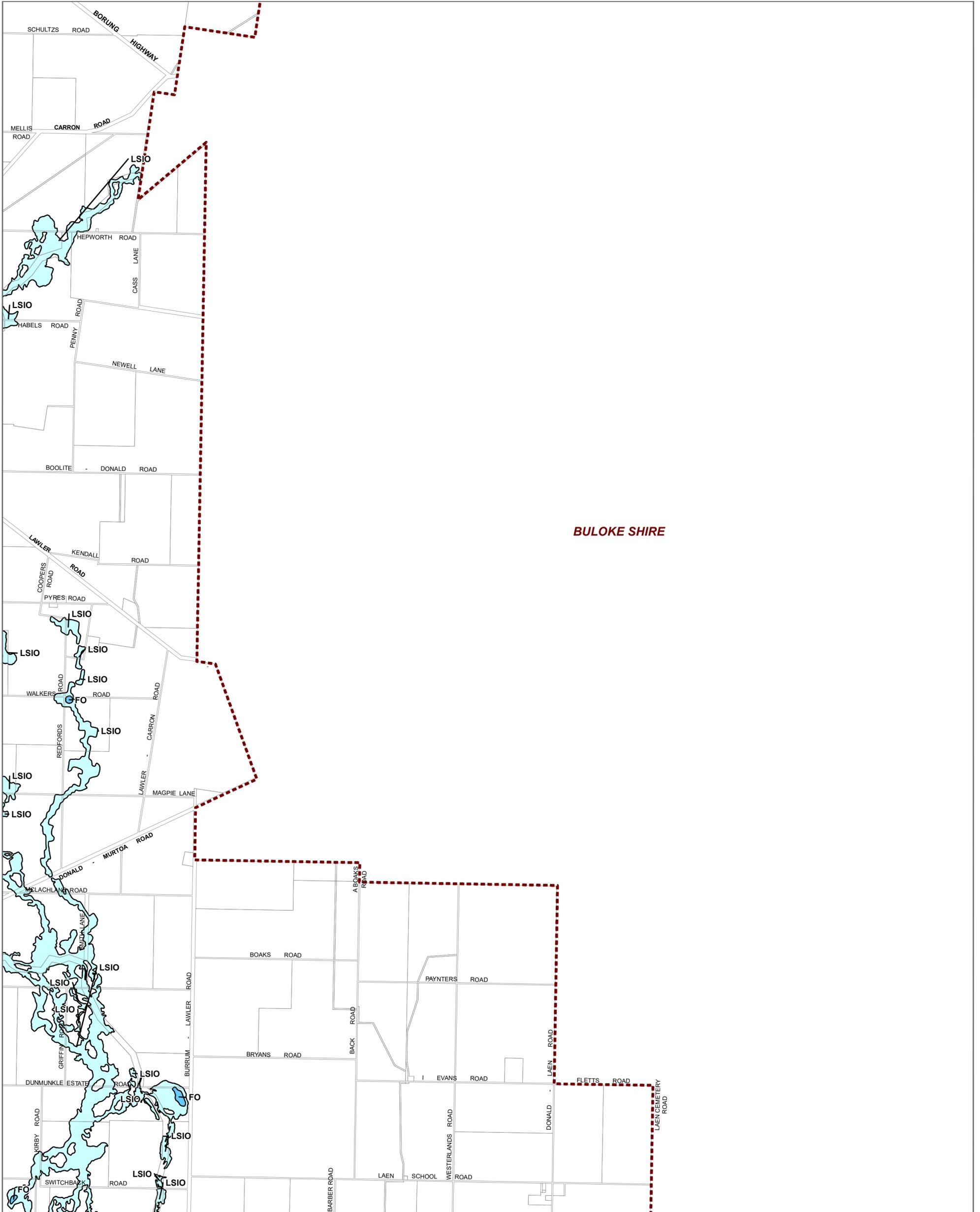
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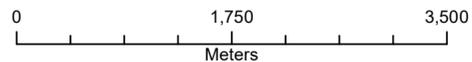


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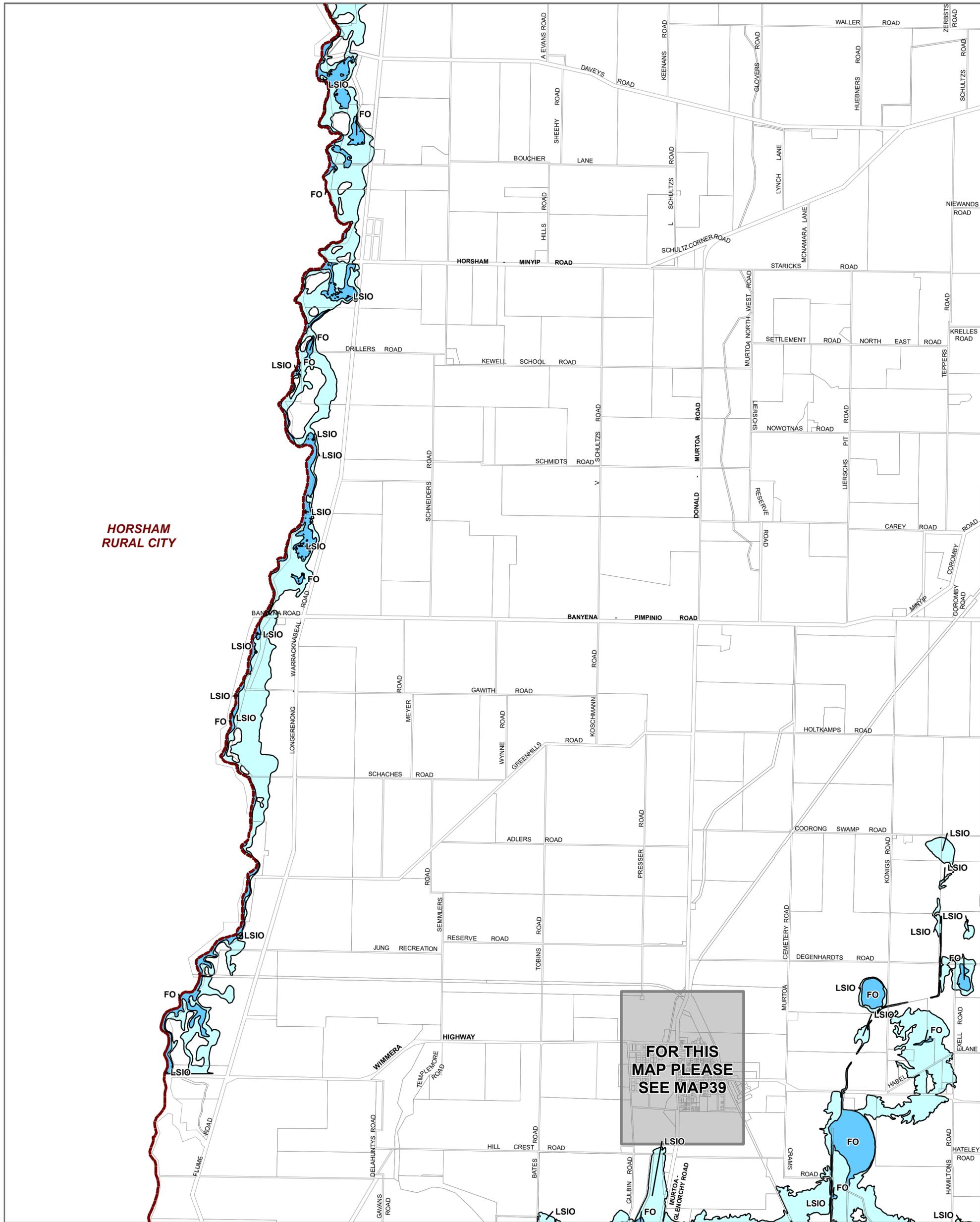


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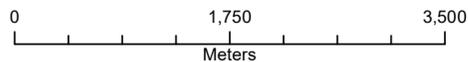
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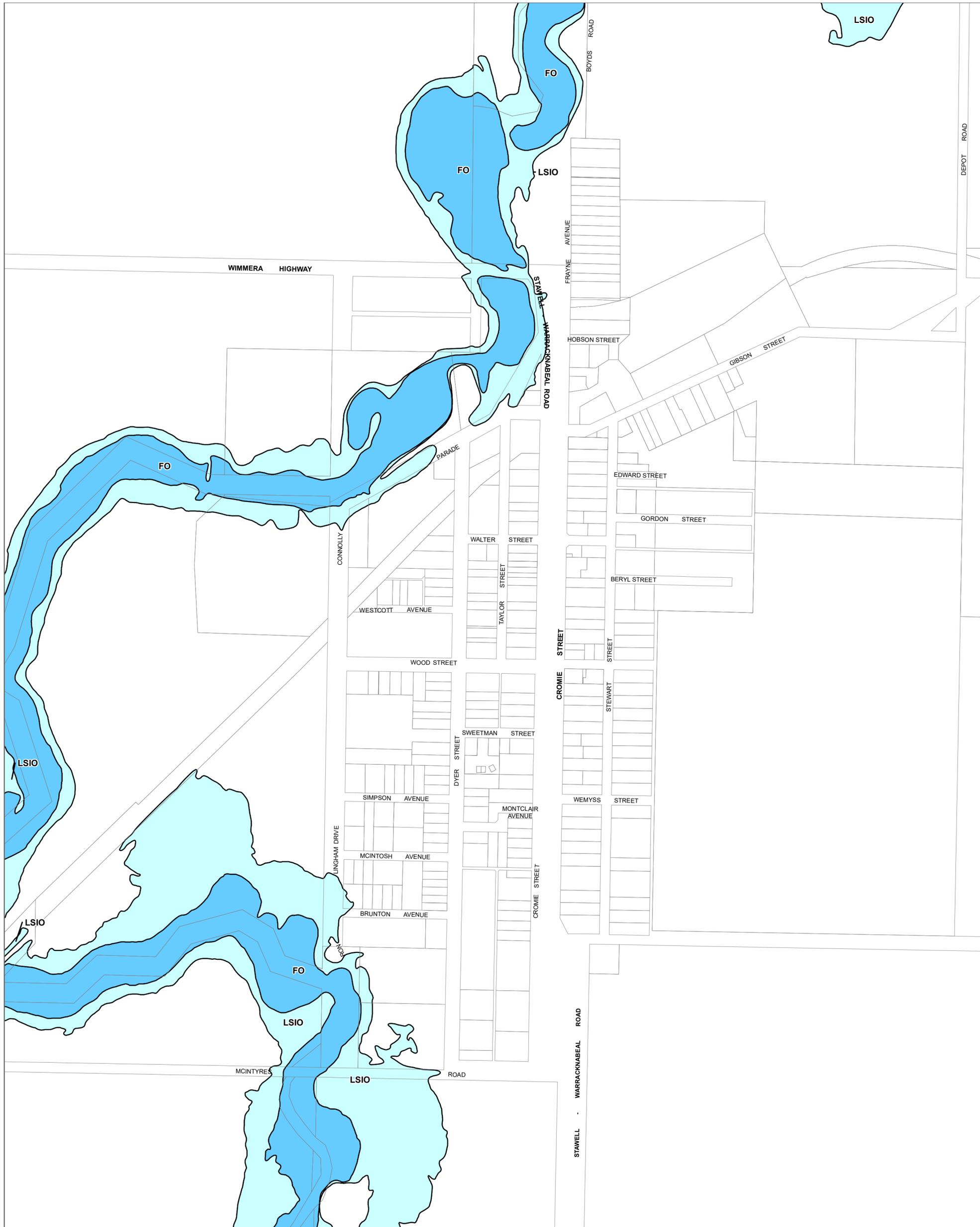
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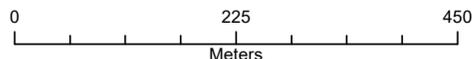


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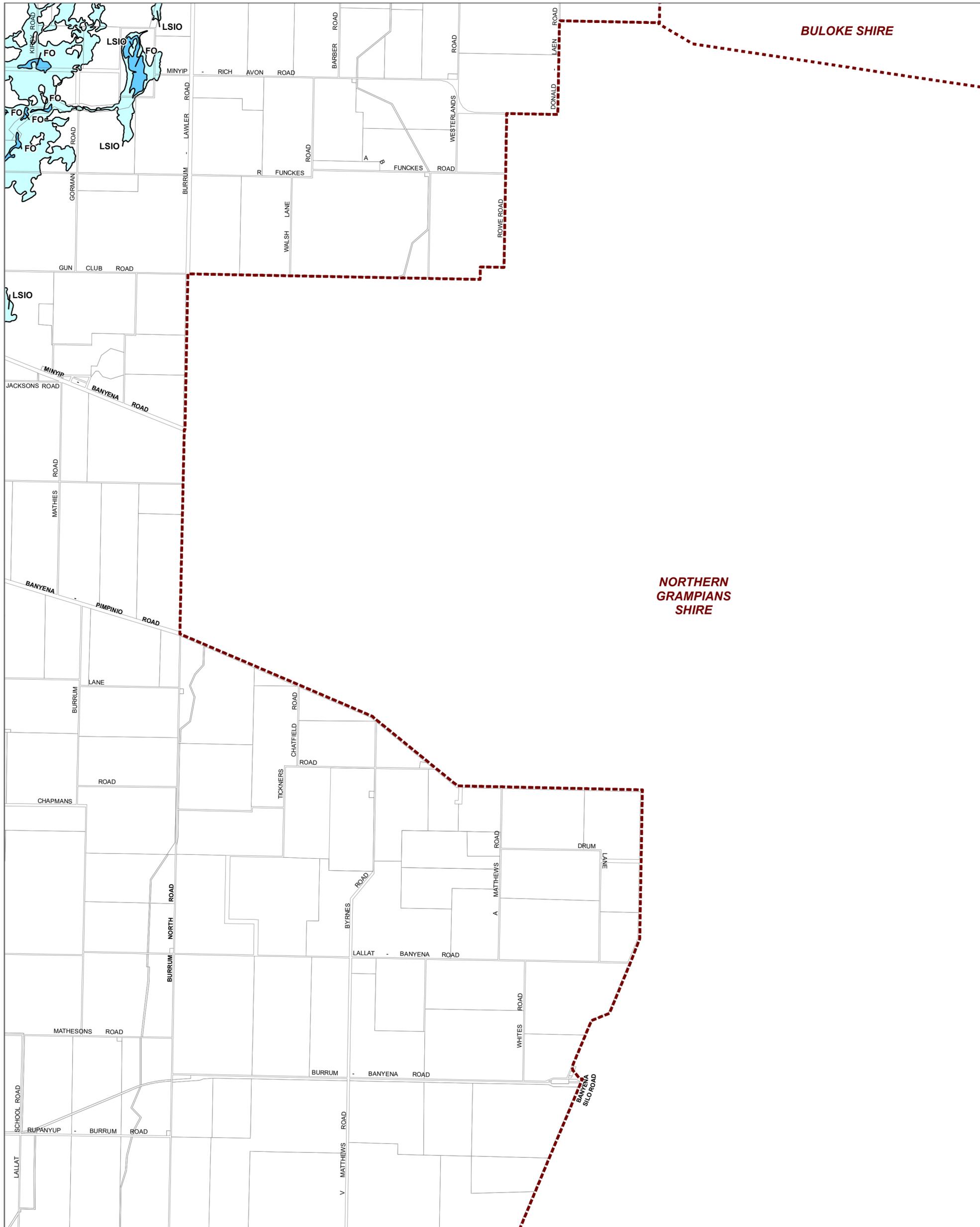
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# YARRIAMBIACK PLANNING SCHEME - LOCAL PROVISION AMENDMENT C24yari



**BULOKE SHIRE**

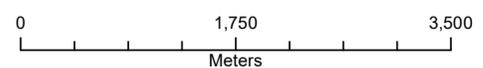
**NORTHERN GRAMPIANS SHIRE**

- LEGEND**
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  - LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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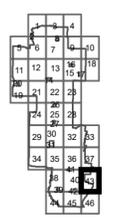
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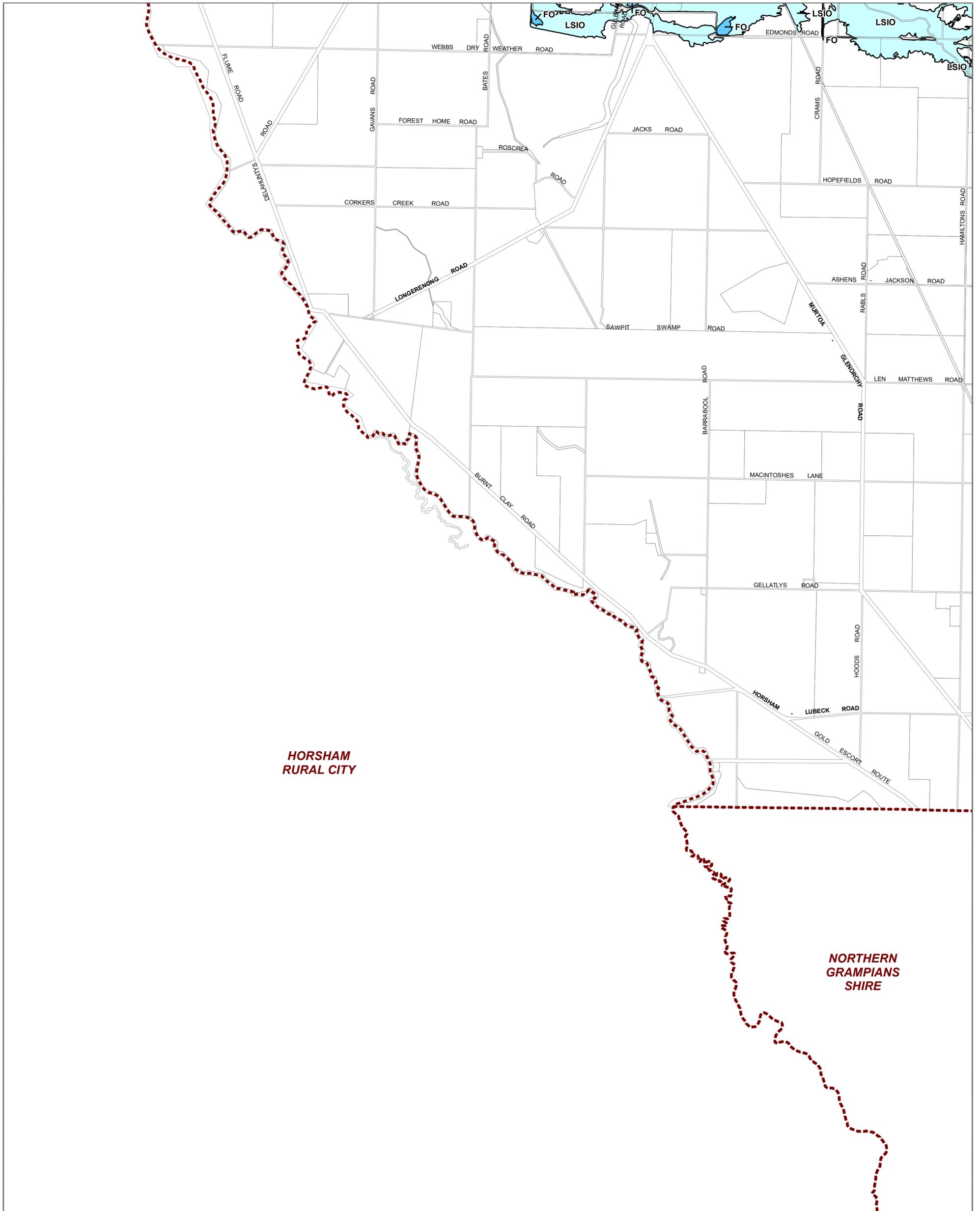
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Printed: 24/06/2021  
Amendment Version: 1



**INDEX TO ADJOINING SCHEME MAPS**



# YARRIAMBIACK PLANNING SCHEME - LOCAL PROVISION AMENDMENT C24yari



**HORSHAM  
RURAL CITY**

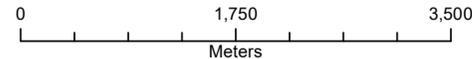
**NORTHERN  
GRAMPIANS  
SHIRE**

- LEGEND**
- FO - Floodway Overlay
  - LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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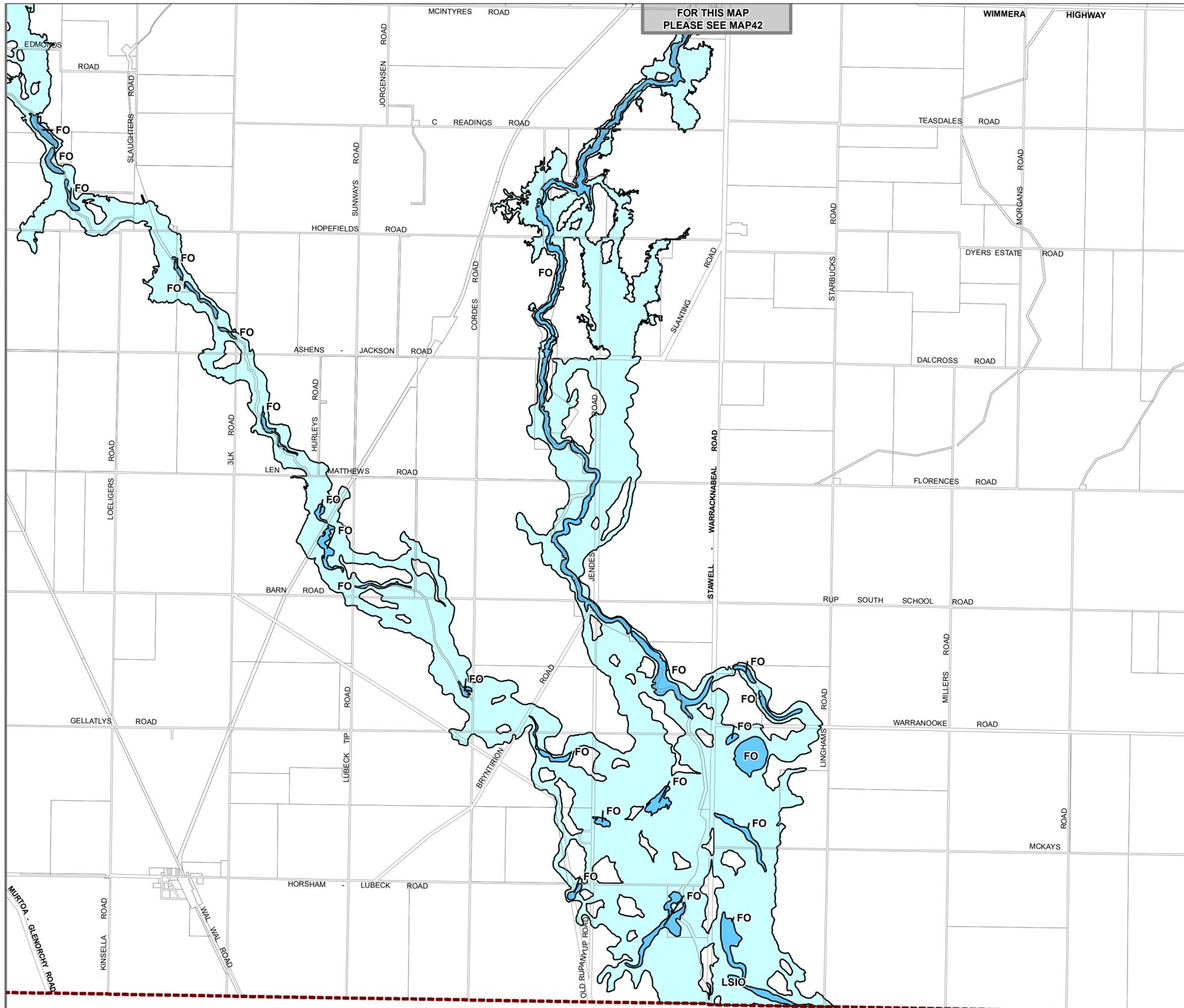
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**INDEX TO ADJOINING SCHEME MAPS**



# YARRIAMBIACK PLANNING SCHEME - LOCAL PROVISION AMENDMENT C24yari



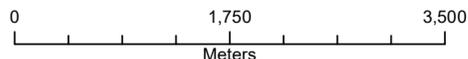
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Australian Map Grid Zone 54



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INDEX TO ADJOINING SCHEME MAPS



### 14.3 Request to Upgrade Cook Road, Speed

*Prepared by Ram Upadhyaya, Manager Assets*

#### SUMMARY

This report seeks direction from the Council regarding a recent request to upgrade Cook Road to an all-weather access category between Singletons Road and the Sunraysia Highway (1.5 km).

The road is currently classified as a secondary access road (RA6) with "formation only" construction and is inspected upon request only. The upgrade of this section would require an initial investment of approximately \$45,000 and ongoing maintenance costs for grading and cyclic gravel re-sheeting.

#### RECOMMENDATION

That Council:

- Upgrade Singletons Road and Cook Road intersections as per the intersection safety audit recommendations attached.

Moved Cr K Kirk Seconded Cr T Hamilton

That the first part of the recommendation be adopted

**Carried**

#### Council Resolution

Moved Cr A McLean Seconded Cr C Lehmann

Alternate Option 2:

- Realign the intersection of Singletons Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Realign the intersection of Cook Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Approve the request to upgrade and reclassify Cook Road at full cost to the Yarriambiack Shire Council.

Cr G Massey called for a Division of Council

#### For the Motion:

Cr C Lehmann and Cr A McLean

#### Against the Motion:

K Zanker, T Hamilton, K Kirk, C Heintze, G Massey

**Motion Lost**

#### Recommendation

Moved Cr K Zanker Seconded Cr T Hamilton

- Deny the request to upgrade Cook Road as it fails to meet the adopted Road Management Plan and Road Hierarchy requirements.

Cr G Massey called for a Division of Council

#### For the Motion:

K Zanker, T Hamilton, K Kirk, C Heintze, G Massey

#### Against the Motion:

C Lehmann and A McLean

That the second part of the recommendation be adopted

**Carried**

**ATTACHMENTS**

[Attachment 1: Letter from property owner requesting upgrade](#)

[Attachment 2: Letter from property owner requesting intersection upgrade](#)

[Attachment 3: Road Safety Audit for intersection of Cook Road and Sunraysia Highway](#)

[Attachment 4: Road Safety Audit for intersection of Singletons Road and Sunraysia Highway](#)

**DISCUSSION**

The letter regarding the upgrade of Cook Road between Singletons Road and Sunraysia Highway was received on 25 May 2021 from one of the farming enterprises in the Speed area. The letter requested the upgrade of the abovementioned section of road to an all-weather access gravel road.

The resident currently accesses their farm via Sunraysia Highway and Singletons Road and has expressed safety concern about the intersection of Singletons Road and Henty Highway. It is a Y-intersection with a "Give Way" sign on the Northern Leg and a "Stop" sign on the Southern Leg.



The request details that the safety issue is due to the angle on the Southern leg of the intersection. This justifies the use of the "Stop" sign at this location.

Council's Operations Manager has met with the customer to understand the issue and the requirements of a realignment of the intersection. Converting this Y intersection into a T intersection will significantly improve the safety of the intersection.

Cook Road is currently classified as secondary access road (RA6). Any road in this category is prescribed to have the "formation only" made from existing material. To upgrade this road to an all-weather access road, Council will need to make an investment of approximately \$45,000 and lift the hierarchy to the RA2 category. Reclassification of this road to a higher category means the increased cost of routine inspection and cyclic renewal activities.

Cook Road does not serve as direct access to any residential property, a current prescribed

MINUTES	Ordinary Meeting of Council
Issue Date: 27 October 2021	

requirement in the adopted road hierarchy to increase a roads status to RA2.

Reclassification of a road that does not comply with the policy objectives of adopted road management plans and policies could lead to a precedent in future requests of Council.

The proposed requested location for upgrade is shown in the image below.



Council Carried out safety assessments on both Singletons Road and Cook Road intersections onto the Sunraysia Highway (Reports attached). During this process Council collected traffic count data for the report.

Additional views from surrounding landholders were sought and one letter was received (attached) detailing the need to upgrade the intersection but recommending an upgrade to Cook Road would not be an appropriate use of Council funds.

**RELEVANT LAW**

*Local Government Act 2020*

*Road Management Act 2004*

**COUNCIL PLANS AND POLICIES**

From the council plan strategic objectives 1 and 4 apply to this decision.

Objective 1: A Vibrant and Diversified Economy

Objective 4: A Council Who Serves Its Community

Road Hierarchy policy

Access to Rural Properties policy

MINUTES	Ordinary Meeting of Council
Issue Date: 27 October 2021	

**RELATED COUNCIL DECISIONS**

This is the first proposed report into the Council's ordinary meeting on this subject. Council adopted the Yarriambiack Road Hierarchy on 10 December 2014

Council adopted the Yarriambiack Road Management Plan on 28 June 2017

**OPTIONS** - Proposed options when the report is submitted to Council for decision

1. Alternate Option 1:

- Realign the intersection of Singletons Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Realign the intersection of Cook Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Approve the request to upgrade and reclassify Cook Road at full cost to the requestor.

2. Alternate Option 2:

- Realign the intersection of Singletons Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Realign the intersection of Cook Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Approve the request to upgrade and reclassify Cook Road at full cost to the Yarriambiack Shire Council.

3. Alternate Option 3:

- Realign the intersection of Singletons Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Realign the intersection of Cook Road and Sunraysia Highway to make it a T intersection as per the safety audits recommendations.
- Refuse the request to upgrade and reclassify Cook Road but categorise the road as a priority Maintenance road (RA6) (PM)

**SUSTAINABILITY IMPLICATIONS**

*Economic:* NA

*Social:* NA

*Environmental:* NA

*Climate change:* NA

*Financial:* Council has responsibility for close to 5,000 kilometers of road and requires a Road Management Plan and policies to ensure that it is able to meet its legislative obligations in a financially sustainable way. These policies determine the classification of roads and prescribe the condition and ongoing maintenance. Council received multiple requests from competing landholders to upgrade roads that service their business operations and must determine, in accordance with adopted policy, the justification for expenditure.

Each request made formally to Council is assessed by the Assets and Operations team and a recommendation is put to Council for an informed decision to be made. These single decisions have the ability to set precedent for future requests and have impact on the operations and financial sustainability of Council in a cumulative way.

The additional cost to realign the T intersection is able to be achieved through the adopted maintenance budget.

MINUTES	Ordinary Meeting of Council
Issue Date: 27 October 2021	

### COMMUNITY ENGAGEMENT

No wide community consultation was undertaken for this report; however, the local newspaper had produced an article based on the previous report to Council on Cook Road Views were sought from the immediate neighboring properties, with one letter being received as attached.

### 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 – (Name)	

### RISK

Assess the risk for the decision.

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
Program and Project Risk - Residual Risk Level Medium  The safety issue at the intersection of Singletons Road and Sunraysia Highway.	Proper design and signage at the intersection will reduce this risk.	Reduces Residual Risk Level

### REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Nil

### 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.

**MONAGHAN UNIT TRUST**  
**DF, LM, CG & DM MONAGHAN**  
**P.O. BOX 9 SPEED VIC 3488**  
**Ph 03 5082 4205 Fax 03 5082 4280 Mobile 0427824205**  
**ABN 46 910 080 430**  
**Email: [mond@bigpond.com](mailto:mond@bigpond.com)**

25/05/2021

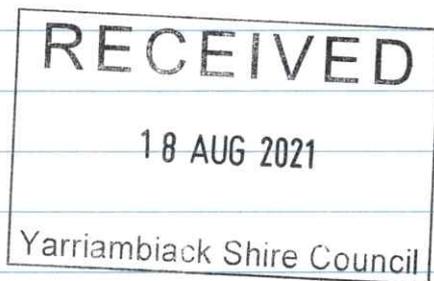
**Attention:** Jessie Holmes  
CEO  
Yarriambiack Shire Council

Dear Jessie,

I am writing in regard to the condition of Cook Road, Speed. I previously spoke to the shire prior to last harvest requesting maintenance, and did get some patchwork completed. This work only lasted for five loads of grain. This resulted in us having to change routes and enter directly onto the highway 2 kms north of Speed. Unfortunately, due to the angle of the road, the view of the highway, and also the terrible condition of this road makes it very dangerous to pull on to the highway. We feel this is an accident waiting to happen, and consider it totally unacceptable. This is particularly distressing knowing carting grain along Cooks Road would mean all we need to do is cross over the Sunraysia Highway at Speed.

We sincerely hope that Cooks Road can be resurfaced in time for us to cart our grain safely this season. Our business paid over \$35,000 in rates THIS year alone, surely this entitles us to some road maintenance in this area of the shire.

Regards,  
Derry Monaghan  
Monaghan Unit Trust



GAVAN Group.  
8 MAIN STREET  
SPEED. Vic

3488.

12.8.2021

Phone 0428377327.

To CEO  
Yarriambiack Shire. Vic

I am writing this letter in reference to  
up grade of COOKS Road Speed also  
Singletons Rd Speed.

(1) COOKS RD SPEED.

Total waste of money, and no doubt  
there are more important roads in the  
Yarriambiack Shire that would need this  
money spent on them, a bottomless money  
pit in doing anything to said road other  
than an annual grade.

(2) Singletons Rd Speed.

On the corner of Henty Highway +  
Singleton Rd now doubt that safety improvement  
possible needed. Maybe include  
ROAD SAFETY CONVEX MIRROR, or Mirrors.

Yours Faithfully,  
Gavan Galt



## FEASIBILITY STAGE

### Road Safety Audit of intersection of Crook Road and Sunraysia Highway

#### Abstract

The auditor has been engaged to undertake a detail feasibility stage Road Safety Audit of the existing conditions at the intersection of Crook Road and Sunraysia Highway, north of Speed township.

Pradip Bhujel  
pbhujel@yarriambiack.vic.gov.au

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Audit Process .....	3
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Historic Crash data .....	4
Risk Assessment .....	4
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5. Audit Findings and Recommendations .....	7
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## 1. Introduction

Road Safety Audit (RSA) has the greatest potential for improving safety when it is applied to a design before a road project is built.

The report details the finding of Road Safety Audit undertaken at the feasibility stage of the project which focuses on fundamental issues such as the impact and continuity with the existing road alignment, future design standards, layout, and repositioning of intersection.

## 2. Scope of Audit

The Yarriambiack Shire Council received a request from the member of public to upgrade the section of Cook Road between Singletons Road and Sunraysia Highway, near the township of Speed. The purpose of the audit is to identify any safety issues at the intersection resulted by making this road a through road for heavy vehicles and recommend the measures to rectify them.

## 3. Background

### Safety Audit Procedure

The daytime site inspection was conducted between 11 am and 11: 20 am on 3rd August 2021, attended by the auditor and the road inspector. During the site inspection, the auditor took a brief description from the road inspectors about some operational issues.

The auditor inspected physical features of the site which may affect the road user safety, potential safety hazards, and factors to be considered before upgrading the road.

### Audit compliance

The Road Safety Audit has been conducted following “Austroads Guide to Road Safety Part 6 – Road Safety Audit, regarding relevant VicRoads Design Guidelines, Traffic Engineering Manuals, and Austroads Guide to Road Design Manuals.

### Safe system findings

The Safe System Findings aim to focus the Road Safety Audit process by considering safe system assessments during the early stage of the project.

The Austroads Guide to Road Safety Part 6 (2019): Managing Road Safety Audits states that: “for any project, there is a responsibility on the road authority to maximise alignment with Safe System principles”. The Guide continues to offer two methods for achieving this:

1. Undertake a Safe System Assessment in the early stages of the project.
2. Integrate Safe System principles into the Road Safety Audit process.

	Crash Type	Tolerable (10%) Speed (passenger vehicle)
	Head-On	~70km/h
	Side Impact (90°) Side Impact (45°)	~50km/h ~60km/h
	Side Impact into Point Source Hazard (eg. Tree, Power Pole)	30 – 40km/h
	Pedestrian, Cyclist, Motorcyclist	~30km/h

Table 1 Safe System Kinetic Energy, source Austroads

This Road Safety Audit has been undertaken to conform with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits (2019). As such, an assessment has been undertaken for each RSA finding to determine if the kinetic energy associated with the possible crash is above tolerable levels (as set out above). Also, each recommendation has been categorised into one of the Austroads Safe System treatment categories described in Table 2.

<b>Primary</b>	Road planning, design and management considerations that practically eliminate the potential of fatal and serious injuries occurring in association with the foreseeable crash types.
<b>Supporting</b>	Road planning, design and management considerations that improve the overall level of safety associated with foreseeable crash types, but not expected to virtually eliminate the potential of fatal and serious injury occurring. Does not change the ability for a Primary Treatment to be implemented in the future.
<b>Non-Safe System Other Elements</b>	Road planning, design and management considerations that are not expected to achieve an overall improvement in the level of safety associated with foreseeable crash types occurring. Reduces the ability for a primary treatment to be implemented in the future.

Table 1 Safe System Treatment Categories, source Austroads (2018a)

## Audit Process

This Road Safety Audit has been conducted following the procedures set out in the Austroads Guide to Road Safety Part 6: Managing Road Safety Audits (2019) and Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits (2019). A review of the site has been completed and the details contained within the supporting documentation examined to identify issues that affect road user safety and other relevant issues. The auditors cannot guarantee that every issue that affects road user safety has been identified. Although the

adoption of the audit recommendations will improve the level of safety of the site it will not, however, eliminate all the road user safety risks.

Road Safety Audit is a formal process, and the audit findings and recommendations should be documented by the Council in writing. If recommendations are not accepted by the Council, then reasons should be included within the written response. Council has no obligation to accept all the audit findings and recommendations and should consider these in conjunction before the project considerations.

## Traffic

A traffic counter was set up on this road between dated 19<sup>th</sup> July 2021 to 26<sup>th</sup> July 2021. The Annual Average Daily Traffic (AADT) flow is 5 and heavy vehicles per day are 1.9. (percentage of heavy vehicles is 38%).

## Historic Crash data

There were no crashes reported for the last five years over the sections where the project has been selected.

## Risk Assessment

The potential road safety problems identified have been ranked as follows:

A risk rating is based on the likelihood of a crash occurring because of the deficiency together with the potential consequence of that crash.

The risk ratings adopted are:

- Intolerable
- High
- Medium
- Low

Tables 3 and 4 were used to respond to the risk rating process for the selected project.

Likelihood	Description
Frequent	Once or more per week
Probable	Once or more per year (but less than once a week)
Occasional	Once every five to ten years
Improbable	Less often than once every ten years

Table 3 Likelihood of a crash (Austroads, 2019)

	<b>Frequent</b>	<b>Probable</b>	<b>Occasional</b>	<b>Improbable</b>
<b>Catastrophic</b>	Intolerable	Intolerable	Intolerable	High
<b>Serious</b>	Intolerable	Intolerable	High	Medium
<b>Minor</b>	Intolerable	High	Medium	Low
<b>Limited</b>	High	Medium	Low	Low

Table 4 Level of Risk (Austroads, 2019)

## 4. Description of the Site and Observations

Cook Road is situated on the north of the township of Speed and connected between the Sunraysia Highway and Singletons Road. The measured distance of the road is 1470 metres and the posted speed limit of Cook Road is 100km/h.

Sunraysia Highway is the arterial north-south route, stretched from Ballarat to Ouyen.

Cook Road and Singletons Road have the same function of Rural Farm Access (secondary, RA6) and are formed only roads.

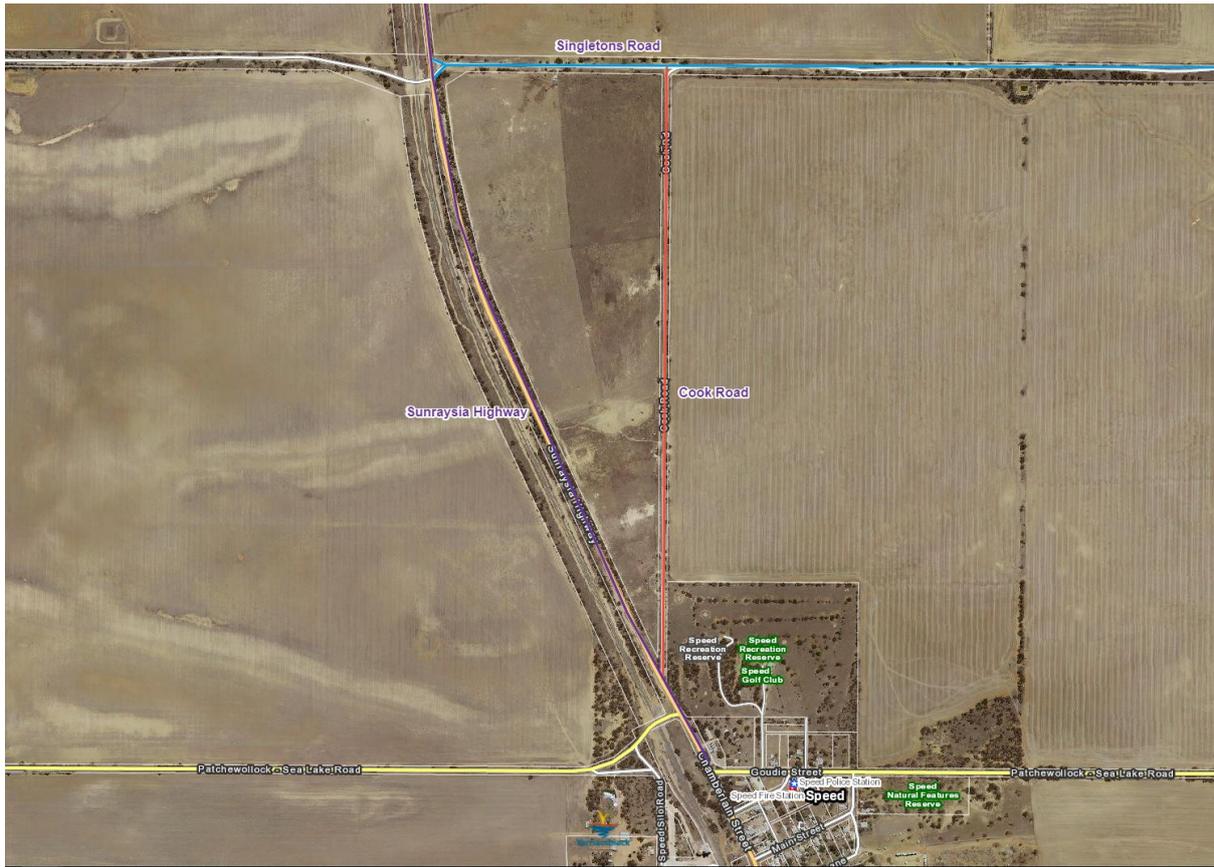
Cook Road has a “Give Way” sign at the corner of Sunraysia Highway.

The project aim is to identify the risk associated with Cooks Road being a through road for passage of heavy vehicles.

Cook Road is another low trafficked local road as observed and used by farmers and residents to connect their farms to the Sunraysia Highway.

The Cook road is generally straight and flat, however, there is a crest on the southern side heading towards Sunraysia Highway from Singletons Road.

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection



Picture 1 Map of Audit location - red line Crook Road

## 5. Audit Findings and Recommendations

The findings and recommendations of the Road Safety Audit can be found in Table 5 below.

Table 5 Audit findings and recommendations

Audit Findings	Level of Risk	Safe System Energy	Recommendations P – Primary ST- Step Towards S- Supporting N- Non-Safe System
a) Sight Distance			
i. When there is a left or right turn from the Cook Road, the Safe Intersection Sight Distance (SISD) shall be applied. During the site visit, Auditor was concerned about the horizontal curve outside the intersection. The risk of collision due to lack of visibility between vehicles on the Sunraysia Highway and Cook Road is very high. The current safe side distance is 240m, which does not meet the required safe intersection sight distance as guided by Austroads Road Design Part 4A. Under such circumstances, the Auditor support having the appropriate values of SSID to cover all types of vehicle movement.	Probable  Serious  <b>Intolerable</b>	Exceeds tolerable limits (important)	Discourage the use of the intersection of Cook and Sunraysia Highway by vehicles taking longer duration for left or right manoeuvre i.e. Heavy Vehicles  Consider minimum safe intersection sight distance as defined on the Guide to Road Design – Part 4A, which shall be 262m for reaction time 2.5 sec.  (P)
b) Obstruction to visibility			
i. At the time of the site visit, existing regulatory signs were located on the north side of Sunraysia Highway. Auditor was concerned that observation angles to approaching traffic are obstructed by such signs.	Occasional  Serious  <b>High</b>	Within tolerable limits	Consider relocating regulatory signs i.e. speed limit signs. Trim trees to improve sight distance on northern sides heading towards Sunraysia Highway from Cook Road.  (S)
c) Repositioning of intersection			

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection

Audit Findings	Level of Risk	Safe System Energy	Recommendations P – Primary ST- Step Towards S- Supporting N- Non-Safe System
<p>i. An auditor is considered to reposition the intersection of 90° to Sunraysia Highway. The current measuring angle to Sunraysia Highway is 60° and the auditor considers the impact of the collision is high and the driver observation angle at the intersection is difficult to judge at the end of horizontal curves.</p>	<p>Probable Serious <b>Intolerable</b></p>	<p>Exceeds tolerable limits (Important)</p>	<p>Road horizontal alignment should intersect a close to 90° as possible so that driver observation angles to potentially conflicting vehicles are satisfactory. Reference should be made to AGRD Part 3 (Austroads 2019b) for design parameters that are appropriate to a particular intersection approach. The repositioning intersection also increased greater visibility for traffic turning left from Crook Road. Realign the intersection to intersect at 90°.</p> <p>(P)</p>
d) Hazard marker signs			
<p>i. As this is a rural location, the auditor noted that there is no lighting at the intersection and delineation. The auditor considers permanent traffic management scenarios at the intersection to direct traffic through the obstruction to either side at the intersection.</p>	<p>Improbable Serious <b>Medium</b></p>	<p>Exceeds tolerable limits (important)</p>	<p>Hazard marker signs – bidirectional chevron pattern hazard maker shall be installed at the intersection. Also, an intersection warning allows the driver at the crest level to control the speed of the vehicle before approaching the intersection. This can be obtained from the Australian Standard As 1742 and AS 1743.</p> <p>(S)</p>
e) Road surface			
<p>i. The auditor has noted that road surface is earth formation, corrugations can occur at any time increase in number of heavy vehicles. This will increase the possibility of vehicle going out of control.</p>	<p>Probable Minor <b>High</b></p>	<p>Exceeds tolerable limits (important)</p>	<p>Upgrade intersction to an all weather surface i.e. gravel</p> <p>(P)</p>

## 6. Appendix A

### Site Photos Descriptions

Photo	Photo content	Related finding
1	Location of the site	
2	Intersection observed from Crook Road to Sunraysia Highway	C
3	Crook Road view from the intersection and noted a crest at the end.	D
4	Intersection sight distance heading towards the south side	A
5	Intersection sight distance heading towards the north side	A
6	Obstruction visibility for incoming traffic from the north side at Sunraysia Highway	B
7	Increase safe sight distance at the intersection once the reposition of the intersection	C
8	Increase safe sight distance at the intersection when relocation of intersection	C
9	Approach sight distance to the north along Sunraysia Highway from Crook Road exit is restricted by trees.	B
10	View from Sunraysia Highway at intersection showing the angle of 60°.	C
11	Road surface of Crook Road	E

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection



*Picture 2 Intersection observed from Crook Road to Sunraysia Highway*



*Picture 3 Crook Road view from intersection and noted crest at the end.*

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection



*Picture 4 Intersection sight distance heading towards south side.*



*Picture 5 Intersection sight distance heading towards north side.*

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection



*Picture 6 Obstruction visibility for incoming traffic from north side at Sunraysia Highway.*



*Picture 7 Increase safe sight distance at the intersection once the reposition of the intersection.*

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection



*Picture 6 Increase safe sight distance at the intersection when relocation of intersection.*



*Picture 7 Approach sight distance to the north along Sunraysia Highway from Crook Road exit is restricted by trees.*

Road safety Audit Report – Crook Road and Sunraysia Highway Intersection



*Picture 8 View from Sunraysia Highway at intersection showing the angle of 60°.*



*Picture 9 Road surface of Crook Road.*



## FEASIBILITY STAGE

### Road Safety Audit of intersction of Singletons Road and Sunraysia Highway

#### Abstract

The auditor has been engaged to undertake a detail feasibility stage Road Safety Audit of the existing conditions at the intersection of Singletons Road and Sunraysia Highway, north of Speed.

Pradip Bhujel  
pbhujel@yarriambiack.vic.gov.au

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## 1. Introduction

Road Safety Audit (RSA) has the greatest potential for improving safety when it is applied to a design before a road project is built.

The report details the finding of Road Safety Audit undertaken at the feasibility stage of the project which focuses on fundamental issues such as the impact and continuity with the existing road alignment, future design standards, layout, and repositioning of intersection.

## 2. Scope of Audit

The Yarriambiack Shire Council received a request to upgrade the road surface of Cook Road from Singletons Road to Sunraysia Highway, near the township Speed. The objective of the audit is to identify any safety issues at the intersection and compare them with issues associated with upgrading Cook Road and introducing more heavy vehicles at the intersection of Cook Road and Sunraysia Highway. It also intends to recommend the measures to rectify issues identified in during the audit.

## 3. Background

### Safety Audit Procedure

The daytime site inspection was conducted between 11: 30 am and 11: 45 am on 3rd August 2021, attended by the auditor and the road inspector. During the site inspection, the auditor took a brief description from the road inspector about some operational issues.

The auditor inspected physical features of the site which may affect the road user safety, potential safety hazards, and factors to be considered before upgrading the the road.

### Audit compliance

The Road Safety Audit has been conducted following “Austroads Guide to Road Safety Part 6 – Road Safety Audit, regarding relevant VicRoads Design Guidelines, Traffic Engineering Manuals, and Austroads Guide to Road Design Manuals.

### Safe system findings

The Safe System Findings aim to focus the Road Safety Audit process by considering safe system assessments during the early stage of the project.

The Austroads Guide to Road Safety Part 6 (2019): Managing Road Safety Audits states that: “for any project, there is a responsibility on the road authority to maximise alignment with Safe System principles”. The Guide continues to offer two methods for achieving this:

1. Undertake a Safe System Assessment in the early stages of the project.
2. Integrate Safe System principles into the Road Safety Audit process.

	Crash Type	Tolerable (10%) Speed (passenger vehicle)
	Head-On	~70km/h
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	Side Impact into Point Source Hazard (eg. Tree, Power Pole)	30 – 40km/h
	Pedestrian, Cyclist, Motorcyclist	~30km/h

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This Road Safety Audit has been undertaken to conform with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits (2019). As such, an assessment has been undertaken for each RSA finding to determine if the kinetic energy associated with the possible crash is above tolerable levels (as set out above). Also, each recommendation has been categorised into one of the Austroads Safe System treatment categories described in Table 2.

<b>Primary</b>	Road planning, design and management considerations that practically eliminate the potential of fatal and serious injuries occurring in association with the foreseeable crash types.
<b>Supporting</b>	Road planning, design and management considerations that improve the overall level of safety associated with foreseeable crash types, but not expected to virtually eliminate the potential of fatal and serious injury occurring. Does not change the ability for a Primary Treatment to be implemented in the future.
<b>Non-Safe System Other Elements</b>	Road planning, design and management considerations that are not expected to achieve an overall improvement in the level of safety associated with foreseeable crash types occurring. Reduces the ability for a primary treatment to be implemented in the future.

Table 1 Safe System Treatment Categories, source Austroads (2018a)

## Audit Process

This Road Safety Audit has been conducted following the procedures set out in the Austroads Guide to Road Safety Part 6: Managing Road Safety Audits (2019) and Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits (2019). A review of the site has been completed and the details contained within the supporting information were examined to identify issues that affect road user safety and other relevant issues. The auditors cannot guarantee that every issue that affects road user safety has been identified. Although the

adoption of the audit recommendations will improve the level of safety of the site it will not, however, eliminate all the road user safety risks.

Road Safety Audit is a formal process, and the audit findings and recommendations should be documented by the Council in writing. If recommendations are not accepted by the Council, then reasons should be included within the written response. Council has no obligation to accept all the audit findings and recommendations and should consider these in conjunction before the project considerations.

## Traffic Volume Study

For the traffic volume study, a traffic counter was set up at the intersection of Singletons Road and Sunraysia Highway between 19<sup>th</sup> of July 2021 and 26<sup>th</sup> July 2021.

1 vehicle is recorded on the Annual Average Daily Traffic (AADT) flow and 0.1 of heavy vehicles per day.

## Historic Crash data

There were no crashes reported for the last five years over the sections where the project location has been selected.

## Risk Assessment

The potential road safety problems identified have been ranked as follows:

A risk rating is based on the likelihood of a crash occurring because of the deficiency together with the potential consequence of that crash.

The risk ratings adopted are:

- Intolerable
- High
- Medium
- Low

Tables 3 and 4 were used to respond to the risk rating process for the selected project.

Likelihood	Description
Frequent	Once or more per week
Probable	Once or more per year (but less than once a week)
Occasional	Once every five to ten years
Improbable	Less often than once every ten years

Table 3 Likelihood of a crash (Austroads, 2019)

	<b>Frequent</b>	<b>Probable</b>	<b>Occasional</b>	<b>Improbable</b>
<b>Catastrophic</b>	Intolerable	Intolerable	Intolerable	High
<b>Serious</b>	Intolerable	Intolerable	High	Medium
<b>Minor</b>	Intolerable	High	Medium	Low
<b>Limited</b>	High	Medium	Low	Low

Table 4 Level of Risk (Austroads, 2019)

## 4. Description of the Site and Observations

Singletons Road is situated on the north of the township of Speed and is connected to Sunraysia Highway. The measured distance of this road is 3150 metres and the posted speed limit of this road is 100km/h.

The first segment from 0 to 260 metres is limestone pavement and the rest length is earth formation. In the Council’s road register, this road is classified as Rural Access, secondary.

Currently, Singletons Road has two wings to turn right and left while entering Sunraysia Highway. Before entering the Sunraysia Highway, Stop signs apply at both wings.

Sunraysia Highway is the arterial north-south route, stretched from Ballarat to Ouyen.

Singletons Road is another very low trafficked local road as study from traffic count and used by farmers and residents to connect their farm to and from the Sunraysia Highway.

# Road Safety Audit Report – Singleton Road and Sunraysia Highway Intersection



Picture 1 Map of Audit Location - red line Singleton Road.

## 5. Audit Findings and Recommendations

The findings and recommendations of the Road Safety Audit can be found in Table 5 below.

Table 5 Audit findings and recommendations

Audit Findings	Level of Risk	Safe System Energy	Recommendations P – Primary ST- Step Towards S- Supporting N- Non-Safe System
a) Sight Distance			
i. There is a sufficient distance for a driver of the vehicle on the major road (Sunraysia Highway) to observe a vehicle on a minor road (Singletons Road) approach moving into a collision situation and to decelerate to a stop before reaching the collision point. The intersection safety performance is largely dependent upon adequate sight distance concerning both horizontal and vertical geometry for all drivers approaching and entering the intersection. The auditor is concerned about the safe intersection sight distance while approaching the intersection from Singletons Road into Sunraysia Highway. The current safe distance is 110m, does not meet the required safe intersection sight distance as guided by Austroads Road Design Part 4A. Under such circumstances, the Auditor support having the appropriate values of SSID to cover all types of vehicle movement.	Improbable  Serious  <b>Medium</b>	Exceeds tolerable limits (important)	Install intersection ahead or “stop ahead” warning sign approximately 200m east from the intersection.  (P)

Road Safety Audit Report – Singletons Road and Sunraysia Highway Intersection

Audit Findings	Level of Risk	Safe System Energy	Recommendations P – Primary ST- Step Towards S- Supporting N- Non-Safe System
b) Repositioning of intersection			
<p>i. The auditor has considered repositioning the intersection of 90° to Sunraysia Highway. The larger angles can be a significant issue for older drivers, particularly those who may have difficulty in turning their heads and neck to detect the presence of conflicting vehicles (Austroads 2000).</p> <p>ii. The left-turning wing from Singletons Road and entry-exit point of Sullivans Road have a conflict at the intersection and that will be a high risk of collision when the vehicle wants to turn in the same direction.</p>	<p>Improbable</p> <p>Serious</p> <p><b>Medium</b></p>	<p>Exceeds tolerable limits (important)</p>	<p>Road horizontal alignment should intersect a close to 90° as possible so that driver observation angles to potentially conflicting vehicles are satisfactory. Reference should be made to AGRD Part 3 (Austroads 2019b) for design parameters that are appropriate to a particular intersection approach. The repositioning intersection will increase the sight distance for vehicles turning left from Singletons Road.</p> <p>Create a 90 degree intersection.</p> <p>The shifting intersection will provide adequate sight distance and reaction time when vehicles enter the Sunraysia Highway from Singletons Road and Sullivans Road.</p> <p>(S)</p>
c) Road traffic signs			
<p>i. As this is a rural location, permanent traffic management scenarios at the intersection are required to control the traffic at the intersection.</p>	<p>Improbable</p> <p>Serious</p> <p><b>Medium</b></p>	<p>Exceeds tolerable limits (important)</p>	<p>Install a Stop sign at the modified intersection. A safe traffic stop sign is designed to notify drivers that they must come to a complete stop before entering the main road (Sunraysia Highway). This can be obtained from the Australian Standard As 1742 and AS 1743.</p> <p>(S)</p>

Road Safety Audit Report – Singletons Road and Sunraysia Highway Intersection

d) Road surface			
i.	The intersection of Singletons Road and Sunraysia Highway currently has a loose gravel surface and hence has possibility cause approaching vehicles to skid while breaking.	Probable Minor <b>High</b>	Exceeds tolerable limits (important)  (P)
e) Drainage System			
i.	The water runoff and ponding is expected at the intersection. The area needs protection to prevent the surface material from being a washout when rain occurs and water mixing with the road surface material.	Improbable Limited <b>Low</b>	Within tolerable limits  (S)

## 6. Appendix A

### Site Photos Descriptions

Photo	Photo content	Related finding	
1	Location of the site		
2	Sight distance observed left side from the Singletons Road	A	212
3	Sight distance observed right from the Singletons Road	A	221
4	Road surface condition around the intersection	D	147
5	Condition of exiting table drain at the intersection	E	350
6	Intersection observed left-wing of Singletons Road and Sullivans Road	B	730
7	Right-wing or entering lane towards Singletons Road from Sunraysia Highway	B	746
8	The area where a new intersection can be construction	B	757

Road Safety Audit Report – Singletons Road and Sunraysia Highway Intersection



*Picture 2 Sight distance observed left side from the Singletons Road.*



*Picture 3 Sight distance observed right side from the Singletons Road.*

Road Safety Audit Report – Singletons Road and Sunraysia Highway Intersection



*Picture 4 Road surface condition around the intersection.*



*Picture 5 Condition of exiting table drain at the intersection.*

Road Safety Audit Report – Singletons Road and Sunraysia Highway Intersection



*Picture 6 Intersection observed left-wing of Singletons Road and Sullivans Road.*



*Picture 7 Right-wing or entering lane towards Singletons Road from Sunraysia Highway.*



*Picture 8 The area where a new intersection can be construction.*

## 15 REPORTS FOR DECISION – DIRECTORATE COMMUNITY DEVELOPMENT AND WELLBEING

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

### 15.1 Permits Issued by Community Development and Wellbeing Department September 2021

#### RECOMMENDATION

That Council:

Note the permits issued by Council between 1 September 2021 and 30 September 2021.

Moved Cr C Heintze Seconded Cr T Hamilton

That the permits be noted

**Carried**

Reference No	Name / Location	Description	Date of Issue
<b>Local Laws Permits</b>			
<b>Firewood collection Permits</b>			
	Warracknabeal	Firewood Collection Permit	20/9/2021
	Warracknabeal	Firewood Collection Permit	21/9/2021

**15.2 Decision to Retail Lease Custs Store at 27A Cromie St Rupanyup.**

*Prepared by Gavin Blinman, Director Community Development and Wellbeing*

**SUMMARY**

Custs Store in Rupanyup has been occupied by Rupanyup Living since a Planning permit was issued in late 2011. An agreement was initially made with the local progress association for the rent to be paid to them, however a formal lease is now required under the *Local Government Act 2020*.

**RECOMMENDATION**

That Council approves a retail lease to Rupanyup Living at \$40 per week as per the independent valuation and that the terms of the lease be 5 years with an option to renew for a further 5.

Moved Cr K Zanker Seconded Cr K Kirk

That the recommendation be adopted

**Carried**

**ATTACHMENTS**

[Attachment 1: Valuation 27A Cromie Street, Rupanyup](#)

[Attachment 2: Lease Documents 27A Cromie Street, Rupanyup](#)

**DISCUSSION**

The Custs store at 27A Cromie St, Rupanyup has been occupied by Rupanyup Living providing a small boutique café clothing business since 2011.

Previous tenancy arrangements were informal and held with the local progress group. With the *Local Government Act 2020* in effect all Council owned land has been reviewed and either a commercial or community lease or Community Asset Committee structure has been introduced.

Following consultation with the current lease of the facility a draft retail lease has been developed and a valuation completed as required.

It is appropriate that a formal retail lease is in place rather than a community lease as a commercial enterprise is occupying the building.

**RELEVANT LAW**

*Local Government Act 2020* Part 5 Council Operations, Division 4 Powers in Relation to Land ,Section 115 Lease of land .

**COUNCIL PLANS AND POLICIES**

Yarriambiack Shire Council Leasing and Licensing Policy

**RELATED COUNCIL DECISIONS**

*Lease of 18 Cromie St Rupanyup , September 2021 Council meeting*

MINUTES	Ordinary Meeting of Council
Issue Date: 27 October 2021	

### OPTIONS

Council could seek Expressions of Interest on the Property, however this would be subject to a break of the community lease that was help by agreement form Council between the Progress Association and current leasee.

### SUSTAINABILITY IMPLICATIONS

*Economic* – Modest income from rental creating a local business opportunity

*Social* – Provides a local café and tourism venue

*Environmental* – makes use of an ageing Council building

*Climate change* - Nil

*Financial* - small rental income for Council

### COMMUNITY ENGAGEMENT

Local support for this business to remain in site from Rupanyup Progress

### 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.*

<b>Gender Impact Assessment (GIA)</b>	<b>Status</b>
Does this Council report recommendation g) Introduce a new policy, program and/or service; or h) 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 – (Name)

### RISK

*Assess the risk for the decision.*

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

<b>Strategic Description and Residual Risk Level</b>	<b>Risk and</b>	<b>Action to Mitigate/Reduce Risk</b>	<b>Does Action maintain or reduce Residual Risk Level</b>
Corporate Governance, Compliance and Liability Risk - Residual Risk Level Low		Entering a retail lease for a business in council owned building will assist to meet compliance of council asset governance	Reduces Residual Risk Level
Reputational Risk - Residual Risk Level Low		Maintaining support for local business gives positive image for council	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.

MINUTES	Ordinary Meeting of Council
Issue Date: 27 October 2021	

Commercial



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- Transaction advisory
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- 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 Practising Valuer AAPI Reg 63163

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E [ben.sawyer@prp.com.au](mailto:ben.sawyer@prp.com.au)

## Valuation Summary



<b>Property Address:</b>	<b>27A Cromie Street, Rupanyup VIC 3388</b>				
<b>Instructing Party / Client:</b>	Gavin Blinman Yarriambiack Shire Council 34 Lyle Street Warracknabeal VIC 3393				
<b>Instructions:</b>	To determine the 'As Is' Market Rent of the subject property				
<b>Interest Assessed:</b>	Market Rent				
<b>Purpose of Assessment:</b>	Consultancy purposes and for no other purpose				
<b>Date of Previous Inspection:</b>	30/08/2019				
<b>Relevant Date:</b>	31/08/2021				
<b>Property Type:</b>	Detached single storey commercial premises				
<b>Building Area:</b>	<table border="1"> <thead> <tr> <th>COMPONENT</th> <th>SIZE</th> </tr> </thead> <tbody> <tr> <td>Detached single storey commercial premises</td> <td>36 sqm</td> </tr> </tbody> </table>	COMPONENT	SIZE	Detached single storey commercial premises	36 sqm
COMPONENT	SIZE				
Detached single storey commercial premises	36 sqm				
<b>Zoning:</b>	Road Zone-Category 1 (RDZ1) – Yarriambiack Shire Council Planning Scheme				
<b>Occupancy:</b>	The subject property is currently occupied by a small retail tenant operating as Rupanyup Living and has been for seven years. There is no formal lease in place, however advice from				

Gavin Blinman from the Yarriambiack Shire Council indicates that the tenant is paying \$40 per week in rent.

**Comments:**

The subject property consists of a detached single storey circa 1980 western red cedar clad retail premises of 36 sqm. The building is situated approximately 250 metres south from the Rupanyup post office within the parking area in the centre of Cromie Street.

The building is constructed on a timber floor and has timber window frames, stained glass windows and a corrugated galvanised iron roof. Internally, the building has pressed metal and timber walls, a pressed metal ceiling and vinyl floor coverings. A wall-mounted split system provides heating and cooling.

We note that council-supplied car parking surrounds the building, there is no mains water (tank water only) and no on-site ablutions. Public ablutions are situated within close proximity.

**Market Rent Discussion:**

There is no available evidence of comparable retail premises in Rupanyup, Minyip or Murtoa due to most properties either being owner occupied or vacant. However, we have been verbally advised of an agreement between Emma's Café and Takeaway and a co-operative group for a property in Minyip where the tenant pays \$2,600 per annum (\$50 per week) in rent. This building is larger than the subject, has its own ablutions and has running water. As such, it is considered that the subject rent should be slightly lower than this property.

The current tenant is paying \$2,080 per annum (\$40 per week) rent to the Yarriambiack Shire Council, which is considered to be an appropriate market rent.

**Market Rent 'As Is':**

We are of the opinion that the **Market Rental Value 'As Is'** of **27A Cromie Street, Rupanyup VIC 3388** as at the date of valuation is in the sum of:-

**\$2,080 (Two Thousand and Eighty Dollars) per annum**

As at the date hereof and subject to:-

1. The assessed value is exclusive of any GST;
2. Good and marketable Title/s, free from any encumbrances; and
3. The terms and conditions contained herein;
4. Information provided to the Valuer in relation to the verbal agreement between Emma's Café and Takeaway in Minyip and a co-operative group is correct and not misleading in anyway;
5. The property being in comparable condition as during our previous inspection on the 30/08/2019.

**Valuer:**

A handwritten signature in blue ink, appearing to read 'Ben Sawyer', is positioned below the 'Valuer:' label.

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

Appendix A Photographs from Previous Inspection



Front of premises



Side



Internal



Internal

## Appendix B Terms and Conditions

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### 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 are 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.

#### Restricted Access or Desktop Assessment

21. Where We have been specifically instructed by You to undertake a Restricted Access or Desktop Assessment;
22. The range provided will be an indicative assessment only. It should not be relied upon as a formal valuation for any reason. We strongly recommend that a formal valuation be undertaken prior to any dealings with the property
23. Where required, we have relied on third party information (either sourced or provided) and make no representation as to the accuracy of such information.

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

24. 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

25. 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.

26. Where We decline to provide an assignment We may be prepared to provide an updated valuation on terms to be agreed at that time.
27. 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

28. 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.
29. 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.
30. 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.
31. 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.
32. 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

33. 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

34. 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

35. 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

36. 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.

**WORKING DRAFT AS AT 13 JULY 2021**

**YARRIAMBIACK SHIRE COUNCIL**

and

**CLAIRE MORGAN trading as  
Rupanyup Living**

**LEASE (WHOLE OF BUILDING)**

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Premises: **Custs Store Rupanyup**  
27A Cromie st Rupanyup 3388 Victoria

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## PARTIES

- 1 **YARRIAMBIACK SHIRE COUNCIL**  
of 34 Lyle Street, Warracknabeal VIC 3393  
("Landlord")
- 2 Claire Morgan trading as Rupanyup Living, 27 A Cromie st Rupanyup Vic 3388.  
("Tenant")
- 3

## RECITALS

- A The Landlord is the registered proprietor of the Premises.
- B The Landlord aims to:
- maximise the use of community assets and maximise community benefit arising from the use of community assets, including the Premises; and
  - ensure that community assets, including the Premises, are appropriately and responsibly managed, in consideration of the environment, community impact and involvement, and the overall wellbeing of the community.
- C The Landlord has agreed to lease the Premises to the Tenant on the terms and conditions set out in this lease and so as to achieve the objectives referred to above.

## THE PARTIES AGREE THAT:

### 1 DEFINITIONS

In this lease, unless the contrary intention appears:

- 1.1 "**Act**" means the *Retail Leases Act 2003* (Vic);
- 1.2 "**Authorised Officer**" in the case of either party means a person appointed by that party to act on its behalf under this lease.
- 1.3 "**Building**" means any building in which the Premises is located, including the Landlord's Property.
- 1.4 "**Business Day**" means any day (other than a Saturday or a Sunday) on which banks are open for general banking business in Victoria.
- 1.5 "**Commencement Date**" means the date set out in item 3 of Schedule 1.
- 1.6 "**Common Areas**" means those parts of the Building or Land which are made available by the Landlord for the common use of or access by all occupiers of the Building or Land, including the Landlord, as marked on the plan in Schedule 2 (if any).
- 1.7 "**CPI**" means:
  - 1.7.1 the Consumer Price Index (All Groups) Melbourne; or
  - 1.7.2 if that index is suspended or discontinued and another index is substituted by the Australian Statistician, that index; or

1.7.3 if there is no index under the preceding paragraph, the general inflation rate in Victoria as used by the Victorian treasury for the relevant period.

- 1.8 "**Default Event**" has the meaning given to it in clause 21.1.
- 1.9 "**Disclosure Statement**" means a statement prepared by the Landlord in accordance with the Act.
- 1.10 "**Essential Safety Measures**" means essential safety measures as defined in the Regulations and that are within the Premises or Land.
- 1.11 "**Expiry Date**" means the last day of the Term and is the date set out in item 4 of Schedule 1.
- 1.12 "**GST**" means the goods and services tax levied under the GST Act or any other goods and services tax, value added tax, consumption tax or tax of similar effect levied from time to time.
- 1.13 "**GST Act**" means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).
- 1.14 "**Information Brochure**" means the Information Brochure published by the Small Business Commission.
- 1.15 "**Input Tax Credit**", in relation to a Taxable Supply, means a credit under the GST Act for the GST payable by the recipient in respect of the Taxable Supply.
- 1.16 "**Land**" means the land described in item 8 of Schedule 1.
- 1.17 "**Landlord's Property**" means anything in the Premises at any time during the Term which is not the Tenant's Property, including the items listed in Schedule 4 (if any).
- 1.18 "**Lettable Area**" means the area calculated in accordance with the appropriate method of measurement published as at the Commencement Date by the Property Council of Australia for that type of premises.
- 1.19 "**Outgoings**" means any of the following expenses incurred in respect of the Land, the Building, or the Premises:

1.19.1 all rates, assessments, levies and other charges imposed by any relevant authorities;

1.19.2 all taxes (including land tax on the basis that the Land is the only land owned by the Landlord) but excluding the Landlord's income tax and capital gains tax;

1.19.3 the costs of maintenance and repairs, and of carrying out works required by relevant authorities (but excluding any amount recovered in respect of maintenance or repair by the Landlord from its insurer);

1.19.4 the costs associated with the inspection, installation, supply, maintenance, repair and servicing of Essential Safety Measures at the Premises, in the Landlord's Property and in the Tenant's Property; and

1.19.5 any other expenditure reasonably and properly incurred by the Landlord for the benefit of the Tenant or the Premises,

excluding expenses whose recovery from the Tenant would be contrary to the Act or other applicable legislation.

- 1.20 **"Permitted Use"** means the use described in item 6 of Schedule 1.
- 1.21 **"PPSA"** means the *Personal Property Securities Act 2009* (Cth.).
- 1.22 **"Premises"** means the premises described in item 7 of Schedule 1 and includes the Landlord's Property within the Premises.
- 1.23 **"Regulations"** means the *Building Regulations 2018* (Vic.) and any amendment to or replacement of those regulations.
- 1.24 **"Rent"** means the amount specified in item 9 of Schedule 1, and as revised in accordance with this lease.
- 1.25 **"Rent Review Date"** means each of the dates specified in item 11 of Schedule 1.
- 1.26 **"Review Period"** means the review period following each Rent Review Date until the next Rent Review Date or until the end of this lease.
- 1.27 **"Security Deposit"** means the deposit to be paid by the Tenant to the Landlord pursuant to clause 9 being the amount set out in item 12 of Schedule 1.
- 1.28 **"Small Business Commission"** means the Small Business Commission established under section 4 of the *Small Business Commission Act 2017* (Vic).
- 1.29 **"Start Of The Lease"** means the first day of the Term but, if this lease is a renewal under an option in an earlier lease (whether or not this lease is on terms that are materially different to those contemplated by the earlier lease), the starting date of the first lease to contain an option for renewal.
- 1.30 **"Tax Invoice"**, in relation to a Taxable Supply, means an invoice for the Taxable Supply required by the GST Act to support a claim by the recipient for an Input Tax Credit for the GST on the Taxable Supply.
- 1.31 **"Taxable Supply"** means a taxable supply within the meaning of the GST Act.
- 1.32 **"Tenant"** means the person or persons set out in item 1 of Schedule 1 and includes the Tenant's personal representatives, successors and permitted assignees.
- 1.33 **"Tenant's Agents"** means the members, employees, agents, contractors, customers, invitees and tenants of the Tenant.
- 1.34 **"Tenant's Property"** means everything on the Premises at any time during the Term belonging to the Tenant, including the items listed in Schedule 3 (if any).
- 1.35 **"Tenant's Proportion"** means the Tenant's share of the Outgoings which is calculated in accordance with item 13 of Schedule 1.
- 1.36 **"Term"** means the duration of this lease as set out in item 5 of Schedule 1.

## 2 LEASE

### 2.1 Lease of Premises

The Landlord leases the Premises to the Tenant. This lease is subject to:

- 2.1.1 the terms contained in this lease;

2.1.2 the Landlord giving notice of its intention to grant this lease pursuant to section 190 of the *Local Government Act 1989* and resolving to enter into the lease pursuant to section 223 of that Act (if applicable), or giving notice under section 115 of the *Local Government Act 2020* (Vic) and subsequently resolving to enter into this lease, as the case may be;

2.1.3 any special conditions in item 19 of Schedule 1;

2.1.4 all encumbrances affecting the Premises; and

2.1.5 **the right of the Landlord to:**

(a) run water, air, electricity, sewage, gas and other substances through the Premises;

(b) install, maintain, use, repair, alter and replace the pipes, wires, ducts and cables leading through or around the Premises; and

(c) **determine all areas of access to and from the Premises.**

## **2.2 Term of lease**

The Term of this lease begins on the Commencement Date and ends on the Expiry Date.

## **3 USE OF COMMON AREAS**

**The Landlord grants the Tenant a lease to use the Common Areas together with the Landlord of the Building throughout the Term.**

## **4 PAYMENTS BY TENANT**

### **4.1 Rent**

The Tenant must pay the Rent without any deduction, counterclaim or set-off:

4.1.1 to the Landlord at the Landlord's address specified in this lease, or as the Landlord directs; and

4.1.2 in the manner set out in item 10 of Schedule 1.

### **4.2 Outgoings and Insurance**

The Tenant must:

4.2.1 pay direct to the relevant authority (as and when they fall due for payment) or reimburse the Landlord (within 7 days of demand) the Tenant's Proportion of all Outgoings; and

4.2.2 if required by the Landlord, pay or reimburse the Landlord upon demand for all insurance premiums and other charges and excesses in connection with public risk insurance policies taken out by the Landlord for the amounts which the Landlord reasonably thinks are appropriate in connection with the Premises and this lease; and

4.2.3 if required by the Landlord, pay or reimburse the Landlord upon demand for all insurance premiums and other charges and excesses in connection with building insurance policies (if any) taken out by the Landlord for the amounts which the Landlord reasonably thinks are appropriate in connection with the Premises.

### 4.3 Services

4.3.1 The Tenant must pay, as and when they fall due, all assessments, levies, charges and consumption costs, and any other costs for:

- (a) electricity, water and telecommunications services; and
- (b) air conditioning and ventilation systems, cleaning, pest control, waste collection, lighting, landscaping and garden maintenance and security services

that are supplied to or for the Premises, or which are for the benefit of the Premises or Common Areas, and that are not otherwise payable by the Tenant under this Lease.

4.3.2 If required by the Landlord, the Tenant must install and pay for a separate meter for recording or measuring any of the services referred to in clause 4.3.1(a).

4.3.3 If any of the services referred to in clause 4.3.1 are not capable of separate assessment in relation to the Premises (and a separate meter is not installed pursuant to clause 4.3.2), the Tenant must pay the proportion that the Lettable Area of the Premises bears to the Lettable Area of the Building or Land upon which the services are assessed or to which the services are supplied.

## 5 RENT REVIEW

### 5.1 Market Review

If item 11 of Schedule 1 provides for a market review of Rent on any Rent Review Date, the following provisions will apply:

5.1.1 The Landlord may initiate a review of Rent by giving the Tenant a written notice stating the rent which it considers to be the current open market rent for the Premises ("**Landlord's notice**").

5.1.2 If the Tenant disagrees with the proposed rent, the Tenant must give the Landlord a written notice ("**Tenant's notice**") objecting to the proposed rent within 21 days of the date of the Landlord's notice. Time will be of the essence for the delivery of the Tenant's notice.

5.1.3 If the Tenant does not serve the Tenant's notice on the Landlord, the proposed rent as set out in the Landlord's notice will be the Rent for the next Review Period.

5.1.4 If the Tenant serves the Tenant's notice within the prescribed time and the parties cannot agree on the rent for the next Review Period, it shall be determined by a valuer who:

- (a) is a full member of not less than 5 years' standing of the Australian Property Institute - Victorian Division ("**API**");
- (b) is qualified as a valuer of premises similar to the Premises; and
- (c) if the Act applies to this lease, has any other qualifications as required under the Act.

5.1.5 If the parties cannot agree upon a valuer within 21 days after the date of the Tenant's notice:

- (a) If the Act applies to this lease, either party may request the Small Business Commission to appoint a valuer who meets the criteria in clause 5.1.4 to determine the current open market rent of the Premises; or
- (b) if the Act does not apply to this lease, either party may request the President of the Australian Property Institute, Victorian Division, to appoint a valuer who meets the criteria in clause 5.1.4 to determine the current open market rent of the Premises.

5.1.6 Until the rent is determined by the valuer, the Tenant must continue to pay the Rent payable just before the relevant Rent Review Date.

5.1.7 In determining the current open market rent of the Premises, the valuer must:

- (a) act as an expert and not as an arbitrator;
- (b) assume the parties have acted knowledgeably, prudently and without compulsion;
- (c) assume there is a willing landlord and a willing tenant in an arm's length transaction;
- (d) consider all submissions made by the parties provided the submissions are made within 21 days of the valuer being appointed;
- (e) assume that the parties have complied with their respective obligations under this lease;
- (f) assume that the Premises are fit for immediate occupation and use;
- (g) assume that the Premises are vacant and available to be leased on the same conditions as this lease;
- (h) ignore any poor condition of the Premises which has resulted from a breach of this lease by the Tenant;
- (i) determine the current open market rent of the Premises and give reasons for it in writing as soon as possible after the end of the 21 days allowed for submissions by the parties; and
- (j) take into account, all other relevant factors, matters or variables used in proper land valuation practices.

5.1.8 If for any reason no determination has been made by the valuer within 45 days of the valuer being appointed, then either party may immediately request:

- (a) if the Act applies to this lease, the Small Business Commission to appoint a replacement valuer who meets the criteria in clause 5.1.4; or
- (b) if the Act does not apply to this lease, the President of the Australian Property Institute, Victorian Division, to appoint a replacement valuer who meets the criteria in clause 5.1.4.

The provisions of this clause will then apply to the determination by the replacement valuer.

- 5.1.9 The valuer's decision is final and binds the parties.
- 5.1.10 Within 7 days of being informed of the valuer's determination, the parties must make any necessary adjustments to the Rent.
- 5.1.11 The valuer's costs and disbursements must be borne by the parties equally.
- 5.1.12 If the Act does not apply to this lease, then despite any other provision in this lease, the Rent payable as varied under this clause 5.1 must not be less than the Rent payable immediately before the relevant Rent Review Date.

## **5.2 Percentage Increase**

If item 11 of Schedule 1 provides for a percentage increase of Rent on any Rent Review Date, then the Rent (being the amount of Rent payable by the Tenant immediately before the Rent Review Date) shall be increased on the relevant Rent Review Date by the percentage specified in item 11.

## **5.3 CPI Review**

If item 11 of Schedule 1 provides for a CPI review the Rent for the next Review Period will be calculated in accordance with the following formula:

$$A = B \times \frac{C}{D}$$

where: A is the Rent for the next Review Period;

B is the annual Rent paid by the Tenant just prior to the relevant Rent Review Date;

C is the CPI last published before the relevant Rent Review Date; and

D is the CPI last published at least 12 months before the relevant Rent Review Date.

## **5.4 Time of Review**

Any delay in making a rent review does not prevent the review from taking place and being effective from the relevant Rent Review Date.

# **6 GST**

## **6.1 Interpretation**

The consideration payable by any party under this lease is the GST exclusive amount of the Taxable Supply for which payment is to be made.

## **6.2 GST exclusive amounts**

Subject to clause 6.4, if a party makes a Taxable Supply in connection with this lease for a consideration, then the party liable to pay for the Taxable Supply must also pay, at the same time and in the same manner as the consideration is otherwise payable, the amount of any GST payable in respect of the Taxable Supply.

### **6.3 Maximum amount to be paid**

Where this lease requires a party (the "**first party**") to pay, reimburse or contribute to an amount paid or payable by the other party (the "**other party**") in respect of an acquisition from, or a transaction with a third party for which the other party is entitled to claim an Input Tax Credit, the amount for payment, reimbursement or contribution will be the GST exclusive value of the acquisition by the other party plus any GST payable in respect of the other party's recovery from the first party.

### **6.4 Tax invoice to be given**

A party's right to payment under clause 6.2 is subject to a Tax Invoice being delivered to the party liable to pay for the Taxable Supply.

## **7 LEGAL AND OTHER COSTS**

### **7.1 Costs incurred by Landlord**

The Tenant must pay or reimburse the Landlord on request all reasonable costs (including legal costs and disbursements) incurred by the Landlord in connection with:

- 7.1.1 any assignment (or proposed assignment) of this lease, or any subletting or licence (or any proposed subletting or licence) of the Premises;
- 7.1.2 any approval, variation, mortgage, charge or surrender concerning this lease including costs payable to a person appointed to evaluate or supervise any matter;
- 7.1.3 any breach of this lease by the Tenant; and
- 7.1.4 the exercise, enforcement or preservation, or attempted exercise, enforcement or preservation, by the Landlord of any rights or remedies under this lease.

### **7.2 Other costs**

Anything the Tenant is required to do under this lease must be done at the Tenant's cost.

## **8 INTEREST ON OVERDUE MONEY**

If the Tenant is late in paying the Landlord any money payable by it under this lease, the Tenant must pay interest on that money from the due date for payment until the money is paid in full. The rate of interest is the rate for the time being fixed under section 2 of the *Penalty Interest Rates Act 1983*.

## **9 SECURITY DEPOSIT**

### **9.1 Tenant to provide**

The Tenant must pay the Security Deposit to the Landlord and must maintain the deposit at that amount, such deposit to be held by the Landlord in an interest-bearing account.

### **9.2 Use of security deposit**

The Landlord may use the Security Deposit (including any accrued interest) to make good the cost of remedying breaches of the Tenant's obligations under this lease.

### 9.3 Refund at end of lease

After this lease has ended and the Tenant has vacated the Premises, if there is no unremedied breach of this lease by the Tenant in respect of which the Landlord may draw upon all or part of the Security Deposit, the Landlord must refund the unused part of the Security Deposit within 30 days of the Tenant having complied with all obligations under this lease.

## 10 USE OF PREMISES

### The Tenant must:

- 10.1 use the Premises for the Permitted Use (and for no other use);
- 10.2 not use the Premises for any illegal purpose or activity;
- 10.3 not use the Premises as a residence or allow anyone to sleep in the Premises;
- 10.4 not apply for a liquor licence without first obtaining the Landlord's consent, and must not permit the sale of any alcohol at the Premises unless the Tenant holds a liquor licence;
- 10.5 not burn rubbish at the Premises or in the Building
- 10.6 not bring, allow or permit any animal or pet on the Premises other than guide dogs, except if the Landlord gives prior consent;
- 10.7 not do anything which is or may be a nuisance or annoyance to the Landlord, any occupants of the Building, any owners or occupants of premises adjacent to the Premises or the Building, or members of the public;
- 10.8 not obstruct or interfere with the Landlord's or any other occupier's use of the Common Areas;
- 10.9 at its own expense, apply for and keep in force all licences and permits necessary for the Tenant to use the Premises for the Permitted Use;
- 10.10 take all precautions required by law against fire and comply with all regulations and directions of any authority in relation to fire prevention;
- 10.11 not without the Landlord's prior written consent, store or use any dangerous, toxic, explosive or inflammable substances at the Premises or in the Building;
- 10.12 at its own expense, comply on time with all laws, notices, orders, legal requirements and requirements of any authority concerning the Premises and this lease, or the use and occupation of the Premises (except where applicable legislation makes such compliance the Landlord's responsibility). Without limiting this clause, an authority includes any person, body or corporation (whether government, statutory or non-statutory) that has authority over the Premises or the Tenant's use of the Premises;
- 10.13 not install or use any form of heating, cooling, ventilation or air-conditioning in the Premises which is not approved beforehand by the Landlord in writing;
- 10.14 not, without the Landlord's prior written approval, bring onto or remove from the Premises any object or equipment which is likely, in the opinion of the Landlord, to cause damage to the Premises, the Landlord's Property or any services or Essential Safety Measures. The Tenant must comply with any instructions given by the Landlord with respect to the installation, use or removal of any object or equipment for which

the Landlord has given the Tenant approval to bring onto or remove from the Premises under this clause;

10.15 comply with the following requirements in relation to any outdoor area (including any outdoor playing area) which forms part of the Premises:

10.15.1 not bring any soil, sand, or tan bark or similar product onto the Premises unless approved in advance by the Landlord;

10.15.2 not plant any vegetable gardens at the Premises other than in separate planter boxes or pots;

10.15.3 not allow any digging at the Premises without the Landlord's written approval;

10.16 not cause the Common Areas to be left in an untidy or unclean condition;

10.17 comply with any Building rules in force from time to time that are notified in writing by the Landlord to the Tenant; and

10.18 comply with all reasonable requests or directions given by any Authorised Officer of the Landlord that the Authorised Officer considers necessary or desirable for the safety, care or cleanliness of the Premises or areas near the Premises.

## **11 SECURITY**

### **11.1 Tenant to protect Premises**

11.1.1 The Tenant must use its best efforts to protect and keep safe the Premises and the Landlord's Property from theft and vandalism. This includes keeping all fences, gates, doors, windows and openings closed and securely fastened when the Premises are not in use.

11.1.2 The Tenant must, at its own cost, install and maintain a security alarm for the Premises if required by the Landlord. The Tenant must provide the Landlord with all relevant codes for the security alarm upon installation, and whenever the codes are updated.

### **11.2 Keys and Security Cards**

11.2.1 The Landlord will provide the Tenant with keys for the Premises and passes giving access to the Premises (where applicable). The Tenant must maintain a current list of those persons retaining keys or passes for the Premises and provide the Landlord with this list at the commencement of the lease and whenever the list is amended.

11.2.2 The Tenant must not change the locks at the Premises without the Landlord's approval

## **12 LICENCES**

12.1 The Tenant must obtain the prior written consent of the Landlord before applying for any licence, permit or consent for the Premises or the Tenant's use of the Premises.

12.2 If the Tenant obtains any licence, permit or consent pursuant to clause 12.1, the Tenant must immediately provide a copy of such licence, permit or consent to the Landlord.

## **13 TENANT'S OBLIGATIONS CONCERNING INSURANCE**

### **13.1 Tenant to maintain insurance**

The Tenant must take out and maintain insurance for:

13.1.1 public liability in the name of the Tenant, and noting the interest of the Landlord, for an amount of not less than the amount set out in item 14 of Schedule 1 in respect of any single occurrence. This policy must indemnify the Landlord against all claims of any kind arising from any act, omission or neglect by the Tenant or any of the Tenant's agents;

13.1.2 the Tenant's Property, contents and any fitout of the Premises against loss, damage or destruction by any cause;

13.1.3 employers' liability, workers' compensation and/or Workcover which covers any damage, loss or liability suffered or incurred by any person engaged by the Tenant arising by virtue of any statute relating to workers' or accident compensation or employers' liability or at common law; and

13.1.4 any other insurances in connection with the Premises which the Landlord may reasonably require

AND the Tenant must produce to the Landlord copies of all these insurance policies and evidence that they are in force within 7 days of the Commencement Date, on each anniversary of the Commencement Date and at any other time upon request by the Landlord.

### **13.2 Policy requirements**

The insurance policies under clause 13.1 must contain terms and conditions approved by the Landlord and be taken out with an insurer approved by the Landlord (which approval may not be unreasonably withheld)

### **13.3 Tenant not to prejudice insurance**

The Tenant must not do anything on the Premises or otherwise which:

13.3.1 may cause any insurance policy (taken out under this lease or otherwise) to become void or voidable; or

13.3.2 may cause any claim on any insurance policy (taken out under this lease or otherwise) being rejected or a premium to be increased.

### **13.4 Compliance with insurer's requirements**

The Tenant must comply with the requirements of any insurer under any insurance policy for the Premises or Building or property in the Premises (whether taken out under this lease or otherwise).

### **13.5 Where premium increased**

If the Tenant causes an increase in any premium payable by the Landlord for any insurance effected by the Landlord for the Premises or Building or property in the Premises (whether taken out under this lease or otherwise), the Tenant must pay the Landlord, on request, the increase in the premium.

## **14 MAINTENANCE OF PREMISES AND ALTERATIONS**

### **14.1 Tenant to maintain**

14.1.1 Except for fair wear and tear and subject to clause 14.4, the Tenant must at its own cost keep the Premises and the Landlord's Property (including all trees, gardens and vegetation at the Premises):

- (a) in the same condition as at the Start Of The Lease (and, where Works are completed under clause 14.6, the Tenant must maintain those Works in good and well-maintained condition), including all capital and structural repairs;
- (b) properly repaired and maintained, using good quality materials, and in compliance with all laws and all requirements of authorities; and
- (c) properly cleaned (including the interior and exterior surfaces of any windows and doors) and the Tenant must:
  - (1) arrange for all refuse to be regularly removed from the Premises;
  - (2) take all proper precautions to keep the Premises free of refuse, rodents and vermin. If required by the Landlord, the Tenant must engage pest exterminators for that purpose;
  - (3) store refuse before removal so that it cannot be seen from outside the Premises; and
  - (4) comply with the Landlord's reasonable directions concerning cleaning and disposal of refuse.

14.1.2 If required by Item 18 of Schedule 1, and in accordance with the requirements in Item 18 of Schedule 1, the Landlord will prepare and the parties will promptly sign a condition report which details and confirms the condition of the Premises and Landlord's Property as at the Commencement Date.

### **14.2 Landlord may carry out maintenance**

The Tenant must carry out repairs or maintenance within 14 days of being served with a written notice of any defect or lack of repair or maintenance which the Tenant is obliged to fix under this Lease. If the Tenant does not comply with the notice within 14 days, the Landlord may carry out the repairs and the Tenant must pay the cost to the Landlord on demand.

### **14.3 Tenant to report damage**

The Tenant must:

14.3.1 promptly report to the Landlord any damage to or defect in the Premises, Landlord's Property, or Building or any defective windows, lights, doors, locks and fastenings; and

14.3.2 promptly give written notice to the Landlord of any hazards within the Premises or the Building or the service by any authority of a notice or order affecting the Premises or Building.

#### **14.4 Limitations on obligations**

Despite any term of this Lease, the Tenant is not obliged to:

14.4.1 carry out repairs to the Premises that are the responsibility of the Landlord under the Act, if the Act applies; or

14.4.2 repair damage for which the Tenant is not responsible under this Lease, unless the Landlord loses the benefit of any insurance for that damage because of any act, omission or default by the Tenant or any of the Tenant's Agents.

#### **14.5 Essential Safety Measures - Tenant's obligations**

The Tenant must:

14.5.1 not interfere with, alter or limit the operation or effectiveness of any Essential Safety Measure;

14.5.2 immediately advise the Landlord and confirm in writing any alteration, breakdown or theft of or damage to any Essential Safety Measure;

14.5.3 allow the Landlord or its appointed agent to enter the Premises at any reasonable time on the provision of reasonable notice (except in the case of an emergency when the requirement for notice shall be waived) to inspect and maintain any Essential Safety Measure;

14.5.4 ensure that display of the annual essential safety measures report prepared in accordance with the Regulations, and any determination and record of maintenance checks, service and repair work which are kept on the Premises pursuant to the Regulations, are retained on display at the Premises;

14.5.5 provide to the Landlord all documentation required in order to establish and maintain records of maintenance checks, services and repair work for any Essential Safety Measure; and

14.5.6 advise the Landlord immediately if the Tenant receives notice (whether written or oral) of any proposed inspection of the Premises by a municipal building inspector or chief officer pursuant to the Regulations.

#### **14.6 Alterations to Premises**

14.6.1 The Tenant must not, without first obtaining the written approval of the Landlord (which may be given or withheld at the Landlord's discretion and given or withheld with conditions):

- (a) make any alterations, additions or improvements (whether structural or otherwise);
- (b) install any equipment or exterior fixtures or fittings (including blinds or awnings) to or on the Premises;
- (c) carry out any demolition, landscaping or earthworks on the Premises;
- (d) fix or place signs, notices or advertisements which are visible from outside the Premises in any place in or near the Premises; or

- (e) interfere with or alter any Essential Safety Measure, ("Works").

14.6.2  
14.6.1:

In considering whether or not to approve any Works under clause

- (a) The Landlord may employ external consultants for the purpose of considering any proposed Works and supervising the Works, and the Tenant must cooperate with and allow the Landlord's consultants access to the Premises for these purpose;
- (b) The Landlord may require the Tenant to:
- (1) deliver three copies of all drawings and specifications and a program of Works to the Landlord in such format, including electronic format, as the Landlord may require;
  - (2) make all variations to the drawings, specifications and program of Works reasonably required by the Landlord and deliver further copies to the Landlord in such format, including electronic format, as the Landlord may require;
  - (3) deliver a detailed quote for the cost of completing the Works (including the cost of all materials to be used) certified by a qualified consultant to be a bona fide estimate of the cost of completing the Works;
  - (4) obtain all approvals and permits necessary for the Works;
  - (5) deliver one copy of those approvals and permits to the Landlord;
  - (6) give the Landlord the name of:
    - (A) each contractor and tradesman the Tenant intends to employ to carry out the Works; and
    - (B) the person who will supervise the Works; and
  - (7) reimburse the Landlord the cost of effecting and maintaining the appropriate insurances in respect of the Works unless the Landlord agrees for the Tenant to effect and maintain that insurance.

14.6.3

The Tenant must:

- (a) carry out and complete all Works within the Premises promptly and in a proper and workmanlike manner at the Tenant's cost and:
- (1) in accordance with the drawings, specifications and program of Works approved by the Landlord;
  - (2) in compliance with any conditions imposed by the Landlord;
  - (3) using qualified tradespersons; and
  - (4) in compliance with all laws and all requirements of authorities;

- (b) obey and cause its contractors and tradesmen to obey the Landlord's reasonable directions concerning the Works;
- (c) if the Works affect the electrical, water or gas supplies, or the switchboard capacity, ensure that these supplies are adequately maintained, and restore them to proper working order;
- (d) immediately give the Landlord a copy of any notice received from any party in relation to the Works; and
- (e) not interfere and ensure that the Tenant's contractors and tradesmen do not interfere with other occupiers or users of the Building.

14.6.4 On completion of the Works, the Tenant must promptly:

- (a) remove from the Premises all unused building materials, equipment and debris as directed by the Landlord;
- (b) if required, obtain an occupancy permit or compliance from the relevant authority for the Works and deliver a copy to the Landlord; and
- (c) in the case of alterations or additions, deliver to the Landlord a complete set of drawings and specifications showing the alterations or additions as built, in such format, including electronic format, as the Landlord may require.

14.6.5 The Tenant must promptly pay when requested all reasonable costs incurred by:

- (a) the Landlord in employing external consultants pursuant to clause 14.6.2(a); and
- (b) the Landlord in remedying any breach by the Tenant of its obligations under this clause 14.6.

## **15 ASSIGNMENT AND SUBLETTING**

### **15.1 Consent of Landlord**

The Tenant must not:

15.1.1 if the Act applies to this lease, assign its rights or powers as tenant under this lease without the Landlord's prior written consent which consent shall not be unreasonably withheld provided the provisions of clause 15.2 are complied with;

15.1.2 if the Act does not apply to this lease, assign its rights or powers as tenant under this lease without the Landlord's prior written consent which consent may be given, given subject to conditions, or withheld at the Landlord's absolute discretion;

15.1.3 sub-let, licence or part with possession or share the Premises without the Landlord's prior written consent which consent may be given, given subject to conditions, or withheld at the Landlord's absolute discretion; or

15.1.4 create or allow any mortgage, interest, easement or other encumbrance which would affect the Tenant's interest in the Premises or its rights as tenant under this lease.

## 15.2 Where consent not to be unreasonably withheld

If the Act applies to this lease, the Landlord will not unreasonably withhold its consent to an assignment if the Tenant has:

- 15.2.1 requested an assignment by notice in writing to the Landlord;
- 15.2.2 given the name and address of the proposed assignee ("**New Tenant**") to the Landlord;
- 15.2.3 remedied any Default Event which exists at the time of the proposed assignment;
- 15.2.4 provided the Landlord with a copy of the proposed document of assignment, in a form approved by the Landlord acting reasonably, and procured the New Tenant to execute that document;
- 15.2.5 proved to the satisfaction of the Landlord that the New Tenant is respectable and responsible and has the financial resources, experience and ability to comply with all of the Tenant's obligations under this lease;
- 15.2.6 ensured that the New Tenant does not propose using the Premises in a way which is not permitted under this lease;
- 15.2.7 provided the New Tenant with a copy of any Disclosure Statement given by the Landlord to the Tenant and details of any changes to the information in that Disclosure Statement of which the Tenant is aware or could reasonably be expected to be aware;
- 15.2.8 agreed to pay the Landlord all reasonable costs (including legal costs and disbursements) incurred by the Landlord in connection with the proposed assignment including all enquiries made by the Landlord relating to the New Tenant; and
- 15.2.9 if the New Tenant is a corporation, its directors and principal shareholders have, if required by the Landlord, guaranteed to the Landlord the compliance by the New Tenant of its obligations under this lease.

## 15.3 Deemed assignment

15.3.1 Where the Tenant is a corporation, any circumstances which result in any person or group of persons who:

- (a) control the composition of the board of directors; or
- (b) beneficially hold more than one half of the issued share capital,

being different from the person or persons who were in that position at the Commencement Date, will be deemed to be an assignment of this lease which will require the prior written consent of the Landlord.

15.3.2 Clause 15.3.1 will not apply where the Tenant is a company, the voting shares of which are listed on Australian Stock Exchange Limited or a wholly owned subsidiary of such a company, and where a change of control is caused only by a transfer of shares in the listed company.

## 16 DISCRIMINATION

The Tenant must comply with any responsibilities and obligations under the *Disability Discrimination Act 1992* (Cth) and the *Equal Opportunity Act 2010* (Vic) and any other relevant

legislation pertaining to people with a disability with respect to the use of the Premises, and ensure that it uses the Premises so as not to be inconsistent with the Landlord's disability action plan, as notified to the Tenant from time to time.

## **17 OCCUPATIONAL HEALTH AND SAFETY**

The Tenant must:

- 17.1 conduct the Tenant's operations from the Premises in a safe and healthy manner so as to ensure that there is minimal exposure to hazards at the Premises;
- 17.2 comply with the *Occupational Health and Safety Act 2004* and all regulations and codes of practice made under that Act as well as any other relevant Australian standards in relation to the Tenant's operations at the Premises;
- 17.3 remedy any hazards or risks identified as a result of the risk assessment conducted by the Tenant or as otherwise required by the Landlord in writing; and
- 17.4 allow the Landlord access to the Premises at any time upon reasonable notice to conduct safety audits of the Premises.

## **18 TENANT'S OBLIGATIONS AT END OF LEASE**

### **18.1 Vacating the Premises**

At the end of this lease, the Tenant must:

- 18.1.1 vacate the Premises and leave the Premises clean and in the condition required by this lease;
- 18.1.2 (at its sole discretion): if required by the Landlord and to the extent required by the Landlord
  - (a) remove any buildings, fixtures or improvements to the Premises that form part of the Tenant's Property or Works carried out under clause 14.6.1;
  - (b) remove any signs, notices or advertisements placed in or near the Premises and any below ground and above ground electricity equipment or other installations; and
  - (c) restore the Land (both at a surface level and below ground) to its state as at the Start Of The Lease to the reasonable satisfaction of the Landlord, including the remediation of any contamination of the Land to the reasonable satisfaction of the Landlord;
- 18.1.3 remove all of the Tenant's Property from the Premises (except any buildings, fixtures, improvements or other items, the removal of which is to be dealt with under clause 18.1.2);
- 18.1.4 repair any damage caused by the Tenant complying with its obligations under this clause (including any necessary repainting of walls); and
- 18.1.5 deliver to the Landlord all keys and passes giving access to the Premises which are held by the Tenant or any of the Tenant's Agents, whether or not they were supplied by the Landlord.

## **18.2 Tenant's Property left on Premises**

18.2.1 If the Landlord does not require the Tenant to remove any buildings, fixtures or improvements under clause 18.1.2, such buildings, fixtures and improvements will become the property of the Landlord at the end of this lease.

18.2.2 Where the Landlord requires any items of Tenant's Property that are buildings, fixtures or improvements to remain in or on the Premises pursuant to clause 18.1.2, the parties agree that those items of Tenant's Property are deemed to be a Fixture for the purpose of the PPSA.

18.2.3 Any of the Tenant's Property which is required to be removed under clause 18.1 that is left on the Premises 14 days after the early determination or expiry of this lease may be dealt with or disposed of by the Landlord as the Landlord deems appropriate. Any costs the Landlord incurs in removing any of the Tenant's Property must be reimbursed by the Tenant to the Landlord on demand. The parties intend that this clause operates in relation to the Tenant's Property in place of any legislation that might otherwise apply to goods remaining on the Premises.

18.2.4 While and for so long as it is necessary for the Landlord to take action under clause 18.2.3, the Tenant must continue to pay the Rent, the Outgoings and insurance (under clause 4.2) and Services (under clause 4.3).

## **19 LANDLORD'S OBLIGATIONS**

Provided the Tenant complies with the terms of this lease, and subject to the terms of this lease, the Tenant may peacefully enjoy the Premises during the Term without interruption by the Landlord.

## **20 LANDLORD'S RIGHTS**

### **20.1 Right to enter**

The Landlord or any person authorised by the Landlord may enter the Premises at reasonable times:

20.1.1 to inspect, maintain, repair or alter the Premises, subject to reasonable notice; and

20.1.2 to carry out any building works required by the Landlord or any relevant authority, subject to 1 months' prior written notice being given to the Tenant.

If there is an emergency, the Landlord and any person authorised by the Landlord may enter the Premises at any time without notice.

## **21 DEFAULT BY TENANT**

### **21.1 Default Event**

A Default Event occurs if:

21.1.1 the Tenant does not pay any money as required under this lease whether or not demand has been made;

21.1.2 the Tenant does not comply with any other obligation under this lease;

21.1.3 a judgement or order for \$10,000.00 or more is enforced or becomes enforceable against the Tenant's interest in this lease or the Tenant's Property;

21.1.4 the Tenant is a corporate body other than a public company listed on Australian Stock Exchange Limited and:

- (a) an order is made or resolution is passed to wind up the Tenant except for reconstruction or amalgamation;
- (b) the Tenant goes into liquidation;
- (c) the Tenant has a receiver (including a provisional receiver) or a receiver and manager of any of its assets, or an administrator appointed; or
- (d) the Tenant proposes a re-organisation, moratorium or other administration involving all or any class of its creditors except for reconstruction or amalgamation;

21.1.5 the Tenant being an individual:

- (a) becomes bankrupt; or
- (b) takes, or tries to take advantage of, Part X of the *Bankruptcy Act 1966* (Cth); or

21.1.6 the Tenant enters into a scheme of arrangement or composition with, or assignment for the benefit of, any of the Tenant's creditors;

21.1.7 any Guarantor is a corporate body and any of the events referred to in clause 21.1.4 occurs in relation to that Guarantor; or

21.1.8 any Guarantor is an individual and any of the events referred to in clause 21.1.5 occurs in relation to that Guarantor.

## **21.2 Landlord's right to end lease**

If a Default Event occurs, the Landlord may:

21.2.1 end this lease by re-entering the Premises without notice or, if required by law, with notice; or

21.2.2 end this lease by notice to the Tenant.

## **21.3 Notice under Property Law Act**

For any breach of this lease to which section 146(1) of the *Property Law Act 1958* applies, 14 days after service of a notice under the section is fixed as the time within which:

21.3.1 the Tenant must remedy the breach if it is capable of remedy; and

21.3.2 make reasonable compensation in money to the Landlord's satisfaction for the breach.

## **21.4 Rights retained**

If this lease is ended by the Landlord, the Landlord retains the right to sue the Tenant for all unpaid moneys or for damages for breaches of the Tenant's obligations under this lease. For the purpose of assessing damages to the Landlord, the benefit of the

Tenant's performance of this lease to the Landlord must be calculated on the basis that this lease continues in force until the Expiry Date.

## **22 ESSENTIAL TERMS**

### **22.1 Essential terms**

The following Tenant's obligations are essential terms of this lease:

22.1.1 the obligation to pay money; and

22.1.2 without limitation, the obligations under clause 4 (Payments), 6 (Goods and Services Tax), 9 (Use of Premises), 11 (Security), 12 (Licences), 13 (Tenant's obligations concerning insurance), 14 (Maintenance of Premises and Alterations), 15 (Assignment and subletting), 17 (Occupational Health and Safety), and the special conditions in Item 19 of the Schedule.

However, this clause does not prevent any other obligation under this lease being an essential term.

### **22.2 Breach is repudiation**

A breach by the Tenant of an essential term is taken to be a repudiation by the Tenant of all its obligations under this lease.

## **23 MITIGATION OF DAMAGES**

### **23.1 Landlord must mitigate damages**

If the Tenant vacates the Premises whether with or without the Landlord's consent, the Landlord must take reasonable steps to mitigate its loss and to endeavour to re-lease the Premises at a reasonable rent and on reasonable terms.

### **23.2 Assessment of damages**

The Landlord's entitlement to damages will be assessed on the basis that the Landlord has observed the obligation to mitigate damages. The Landlord's conduct taken in exercising this duty to mitigate damages will not of itself constitute acceptance of the Tenant's breach or repudiation or a surrender by operation of law.

## **24 DAMAGE TO PREMISES**

### **24.1 Rights of Landlord**

If the Premises are damaged so that they cannot be used for the Permitted Use, the Landlord may, on written notice to the Tenant to be served within 30 days from the date of the destruction or damage, choose to either end this lease or reinstate the Premises.

### **24.2 Where Landlord's notice not given**

If the Landlord does not serve any notice under clause 24.1 within the required time:

24.2.1 if the Premises are partly, but not substantially destroyed, then subject to clause 24.5 the Landlord must reinstate the Premises as soon as reasonably practicable; and

24.2.2 if the Premises are wholly or substantially destroyed, the Landlord is not obliged to reinstate the Premises, but (subject to clause 24.5) the Tenant may end this lease by

written notice to the Landlord. However, if before the Tenant serves any such notice the Landlord gives the Tenant notice of its decision to reinstate the Premises, the Tenant will no longer have this right.

### **24.3 Delay in reinstatement**

If the Landlord is obliged to or chooses to reinstate the Premises, and the reinstatement does not start within 3 months or is not completed within 18 months of the date of the destruction or damage, then either the Landlord or the Tenant (subject to clause 24.5) may end this lease by giving the other written notice at any time before the reinstatement is completed.

### **24.4 Abatement of Rent**

Subject to clause 24.5, from the date of the destruction or damage until the Premises are again completely fit for the Permitted Use, a fair portion of the Rent as determined by the Landlord having regard to the nature and extent of the damage, will abate.

### **24.5 Refusal of insurance claim due to Tenant's conduct**

If payment of an insurance claim in respect of any damage or destruction is refused because of an act or omission by the Tenant or any of the Tenant's Agents:

24.5.1 the Tenant is not entitled to any suspension of Rent under clause 24.4 or to end this lease under clause 24.2.2 or clause 24.3; and

24.5.2 the Landlord is not obliged to reinstate the Premises under clause 24.2.1.

### **24.6 No compensation to Tenant**

The Landlord is not liable to pay the Tenant any compensation if any part of the Premises is destroyed or damaged or if this lease is ended under this clause.

## **25 PERSONAL PROPERTY SECURITIES ACT**

25.1 Expressions used in this clause that are defined in the PPSA have the meanings given to them in the PPSA.

25.2 The Landlord may, at any time, register a financing statement for any security interest arising out of or evidenced by this lease over any or all of:

25.2.1 the Landlord's Property (including property deemed to be Landlord's Property at the end of this Lease);

25.2.2 any cash security deposit provided under this lease; and

25.2.3 any Tenant's Property left on the Premises after the end of this lease,

that are personal property, and must identify the property affected by the financing statement in the free text field of the statement. The Tenant waives the right to receive notice under section 157(1) of the PPSA.

25.3 When this lease:

25.3.1 ends and the Tenant has vacated the Premises and performed all of its obligations under it; or

25.3.2 is transferred,

the Landlord must register a financing change statement with respect to any security interest for which the Landlord has registered a financing statement other than those to which clause 25.2.2 relates.

- 25.4 The Tenant must sign any documents and do anything necessary to enable the Landlord to register the statements referred to in clause 25.3 and to enforce its rights and perform its obligations under this clause and the PPSA. In particular, if the Tenant is a natural person, the Tenant must provide the Landlord with the Tenant's date of birth and a certified copy of a Victorian driver's licence (or other evidence acceptable to the Landlord) to confirm the Tenant's date of birth. The Landlord must keep the Tenant's date of birth and any evidence provided to confirm it secure and confidential.
- 25.5 The Tenant must not register, or permit to be registered, a financing statement in favour of any person other than the Landlord, for any security deposit (if provided by the Tenant) or any of the Landlord's Property.
- 25.6 The Tenant must pay the Landlord's reasonable costs in respect of anything done or attempted by the Landlord in the exercise of its rights or performance of its obligations under this clause 25 or the PPSA.
- 25.7 In accordance with section 275(6)(a) of the PPSA, the parties agree that neither of them will disclose information of the kind mentioned in subsection 275(1).
- 25.8 Subject to any requirement to the contrary in the PPSA, notices under this clause or the PPSA may be served in accordance with clause 43 of this lease.

## **26 RESUMPTION OF PREMISES**

If any part of the Premises is resumed by any authority and the Premises becomes unfit for the Permitted Use, then either the Landlord or the Tenant may end this lease by written notice to the other. The Landlord is not liable to pay the Tenant any compensation if any part of the Premises is resumed by any authority.

## **27 HOLDING OVER**

If the Tenant remains in possession of the Premises without objection by the Landlord after the end of the Term:

- 27.1 the Tenant, without any need for written notice of any kind, is a monthly tenant on the conditions in this lease, modified so as to apply to a monthly tenancy;
- 27.2 either party may end the tenancy by giving one month's written notice to the other at any time;
- 27.3 the monthly rent starts at an amount equal to the annual Rent which the Tenant was paying immediately before the Term ended divided by 12 unless a different rent has been agreed upon; and
- 27.4 the Landlord may increase the monthly rent at any time by giving the Tenant one month's written notice.

## **28 OPTION FOR FURTHER TERM**

### **28.1 Conditions for exercise of option**

The Landlord must renew this lease, for the further term or terms stated in item 15 of Schedule 1 if:

28.1.1 there is no unremedied breach of this lease by the Tenant of which the Landlord has given the Tenant written notice;

28.1.2 the Tenant has not persistently committed breaches of this lease of which the Landlord has given notice during the Term; and

28.1.3 the Tenant has requested the renewal in writing not more than 6 months nor less than 3 months before the end of the Term. The latest date for exercising the option is stated in item 16 of Schedule 1.

### **28.2 Conditions for renewed lease**

The renewed lease:

28.2.1 starts on the day after this lease ends;

28.2.2 has a starting rent as set out in item 11 of Schedule 1; and

28.2.3 must contain the same terms as this lease but with no option for renewal after the last option for a further term stated in item 15 of Schedule 1 has been exercised.

## **29 RELEASE AND INDEMNITY**

### **29.1 Tenant's risk**

The Tenant occupies and uses the Premises, Building and Land at the Tenant's own risk.

### **29.2 Release and indemnity**

The Tenant releases and indemnifies the Landlord and its employees, agents and contractors from all legal liability arising from the use or occupation of the Premises, Landlord's Property, Building and Land by the Tenant or any of the Tenant's Agents, including:

29.2.1 any claim made by any person for injury, loss or damage arising in any manner;

29.2.2 any loss or damage to any property belonging to the Tenant or other persons located on or outside the Premises caused by the Tenant or the Tenant's Agents; and

29.2.3 any loss, damage, injury or illness sustained or incurred by the Tenant or any of the Tenant's Agents.

### **29.3 Restrictions on release and indemnity**

The releases and indemnities in clause 29.2 do not apply to:

29.3.1 any legal liability of the Landlord that arises from any unlawful act or omission of or any misconduct by the Landlord or its employees, officers, agents or contractors; or

29.3.2 any breach of this lease by the Landlord.

#### **29.4 No claim for compensation**

The Tenant and any other person claiming rights under this lease releases the Landlord from any claim for compensation for:

29.4.1 the failure of any equipment or machinery in the Premises; and

29.4.2 any damage or loss caused or arising out of the interruption of any services supplied to the Premises including but not limited to the supply of gas, electricity or water.

### **30 LANDLORD'S EXERCISE OF RIGHTS**

#### **30.1 Landlord has discretion**

The Landlord may exercise a right, power or remedy at its discretion and separately or concurrently with another right, power or remedy.

#### **30.2 Partial exercise**

A single or partial exercise of a right, power or remedy by the Landlord does not prevent a further exercise of that right or an exercise of any other right, power or remedy.

#### **30.3 Right not prejudiced by delay etc**

Failure by the Landlord to exercise or delay in exercising a right, power or remedy does not prevent its exercise.

### **31 DISPUTES**

#### **31.1 Application**

31.1.1 Unless the Act applies to this lease, this clause 32 applies to all disputes under this lease except disputes:

- (a) about unpaid rent and interest charged on it;
- (b) about review of rent; or
- (c) to be resolved in another way prescribed by any other provision of this lease.

31.1.2 If the Act applies to this lease, all disputes under this lease are to be determined according to the requirements of the Act.

#### **31.2 Dispute**

If a dispute arises out of or relates to this lease (including any dispute as to breach or termination of this lease), a party may not commence any court proceedings relating to the dispute unless it has complied with this clause, except where the party seeks urgent interlocutory relief.

### **31.3 Mediation procedure**

If a dispute or disagreement arises in relation to any matter under this lease, the parties must endeavour to resolve the matter in accordance with the following mediation procedure:

- 31.3.1 a party may start mediation by serving notice on the other party;
- 31.3.2 the notice must state that a dispute has arisen and identify what the dispute is;
- 31.3.3 the parties must jointly request appointment of a mediator. If the parties fail to agree on the appointment within 5 Business Days of service of the mediation notice, either party may apply to the President of the Law Institute of Victoria or the nominee of the President to appoint a mediator;
- 31.3.4 once the mediator has accepted the appointment, the parties must comply with the mediator's instructions; and
- 31.3.5 if the dispute is not resolved within 28 days of the appointment of the mediator, or any other period agreed by the parties in writing, the mediation ceases.

A party is not bound to follow the procedures set out in this clause 32 where to do so means that a limitation period for a cause of action relevant to the issues in dispute will expire.

### **31.4 Charges**

The mediator may fix the charges for the mediation which must be paid equally by the parties.

### **31.5 Settlement of dispute**

If the dispute is settled, all parties must sign the terms of agreement and those terms are binding on the parties.

### **31.6 Confidential**

The mediation is confidential and:

- 31.6.1 statements made by the mediator or the parties; and
- 31.6.2 discussions between the participants to the mediation,  
before, after or during the mediation, cannot be used in any legal proceedings.

### **31.7 Mediator to be released**

It must be a term of the engagement of the mediator that the parties release the mediator from any claim of any nature relating to this lease.

### **31.8 Rules of natural justice do not apply**

The mediator is not bound by the rules of natural justice and may discuss the dispute with a party in the absence of any other party.

### **31.9 Legal representation**

Each party may be represented at the mediation by a legal practitioner or legal practitioners of its choice.

## **32 APPROVALS AND CONSENTS**

32.1 Unless this lease provides otherwise, any consent or approval to be given by the Landlord may be given by the Landlord conditionally or unconditionally or withheld at the Landlord's absolute discretion. If conditions are imposed by the Landlord, the Tenant must comply with each condition imposed by the Landlord as if it were a provision of this lease.

32.2 Where under this lease the consent of the Landlord is required to be given, the consent can only be given by the Landlord acting in its capacity as a council under the *Local Government Act 1989* or *Local Government Act 2020* and the Tenant acknowledges that the consent is not given or deemed to be given by the Landlord acting as the responsible planning authority under the *Planning and Environment Act 1987* or by the issue of any building permit by the municipal building surveyor.

## **33 WAIVER AND VARIATION**

A provision of or a right created under this lease may not be waived or varied except in writing signed by the party to be bound.

## **34 REMEDIES CUMULATIVE**

The rights, powers and remedies provided in this lease are in addition to the rights, powers or remedies provided by law independently of this lease.

## **35 INDEMNITIES**

Each indemnity in this lease is a continuing obligation, independent from the other obligations of the Tenant and survives the end of this lease.

## **36 EXCLUSION OF STATUTORY PROVISIONS**

The covenants, powers and provisions implied in leases by section 67 of the *Transfer of Land Act 1958*, and section 144 of the *Property Law Act 1958*, do not apply to this lease.

## **37 PAYMENTS**

### **37.1 No set-off**

The Tenant must make payments under this lease punctually without set-off, counterclaim or deduction.

### **37.2 No demand required**

Unless this lease provides otherwise, the Landlord need not demand any amount payable by the Tenant under this lease.

## **38 FURTHER ASSURANCES**

If the Landlord requests, the Tenant must:

38.1 execute, and cause its successors to execute, documents and do everything else necessary or appropriate to bind the Tenant and its successors under this lease; and

- 38.2 use its best endeavours to cause relevant third parties to do likewise to bind every person intended to be bound under this lease.

### **39 PRIOR BREACHES AND OBLIGATIONS**

The ending of this lease does not affect:

- 39.1 the Landlord's rights in respect of a breach of this lease by the Tenant before the end of this lease; or
- 39.2 the Tenant's obligation to make any payment under this lease before the expiry or termination.

### **40 GOVERNING LAW**

This lease is governed by the laws of Victoria.

### **41 WAIVER AND VARIATION**

#### **41.1 Writing required**

A provision of or a right created under this lease may not be waived or varied except in writing signed by the party to be bound.

#### **41.2 Limit of waiver**

If the Landlord waives a provision of or a right created under or implied in this lease, that waiver does not extend to:

- 41.2.1 a breach by the Tenant of the same or any other provision; or
- 41.2.2 the future exercise by the Landlord of that right.

#### **41.3 No deemed waiver**

The acceptance of a payment under this lease will not be taken to constitute a waiver of any provision of or a right created under or implied in this lease, except the right to demand the payment of that amount of money.

### **42 NOTICES**

#### **42.1 Giving notice**

Subject to clause 43.4, any notice (which includes, without limitation, a demand, request, consent, approval and any other communication made, required or authorised under this lease) given under this lease must be:

- 42.1.1 in writing and signed by or on behalf of the party giving it;
- 42.1.2 directed to the recipient's address or email address specified in item 17 of Schedule 1, as varied by any notice; and
- 42.1.3 hand delivered or sent by prepaid post to that address, or sent by email to that email address.

#### **42.2 Receipt of notice**

A notice given in accordance with clause 43.1 is taken to be received by the recipient:

- 42.2.1 if hand delivered, on delivery;
- 42.2.2 if sent by prepaid post, 2 Business Days after the date of posting; or
- 42.2.3 if sent by email, at the time of receipt as specified in section 13A of the *Electronic Transactions (Victoria) Act 2000*.

In all cases, a notice received after 5.00pm in the place of receipt or on a day that is not a Business Day is taken to be received by the recipient at 9.00am on the next Business Day.

### **42.3 Signing of notice**

A notice given under this lease is sufficiently signed if:

- 42.3.1 in the case of a body corporate, it is signed by an Authorised Officer, director, secretary or other officer of, or a legal practitioner acting for, the body corporate; or
- 42.3.2 in the case of an individual, it is signed by the individual.

### **42.4 Other modes of service permitted**

The provisions of this clause are in addition to any other mode of service permitted by law.

## **43 SEVERANCE**

### **43.1 Preferred construction**

The parties agree that a construction of this lease that results in all provisions being enforceable is to be preferred to any other construction.

### **43.2 Severance**

If, despite the application of clause 44.1, a provision of this lease is illegal or unenforceable:

- 43.2.1 if the provision would not be illegal or unenforceable if a word or words were omitted, that word or those words are omitted; and
- 43.2.2 in any other case, the whole provision is omitted,
- and the remainder of this lease continues in force.

## **44 ACTS OF TENANT'S AGENTS**

If this lease:

- 44.1 prohibits the Tenant from doing a thing, the Tenant must ensure that the Tenant's Agents do not do that thing, and not allow or cause any person to do that thing; or
- 44.2 requires the Tenant to do a thing, the Tenant must ensure that the Tenant's Agents do that thing.

## **45 ENTIRE AGREEMENT**

The Tenant acknowledges that:

- 45.1 no information, representation or warranty by or on behalf of the Landlord was supplied or made concerning this lease with the intention or knowledge that it would be relied upon by the Tenant;
- 45.2 no information, representation or warranty has been relied upon; and
- 45.3 this lease constitutes the entire agreement between the parties concerning the Premises and supersedes all previous negotiations and agreements.

## 46 INTERPRETATION

In this lease, unless the contrary intention appears:

- 46.1 if there is an inconsistency between a special condition in item 19 of Schedule 1 and another provision of this lease, the special condition prevails;
- 46.2 the singular includes the plural and vice versa;
- 46.3 a reference to a document or instrument, including this lease, includes a reference to that document or instrument as novated, altered or replaced from time to time;
- 46.4 a reference to an individual or person includes a partnership, body corporate, government authority or agency and vice versa;
- 46.5 a reference to a party includes that party's executors, administrators, successors, substitutes and permitted assigns;
- 46.6 words importing one gender include other genders;
- 46.7 other grammatical forms of defined words or expressions have corresponding meanings;
- 46.8 a covenant, undertaking, representation, warranty, indemnity or agreement made or given by:
  - 46.8.1 two or more parties; or
  - 46.8.2 a party comprised of two or more persons,
 is made or given and binds those parties or persons jointly and severally;
- 46.9 a reference to a statute, code or other law includes regulations and other instruments made under it and includes consolidations, amendments, re-enactments or replacements of any of them;
- 46.10 a recital, schedule, annexure or description of the parties forms part of this lease;
- 46.11 if an act must be done on a specified day that is not a Business Day, the act must be done instead on the next Business Day;
- 46.12 if an act required to be done under this lease on a specified day is done after 5.00pm on that day in the time zone in which the act is performed, it is taken to be done on the following day;
- 46.13 all monetary amounts are in Australian dollars;
- 46.14 a party that is a trustee is bound both personally and in its capacity as trustee;

- 46.15 a reference to an authority, institution, association or body ("**original entity**") that has ceased to exist, been reconstituted, renamed or replaced or whose powers or functions have been transferred to another entity, is a reference to the entity that most closely serves the purposes or objects of the original entity; and
- 46.16 headings and the provision of a table of contents are for convenience only and do not affect the interpretation of this lease.

## SCHEDULE 1

## Item

- |    |  |  |
|----|--|--|
| 1  | <b>Tenant:</b><br>(Clause 1.32)                        | <i>Claire Morgan trading as Rupanyup Living</i><br><br><i>ABN: 59318925785</i><br><br><i>Address : 2a Cromie st Rupanyup Vic 3388</i>  |
| 2  | <b>Guarantor</b><br>(Clause 30)                        | <i>N/A</i>   |
| 3  | <b>Commencement Date:</b><br>(Clause 1.3)              | <i>### Insert date that the lease is to commence]</i>  |
| 4  | <b>Expiry Date:</b><br>(Clause 1.11)                   | <i>### Insert the last day of the Term]</i>  |
| 5  | <b>Term:</b><br>(Clause 1.36)                          | <i>5 years</i>   |
| 6  | <b>Permitted Use:</b><br>(Clause 1.19)                 | <i>...Retail Home and Giftware</i>   |
| 7  | <b>Premises:</b><br>(Clause 1.21)                      | <i>Entire premises known as Custs Store located at 2a Cromie st Rupanyup Vic 3388.</i>   |
| 8  | <b>Land:</b><br>(Clause 1.16)                          | <i>The land described in Certificate of Title Volume ## Folio ##, and known as [### Insert street address of Land]</i>   |
| 9  | <b>Rent:</b><br>(Clause 1.24)                          | <i>\$ 40 per week</i>  |
| 10 | <b>Frequency of Payment of Rent:</b><br>(Clause 4.1.2) | <p><i>* The Rent is payable annually in advance on or before the Commencement Date and thereafter on each anniversary of the Commencement Date.</i></p> <p><i>* The Rent is payable by 12 equal monthly instalments in advance on or before the first day of each month. The first instalment is due on the Commencement Date. If the Commencement Date is not the first day of a month, the Tenant must pay proportional instalments in the first and last months of the Term.</i></p> <p><i>[*delete whichever option is not applicable]</i></p> |

## Item

Item	Rent Review: (Clauses 1.25 and 5 and clause 28.2.2)	Rent Review Date	Method of Review
11		*On each anniversary of the Commencement Date	*## Not applicable / 5% increase / CPI adjustment
		*On the commencement date of Year 5 of the term	*## Not applicable / 5% increase / CPI adjustment / Market review
		*On the commencement date of each further term (if any), being the starting rent referred to in clause 28.2.2	*## Not applicable / 5% increase / CPI adjustment / Market review
		*On each anniversary of the commencement date of each further term (if any)	*## Not applicable / 5% increase / CPI adjustment / Market review
		[*delete or amend as applicable]	
12	<b>Security Deposit</b> (Clause 9)	An amount equivalent to ## months' rent plus GST as payable from time to time under this lease	
13	<b>Tenant's Proportion of Outgoings:</b> (Clause 1.35)	13.1 In relation to Outgoings relating to the Premises only and capable of separate assessment: 100%	
		13.2 In relation to all other Outgoings not referred to in 13.1 the proportion that the Lettable Area of the Premises bears to the Lettable Area of the Land or the building upon which the Outgoings are assessed.	
14	<b>Amount of public liability insurance:</b> (Clause 13.1.1)	\$20 million or such other greater amount reasonably required by the Landlord from time to time.	
15	<b>Options:</b> (Clause 28.1)	1 option(s) for a further term of 5 years	
		[*delete and replace with "Nil" if there is no option to renew]	
16	<b>Last date for exercise of Option:</b>	3 months prior to the Expiry Date, being ## insert date]	

**Item**

(Clause 28.1.3)

**17 Addresses of parties:**  
(Clause 43.1)**Landlord's address:**

34 Lyle Street, Warracknabeal VIC 3393

**Email address for Landlord:***info@yarriambiack.vic.gov.au***Tenant's address:***107 Popes road  
Rupanyup 3388***Email address for Tenant:**[Claire@rupanyupliving.com.au](mailto:Claire@rupanyupliving.com.au)**18 Condition Report (Clause 14.1.2)**

**[i]** The Landlord will prepare, and the parties will sign, a condition report which details and confirms the condition of the Premises as at the Commencement Date.

**19 Special conditions:**  
(Clauses 2.1.3 and 47.1)**1 [i] Retail Leases Act 2003**

*The Landlord and Tenant acknowledge and agree that:*

- (a) the Act applies to this lease as at the Commencement Date;*
- (b) the Landlord has delivered to the Tenant a copy of this lease, the Disclosure*

**Item**

*Statement and Information Brochure as and in the form required by the Act; and*

- (c) *the Tenant warrants that it has made enquiries and is satisfied by the matters disclosed in the Disclosure Statement.*

**2 [i] Repairs and Maintenance**

- (a) *Despite clause 14.6.1, the Tenant is not required to obtain the Landlord's consent to make any cosmetic or non-structural alterations to the Premises.*

**3 [i] Hours of Use**

- (a) *The Premises must only be used during the following hours, unless prior consent is obtained from the Landlord:*

(i) *Thursday, Friday, Saturday*

(ii) *10am -4pm.*

*subject to the requirements of all applicable laws, permits and licences.*

**4 [i] Gross Rent**

- (a) *The Rent in Item 9 of Schedule 1 is inclusive of all Outgoings and insurance payable under clause 4.2.*
- (b) *The Rent in Item 9 of Schedule 1 is inclusive of all costs payable for services under clause 4.3.*

**SCHEDULE 2**

**PLAN**

**SCHEDULE 3**  
**TENANT'S PROPERTY**

**SCHEDULE 4**  
**LANDLORD'S PROPERTY**

**EXECUTED AS A DEED**

**Landlord:**

**THE COMMON SEAL** of )  
**YARRIAMBIACK SHIRE COUNCIL** was )  
hereunto affixed on the ..... day of )  
..... 2017 )  
in the presence of: )

..... Chief Executive Officer

..... Full name

..... Authorised Officer

..... Full name

**Tenant:**

**[\*delete whichever execution clause/s is not applicable below]**

**[\*]**  
**EXECUTED** by [##]ACN [##] in accordance )  
with section 127(1) of the *Corporations Act* )  
*2001* (Cth) by being signed by authorised )  
persons: )  
)

..... Director

..... \*Director/company secretary  
\*Delete whichever is inapplicable

..... Full Name

..... Full Name

..... Usual Address

..... Usual Address

**[\*]**

**THE COMMON SEAL** of [##] (**Registration number [##]** was affixed in accordance with its rules in the presence of: )  
)  
)

.....  
Committee member

.....  
Committee member

 **SIGNED** by [##] in the presence of: )  
)  
)

.....  
Witness

## 16 OTHER BUSINESS

### 16.1 Questions from Councillors

Cr A McLean

- Clarification was sought regarding Item 14.1 of the Agenda and permits issued for the installation of the Fire Services at the Caravan Parks.

**J Holmes** clarified Fire Service upgrades were required to be undertaken once caravan park areas were expanded.

- The status of council consultation on the Road Hierarchy Road Show?

**M Evans confirmed** the Road Hierarchy consultation will commence in February, at the conclusion of harvest. It is anticipated COVID restrictions will be eased.

- The condition of the Henty Highway, specifically between Brim and Galaquil and Warracknabeal and Horsham. Cr A McLean would like to see Shire advocate for works to be done.

**J Holmes replied** – acknowledged poor road surface and will advocate for improvements along the Henty Highway towards Hopetoun

Cr C Lehmann

- What can Council do to address the recycling frustrations around residents taking the time to separate their waste and they take it to the tip and it goes straight into land fill?

question to be tabled and answered at November meeting.

- Update requested on the status of the Lascelles street property which is a fire hazard and rubbish needs cleaning up.

**G Blinman replied** - A fire notice has been issued on the property. Local Laws officer has sought advice from our Legal team for a Council directed time line to enforce the owners to clean the property by a determined date.

- Patchewollock Silo turn around area. Is there more work going to happen at this site, currently looks like a temporary measure that needs something more permanent done?
- **J Holmes replied** - Potholes have been filled in but more work required.

Cr K Kirk

- Enquired if arrangements had been made to meet with the new CEO of Rural Northwest Health.

**J Holmes** confirmed that an invitation has been sent to the Rural Northwest Health CEO and we are awaiting a reply.

Moved Cr T Hamilton Seconded Cr K Kirk that Council move into Closed Session at 11:00am **Carried**

Moved Cr T Hamilton Seconded Cr K Kirk that Council move back into Open Session at 11:23am **Carried**

Moved Cr K Kirk Seconded Cr K Zanker that Council bring the recommendations from Closed Session items into the Open Session **Carried**

## **17 CLOSED SESSION – Reports for Decision**

### **17.1 Approval for the purchase of Glass Crushing Machine**

#### **RECOMMENDATION**

That Council approves the purchase of Glass Crushing Machine from Waste Initiatives for the total price of \$300,000 excluding GST.

Moved Cr T Hamilton Seconded Cr K Kirk

That the recommendation be adopted

**Carried**

### **17.2 C296-2021 Hopetoun Recreation Reserve Lighting Upgrade Project**

#### **RECOMMENDATION**

That Council: Accepts the recommendation to appoint Laser Electrical Horsham for the Hopetoun Recreation Reserve Lighting Upgrade Project based on their tendered / offered price of \$275,752.42 (ex GST).

It is further recommended that a contingency amount of 6% be included in the total cost of the project rounded up to \$292,297.57

Moved Cr T Hamilton Seconded Cr K Kirk

That the recommendation be adopted

**Carried**

## **18 Next Meeting**

24 November 2021

**CLOSE**

\_\_\_\_\_ **Mayor**

MINUTES	Ordinary Meeting of Council
Issue Date: 27 October 2021	