



Procedure Manual for Council Policies WEST WIMMERA SHIRE COUNCIL

PROCEDURE			
COMMUNITY AND COMMERCIAL ADVERTISING ON COUNCIL BUILDINGS AND STRUCTURES PROCEDURE		Procedure No:	
		Adopted:	16 June 2017
		Next review date:	
Senior Manager:	General Manager Infrastructure Development & Works		
Responsible Officer:	Leasing Manager and Buildings Officer (position to be created)		
Functional Area:	Community Services – Community Leases		
Introduction & Background	Advertising on external walls of Council owned buildings and structures needs to be regulated.		
Purpose & Objectives	To regulate non-Council advertising and promotion on Council owned buildings and structures		
Definitions	Buildings include all Council buildings. Structures include fences, signs, sheds and tanks.		
Procedure Details			
1.	Commercial Advertising		
	<p>Commercial advertising is not permitted on the walls of Council owned buildings without an application to Council. Considerations for Council might include:</p> <ul style="list-style-type: none">• Amenity• Fit with Council and community values• Safety and visual impact• Compliance with human rights legislation and other Federal and State legislation. <p>Commercial leases will include specific parameters for commercial advertising and promotion and will note restrictions in the lease schedule.</p>		
2.	Community Advertising		
	<p>Community groups and individuals may apply to Council for permission to advertise community activities, events and information about group existence on Council owned buildings and structures. Considerations for Council may include:</p> <ul style="list-style-type: none">• Amenity		



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WEST WIMMERA SHIRE COUNCIL

	<ul style="list-style-type: none"> • Fit with Council and community values • Safety and visual impact • Compliance with human rights legislation and other Federal and State legislation • Community benefit of advertisement.
3.	<p>Permission Required</p> <p>Written permission is required from Council prior to placing advertising on Council owned buildings and structures. Permission may include sunset clauses and requirements to remove advertising after temporary advertising periods.</p>
4.	<p>Fees and Charges</p> <p>Fees and charges may apply at Council's discretion.</p>

Procedure Adopted:	16/04/1996	Minute Book Page 1144
Procedure Reviewed:	25/07/2002	Minute Book Page 10300
	06/04/2006	Minute Book Page 13682
	11/03/2010	Minute Book Page 17759
	16/10/2014	RecFind #14/004479



**WEST
WIMMERA
SHIRE COUNCIL**



**Domestic Animal Management Plan
2017 - 2021**

The best of country living

Domestic Animal Management Plan

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

68A Councils to prepare domestic animal management plans

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

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EXECUTIVE SUMMARY

The West Wimmera Shire Council (Council) Domestic Animal Management Plan (the Plan) has been developed to comply with the legal requirement of the *Domestic Animals Act 1994* (the Act) that all Councils in Victoria have a Plan in place. This Plan aims to provide harmonious and responsible pet ownership within the Shire focusing on the registration, microchipping and desexing of dogs and cats, effective control of dogs in public areas, the behaviour of dogs and cats, and minimizing the social and environmental impact of dogs and cats in our community.

INTRODUCTION

This document will guide domestic animal management by the Council for the next four years. The plan identifies strategies and actions to implement the vision, aims and objectives for animal management and contains recommendations for a wide range of actions to be undertaken by the Council in a programmed approach. These actions will enable Council to maintain a balance between the competing interests of animal management and to accommodate new requirements.

Council provides services that maximize the social, economic & environmental benefits to the residents of and visitors to the West Wimmera Shire. Animal management and responsible pet ownership are key functions of Council's Animal Management Officer (AMO).

There have been substantial amendments to the Act. Knowledge of the Act and an understanding of animal and human behaviour are a requirement for those working in this field. Enforcement of legislation will not, on its own, result in long-term voluntary changes in behaviour and it needs to be supplemented by a range of non-regulatory approaches such as public education programs.

There is considerable evidence to support the benefits of pet ownership. However, along with pet ownership comes responsibility, not only in the care of the animals owned but in considering impacts on neighbours' and the community, other domestic animals and livestock. The State Government has provided a framework in the Act which is the responsibility of Local Government to apply and enforce. Application of the requirements of the Act provide for Council to take a strategic approach in the management of animals and pets in its community. This strategy provides Council with a sound basis and direction from which it can plan, co-ordinate and make future decisions to meet the needs of the community for the years to come.

This Plan was produced by the AMO applying appropriate changes in review of the Domestic Animal Management Plan 2013.

On completion of the first draft of the Plan, it was submitted for an in principle endorsement by the Council's Senior Management team and the Council prior to being made available for a one month public consultation.

Submissions received during this period were collated and considered. The final draft with any amendments made following the public consultation period was then submitted to Council for adoption.

The Plan was then submitted to the Secretary, Department of Primary Industries – Bureau of Animal Welfare.

THE WEST WIMMERA SHIRE COUNCIL – DEMOGRAPHIC AND PEOPLE

The Council is located in the West of Victoria encompassing an area of 9200 square kilometres joining the South Australian Border to the West, along the Glenelg River to the South and the Big Desert to the North. The Council has a rural community of 3879 people* centered in the townships of Edenhope, Kaniva, Apsley, Goroke and Harrow. The majority of the municipality consists of agriculture related industries, broad acre grazing and cropping rural farming properties and community services. Extensive timber industry plantations have taken back land from farming in recent years.

**Australian Bureau of Statistics, LGA Population Statistics 2015*

DOMESTIC ANIMAL STATISTICS AND DATA

In a report produced by the Australian Companion Animal Council, *Contribution of the Pet Care Industry to the Australian Economy, 7th Edition, 2010*, figures were provided that enable the Australian Companion Animal Council to estimate the number of pets owned by its residents.

Calculations undertaken by Charles Sturt University on statistics obtained from the Australian Bureau of Statistics 2008 determined that Victorian dog and cat ownership statistics are equal to the Australian average figures of 16 dogs and 11 cats per 100 head of population. This information demonstrates that the Council would appear to have retained ownership numbers that are above the national average for Dogs, however below average for Cats.

2016/17 Council registered 922 dogs and 208 cats, impounded 26 dogs and 59 cats. In addition Council investigated a number of dog attack reports and maintained a register of dogs declared as menacing or dangerous and investigated reports of restricted breed dog ownership.

The 2016/17 registered animals numbers compared to the registered animals in 2011/12 has declined. There are currently 1 registered Domestic Animal Businesses and it is anticipated this number will increase in accordance with the Act's *requirements* to control suspected puppy farms.

Domestic Animal Management Plan 2017-2021 WEST WIMMERA SHIRE – KEY STATISTICS	2011/2012	2016/2017
Council Information		
Population	4251	3879
Area	9200 sq.km.	9200 sq.km.
Ratable Properties	2296	2334
No. Authorized Officers (EFT)	1	1
Dogs		
Estimated No.	680*	621*
No. Registered	1026	922
No. Impounded	47	26
No. Returned to owner	39	23
No. Rehoused	2	1
No. Euthanized	8	2
No. Declared Menacing	0	0
No. Declared Dangerous	0	2
No. Registered Restricted Breed	0	0
Cats		
Estimated No.	467*	427*
No. Registered	222	208
No. Impounded	52	59
No. Returned to owner	2	4
No. Rehoused	2	0
No. Euthanized	48	55

**SOURCE: These figures obtained by applying formula (16/100 x population = estimated dogs, 11/100 x population = estimated cats) from calculations undertaken by Charles Sturt University, 2009 based on information supplied by: ABS, 2008. Australian Companion Animal Council, Contribution of the Pet Care Industry to the Australian Economy, 7th Edition, 2010, p.14.*

TRAINING OF AUTHORISED OFFICERS

Domestic Animals Act 1994, S.68(A)(2)(b) Outline programs for the training of authorized officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district

The AMO is employed full time.

As is the case in most rural Councils, the AMO multi-tasks across a range of duties, Local Laws, Municipal Fire Prevention, Prevention to Cruelty to Animals, Domestic Animals Act, Impounding of livestock, Roadside Weed and Pest Program and Corella management.

CURRENT AND PLANNED TRAINING

Authorised Officer Training - Basic	2017	Planned
Certificate IV in Animal Control and Regulation.	Officer 1 – Yes	As required
Certificate IV in Animal Welfare (Regulation).	Officer 1 – No	As required
Industry training – animal handling, animal assessment, statement taking, prosecution, computer skills.	Officer 1 – Yes	As required
OH&S training – dealing with aggressive customers.	Officer 1 – Yes	As required
Customer service training conflict resolution, communication skills.	Officer 1 – Yes	As required
Bureau of Animal Welfare training and information days.	Officer 1 – Yes	As required
Induction program for new staff.	Officer 1 – Yes	As required
Other e.g. firearms training.	Officer 1 – Yes	As required
Certificate IV Government (Statutory Compliance).	Officer 1 – Yes	As required
Industry training – time management.	Officer 1 – No	As required
OH&S training – defensive driver training.	Officer 1 – No	As required

Customer service training – public speaking.	Officer 1 – Yes	As required
Australian Institute of Animal Management Annual Conference.	Officer 1 – No	Requests to attend will be considered
Microchipping on the job training, Data works document management.	Officer 1 – Yes	As required

OUR PLANS

Review and update current induction and job specific qualifications or role as an AMO.

Objective 1: Develop training plan and ensure minimum training is completed in required timeline.

Activity	When	Evaluation
Identify minimum training requirements by consultation with management and staff	By Nov 2018	Documentation to be finalised and incorporated into an approved council training policy.
Identify additional training opportunities in consultation with management and employees.	By Nov 2018	Evaluation of training benefits during employee Annual Review process.
Establish a database recording individual officers qualifications and training courses attended.	By Nov 2018	Updated as required and reference made for Annual Review process and training requests.

Objective 2: Review induction program for new officers.

Activity	When	Evaluation
For new, inexperienced officers, develop the buddy system to establish a base of experience level to be further consolidated with industry training.	By Nov 2018	Review feedback from Officer and buddy on a weekly basis to ensure effective development.
Provide early opportunity for undertaking studies to gain minimum level qualifications if not already obtained.	As required by new officers	Monitor progress throughout officer's studies. Provide study time during working hours.

REGISTRATION AND IDENTIFICATION

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

CURRENT SITUATION

It is a requirement of the Act that all dogs and cats over the age of three (3) months kept at a residence in this Municipality must be registered with the Council with the mandatory requirement that all newly registered animals are microchipped prior to registration.

Applications for new dog and cat registrations can be made at Council's Customer Service Centres at the following locations:

- 49 Elizabeth St Edenhope VIC 3318
- 25 Baker St Kaniva VIC 3419

The Council's pound for domestic animals is operated by the Council and is located at 51 Coleraine-Harrow Rd Edenhope VIC 3318. Dogs and Cats that have been impounded and are not currently registered with the Council in the municipality where they reside are required to be microchipped and registered prior to being released.

Under the Act, animal registrations expire on 10 April each year. Animal registration renewal notices are sent out in the preceding months and payment of registration renewals are received in person. Council will conduct an audit of registration renewal process each year to ensure current registrations are renewed.

The registration of dogs and cats provides Council with an indication of the number of animals kept which in turn assists Council to plan for services and programs associated with pet ownership in towns within the municipality.

Registration fees help Council fund services and facilities related to animal management and participate in responsible pet ownership initiatives in partnership with the DPI bureau of Animal Welfare.

Our current data

Registration Type	2011/2012	Actual 2016/2017
Dog	1026	922
Cat	222	208

The Council maintains a registration database complying with its obligations under the Act section 18(1). Within this database, microchip number are recorded for reference and identification of dogs and cats. This information provides a means of evaluating the effectiveness of past promotions of microchipping, identification of stray animals, for identification of dog attacks and more recently as a means of assisting in the identification of breeding establishments.

Our current Orders, Local Laws, Council Policies and Procedures

The AMO functions are regulated by State Legislation, Council policy and procedure. In addition to applying the relevant sections on the Act, the AMO and administration support staff follow procedure for their functions, i.e. dogs/cats at large for initial and subsequent offences, registration

and renewals of dogs and cats, issuing of Notices to Comply, dog attacks and processes to follow or declaration of menacing or dangerous dogs.

Our current Education/Promotion Activities

The Council promotes animal registration renewals, microchipping and animal related events in the local media, Council website and facebook at certain times of the year. The use of print media and collaboration with veterinarians are traditional information outlets. Other options are considered and taken up as they present from time-to-time.

Our current Compliance Activities

Council's AMO actively patrols and responds to complaints on a daily basis. At random times throughout the year, Council's AMO will undertake door-knocking activities to identify the numbers of animals being kept and registrations together with an audit of registration renewals against the previous year registrations.

OUR PLANS

Objective 1: To increase and maintain the number of dog and cat registrations of Council.

Activity	When	Evaluation
Target pet owners by various means, i.e. letter drop/door knock/signage.	As required	Increase in registration numbers from targeted pet owners.
Issue Notice to Comply in respect of unregistered animals requiring application or registration.	As required	Comparison of compliance with notices against infringement issued.
Identify unpaid registrations	Annually	Comparison of registration renewals received against previous years registrations.
Reduced Animal Registration fees from the 1 st of December (by 50%).	Annually	Comparison of new registration received against previous years registration.

Objective 2: Promote registration and microchipping.

Activity	When	Evaluation
Conduct Microchipping Days at reduced fees.	March/April	Comparison of number of microchips implanted and registration applications taken.
Conduct Primary school competition regarding responsible pet ownership.	As required	Comparison of number of microchips implanted to competition vouchers issued to students.
Advertise pet registration renewals on Council webpage.	Annually	Comparison of figures against previous year.
Consider or develop a reduced microchipping incentive scheme – vouchers for concession holders.	Annually	Comparison of number of microchips implanted to vouchers issued to concession holders.

NUISANCE

Domestic Animals Act 1994, 68A(2)(c)(vi) Outline programs, services and strategies to minimise the potential for dogs and cats to create a nuisance - also addresses 68A(2)(a),(c)(i),(c)(ii),(d),(f)

CURRENT SITUATION

The Council encourages people to manage their pets in a way that protects the health and welfare of the animal, maximise the companion benefits of their pet and minimizes potential for nuisances or harm to others.

Our current Orders, Local Laws, Council Policies and Procedures

42 Power of Councils to make local laws

A Council may make a local law for or with respect to all or any of the following—

(a) regulating the number of dogs or cats which may be kept on premises situated in the municipal district of the Council.

The Council's - Community Local Law 1st October 2012 Sec 11(1) provides a restriction of not more than two dogs and two cats that may be kept without a permit in the areas less than .4ha. For areas greater than .4ha, the limit is raised to not more than 4 dogs and 4 cats to be kept without a permit.

Council Policies/Procedures

Nuisance dogs and cats

- Advice to complainant
- Notice provisions in Domestic Animals Act 1994
- Barking Dog diary, mediation, enforcement
- Issue of permits to keep excess animal numbers
- Notice to Comply/Enforcement

Our current Education/Promotion Activities

- Barking Dog Information Package
- Pro-active patrols/Speaking with public
- Dog Poo dispensers/Voluntary use
- Notice to Comply before enforcement
- Desexing Cat Information Package
- Responsible Ownership of working dog Brochure
- Responsible Ownership of dog Brochure
- Responsible Ownership of cat Brochure
- How to build cat proof fencing and cat enclosures Information Package

Our current Compliance Activities

- Patrols
- Notice to comply/Enforcement policy/strategy
- Cat trapping programs
- Infringements
- Prosecutions

OUR PLANS

Objective 1: Review of dog off lead areas.

Activity	When	Evaluation
Evaluate the requirement to legislate cleaning up after your dog.	Annually	Review written complaints relating to voluntary compliance and use of dog poo bags in areas provided.
Evaluate the requirement for orders to be established at other locations.	Annually	Review written complaints relating to public reserves received during year.
Provide dog poo bag dispensers in parks and at public toilets.	As required	Review written complaints relating to voluntary compliance and use of dog poo bags in areas provided.

Objective 2: To increase public awareness of responsible pet ownership.

Activity	When	Evaluation
Review information provided through the media.	Annually	Review the number of complaints received, number of enquiries.
Review information on Council website.	Ongoing and review June - Annually	Review number of hits on the website (Local Laws). Review enquiries received.
Primary School Program.	Annually	Review to ensure current program implemented. The Program is externally delivered.

Objective 3: Promote responsible cat ownership.

Activity	When	Evaluation
Promote containment to cat owners property.	Ongoing	Review number of complaints received. Compliance with any notices issued as result of complaints.
Promote cat desexing program "information packs".	Ongoing	Evaluate on the registration data and impounded cats.
Provide cat enclosure and cat proof fencing booklets to repeat offenders.	As required	Review the numbers of re-issued infringements received.

DOG ATTACKS

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

CURRENT SITUATION

Our current data

Increasing number of dogs attacking in part due to increased awareness and encouragement to report; Also due to a rural community with livestock, dogs attacks are more frequent on killing sheep than harming the community.

Our current Orders, Local Laws, Council Policies and Procedures

- Keeping of Animals
- Enforcement policy
- After-hours Policy
- Domestic Animal Act 1994 – Section 30

Our current Education/Promotion Activities

- Responsible pet ownership program: living safely with dogs: kinder - grade 1
- Pets in the community: grade 2-6
- Use of Council website
- Media reporting of Court prosecutions
- Distribution of working dog brochures to properties in the rural area

Our current Compliance Activities

- Patrols
- Prosecutions
- Enforce Menacing/Dangerous dog provisions
- Dog attack investigation and enforcement policy/procedure
- Consultation with Police on Crimes Act 1958 provisions

For Dangerous/restricted breed/menacing dogs which are found at large
Or have attacked someone needs to be reported to the police

Summary

Objective 1: Reduce the number of dog attacks.

Activity	When	Evaluation
Patrol.	Daily	Review of database information for incidents.
Media promotion of responsible dog ownership.	October – annually	Review annual figures in June with Plan review and report in Annual Report. Compare year to year.
Develop an online reporting of dog attacks, rushes on Council website.	Ongoing	Review of database information for incidents.

Raising community awareness between dog at large and dog attack.	Annually	Review of database information for incidents.
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Objective 2: Decrease dog attacks on livestock.

Activity	When	Evaluation
Distribute Bureau of Animal Welfare booklet Responsible ownership of a working dog by direct mail.	Annually	Review registration figures on working dog breeds. Review dog at large reports in rural areas.
AMO visits to farms promoting responsible ownership and registration.	June- July	This activity will be run in conjunction with above activity as a follow up.
Encourage reporting of dogs at large and dog attacks on stock in rural areas.	Promote in May-July visits and ongoing monitoring	Record reported incidents and trends. Liaise with DSE to compare if incidents of wild dog attacks occurring in similar areas.
Advise the farming community of Section 30 of the Domestic Animal Act 1994: 30 Owner of livestock able to destroy dog or cat found at large near livestock <i>(1) The owner of any animals or birds kept for farming purposes, any person authorised by the owner or an authorised officer may destroy any dog or cat found at large—</i> <i>(a) in the place where the animals or birds are confined; or</i> <i>(b) if the animals or birds are tethered, in the vicinity of the animals or birds.</i> <i>(2) The owner, a person authorised by the owner or authorised officer does not incur any civil or criminal liability for acting under subsection (1)</i>	As requested	Community feedback and CRM on dog attacks on livestock

Objective 3: Improve communication with Police for reports of dog attacks.

Activity	When	Evaluation
Establish Local Laws/Police liaison or reports of serious dog attack incidents including awareness of Crimes Act 1958 offences relating to restricted breed and declared dogs.	Annually	Protocols provided to all municipal Police Stations. Meet with all Officers in charge. Review following reported incidents.

DANGEROUS, MENACING AND RESTRICTED BREED DOGS

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

CURRENT SITUATION

Within the provisions of the Act, Council has made declarations and identified the following dogs:

- 0 x Restricted Breed Dog registered
- 0 x Menacing dogs
- 2 x Dangerous dogs

As required in Part 3A of the Act, dogs are listed on the declared dog register and monitored for ongoing compliance by their owners for the keeping of these animals in accordance with the legislation.

Our current Orders, Local Laws, Council Policies and Procedures

- Strict adherence to the provisions of the Act
- Enforcement Policy
- Dog attack investigation and enforcement policy/procedure

Our current Education/Promotion Activities

- Public awareness of restricted breed dogs

Our current Compliance Activities

- Patrolling
- Prompt response to reports of suspected restricted breed dogs
- Enforcement policy/procedure
- Audit of registration database for similar breeds to restricted breed dogs

OUR PLANS

Objective 1: Identification of Restricted Breed Dogs.

Activity	When	Evaluation
To identify and enforce the Act's provisions in respect of restricted breed dogs.	Ongoing	Successful identification of dogs on registration database listed as other breeds. Identification of unregistered restricted breed dogs.
Ensure all declared dogs are recorded on the VDDR	Annually	Yearly audit

Objective 2: Police liaison for Crimes Act 1958 provisions in respect of dangerous menacing and restricted breed dogs.

Activity	When	Evaluation
Establish communication with local police in respect of Crimes Act 1958 provisions or death of a person caused by menacing, dangerous and restricted breed dogs.	Annually	Contact made with all the Police Stations within the Shire.

Objective 3: Identification of menacing and dangerous dogs.

Activity	When	Evaluation
Proactive patrolling to minimize occurrence of dogs at large.	Ongoing	Comparison of numbers of impoundments/infringements for dogs at large from year to year.
Identification of dogs that meet criteria for declaration.	Ongoing	Compliance with the Act.
Conduct random, unannounced inspections of declared dogs to ensure compliance with the Act and Regulations.	As required	Yearly Audit
Annual audits of properties housing dangerous dogs	As required	Compliance with the Act.

OVERPOPULATION AND HIGH EUTHANASIA

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

CURRENT SITUATION

Our current data

- Complaints recorded in document management system and auctioned accordingly
- Pound euthanasia numbers – the number of impounded dogs/cats has remained constant and the euthanasia rate of dogs/cats is expected to remain at similar rates as previous years.
- Reclaim rates – higher ration with change in social media to locate owners.

Our current Orders, Local Laws, Council Policies and Procedures

- Local aw for Keepinf of Animal – Animal numbers
- Animal loss or relocation procedure
- Animal transfer of ownership procedure

Our current Education/Promotion Activities

- Responsible pet ownership program

Our current Compliance Activities

- Cat trapping program
- Permits and conditions for keeping of animals – numbers
- Timely investigation of complaints and reports of breeding establishments
- Proactive patrolling

Summary

Objective 1: Reduction of tray/feral animals in residential areas.

Activity	When	Evaluation
Promoting availability of cat traps.	Ongoing	Review of trap usage and numbers of cats trapped. Ratio of feral vs. domesticated.
Promote the benefits of desexing, via media, social media, website	Annually	Review of impounding records

Objective 2: Collate data to research and determine any over population.

Activity	When	Evaluation
Review of impounding records.	Annually	Comparison of numbers year to year.
Audit Council's registration database for numbers of animal owned by one entity.	June annually	Identification of excessive animal owned. Identification of suspected puppy/kitten farms/unregistered Domestic Animal Businesses

Objective 3: Rehoming program

Activity	When	Evaluation
Establish a foster care program to increase the number of rehomed animals	Ongoing	Review number of rehomed animal

DOMESTIC ANIMAL BUSINESSES

Domestic Animals Act 1994, 68A(2)(c)(ii) Outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation

- also addresses 68A(2)(a),(c)(i),(d),(f)

CURRENT SITUATION

- 1 x registered boarding facility
- 0 x pet shops selling animals
- 1 x breeding enterprises
- 1 x Pound facility

Our current Orders, Local Laws, Council Policies and Procedures

Local Law for Keeping of Animals – numbers

Type of animal	Land 0.4ha or less	Land greater than 0.4ha
Dog	2	4
Cat	2	4

Our current Education/Promotion Activities

Proactive patrols

Our current Compliance Activities

Patrols

Timely investigation of complaints/reports for keeping numbers of animals

Audit of registration database/transfer of ownership forms

Visits to premises of suspected animal breeders

OUR PLANS

Objective 1: To identify unregistered dog and cat breeding establishments.

Activity	When	Evaluation
Audit of registration database.	June annually	Identification and registration of Domestic Animal Businesses applying provisions of Part 4 of the Act.
Monitor advertising media for sales of dogs and cats.	Ongoing	Identification of suspected breeding establishments.
Ensure compliance with relevant Code of Practice relating to business type.	Ongoing	Continued compliance and registration of Domestic Animal Businesses.

Objective 2: Ensure compliance of registered Domestic Animal Businesses with regards to identification, appropriate notification and registration requirements of dogs and cats.

Activity	When	Evaluation
Visit/contact sellers of animals to ensure compliance with microchipping requirements.	Ongoing	All dogs and cats advertised for sale have microchip details included in advertising.
Follow up notifications from Domestic Animal Businesses for animals sold to residents of Council.	Ongoing	Applications to register newly purchased animals compared to notifications received.

OTHER MATTERS

Domestic Animals Act 1994, 68A(2)(e) *Provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary*

CURRENT SITUATION

The West Wimmera Shire Council Emergency Management Plan.

Our current Orders, Local Laws, Council Policies and Procedures

West Wimmera Shire Emergency Animal Welfare Plan or domestic animals relocated to an evacuation/relief centre in an emergency.

Our current Education/Promotion Activities

Owners are encouraged to make arrangements for their domestic animals in the event of an emergency; however council has catered for animals in the Emergency Welfare Plan.

OUR PLANS

Objective 1: Develop an Animal Emergency Management Plan, policies and procedure for domestic animals in emergencies.

Activity	When	Evaluation
Review of policies, procedures and Animal Management Plan	Annually	To be reviewed together with the Emergency Management Plan and evaluate in debrief following an emergency incident.
Training for officers in Evacuation/relief centre operations.	Annually	Staff performances evaluated in debrief following an emergency incident.

ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING

Domestic Animals Act 1994, 68A(3) *Every Council must—*

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

OUR PLANS

Objective 1: Conduct annual review of Domestic Animal management Plan in accordance with Part 5A – Domestic Animals Act 1994

Activity	When	Evaluation
Conduct Annual Review of current Domestic Animal Management Plan and make minor amendments.	By June Annually	Comparison of figures against previous year.
Develop new Domestic Animal Management Plan 2021 – 2025.	By June 2021	Comparison of figures against previous Domestic Animal Management Plan.
Publish an evaluation of is implementation of the plan in its annual report.	Annually	Comparison of figures against previous Domestic Animal Management Plan.



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WEST WIMMERA SHIRE COUNCIL

COUNCIL POLICY			
BUSINESS CONTINUITY POLICY		Policy No:	
		Adopted by Council:	6 April 2006
		Next review date:	17 May 2017
Senior Manager:	Chief Executive Officer		
Responsible Officer:	General Manager Corporate and Community Services		
Functional Area:	CEO & Governance		
Introduction & Background	West Wimmera Shire Council will establish and maintain a business continuity plan, to ensure it is able to operate during a disaster which effects one of its offices as part of the Risk Management Policy.		
Purpose & Objectives	To provide Council with a structured response to any event that will give rise to the cessation of business activity at either or both Council Office, or cause a significant disruption to the capacity of the Council to conduct business as usual.		
Policy Details			
1.	What Events would give rise to this?		
	<ul style="list-style-type: none">Any natural disaster that renders inoperable any or all of the Council's business officesAny act of terrorism that renders inoperable any or all of the Council's business officesThe impact of an external event that limits the ability of Council to conduct business(e.g. power outage for all or part of shire; destruction of Telstra infrastructure that renders inoperable telecommunications)The impact of internal events that limits the ability of the council to conduct business, but may have no effect upon the rest of community (e.g. loss of a switchboard at one office, a fire in a computer room, loss of our telecommunications)An epidemic/pandemic that incapacitates the majority of staff.Loss of some or all senior staffLoss of some or all Councillors		
It should be clearly noted not all of these events could be classified as a disaster particularly if the impact is limited only to the Council, therefore we must not limited out			



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	thinking to responses to that of a disaster, but address any event that has the possibility of causing some or complete disruption to Council operations.
2.	<p>Roles and Responsibilities</p> <p>Council</p> <ul style="list-style-type: none"> • Adopt a business continuity plan and be familiar with the business continuity arrangements. Authorise CEO to make amendments to the business continuity plan from time to time • Ensure adequate resources are allocated , for testing the business continuity arrangements • Receive reports from time to time on the aspects of business continuity <p>Senior Management Group (SMG)</p> <ul style="list-style-type: none"> • Initiate actions out of the Business Continuity Plan when required • Implement action items identified in the Business Continuity Plan • From time to time test the aspects of business continuity plan and make the organisation 'ready' for any emergency effecting the organisation. • Provide awareness and training to staff members • Work with regional and state organisations to resource share to reduce cost of business continuity arrangements • Adopt suitable modern approaches to make business continuity aspects more economical • Advise Council from time to time arrangements and progress on the action from the Business Continuity Plan • Review the business continuity plan once every two years <p>All Staff</p> <ul style="list-style-type: none"> • Be familiar with the business continuity plan • Participate in the relevant trainings, testing of the business continuity plan • Advise Senior Management proactively on the aspects of business continuity relevant to individual work areas. • Action items from the business continuity plan • Report to Senior Management on the issues effecting business continuity.
3.	<p>The disaster recovery committee</p> <p>After a disaster the Chief Executive Officer or any officer acting on his/her behalf will establish a Disaster Recovery Committee</p>



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	<p>This committee will</p> <ul style="list-style-type: none"> a) Be responsible for setting up and providing the facilities of a recovery site where necessary. b) Coordinate the re-establishment and maintenance of the business operation. <p>Provide necessary communication to various stakeholders on the disaster recovery arrangements</p>
4.	<p>Policy communication</p> <p>This policy together with the Business continuity Plan will be available from Council Website and Council's record management system recfind for internal communication.</p>

Policy Adopted:	Ordinary Meeting 06/04/06	Minute Book Page 13684	
Policy Reviewed:	Ordinary Meeting 11/03/10	Minute Book Page 17759	
	Ordinary Meeting 18/06/15	Minute Book Page 30672	RecFind 15/002327
	Ordinary Meeting 17/05/17		



LOCAL LAW NO. 7 – 2017

MEETING PROCEDURE AND COMMON SEAL LOCAL LAW

Reviewed : 15 February 2017

WEST WIMMERA SHIRE COUNCIL

MEETING PROCEDURE AND COMMON SEAL LOCAL LAW NO. 7 2017

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PART 1 – PRELIMINARY PROVISIONS

1. Title

This Local Law is the Meeting Procedure and Common Seal Local Law No.7 of 2017.

2. Objectives

The objectives of this Local Law are to:

- (a) regulate the use of the Common Seal;
- (b) prohibit unauthorised use of the common seal or any device resembling the common seal;
- (c) regulate proceedings for the election of Mayor and Chairs of various committees;
- (d) regulate proceedings of Council meetings, special committee meetings and advisory committee meetings, and other meetings conducted by or on behalf of Council where Council has resolved that the provisions of this Local Law will apply.

3. Authorising Provision

This Local Law is made under sections 5, 91 and 111 of the ***Local Government Act 1989***.

4. Period of Operation

This Local Law:

- (a) commences on 15 February 2017; and
- (b) unless it is revoked sooner, ceases to operate on 15 February 2026

5. Repeal of other Local Laws

From the date of operation of this Local Law the Meeting Procedure Local Law No.1 will cease to operate and is repealed.

6. Application and scope of the Local Law

- (1) This Local Law operates throughout the whole of the municipal district.
- (2) This Local Law applies to:
 - (a) special committee meetings, advisory committee meetings and other meetings where the Council has resolved that the provisions of this Local Law must apply, with any necessary modifications.

- (b) meetings of residents and other public meetings called by the Mayor or Council, with appropriate modifications.

7. Definitions

Unless the contrary intention appears in this Local Law, the following words are defined to mean:

“the Act” means the Local Government Act 1989.

“advisory committee” means an advisory committee appointed by the Council.

“agenda” means the notice of the meeting setting out the business to be transacted at the meeting.

“Chair” means the Chair of the meeting.

“Chief Executive Officer” means the Chief Executive Officer of the Council.

“committee meeting” means a meeting of a special or advisory Committee.

“Council meeting” includes the meeting at which the Mayor is elected an ordinary or special meeting of the Council.

“member” means a Councillor or a member of a special committee or Advisory Committee.

“municipal district” means the municipal district of the West Wimmera Shire Council.

“notice of motion” means a notice setting out the text of a motion which it is

“ordinary meeting” means an Ordinary meeting of the Council.

“Penalty Unit” has the same meaning as the Sentencing Act 1991.

“special committee” means a special committee established by the Council under section 86 of the Act.

“special meeting” means a special meeting of the Council established under section 86 of the Act.

PART 2 – THE COMMON SEAL

8. Use of the Common Seal

The Common Seal may only be used on the authority of the Council.

9. Custody of the Common Seal

The Chief Executive Officer must keep the Common Seal in safe custody.

10. Signatures to accompany the Common Seal

Every document to which the Common Seal is affixed must be signed as required by:

- (a) two Councillors and the Chief Executive Officer or, in the absence of the Chief Executive Officer, by two Councillors and any other member of staff authorised by Council.
- (b) The Chief Executive Officer or an officer nominated by the Chief Executive Officer where the document is not required to be signed by Councillors.

Unauthorised use of the Common Seal will attract up to 10 penalty units

11. Unauthorised Use of the Common Seal

- a) A person must not use the Common Seal or any device resembling the Common Seal without the authority of Council.
- b) Any person who fraudulently uses the common seal is guilty of an offence.

12. Delegation

Council delegates to the Chief Executive Officer the power to authorize the use of the common seal on behalf of Council subject to the following:

- a) The seal must not be used for matters for which the Chief Executive Officer is not delegated power as detailed in the conditions and limitations of the Instrument of Delegation from Council to the Chief Executive Officer
- b) The Chief Executive Officer is first satisfied that any provisions of the Act required to be complied with in relation to the subject matter of the document have been complied with.

PART 3 – THE COUNCIL

13. When the Mayor is to be elected

- (1) The Councillors must elect a Councillor to be the Mayor.
- (2) The Mayor is to be elected at a Special Meeting held within the period prescribed by section 71 of the Act.

14. Procedure for the election of the Mayor

- (1) The Agenda for the meeting at which the Mayor is to be elected must include:

- (a) the election of the Mayor;
 - (b) fixing allowances for the Mayor and Councillors under section 74 of the Act;
 - (c) the appointment of Councillors to special committees, advisory committees and any external bodies that the Council considers necessary to best represent the interests of the Council.
- (2) Any Councillor is eligible for the election or re-election to the office of Mayor.
 - (3) The Chief Executive Officer will be the first temporary Chair of the meeting at which the election of the Mayor is to be conducted.
 - (4) The Chief Executive Officer must invite nominations for a second temporary Chair. If there is only one nomination, the candidate is deemed to have been elected.
 - (5) If there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates by a show of hands and the candidate receiving the majority of votes must be declared to have been duly elected.
 - (6) The second temporary Chair must invite nominations for the election of Mayor. If there is only one nomination, which must be seconded, the candidate nominated will be declared elected as Mayor.
 - (7) If there is more than one nomination, each of which must be seconded, the Councillors must vote by a show of hands and the candidate receiving the absolute majority of votes will be declared elected as Mayor.
 - (8) If no candidate receives an absolute majority of votes, the candidate with the fewest number of votes is eliminated from the count and a further poll must be conducted between the remaining candidates until one of the candidates receives an absolute majority of votes.
 - (9) If for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated must be determined by simple majority vote.
 - (10) If there is an equality of votes with respect to the candidate to be eliminated, the candidate to be eliminated must be determined by lot.

15. Determining the election of Mayor by lot

If a lot is required, the Chief Executive Officer will conduct the lot and the following provisions will apply:

- (a) each candidate will draw one (1) lot.
- (b) the order of drawing lots must be determined by the alphabetical order of the

surname of the Councillors who received an equal number of votes, except that if two (2) or more such Councillors' surnames are identical, the order must be determined by the alphabetical order of the Councillors' first names.

- (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a container by the Chief Executive Officer.
- (d) if the lot is being conducted to determine which candidate is a defeated candidate, the word "Defeated" must be written on 1 of the pieces of paper and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates); or
- (e) if the lot is being conducted to determine which candidate is to be elected, the word "Elected" must be written on 1 of the pieces of paper, and the Councillor who draws the paper with the word "Elected" written on it must be declared to have been duly elected.

PART 4 – PROCEDURES APPLYING TO MEETINGS

16. Conduct at Meetings

Councillors will have regard to the Councillor Code of Conduct in their participation in any meeting and adhere to the principles of the code by treating fellow Councillors with respect and not making any defamatory, indecent, abusive, offensive or disorderly statements or comments.

17. Public Notice of Dates and Times of Meetings

- (1) At the statutory meeting the Council, the Council must fix the date, time and place of all Council and Special Committee meetings of the Council, which may be amended where the circumstances require.
- (2) The Council must provide at least 7 days notice of ordinary meetings and special meetings of the Council and meetings of any special committees comprised solely of Councillors unless urgent or extraordinary circumstances prevent the Council from doing so in which case, the Council must give public notice that is practicable for the circumstances which includes advice of the reasons why the 7 days notice of the meeting could not be given.
- (3) The Council may change the date, time and place of any Council meeting and Special Committee meetings which has been fixed and must provide reasonable notice of the changes to the public.
- (4) Where meeting dates are changed details should be published in the local paper, at each of the Council's Customer Service centres and on the website. However, if time does not allow for details to be published in the local newspapers then the posting of a notice setting out the details should be placed in as many public places as is practicable (Council's Customer Service Centres, website) to inform the public of the change.

18. Special Council meetings

- (1) The notice necessary to call a meeting in accordance with section 84 of the Act must be delivered to the Chief Executive Officer in sufficient time to ensure that at least 2 clear business days notice is given to Councillors unless urgent or extraordinary circumstances have necessitated the Special Council meeting.
- (2) The notice must specify the date and time of the Special Meeting and the business to be transacted.
- (3) The Chief Executive Officer must convene the Special Meeting as specified in the notice.
- (4) Unless all Councillors are present and unanimously agree to deal with another matter, only the business specified in the notice is to be transacted.

19. Notice of meeting to Councillors

- (1) Unless urgent or extraordinary circumstances have necessitated the meeting, a notice of meeting incorporating or accompanied by an agenda of the business to be dealt with must be provided to every Councillor:
 - (a) for an ordinary meeting at least 48 hours before the meeting;
 - (b) for a special Council meeting at least 48 hours before the meeting; and
 - (c) for a special committee meeting at least two (2) clear days before the meeting.
- (2) The notice on agenda for any meeting must state the date, time and place of the meeting and the business to be dealt with and must be sent by post, messenger, facsimile or email to each Councillor's place of residence or usual place of business (if applicable) or as otherwise specified by the Councillor.
- (3) Despite anything contained in this Local Law, the Chief Executive Officer must, in respect, of an Ordinary Meeting, include in the agenda any matter which the Chief Executive Officer thinks should be the subject of consideration at the meeting.
- (4) No business may be transacted at an Ordinary Meeting unless it appears on the agenda except where:
 - (a) the business has been referred to Council by a special committee which has met since the agenda was prepared; or
 - (b) arisen since the preparation of the agenda and is of such importance that consideration by Council cannot be delayed -

Provided that

- (i) the business is the subject of a written supplementary report by a member of Council staff; or
- (ii) Council resolves to admit it as urgent business.

20. Quorums required for meetings

- (1) The quorum required for a Council meeting is a majority of Councillors.
- (2) The quorum required for meetings of special committees and advisory committees is a majority of the number of persons who comprise the committee and who are entitled to vote.

21. Failure to Raise a Quorum

If a quorum is not present within 30 minutes of the time appointed for the commencement of a Council meeting:

- (a) the meeting may be adjourned for not more than seven (7) days by:
 - (i) a majority of the Councillors present; or
 - (ii) the Chief Executive Officer; and
- (b) the Chief Executive Officer must give all Councillors notice of the adjourned meeting.

22. Inability to Achieve or Maintain a Quorum due to Conflict of Interest of Councillors

If during any meeting or adjournment a quorum cannot be achieved or maintained due to the disclosure of conflicts of interest by the majority of Councillors, the Chief Executive Officer, or in his or her absence, a senior officer, must adjourn the meeting for a length of time sufficient to enable dispensation for the affected Councillors to be obtained from the Minister administering the Act.

23. When Meeting Lapses

If a quorum fails after a Council Meeting has begun, the meeting lapses.

24. Business of a Lapsed Meeting

If a Council meeting lapses, the undisposed of business must, unless it has already been disposed of at a special meeting, be included in the agenda for the next ordinary meeting.

25. Order of Business

- a) The order of business appearing on an agenda will be determined by the Chief Executive Officer to facilitate and maintain efficient and effective processes of government.
- b) The order of business appearing on agendas will be as consistent as possible from

meeting to meeting, but may be subject to minor alterations at the discretion of the Chief Executive Officer to assist in providing a fluent process of government. Alterations to the order will be made to meet the needs of the Council or to take advantage of opportunities that may arise from time to time.

26. Minutes of Council meetings

- (1) The Chief Executive Officer must ensure that:
 - (a) minutes are kept of all Council meetings and special committee meetings of the Council; and
 - (b) a written record is kept of any assembly of Councillors and submitted to the Council in accordance with section 80A of the Act.
- (2) The minutes of any Council meeting must contain the details of the proceedings including:
 - (a) the date, place, time, duration and nature of the meeting;
 - (b) the names of the Councillors and/or members present;
 - (c) arrivals and departures (including temporary departures) of Councillors and/or members during the course of the meeting;
 - (d) each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);
 - (e) the vote cast by each Councillor or member upon a division;
 - (f) questions upon notice;
 - (g) the failure of a quorum;
 - (h) disclosure by a Councillor of a conflict of interest and the details associated with that disclosure required by section 79 of the Act and any disclosure of conflict of interest by the Chief Executive Officer required by section 80B of the Act; and
 - (i) any other matter which the Chief Executive Officer thinks should be recorded to clarify the intention of the meeting or the reading of the minutes.
- (3) If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:
 - (a) state the item or items with which he or she is dissatisfied; and

- (b) propose a motion clearly outlining the alternative wording to amend the minutes.

27. Meetings open to the public

All meetings of the Council must be open to members of the public except where the Council resolves to close the meeting because it is discussing:

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

28. Urgent Business

Business must not be admitted as urgent business unless it:

- (i) relates to or arises out of a matter which has arisen since distribution of the agenda; and
- (ii) cannot safely or conveniently be deferred until the next Ordinary Meeting.

29. Notices of Motion

- (1) A Councillor wanting to have a notice of motion included in the agenda must give written notice to the Chief Executive Officer in sufficient time for each Councillor to be given at least 7 days notice of the notice.
- (2) The Chief Executive Officer may reject any notice of motion that is too vague because the intention of the motion is not clear, but before rejecting it must give the Councillor delivering the notice an opportunity to amend it.
- (3) The full text of any such notice of motion must be included on the agenda.
- (4) The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the notice of motion book in the order in which they were received.

- (5) Except by leave of the Council, notices of motion before any meeting must be considered in the order in which they were entered in the notice of motion book.
- (6) If a Councillor who has given a notice of motion:
 - (a) is absent from the meeting; or
 - (b) fails to move the motion when called upon by the Chairperson any other Councillor may himself or herself move the motion.

30. Form of Motions

- (1) A motion or an amendment must:
 - (a) relate to the powers or functions of Council;
 - (b) be in writing; and
 - (c) except in the case of urgent business, be relevant to an item of business on the agenda.
- (2) A motion or amendment must not be defamatory or objectionable in language or nature.
- (3) The Chairperson may refuse to accept any motion or amendment which contravenes this clause.

31. Withdrawing Motions

A motion or amendment cannot be withdrawn without the consent of the meeting.

32. Motion to be Moved and Seconded

The procedure for any motion is-

- (a) the mover must state the motion without speaking to it;
- (b) the Chairperson must call for a seconder unless the motion is a call to enforce a point of order;
- (c) unless the motion is a formal motion, it must be seconded by a Councillor other than the mover;
- (d) if a motion is not seconded and is not a formal motion, the motion will lapse for want of a seconder;
- (e) if the motion is seconded, the Chairperson must ask: "Is the motion opposed";

- (f) if no Councillor indicates opposition, the motion must be declared to be carried without being voted on and will be treated as being passed unanimously. After declaring the motion carried the Chairperson must ask the mover if they wish to speak on the motion;
- (g) if a Councillor indicates opposition to the motion, then the Chairperson must call the mover to address the meeting;
- (h) after the mover has addressed the meeting the seconder may address the meeting;
- (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting) the Chairperson may call upon any Councillor who wishes to speak against the motion;
- (j) after a Councillor has spoken against the motion the Chairperson may call upon any other Councillor to speak for or against the motion;
- (k) a Councillor may speak once on the motion except for the mover of the motion who has a right of reply after which the motion must be put to the meeting for decision;
- (l) a Councillor may be permitted by the Chairperson or by resolution to speak more than once to explain that the Councillor has been misrepresented or misunderstood;
- (m) a Councillor calling the attention of the Chairperson to a Point of Order is not regarded as speaking to the motion or the amendment; and
- (n) motions must be clear and unambiguous and not be defamatory or objectionable in language or in nature.

33. Amendment of motions

- (1) If a Councillor proposes an amendment to a motion, the procedure is:
 - (a) the mover and seconder of a motion cannot move or second an amendment to it;
 - (b) the mover of an amendment has no right of reply;
 - (c) a second or subsequent amendment cannot be moved until the immediately preceding amendment is disposed of;
 - (d) if any Councillor intends to move a second or subsequent amendment he or she must give notice of that intention prior to the right of reply being exercised;
 - (e) if an amendment is adopted it becomes the substantive motion and, as such, must be put to the vote by the Chairperson.

- (2) A Councillor cannot move more than two (2) amendments in succession.

34. Time Limits

A Councillor must not speak for longer than the time set out below, unless granted an extension of time by the meeting:

- (a) the mover of a motion or an amendment: 5 minutes;
and any other member: 3 minutes
- (b) the mover of a motion exercising a right of reply: 2 minutes.

35. Rescission or Amendment of a decision

- (1) A Councillor may propose a motion to rescind or amend a decision of the Council provided the motion to be rescinded or amended has not been acted upon.
- (2) The motion must be given to the Chief Executive Officer in sufficient time to enable the Chief Executive Officer to give 7 days notice to all Councillors;
- (3) The motion will be deemed to have been withdrawn if it is not moved at the next meeting at which such business may be transacted; and
- (4) If the motion is a second or subsequent motion to rescind or alter an earlier resolution, it must not be accepted by the Chief Executive Officer until a period of 1 month has elapsed since the date of the meeting at which the first or last motion of rescission or alteration was dealt with.

36. Formal Motions

- (1) A formal motion may be moved at any time and must be dealt with immediately by the Chairperson.
- (2) Formal motions are not required to be seconded.
- (3) A formal motion cannot be moved by the Chairperson.
- (4) A formal motion and the effect of such a motion is in Appendix A to this Local Law.

37. Points of Order and Procedures

- (1) A point of order is an objection that the motion, amendment or a statement made is:
 - (a) contrary to this Local Law or the provisions of the Act;
 - (b) defamatory or disloyal;
 - (c) irrelevant;
 - (d) improper;

- (e) obscene;
 - (f) outside Council's legal powers.
- (2) A Councillor may make a point of order by stating, "Point of Order", at which time the Chairperson must suspend the debate and request the Councillor to state the point of order.
- (3) A Councillor raising a point of order must:
- (a) state the point of order; and
 - (b) the reason for bringing it to the attention of the Chairperson.
- (4) If called to order, a Councillor must remain silent until the point of order is decided unless he or she is requested by the Chairperson to provide an explanation.
- (5) The Chairperson may adjourn the meeting to consider a point of order otherwise he or she must rule on it as soon as it is raised.
- (6) The Chairperson will decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.
- (7) All matters before the Council are to be suspended until the point of order is decided.
- (8) Expressing a difference of opinion or contradicting a speaker is not to be treated as making a point of order.
- (9) The Chairperson's ruling on a point of order is final.

38. Disagreeing with Chairperson's Ruling

- (1) The decision of the Chairperson in respect to a point of order raised will not be open for discussion and will be final and conclusive unless the majority of Councillors present move a motion of dissent.
- (2) A motion of dissent on a point of order must contain a provision, rule, practice or precedent in substitution for the Chairperson's ruling.
- (3) A motion of dissent in relation to a point of order is not a motion of dissent in the Chair and the Chairperson must at all times remain in the Chair and he or she will maintain his or her right to a second vote.
- (4) A motion of dissent on a point of order will take precedence over all other ` business and if carried will be acted on instead of the ruling given by the Chairperson.

39. Division

- (1) Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

- (2) When a division is called for, the vote already taken must be treated as a nullity and the division will decide the question, motion or amendment.
- (3) When a division is called for, the Chairperson must call for a show of hands by those Councillors voting for the motion and then those Councillors opposed to the motion.
- (4) The Chairperson will name those Councillors voting for the motion and those Councillors voting against the motion and the names must be recorded in the Minutes of the Meeting.
- (5) Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless the discussion is-
 - (a) for a Councillor to request that his or her opposition to the motion be recorded in the minutes; or
 - (b) where a subsequent notice of motion follows a rescission motion.

40. Public participation at meetings

- (1) At every ordinary meeting of the Council, time may be allocated to enable any member of the community to ask a question of the Council.
- (2) Sub-clause (1) does not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 89(2) of the Act.
- (3) The Council may allocate reasonable time to each person who wishes to ask a question of the Council having regard to-
 - (a) the nature of the matter to be discussed;
 - (b) priorities in relation to other Council business;
 - (c) other members of the community present who also wish to ask a question of the Council;
 - (d) whether such an opportunity has already been provided to the person.
- (4) The Council may decide to defer a response to a later date and the views of the person asking the question of Council should be sought concerning that other date.
- (5) Any member of the public or community addressing the Council must extend due courtesy and respect to the Council and the processes under which it operates and must take direction from the Chairperson whenever called upon to do so.

41. Suspension of Standing Orders

- (1) Subject to clause 39, the provisions of this Local Law may be suspended for a particular purpose by resolution of the Council.
- (2) The suspension of such provisions (suspension of standing orders) should be used to enable full discussion of any issue without the constraints of formal meeting procedure.
- (3) The purpose of suspending standing orders is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.
- (4) The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of the Council.
- (5) Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary.

42. Gallery to be Silent

- (1) Any member of the public asking a question of the Council or in attendance in the gallery must extend due courtesy and respect to the Council and the processes under which it operates
- (2) Visitors must not interject or take part in the debate and must take direction from the Chairperson whenever called upon to do so.

43. Ejection of Disorderly Visitors

If any visitor is called to order by the Chairperson and thereafter again acts in breach of this Local Law, the Chairperson may order him or her to be removed from the gallery.

44. Chairperson May Adjourn Disorderly Meeting

If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the meeting, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper.

45. Time Limit for Meetings

A Council meeting must not continue four hours unless a majority of Councillors present vote in favour of the meeting continuing.

46. Recording Proceedings

- (1) The Chief Executive Officer (or other person authorised by the Chief Executive Officer) may record all the proceedings of a Council or special committee meeting. Recordings must be retained for a period of three months from the date of the meeting.
- (2) Any other person, including those representing the media may, with the prior written consent of Council or the special committee be permitted to record any part of the proceedings of a Council or special committee meetings.

- (3) The consent of Council may be revoked at any time during the meeting.
- (4) If a person records a meeting of the Council or special committee without first obtaining the consent of the Council he or she will be guilty of an offence against this Local Law.

47. Procedure Not Provided in Local Law

If a procedural matter is not specifically provided for by this Local Law, consideration may be given to the rules, forms and usages of the Victorian Parliament.

48. Suspension of Procedure

Any provisions of this Local Law applicable to a Council meeting, special committee meeting or an advisory committee meeting may be suspended by a resolution of the Council or the committee and the application of the Local Law may be resumed by a resolution of the Council.

PART 5 - OFFENCES

49. Offences against the Local Law

It is an offence:

- (a) for a Councillor to not withdraw an expression which is considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable, and to not satisfactorily apologise when called upon twice by the Chairperson to do so.

Penalty: 20 Penalty Units

- (b) for any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.

Penalty: 20 Penalty Units

- (c) for any person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.

Penalty: 20 Penalty Units

- (d) for a Councillor to refuse to leave the chamber or suspension.

Penalty: 20 Penalty Units.

- (e) for a person to record the proceedings of the Council or a Special Committee without first obtaining the prior written consent of the Council or Special Committee.

Penalty: 20 Penalty Units

West Wimmera Shire Council
MEETING PROCEDURE AND COMMON SEAL LOCAL LAW 2017

The resolution for making this Local Law was agreed to by the Council of the West Wimmera Shire on 15 February 2017.

The resolution to sign and seal this Local Law was agreed to by the Council of West Wimmera Shire on 16 June 2017.

THE COMMON SEAL of THE WEST WIMMERA
SHIRE COUNCIL was hereunto affixed in the
presence of:

.....Councillor

.....Councillor

.....Chief Executive Officer

Notice of the proposal to make and of the making of this Local Law were included in the Victorian Government Gazette dated 4 May 2017 and

Public Notice of the proposal to make and confirmation of the making of the Local Law were inserted in the:

1. West Wimmera Advocate on 1 March 2017 and
2. Kaniva Times on 1 March 2017 and

A copy of this Local Law was sent to the Minister for Local Government on.....

APPENDIX A - FORMAL MOTIONS

Formal Motion		Form	Mover & Second	Matter in Respect of Which Motion May be Moved	When Motion Prohibited	Effect if Carried	Effect if Lost
1.	Adjournment of debate to later hour and/or date	That this matter be adjourned to am/pm and/or date.	Any Councillor.	Any matter.	(a) During the election of a Chairperson; (b) When another Councillor is speaking.	Motion and amendments postponed to the stated time and/or date.	Debate continues unaffected.
2.	Adjournment of debate indefinitely.	That this matter be adjourned until further notice.	Any Councillor.	Any matter except: (a) Election of a Chairperson; (b) A matter in respect of which a call of the Council has been made for that meeting.	(a) During the election of a Chairperson; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the Council has been made.	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected.
3.	Adjournment of meeting to later hour or date.	That the meeting be adjourned to am/pm and/or date.	Any Councillor	Any meeting.	(a) During the election of a Chairperson. (b) When another Councillor is speaking.	Meeting adjourns immediately until the stated time and/or date.	Debate continues unaffected.

West Wimmera Shire Council
MEETING PROCEDURE AND COMMON SEAL LOCAL LAW 2017

4.	Adjournment of meeting indefinitely.	That this meeting be adjourned until further notice.	Any Councillor	(a) Any matter except election of a Chairperson; (b) During a meeting which is a call of the Council; (c) When another Councillor is speaking.	(a) During the election of a Chairperson; (b) During a meeting which is a call of the Council; (c) When another Councillor is speaking.	Meeting adjourns until an agenda is delivered under clause 19.	Debate continues unaffected.
5.	The closure.	That the motion be now put.	A Councillor who has not spoken to the motion or any amendment of it.	Any matter.	During nominations for Chairperson.	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion	Debate continues unaffected.
6.	Laying question on the table.	That the question lie on the table.	A Councillor who has not spoken to the motion or amendment of it.	Any matter.	(a) During the election of a Chairperson; (b) During a meeting which is a call of the Council.	Motion and amendments not further discussed or voted on until: (a) Council resolves to take the question from the table at the same meeting; (b) The matter is placed on an agenda and Council resolves to take the question from the table.	Debate continues unaffected.

West Wimmera Shire Council
MEETING PROCEDURE AND COMMON SEAL LOCAL LAW 2017

7.	Previous Question	That the question be not now put.	A Councillor who has spoken to the motion or any amendment of it.	Any matter except: (a) Election of a Chairperson; (b) A matter in respect of which a call of the Council has been made for that meeting.	(a) During the election of a Chairperson; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the Council has been made; (d) When an amendment is before Council.	(a) No vote or further discussion on the motion until it is placed on an agenda for a later meeting; (b) Proceed to next business	Motion (as amended up to that time) put immediately without further amendment or debate.
8.	Proceeding to next business	That the meeting proceed to the next business. Note: This Motion: (a) May not be amended; (b) May not be debated; (c) Must be put to the vote as soon as seconded.	A Councillor who has spoken to the motion or any amendment of it.	Any matter except: (a) Election of a Chairperson; (b) A matter in respect of which a call of the Council has been made for that meeting.	(a) During the election of a Chairperson; (b) When another Councillor is speaking; (c) When the matter is one in respect of which a call of the Council has been made.	If carried in respect of: (a) An amendment – Council considers the motion without reference to the amendment; (b) A motion – no vote or further discussion on the motion until it is placed on an agenda for a later meeting.	Debate continues unaffected