



Councillor Code of Conduct

**Formally reviewed and adopted at a
Special Meeting of Council
on 15 December 2016**



Table of Contents

1. Introduction:	3
2. Purpose of the Councillor Code Of Conduct:	4
3. Background:	4
Role of Mayor and Councillors	4
4. Conduct Obligations:	5
Functions of the Chief Executive Officer	6
Use of Council resources	7
Gifts and benefits	8
Communication	8
Personal dealings with Council	8
5. Prohibited Conduct	8
Misuse of position	9
Improper direction and improper influence	9
Confidential information	10
Conflict of interest	10
Other legislative requirements	10
6. Dispute Resolution	11
Phase 1 – Direct negotiation	11
Phase 2 – External mediation	12
Phase 3 – Internal resolution procedure - Arbiter	13
7. Councillor Declaration: Cr Jodie Pretlove	16
8. Councillor Declaration: Cr Trevor Domaschenz	17
9. Councillor Declaration: Cr Tom Houlihan	18
10. Councillor Declaration: Cr Richard Hicks	19
11. Councillor Declaration: Cr Bruce Meyer	20

COUNCILLOR CODE OF CONDUCT

1. Introduction:

The *Local Government Act 1989* (the Act) requires a Council to develop and maintain a Councillor Code of Conduct. The Councillor Code of Conduct is required to be periodically reviewed. The West Wimmera Shire Council Councillor Code of Conduct was reviewed and adopted by Council, to comply with the requirements of the Act, on 15 December 2016 at Special Meeting of Council.

The Councillor Code of Conduct includes an internal resolution procedure for dealing with any alleged contraventions of the Code. It enables the Council to apply sanctions to a Councillor who has been found to have contravened this Code of Conduct.

Failure by a Councillor to comply with the Council's internal resolution procedure or to comply with a written direction given by the Council under section 81AB of the Act (sanctions for contravention of the Code) constitutes misconduct by a Councillor.

If a Councillor Conduct Panel makes a finding of misconduct against a Councillor, the Panel may apply further sanctions against that Councillor.

A Councillor Conduct framework has been developed to ensure that Councillors conduct themselves in accordance with agreed standards as set out in the code of conduct.

A hierarchy for the management of Councillor Conduct issues enables the following;

- Councils to deal with breaches of Councillor Codes of Conduct issues
- Panels to deal with the majority of cases and
- VCAT to deal with exceptional cases.

Section 3(1) of the act provides definitions for the various levels of misconduct and the table below summarises them and provides the authority responsible for addressing the matter.

Degree of Seriousness	Definition	Responsible Authority
Conduct inconsistent with standards council has set itself	Breaches of council code of conduct	Council
Misconduct	Failing to comply with a council's internal resolution procedure, including failure to abide by any decision of council in relation to a breach of the code and repeated breaches of councillor conduct principles	Panel
Serious misconduct	Failing to comply with panel processes, bullying, improperly directing staff, releasing confidential information and repeated misconduct	Panel
Gross misconduct	Behaviour that demonstrates lack of character to be a councillor	VCAT

2. Purpose of the Councillor Code Of Conduct:

The purpose of local government is to provide a system under which Councils perform the functions and exercise the powers conferred by or under the *Local Government Act 1989* and any other Act for the peace, order and good government of their municipal districts. Good governance is fundamental to a Council being able to perform its purpose. Good governance relies on good working relations between councillors.

This Code:

- sets out the standards of conduct expected of elected representatives;
- endeavours to foster good working relations between councillors to enable Councillors to work constructively together in the best interests of the local community; and
- mandates councillor conduct designed to build public confidence in the integrity of local government.

3. Background:

A Council must, within 4 months after a general election:

- (a) call a special meeting solely for the purpose of reviewing the Councillor Code of Conduct; and
- (b) at that special meeting, approve any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary following the review of the Councillor Code of Conduct.

A copy of this Code of Conduct (as amended from time to time) must be:

- given to each councillor
- available for inspection at the council office and any district offices
- published on the Council's internet website

From the 2016 Council elections, a person elected to be a Councillor is not capable of acting as a Councillor until the person has read the Councillor Code of Conduct and made a declaration stating that they will abide by the Councillor Code of Conduct. It is the personal responsibility of councillors to ensure that they are conversant with, and comply with, the provisions of this Code.

Role of Mayor and Councillors

Section 65 of the Act provides that the role of a Councillor is:

- (a) to participate in the decision-making of the Council; and
- (b) to represent the local community in that decision-making; and
- (c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must:

- (a) consider the diversity of interests and needs of the local community; and
- (b) observe principles of good governance and act with integrity; and
- (c) provide civic leadership in relation to the exercise of the various functions and responsibilities of the Council under this Act and other Acts; and
- (d) participate in the responsible allocation of the resources of Council through the annual budget; and
- (e) facilitate effective communication between the Council and the community.

The role of a Councillor does not include the performance of any functions that are specified as functions of the Chief Executive Officer under section 94A of the Act.

Section 73AA of the Act describes the functions of the Mayor as including:

- (a) providing guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65, and the observation of the Councillor conduct principles and the Councillor Code of Conduct by Councillors under sections 76B, 76BA and 76C; and
- (b) acting as the principal spokesperson for the council; and
- (c) supporting good working relations between councillors; and
- (d) carrying out the civic and ceremonial duties of the office of Mayor.

A Councillor Code of Conduct:

- (a) must include the internal resolution procedure for dealing with an alleged contravention of the Councillor Code of Conduct;
- (b) may set out processes for the purpose of resolving an internal dispute between Councillors;
- (c) must include any provisions prescribed for the purpose of this section;
- (d) must include provisions addressing any matters prescribed for the purpose of this section;
- (e) may include any other matters relating to the conduct of Councillors which the Council considers appropriate.

4. Conduct Obligations:

The Act places obligations on Councillors in relation to way they should act. The Act also prohibits certain conduct by Councillors and prescribes penalties for Councillors who contravene these provisions. As Councillors of West Wimmera Shire Council, we undertake to comply with the various provisions of the Act and with this Code of Conduct.

Section 76B of the Act sets out the primary principle of councillor conduct as follows:

"It is the primary principle of Councillor conduct that, in performing the role of a Councillor, a Councillor must:

- (a) act with integrity; and
- (b) impartially exercise his or her responsibilities in the interests of the local community; and
- (c) not improperly seek to confer an advantage or disadvantage on any person."

West Wimmera Shire Council's Code of Conduct also contains statements based on a number agreed behavioural values, these values are Integrity, Respect, Selflessness and Openness. These values are characterised by the following statements;

Integrity

We must not place ourselves under any financial or other obligation to any individual or organization that might reasonably be thought to influence us in the performance of our duties.

Respect

We will treat others with courtesy and respect at all times. This will be achieved by:

- not using derogatory terms towards others,
- observing the rights of other people,
- treating people with courtesy and recognizing the different roles others play in local government decision-making.

- Treating fellow Councillors with respect, even when disagreeing with their views or decisions

Selflessness

We have a duty to make decisions in the public interest. We must not act in order to gain financial or other benefits for ourselves, our family, friends or business interests. This means making decisions because they benefit the public, not because they benefit the decision maker.

Openness

We have a duty to be as open as possible about our decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands.

Section 76BA of the Act sets out the general principles of councillor conduct as follows:

“In addition to acting in accordance with the primary principle of Councillor conduct specified in section 76B, in performing the role of a Councillor, a Councillor must:

- avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations;
- act honestly and avoid statements (whether orally or in writing) or actions that will or are likely to mislead or deceive a person;
- treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other Councillors, Council staff and other persons;
- exercise reasonable care and diligence and submit himself or herself to the lawful scrutiny that it is appropriate to his or her office;
- endeavour to ensure that public resources are used prudently and solely in the public interest;
- act lawfully and in accordance with the trust placed in him or her as an elected representative;
- support and promote these principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor.”

Councillors are required to conduct themselves in observance of the primary principle and the general principles. We undertake to do this.

Functions of the Chief Executive Officer

The Chief Executive Officer is responsible for:

- establishing and maintaining an appropriate organisational structure for the Council; and
- ensuring that the decisions of the Council are implemented without undue delay; and
- the day to day management of the Council's operations in accordance with the Council Plan; and
- developing, adopting and disseminating a code of conduct for Council staff; and
- providing timely advice to the Council; and
- ensuring that the Council receives timely and reliable advice about its legal obligations under this Act and any other Act;
- supporting the Mayor in the performance of the Mayor's role as Mayor;
- carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Accident Compensation Act 1985 or the Workplace Injury Rehabilitation and Compensation Act 2013; and
- performing any other function or duty of the Chief Executive Officer specified in this Act or any other Act.

The Chief Executive Officer is responsible for managing interactions between Council staff and Councillors including by ensuring that appropriate policies, practices and protocols are in place defining appropriate arrangements for interaction between Council staff and Councillors.

We undertake to respect the functions of the Chief Executive Officer and to comply with the policies, practices and protocols defining appropriate arrangements for interaction between Council staff and Councillors that are put in place by the Chief Executive Officer.

Expectations and Obligations of Councillors and Council Officers

Councillors and Officers have agreed to a set of standard behaviours to manage their interactions as explained in the following table;

<p>Councillors expect that officers will:</p> <ul style="list-style-type: none"> • <i>Act professionally and honestly with a good sense of humour</i> • <i>Provide recommendations that are accurate, timely and outline alternatives and their implications</i> • <i>Act devoid of bias</i> • <i>Make recommendations that are consistent with the Council Plan</i> • <i>Be accessible within reason and respond in a timely manner</i> 	<p>Officers expect that Councillors will:</p> <ul style="list-style-type: none"> • <i>Convey principles and Council values</i> • <i>Say when they don't understand something and ask for clarification</i> • <i>Not interfere in operational matters – advice and questions will be directed to the CEO and General Managers</i> • <i>Have a vision for the Council and represent the community's interest</i> • <i>Share information early</i> • <i>Respect and trust professional opinion</i>
<p>Councillors agree to give to officers:</p> <ul style="list-style-type: none"> • <i>Professional and honest behaviour</i> • <i>Diversity – A broad range of skills, perceptions and opinions</i> • <i>Trust, Good judgement and vision</i> • <i>Community linkages</i> • <i>Healthy productive debate</i> 	<p>Officers agree to give to Councillors:</p> <ul style="list-style-type: none"> • <i>Frank and fearless advice</i> • <i>The whole story</i> • <i>Acknowledge mistakes</i> • <i>Full support</i> • <i>The same advice will be provided to all Councillors</i> • <i>Benefit of experience and expertise</i>

Use of Council resources

We commit to using Council resources effectively and economically. We will:

- maintain adequate security over Council property, facilities and resources provided to us to assist in performing our role and will comply with any Council policies applying to their use;
- ensure any expense claims that we submit are in compliance with the relevant legislative provisions and Council policy;
- not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate; and
- not use public funds or resources in a manner that is improper or unauthorised.

Gifts and benefits

We will scrupulously avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to gain favourable treatment from an individual Councillor or from the Council.

We will take all reasonable steps to ensure that our immediate family members (parents, spouse, children and siblings) do not receive gifts or benefits that give rise to the appearance of being an attempt to gain favourable treatment.

Where a gift is received on behalf of the Council, the gift becomes the property of the Council. For transparency and accountability purposes, these gifts will be recorded in the Councillors Gifts Register with a notation that it is the property of the Council.

We recognise that gifts equal to or above the gift disclosure threshold received in the twelve months prior to election from a person or body that has a direct interest in a matter may give rise to an indirect interest because of receipt of an applicable gift.

We will record all campaign donations in our "campaign donation return".

Communication

We recognise that as representatives of the local community, we have a primary responsibility to be responsive to community views and to adequately communicate the position and decisions of Council.

We undertake to comply with the Council's media policy and respect the functions of the Mayor and Chief Executive Officer to be the spokespersons for the Council in accordance with our policy.

We acknowledge that individual Councillors are entitled to express their personal opinions through the media. Where we choose to do so, we will make it clear that such comment is a personal view and does not represent the position of Council. We undertake to ensure that any such comment is devoid of comments that could reasonably be construed as being derogatory, offensive or insulting to any person.

Personal dealings with Council

When we deal with our Council in our private capacity (e.g. as a ratepayer, recipient of a Council service or applicant for a permit) we do not expect nor will we request preferential treatment in relation to any such private matter. We will avoid any action that could lead Council staff or members of the public to believe that we are seeking preferential treatment.

5. Prohibited Conduct

The Local Government Act 1989 has specific provisions that prohibit Councillors from certain conduct. This conduct relates to:

- Misuse of position
- Improper direction and improper influence
- Confidential information
- Conflict of interest
- Electoral conduct

These matters are set out below in order to provide a complete picture of the obligations on Councillors. While these matters are not of a nature to be addressed as a contravention of the Councillor Code of Conduct, we undertake to comply with the prohibitions on Councillor conduct set out below. These matters should more properly be the subject of an application to a Councillor Conduct Panel for a finding of serious misconduct or a complaint to the Local Government Inspectorate or the Independent Broad-based Anti-corruption Commission depending on the nature of the allegation.

(Note: Serious misconduct by a Councillor(s) means:

- (a) the failure of a Councillor to attend a Councillor Conduct Panel hearing formed to make a finding in respect of that Councillor; or*
- (b) the failure of a Councillor to give a Councillor Conduct Panel any information the Councillor Conduct Panel has requested the Councillor to give; or*
- (c) the failure of a Councillor to comply with a direction of a Councillor Conduct Panel; or*
- (d) continued or repeated misconduct by a Councillor after a finding of misconduct has already been made in respect of the Councillor by a Councillor Conduct Panel; or*
- (e) bullying of another Councillor or member of Council staff by a Councillor; or*
- (f) conduct by a Councillor in respect of a member of Council staff in contravention of section 76E; or*
- (g) the release of confidential information by a Councillor.)*

Misuse of position

A Councillor must not misuse his or her position:

- (a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- (b) to cause, or attempt to cause, detriment to the Council or another person.

Circumstances involving the misuse of position by a Councillor include:

- (a) making improper use of information acquired as a result of the position he or she held or holds; or
- (b) disclosing information that is confidential information within the meaning of section 77(2); or
- (c) directing, or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E; or
- (d) exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform; or
- (e) using public funds or resources in a manner that is improper or unauthorised; or
- (f) failing to disclose a conflict of interest as required under this Division.

Improper direction and improper influence

A Councillor must not direct, or seek to direct, a member of Council staff:

- (a) in the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
- (b) in the exercise of a power or the performance of a duty or function exercise or performed by the member as an authorised officer under this Act or any other Act; or
- (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or

- (d) in relation to advice provided to the Council or a special committee, including advice in a report to the Council or special committee.

Confidential information

A Councillor must not disclose information that the he or she knows, or should reasonably know, is confidential information.

A Councillor may disclose information that the he or she knows is confidential information in the following circumstances:

- (a) for the purposes of any legal proceedings arising out of this Act;
- (b) to a court or tribunal in the course of legal proceedings;
- (c) pursuant to an order of a court or tribunal;
- (d) to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
- (e) to a Councillor Conduct Panel in the course of a hearing and for the purposes of the hearing;
- (f) to a municipal monitor to the extent reasonably required by the municipal monitor;
- (g) to the extent reasonably required for any other law enforcement purposes.

Conflict of interest

If a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or special committee, an assembly of councillors, an audit committee or a section 223 committee, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest in accordance with the provisions of the Act (unless any of the exemptions apply).

A Councillor has a direct interest in a matter if there is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the Councillor would be directly altered if the matter is decided in a particular way. This includes where there is a reasonable likelihood that the person will receive a direct benefit or loss that can be measured in financial terms and where the Councillor, or together with a member or members of the person's family have a controlling interest in a company or other body that has a direct interest in the matter.

A conflict of interest also exists where a Councillor has any of the six types of indirect interest. These indirect interests are

- Close association - an indirect interest because of a close association with a family member, relative or member of the household who has a direct interest
- Indirect financial interest - an indirect financial interest, including holding shares above a certain value in a company with a direct interest
- Conflicting duty - a conflicting duty arising from having particular responsibilities to a person or organisation with a direct interest
- Applicable gift - receipt of an applicable gift or gifts from a person or organisation with a direct interest
- Interested party - a party to the matter by having become involved in civil proceedings in relation to the matter
- Residential amenity – this occurs where there is a reasonable likelihood that the person's residential amenity will be altered if the matter is decided in a particular way.

Other legislative requirements

The Act includes requirements in relation to Councillor eligibility, electoral conduct and the election period (caretaker period). Alleged contraventions of these provisions are not to be dealt with by the Council using the internal resolution procedure in this Code of Conduct. Allegations in relation to contravention of these provisions should be directed to the Victorian

Electoral Commission or the Local Government Inspectorate, depending on the nature of the allegation, for investigation and any consequent action.

We undertake to comply with the various provisions relating to these matters.

6. Dispute Resolution

Before commencing any formal dispute resolution process, the Councillors who are parties to a dispute are expected to use their best endeavours to resolve the matter in a courteous and respectful manner between themselves. Where, after these endeavours have been exhausted, the matter still remains unresolved, the parties may resort to any or all of the Council's three phase dispute resolution process.

The Council's three phase dispute resolution process involves:

- direct negotiation between the parties in dispute with the Mayor in attendance to provide guidance;
- external mediation by an independent mediator engaged by the Chief Executive Officer; and
- an internal resolution procedure involving an independent arbiter.

Phase 1 – Direct negotiation

Where Councillors who are in dispute have not been able to resolve the dispute between them, either (or both) party (parties) may request the Mayor to convene a meeting of the parties.

A dispute referred for direct negotiation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct.

The party requesting the direct negotiation meeting is to provide the Mayor with the name of the other Councillor and the details of the dispute in writing. The written request is to indicate that it is for a "direct negotiation" dispute resolution process. Where the request relates to an alleged contravention of the Councillor Code of Conduct, the request must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the request is made by a group of councillors; and
- be signed and dated by the requestor or the requestor's representative.

The requestor is to notify the other party of the request and provide him or her with a copy of the written request either at the same time as it is provided to the Mayor or as soon as practicable thereafter.

The Mayor is to ascertain whether or not the other party is prepared to attend a "direct negotiation" meeting.

If the other party is not prepared to attend a meeting, the Mayor is to advise the requestor forthwith. No further action is required of the Mayor.

If the other party declines to participate in a meeting, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party consents to a meeting, the Mayor is to convene a meeting of the parties at the earliest available opportunity. Unless one or both parties are unavailable, this should be within five (5) working days of receiving the consent of the other party.

The Mayor may present the parties with guidelines, in advance of the meeting or at the meeting, to help facilitate the meeting.

The role of the Mayor at the meeting is to provide guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65 of the Act, and the observation of the councillor conduct principles and the Councillor Code of Conduct.

The Mayor is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to external mediation or the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, either or both of the parties have recourse to external mediation or the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

Where the Mayor is a party to the dispute, the request is to be made to the Deputy Mayor (if any) or the immediate past Mayor. The Deputy Mayor or the immediate past Mayor will perform the functions ascribed to the Mayor.

Phase 2 – External mediation

A Councillor or a group of Councillors may make an application for a dispute to be referred for external mediation whether or not the dispute has been the subject of an application for "direct negotiation".

An application made for a dispute to be referred for external mediation may relate to:

- an interpersonal conflict between Councillors where the conflict is or is likely to affect the operations of the Council; or
- an alleged contravention of the Councillor Code of Conduct.

The applicant is to submit a written application to the Principal Conduct Officer setting out the name of the Councillor and the details of the dispute. The application is to indicate that the application is for an "external mediation". Where the application relates to an alleged contravention of the Councillor Code of Conduct, the application must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of councillors; and
- be signed and dated by the applicant or the applicant's representative.

The applicant is to notify the other party of the request and provide him or her with a copy of the application either at the same time that it is submitted to the Principal Conduct Officer or as soon as practical thereafter.

The Principal Conduct Officer is to ascertain (in writing) whether or not the other party is prepared to attend an “external mediation”. If the other party declines to participate in an external mediation, he or she is to provide their reasons for doing so in writing to the Principal Conduct Officer. These reasons may be taken into account if the matter is, subsequently, the subject of an application for a Councillor Conduct Panel.

When the other party declines to participate in an external mediation, this does not constitute a contravention of this Councillor Code of Conduct.

If the other party agrees to participate in an external mediation, the Principal Conduct Officer is to advise the applicant, the Mayor and Chief Executive Officer forthwith.

The Chief Executive Officer is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

The mediator is to document any agreement reached at the meeting. Copies of the agreement are to be provided to both parties. Where one party does not comply with the agreement, the other party has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, the applicant has recourse to the internal resolution procedure where the matter relates to an alleged contravention of the Councillor Code of Conduct.

Phase 3 – Internal resolution procedure - Arbiter

An application cannot be made for an internal resolution procedure during the election period for a general election. Any internal resolution procedure that is in progress is to be suspended during the election period for a general election.

If the respondent to an application for an internal resolution procedure is not returned to office as a Councillor in the election, the application lapses. If the respondent is returned to office in the election, the application may resume if:

- the application was made by the Council and the Council so resolves; or
- the application were made by a group of Councillors and any one (or more) of those Councillors who has been returned to office wishes to proceed with the application; or
- the applicant (individual Councillor) is returned to office and wishes to proceed with the application.

A councillor or a group of councillors may make an application alleging that a Councillor has contravened this Councillor Code of Conduct. The application must:

- specify the name of the Councillor alleged to have contravened the Code;
- specify the provision(s) of the Code that is alleged to have been contravened;
- include evidence in support of the allegation;
- name the Councillor appointed to be their representative where the application is made by a group of councillors; and
- be signed and dated by the applicant or the applicant's representative.

The application must be submitted to the Council's Principal Conduct Officer.

An applicant may withdraw an application for an internal resolution procedure. Once an application has been withdrawn, the same or a similar application relating to the same instance in relation to the respondent Councillor cannot be resubmitted by the applicant.

On receiving an application, the Principal Conduct Officer will:

- advise the Mayor and CEO of the application without undue delay;
- provide a copy of the application to the Councillor who is the subject of the allegation at the earliest practical opportunity but not later than two working days from receipt of the application;
- identify an arbiter to hear the application;
- obtain from the arbiter written advice that they have no conflict of interest in relation to the Councillors involved;
- notify the parties of the name of the proposed arbiter and provide them with the opportunity (2 working days) to object to the person proposed to be the arbiter;
- consider the grounds of any objection and appoint the proposed arbiter or identify another arbiter;
- provide a copy of the application to the arbiter as soon as practicable after the opportunity for the parties to object to an arbiter has expired;
- after consultation with the arbiter, advise the applicant and the respondent of the time and place for the hearing; and
- attend the hearing(s) and assist the arbiter in the administration of the process

In identifying an arbiter to hear the application, the Principal Conduct Officer must select an arbiter who is suitably independent and able to carry out the role of arbiter fairly.

The role of the arbiter is to:

- consider applications alleging a contravention of the Councillor Code of Conduct by a Councillor;
- make findings in relation to any application alleging a contravention of the Councillor Code of Conduct which the arbiter must give to the Council;
- give a written statement of reasons supporting the findings to the Council at the same time as it gives its findings to the Council;
- recommend an appropriate sanction or sanctions where the arbiter has found that a Councillor has contravened the Councillor Code of Conduct.

In considering an application alleging a contravention of the Councillor Code of Conduct, an arbiter will:

- in consultation with the Principal Conduct Officer, fix a time and place to hear the application;
- authorise the Principal Conduct Officer to formally notify the applicant and the respondent of the time and place of the hearing;
- hold as many meetings as he or she considers necessary to properly consider the application. The arbiter may hold a directions hearing;
- have discretion to conduct the hearings as he or she deems fit while ensuring that the hearings are conducted with as little formality and technicality as due and proper consideration of the application allows;
- ensure that the parties to and affected by an application are given an opportunity to be heard by the arbiter;
- consider an application by a respondent to have legal representation at the hearing to ensure that the hearing is conducted fairly and may, in his or her absolute discretion, grant the application or deny the application;
- ensure that the rules of natural justice are observed and applied in the hearing of the application; and

- ensure that the hearings are closed to the public.

Where an application to have legal representation is granted by an arbiter, the costs of the respondent's legal representation are to be borne by the respondent in their entirety.

An arbiter:

- may find that a Councillor who is a respondent to an internal resolution procedure application has not contravened the Code;
- may find that a Councillor who is a respondent to an internal resolution procedure has contravened the Code;
- will suspend consideration of an internal resolution procedure during the election period for a general election.

The arbiter is to give a copy of his or her findings and the statement of reasons to the Council, the applicant and the respondent. At the same time, the arbiter provides the findings and statement of reasons, he or she shall, where a Councillor has been found to have contravened the Code, recommend an appropriate sanction or sanctions for the contravention for consideration by the Council.

A copy of the arbiter's findings, statement of reasons and any recommended sanctions is to be submitted to the next ordinary meeting of the Council for its consideration. If an arbiter has found that a contravention of the Code has occurred, the Council may, after considering the arbiter's findings, statement of reasons and recommendation on sanctions, give any or all of the following written directions to the Councillor:

- direct the Councillor to make an apology in a form or manner specified by the Council;
- direct the Councillor to not attend up to, but not exceeding, 2 meetings of the Council (in respect of the next scheduled meetings of the Council);
- direct that, for a period of up to, but not exceeding, 2 months on a date specified by the Council the Councillor:
 - be removed from any position where the Councillor represents the Council; and
 - to not chair or attend any advisory committee or special committee meeting or an assembly of Councillors or any other meeting specified in the direction.

A Councillor who does not participate in the internal resolution procedure may be guilty of misconduct. The Act provides that misconduct by a Councillor means any of the following:

- (a) failure by a Councillor to comply with the Council's internal resolution procedure; or
- (b) failure by a Councillor to comply with a written direction given by the Council under section 81AB; or
- (c) repeated contravention of any of the Councillor conduct principles.

Allegations of misconduct are heard on application by a Councillor Conduct Panel.

7. Councillor Declaration: Cr Jodie Pretlove

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, reviewed and adopted on 15 December 2016, and declare that I will abide by this Code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:



Councillor Jodie Pretlove

Date: 15th December 2016

Witnessed by:



David Leahy, Chief Executive Officer,
West Wimmera Shire Council

Date: 15 December 2016

8. Councillor Declaration: Cr Trevor Domaschenz

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, reviewed and adopted on 15 December 2016, and declare that I will abide by this Code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:



Councillor Trevor Domaschenz

Date:15..... December 2016

Witnessed by:



David Leahy, Chief Executive Officer,
West Wimmera Shire Council

Date:15..... December 2016

9. Councillor Declaration: Cr Tom Houlihan

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, reviewed and adopted on 15 December 2016, and declare that I will abide by this Code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:



Councillor Tom Houlihan

Date: 15th December 2016

Witnessed by:



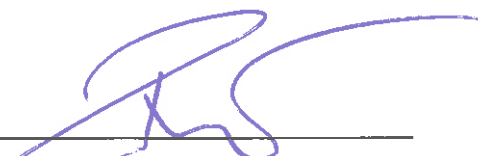
David Leahy, Chief Executive Officer,
West Wimmera Shire Council

Date: 15 December 2016

10. Councillor Declaration: Cr Richard Hicks

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, reviewed and adopted on 15 December 2016, and declare that I will abide by this Code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:



Councillor Richard Hicks

Date: 15th December 2016

Witnessed by:




David Leahy, Chief Executive Officer,
West Wimmera Shire Council

Date: 15 December 2016

11. Councillor Declaration: Cr Bruce Meyer

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, reviewed and adopted on 15 December 2016, and declare that I will abide by this Code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:


Councillor Bruce Meyer

Date: 15 December 2016

Witnessed by:


David Leahy, Chief Executive Officer,
West Wimmera Shire Council

Date: 15 December 2016



**WEST
WIMMERA
SHIRE COUNCIL**



West Wimmera Shire Council Councillor Code of Conduct

June 2019

The best of country living

TABLE OF CONTENTS

1. Introduction.....	4
2. Purpose of the Code of Conduct	4
a. Definitions	5
3. Background	6
a. Role of Mayor and Councillors	6
4. Conduct Obligations	8
a. Functions of the CEO	9
b. Councillor / Staff Contact Protocols	10
c. Expectations and Obligations of Councillors & Staff.....	11
d. Gifts and Benefits	12
e. Communication	12
5. Councillor Conduct Principles	14
a. Agreed Behavioural Values	14
i. Integrity.....	14
ii. Respect	14
iii. Selflessness	14
iv. Openness	15
v. Community Focus	15
vi. Objectivity	15
vii. Leadership	16
viii. Teamwork	16
b. Statutory Conduct Requirements	16
i. Misuse of Position	17
ii. Improper Direction	17
iii. Breach of Confidentiality	18
iv. Disclosure of Conflict of Interest	18
6. Communication Principles	21
a. Community Engagement	21
b. Communication Protocols	22
c. Candidature of Councillors for State or Federal Elections	22
7. Information and Resources	23
a. Use of Council Provided Resources	23
b. Access to Information	23
c. Appraisal of Governance Performance	24
8. Dispute Resolution Procedures	24
a. Internal Dispute Resolution Procedure	24
b. Hierarchy of Conduct Standards (who handles various complaints).....	25

c. Disputes Between Councillors	26
d. Councillor Misconduct	31

1. INTRODUCTION

The Local Government Act 1989 (the Act) requires all Councils to develop and maintain a Councillor Code of Conduct. The Code of Conduct is required to be reviewed periodically. The West Wimmera Councillor Code of Conduct was last reviewed in February 2017, following the 2016 Council Elections.

This reviewed version of the Councillor Code of Conduct has been developed following a recommendation included as part of a Governance Examination undertaken by the Local Government Inspectorate in October 2018.

The Councillor Code of Conduct includes an internal resolution procedure for dealing with any alleged contraventions of the Code. It enables Council to apply sanctions to a Councillor, who has been found to have contravened this Code of Conduct.

Failure by a Councillor to comply with the Council's internal resolution procedure or to comply with a written direction given by the Council under section 81AB of the Act (sanctions for contraventions of the Code) constitutes misconduct by a Councillor.

If a Councillor Conduct Panel makes a finding of misconduct against a Councillor, the Panel may apply further sanctions against that Councillor.

A set of Councillor Conduct Principles have been developed and included in this Code to guide Councillor behaviour standards that comply with this Code.

Section 8(c) of this Code contains a table explaining the hierarchy for the management of Councillor Conduct Issues and who is responsible for managing the process at the various levels.

2. PURPOSE OF THE CODE OF CONDUCT

The Local Government Act 1989 (the Act) sets out standards of conduct for Councillors under section 76C. It also requires Councils to adopt a Code of Conduct that complies with these principles.

As the purpose of Local Government is to provide a system under which Councils perform the functions and exercise the powers conferred by or under the Local Government Act 1989 and any other Act for the peace, order and good government of their municipal districts. Good governance is fundamental to a Council being able to perform its purpose. Good governance relies heavily on good working relations between Councillors.

The performance of Council has a direct effect on the wellbeing of the residents of West Wimmera Shire. The community can expect certain standards of conduct are adhered to by Councillors and this code provides the following;

2(a) Definitions

The definitions provided below are to assist in guiding Councillors through the key terms that are included in this Code and are defined in the Act.

Arbiter is an independent party appointed by Council to consider alleged violations of the Code of Conduct, by a Councillor and someone who is able to make a determination on such violations.

Bullying by a Councillor means the Councillor repeatedly behaves unreasonably towards another person and that behaviour creates a risk to the health and safety of that person.

Chief Municipal Inspector (CMI) is the head of the Local Government Inspectorate

Principal Conduct Officer is the person appointed by the CEO to be the Principal Conduct Officer under section 81Y of the Act. The Principal Conduct Officer at West Wimmera Shire Council is the Director Corporate and Community Services.

Principal Conduct Registrar is a State appointed officer with specific responsibilities of managing the Councillor Conduct process.

Councillor Conduct Panel means a panel of two people selected by the Principal Conduct Registrar to hear applications of misconduct and serious misconduct in accordance with Section 81V of the Act.

Local Community includes people who live in the Municipal District and people and bodies who are ratepayers and people and bodies who conduct activities or have an interest in the Municipal District.

Misconduct by a Councillor means;

- a. Failure by a Councillor to comply with Council's internal resolution procedure, or
- b. Failure by a Councillor to comply with a written direction given by the Council under section 81AB, or
- c. Repeated contraventions of the Councillor Conduct Principles.

Gross Misconduct by a Councillor means behaviour that demonstrates that a Councillor is not of good character or is otherwise not a fit and proper person to hold the office of Councillor.

Serious Misconduct by a Councillor means;

- a. The failure of a Councillor to attend a Councillor Conduct Panel Hearing formed to make a finding in respect of that Councillor, or
- b. The failure of a Councillor to give a Councillor Conduct Panel any information the Councillor Conduct Panel has requested the Councillor to give, or
- c. The failure of a Councillor to comply with a direction of a Councillor Conduct Panel, or
- d. Continued or repeated misconduct by a Councillor after a finding of misconduct has already been made in respect of the Councillor by a Councillor Conduct Panel, or

- e. Bullying of another Councillor or a member of Council staff by a Councillor, or
- f. Conduct by a Councillor in respect of a member of Council Staff in contravention of section 76E, or
- g. The release of confidential information by a Councillor in contravention of section 77 of the Act.

3. BACKGROUND

A Council must, within 4 months after a general election:

- (a) call a Special Meeting solely for the purpose of reviewing the Councillor Code of Conduct; and
- (b) at that Special Meeting, approve any amendments to be made to the Councillor Code of Conduct determined by the Council to be necessary, following the review of the Councillor Code of Conduct.

A copy of this Code of Conduct (as amended from time to time) must be:

- given to each Councillor
- available for inspection at the Council Office and any district offices
- published on the Council's internet website

From the 2016 Council elections, a person elected to be a Councillor is not capable of acting as a Councillor until the person has read the Councillor Code of Conduct and made a declaration stating that they will abide by the Councillor Code of Conduct. It is the personal responsibility of Councillors to ensure that they are conversant with, and comply with, the provisions of this Code.

3(a) Role of Mayor & Councillors

The role of Councillors and Mayors is clearly spelt out in the Local Government Act 1989 (the Act). The Act also describes the primary objective of Council in section 3C(1), to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions.

The role of Council as set out in section 3D(2) of the Act is as follows;

- a) acting as a representative government by taking into account the diverse needs of the local community in decision making;
- b) providing leadership by establishing strategic objectives and monitoring their achievement;

- c) maintaining the viability of Council by ensuring that resources are managed in a responsible and accountable manner;
- d) advocating for the interests of the local community to other communities and government;
- e) acting as a responsible partner in government by taking into account the needs of other communities; and
- f) fostering community cohesion and encouraging active participation in civic life.

Role of a Councillor

West Wimmera Shire Council has five democratically elected Councillors who collectively constitute the Council.

The role of a Councillor as set out in section 65(1) of the Act is as follows;

- (a) to participate in the decision making of the Council; and
- (b) to represent the local community in that decision making; and
- (c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing the role of a Councillor in accordance with section 65(2) of the Act, a Councillor must;

- (a) consider the diversity of interests and needs of the local community; and
- (b) observe principles of good governance and act with integrity; and
- (c) provide civic leadership in relation to the exercise of the various functions and responsibilities of the Council under this Act and other Acts; and
- (d) participate in the responsible allocation of the resources of Council through the annual budget; and
- (e) facilitate effective communication between the Council and the community.

The role of a Councillor is to act for the entire community and advocate on their behalf. A Councillor plays a key role in facilitating communication with the community and encouraging engagement with the activities of Council. Councillors collectively constitute the Council. As an individual, a Councillor cannot direct or bind the organisation to any actions or decisions.

Role of the Mayor

The role of the Mayor is set out in section 73AA of the Local Government Act 1989 (the Act). The functions described in the Act include;

- (a) providing guidance to Councillors about what is expected of a Councillor including in relation to the role of a Councillor under section 65, and the observation of the Councillor conduct principles and the Councillor Code of Conduct by Councillors under sections 76B, 76BA and 76C; and
- (b) acting as the principal spokesperson for the Council; and
- (c) supporting good working relations between Councillors; and
- (d) carrying out the civic and ceremonial duties of the office of Mayor.

While having no additional statutory power other than as specified in the Act, the following duties are carried out by the Mayor by convention;

- Being a leader and a positive advocate for the community,
- Encouraging participation of Councillors in the decision-making process,
- Maintaining a close working relationship with the Chief Executive Officer,
- Leading and providing guidance to Councillors in relation to their role,
- Sustaining partnerships and advocating for Council's interests and pursuing opportunities for the Shire in line with relevant adopted policies, strategies and plans,
- Acting as a representative of the Shire where required.

4. CONDUCT OBLIGATIONS

The Act places obligations on Councillors in relation to the way they should act. The Act also prohibits certain conduct by Councillors and prescribes penalties for Councillors who contravene these provisions. As Councillors of West Wimmera Shire Council, we undertake to comply with the various provisions of the Act and with this Code of Conduct.

Section 76B of the Act sets out the primary principle of Councillor Conduct as follows:

"It is the primary principle of Councillor conduct that, in performing the role of a Councillor, a Councillor must:

- (a) act with integrity; and
- (b) impartially exercise his or her responsibilities in the interests of the local community; and
- (c) not improperly seek to confer an advantage or disadvantage on any person."

4(a) Functions of the Chief Executive Officer

Under section 94A of the Act, the Chief Executive Officer is responsible for the operation of the organisation, all staffing related matters, the implementation of Council policy and decisions, operational policy and procedures, service delivery and providing professional advice to Council. The Chief Executive Officer also maintains a close working relationship with the Mayor.

This code endeavours to support the aforementioned legislated powers of the Chief Executive Officer to manage all staffing matters and West Wimmera Shire Councillors will;

- Respect the role of Council staff and treat them in a way that builds mutual respect (as also required by the Staff Code of Conduct);
- Observe the Councillor – Staff contact protocols (included in this Code);
- Respect and support the role of the Chief Executive Officer to provide Council with timely and reliable advice about its legal obligations under the Act or any other relevant Act;
- Understand that there is no capacity to individually direct members of staff to carry out particular functions, or exercise powers or discretions in any particular way; and
- Refrain from using the position of Councillor to improperly influence members of staff in their duties or functions (including the preparation of Council reports or recommendations to Council) or seek to gain advantage for themselves or others.

The functions as included in the Local Government Act 1989 (the Act) are as follows;

The Chief Executive Officer is responsible for:

- (a) establishing and maintaining an appropriate organisational structure for the Council; and
- (b) ensuring that the decisions of the Council are implemented without undue delay; and
- (c) the day to day management of the Council's operations in accordance with the Council Plan; and
- (d) developing, adopting and disseminating a Code of Conduct for Council staff; and
- (e) providing timely advice to the Council; and
- (f) ensuring that the Council receives timely and reliable advice about its legal obligations under this Act and any other Act;
- (g) supporting the Mayor in the performance of the Mayor's role as Mayor;
- (h) carrying out the Council's responsibilities as a deemed employer with respect to Councillors, as deemed workers, which arise under or with respect to the Accident Compensation Act 1985 or the Workplace Injury Rehabilitation and Compensation Act 2013; and
- (i) performing any other function or duty of the Chief Executive Officer specified in this Act or any other Act.

The Chief Executive Officer is responsible for managing interactions between Council staff and Councillors including by ensuring that appropriate policies, practices and protocols are in place defining appropriate arrangements for interaction between Council staff and Councillors.

We, the Councillors of West Wimmera Shire, undertake to respect the functions of the Chief Executive Officer and to comply with the policies, practices and protocols defining appropriate arrangements for interaction between Council staff and Councillors that are put in place by the Chief Executive Officer.

4(b) Councillor / Staff Contact Protocols

West Wimmera Shire Council developed the following set of protocols in October 2016 to assist in managing the working relationship between Councillors and Staff. Councillors agree to abide by these protocols and will report any inappropriate staff contact to the Chief Executive Officer. The following are the agreed protocols;

Background:

The following protocols are provided as guidelines to ensure that contact with West Wimmera Shire Council staff is undertaken in a consistent and orderly fashion.

As Councillors would be aware, providing direction to staff is prohibited under the Local Government Act for staff other than the CEO. It is the responsibility of the CEO to manage the staff resources of the organisation and inappropriate direction is in breach of the Act.

The following protocols are not designed to prevent contact between staff and Councillors but are designed to provide staff with the confidence that their conversations will not be used to form an argument in a debate.

It will also assist in Councillors avoiding the accusation that they are inappropriately involving themselves in operational activities.

Reasons for Councillor / Staff Contact:

There are many reasons that direct contact with staff will assist Councillors in undertaking their civic duties, these may include but not limited to the following;

- Questions around planning permit reports prior to making a decision
- Finding information to answer question of a constituent
- Financial information
- Status reports on various programs
- Assistance with travel arrangements
- Discussions on meeting minutes etc.

Process for Receiving Information:

The process for Councillors to follow when seeking information that a staff member may be able to assist with is as follows;

A request to the CEO or relevant Director to provide the information or a request to the CEO or relevant Director to meet with the staff member. These requests can be as simple as a phone call or email.

Staff should not be approached directly at their work station as a request from a Councillor may trigger a re-prioritisation of their activities. If a re-prioritisation occurs in an area that is required to meet statutory timelines (such as planning or finance), it could potentially put the organisation at risk of non-compliance with regulations or legislation.

The only exception is Councillor contact with the Governance Officer (GO). Councillors may have direct contact with the GO on a daily basis or as required, as the GO provides direct administrative and organisational support to Councillors including coordinating meeting and event RSVP's, meeting and event attendance, provision of agendas and minutes, travel and accommodation arrangements.

4(c) Expectations and Obligations of Councillors and Staff

In accordance with the Councillor / Staff Contact Protocols, listed in section 4(b), an agreed set of expectations are provided in the table below;

<p style="text-align: center;">Councillors expect that officers will:</p> <ul style="list-style-type: none"> • <i>Act professionally and honestly with a good sense of humour</i> • <i>Provide recommendations that are accurate, timely and outline alternatives and their implications</i> • <i>Act devoid of bias</i> • <i>Make recommendations that are consistent with the Council Plan</i> • <i>Be accessible within reason and respond in a timely manner</i> 	<p style="text-align: center;">Officers expect that Councillors will:</p> <ul style="list-style-type: none"> • <i>Convey principles and Council values</i> • <i>Say when they don't understand something and ask for clarification</i> • <i>Not interfere in operational matters – advice and questions will be directed to the CEO and Directors</i> • <i>Have a vision for the Council and represent the community's interest</i> • <i>Share information early</i> • <i>Respect and trust professional opinion</i>
<p style="text-align: center;">Councillors agree to give to officers:</p> <ul style="list-style-type: none"> • <i>Professional and honest behaviour</i> • <i>Diversity – A broad range of skills, perceptions and opinions</i> • <i>Trust, good judgement and vision</i> • <i>Community linkages</i> • <i>Healthy productive debate</i> 	<p style="text-align: center;">Officers agree to give to Councillors:</p> <ul style="list-style-type: none"> • <i>Frank and fearless advice</i> • <i>The whole story</i> • <i>Acknowledge mistakes</i> • <i>Full support</i> • <i>The same advice will be provided to all Councillors</i> • <i>Benefit of experience and expertise</i>

4(d) Gifts and Benefits or Hospitality

We will scrupulously avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to gain favourable treatment from an individual Councillor or from the Council.

We will take all reasonable steps to ensure that our immediate family members (parents, spouse, children and siblings) do not receive gifts or benefits that give rise to the appearance of being an attempt to gain favourable treatment.

Where a gift is received on behalf of the Council, the gift becomes the property of the Council. For transparency and accountability purposes, these gifts will be recorded in the Councillor Gifts Register with a notation that it is the property of Council.

Councillors and Senior Staff will be required to attend events periodically where there is a clear value to the work of the Council (community engagement sessions, meeting with State and Federal members and state and regional Local Government functions). Invariably these functions will be paid for by West Wimmera Shire Council and therefore not categorised as individual hospitality.

It is considered acceptable for Councillors to accept hospitality up to the value of \$50, on the condition that it can in no way advantage the provider of the hospitality. **The value of \$50 is not an accumulative amount and is to interpreted as \$50 per event.** When hospitality is paid for by Council for an individual Councillor, the expense will be recorded as a Councillor expense. Councillors may also wish to pay for the hospitality themselves, which would therefore not be recorded as a Councillor expense.

We recognise that gifts equal to or above the gift disclosure threshold (\$50), received in the twelve months prior to election from a person or body that has a direct interest in a matter may give rise to an indirect interest because of receipt of an applicable gift.

We will record all campaign donations in our "Campaign Donation Return".

4(e) Communication

We recognise that as representatives of the local community, we have a primary responsibility to be responsive to community views and to adequately communicate the position and decisions of Council.

Councillors play a key role in communicating the decisions of Council as well as promoting services and projects that will be of interest to the broader community. Communication with the public can be undertaken in a variety of formats. These range from informal meetings with groups or individual residents, to sharing information via the Council web-site or social media platforms. Formal comments to the media are also included. When communicating Councils position on a specific topic or issue, Councillors will;

- Take all possible steps (such as seeking briefing information and updates from officers) to ensure that the most accurate and up to date information (not bound by confidentiality) is being presented;
- Recognise that in their Council role as community leaders, Councillors have a responsibility to communicate Council related issues with a view to minimising misinformation or content that could mislead or create confusion within the community;
- Communicate respectfully and clearly;
- Recognise the role of the Mayor as the principle spokesperson of the organisation;
- Where delegated by the Mayor to comment formally, consult with Council's communications department or the CEO, where practicable;
- Ensure that when expressing an opinion that may contradict the formal position of Council, that Councillors make it clear that the comment does not represent the position of Council.
- When expressing personal points of view, Councillors will ensure that their comments do not cause reputational damage or would likely cause embarrassment to Council, the organisation, staff members or another Councillor; and
- Recognise the reach of social media platforms and ensure that Councillors manage their individual profiles to avoid confusion between their public / private lives (e.g. Councillor's should not be commenting on Council issues via their personal profiles).

If Councillors choose not to adhere to the above mentioned protocols, they will be classified as being in breach of this Code of Conduct. The process for handling an alleged breach is included within section 8 – Dispute Resolution Procedures.

Accepting or Declining Invitations to Meetings and Events

In addition to the above points regarding communication, Councillors agree to the following principles regarding the provision of a timely RSVP for meetings and events.

Councillors will respond to invitations and meeting requests in a timely manner and inform the Governance and Executive Support Officer of any invitations or requests that are received directly by the Councillor, to enable the Councillor Diary to be kept as accurate as possible.

This will ensure that invitations are managed in a professional manner, travel arrangements can be made (car bookings, car-pooling arrangements, flights or public transport), accommodation bookings completed and for catering purposes.

To enable the smooth management of Councillor invites and bookings, Councillors commit to the following;

- Check email invites received from West Wimmera Shire Council officers daily;
- Assess invitations listed within the Councillor Diary as it is circulated (twice weekly);
- Advise the Governance and Executive Support Officer of their availability in a timely manner, either via email to eso@westwimmera.vic.gov.au or by phone to 5585 9900;

- Advise the Governance and Executive Support Officer of their intention to attend meetings for which they are the nominated Council representative;
- Liaise with the Governance and Executive Support Officer regarding travel arrangements, registrations for training or conferences, accommodation needs and dietary requirements for catering purposes.

5. COUNCILLOR CONDUCT PRINCIPLES

Councillor Conduct Principles are separated into two categories, firstly a set of (a) "Agreed Behavioural Values" and (b) a set of "Statutory Conduct Requirements" (which explain what constitutes unacceptable conduct).

5(a) Agreed Behavioural Principles

The following list of behavioural traits provides guidance in relation to ethical decision-making and expected Councillor standards.

i. Integrity

We must not place ourselves under any financial or other obligation to any individual or organization that might reasonably be thought to influence us in the performance of our duties

Integrity is the consistent commitment to apply ethical behaviour, encompassing honesty, openness and respect.

ii. Respect

We will treat others with courtesy and respect at all times. This will be achieved by:

- not using derogatory terms towards others,
- observing the rights of other people,
- treating people with courtesy and recognizing the different roles others play in local government decision-making.
- Treating fellow Councillors with respect, even when disagreeing with their views or decisions

Respect is being conscious and aware of others' values, beliefs and opinions, appreciating that they could be different from our own and treating them accordingly.

iii. Selflessness

We have a duty to make decisions in the public interest. We must not act in order to gain financial or other benefits for ourselves, our family, friends or business interests. This means making decisions because they benefit the public, not because they benefit the decision maker.

iv. Openness

We have a duty to be as open as possible about our decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands.

Section 76BA of the Act sets out the general principles of councillor conduct as follows:

"In addition to acting in accordance with the primary principle of Councillor conduct specified in section 76B, in performing the role of a Councillor, a Councillor must:

- (a) avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations;
- (b) act honestly and avoid statements (whether orally or in writing) or actions that will or are likely to mislead or deceive a person;
- (c) treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other Councillors, Council staff and other persons;
- (d) exercise reasonable care and diligence and submit himself or herself to the lawful scrutiny that it is appropriate to his or her office;
- (e) endeavour to ensure that public resources are used prudently and solely in the public interest;
- (f) act lawfully and in accordance with the trust placed in him or her as an elected representative;
- (g) support and promote these principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor."

Councillors are required to conduct themselves in observance of the primary principle and the general principles. We undertake to do this.

v. Community Focus

Councillors are committed to work in the best interests of the residents of the entire West Wimmera Shire.

In decision making, Councillors will consider the diversity of the community, the strategic direction of the Council, responsible resource allocation and provide consistent governance across the municipality.

vi. Objectivity

All decisions and actions made by Council are accountable to the public. Councillors will therefore make decisions solely on merit and in accordance with their statutory obligations. Councillors will pay particular attention to section 3D(a) of the Act that requires Councillors to take into consideration the diverse needs of the local community, when making decisions.

vii. Leadership

Leadership is the creation of an environment that empowers individuals, the organisation and the community to achieve the vision of Council.

Councillors will promote and support the conduct principles through leading by example. Councillors will conduct themselves in a manner that best represents the values of West Wimmera Shire Council and instils community confidence in the office of Councillor.

viii. Teamwork

Teamwork is best described as the ability of a group of individuals to work collaboratively to achieve outcomes that are agreed by the team.

Councillors will work together constructively to enable properly constituted Council meeting processes to be adhered to, which ultimately lead to thorough and optimal decision making.

Conduct that negatively impacts on the group's ability to receive information or prevent opinions being shared, is not in keeping with the values contained within this Code of Conduct.

5(b) Statutory Conduct Requirements

The Local Government Act 1989 has specific provisions that prohibit Councillors from certain conduct. This conduct relates to:

- Misuse of position
- Improper direction and improper influence
- Confidential information
- Conflict of interest

These matters are set out below in order to provide a complete picture of the obligations on Councillors. While these matters are not of a nature to be addressed as a contravention of the Councillor Code of Conduct, Councillors will undertake to comply with the prohibitions on Councillor conduct set out below. These matters should more properly be the subject of an application to a Councillor Conduct Panel for a finding of serious misconduct or a complaint to the Local Government Inspectorate or the Independent Broad-based Anti-corruption Commission depending on the nature of the allegation.

(Note: Serious misconduct by a Councillor(s) means:

- (a) the failure of a Councillor to attend a Councillor Conduct Panel hearing formed to make a finding in respect of that Councillor; or*
- (b) the failure of a Councillor to give a Councillor Conduct Panel any information the Councillor Conduct Panel has requested the Councillor to give; or*

- (c) the failure of a Councillor to comply with a direction of a Councillor Conduct Panel; or*
- (d) continued or repeated misconduct by a Councillor after a finding of misconduct has already been made in respect of the Councillor by a Councillor Conduct Panel; or*
- (e) bullying of another Councillor or member of Council staff by a Councillor; or*
- (f) conduct by a Councillor in respect of a member of Council staff in contravention of section 76E; or*
- (g) the release of confidential information by a Councillor.)*

The following provides detail on the various topics of Statutory Conduct Requirements (prohibited conduct).

i. Misuse of Position

Section 76 of the Act states that Councillors will not use their position, or knowledge gained in their role, to disadvantage Council or someone else, or advantage themselves or someone else. Therefore a Councillor must not misuse his or her position to;

- Gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person;
- Cause or attempt to cause detriment to the Council or another person;
- Direct or improperly influence a Council officer;
- Exercise, perform or purport to, a power, duty or function that they are not authorised to perform;
- Use public funds or resources in a manner that is improper or unauthorised;
- Fail to disclose a conflict of interest;
- Make improper use of information acquired as a Councillor; or
- Disclose information that is confidential as designated by the CEO.

ii. Improper Direction

Under section 76E of the Act, a Councillor must not direct, or seek to direct Council officers;

- In the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
- In the exercise of a power or the performance of a duty or function exercise or performed by the member as an authorised officer under this Act or any other Act; or
- In the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or
- In relation to advice provided to the Council or a special committee, including advice in a report to the Council or special committee.

iii. Breach of Confidentiality

A Councillor must not disclose information that he or she knows, or should reasonably know, is confidential information.

Councillors must observe the confidentiality of the information that is provided to them in the course of performing their duties and must not convey (electronically, verbally, or in writing) information they know, or should reasonably know is confidential.

Under section 77 of the Act, information is considered confidential when;

- It was provided to Council in relation to a matter considered in a meeting closed to the public in accordance with s82(2) of the Act and Council has not resolved to classify the information as not confidential;
- Has been designated as confidential information by a resolution of Council, which specifies the relevant grounds under s89(2) of the Act and Council has resolved that the information is not confidential;
- Has been designated in writing as confidential information by the Chief Executive Officer, specifying the grounds applying under s89(2) of the Act and Council has not resolved that the information is not confidential.

A Councillor may disclose information that he or she knows is confidential information in the following circumstances:

- for the purposes of any legal proceedings arising out of this Act;
- to a court or tribunal in the course of legal proceedings;
- pursuant to an order of a court or tribunal;
- to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
- to a Councillor Conduct Panel in the course of a hearing and for the purposes of the hearing;
- to a Municipal Monitor to the extent reasonably required by the Municipal Monitor;
- to the extent reasonably required for any other law enforcement purposes.

iv Disclosure of Conflict of Interest.

If a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or special committee, an Assembly of Councillors, an Audit Committee or a Section 223 committee, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest in accordance with the provisions of the Act (unless any of the exemptions apply).

A Councillor has a direct interest in a matter if there is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the Councillor would be directly altered if the matter is decided in a particular way. This includes where there is a reasonable likelihood that the person will receive a direct benefit or loss that can be measured in financial terms and where the Councillor, or together with a member or

members of the person's family have a controlling interest in a company or other body that has a direct interest in the matter.

It is important for Councillors to be aware of possible perceptions of conflicts of interest. For the purposes of this code, *conflict of interest*, has the meaning specified in the Act. The decision as to whether to declare a conflict of interest, or whether a conflict exists, rests entirely with the individual Councillor. It is therefore the responsibility of Councillors to ensure they familiarise themselves with the various issues within meeting agendas and determine whether a conflict exists.

Council as an organisation can provide basic advice on conflicts of interest, however, Councillors must make their own determination as to whether to exclude themselves from debate and decision due to conflict of interest.

Councillors are required to comply with all provisions contained within sections 77A-79B and 80A of the Act with respect to conflicts of interest, in particular;

- If a Councillor has a conflict of interest in a matter which is to be, or is likely to be, considered or discussed at a meeting of the Council or an Assembly of Councillors, the Councillor must **if he or she is intends to be present at the meeting**, disclose the conflict of interest in accordance with section 79(2) of the Act, by either;
 - Advising Council at the meeting of the details required under section 79(2)(b) and (c) of the Act before a matter is considered at the meeting; or
 - Advising the Chief Executive Officer in writing of the details required under section 79(2)(d) of the act in advance of the meeting.

*** *Statement of disclosure of conflict of interest form is attached to this Code of Conduct.***

- A Councillor who has a conflict of interest in a matter which is to be, or is likely to be, considered or discussed at a meeting of the Council or an Assembly of Councillors and **intends on not being present for the consideration of the matter must;**
 - Classify the type of interest that has given rise to the conflict as either
 - i. Direct interest; or
 - ii. An indirect interest, specifying the particular type of indirect interest under section 78, 78A, 78B, 78C, or 78D; and describe the nature of the interest.

It is important to note that being absent from an Ordinary Meeting of Council or Assembly of Councillors, does not exempt a Councillor from disclosing a conflict of interest to a specific item.

The following provides a guide in relation to the determination of conflicts of interest.

TYPE OF INTEREST		DETAIL
		Reasonably likely that your benefits, obligations, opportunities or circumstances will be directly altered
Direct Interest		Reasonably likely to receive a direct benefit or loss measurable in financial terms
(s77B)		Person has, or the person together with a member(s) of their family have a controlling interest in a company or other body that has a direct interest
	Close Association (s.78)	A member of your family has a direct interest or an indirect interest
		A relative has a direct interest
		A member of your household has a direct interest
		Likely to receive a benefit or incur a loss, measurable in money, resulting from a change to another person's interests
	Indirect Financial Interest (s.78A)	Holding shares in a company or body that has a direct interest (subject to threshold - \$10,000 value of shares if company shares issued exceeds \$10 million)
		When a person with a direct interest owes you money
		Manager or member of the governing body of an organisation with a direct interest
Indirect Interest	Conflict of Duty (s78B)	Partner, consultant, contractor, agent or employee of person, company or body with a direct interest
		Trustee for a person with a direct interest
		Past dealings in relations to the matter as duty to another person or body
	Applicable Gift (s. 78C)	Election donations valued at or above \$500 in previous 5 years Other Gifts valued at or above \$500 over a 5 year period excluding reasonable hospitality received when attending in an official capacity and a gift received 12 months before becoming a Councillor
	Party to the Matter (s.78D)	Initiated or became party to civil proceedings in relation to the matter
	Impact on Residential Amenity (s. 78E)	Reasonably likely that your residential amenity will be directly altered
Conflicting Personal Interest	Conflicting with Public Duty (s.79B)	Personal interest is in conflict with Councillor's public duty in relation to the matter. Application needs to be made to the Council / Special Committee to be exempted from voting. Council / Special Committee cannot reasonably withhold its consent

6. COMMUNICATION PRINCIPLES

We recognise that as representatives of the local community, we have a primary responsibility to be responsive to community views and to adequately communicate the position and decisions of Council.

We undertake to comply with Council's media policy and respect the functions of the Mayor and Chief Executive Officer to be the spokespersons for Council in accordance with our policy.

We acknowledge that individual Councillors may have a personal view / opinion on certain matters that is contrary to Council's formal position and may wish to express this view / opinion via the local media. Where Councillors choose to do so, they will make it clear that such comment is a personal view / opinion and does not represent the position of Council. We undertake to ensure that any such comment is devoid of comments that could reasonably be construed as being derogatory, offensive or insulting to any person, or to Council as an organisation.

Councillors agree to abide by the principles on communication as set out in section 4(e) of this code of conduct.

6(a) Community Engagement

As representatives of the community, Councillors are required to listen to the community's views, be responsive to them and adequately communicate the positions and decisions of Council.

Council should also ensure that they participate in formal and informal community engagement initiatives across the entire municipality, to assist them in understanding the needs of the entire community.

There is a statutory obligation for Councillors to represent the diverse views of the community and understand the community sentiment beyond immediate networks and their own personal views.

There will be times when a Councillor has an individual view that is in disagreement with a majority decision of Council. When expressing their own views on a topic in a community engagement exercise, Councillors will acknowledge that;

- As a member of Council, they respect the decision making process of Council, which is based on the principle of majority vote; and
- The opinion expressed by the individual is a personal view and not an endorsed position of the Council. It is the responsibility of the individual Councillor to ensure that there is no level of confusion amongst the community and the community could not be considered to be misled due to their communication (the communication can take the form of social media, print media, direct dialogue or email to residents).

6(b) Communication Protocols

Councillors will be provided with relevant information to help them make informed decisions and fulfil their duties. This information may be publicly available, or in some instances, restricted or confidential. Councillors will act in accordance with the confidentiality requirements of s.77 of the Act and the guidance provided in s5(b)iii of this Code, when requesting a briefing from Council officers or requesting information from official Council records.

A Councillor will only request operational or confidential information in order to gain a broader understanding of an issue that falls under their role and responsibilities, or if it relates to matter before Council (or is expected to come before Council for decision).

All requested information will be provided to all Councillors, unless the Chief Executive Officer determines that providing the information is likely to be a breach of privacy, prejudice Council or any person, would undermine legal privilege or would otherwise be inappropriate.

The Chief Executive Officer will provide all Councillors with information on any declined requests for information, including the reason the information was not able to be provided.

6(c) Candidature of Councillors for State & Federal Elections

- A Councillor who becomes an endorsed candidate of a registered political party or publicly expresses an intention to run as an independent candidate for a state or federal election (a prospective candidate), will provide written advice to the CEO, as soon as practicable; the CEO will then advise all Councillors
- A Councillor who is a prospective candidate, will declare their candidacy at a meeting of Council as soon as practicable after notifying the CEO.
- A Councillor who nominates as a candidate for a state or federal election (a nominated candidate), will apply for leave of absence from the Council and this leave will commence upon the announcement of the election and the commencement of the formal campaign period. The leave of absence will conclude at the close of voting. During this period, a Councillor who is on leave of absence will not attend meetings of Council or otherwise act as a Councillor.
- The staff Councillor Contact Protocols that form part of this Code of Conduct will be observed by the nominated candidate. This will apply to the close of counting for the election.
- A Councillor who is a prospective candidate or a nominated candidate, will take care to differentiate between their role as a state or federal election candidate and their role as a Councillor when making any public comment.
- A Councillor who is a prospective candidate or a nominated candidate, will not use Council resources, including Council equipment and facilities in relation to their candidacy.

- A Councillor who is a prospective or nominated candidate, will not attend Council activities (Council meetings or Council sanctioned events) in relation to their candidacy.

7. INFORMATION AND RESOURCES

7(a) Use of Council Provided Resources

As Councillors, we commit to using Council resources effectively and economically. We will;

- maintain adequate security over Council property, facilities and resources provided to us to assist in performing our role and will comply with any Council policies applying to their use;
- ensure any expense claims that we submit are in compliance with the relevant legislative provisions and Council policy;
- not use Council resources, including services of Council staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate; and
- not use public funds or resources in a manner that is improper or unauthorised.

Councillors will also commit to reviewing and where necessary updating the Councillor Expenses and Entitlement Policy. This policy details the facilities and support that is provided to Councillors to assist them in the performance of their civic duties.

Councillors should understand the limitations required during election periods to ensure that there is not a reality or perception that Council resources are used for electoral purposes. This includes IT Equipment, Motor Vehicles and Office Equipment such as Printers and Copiers.

7(b) Access to information

Councillors will be provided with relevant information to help them make informed decisions and fulfil their duties. This information may be publicly available, or in some instances, restricted or confidential. Councillors will act in accordance with the confidentiality requirements of s.77 of the Act and the guidance provided in s5(b)iii of this code, when requesting a briefing from Council officers or requesting information from official Council records.

A Councillor will only request operational or confidential information in order to gain a broader understanding of an issue that falls under their role and responsibilities or if it relates to a matter before Council (or is expected to come before Council for decision).

All requested information will be provided to all Councillors, unless the Chief Executive Officer determines that providing the information is likely to be a breach of privacy, prejudice Council or any person, would undermine legal privilege or would otherwise be inappropriate.

The Chief Executive Officer will provide all Councillors with information on any declined requests for information, including the reason the information was not able to be provided.

7(c) Appraisal of Governance Performance

The value of effective governance practices is acknowledged by Councillors as critical to the ongoing delivery of services to the community and achievement of Council Plan objectives.

It is also acknowledged that measuring the effectiveness of governance provides a clear indication of the quality of the performance of the Council. Measuring governance performance also provides an early warning on any emerging issues that may need to be discussed or resolved.

Councillors agree to reflect on and evaluate the collective performance of the organisation from a governance perspective. As part of this evaluation Councillors commit to;

- Hold periodic “debrief sessions” where applicable to work through issues or concerns;
- Conduct a mid-term review to assess whether Council and personal goals are being achieved; and
- Annually review governance performance through an annual “Governance Assessment” conducted by an external entity and commit to implementing recommendations from the review.

8. DISPUTE RESOLUTION PROCEDURES

In order for any disputes to be managed and resolved in a respectful manner it is important for Councillors to commit to follow the procedures set out in this section of the Code of Conduct.

The various steps / phases of the dispute resolution listed in the Code of Conduct provide sufficient detail to ensure a thorough process is adhered to and all parties receive natural justice and a suitable hearing.

8(a) Internal Dispute Resolution Process

Before commencing any formal dispute resolution process, the Councillors who are parties to a dispute are expected to use their best endeavours to resolve the matter in a courteous and respectful manner between themselves. Where, after these endeavours have been exhausted, the matter still remains unresolved the parties may resort to any or all of the Council’s multi-phase dispute resolution process.

This is not intended to resolve differences in policy or strategy development and direction, as this is appropriately resolved through discussion, debate and ultimately voting at meetings.

8(b) Hierarchy of Conduct Standards and who Manages Complaints / Disputes

The Victoria Parliament adopted a number of reforms in the *Local Government Amendment (Improved Governance) Act 2015*. These reforms provide a hierarchy to guide the management of Councillor conduct issues and allegations, by providing the following breakdown;

- Councils dealing with alleged breaches of Council Codes of Conduct
- Councillor Conduct Panels dealing with the majority of escalated cases, and
- The Victorian Civil and Administrative Tribunal (VCAT) dealing with exceptional cases.

The adopted reforms also provide the hierarchy and definitions of misconduct, serious misconduct and gross misconduct as included within this code and they are summarised in the table below, along with who is responsible for managing the various matters.

Degree of Seriousness	Definition	Responsible Authority
Conduct inconsistent with standards Councils set and agreed to	Breaches of Council Code of Conduct	West Wimmera Shire Council
Misconduct	Failing to comply with Council internal resolution procedure, including failure to abide by any decision of Council in relation to a breach of the Code and repeated breaches of Councillor Conduct Principles	Councillor Conduct Panel
Serious Misconduct	Failing to comply with panel processes, bullying, improperly directing staff, releasing confidential information and repeated misconduct	Councillor Conduct Panel
Gross Misconduct	Behaviour that demonstrates lack of character to be a Councillor	VCAT

8(c) Disputes Between Councillors

Councillors will be mindful that having a differing or opposing view on an issue is a normal function of the process of democratic Local Government. Providing the freedom to express different views leads to well informed and considered debate, which provides confidence in decision making. All Councillors have the right to have an influence over decisions through quality debate.

It is a natural part of functioning as a Local Government Authority that disputes and disagreements will occur. To ensure that Council is able to function professionally and provide leadership to the community, Councillors must ensure that disputes and disagreements do not become personal or affect the decision making process of Council.

Councillors who are parties to any disagreement will take responsibility to explore, every avenue possible to resolve the conflict or dispute, before entering into any formal process.

Councillors acknowledge that if a pattern of unsubstantiated or vexatious / frivolous complaints are experienced and continue to be lodged, the Principal Conduct Officer may refuse to allocate any resources to investigate the complaints. In these circumstances, the CEO will inform the full Council of the decisions and the reasons the items were not taken any further. Also if the complainant is not willing to have their identity disclosed, this will further limit any action that may be taken or progressing the matter further.

Where Councillors are unable to resolve a dispute between themselves, the Mayor may be requested to convene a meeting of the parties. To commence the process of resolving disputes between Councillors, the following steps will be taken to enable the Mayor to convene a meeting (Direct Negotiation) of the parties in dispute.

- The party requesting the direct negotiation will provide the Mayor – via the Principal Conduct Officer, with a written request.
- Where the request relates to an allegation of a breach of the Code of Conduct, the request must contain the following;
 - Specify the name of the Councillor alleged to have breached the Code;
 - Specify the provision(s) of the Code that is alleged to have been breached;
 - Include evidence in support of the allegation;
 - Where the allegation is provided by a group of Councillors, name the Councillor who will act as the appointed representative; and
 - Be signed and dated by the Councillor requesting the Direct Negotiation meeting or representative of group requesting the meeting.

The Mayor via the Principal Conduct Officer will notify the other party of the request for the meeting, provide them with a copy of the written request and arrange the meeting (venue and time). Provided all parties agree to meet, the meeting will be convened within 5 working days of all parties agreeing to meet.

If the other party is not prepared to attend a Direct Negotiation meeting, the Mayor, via the Principal Conduct Officer will notify the requestor and no further action is required of the Mayor at this time.

The Mayor may present the parties with guidelines, in advance of the meeting or at the meeting, to help facilitate the smooth management of the meeting.

The role of the Mayor at the meeting is to provide guidance to Councillors about what is expected of a Councillor in accordance with section 65 of the Act and to observe the conduct principles as included in this Code.

Any agreement that may be reached is to be documented and copies provided to both parties. If either party chooses not to comply with the agreement, the other party has recourse to seek external mediation. Failure to comply with the agreement struck at the meeting will constitute a contravention of the Code of Conduct.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties. Where the dispute remains unresolved, either or both parties have recourse to external mediation or the internal resolution procedure where, the matter relates to an alleged contravention of the Councillor Code of Conduct.

External Mediation

In the event that reconciliation of the dispute is not possible after internal mediation (Direct Negotiation), or the internal mediation is not conducted, a Councillor or group of Councillors may apply to the Principal Conduct Officer, for the dispute to be referred for external mediation.

This request must be provided in writing, indicating the reason for the dispute, the name(s) of those involved in the dispute, the provisions of this code that are alleged to have been breached and any evidence to support the allegation(s). The other party must also be notified of the request and a copy of the application for external mediation is to be provided to them.

The Principal Conduct Officer is required to ascertain the availability of or willingness of the other party to participate and if they decline, they must provide the reasons to the Principal Conduct Officer. These reasons may be taken into account if the matter is the subject of a Councillor Conduct Panel at a later date. Declining to attend external mediation does not constitute a breach of this code; however declining to participate does in anyway resolve the dispute.

If the other party does agree to participate in the external mediation process, the Principle Conduct Officer will advise the applicant, the Mayor and the Chief Executive Officer. The Principal Conduct Officer will then engage the services of a suitably credentialed independent mediator to conduct the mediation at the earliest possible opportunity.

The external mediator will document any agreed outcomes from the mediation and provide copies to all parties. In the event that one party does not comply with the agreed outcomes or mediation does not reach a satisfactory outcome, either party has the option for further action.

If the dispute remains unresolved, the mediator will be required to provide a written report to Councillors and the parties involved in the dispute as to why the process did not result in a resolution.

Internal Resolution Procedure by an Independent Arbiter

If a conflict or dispute arises from an alleged contravention or breach of this Code and has not been resolved through any of the aforementioned internal resolution processes, then a Councillor or group of Councillors (the applicant(s)) may apply to the Principal Conduct Officer for internal resolution by independent arbiter, alleging that a Councillor (or Councillors) has contravened this Code of Conduct.

The application must be in writing, specify the name(s) of the Councillor(s) alleged to have contravened the Code, specify the provisions that have allegedly been contravened and any evidence to support the allegation.

An application for an internal resolution procedure cannot be submitted during a Council election period and any process underway will be suspended for the duration of the election period.

On receiving an application, the Principal Conduct Officer will:

- a) Advise the Mayor and Chief Executive Officer of the application without any undue delay;
- b) Provide a copy of the application to the Councillor who the allegations have been levelled at, no later than two working days from receipt of the application;
- c) Refer to the Legal Services Panel or contact the Law Institute of Victoria to appoint an arbiter;
- d) Obtain from the proposed arbiter written advice that they have no conflict of interest in relation to the Councillors involved in the matter;
- e) Notify the parties of the name of the proposed arbiter and provide them with the opportunity (two working days) to object to the person proposed to be the arbiter;
- f) Consider the grounds of any objection (2 working days) and either appoint the proposed arbiter, or appoint another arbiter;
- g) Provide a copy of the application to the arbiter as soon as practicable after the opportunity for the parties to object has expired (two working days);
- h) After consultation with the arbiter, advise the applicant and the respondent of the time and place for the hearing; and
- i) Attend any hearings and assist the arbiter in the administration of the process.

The role of the arbiter is to:

- a) Consider applications alleging a contravention of this Code by a Councillor;
- b) Make findings in relation to any application alleging a contravention of this Code which the arbiter must provide to Council;
- c) Give a written statement of reasons supporting their findings to Council; and
- d) Recommend an appropriate sanction or sanctions where the arbiter has found that a Councillor has contravened this Code.

In considering an application alleging a contravention of this Code, an arbiter will:

- a) In consultation with the Principal Conduct Officer, fix a time and place to hear the application;
- b) Authorise the Principal Conduct Officer to formally notify the applicant and the respondent of the time and place of the hearing;
- c) Hold as many meetings as deemed necessary to properly consider the application. The arbiter may also hold a directions hearing;
- d) Have discretion to conduct the hearing(s) as they deem fit while also ensuring that the hearing(s) are conducted with as little formality and technicality as due and proper consideration of the applications allows;
- e) Ensure that parties to and affected by an application are given an opportunity to be heard directly by the arbiter;
- f) Consider an application by a respondent to have legal representation at the hearing(s) to ensure that the hearing is conducted fairly and may, in the arbiters absolute discretion, grant the application or deny the application;
- g) Ensure that the rules of natural justice are observed and applied in the hearing of the application; and
- h) Ensure that hearings are closed to the public and outcomes are to remain confidential.

Where an application to have legal representation is granted by an arbiter, the costs associated with representation are to be borne entirely by the Councillor.

An arbiter:

- a) May find that a Councillor who is a respondent to an internal resolution procedure application has not contravened the Code; or
- b) May find that a Councillor who is a respondent to an internal resolution procedure has contravened the Code; and
- c) Will suspend consideration of an internal resolution procedure

The arbiter is to provide a copy of their findings and statement of reasons to Council, the applicant and the respondent. At the same time as the arbiter provides their findings and statement of reasons, where a Councillor has been found to have contravened this Code, they will recommend an appropriate sanction or sanctions for the consideration of Council.

A copy of the arbiters' report, including any recommended sanctions is to be provided to the next Ordinary Meeting of Council (in confidential) for the consideration of Council.

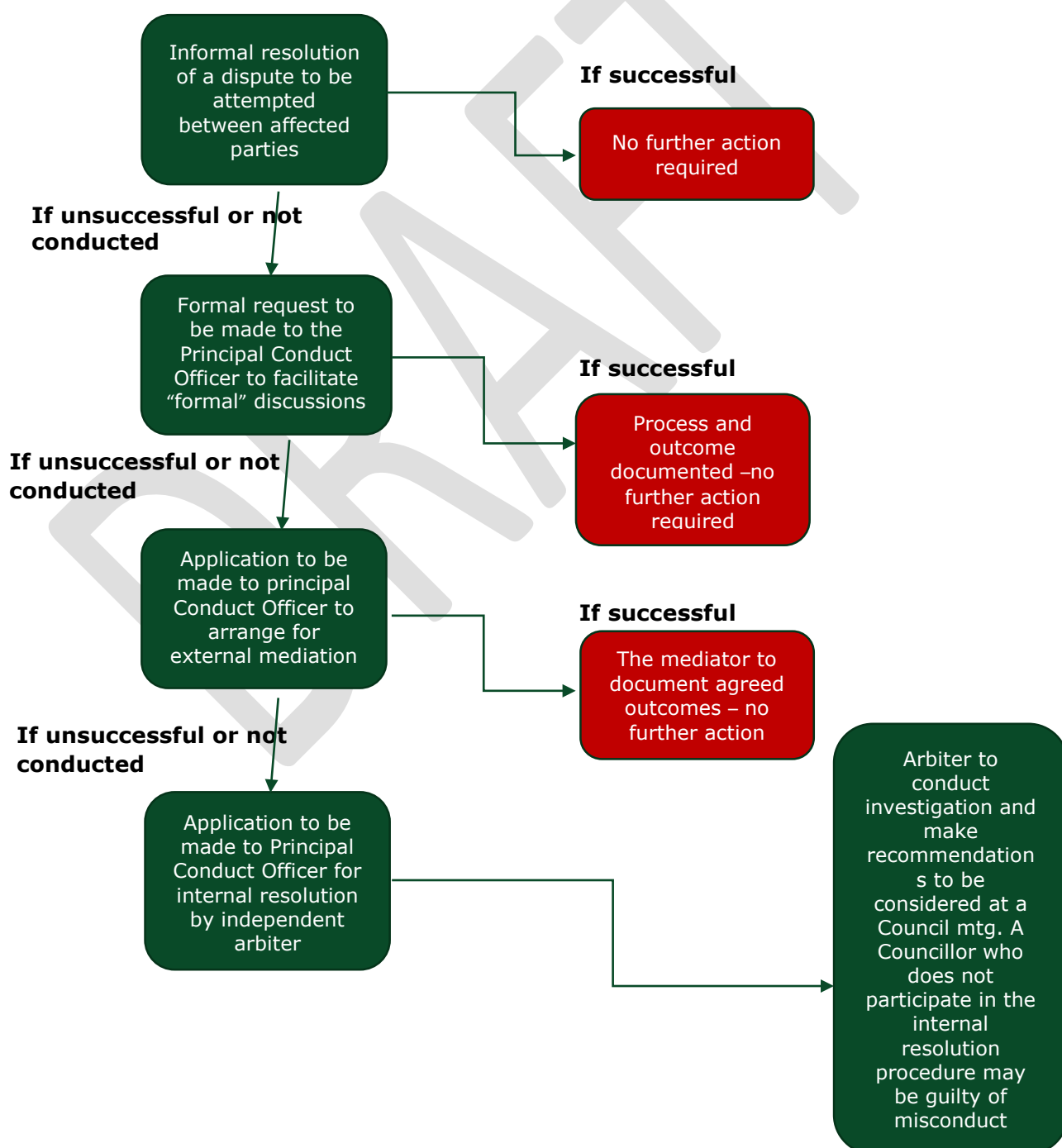
If an arbiter has found that a contravention of this Code has occurred, Council may, after considering the arbiters' findings, statement of reasons and recommendations for sanctions, give any of the following written directions to the Councillor;

- a) Direct the Councillor to make an apology in a form or manner specified by Council;
- b) Direct the Councillor not to attend up to, but not exceeding, two meetings of Council (as per the meeting schedule agreed at the Annual Statutory meeting)

- c) Direct that for a period of up to, but not exceeding, two months on a date specified by Council, the Councillor;
- Be removed from any position where the Councillor represents Council; and
 - Not chair or attend any Committee Meetings or an Assembly of Councillors or any other meeting specified in the direction.

A Councillor who does not participate in the internal resolution procedure may be guilty of misconduct.

West Wimmera Shire Council Internal Dispute Resolution Flowchart



8(d) Councillor Misconduct

Councillor misconduct is defined in section 3 of the Act (see misconduct, serious misconduct and gross misconduct). Allegations of misconduct are heard on application by a Councillor Conduct Panel as outlined in section 81B of the Act and Councillor Conduct Panels are established under and regulated by, Division 1D of the Act.

Applications for a Councillor Conduct Panel to make a finding of misconduct against a Councillor may be made by Council (following a resolution of Council), a Councillor or a group of Councillors.

Applications for a Councillor Conduct Panel to make a finding of serious misconduct against a Councillor may be made by Council (following resolution of Council), a Councillor, a group of Councillors or the Chief Municipal Inspector.

Applications for a Councillor Conduct Panel must be made directly to the state-appointed Principal Councillor Conduct Registrar. Depending on the allegation and outcome, a Councillor Conduct Panel may;

- a) Discipline a Councillor by reprimand, direct an apology or require the Councillor to take up to two months leave of absence;
- b) Direct that the Councillor is ineligible to take up the position of Mayor for a period specified by the Panel;
- c) Require remedial action, including mediation, training or counselling;
- d) Suspend the Councillor from office for a period not exceeding six months; or refer a matter to VCAT if the Panel considers gross misconduct has been conducted by a Councillor.

9. Councillor Declaration: Cr Jodie Pretlove

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, as reviewed on 20 June 2019 and declare that I will abide by this code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:

Councillor Jodie Pretlove

Date:.....June 2019

Witnessed by:

David Leahy, Chief Executive Officer
West Wimmera Shire Council

Date:.....June 2019

10. Councillor Declaration: Cr Trevor Domaschenz

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, as reviewed on 20 June 2019 and declare that I will abide by this code in compliance with sections 76C(6A0 and 76C(6B) of the Local Government Act 1989.

Signed by:

Councillor Trevor Domaschenz

Date:.....June 2019

Witnessed by:

David Leahy, Chief Executive Officer
West Wimmera Shire Council

Date:.....June 2019

11. Councillor Declaration: Cr Bruce Meyer

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, as reviewed on 20 June 2019 and declare that I will abide by this code in compliance with sections 76C(6A) and 76C(6B) of the Local Government Act 1989.

Signed by:

Councillor Bruce Meyer

Date:.....June 2019

Witnessed by:

David Leahy, Chief Executive Officer
West Wimmera Shire Council

Date:.....June 2019

12. Councillor Declaration: Cr Tom Houlihan

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, as reviewed on 20 June 2019 and declare that I will abide by this code in compliance with sections 76C(6A0 and 76C(6B) of the Local Government Act 1989.

Signed by:

Date:.....June 2019

Councillor Tom Houlihan

Witnessed by:

Date:.....June 2019

David Leahy, Chief Executive Officer

West Wimmera Shire Council

13. Councillor Declaration: Cr Richard Hicks

I hereby declare that I have read the Councillor Code of Conduct for West Wimmera Shire Council, as reviewed on 20 June 2019 and declare that I will abide by this code in compliance with sections 76C(6A0 and 76C(6B) of the Local Government Act 1989.

Signed by:

Councillor Richard Hicks

Date:.....June 2019

Witnessed by:

David Leahy, Chief Executive Officer
West Wimmera Shire Council

Date:.....June 2019

Tharam Hall
2501878



Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 05790 FOLIO 893

Security no : 124074889302N

Produced 14/11/2018 08:55 AM

LAND DESCRIPTION

Lot 1 on Title Plan 249256L.

PARENT TITLE Volume 02836 Folio 032

Created by instrument 1502971 10/06/1932

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

WEST WIMMERA SHIRE COUNCIL of 49 ELIZABETH STREET EDENHOPE VIC 3318

[AN473272P](#) 19/01/2017

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE [TP249256L](#) FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 09922A WEST WIMMERA SHIRE COUNCIL

Effective from 19/01/2017

DOCUMENT END

Home	Account: 284600		Authority Fee (GST exclusive):	\$8.47	14/11/2018 08:56AM
			Service Fee (GST exclusive):	\$0.00	
			GST Payable:	\$0.00	
			Total:	\$8.47	

©State Government of Victoria.

Delivered by LANDATA® Land Use Victoria timestamp 14/11/2018 08:56 Page 1 of 1
 © State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

TITLE PLAN	EDITION 1	TP 249256L						
Location of Land Parish: CHARAM Township: Section: Crown Allotment: 67 (PT) Crown Portion: Last Plan Reference Derived From: VOL 5790 FOL 893 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN						
Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 16/12/1999 VERIFIED: EWA						
								
<table border="1" style="margin: auto;"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2">PARCEL 1 = CA 67 (PT)</td> </tr> </table>			TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 67 (PT)	
TABLE OF PARCEL IDENTIFIERS								
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962								
PARCEL 1 = CA 67 (PT)								
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201166 x Links	Sheet 1 of 1 sheets						



Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 06208 FOLIO 428

Security no : 124074889337A

Produced 14/11/2018 08:56 AM

LAND DESCRIPTION

Lot 1 on Title Plan 344303Y.

PARENT TITLE Volume 02836 Folio 032

Created by instrument 1692464 21/06/1938

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

WEST WIMMERA SHIRE COUNCIL of 49 ELIZABETH STREET EDENHOPE VIC 3318

[AN473272P](#) 19/01/2017

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE [TP344303Y](#) FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)


ADMINISTRATIVE NOTICES

NIL

eCT Control 09922A WEST WIMMERA SHIRE COUNCIL

Effective from 19/01/2017

DOCUMENT END

Home	Account: 284600		<table><tr><td>Authority Fee (GST exclusive):</td><td>\$8.47</td></tr><tr><td>Service Fee(GST exclusive):</td><td>\$0.00</td></tr><tr><td>GST Payable:</td><td>\$0.00</td></tr><tr><td>Total:</td><td>\$8.47</td></tr></table>	Authority Fee (GST exclusive):	\$8.47	Service Fee(GST exclusive):	\$0.00	GST Payable:	\$0.00	Total:	\$8.47	14/11/2018 08:57AM
Authority Fee (GST exclusive):	\$8.47											
Service Fee(GST exclusive):	\$0.00											
GST Payable:	\$0.00											
Total:	\$8.47											

©State Government of Victoria.

Delivered by LANDATA®. Land Use Victoria timestamp 14/11/2018 08:57 Page 1 of 1

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

TITLE PLAN	EDITION 1	TP 344303Y						
Location of Land Parish: CHARAM Township: Section: Crown Allotment: 67 (PT) Crown Portion: Last Plan Reference Derived From: VOL 6206 FOL 428 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN						
Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 03/03/2000 VERIFIED: AA						
<table border="1" style="margin: auto;"> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2">WARNING Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2">PARCEL 1 = CA 67 (PT)</td> </tr> </table>			TABLE OF PARCEL IDENTIFIERS		WARNING Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 67 (PT)	
TABLE OF PARCEL IDENTIFIERS								
WARNING Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962								
PARCEL 1 = CA 67 (PT)								
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201166 x Links	Sheet 1 of 1 sheets						



**INTENT to SELL or EXCHANGE LAND:
CHARAM HALL**

In accordance with Section 189 of the Local Government Act 1989, Council at its Ordinary Council Meeting 15 October 2018 resolved to consider the sale or exchange of the subject land, in particular:

**Lot 1 TP249256 and Lot 1 TP344303,
1096 Charam Wombelano Road CHARAM**

Council hereby gives notice of intention and gives opportunity for any person/s to utilise their right to make a submission under Section 223, on the proposal sale or exchange.

Submissions will be received until **10 December 2018 4pm.**

For further information contact Michelle Ellis (03) 5585 9900

DAVID LEAHY
Chief Executive Officer

4th December 2018

David Leahy

Chief Executive Officer

West Wimmera Shire Council

Elizabeth Street

EDENHOPE VIC 3318

RE: NOTICE OF INTENT TO SELL OR EXCHANGE LAND – CHARAM HALL

The Charam Community/Tennis Club Inc is an active organisation and would like to make a submission to retain back ownership of the Charam Hall under Section 223, on the proposal sale or exchange of Lot 1 TP249256 and Lot 1 TP344303, 1096 Charam Wombelano Road Charam.

The Charam Hall is the Hub of our district and is utilised on many occasion throughout the year.

It is a meeting place for community functions and tennis players. Charam fields both a Senior and Junior Tennis team which is played on this site commencing October through to end of February both Saturday mornings and afternoons as well as during the week for practice. On these occasions, the hall is accessed to obtain equipment and utilise facilities such as fridge, kitchen & drinking water and on bad weather days a place to shelter. Without this facility, we are unable to function to our full capacity.

During the last 2 years we have experienced difficult times without been able to use the hall due to the restumping and other maintenance carried out.

Without a Hall, we would be a very dysfunctional community. In time tennis would most certainly fold and Community events would reduce to zero.

Therefore, the Charam Community hopes the West Wimmera Shire consider our proposal favourably.

Charam Community Residents

Contact Person: Pam Cameron 55886214 0428886214

Liz Mulraney 0409970939



Procurement Policy 2019/20

1. Introduction and Background

West Wimmera Shire Council recognises that a procurement strategy and appropriate best practice contract and procurement principles, policies, processes and procedures, will enhance achievement of Council objectives such as socially responsible procurement, value for money, achieving innovation and providing best value services to the community.

In November 2008, amendments to the *Local Government Act 1989* were passed which included a new section 186A that requires Council to 'prepare and approve a Procurement Policy'. A Procurement Policy must include any prescribed matter and Council must have regard to Ministerial Guidelines made under the section when preparing its policy. Council must review its procurement policy annually and make it available for public inspection.

2. Purpose and Objectives

The objectives of this Policy are to:

- establish a procurement framework for Council to achieve value for money and continuous improvement in the provision of services for the community;
- ensure that council resources are used efficiently and effectively to improve the overall quality of life of people in the local community;
- achieve compliance with relevant legislative requirements;
- achieve high standards of probity, transparency, accountability and risk management;
- give preference to the procurement of environmentally sustainable goods, services and works;
- give preference to the procurement of goods, services and works from within West Wimmera Shire Council and surrounding municipalities where price, quality, services standards and delivery is comparable to other suppliers.

2.1. Statement

This policy encompasses all elements of the procurement of goods and services and requires compliance from Councillors, Special Committee members, Staff, Contractors, Consultants and other members as required by the Chief Executive Officer.

2.2. Legislative Compliance Standards

This Procurement Policy is made under Section 186A of the *Local Government Act 1989*. The Act is the key legislative framework that regulates the process of all local government procurement in Victoria. Section 186A of the Act requires the Council to prepare, approve and comply with a Procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with the key legislative requirements including:

- Council's policies, procedures and guidelines
- Council's Code of Conduct
- Section 186 of the Act (Power to enter into Contracts)
- Section 186A of the Act (Procurement Policy)
- Section 3C of the Act (Objectives of a Council)

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 1/24



- Sections 208C of the Act (Best Value Principles)
- Sections 77A, 77B, 78, 78A to 78E, 79 79B to D, 80, 80A to C and 95 of the Act (Conflict of Interest)
- Section 98 of the Act (Delegations)
- Section 140 of the Act (Accounts and Records)
- The relevant provisions of the Competition and Consumer Act 2010.

Council will adhere to all these provisions in all procurement matters consistent with the Victorian Local Government Best Practice Procurement Guidelines.

2.3. Section 186 – Restriction on power to enter into contracts

- 1) Before a Council enters into a contract for the purchase of goods or services, or for the carrying out of works, to the value of \$50 000 (or such higher amount as may be fixed by Order in Council) or more, it must—
 - a) give public notice of the purpose of the contract and invite tenders, from any person wishing to undertake the contract; or
 - b) give public notice of the purpose of the contract or the project to which the contract relates and invite expressions of interest from any person interested in undertaking the contract or all, or any part of, the project.
- 2) If a Council invites expressions of interest—
 - a) it must register those expressions of interest; and
 - b) when it is ready to enter into the contract, it must invite tenders from some or all of those who registered their interest in undertaking the contract (or the part of the project to which the contract relates).

2.4. Orders in Council (Victorian Government Gazette - 7 August 2008 – 1908 G32)

Local Government Act 1989
ORDER FIXING THE VALUE OF
CONTRACTS FOR WHICH A
PRIOR PUBLIC TENDER IS TO BE
CONDUCTED BY LOCAL COUNCILS
 Order in Council

The Governor in Council under section 186(1) of the **Local Government Act 1989** sets the value of –

- a) \$150,000 for contracts for the purchase of goods and services; and
- b) \$200,000 for contracts for the carrying out of works,

for which a Council must, before entering into the contract, give public notice of the purpose of the contract and invite tenders from any person wishing to undertake the contract, or give public notice of the purpose of the contract or the project to which the contract relates and invite expressions of interest from any person interested in undertaking the contract or all, or any part of, the project.

This Order comes into operation on the day it is made.

Dated 5 August 2008

Responsible Minister

RICHARD WYNNE MP

Minister for Local Government

RYAN HEATH
Clerk of the Executive Council

3. Owner

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 2/24



The owner of this policy is the Chief Executive Officer. Enquiries regarding this policy should be directed to Council's Director Infrastructure Development & Works.

4. Treatment of GST

All monetary values stated in this policy **include** GST except, where specifically stated otherwise.

5. Definitions

Act: Local Government Act 1989.

Commercial in Confidence: Information that, if released, may prejudice the business dealings of a party e.g., prices, discounts, rebates, profits, methodologies and process information, etc. It is information provided for a specific purpose that is not to be used for any other purpose than set out in the initial document.

Contract Management: The process that ensures both parties to a contract that fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.

Contract: An agreement between two or more authorised persons on behalf of their organisations to perform or not perform a specific act/s that is enforceable in law. A contract may be verbal or written or inferred by conduct. A contract is to be distinguished from a 'contract pursuant to section 186 of the Local Government Act'

Contract Documents: Documents construed together as an instrument of contract. They may include terms & conditions, specifications, drawings, tender responses, delivery schedules and payment schedules.

Conflict of Interest: In Victorian local government, the law provides that a staff member holding a delegation or advising council or a special committee has a conflict of interest which they must disclose in writing when they have a personal or private interest of the type specified in the legislation.

Contractor: Respondent (person, firm etc) whose tender/quotation offer has been accepted by the council with or without modification.

Council Staff: Includes full-time and part-time Council officers, and temporary employees, contractors and consultants while engaged by the Council.

Emergency:

- Any urgent circumstance which may present a risk to public health and/or safety
- The failure of a 'key service provider'
- Significant damage to municipal building (where it is no longer safe)
- Major business disruptions such as an extensive IT failure resulting in a loss of services to the community.

Evaluation Criteria: The criteria used to evaluate the compliance and/or relative ranking of tender responses. All evaluation criteria must be clearly stated in the request documentation.

Probity: The dictionary definition of probity refers to uprightness, honesty, proper and ethical conduct and propriety in dealings. Within government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed from the

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 3/24



outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.

Sustainability: Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.

Procurement: Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.

e-Procurement: e-Procurement is integral to the overall development of procurement processes and involves the use of an electronic system/s to acquire and pay for supplies, services` and works.

Corporate Social Responsibility (CSR): Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council's commitment to the local community and environment on which it impacts.

Social Procurement: Social Procurement uses Procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.

Late Tender: A late tender is one that it is not received in the Tender Box prior to the advertised closing date/time.

Local Content: Defined as labour, materials, plant and supervision which are sourced from within the Shire boundary.

Prepayment: A payment made for goods/services prior to any works being undertaken.

Public Tendering Thresholds: The values above which a procurement, unless exempt, is subject to the mandatory procurement procedures prescribed under Section 186 (1) of the Act.

Expression of Interest (EOI): A response to an open approach, usually by public advertisement, to the market requesting submissions from prospective suppliers interested in procurement. The list of potential suppliers who have provided expressions of interest may be used as the basis for conducting a select tender process.

Request for Proposal (RFP): A request for proposal is generally sent to the supplier market, designed to capture commercial information and pricing. Allows Council to assess suitability and evaluate responses against a set of pre-defined requirements.

Specifications: The statement which clearly and accurately describes the essential requirements for goods, services or works. It may also include the procedures by which it will be determined that the requirements have been met and performance required in a contract.

Standing Offer Agreement: A contract that sets out rates for goods and services that are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.

Sustainability Activities: that meet the needs of the present without compromising the ability of future generations to meet their needs.

Tender: An offer in writing to supply goods and/or services, usually submitted in response to a public or selective invitation such as a Request for Tender

Tender Opening Panel: Will consist of three Council officers, ideally one of which should be a Senior Manager.

Tender Process: The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	4/24



Value for Money: Value for Money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including:

Non-cost factors such as fitness for purpose, quality, service and support; and cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

Variance: Is an alteration to the scope of works in a construction contract in the form of an addition, substitution or omission from the original scope of work.

6. Policy Details

6.1. Effective Legislative and Policy Compliance and Control – Ethics and Probity

This Policy represents the principles, processes and procedures that will be applied to the purchase of all goods, service and works by Council. The scope of this Policy commences from when Council has identified a need for procurement requirements. It continues through to the delivery of goods or completion of works or services.

This Policy will apply to Councillors, Council staff and all persons undertaking procurement on Council's behalf and they are accountable for complying with all relevant procurement legislative and policy requirements.

6.2. Conduct of Councillors and Council Staff

Councillors and members of staff (and all persons engaged in procurement on Council's behalf) must exercise the highest standards of integrity in a manner able to withstand the closest possible scrutiny.

All members of staff have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest (Section 95 Local Government Act 1989).

In procurement matters:

- Treat potential and existing suppliers with equality and fairness;
- Maintain confidentiality of Commercial in Confidence matters and information such as contract prices and other sensitive information;
- Members of staff must disclose a direct or indirect interest (and the type of interest) before providing advice or reports (or any other matter) (Section 80C LGA)
- Council officers delegated Council powers or duties are prohibited from exercising those powers, duties or functions if they have conflicts of interest (Section 80B LGA).
- A Councillor must comply with the Primary Principle of Councillor Conduct and avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations. (Section 76BA LGA). Councillors (and members of audit committees) must disclose a conflict of interest (Section 79 LGA).
- Councillors must also comply with the Councillor Code of Conduct.
- Councillors must not improperly direct or improperly influence a member of council staff in the exercise of any power on/ in the performance of any duty or function. (Section 76E LGA)
- Members of staff must comply with the Code of Conduct for Council Staff (Section 95AA LGA)
- All staff engaged in the evaluation of quotation or tender evaluation must adhere to this Policy and complete and lodge a Conflict of Interest Declaration and a Deed of Confidentiality.
- All Councillors and Staff must adhere to councils Gifts and Hospitality Policy in matters of procurement.

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 5/24



Councillors and staff members should make their interests known in any situation where it could be perceived that an interest might unduly influence them.

6.3. Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and the Contract Management Manual, relevant legislation and relevant Australian Standards and the Act.

6.4. Conflict of Interest

Councillors and Council staff must avoid situations in which private interest's conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

Councillors and Council staff must not participate in any action or matter associated with the arrangement of procurement and a contract (i.e. evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has a significant interest or holds a position of influence or power in a business undertaking tendering for the work.

Councillors and Council staff must:

- Avoid conflicts, whether actual, potential or perceived, arising between their official duties and their private interests. Private interests include the financial and other interests of Councillors and Council Staff, plus their relatives and close associates.
- Declare that there is no conflict of interest. Where future conflicts, or relevant private interests arise Council Staff must make their manager, or the chairperson of the relevant tender assessment panel or board aware and allow them to decide whether the officer should continue to be involved in the specific procurement exercise.
- Observe prevailing Council and Victorian Local Government guidelines on how to prevent or deal with conflict of interest situations; and not take advantage of any tender related information for personal gain.

The onus is on the Councillor and the member of Council staff involved being alert to and promptly declaring an actual or potential conflict of interest to Council.

6.5. Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

6.6. Accountability and Transparency

Accountability in procurement means being able to explain and evidence what has happened. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore, the processes by which all procurement activities are conducted will be in accordance with the Council's procurement policies and procedures as set out in this policy and related Council policies and procedures.

Additionally:

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	6/24



- The responsible Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by the Council;
- Where necessary, brief tenderers regarding the documented decision-making process, and
- All procurement activities are to leave an audit trail for monitoring and reporting purposes.

6.7. Gifts and Hospitality

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which the Council is interested.

Councillors and Council staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Councillors and Council staff should also make attempts to avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the CEO or the Mayor.

6.8. Disclosure of Information

Information received by Council that is Commercial in Confidence must not be disclosed and is to be stored in a secure location. Councillors and Council staff are to protect, by refusing to release or discuss information to the extent that it is Commercial in Confidence.

This may include information disclosed by organisations in tenders, quotation or during tender negotiations:

- Pre-contract information including but not limited to information provided in quotes, tenders or subsequently provided in pre-contract negotiations.
- Councillors and Council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.
- Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.
- At no stage should any discussion be entered into with any tendering party or its representative or agent that could have potential contractual implications prior to the contract approval process being finalised, other than authorised pre-contract negotiations.

Discussion with potential suppliers during tender or quotation evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

7. Governance

7.1. Governance Structure

The council shall:

- Establish a procurement management responsibility structure and delegations ensuring accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by the Council.
- Ensure that Council's procurement structure is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council
- Ensure that prospective contractors and suppliers are afforded an appropriate opportunity to tender/quote;

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	7/24



- Encourage competition; and
- Ensure that policies that impinge on the purchasing policies and practices are communicated and implemented.

7.2. Standards

The Council's procurement activities shall be carried out to the professional standards required by best practice and in compliance with:

- The Act
- Council's policies, procedures and guidelines.
- The Council's Code of Conduct, (Includes Councillors Code of Conduct and Staff Code of Conduct).
- Local Government Best Practice Procurement Guidelines.
- Other relevant legislative requirements such as but not limited to the Trade Practices Act, Goods Act and the Environmental Protection Act the relevant provisions of the Competition and Consumer Act 2010 and the Environmental Protection Act. Procurement operations are consistent with prescribed rights and responsibilities and they respect the 20 fundamental rights within the Victorian Charter of Human Rights and Responsibilities Act 2006.

7.3. Methods of Purchasing

The Council's standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- **Credit Cards – Corporate/Business?**
- Purchase order following a quotation process from suppliers for goods or services that represent best value for money under directed quotation thresholds;
- Under contract following a tender process; or
- Where Council is satisfied that Value for Money requirements have been satisfied, under purchasing schemes including collaborative purchasing arrangements with other Councils and commercial schemes such as provided by Procurement Australia, the Municipal Association of Victoria and the State Government Purchasing Panel;
- Unless other arrangements authorised by Council or the CEO on a needs basis as required by abnormal circumstances such as emergencies.

The Council may, at the CEO's discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Typically a multi-stage tender process will commence with an expression stage followed by a tender process involving the organisations selected as a consequence of the expression of interest stage.

Council may also choose to seek Requests for Information or Requests for Proposals as a precursor to the tender process.

A Council Director, General Manager or Manager may determine to seek Expressions of interest (Section 186(1) of the Act) where:

- There is likely to be many tenderers and tendering will be costly or the procurement is complex; and Council does not wish to impose the costs of preparing full tenders on all tenderers
- There is uncertainty as to the willingness and/or interest of parties or vendors to offer the potential products or services or to undertake the proposed works
- The requirement is complex, difficult to define, unknown or unclear,

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 8/24



- The requirement is capable of several technical solutions
- The requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

An Expression of Interest process can be undertaken where determined by the CEO, a General Manager or Manager and where Council advertises publicly

- The purpose and nature of the contract
- The date by which it will invite tenders.

Tenders and Expression of Interests should not be used to compensate for a lack of understanding as to a Council's needs. If uncertain what is required; a simple Request for Information should be undertaken. A Request for Information may be undertaken for reasons which include establishing:

- The availability of technologies, products or service available in the market place to meet council needs
- Whether proposed terms and conditions or deliverable expectations are acceptable in the market place
- Whether proposed budgets are adequate to meet non-standard procurement needs – inadequate budgets should not become apparent when tenders are opened

A Request for Information should be used rather than a Request for Tender or Expression of Interest in order to improve understanding of needs, availability and likely costs.

A Request for Information will be undertaken similar to an Expression of Interest and advertised accordingly. Care must be taken when writing a specification for a Request for Information to ensure there is no commitment to purchase inadvertently included.

7.4. Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff must not authorise the expenditure of funds in excess of their financial delegations. Council staff that breach their delegated authority may face action under Council's Human Resource Policy and Guidelines Manual. (the decision to initiate disciplinary action or other action will be taken by the CEO based on a recommendation by the relevant Director).

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

8. Procurement Thresholds and Competition Requirements

Council procurement processes are based on the Value for Money Principle:

8.1. Value for Money

The benefits of the purchase are weighted against the costs necessary for the optimum result for the Council and local community. The Council is not required to accept the lowest tender. Instead, the Council is required to take into account issues of quality, cost, the accessibility of the service and other factors relevant to both the overall objectives of the Local Government Act.

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	9/24



Value for Money is often mistaken for meaning the lowest price, however, in terms of the contracting process; value for money requires the balance of quality, and price and Council objectives with as much transparency as is reasonably achievable.

Achieving Value for Money also requires *challenging* the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, *comparing* service provision options against all those available, *consulting* with key stakeholders and ensuring *competition* in the open market.

Achieving Value for Money must be the basis of all procurement decisions within the Council.

8.2. Minimum Spend Competition Thresholds

Any Council procurement under the Local Government Act thresholds must comply with the Council's own policy, guidelines and procedures.

The Council will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by the Council by analysing the historical size and complexity of the procurement activity and of proposed procurement activities.

Financial Thresholds (AUS\$ inc GST)	Requirements			
	Responsibility	Market Engagement	Agreement Type	Documentation
Up to \$1999	All departments	No quote required		Quotes must be Registered
\$2000 to \$8000	All departments	1 written or emailed Quote		
\$8,001 to \$25,000	All departments	2 written Quotes		
\$25,001 to \$80,000	All departments	3 written quotes		Evaluation Report
\$80,001 to \$150,000	All departments	3 written quotes	Contract	Evaluation Report
> \$150,000				Evaluation Report
	All departments	Public Tender	Contract	Evaluation Report
> \$150,000				Evaluation Report

A minimum of one of the three quotes **must be** obtained from a local supplier/provider wherever possible.

8.3. Threshold Margin



If a procurement budget is within 5% of the nearest threshold, then the greater threshold requirements must be adhered to. eg: Budget for item is \$79,000 (inc GST), then the requirement for 3 quotes is superseded by the requirement to Tender.

8.4. Payments

Payment for Works or Services will be made by the Principal on submission of Tax invoices by the Contractor in accordance with Council's payment policies.

Payment of all claims shall be subject to approval by the Principal's Authorised Officer that requested the works. All invoices shall be submitted in accordance with the Schedule of Rates forming part of the contract.

8.5. Prepayments

Prepayments for any goods/services cannot be made without the prior approval of the Director Corporate and Community Services, Director Infrastructure Development and Works or the Chief Executive Officer

8.6. Use of Agents

Council encourages (when available) the services of a third-party agent such as MAV Procurement or Procurement Australia to undertake the Tender process on behalf of Council where it can be shown that Value for Money would be achieved.

The Act allows for councils to form groups for the procurement of goods, services or works with one member of the group, acting as an agent for the other councils, undertaking a single competitive process. Each of the members of this group are able to enter into a contract with the preferred service provider identified through this competitive process. Council encourages group tenders with surrounding municipalities, particularly where it can be shown that best Value for Money would be attained.

When procurement is being planned, due diligence should be undertaken to evaluate if best Value for Money can be achieved by using an Agent or a collective group tender.

The Director Infrastructure Development and Works or the Director Corporate and Community Services is to be notified when a third-party agent is appointed.

8.7. Total Cumulative Spend

Care should be taken when reviewing the limits at 7.2 (above). In order to comply with the requirements of the Act where significant sums are spent in aggregate with one supplier or on one service, it is necessary to structure procurement proposals (as requests for tenders, quotations or prices) in order to achieve greatest value and supplier performance by leveraging this cumulative spend, rather than treating each discrete arrangement as a separate procurement exercise. Council has determined that the cumulative expenditure to a supplier or for a specific product/service for a period of up to two years is to be taken into account unless the exemption is approved by the Chief Executive Officer.

For example, if Council is spending \$70,000 on stationery items each year and Council determines that the optimum period for obtaining value for money is 2 years. The indicative value of the contract is \$140,000 and it is therefore subject to the legislative requirement to seek tender proposals through a public process.

Should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the Council, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is below the thresholds set under this Policy.

In circumstances considered appropriate by the CEO, the thresholds under this policy for expenditure on goods and services or construction works relating to a specific project or

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 11/24



contract, may be varied to align with values fixed under the *Local Government Act 1989* (i.e. \$150,000 for goods and services and \$200,000 for carrying out of works).

9. Determining the Procurement Process

9.1. Tenders

Purchase of all goods and services for which the estimated expenditure exceeds \$150,000 (inclusive of GST), and building and construction works for which the estimated expenditure exceeds \$200,000 (inclusive of GST), must be undertaken by public tender as per the thresholds contained in the Local Government Act.

West Wimmera Shire Council requires all expenditure over \$150,000 (inclusive of GST) to undergo the Public Tender process.

9.2. Expression of Interest

An expression of interest is a two-step process. When the thresholds are met an Expression of Interest process does not replace the need to call tenders. It simply precedes the calling of tenders and generally seeks to constrain the number of, and focus the quality and detail of, tenders received.

An Expression of Interest process is generally structured with the following components:

- Overview of requirements
- Invitation to submit
- Criteria for evaluating
- Form of (respondents form)

An expression of interest should be used in circumstances where –

- There is likely to be many tenderers, tendering will be costly or the procurement is complex
- There is uncertainty as to the interest of suppliers or vendors to offer the potential products or services or to undertake the proposed work

9.3. Quotations

Purchase of goods, services having a total \$150,000 (inclusive of GST) and works having a total valuation of \$200,000 (inclusive of GST) or less may be undertaken using the procurement by quotation method as described below:

9.3.1. Items of Value up to \$5,000

To achieve value for money for West Wimmera Shire Council the seeking of verbal and/or written quotations is encouraged. As a minimum one verbal quotation should be obtained.

9.3.2. Items with a value between \$2,000 to \$8,000 - Request for Quotation

A minimum of one emailed or written quotation must be obtained and the details recorded before placing an order (similar details must be recorded where more than one supplier has quoted) and documented in the Councils' record system.

9.3.3. Items with a value \$8,001 to \$25,000 - Request for Quotation

Council will receive a minimum of two written quotations or as directed by the relevant Department Manager.

The quotation offering the best value for money must be confirmed by the supplier on company letterhead and the order placed with that firm.

Details of the suppliers contacted and their quotations must be recorded in the Councils' records system.

9.3.4. Items with a value– \$25,001 to \$80,000 - Request for Quotation

Procurement Policy	This Document is Uncontrolled when Printed	Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review: 12/24



Council will receive a minimum of three written quotations or as directed by the relevant Director. Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome. The original supplier's quotation and all other quotations must be maintained in Councils' records system.

9.3.5. Items with a value \$80,001 to \$150,000 - Request for Quotation

Council will receive a minimum of three written quotations or as directed by the Chief Executive Officer. Quotations returned by the nominated closing date must be evaluated and a recommendation made in favour of the supplier offering the best value for money outcome.

The original suppliers quotation and all other quotations must be maintained in Councils' records system.

9.4. Public Advertising

Quotations may be advertised at the Council staff member's discretion in addition to the methods above. This may occur when a field of potential suppliers hasn't been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices, etc.

9.5. Insufficient Quotations

The situation may arise where insufficient quotations are received to satisfy the above requirements.

This may occasionally occur where there are few suppliers for the goods, services or works being sought or the work is highly specialised. In this case, the details of the contacted suppliers must be recorded on the spreadsheet or recommendation and an appropriate comment recorded.

There may be occasions when only one quotation may be received. Such occasions would require approval of the Chief Executive Officer and would generally be considered under the following circumstances:

- In the event of emergency works for safety reasons.
- When there is only one known and reputable supplier.

10. Evaluation Criteria

The evaluation criteria for the Tender and Request for Quotation process is outlined in the Contract Management Manual.

11. Delegation of Authority

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

As such, Council has delegated responsibilities as detailed below relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for contract management activities.

Refer to *Appendix A* for a list of Delegations.

11.1. Delegations

11.1.1. Council Staff

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	13/24



The Council shall maintain a documented scheme of procurement delegations, identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of the Council and their respective delegations contained in Financial Delegations Appendix A and Contract Management Manual:

- Acceptance of tenders
- Acceptance of quotes
- Contract term extensions (within authorised budget)
- Contract amendment (non-financial)
- Contract amendment (financial)
- Appointment to register of pre-qualified suppliers
- Credit Card purchases (is this the same as purchase card – consistency)
- Procedural exceptions

Where the CEO has a declared Conflict of Interest, the Tender, Expression of Interest or Request for Quotation Recommendation is to be presented to Council for final approval.

11.1.2. Delegations Reserved for the Council

Commitments and processes which exceed the CEO's delegation and which must be approved by the Council are:

- Initial signing and sealing of contract documents.
- Tender recommendations and Contract approval for all expenditure over \$150,000 (inclusive of GST) for goods and services and Design and Construct works in value over \$200,000.
- Variations and Contract term extensions requiring additional budget of more than 10%.

11.1.3. Internal Controls

The Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- More than one person is involved in and responsible for a transaction end to end;
- Transparency in the procurement process;
- A clearly documented audit trail exists for procurement activities;
- Appropriate authorizations are obtained and documented; and
- Systems are in place for appropriate monitoring and performance measurement.

Council will develop and maintain a procurement manual to provide guidance to staff on all operational aspects of procurement. The manual will include all checklists and forms required in Council's procurement process.

11.1.4. Commercial Information

Procurement activities will be carried out in a way that supports Council staff in meeting their obligations - to ensure information of a commercially sensitive or confidential nature is obtained, stored, processed, published (where applicable) in an appropriate manner in accordance with the relevant Council guidelines.

12. Tender / Contract Management

12.1. Risk Management

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	14/24



the Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

Council will manage all aspects of its procurement processes in accordance with its adopted risk management policy and in such a way that all risks, including occupational health and safety, are identified, analysed, evaluated, treated, monitored and communicated to the standard required by the law, in accordance with Australian Standards and council policy.

12.2. Health and Safety

To ensure the health and safety of our workers and visitors, procurement will be undertaken in accordance with requirements set out in the West Wimmera Shire Council's Health and Safety Management System and approved policies, and as required by the State and Commonwealth legislation.

12.3. Supply by Contract

The provision of goods, services and works by contract potentially exposes the council to risk.

The council will minimise its risk exposure by measures such as:

- Standardizing contracts to include current, relevant clauses;
- Requiring security deposits where appropriate;
- Referring specifications to relevant experts;
- Implementing a robust, systematic and unbiased tender evaluation and due diligence process;
- Requiring contractual agreement before allowing the commencement of work;
- Use of or reference to relevant Australian Standards (or equivalent); and
- Effectively managing the contract including monitoring and enforcing performance.

12.4. Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be obtained from the appropriate member of Council staff listed in the Council Delegations.

To protect the best interests of the Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose the Council to risk and thus must be authorised by the appropriate member of Council staff listed in the Council Delegations.

12.5. Endorsement

Council staff must not endorse any products or services. Individual requests received for endorsement must be referred to the CEO.

12.6. Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimize the chance of disputes getting out of hand and leading to legal action.

12.7. Contract Management

The purpose of contract management is to ensure that the Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	15/24



- establishing a system monitoring and meeting the responsibilities and obligations of both parties' under the contract;
- providing a means for the early recognition of issues and performance problems and the identification of solutions.
- adhering to Council's Risk Management Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure the Council receives Value for Money.

12.8. Variances

During the course of a contract there may be valid reason(s) when the contract needs to be varied; this variance to the contract normally comes with a cost. All claims for variances must be in writing and approved by the officer with delegated authority as set out in **Clause 10**. Any variance greater than ten percent (10%) of the original contract price must be authorised by Council.

13. Demonstrate Sustained Value and Integration with Council Strategy

The Council procurement strategy shall support its corporate strategy, aims and objectives, including but not limited to those related to sustainability, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- Feeling safe,
- Living in a clean and pleasant environment, and
- Receiving good quality and well managed council services that are value for money



13.1. Achieving Best Value

The Council's procurement activities will be carried out on the basis of obtaining Best Value.

This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinate of Best Value for Money.

13.2. Approach

This will be facilitated by:

- Developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;
- Effective use of competition;
- Using aggregated/centralised contracts and Standing Offer Agreements where appropriate;
- Identifying and rectifying inefficiencies in procurement processes;
- Developing cost efficient tender processes including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within the Council providing competent advice in terms of available products and agreements; and
- Working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	16/24



14. Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to the Council's Value for Money objectives through being written in a manner that:

- Ensures impartiality and objectivity;
- Encourages the use of standard products;
- Encourages sustainability;
- Eliminates unnecessarily stringent requirements; and
- Wherever possible specifies technical standards and requirements that are within the capabilities of local and other suppliers.

15. Performance Measure and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally. Internal service standards will be agreed within the Council and performance against these targets will be measured and reviewed regularly to support continuous improvement.

The performance measurements developed will be used to:

- Highlight trend and exceptions where necessary to enhance performance.
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers
- Facilitate programmes to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

15.1. Sustainability

Council is committed to achieving sustainability and ensuring it monitors and reports on Council activities and programs that have an impact on or contribute to the environment including but not limited to:

- Waste management,
- Recycling,
- Energy management,
- Emission management,
- Water conservation,
- Green building design, and
- Procurement.

15.2. Sustainable Procurement

Sustainable procurement is the acquisition of necessary goods and services that have least impact on the environment and human health, within the purchaser's capacity to do so.

The West Wimmera Shire Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, and services and works.

In addition, the West Wimmera Shire Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. The Council aims to achieve this by:

- Taking into account the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods and services.

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	17/24



- Taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured.
- Considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner.
- Considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products.
- Selecting products / services that have minimal effect on the depletion of natural resources and biodiversity.
- Working more effectively with local suppliers to ensure they are encouraged to bid for the Council's business in line with the Procurement Policy.
- Ensuring all relevant procurement contracts and tenders contain sustainability specifications as appropriate to the product or service being procured.

15.3. Environmental Purchasing

Environmental purchasing is the inclusion of environmental factors in decisions on the purchase of products and/or services. It is sometimes called "green", "sustainable" or "environmentally preferable" purchasing. The aim of considering environmental factors is to buy products or services that have less impact on the environment and human health than otherwise comparable products or services. Environmental purchasing can achieve a number of benefits:

- Reduce energy and water consumption (which can reduce costs)
- Improve resource use efficiency
- Reduce waste (which can reduce waste disposal costs)
- Reduce environmental health impacts of products and services
- Reduce pollution
- Provide markets for new environmentally preferable products
- "Close the loop" on recycling, improving the viability of recycling
- Provide leadership to the community
- Encourage industry to adopt cleaner technologies and produce products with lower environmental impacts

15.4. Corporate Social Responsibility

Corporate Social Responsibility (CSR) is about taking positive action to demonstrate the Council's commitment to the local community and environment on which it impacts. This means the Council maximising the benefits of the services they provide across the community and minimising the negative aspects of their activities.

The Council integrates CSR into its organisational policies and practices through social procurement, sustainability and diversity.

15.5. Social Procurement

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works. For Local Government, social procurement builds on initiatives already undertaken by the sector in enhancing sustainable and strategic procurement practice, enabling procurement to effectively contribute to building stronger communities. Social procurement is a key mechanism by which to generate wider social benefits by providing a mechanism for linking and integrating social and economic agendas.

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	18/24



West Wimmera Shire Council supports social procurement when engaging local suppliers, contractors and/or service providers and would seek Ministerial Exemption when the required works provide value for money to Council and would be advantageous to any of the following:

- Employment of disadvantage groups
- Employment of Apprentices
- Employment of recognised Youth Traineeships
- Employment of Youth labour
- Benefits to local community

16. Support of Local Business

Council is committed to buying from local businesses where such purchases may be justified on Best Value for Money grounds.

Wherever practicable, Council will fully examine the benefits available through purchasing goods, services or works from suppliers/contractors within the West Wimmera Shire Council. Council will also seek from prospective suppliers/contractors where applicable what economic contribution they will make to the West Wimmera Shire Council region.

Consideration of Total Value

Council will have regard to the following principles in its acquisition of goods and services.

- Encouragement of the support of competitive local/regional business and industry. Where the evaluation criteria are comparable, Council may consider the following:
- the creation of local employment opportunities
- increased availability of local servicing support
- increased convenience with communications with the supplier for contract management
- economic growth within the local area
- benefit to Council of associated local commercial transactions; and or
- the short and long term impact of the procurement on local business.

16.1. Purchases \$15,000 and above

Council will endeavour to obtain a minimum of one of the three quotes for purchases between \$15,000 and \$80,000 from a local supplier. In the event that this is not possible, the purchasing officer will advise the relevant Director so that supply gaps can be tracked that supply gaps can be tracked and matched with future business opportunities.

A Local Supply weighting will be built into an evaluation criteria for all Tenders and Request for Quotation Evaluation Plans as outlined in the Contract Management Manual.

17. Diversity

Promoting equality through procurement can improve competition, Value for Money, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

18. Apply a Consistent and Standard Approach

The Council will provide effective and efficient commercial arrangements for the acquisition of goods and services.

19. Standard Processes

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	19/24



The Council will provide effective commercial arrangements covering standard products and provision of standard services across the Council to enable employees to source requirements in an efficient manner.

This will be achieved via establishing the following:

- Pricing where relevant
- Processes, procedures and techniques

Tools and business systems (e.g. implementing appropriate e-tendering, e-evaluation; e-catalogue or e-sourcing arrangements).

- Reporting requirements
- Application of standard contract terms and conditions.

20. Performance Indicators

A list of performance indicators will be developed to measure procurement performance. They will include criteria such as:

- The proportion of spend against corporate contracts.
- User and supplier satisfaction levels.
- Knowledge and skill of Council staff in procurement process.
- Level of compliance and understanding of Council procurement policies.

Measuring the success of procurement initiatives eg. procurement cards.

21. Management Information

The Council seeks to improve its' performance by capturing and analyzing procurement management information in a variety of areas, including:

- Volume of spend
- Number of transactions per supplier
- Compliance
- Supplier performance
- User satisfaction
- Category management
- Green spend

The council will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data
- Information from professional bodies such as the Chartered Institute of Purchasing and Supply Australia
- Supplier reports

22. Build and Maintain Supply Relationships

Council recognises that in order to achieve sustainable value, a strategic assessment of the appropriate 'channel to market' should be undertaken – whether to go to market on its own, participate in regional or sector aggregated projects or panels, access State Government panel agreements or other means. Council will consider supply arrangements that deliver the best value outcomes in terms of time, expertise, cost, value and outcome.

22.1. Developing and Managing Suppliers

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	20/24



Council recognise the importance of effective and open working relationships with its suppliers, and is committed to the following:

- Managing existing suppliers, via the appropriate development programs and performance measurements to ensure the benefits are delivered,
- Maintaining approved supplier lists,
- Developing new suppliers and improving the capability of existing suppliers where appropriate.

22.2. Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with the larger more familiar businesses. Other types of organisations, offering business diversity include:

- Local businesses
- Green suppliers
- Small to medium sized enterprises
- Social enterprises
- Ethnic and minority business
- Voluntary and community organisations.
- Local Content.

22.3. Relationship Management

Council is committed to developing constructive long-term relationships with suppliers. It is important that Council identifies its key suppliers so that its efforts are focused to best effect. Such areas may include:

- Size of spend across Council;
- Criticality of goods / services supplier, to the delivery of Council's services;
- Availability of substitutes;
- Market share and strategic share of suppliers.

22.4. Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners to Council. The external website will provide:

- Information about Council and how to become an approved supplier,
- A list of existing and forthcoming contract opportunities, projected over a number of years,
- Guidelines for doing business with Council,
- Standard documentation used in the procurement process,
- Links to other relevant sites.

22.5. Continual Improvement

Council is committed to continuous improvement and will review the procurement policy on an annual basis, to ensure that it continues to meet its wider strategic objectives.

22.6. Compliance Responsibility

- Council staff
- Councillors

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	21/24



- Special Committees
- Contractors

22.7. Charter of Human Rights Compliance

Council will ensure that all of its procurement operations are fully consistent with the prescribed rights and responsibilities and that they respect the fundamental rights within the Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic).

23. Review Process

The Council endeavours to continually improve its procurement performance such that all relevant policies, guidance and training are continually reviewed and updated. The effectiveness of this approach will be measured and reported upon annually.

24. References and Related Policies

Acts	Local Government Act 1989
Regulations	
Codes of Practice	Victorian Government Procurement Board, July 2010 Victorian Audit-General, Report Tendering and Contracting in Local Government, tabled in Parliament, 24 February 2010.
Guidance notes	DPCD: Circular No. 06/2006, Local Government Procurement and Capacity to Appoint Agents. DPCD Local Government Best Practice Procurement Guidelines, 2013 Social Procurement: A Guide for Victorian Local Government
Australian Standards	
Related Policies	Councillor Code of Conduct

25. Supporting Documents

- West Wimmera Shire Council Delegations
- Contract Management Manual

26. Document History

Version Number	Issue Date	Author	Description of Change
0.1			First draft

Policy Adopted:	Ordinary Meeting [date]	Minute Book Page [number]	RecFind
------------------------	----------------------------	------------------------------	---------

Procurement Policy	This Document is Uncontrolled when Printed		Responsible Officer: CEO
Version: 0.1	Issue Date:	Next Review:	22/24



Policy Reviewed:	Ordinary Meeting [date]	Minute Book Page [number]	RecFind



APPENDIX A

AUTHORISED PURCHASING LEVELS – 2019 – 2020

Council	up to and over \$100,000
Chief Executive Officer	up to \$100,000
Directors	up to \$80,000
Department Managers	up to \$50,000
Responsible Officers	up to \$10,000

Business Plan of
Now Dach's a Gallery

Student Name: Diana-Lee Saville

Business Details

Business Name: Now Dach's a Gallery

Address: 85 Elizabeth St. Edenhope 3318

Phone: 0432 572 449

Email: nowdachsagallery@yahoo.com

CONFIDENTIALITY STATEMENT

The information, data and drawings contained in this document are strictly confidential and may not be reprinted or reproduced without the written permission of the owner/s.

Submission of Plan - Plan needs to be submitted electronically.

Submission can be via: Email: beu@rmit.edu.au In Person or on a USB stick

1 BUSINESS PLAN EXECUTIVE SUMMARY FOR (NOW DACH'S A GALLERY)

1.1 Brief description of business

My business is a gallery/museum/gift shop which will feature Dachshund dogs (Sausage dogs). I will stock a range of locally made products in the shop such as artwork (non dachshund), soaps, oils, ornaments etc. About 80% of my stock will be on commission basis. I will also have a range of postcards designed by myself and other local artists featuring the West Wimmera district. Also in stock I will have my own self-published books for sale. On the side I will have a layout & design business for people wishing to self publish their own work/ family histories.

1.2 Business location

My business will be operated from a shop front at 85 Elizabeth St, Edenhope 3318 in a township zone (main street of Edenhope). (see photo attachment)

1.3 Relevant background /experience

I have over 30 years of retail experience and design, art. I have a Diploma of Arts in Professional Writing & Editing. I am also a dachshund owner and have a passion for them which I show in my artwork and design.

1.4 Business background

Recently in Germany, a dachshund museum was opened. This inspired me, as well as my artwork, to open my own museum/gallery. I inspire to attract tourists to our region and make Edenhope a place to visit. We have so much to offer and I believe my shop/museum will lure those who wouldn't generally come this way. I have been looking for work for a few years and currently work part time for the local newspaper. I have tried everywhere in town without any luck (bar the newspaper), so why not create my own employment in something I am passionate about.

1.5 Summary of key market evidence/research findings

In May 2016, the Australian Kennel Council reported an increase in dachshund ownership by 462 percent since 2014. This included 743 new smooth coated dachshunds being registered with the AKC in 2015. More people are turning to the quirky little dog due to their small stature and livability in small city apartments. This has led to a lot of communities running their own dachshund races (which evidentially began in Australia in the early 1970s).

1.6 Chosen target market/s

Grey nomads – Coming through and stopping in Edenope on a daily basis.

Dog owners – Who will visit due to their love of the dachshund or dogs in general.

Locals – Looking for a unique gift, flowers or card.

1.7 Business Analysis

1.7.1 Creative skills in media, design, art. Strong customer service skills. Assets.

1.7.2 Lack of unborrowed funds.

1.8 Identified Area of Differentiation

I am sourcing unique artwork and products that are currently not available in our town. I will provide strong customer focused skills and service. My museum/gallery will be the first of its kind in Australia and the Southern Hemisphere.

1.9 Marketing Strategy

DL flyers to be distributed to tourist centres and the local shire (who will hand them out to tourism companies). Facebook business page and ads posted on various dachshund, dog and tourist groups (free). Ads in newsletters throughout West Wimmera (mainly for gift shop sales). I will write a media release and take a couple of photos to send to all media newspapers and radio.

1.10 Pricing method and breakeven

Detail the pricing method to be used and the breakeven point for the business.

Cost price plus margin. I will calculate my break even after my first year of sales.

1.11 Financial summaries

PROJECTED CASHFLOWS	YEAR 1	YEAR 2
Total Receipts	\$31,547	\$35,340
Cost of Goods Sold (COGS)	\$1,200	\$1,200
Total Payments	\$17,396	\$32,700
Total (Receipts less COGS/Payments)	\$12,951	\$1,440
Estimated Tax Liability	\$0	\$464
Opening Bank Balance	\$0	\$12,951
Closing Bank Balance	\$12,951	\$13,927

BUDGETED PROFIT & LOSS	YEAR 1	YEAR 2
Total Revenue	\$31,547	\$35,340
Cost of Goods Sold	\$1,200	\$1,200
Total Expenses	\$12,596	\$1,350
Net Profit before Tax	\$17,751	\$20,640

Less Tax	\$0	\$464
Net Profit after Tax	\$17,751	\$20,176

Section 3 – Marketing Plan

3.1. MARKET ANALYSIS

3.1.1 Industry Details

As I have stated, this is a new venture with my dachshund museum so not much data is out there. I can only compare it to regular museums, which doesn't really relate.

I have visited several classic car museums which all do well with club group visits.

Recently a Kelpie (dog) museum was opened at Casterton (VIC) which is about 80km from Edenhope. It claims to be the first and only dog museum in the world but it isn't (from my findings). There is a dachshund museum in Germany.

Museums are a place of interest even to non dog people. It is the quirk factor that draws people to visit.

3.1.2 Research & Findings

My primary research comes from my observations and casual chats to shop owners and locals in my town, Most are surprised at what I plan to do (the dachshund museum gallery) but say it will draw interest to the town (tourism).

On the gallery shop side of things I have received a 100% positive response from locals. Their comments have been as follows.

Will you be open every day? (yes 'til 10 - 4pm every day)

Locals are happy with these times. I will also open longer hours on the led up to Christmas.

Will you have layby?

I like your commission rate. (10%).

What will you sell? (a variety of products, mainly locally made) and my own stuff.

Will you be having workshops? (yes my own and other artists).

Will you sell coffee? (no)

A few locals were negative towards one of my competitors (art gallery) that they are not open in busy times. We had a fishing comp in at our lake last weekend and it attracted people from all over Victoria and South Australia – the gallery shut at 1pm!)

I mystery shopped in all the local shops in Edenhope and Harrow to see what giftware they stock. My giftware will be a bit more quirky and not so mass produced.

Being an older community a large percentage of the population are older than 60. This generation would rather shop in town and not have to travel to Horsham or Naracoorte for gifts.

The Australian National Kennel Council reported there had been an increase by 462% in registered dachshund ownership in 2015.

Dogs Victoria chief ex. Lyndell Block says smaller breeds in general have become more popular in Australia due to more people living in smaller spaces. Dachshunds and French Bulldogs are the most influential breeds on Instagram.

Dachshund racing has become popular in recent years all over Australia.

12.2 billion is spent on pet products (ABC news 2017)

The Caravan Industry Assoc. of AU say the number of caravan registrations has grown by 30% per cent since 2011 and campervans by 20 per cent. Combined reg, peaked at 615,301 for the year ending 2016. (Sydney Morning Herald 24/2/17). A decent % of those caravan owners are grey nomads.

3.1.3 Ongoing Research

Using the table below detail what sources of information and strategies you will use on an ongoing basis to research your industry, competitors and customers? How often will this type of research be done?

Information Source	How often will sources be accessed / research conducted
Facebook, Internet. Guest book (for gallery/museum). Mystrey shopping.	I will constantly be researching new products and ideas for my shop & museum. Most of my research will be done online and asking locals. I will visit other museums/gallerys in the area to see what they are doing at various times of the year.

I will have subscriptions to other gallery newsletters and follow on facebook, Instagram etc.

3.1.4 Evidence of Product or Service Testing

Include in the appendices of your business plan all letters of intent, orders, contracts, and invoices etc. that support your market research findings.

	Date	Clients	\$ Amount of sale/order
Past orders/sales (Last 2-3 months before commencing business training)	Since 2009	worldwide	\$4,000 in commissions from my design work via redbubble.
Current sales/orders (During business training)	Ongoing	worldwide	About \$ 50 per month in commission sales via redbubble
Future orders/contracts (These should match your 1 st month revenue)	From 1/01/19	Locals, Tourists and online sales	\$2, 799 includes online & face to face sales in my shop

3.1.5 External Environment

Complete the table below explaining how each of the external (macro) factors listed could impact either positively or negatively on your business.

External (Macro)	Impact
Economic	If there was a recession, my sales may drop because of less disposal income available.
Social	Dachshund dogs could drop in trend.
Technological	If there Internet goes down, my online sales would be NIL for that time.
Political	NA
Legal	NA
Seasonal / Climatic	My shop front would work better in holiday seasons with tourists coming through town. Christmas led-up my sales would go up. During winter months (cooler weather) I'd have fewer tourists come in. However, in other area of my business (online in the Northern countries) design work would still be even.
Environmental	NA

3.1.6 Internal Factors

Complete the table below explaining how each of the internal (micro) factors could impact positively or negatively on your business.

Internal (Micro)	Impact
Production/ Processing Facilities	My equipment such as computer will eventually need updating which may slow down production of artwork, but in saying that my home built computer does a brilliant job. I will have to purchase a printer as outsourcing will be costly to start up.
Financial Resources	Start up funds. I have been buying in stock on a regular basis and will open late December/early January when I feel I have enough. I am hoping on a Shire grant in the new year.
Human Resources	I will be working for myself and have the necessary skills in all areas of my business. However, will need help with taxation and book keeping as my skills in those areas lack.
Location	I have a lovely big shop front separated into five areas and will live on the premises (in a house behind). The shop is on the main street in Edenhope and we have a constant stream of grey nomads, caravaners coming through. (I need to attract their attention so they stop in town).

Marketing	My stock will be reasonably priced. Advertising will be done mainly online via facebook and a small monthly newsletter to clients/customers who are on a mailing list or following my facebook business page.
------------------	---

3.1.7 Personal Strengths and Weakness Analysis

Complete the table below listing no less than 4 of your personal strengths and weaknesses and then explain the strategies you intend to use for each, to maintain and further develop your strengths, and how you intend to overcome or minimise your weaknesses. Remember this is to do with you rather than your business. This section should reflect on your personality, your personal characteristics, skills and experience.

		Strategies
S	Life experience, Loyal, reliable, artistic, networking, personality,	I will keep on being myself 😊😊
W	Anxiety, menopause, sleeplessness, poor credit history, fear of speaking on the phone, trying to explain things to quickly and tripping over my words.	I take medication for anxiety which helps. The menopause I will have to just ride it out .

3.1.8 Business SWOT Analysis

Complete the table below listing no less than four of your business's strengths, weaknesses, opportunities and threats then explain the strategies you intend to use for each, to manage them. Refer to information contained in 3.1.7 to assist you with developing your strengths and weaknesses, and 3.1.8 to assist you with opportunities and threats.

		Strategies
S	Creative skills, customer service skills, friendly, assets	How you will maintain these strengths in your business?

		Strategies
W	Time management, Lack of unborrowed funds	I will get into a routine of better sleep once I open the shop and am living on the premises. I have a brilliant network of friends and locals who are always there to help out when I am not feeling myself. I plan to submit an application for a local Shire grant for small business start up (up to \$5000).
O	Open shop by appointment, stockist, Internet sales Work with local coffee shop	Open up to groups after hours for tours and afternoon tea. Local coffee shop will supply scones and other treats to my groups/guests. Coffee shop has a commercial kitchen which is handy for my business. I can continue to sell my books, clothing, art etc on my redbubble site and via facebook business page.
T	Other galleries doing workshops Illness Death Fire Flood	I plan to hold different types of workshops. I will keep an eye on what other galleries are doing and try different things. I have a great network of friends who will step in for me in case of sickness etc. In case of fire I will make sure I am properly insured and in the meantime (while repairs are done) I will continue to work online and out of a temp. shop.

3.2 MARKET SEGMENTATION

3.2.1 Description of Market Segments

Provide a brief description of the each of the potential segments of the marketplace available. Make an assessment of their usefulness based on such factors as size, growth & decline, availability/access to, level of competition for, distinctive needs, ease of

communication, distinctive media use and so on. You will need to identify a minimum of 2 factors used to assess the suitability of each market segment.

Segment description	Assessment of suitability
Dachshund lovers	Dachshunds are very popular at the moment and can be seen everywhere. Ownership in registered dachshunds has increased by 416% since 2014. These people are generally on facebook and other social media and share anything dachshund related.
Grey Nomads/Tourists	There are plenty of travelers around. Living in a highway town they pass through and stop for a meal or to grab supplies/fuel or have a look around. They can be accessed once again via social media especially facebook which has groups dedicated to grey nomads on the move. These people, in turn, will talk about places they have visited to other travelers looking for something interesting to see.
Local	Edenhope is an aging population. The older people love to walk up to the shops just for company. They will pop in and find gifts they can't get elsewhere for their grand kids. In turn, they will go back to Lion's Club or the Senior Citz and gossip about your business.

3.2.2 Target Markets

Complete the three tables below describing details including size of, motivations and characteristics of your customers.

Target Market One: Tourists

Demographic	Both male and female, retirement age. Sometimes a childless couple in their 50s.
Geographic	Worldwide but more Australian.
Psychographic	Adventurers, gypsies, people choosing to be on the move and seeing the country.
Estimated size of population	Grey Nomads have been estimated to have doubled in the last 3 years (The Sydney Morning Herald- 24/02/17)

Segment/consumer reaction to products or services being offered	These people will love anything that relates to a town they have visited or something made locally they can take back and brag about.
Buyer Motives	To get a piece of their adventure in a town. Something unique to take home.
Buyer Decision Making Process (5 step process or 7 step)	5 step

Target Market Two: Locals

Demographic	90% female 10% male. Aged 30 – 80.
Geographic	West Wimmera Shire.
Psychographic	Gift shopping
Estimated size of population	The Census usual resident population of West Wimmera Shire in 2016 was 3,903, living in 2,237 dwellings with an average household size of 2.21 (West Wimmera Shire)
Segment/consumer reaction to products or services being offered	Another shop to look for gifts. Somewhere to have a meeting. Somewhere to have a workshop (art). Somewhere to sell their handicrafts.
Buyer Motives	Location, variety of gifts, something different than elsewhere.
Buyer Decision Making Process (5 step process or 7 step)	5

Target Market Three: Dachshund lovers

Demographic	Male and female. All ages.
Geographic	Worldwide
Psychographic	Dog lovers
Estimated size of population	unknown
Segment/consumer reaction to products or services being offered	Thrill, humour, love, need
Buyer Motives	They MUST have one or visit my museum. After all it's a DACHSHUND museum!!
Buyer Decision Making Process (5 step process or 7 step)	5

3.3 Competitor Analysis

3.3.1 Major Competitors

Complete the table below listing your competitors and a summary of their operations. You must identify at least 2 direct competitors and 1 indirect competitor in this section.

Competitors	Product/Service streams offered	Type of Competitor	When were they established	Number of Staff (size of business)	Unique value to Customers
Name and address (or location/territory covered)		E.g. Direct, Indirect, Emerging	E.g. 12 months or ten years	Is this a big business/ small business?	What gets them "the sale", what are they good at.
Red Tail Gallery	Gallery, gifts, exhibitions	Direct	2014	Run by volunteers. 1 person in at a time.	A place to display artwork and have exhibitions.
Edenhope Post Office	Sub newsagency Gift shop	Direct		2-3	A range of gifts in its shop.
Edenhope Antiques	Antiques Collectables	Indirect	20 years ago	1	A large collection of all sorts of collectables and antiques.

3.3.2 Competitor SWOT Analysis

Complete the table below listing the competitors' strengths and weaknesses and then explain the strategies you intend to use to address these. Note, this is a combined analysis of the above competitors' strengths and weaknesses.

Competitor Strengths	Strategies devised to minimise the effects of competitor strengths on your business
Space, customer base, stock, sales	Offer a better variety and service. Have a better layout of stock for easier access. Be friendly and helpful.

Competitor Weaknesses	Strategies to be implemented to capitalise on your competitors weaknesses in your business
opening hours, customer service (at times). Trendy gifts, untidy environment.	My shop will be open longer hours and 7 days a week. My giftware and artwork will be unique and better presented. Clean, fresh and tidy environment

3.3.3 Area of Differentiation/Competitive Advantage

My competitive advantage is my availability and unique range of giftware and artwork. I have a quirky dachshund niche which will be its first in Australia. This alone will draw tourists in and they will buy my work or a locally made gift. I am very different in everything I will do. My artwork will all be eclectic and my gifts will be different. I have “mystery shopped” in all the shops in Edenhope and sussed out what they are selling and won’t stock what they have. I want customers to come in and say “Wow look at that!”.

3.3.4 Positioning Implementation Strategy/Plan

I position my business/shop well in the market as it is a unique place to visit. Compared to my competitors who have odd hours and not so nice customer service.

3.3.5 Branding Strategy

The message and image I wish to convey to the market is my shop will be a friendly old fashioned service type of shop, funky design and uniqueness. My colours will be orange, black, white and green which also follows through into my advertising material and shop. I will have a real ‘retro’ feel to the place and the customers will feel at home. I have attached some of my advertising material to this plan in the appendix. I will do all my own graphic design work.

3.4 Marketing Strategy/Marketing Mix

3.4.1 Product/Service Mix

Complete the table below. Identifying your product/service mix including the features, benefits and value added components (where applicable), as they relate to your target markets, and indicate how these conclusions were drawn. In addition, you are required to specify the revenue generated by each of these product/service lines in the 1st year of business.

Product/Service	Target markets	Features of appeal	Benefits of appeal	Value Add	How this was tested	Product/Service Total Year One Revenue	% of Total Revenue
Identify each of your products/services. If you have an extensive lists it may be easier to put them into ranges e.g.: tops, pants etc.	Identify by name each of your target markets.	Detail the features, that are of most appeal to each segment	Detail the benefits that are of most appeal to each segment	Detail any additions made to the product/service to make it more appealing, if applicable	Summarise how you gathered the information in order to make this assessment	Refer to your 'Revenue Yr1' forecast	Refer to your 'Revenue Yr1' forecast
Museum/Gallery	Grey Nomads	Souvieners, postcards an interesting museum	Buying something not available anywhere else. Brag factor.	Room to expand on my designs from customer input.	I volunteered in the other gallery here and have worked in the local paper for 2 years. Observations and what customers ask for. Since 2009 I have been selling dachshund related products online and have watched them increase in popularaity. Workshops are popular in our district.	\$	%
	Dachshund lovers	Dachshund memorabilia. Dachshund books & gifts.	Brag factor of visiting the dachshund museum ☺	Photographing visitors and their dachshunds and adding it to a wall of visitors in the gallery.			

	Locals	Artwork to purchase A place to have or participate in a workshop.	Shopping local and keeping their money in the town. Buying from a local artist.	Special discounts for pensioners and layby plan.	Locals love to try something new or something they have wanted to do for a while. A couple of years ago I held a cartooning workshop at our local gallery and had 16 participants.		
Shop	Grey Nomads	Gifts at last minute on their way to visit. Directions to a place. Recommendations (place to camp).	Buying something not available anywhere else. Brag factor.		I volunteered in the other gallery here and have worked in the local paper for 2 years. Observations and what customers ask for. Tourists wandered into the gallery to ask for directions and ended up chatting to us about their travel.	\$	%
	Dachshund lovers	Unque artwork and gifts designed by in house artist.	Brag factor of visiting the dachshund museum 2				
	Locals	Shopping ease for gifts they are unable to get else where	Shopping local and keeping their money in the town. Buying from a local artist.				
	TM1 name					\$	%

	TM2 name						
	TM3 name						

3.4.2 Product / Service Lifecycle

My Dachshund museum/gallery is in a rising stage due to dachshunds being popular. If they were to drop in popularity, I don't think my museum will suffer much as it is a draw card to the shop and my town.

3.4.3 Specific Pricing Strategies

Using the table below, identify each of your product/service lines, the price to be charged, the pricing method (cost, demand, or competition based) and the rationale behind the price. In addition identify specific pricing strategies (Skimming, Penetration, Floor, Parity (going rate), Perceived value, Target return, Image based etc.) that will be used to optimize sales of your product or service and hence profits.

Product/Service Line	Price	Pricing Method and Rationale	Pricing strategies to be used	When strategy will be used
giftware	\$1 - \$50	Cost based pricing method will be used to cover all costs and ensure a set 25% plus profit is made.	Seasonal specials Seasonal specials	Ongoing Winter
workshops	\$20	Charge per hour, or by negotiation on numbers	NA	Ongoing
books	\$10 - \$30	Cost based pricing method will be used to cover all costs and ensure a set 25% plus profit is made.	Seasonal specials Seasonal specials	Ongoing
Souveiners	\$3 - \$30	Cost based pricing method will be used to cover all costs and ensure a set 25% plus profit is made.	NA	Ongoing
Museum entry	\$2 per person	To get people into the shop area and buy souviners (postcards etc)	Group discounts	Ongoing Winter

3.4.4 Place & Distribution

85 Elizabeth Street, Edenhope 3318

It's a shop front on the main street. Plenty of car parks in the street with very easy access. Some of my products such as artwork will be sold online as well as in the shop.

3.4.5 Distribution/Sales

Complete the table below describing the type of distribution / sales channels you will be implementing in your business.

List each of the products/ services	Type of Distribution Channel used	Level of Distribution (number connections in the channel e.g. use of an agent = one level)	What % of overall sales do you expect to sell via these channels?	What are the advantages of using this channel for the product/ service
Workshops Giftware Sovieners Museum entry	Shop front	zero	10 – 20 % each	Inexpensive and keeps overheads low; Strong foot traffic; Tourists
Artwork (dachshund) cards, t-shirts etc Design work	Online	Zero level	25%	Low overheads

3.4.6 Methods of Advertising & Promotion

Complete the table below detailing the promotional objective, the method or advertising and promotion you intend to use to reach the outcome, the timeline allocated, the associated costs, and budget allocations.

Promotional Objective	Advertising & Promotional Method	Timeline	Cost
DIGITAL METHODS			
What do you want to achieve with your promotions?	What promotion are you going to do to achieve the strategy?	When are you going to do the promotion?	How much is the promotion going to cost you?
Add to my online presence for design, museum, gallery and shop	Facebook page	Updated daily, seasonal specials.	Zero dollars
NON DIGITAL METHODS			
What do you want to achieve with your promotions?	What promotion are you going to do to achieve the strategy?	When are you going to do the promotion?	How much is the promotion going to cost you?
	Local paper, seasonal	Once a month (local	\$20 - \$30 per month

More local foot traffic for shop	flyer drops	paper & newsletters)	
TOTAL MARKETING BUDGET AVAILABLE (total amount available to the business to spend on advertising and promotional activities)	=\$30	TOTAL ANTICIPATED COST (total of all costs outlined above)	=\$30

NOTE:

- Include as appendices samples of logo's, adverts, letters, business cards, flyers, etc. that you propose to use to promote your business. These can then be included in the final business plan submission (Assessment 2)
- Information contained in this table must cross reference with the information in your MAP – Excel Spreadsheets - Finance (Financial Spreadsheets)

3.4.7 Legal Aspects of Advertising

The following legal aspects of advertising that relate to my business will be adhered to at all times. Examples include: The Consumer and Competition Act 2010, Fair Trading Act, SPAM Act, Privacy Act. • Consumer and Competition Act 2010 – Federal ACT – I will adhere to this ACT and ensure I don't contravene any advertising regulations –

- Fair Trading Act – Victorian ACT • <https://www.consumer.vic.gov.au/businesses/fair-trading>
- SPAM Act – I will adhere to the SPAM act if I undertake any direct marketing via SMS or emails • <https://www.consumer.vic.gov.au/shopping/advertising-and-promotions>
- Privacy Act – adhere to this ACT and ensure customers' details are kept confidential • Broadcast music – APRA licence - <http://apraamcos.com.au/music-customers/licencetypes/retail/>

3.4.8 Evaluation of Marketing Mix

Complete the table below explaining when and how you will evaluate the costs and benefits of your marketing mix in your marketing plan, and when you intend to do this evaluation.

	Evaluation Method	When
PRICE	Customer feedback in the store or in the guest book provided. Prices checks against competitors' products Reviewing suppliers wholesale prices Reviewing internal financial records	Each day and as nessessary
PRODUCT /SERVICE	Quantity of sales of my various product range Customer feedback – requests for product/s not currently stocked	weekly
PLACE	Driveway access Parking Signage Queries as to location	Ongoing
PROMOTION	Response to signage No of likes on my facebook business page	ongoing
PEOPLE	Quality of customer service Referrals	ongoing

PROCESSES	Systems in place POS transfers – time taken	ongoing
PHYSICAL	comments and feedback	ongoing
EVIDENCE		

3.4.9 Marketing Roles and Tasks

Detail the key marketing roles within your business. Include the key functions and tasks required to perform the role, who is responsible for the role, and who they report to within the business.

(NOTE: Some of the information contained in this table can be used when competing Assessment 3 – Section 2: 6.1.2)

Key Marketing Roles	Task	Person/s Responsible (specify if an internal/external resource)		Report to
Customer Service	Communicate with customers in a timely fashion Manage complaints Collect testimonials Gather customer feedback	Diana	internal	Diana
Facebook Page	Communicate with customers in a timely fashion Manage complaints Collect testimonials Gather customer feedback	Diana	Internal	Diana
Advertising	Design ads, marketing material, Contact newspaper/newsletters, place ads and pay	Diana	Internal	Diana

3.5 Customer Service/Customer Relations Policy

3.5.1 Communication Channels

Using the table provided identify the communication tools/methods your business will use to communicate with its customers. Explain when your customers can communicate with you using these different approaches, and the primary purpose of these communication channels. Modify the table to indicate those tools/methods that are relevant to your business.

Communication Tool / Method	When	Primary Purpose
Phone	10am – 4pm	Orders, enquiries, bookings
Email	10am – 4pm	Orders, enquiries, bookings
Web site contact form	NA	
Skype/Video conferencing	NA	
SMS (Texting)	10am – 4pm	Orders, enquiries, bookings
Social Media Platform Facebook	10am – 4pm	Orders, enquiries, bookings
Face to face (come into shop)	10am – 4pm	Orders, enquiries, bookings

3.5.2 Customer Service Areas

Complete the table below listing no less than four key areas of customer service for your business and detail the policy you intend to implement to maintain good customer relations with your clients.

Customer Service Areas	Policy
E.g. Telephone calls and messages	Returning all calls within 2 hours/ answering in-coming phone calls within 3 rings
Telephone	That business day. Answer within a few rings
Text	When I see it or during business hours
Facebook message (PM) or reply to post	During business hours or that business day
Email	During business hours or that business day

3.5.3 Customer Payment Provision

Complete the table below detailing your management strategies for the provisions listed, ensuring they are in accordance with Consumer & Business Affairs Guidelines.

Provision	Strategy
Terms of Payment	NA
Methods of Payment	Cash, EFTPOS, Paypal, Direct deposit, laybuy
Statutory and optional Warranties / Guarantees	NA
Payment Follow-Up	NA
Refunds / Returns	Yes refunds on products not happy with/ or damaged (my fault).
Other policies (if applicable)	

3.5.4 Customer Satisfaction

Guest book, facebook page reviews,

3.5.5 Customer Complaints Strategies

Speak to customer face to face (if possible) to avoid misunderstandings via text or email. Listen to what the customer's complaint is without interrupting. Acknowledge the problem and assure the customer that I am willing to resolve the problem.

SECTION 4 - LEGAL ASPECTS

4.2 Business Structure

4.1.1 Proposed Business Structure

Sole trader

4.1.2 Rationale for Business Structure

Sole Trader

Cost of formation	\$36 for 1 years registration
Procedure for formation	Online forms to fill out
Legal obligations & liability	100% liability
Risk involved	All risk is incurred by me – my personal assets may be at risk if the business has financial or legal issues.
Management control and reporting	I am the manager and owner – I will regularly review all financial and marketing documents to ensure I am meeting my objectives and long term goals and take corrective action when necessary if the business is off track
Succession and ability to sell	N/A
Major advantages / reasons for choice of business structure	I want to be my own boss.

4.1.3 Alternate Business Structure

I haven't considered any other

4.2 Business Name

4.2.1 Business Name Details

Now Dach's a Gallery.

I chose this name as a play on words. Now Dach (Dachshund) is a Gallery. What it means is "Now that is a gallery"....meaning it's the place to go and see quirky artwork and gifts.

4.2.2 Registration

I registered my business name so no one else can legally use it in Australia. I did it online and it cost me \$36.

4.2.3 Registration Renewal

Due in October 2019

4.3 Insurances

4.3.1 Required Insurances

Identify the possible risks your business faces, and likelihood of occurrence. Detail the type of insurance your business requires accordingly, and include a copy of the insurance agreement or quote as an appendix.

Possible risks	Likelihood of occurrence	Insurance – type of cover	Premium cost and company purchased from
<ul style="list-style-type: none"> Customer trips on shop floor 	Unlikely	Public & products Liability	\$26.70 per month Allianz
•			

4.4 Government Regulations, Restrictions, Registrations & Licenses

4.4.1 Legislation, Regulations, and Industry Codes of Practice

Drivers licence Council approval Business registration ABN / GST registration Test and Tag electrical items First aid kit Check re first aid cert

4.4.2 Registrations, Licenses and Permits

Second hand licence
Working with Children
Drivers licence
Council approval
Business registration
ABN / GST registration
First aid kit

4.4.3 Duty of Care Responsibilities

The following duty of care responsibilities apply and are relevant to my business.

- ☒ I owe a duty of care to myself.
- ☒ I have a duty of care to provide a safe site for all customers

4.4.4 Compliance Procedures

Drivers licence every 3 years
Business name registration every 3 years

4.4.5 Legal Documents

List the legal documents you will need to keep in your business.

Document Type	Where is information stored	How long is it stored for	When is it updated
Insurance Policy	Softcopy on computer	3 years	Annually with renewal
Receipts & Invoices	Softcopy on computer Hardcopies stored in filing cabinet	5 years	At end of financial year

4.5 Contracts

4.5.1 Agreements and Contracts

Lease of premise
Lease of office equipment

4.6 Taxation

4.6.1 Taxation Obligations

Identify the Taxation Obligations for Your Business. E.g. Personal Income Tax; G.S.T.; Payroll Tax; Company Tax; P.A.Y.G. Include details of your strategies to ensure compliance with these obligations, and the required timelines for compliance.

Taxation Obligation	Strategies to ensure compliance	Timing
Submit Annual Individual Tax Return	Download required forms from ATO website. Submit data to tax agent for final submission	July/August

4.6.2 ABN/GST Registration

My ABN is 97 258 729 753_

SECTION 5 - FINANCIAL PLAN

A COPY OF YOUR COMPLETED **ASSESSMENT 4 – FINANCE (FINANCIAL SPREADSHEETS)** WILL ALSO BE REQUIRED
TO BE SUBMITTED WITH SECTION 2 OF THIS ASSESSMENT TASK

5.1 Statement of personal & financial position

5.1.1 Personal Income & Expenditure

Refer to Guidance Notes
Attach Table in Appendix

5.1.2 Personal Assets & Liabilities

Refer to Guidance Notes
Attach Table in Appendix

5.2 Value of business assets

The information contained here will provide the basis for your initial Balance Sheet

ITEM	\$
Computer laptop	\$500
Computer desktop	\$200
Vintage Lounge suit	\$300
2 x display glass cabinates	\$200
Stock	\$1000
TOTAL	\$2300

5.3 Resource requirements

5.3.1 List of equipment, fittings and tools required for the next two years

ITEMS UNDER (Current asset write off amount) \$	\$	Show Date *
Tools of the trade Office Furniture & Equipment -: - Desks - Chairs - Computers		
TOTAL	\$2000	

5.3.2 Start-up expense items for business operation

ITEM	\$	Show Date *
Eg: Business Name Registration Insurance Initial Stock Licenses & Permits Advertising & Promotion EFT facilities and Apps	 \$36.00 \$26.70 per mon \$1000 \$130.10 \$200	

Lease/bond		
Website design and setup		
TOTAL	\$300	

* Note - Highlight items where purchase/payment may be delayed until a later time - show in Cash flow

5.4 Business startup expenses

Most new businesses have a finance requirement. One of the main reasons for small business failure is under-capitalisation. It is especially important therefore to carefully consider and realistically calculate your finance requirements. The Cash Flow forecast will indicate any deficiencies in funding requirements and, for the business to be viable, sources of finance to cover such deficiencies will need to be confirmed.

a. Business Initial Expenses

Accounting				
Advertising & promotion		50	50	50
Bank charges		10	10	10
Furniture & Equipment		200	200	200
Insurance		26	26	26
Interest				
Lease / Rent		280	280	280
Legal costs				
Utilities		50	50	50
M.V. - Fuel & oil		80	80	80
M.V. - Rego & insurance		27	27	27
M.V. - Repairs & maintenance		10	10	10
Printing, stationery & postage		200	200	200
Professional development				
Miscellaneous		40	40	40
Rates				
Superannuation				
Telephone - Landline, mobile, ISP		40	40	40
Workcover				
Cost of Goods Sold		100	100	100

b. Total Initial Expenses \$ 300

c. **How will you cover these expenses?**

Private loan

5.5 Pricing rationale

5.5.1 Costs

Regular costs associated with running the business include: Rent, utilities, insurance, fuel, delivery costs, work vehicle, tools as detailed in cash flow projections.

5.5.2 Pricing

Based on your marketing pricing strategy choose the appropriate pricing calculation from those listed below. Explain the rationale for your choice, and include at least 1 calculation used to determine your pricing. You must include the calculations.

a. **Hourly Rate for a Service Provider:**

..1.1 **Calculation of chargeable hours**

52 weeks x 7 days per week = 45

Less Public Holidays &

Annual Leave

= 3 days

7 days x 6 hours per day = 42 billable hours available

LESS hours for admin tasks & lunch breaks

7 days x 0 hours per day = 42

42 **total**
hours

5.6 Revenue projections

Explain your estimated revenue as projected in your revenue spreadsheets.

- List a minimum of 4 assumptions made regarding projected revenue
- Identify no less than 2 trends which have been incorporated into your estimations
- Identify 2 limitations which could impact on the achievement of these figures

5.7 Financial performance

5.7.1 Cash flow Statement (Summary)

PROJECTED CASHFLOWS	YEAR 1 See Appendix	YEAR 2 See Appendix
Total Receipts	\$ 12,951	\$1,440
Cost of Goods Sold	\$1,200	\$1,200
Total Payments	\$17,396	\$32,700
Total (Receipts less COGS & Payments)	\$12,951	\$1,440
Estimated Tax Liabilities	\$0	\$464
Opening Bank Balance	\$0	\$12,951
Closing Bank Balance	\$12,951	\$13,927

5.8 Cost control

5.8.1 Payments and Debt Control Strategy

Using the table below explain how you intend to manage payments and debt for each of your target markets.

TARGET MARKET	EXPECTED PAYMENT TIMING	POLICY IF NOT PAID	STRATEGY TO IMPROVE PAYMENT EFFICIENCY
Grey Nomads	On the spot. Cash or eftpos	N/A	
Locals	As above	N/A	
Dachshund lovers	Paypal, cash, direct deposit, 24 hours	They don't get item	

I plan to pay my bills/accounts via direct deposit, cash or paypal.

5.9 Profit And Loss statement (Summary)

BUDGETED PROFIT & LOSS	YEAR 1 (Drawn from Financial Spreadsheets)	YEAR 2 (Drawn from Financial Spreadsheets)
Total Revenue	\$31,547	\$35,340
Cost of Goods Sold	\$1,200	\$1,200
Gross Profit	\$30,347	\$34,140
Total Expenses	\$12,596	\$13,500
Net Profit before Tax	\$17,751	\$20,640
Less Tax	\$0	\$464
Net Profit after Tax	\$17,751	\$20,176

5.10 Balance Sheet (Summary)

	Initial Balance Sheet	Balance Sheet for Year 1	Balance Sheet for Year 2
Proprietorship	\$1,200	\$ 14,151	\$ 15,127
Total Assets	\$1,200	\$14,151	\$15, 591
Total Liabilities	\$0	\$0	\$464

5.10.1 Working Capital

From the balance sheet, deduct total current liabilities from total current assets. This is of vital importance in measuring the business' ability to meet its immediate short term debts.

	At the end of Year 1	At the end of Year 2
Total Current Assets (A)	\$12,951	\$13,927

Total Current Liabilities (B)	\$0	\$464
A minus B (A -B)	\$12,951	\$13,463

5.11 Monitoring financial performance

5.11.1 Monitoring Financial Statements

Complete the table below listing the financial statements you will use in your business. Detail the information you intend to gather from these reports e.g. monitor pricing, costing strategies, cash flow, debtors/creditors payments etc. Explain the strategies you intend to use to ensure financial goals and objectives are achieved.

Financial Statements	Purpose of Review	Monitoring Strategies
profit and loss statement	Clarify monthly income and expenses and confirm profit/loss	peruse monthly with accountant

5.12 Taxation

5.12.1 Record Keeping

Hardcopy to start then move onto an electronic system

5.12.2 Source Documents and Records

List the source documents and records you will need to keep for your business, and to meet taxation obligations. State where appropriate how long they must be kept.

Source Documents	ATO Requirements	Company Requirements
EG: Receipt book	5 years	5
Car logbook	5 years	5

Bank deposit slip	5 years	5
Invoices / Tax Invoices	5 years	5
Suppliers Invoices	5 years	5
Bank statements	5 years	5
Electronic banking	5 years	5

5.12.3 Taxation Payments / Refunds

	Monthly payments/refunds (from Cash Flow Spreadsheets)	Total payments/refunds (from Profit and Loss Statement)	Strategy for payment
Year 1	\$0	\$0	
Year 2	\$464	\$454	Save monthly installments of \$39.

a) Working Capital Ratio– applicable to all businesses

This will be limited in year one but will be monitored closely by myself and mentor.

5.13.2 Breakeven

My breakeven will be calculated during my first year when I know my sales and costs more closely

5.13.3 Viability Assessments

My business is unique and there are no bench marks available. I believe I can generate sufficient sales and whilst closely monitoring my expenditure my business should be profitable by end of year 1. My financial statements attached as an appendix to this document support this statement.

- 1 YOU MUST SUBMIT A COPY OF YOUR COMPLETED EXCEL SPREADSHEETS WITH SECTION 2 OF THIS ASSESSMENT TASK. REFER TO: ASSESSMENT 4 - FINANCE (FINANCIAL SPREADSHEETS)**

SECTION 3 - REPORT ON FINANCIAL ACTIVITY (TO BE COMPLETE IN CLASS)

SECTION 3A – RECORD KEEPING

- Refer to Excel Spreadsheets: Assessment 4 – Section 3A Record Keeping
- Refer to Attachments: Assessment 4 – 3A Record Keeping Source Documents (pdf)

SECTION 3B – RECORD KEEPING

- Refers to Excel Spreadsheets: Assessment 4 – Section 3B Record Keeping
 - Refer to Attachments: Assessment 4 – 3B Record Keeping Source Documents (pdf)
-

SECTION 6 - OPERATIONAL MANAGEMENT PLAN

6.1 Human Resource Management

6.1.1 Relevant Background and Experience of Key Personnel.

Diploma of Arts in Professional Writing & Editing, small press publishing, design software, customer service, 20 years experience in layout & design for newsletters, articles published in magazines and newspapers, I currently work for West Wimmera Advocate as admin/journalist/designer.

6.1.2 Key Functions and Tasks

Complete the table below listing the key functions and tasks required to operate your business, and then list the person/s responsible for performing each task, and the time you will allocate to each individual task.

NOTE: Some of the information contained in Assessment 3 – Marketing Plan (Qu: 3.4.9) can be used to assist in populating this table

Key Function	Task	Person/s Responsible	Time Allocation
Social media /marketing	Updating facebook page. Adding products.	Diana	Half hour each day
Customer service			
Design work	Designing and laying out books, flyers, posters etc	Diana	3 – 4 hours a day
Cleaning	Vacumn, dust, mop	Diana	15 minutes a day

6.1.3 Skills and Competencies Required

Complete the table below listing the skills and competencies required to operate your business and the strategies you intend to implement to enable personnel to maintain and/or develop their skills and competencies to perform required tasks.

Skill/Competency Requirements	Currently met / or needs to be obtained	Strategies to maintain and/ or develop skill/competency requirements
Customer service	Currently met	
Designer	Currently met	
Artistic	Currently met	

Skill/Competency Requirements	Currently met / or needs to be obtained	Strategies to maintain and/ or develop skill/competency requirements
Computer	Currently met	

6.1.4 Self and Staff Wellbeing

Complete the table below explaining how you intend to look after yourself and your staff's health and wellbeing.

Person	Strategy
Self	Take regular breaks from the computer. Get up and walk around shop. Keep a supply of water handy to drink during the day.

6.2 Process Controls

6.2.1 Production/Service Scheduling

Complete the table below detailing the sequential steps and actions required in the production of goods or provision of services. Include details of control mechanisms you intend to use to establish and maintain the quality/standard of your product or service, and ensure the smooth running of business operations. Note, if you choose to present this as a process flow diagram / work flow chart instead, you need to ensure that all the elements detailed in the table are also included.

Process Flow	Actions Required	Control / Quality Check
Stock comes in (pre-paid)	Check it is all there and sort into lots. Price and record in whatever system I will be using.	Make sure no damage on stock
Commission sales	Check goods are all in good order. Price and record in a separate book for commission clients (they will have their own numbering system).	No damage to stock.

Process Flow	Actions Required	Control / Quality Check

6.2.2 Strategies for Increased and Decreased Demand in Business Activity

For an increase in demand I will order more than what I usually do as soon as I can.

If a product is not selling then I will reduce price to get rid of stock and then not order it again.

6.2.3 Time Controls

My shop will be open 7 days a week from 10 – 4pm. During this time I will work on artwork or design for clients inbetween customers coming into the shop. At 9.45 am I will clean, vacuum and dust before customers come in. During quiet times during the day I will work on updating business plans, marketing and network with suppliers/clients on facebook/Internet. I will have clients pop in for short meetings prior to opening shop between 9 – 9.45am.

At 4pm I will close up, clean up anything that is out of place .

	9-9.45am	9.45am	10am	10.05-4pm	4pm
Mon	Meetings/shopping	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up
Tues	Meetings/shopping	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up
Wed	Meetings/shopping	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up
Thur	Meetings/shopping	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up
Fri	Meetings/shopping	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up

	9-9.45am	9.45am	10am	10.05-4pm	4pm
Sat	Meetings/shopping	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up
Sun	NIL	Clean/tidy	Open shop	Serve customers, design work, marketing, bookkeeping etc	Shut shop/tidy up

6.3 Operational Requirements and Resources for Performance

6.3.1 Business Premises

See attached floor plan of shop/museum/gallery

On the main road through Edenhope, plenty of parking available, easy access for deliveries and customers, plenty of storage (storeroom at back of shop). Security is good as I will live on premises (house at rear) and have dogs. Local public amenities are within 100 metres from the shop, coffee shops and ATM close by.

The property is rented through a friend. Yes this is appropriate because I can't afford to buy the property at this stage but have the option in the future.

6.3.2 Internal Resource Requirements

Complete the tables below listing all operational resources required for your business's operation including plant and equipment, physical and natural resources, raw materials and stock, and state why each is required by the business.

Resources Currently Owned	Why Required
laptop	To perform a range of administrative functions To complete client work at various locations

Resources Required (to be purchased?)	Cost to purchase (\$)	Why Required
Eftpos machine	tbc	Easy transactions
Printer	tbc	printing

6.3.3 Maintenance Plan

Complete the table below listing the items requiring maintenance, and explain how you intend to manage this requirement. Include all equipment used in your business including plant, tools and office/computer equipment.

Item	Potential fault	Maintenance Plan	Associated Costs
Computer (Laptop)	virus	Update virus program	\$30
Computer (Desk top)	Running slow	Update and add more ram and rom	\$60
Printer	Jamming/not printing properly	Call leaser and get online/phone help or send rep out	free
Mobile phone	Dropped and smashed	Replace with a new handset	\$200

6.3.4 Government Support and Assistance Programs

New Small Business grant through West Wimmera Shire. Grant is up to \$5000. I plan to apply for the next round of grants (feb 2019).

6.3.5 Networks and Industry Information

I plan to use local business's for prining of posters, flyers etc (West Wimmera Advocate & Edenhope Library). I will buy any stationary supplies etc through Edenhope Post Office.

6.3.6 Specialist Sources of Advice

Contact	Contact Details	Support Offered	Associated Costs
Accountant	TBC	tax return / financial bookwork	
Peter Hay		Mentorship	

6.4 Business Performance

6.4.1 Monitoring and Recording of Key Performance Areas

Complete the table below listing your businesses key performance areas and the systems you intend to use to monitor and record necessary information for these areas. (E.g. resource usage, product service output, wastage, stock levels, stock turnover, market share, customer feedback, product returns, safety, efficiency, breakdowns)

Key Performance Area	Monitoring	Resources & Recording systems to be used	Frequency
Marketing	Monitoring of customer orders taken as a result of advertisements placed in local newspaper and social media	Facebook, redbubble, Lulu analytics Order & Despatch report	Weekly
Resource usage	Monitoring operating cost	Utility bills Supplier invoices	Weekly
Customer feedback	Customer satisfaction levels, complaints and returns	Guest book, word of mouth	Weekly

6.4.1 Monitoring External Business Environment

Facebook, mystery shopping. I can visit shops in my town and see what they are doing and pick up ideas or trends. I will follow competitors on facebook to keep updated on what they are up to.

6.4.2 Best Practices and Benchmarks

State the best practice systems and type/s of benchmark methods you intend to use in your business operation and explain the reasons for choosing these.

6.5 Occupational Health and Safety

6.5.1 Occupational Health and Safety (OH&S) Resources

N/A

6.5.2 OH&S Controls

Activity	Hazard	Control
HIGH RISK		
EG: mopping of floors	chemical contact with eyes and skin stretching / reaching	wearing of goggles, gloves and apron and non-slip safety boots, use a ladder, extension pole, mini hoist, or scissor lift as per procedure
Dusting and wiping down displays and counter tops	Chemical contact, stretching, lifting.	Use natural unharmed products, lift correctly, use proper step ladder.
Tripping over objects or stock left in the way	Sprains or even fractures.	Make sure shop area is keep clean and tidy and hazad free on a daily basis.
MEDIUM RISK		
Paper cuts	Stinging bleeds	Handle paper with care
LOW RISK		
Dog bite	Injury, bleed,	Keep dogs out of shop while customers are present (not that my dogs bite but you never know).

6.5.3 OH&S Staffing and Procedures

Complete the table below listing the staff member responsible for maintaining OH&S

procedures within your business and explain how this will be achieved.

OH&S Procedure	Staff member responsible	How will this be achieved
First aid officer	Owner	Attend refresher course when required
Work environment	Owner	Comfortable seating, tape over cords, regular breaks from computer, Check for any items left in pathways that can result in someone tripping.

6.5.4 OH&S Costings

Complete the table below listing staff training requirements, equipment, personal protective equipment (PPE) and all other requirements necessary to maintain a healthy and safe workplace, and state the estimated costs for each requirement. Ensure costs are allocated in your cash flow forecast accordingly.

OH&S Requirements	Estimated Cost
N/A	N/A

7 APPENDICES

Section 3: Marketing Plan

Marketing Research Sample of a Questionnaire (if applicable)

Letters of Intent, invoices, contracts supporting evidence of future sales

Promotional materials e.g. Business cards, samples, flyers, website, social media

Section 4: Legal Aspects

Business Name Registration – copy or evidence (if applicable)

Domain Name Registration – copy or evidence (if applicable)

Australian Business Number (ABN) – copy or evidence.

Partnership Agreement, Certificate of Incorporation and Share Registry, if applicable

Insurance Quote – copy of all pages

Copies of relevant Licenses, if applicable. E.g. police checks, working with children's check

Copies of relevant Permits, if applicable

Copies of Contracts or Leases, if applicable

Section 5: Financial Plan

Financial Excel Spreadsheets: Refer to Assessment 4 – Finance (Financial Spreadsheets)

Proof of Finance

Section 6:

Resume – current

Qualifications – relevant to your business.

Partnership Only - Resumes and qualifications of partners



West Wimmera Shire Council

**DRAFT BUDGET
2019/20**

The best of country living

Contents

Mayors and CEO's Introduction

Page

3

Budget Reports

1. Link to the Council Plan	4
2. Services and service performance indicators	6
3. Financial statements	17
4. Notes to the financial statements	24
5. Financial Performance Indicators	41

Disclaimer

The information contained in this document is for general guidance only. It is not professional advice and should not be used, relied upon or treated as a substitute for specific professional advice. Given the changing nature of laws, rules and regulations, and the inherent hazards of electronic communication, there may be delays, omissions or inaccuracies in information contained in this document.

The model budget, including financial statements, has been prepared in accordance with the requirements of the *Local Government Act 1989* and the Local Government Planning and Reporting Regulations 2014. While every effort has been made to ensure that the information contained in this document has been accurate and complies to relevant Victorian legislation, each Council remains responsible to ensure that the budget they prepare is compliant with all statutory requirements.

CEO's Introduction

On behalf of the staff of West Wimmera Shire Council, it is my pleasure to present the 2019/20 financial year budget.

The document reflects the revenue that can be derived from the rate cap variation received by Council from the Minister for Local Government in 2017 to apply a rate slightly higher than the State Government set cap of 2.25%. It also reflects that this slight increase above the cap will be applied to the renewal of assets to assist in addressing long term sustainability challenges faced by small rural shires. The rate increase included in the 2019/20 budget is 3.5%.

With a clear emphasis placed on the renewal of large asset categories such as, roads, drainage and shire owned buildings, the budget will make a positive impact on addressing the backlog with respect to asset maintenance and renewal.

The 2019/20 budget calls for \$6.59 million capital expenditure on Council's road network, with \$6.14 million of this being renewal of Council's existing network and \$0.45 million set aside for upgrades. The budget also includes a further \$2.63 million in ongoing maintenance for roads on top of the capital spend.

Total capital expenditure will be \$9.20 million, with \$7.62 of this being renewal works on Council's existing community assets and a further \$0.84 million being allocated to upgrading assets.

Other major community projects included in the budget include \$0.60 million for the construction of a new Library facility at Edenhope, located in the new Edenhope Community Centre. This facility is being provided with assistance from the Victorian Government's Living Libraries fund.

Council intends to take out new borrowings of \$0.20 million during 2019/20 to fund stage 2 of the Edenhope & District Community Centre redevelopment. It is projected that these borrowings be repaid over a 5 year period.

Council continues to support development of our families with \$0.88 million allocated to Children's and family services.

The budget makes a commitment to maintaining support for our older residents, with \$0.67 million allocated to Aged and disability care. Council is committed to providing care services to our community and acknowledges the extension of block funding until 2022. Council continues to monitor developments in this area with interest.

The budget also allows for environmentally sustainable upgrades to Council buildings, aiding Council to reduce its greenhouse footprint.

The budget also contains a number of capital projects with funds to be rolled forward from the 2018/19 budget, into the 2019/20 financial year.

As most small rural shires are, West Wimmera is extremely dependant on external funding via grants. Whether that be annual recurrent grants or competitive funding rounds, the shire will rely heavily on the assistance provided by these varied funding streams.

West Wimmera Shire welcomes community comment and discussion on the budget and looks forward to implementing the various activities contained within it.



David Leahy
Chief Executive Officer

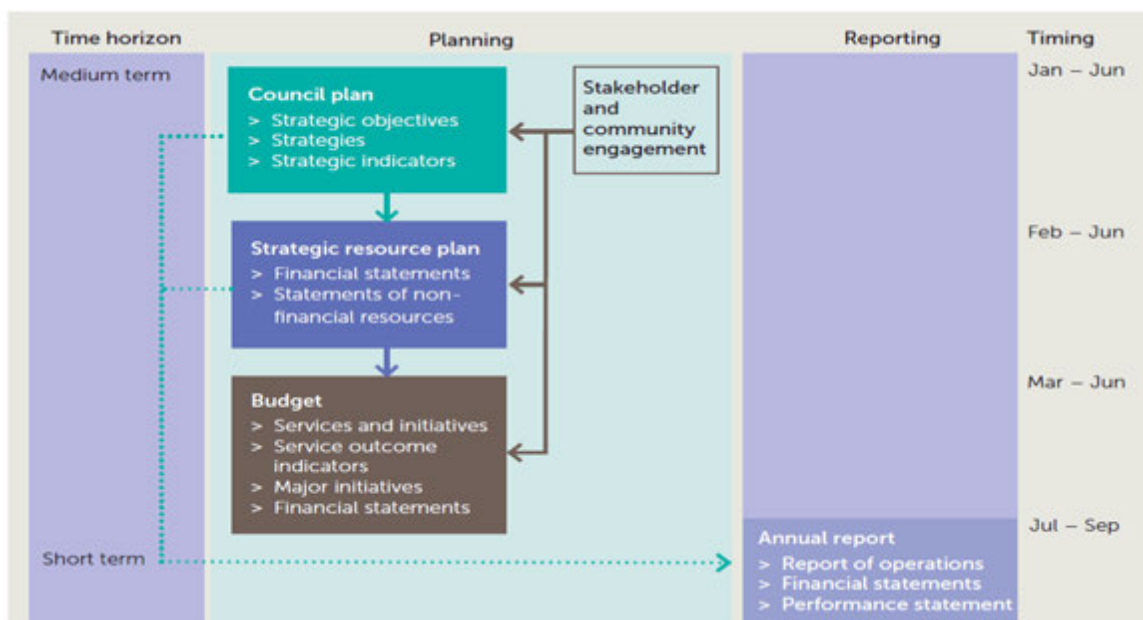


1. Link to the Council Plan

This section describes how the Annual Budget links to the achievement of the Council Plan within an overall planning and reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term, medium term (Council Plan) and short term (Annual Budget) and then holding itself accountable (Annual Report).

1.1 Planning and accountability framework

The Strategic Resource Plan, part of and prepared in conjunction with the Council Plan, is a rolling four-year plan that outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan. The Annual Budget is framed within the Strategic Resource Plan, considering the services and initiatives which contribute to achieving the strategic objectives specified in the Council Plan. The diagram below depicts the planning and accountability framework that applies to local government in Victoria.



Source: Department of Environment, Land, Water and Planning

In addition to the above, Council has a long term plan which articulates a community vision, mission and values. The Council Plan is prepared with reference to Council's long term Community Plan.

The timing of each component of the planning framework is critical to the successful achievement of the planned outcomes.

1.2 Our purpose

Our vision

Our West Wimmera communities are healthy, thriving, diverse, prosperous and self-sustaining, with regional and global connectivity.

Our values

West Wimmera Shire Council values its resident population and its wellbeing. This will be demonstrated through the promotion of viable and sustainable communities, the retention of current population and support to grow communities.

West Wimmera Shire Council values good governance and transparent decision making. Supporting community groups and advocating on their behalf will enable open dialogue to occur with residents.

Representing the whole of the West Wimmera is valued highly by Councillors

A connected community, both via transport infrastructure and modern digital technology that enables us to be connected to the world for business and education.

Partnership (locally, regionally and with government) are valued as a way of ensuring sustainable service delivery.

1.3 Strategic objectives

Council delivers activities and initiatives under 36 major service categories. Each contributes to the achievement of one of the seven Strategic Objectives as set out in the Council Plan for the 2017-2021 years. The following is a list of the seven Strategic Objectives as described in the Council Plan.

Strategic Objective 1: A proactive, well-governed, professional and financially sustainable organisation that encourages community participation

Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision

Strategic Objective 3: Quality sustainable community infrastructure

Strategic Objective 4: Building on our agricultural and business strengths and supporting

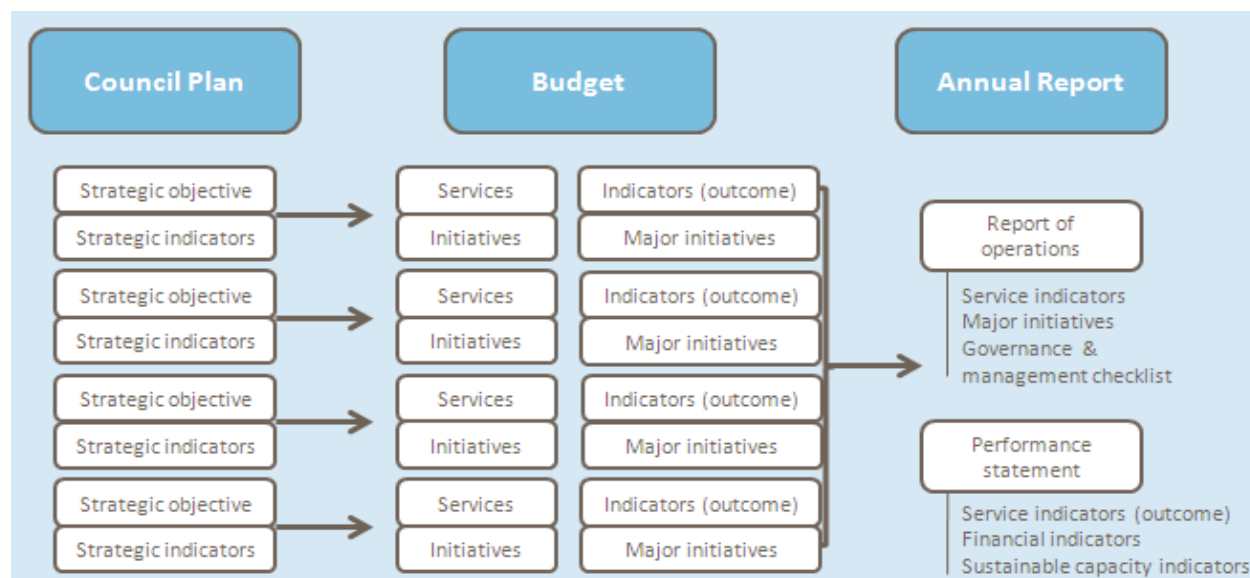
Strategic Objective 5: Thriving, safe and diverse local communities

Strategic Objective 6: Participating in activities that address health and well being issues

Strategic Objective 7: Providing access to, and promoting the natural environment

2. Services and service performance indicators

This section provides a description of the services and initiatives to be funded in the Budget for the 2017/2018 year and how these will contribute to achieving the strategic objectives outlined in the Council Plan. It also describes a number of major initiatives, initiatives and service performance outcome indicators for key areas of Council's operations. Council is required by legislation to identify initiatives, major initiatives and service performance outcome indicators in the Budget and report against them in their Annual Report to support transparency and accountability. The relationship between these accountability requirements in the Council Plan, the Budget and the Annual Report is shown below.



Source: Department of Environment, Land, Water and Planning

2.1 Strategic Objective 1: A proactive, well-governed, professional and financially sustainable organisation that encourages community participation

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure
		(Revenue) Net Cost \$'000
Corporate Services	This service provides management and administration support to the corporate area of Council and includes the Human Resources, Risk Management and Occupational Health and Safety functions.	534 (10) 524
Customer Service	This service provides the main point of interaction between Council and the community. Services include over the counter advice, receipting, and administrative support to Council.	447 (18) 429

Service area	Description of services provided	Expenditure (Revenue)
		Net Cost \$'000
Elected Members	This service provides for leadership from and support to the community's elected leaders	273
		(0)
		273
Finance and Rates	This service predominantly provides financial based services to both internal and external customers including the management of Council's finances, payment of salaries and wages to Council employees, procurement and contracting of services, raising and collection of rates and charges and valuation of properties throughout the municipality.	868
		(3,622)
		(2,754)
Governance	This service provides support and oversight to Council operations including the conduct of Council meetings. The Governance service also covers such items as customer satisfaction monitoring.	38
		0
		38
Information Technology	This service is responsible for the provision of information management services to Council and the community, including hardware and software solutions to enable Council to undertake its desired activities and to provide contact methodologies for our community.	378
		0
		378
Records Management	This service is responsible for providing and maintaining accurate and up to date record keeping facilities and archives.	166
		0
		166

Major Initiatives

- 1) Continue to identify and drive shared service opportunities within the region which may be of benefit to West Wimmera Shire Council.

Initiatives

- 2) Investigate and pursue involvement in Rural Council's Transformation Program
- 3) Investigate and pursue options for regional professional development program for Councillors and staff.

Service Performance Outcome Indicators

The following indicator outlines how we intend to measure achievement of service objectives.

Service	Indicator	Performance Measure	Computation
Governance	Satisfaction	Satisfaction with Council decisions (Community satisfaction rating out of 100 with how Council has performed in making decisions in the interests of the community)	Community satisfaction rating out of 100 with how Council has performed in making decisions in the interests of the community

2.2 Strategic Objective 2: Meaningful partnerships to support advocacy priorities and service provision

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure (Revenue)
		Net Cost \$'000
CEO Office	This service provides executive leadership and support to Council, and co-ordinates advocacy programs on behalf of the West Wimmera community.	613 <u>0</u> 613
Human Resources	This service provides the recruitment, training and performance evaluation of Council staff	119 <u>(71)</u> 48
Public Relations and Marketing	This service is responsible for the management and provision of advice on external communication, in consultation with relevant stakeholders, on behalf of Council.	88 <u>0</u> 88

Major Initiatives

- 4) Investigate opportunities to improve access to utilities (gas, NBN, water, telecommunications) for our West Wimmera community
- 5) Promote and advocate business case for rural pipeline water supply.

Initiatives

- 6) Advocate for suitable NBN service provision (fixed wireless rather than SkyMuster satellite)

2.3 Strategic Objective 3: Quality sustainable community infrastructure

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure
		(Revenue) Net Cost \$'000
Buildings and Property	This service provides for management and maintenance of Council's building portfolio.	206 <u>0</u> 206
Cemeteries	This service provides management of the Kaniva, Edenhope and Goroke cemeteries.	5 <u>(2)</u> 3
Depot and Engineering Operations	This service provides Council with infrastructure management services, including works, engineering, contract management and inventory and stores control activities. It also includes Plant maintenance costs and all costs and income associated with plant usage.	9,170 <u>(2,202)</u> 6,968
Quarry Operations	This service provides for materials utilised by Council in its works and construction activities.	283 <u>(280)</u> 3
Roads, Bridges, Footpaths	This service provides for all maintenance and operational works undertaken on Council's roads, bridges and footpath network. It includes the contract works Council undertakes for VicRoads on state roads within the municipal boundaries.	4,655 <u>(4,624)</u> 31
Stormwater Drainage	This service provides for maintenance works on Council's stormwater drainage network.	57 <u>0</u> 57

Major Initiatives

- 7) Undertake mapping of Community Assets to maximise coverage and prioritise Council investment

Initiatives

- 8) Initiate investigation into economical road stabilising materials and techniques
- 9) Continue development of asset management registers

Service Performance Outcome Indicators

The following indicator outlines how we intend to measure achievement of service objectives

Service	Indicator	Performance Measure	Computation
Roads	Satisfaction	Satisfaction with sealed local roads (Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads)	Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads.

2.4 Strategic Objective 4: Building on our agricultural and business strengths and supporting economic development

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure
		(Revenue) Net Cost \$'000
Aerodrome	This service area provides for maintaining the operation of the Edenhope Aerodrome.	7 (3) 4
Business and Economic Development	The business and economic development service assists the organisation to facilitate an environment that is conducive to a sustainable and growing local business sector and provides opportunities for local residents to improve their skill levels and access employment.	484 (45) 439

Major Initiatives

10) Investigate cost effective ways to support local businesses.

Initiatives

11) Facilitate marketing and promotion training for local businesses

Service Performance Outcome Indicators

The following indicators outlines how we intend to measure achievement of service objectives

Service	Indicator	Performance Measure	Computation
Economic Development	Economic activity	Change in number of businesses (Percentage change in the number of businesses with an ABN in the municipality)	[Number of businesses with an ABN in the municipality at the end of the financial year / the number of businesses at the start of the financial year / Number of businesses with an ABN in the municipality at the start of the financial year] x 100

2.5 Strategic Objective 5: Thriving, safe and diverse local communities

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure
		(Revenue) Net Cost \$'000
Arts and Culture	This service provides a varied ongoing program of arts and cultural events and activities, plans and develops arts and cultural facilities and infrastructure and develops policies and strategies to facilitate art practice.	30 <u>0</u> 30
Building	This service provides statutory building services to Council and the community including processing of building permits, investigations of complaints and illegal works.	165 <u>(38)</u> 127
Children, Youth and Family Services	This service provides a range of children and youth support activities, including pre-schools, Infant Welfare Centres, Freeza and youth engagement programs.	880 <u>(677)</u> 203
Fire Prevention and Emergency Services	This service provides for essential monitoring and management of vegetation in fire risk areas and also for the funding of emergency service activities provided by Council.	41 <u>(3)</u> 38
Community Services	This services provides management and administrative support to the community services area.	60 <u>(8)</u> 52
Planning	This service provides statutory planning services to Council and the community including processing of planning permits, investigations of complaints and illegal works.	383 <u>(30)</u> 353
Regulatory Services	This service provides all management and enforcement of Council's Local Laws, including animal registration, control and enforcement.	141 <u>(38)</u> 103
Sanitation	This service provides for street cleaning across Council's urban centres and for management and maintenance of Council's public amenities.	304 <u>0</u> 304
Street Lighting	This service provides for public lighting in Council's urban centres.	29 <u>0</u> 29
Traffic Management	This service provides for school crossing services.	14 <u>(6)</u> 8
Waste Management	This service provides for waste management solutions, including kerbside pickup, disposal and transfer station sites.	761 <u>(60)</u> 701

Major Initiatives

12) Prepare outline community needs analysis as a basis for developing future detailed community plans.

Initiatives

13) Prepare analysis of future provision of community care assessment services

14) Advocate for suitable and sustained support for access to early years services for our community

Service Performance Outcome Indicators

The following indicators outlines how we intend to measure achievement of service objectives

Service	Indicator	Performance Measure	Computation
Maternal and Child Health	Participation	Participation in the MCH service (Percentage of children enrolled who participate in the MCH service)	[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100
		Participation in MCH service by Aboriginal children (Percentage of Aboriginal children enrolled who participate in the MCH service)	[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
Statutory planning	Decision making	Council planning decisions upheld at VCAT (Percentage of planning application decisions subject to review by VCAT and that were not set aside)	[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
Waste collection	Waste diversion	Kerbside collection waste diverted from landfill (Percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill)	[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100
Animal Management	Health and safety	Animal management prosecutions (Number of successful animal management prosecutions)	Number of successful animal management prosecutions

2.6 Strategic Objective 6: Participating in activities that address health and well being issues

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure
		(Revenue) Net Cost \$'000
Aged and Disability Care Services	This service provides a range of home and community care services for the aged and disabled including home delivered meals, personal care, transport, dementia care, home maintenance, housing support and senior citizen clubs.	672 (693) (21)
Libraries	This service provides public library services at Edenhope and Kaniva via a contribution to the Wimmera Regional Library Corporation.	175 0 175
Public Health	This service provides a range of public health related activities, including Environmental Health inspections and enforcement, and pest and weed control services.	177 (94) 83
Recreation, Sport, Leisure	This service provides maintenance and management of Council's public halls and swimming pools.	289 (7) 282
Sport and Recreation Facilities	This service provides for management and maintenance of sporting facilities across the municipality.	55 (21) 34

Major Initiatives

15) Continue to advocate for improved health services to our community, including mental health and general practitioner services

Initiatives

16) Advocate for improved access for our residents to aged care and disability care services

17) Prepare analysis of provision of Library Services to our Community

Service Performance Outcome Indicators

The following indicators outlines how we intend to measure achievement of service objectives

Service	Indicator	Performance Measure	Computation
Home and Community Care	Participation	Participation in HACC service (Percentage of the municipal target population who receive a HACC service) Participation in HACC service by CALD people (Percentage of the municipal target population in relation to CALD people who receive a HACC service)	[Number of people that received a HACC service / Municipal target population for HACC services] x100 [Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100
Libraries	Participation	Active library members (Percentage of the municipal population that are active library members)	[Number of active library members / municipal population] x100
Aquatic Facilities	Utilisation	Utilisation of aquatic facilities (Number of visits to aquatic facilities per head of municipal population)	Number of visits to aquatic facilities / Municipal population
Food safety	Health and safety	Critical and major non-compliance notifications (Percentage of critical and major non-compliance notifications that are followed up by Council)	[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises] x100

2.7 Strategic Objective 7: Providing access to, and promoting the natural environment

To achieve this objective, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Services

Service area	Description of services provided	Expenditure
		(Revenue) Net Cost \$'000
Tourism and Events	This service promotes West Wimmera Shire's natural attractions and provides facilities for visitors to our region.	97 <u>0</u> 97
Parks and Reserves	This service provides maintenance and management of all parks and gardens across Council.	528 <u>0</u> 528

Major Initiatives

- 18) Produce Lake Wallace Management Plan

Initiatives

- 19) Invest in media promotion including Tourism Website

2.8 Performance Statement

The service performance indicators detailed in the preceding pages will be reported on in the Performance Statement which is prepared at the end of the year as required by Section 132 of the Act and included in the 2017/2018 Annual Report. The Performance Statement will also include reporting on prescribed indicators of financial performance (outlined in Section 8) and sustainable capacity, which are not included in this budget report. The prescribed performance indicators contained in the Performance Statement are audited each year by the Victorian Auditor General who issues an audit opinion on the Performance Statement. The major initiatives detailed in the preceding pages will be reported in the Annual Report in the form of a statement of progress in the Report of Operations.

2.9 Reconciliation with budgeted operating result

	Net Cost (Revenue) \$'000	Expenditure \$'000	Revenue \$'000
1. A proactive, well-governed, professional and financially sustainable organisation that encourages community participation.	(946)	2,704	(3,650)
2. Meaningful partnerships to support advocacy priorities and service provision.	749	820	(71)
3. Quality sustainable community infrastructure.	7,268	14,376	(7,108)
4. Building on our agricultural and business strengths and supporting economic development.	443	491	(48)
5. Thriving, safe and diverse local communities.	1,948	2,808	(860)
6. Participating in activities that address health and wellbeing issues.	553	1,368	(815)
7. Providing access to and promoting the natural environment.	625	625	0
Total services and initiatives	10,640	23,192	(12,552)
Other non-attributable	(83)		
Deficit before funding sources	10,557		
Funding sources:			
Rates & charges	7,766		
Capital grants	3,078		
Total funding sources	10,844		
Surplus for the year	287		

3. Financial Statements

This section presents information in regard to the Financial Statements and Statement of Human Resources. The budget information for the year 2018/19 has been supplemented with projection to 2021/22 extracted from the Strategic Resource Plan.

This section includes the following financial statements prepared in accordance with the Local Government Act 1989 and the Local Government Planning and Reporting regulations 2014.

Comprehensive Income Statement
Balance Sheet
Statement of Changes in Equity
Statement of Cash Flows
Statement of Capital Works
Statement of Human Resources

Comprehensive Income Statement

For the four years ending 30 June 2023

		Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Strategic Resource Plan Projections		
		NOTES		2020/21 \$'000	2021/22 \$'000	2022/23 \$'000
Income						
Rates and charges	4.1.1	7,523	7,766	7,960	8,159	8,363
Statutory fees and fines	4.1.2	117	129	132	136	139
User fees	4.1.3	703	677	694	711	729
Grants - Operating	4.1.4	8,048	7,310	7,380	7,564	7,754
Grants - Capital	4.1.4	7,861	3,078	2,553	2,617	2,682
Contributions - monetary	4.1.5	114	86	-	-	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment		90	90	150	150	150
Other income	4.1.6	2,670	2,631	2,697	2,764	2,833
Total income		27,125	21,767	21,566	22,101	22,650
Expenses						
Employee costs	4.1.7	7,066	7,707	7,827	8,101	8,384
Materials and services	4.1.8	7,542	6,156	6,249	6,405	6,565
Depreciation and amortisation	4.1.9	6,967	6,998	7,068	7,139	7,210
Borrowing costs		-	7	6	4	3
Other expenses	4.1.10	321	266	272	279	286
Total expenses		21,896	21,135	21,422	21,928	22,449
Surplus/(deficit) for the year		5,229	632	144	174	202
Other comprehensive income Items that will not be reclassified to surplus or deficit in future periods						
Net asset revaluation increment /(decrement)		-	-	-	-	-
Total comprehensive result		5,229	632	144	174	202

Balance Sheet

For the four years ending 30 June 2023

		Forecast Actual	Budget	Strategic Resource Plan Projections		
		2018/19	2019/20	2020/21	2021/22	2022/23
	NOTES	\$'000	\$'000	\$'000	\$'000	\$'000
Assets						
Current assets						
Cash and cash equivalents		9,908	8,884	9,383	8,947	9,254
Trade and other receivables		515	310	316	323	329
Inventories		200	200	200	200	200
Non-current assets classified as held for sale		14	-	-	-	-
Other assets		150	150	100	100	100
Total current assets	4.2.1	10,787	9,544	9,999	9,570	9,883
Non-current assets						
Trade and other receivables		160	130	110	90	70
Investments in associates, joint arrangement and subsidiaries		430	430	430	430	430
Property, infrastructure, plant & equipment		226,526	228,534	228,180	228,824	228,770
Total non-current assets	4.2.1	227,116	229,094	228,720	229,344	229,270
Total assets		237,903	238,638	238,719	238,913	239,153
Liabilities						
Current liabilities						
Trade and other payables		1,274	1,117	1,017	1,000	999
Trust funds and deposits		24	24	24	24	24
Provisions		1,784	1,856	1,912	1,969	2,028
Interest-bearing liabilities	4.2.3	-	38	39	41	45
Total current liabilities	4.2.2	3,082	3,035	2,992	3,034	3,096
Non-current liabilities						
Provisions		609	633	652	672	692
Interest-bearing liabilities	4.2.3	-	125	86	45	-
Total non-current liabilities	4.2.2	609	758	738	717	692
Total liabilities		3,691	3,793	3,730	3,751	3,788
Net assets		234,212	234,845	234,989	235,163	235,365
Equity						
Accumulated surplus		42,950	44,277	44,332	44,456	44,687
Reserves		191,262	190,568	190,658	190,708	190,678
Total equity		234,212	234,845	234,989	235,163	235,365

Statement of Changes in Equity

For the four years ending 30 June 2023

	NOTES	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2018 Forecast Actual					
Balance at beginning of the financial year		228,983	34,476	190,130	4,377
Surplus/(deficit) for the year		5,229	5,229	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(201)	-	201
Transfers from other reserves		-	3,446	-	(3,446)
Balance at end of the financial year		234,212	42,950	190,130	1,132
2019 Budget					
Balance at beginning of the financial year		234,213	42,950	190,130	1,132
Surplus/(deficit) for the year		632	632	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves	4.3.1	-	(120)	-	120
Transfers from other reserves	4.3.1	-	814	-	(814)
Balance at end of the financial year	4.3.2	234,845	44,278	190,130	437
2020					
Balance at beginning of the financial year		234,845	44,278	190,130	437
Surplus/(deficit) for the year		144	144	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(90)	-	90
Transfers from other reserves		-	-	-	-
Balance at end of the financial year		234,989	44,332	190,130	527
2021					
Balance at beginning of the financial year		234,989	44,332	190,130	527
Surplus/(deficit) for the year		174	174	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(100)	-	100
Transfers from other reserves		-	50	-	(50)
Balance at end of the financial year		235,163	44,456	190,130	577
2022					
Balance at beginning of the financial year		235,163	44,456	190,130	577
Surplus/(deficit) for the year		202	202	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(20)	-	20
Transfers from other reserves		-	50	-	(50)
Balance at end of the financial year		235,365	44,687	190,130	547

Statement of Cash Flows

For the four years ending 30 June 2023

Notes	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Strategic Resource Plan Projections		
			2020/21 \$'000	2021/22 \$'000	2022/23 \$'000
	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities					
Rates and charges	7,513	7,759	7,950	8,148	8,353
Statutory fees and fines	117	125	132	136	139
User fees	882	971	790	807	828
Grants - operating	8,048	7,310	7,380	7,564	7,754
Grants - capital	7,861	3,078	2,553	2,617	2,682
Contributions - monetary	114	86	-	-	-
Interest received	150	180	120	120	120
Trust funds and deposits taken	(8)	-	-	-	-
Other receipts	2,520	2,487	2,577	2,644	2,714
Employee costs	(7,094)	(7,612)	(7,752)	(8,024)	(8,306)
Materials and services	(9,112)	(6,646)	(6,643)	(6,772)	(6,927)
Net cash provided by/(used in) operating activities 4.4.1	10,990	7,738	7,107	7,240	7,357
Cash flows from investing activities					
Payments for property, infrastructure, plant and equipment	(12,926)	(9,190)	(6,864)	(7,933)	(7,306)
Proceeds from sale of property, infrastructure, plant and equipment	240	272	300	300	300
Net cash provided by/ (used in) investing activities 4.4.2	(12,686)	(8,918)	(6,564)	(7,633)	(7,006)
Cash flows from financing activities					
Finance costs	(1)	(7)	(6)	(4)	(3)
Proceeds from borrowings	-	200	-	-	-
Repayment of borrowings	(33)	(37)	(38)	(39)	(41)
Net cash provided by/(used in) financing activities 4.4.3	(34)	156	(44)	(43)	(44)
Net increase/(decrease) in cash & cash equivalents	(1,730)	(1,024)	499	(436)	307
Cash and cash equivalents at the beginning of the financial year	11,638	9,908	8,884	9,383	8,947
Cash and cash equivalents at the end of the financial year	9,908	8,884	9,383	8,947	9,254

Statement of Capital Works

For the four years ending 30 June 2023

		Strategic Resource Plan Projections				
	NOTES	2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	2022/23 \$'000
Property						
Land		-	-	-	-	78
Total land		-	-	-	-	78
Buildings		2,688	962	700	744	481
Total buildings		2,688	962	700	744	481
Total property		2,688	962	700	744	559
Plant and equipment						
Plant, machinery and equipment		958	1,020	985	1,010	1,035
Computers and telecommunications		25	15	118	70	-
Total plant and equipment		983	1,035	1,103	1,080	1,035
Infrastructure						
Roads		7,122	6,590	4,642	5,718	5,502
Bridges		776	325	155	106	-
Footpaths and cycleways		167	85	57	59	60
Drainage		169	50	-	-	-
Parks, open space and streetscapes		863	149	57	76	-
Total infrastructure		9,097	7,199	4,911	5,959	5,562
Total capital works expenditure	4.5.1	12,768	9,196	6,714	7,783	7,156
Represented by:						
New asset expenditure		80	137	232	265	-
Asset renewal expenditure		12,054	7,617	6,482	7,518	7,156
Asset upgrade expenditure		634	1,442	-	-	-
Total capital works expenditure	4.5.1	12,768	9,196	6,714	7,783	7,156
Funding sources represented by:						
Grants		3,430	3,678	2,553	2,617	2,682
Contributions		142	353	-	-	-
Council cash		9,196	4,965	4,161	5,166	4,474
Borrowings		-	200	-	-	-
Total capital works expenditure	4.5.1	12,768	9,196	6,714	7,783	7,156

Statement of Human Resources

For the four years ending 30 June 2023

	Forecast Actual	Budget	Strategic Resource Plan Projections		
	2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	2022/23 \$'000
Staff expenditure					
Employee costs - operating	7,066	7,707	7,827	8,101	8,384
Employee costs - capital	1,378	1,141	1,175	1,210	1,247
Total staff expenditure	8,444	8,848	9,002	9,311	9,631
	FTE	FTE	FTE	FTE	FTE
Staff numbers					
Employees	88.6	91.5	88.0	88.0	88.0
Total staff numbers	88.6	91.5	88.0	88.0	88.0

A summary of human resources expenditure categorised according to the organisational structure of Council is included below:

Department	Budget	Comprises	
	2019/20 \$'000	Full Time \$'000	Part time \$'000
CEO & Governance	451	434	17
Corporate Services	1,953	972	981
Community Services	1,305	121	1,184
Infrastructure Development & Works	3,998	3,298	700
Total staff expenditure	7,707	4,825	2,882
Capitalised labour costs	1,141		
Total expenditure	8,848		

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Department	Budget	Comprises	
	2019/20	Full Time	Part time
CEO & Governance	3.3	3.0	0.3
Corporate Services	20.5	10.0	10.5
Community Services	13.5	1.0	12.5
Infrastructure Development & Works	54.2	46.0	8.2
Total staff	91.5		

4. Notes to the financial statements

This section presents detailed information on material components of the financial statements. Council needs to assess which components are material, considering the dollar amounts and nature of these components.

4.1 Comprehensive Income Statement

4.1.1 Rates and charges

Rates and charges are required by the Act and the Regulations to be disclosed in Council's annual budget.

In developing the Strategic Resource Plan, rates and charges were identified as an important source of revenue. Planning for future rate increases has therefore been an important component of the Strategic Resource Planning process. The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For 2018/19 the FGRS cap has been set at 2.25%. The cap applies to both general rates and municipal charges and is calculated on the basis of council's average rates and charges. However Council has received approval from the Minister for Local Government to vary the rate cap for 2019/20 to allow for a rate increase of up to 3.5%.

The level of required rates and charges has been considered in this context, with reference to Council's other sources of income and the planned expenditure on services and works to be undertaken for the community.

To achieve these objectives while maintaining service levels and a strong capital expenditure program, the average general rate and the municipal charge will increase by 3.5% in line with the rate cap variation granted to Council by the Minister for Local Government.

This will raise total rates and charges for 2019/20 of \$7.787 million.

4.1.1(a) The reconciliation of the total rates and charges to the Comprehensive Income Statement is as follows:

	Forecast Actual	Budget	Change	%
	\$'000	\$'000	\$'000	
General rates*	6,561	6,790	229	3.49%
Municipal charge*	434	449	15	3.46%
Waste management charge	519	532	13	2.45%
Interest on rates and charges	17	12	5	-27.06%
Total rates and charges	7,531	7,783	252	3.35%

*These items are subject to the rate cap established under the FGRS

(Note: the amount listed as Rates & Charges in the Comprehensive Income Statement includes allowances for losses and write-offs and as such may not equal the amount shown in table 4.1.1(a))

4.1.1(b) The rate in the dollar to be levied as general rates under section 158 of the Act for each type or class of land compared with the previous financial year

Type or class of land	2018/19 cents/\$CIV	2019/20 cents/\$CIV	Change
General rate for rateable properties	0.003126	0.002642	-15.47%

(* Use CIV or NAV depending on the valuation basis used by the Council)

4.1.1(c) The estimated total amount to be raised by general rates in relation to each type or class of land, and the estimated total amount to be raised by general rates, compared with the previous financial year

Type or class of land	2018/19 \$'000	2019/20 \$'000	Change	
			\$'000	%
General	6,561	6,790	229	3.49%
Total amount to be raised by general rates	6,561	6,790	229	3.49%

4.1.1(d) The number of assessments in relation to each type or class of land, and the total number of assessments, compared with the previous financial year

Type or class of land	2018/19 Number	2019/20 Number	Change	
			\$'000	%
General	4,746	4,729	-	17
Total number of assessments	4,746	4,729	-	17

4.1.1(e) The basis of valuation to be used is the Capital Improved Value

4.1.1(f) The estimated total value of each type or class of land, and the estimated total value of land, compared with the previous financial year

Type or class of land	2018/19 \$'000	2019/20 \$'000	Change	
			\$'000	%
General	2,096,864	2,569,904	473,040	22.56%
Total value of land	2,096,864	2,569,904	473,040	22.56%

4.1.1(g) The municipal charge under Section 159 of the Act compared with the previous financial year

Type of Charge	Per Rateable Property 2018/19 \$	Per Rateable Property 2019/20 \$	Change	
			\$	%
Municipal	147	153	5.2	3.50%

4.1.1(h) The estimated total amount to be raised by municipal charges compared with the previous financial year

Type of Charge	2018/19 \$' 000	2019/20 \$' 000	Change	
			\$	%
Municipal	432	449	17	3.98%

4.1.1(i) The rate or unit amount to be levied for each type of service rate or charge under Section 162 of the Act compared with the previous financial year

Type of Charge	Per Rateable Property 2018/19	Per Rateable Property 2019/20	Change	
	\$	\$	\$	%
Waste Management	305	313	8	2.49%
Total	305	313	8	2.49%

4.1.1(j) The estimated total amount to be raised by each type of service rate or charge, and the estimated total amount to be raised by service rates and charges, compared with the previous financial year

Type of Charge	2018/19 \$'000	2019/20 \$'000	Change	
			\$'000	%
Waste Management	511	532	21	4.05%
Total	511	532	21	4.05%

4.1.1(k) The estimated total amount to be raised by all rates and charges compared with the previous financial year

	2018/19 \$'000	2019/20 \$'000	Change	
			\$'000	%
General rates	6,562	6,790	228	3.47%
Municipal charge	434	449	15	3.46%
Waste management charge	519	532	13	2.45%
Total Rates and charges	7,515	7,771	256	3.40%

4.1.1(l) Fair Go Rates System Compliance

West Wimmera Shire Council is fully compliant with the State Government's Fair Go Rates System

	2018/19	2019/20
Total Rates	\$ 6,994,559	\$ 7,239,368
Number of rateable properties	4,729	4,729
Base Average Rates	\$ 1,479.08	\$ 1,530.85
Maximum Rate Increase (set by the State Government)	3.50%	3.50%
Capped Average Rate	\$ 1,479.08	\$ 1,530.85
Maximum General Rates and Municipal Charges Revenue	\$ 6,994,569	\$ 7,239,368
Budgeted General Rates and Municipal Charges Revenue	\$ 6,994,569	\$ 7,239,368

4.1.1(m) Any significant changes that may affect the estimated amounts to be raised by rates and charges

There are no known significant changes which may affect the estimated amounts to be raised by rates and charges. However, the total amount to be raised by rates and charges may be affected by:

- The making of supplementary valuations (2019/20: estimated \$nil and 2018/19: \$11,302.00)
- The variation of returned levels of value (e.g. valuation appeals)
- Changes of use of land such that rateable land becomes non-rateable land and vice versa
- Changes of use of land such that residential land becomes business land and vice versa.

4.1.1(n) Differential rates

Council institutes a uniform rate across all properties within the shire. All rateable properties are charged at the general rate in the dollar of \$0.0026437

4.1.2 Statutory fees and fines

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change	
			\$'000	%
Animal Management Fees	33	35	2	6.02%
Building Fees	36	36	-	0.00%
Permits	19	20	1	5.26%
Town Planning Fees	23	29	6	26.67%
Other	6	9	3	48.82%
Total statutory fees and fines	117	129	12	10.65%

Statutory fees and fines is anticipated to increase over 2019/20 by \$12,000 or 10.65%. The majority of this (\$7,000) of this is expected to result from increased town planning fees.

4.1.3 User fees

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change	
			\$'000	%
Community services user charges	263	281	17	6.60%
Private and contract works	88	25	- 63	-71.61%
Refuse disposal fees	40	38	- 2	-4.99%
User charges	17	18	1	5.88%
Caravan park fees	22	26	4	18.18%
Other fees and charges	273	289	16	5.88%
Total user fees	703	677	- 27	-3.79%

User fees are budgeted overall to decline by \$27,000 or 3.79% over 2019/20. Whilst some fees are budgeted to increase, such as Community services charges as a result of greater provision of packaged care services, Private works is anticipated to decline significantly as Council concentrates on completing its own capital and maintenance programs

4.1.4 Grants

Grants are required by the Act and the Regulations to be disclosed in Council's annual budget.

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000 %	
Grants were received in respect of the following:				
Summary of grants				
Commonwealth funded grants	12,781	7,987	-	4,794 -38%
State funded grants	3,128	2,239	-	888 -28%
Total grants received	15,908	10,226	-	5,682 -36%
(a) Operating Grants				
Recurrent - Commonwealth Government				
Financial Assistance Grants	5,751	6,108		357 6%
Commonwealth Home Support Program	391	351	-	40 -10%
Recurrent - State Government				
Community Safety	7	6	-	1 -18%
Aged care	127	137		11 8%
Public Health	5	6		1 12%
Maternal and child health	167	260		93 56%
Youth Services	290	332		42 14%
Total recurrent grants	6,739	7,200		461 7%
Non-recurrent - Commonwealth Government				
Recreation	200	-	-	200 -100%
Non-recurrent - State Government				
Administration	41	43		1 2%
Recreation	1,000	-	-	1,000 -100%
Environment	68	68	-	0 100%
Total non-recurrent grants	1,309	110	-	1,199 -92%
Total operating grants	8,048	7,310	-	738 -9%
(b) Capital Grants				
Recurrent - Commonwealth Government				
Roads to recovery	1,446	1,528		82 6%
Total recurrent grants	1,446	1,528		82 6%
Non-recurrent - Commonwealth Government				
Flood Recovery (NDRRA)	4,293	-	-	4,293 -100%
Buildings	700	-	-	700 -100%
Bridges	-	162		162 100%
Non-recurrent - State Government				
Bridges	283	-	-	283 -100%
Buildings	625	50	-	575 -92%
Parks, Open Space & Streetscapes	3	50		47 1567%
Roads	511	1,288		777 152%
Total non-recurrent grants	6,415	1,550	-	4,865 -76%
Total capital grants	7,861	3,078	-	4,783 -61%
Total Grants	15,908	10,388	-	5,520 -35%

Operating grants are budgeted to decline by \$0.738 million over 2019/20. The major anticipated variances when compared to 2018/19 include:

→ a decline of \$1.0 million in non-recurrent State Government project grants (Harrow Recreation Reserve forecast to be received during 2018/19)

→ a decline of \$0.20 million in non-recurrent Federal Government project grants (Harrow Recreation Reserve and Lake Charlegrark projects received during 2018/19)

→ These are offset by smaller increases in Maternal Child Health, Youth Services and Aged Care grants

→ note: Council has allowed for the probable 50% prepayment of the 2019/20 Financial Assistance Grants in its 2018/19 projected actuals and them budgeted for a further prepayment of the 2020/21 grant in its 2019/20 budget

Capital Grants are anticipated to decline by 76% or some \$4.783 million for the 2019/20 year. Capital grants are often difficult to compare as they often relate to non-recurrent projects which may vary considerably from year to year. Some of the major variances between the two years include:

→ A decline in \$4.293 Flood Recovery funding under NDRRA. The flood recovery program was completed during the 2018/19 year.

→ A decline of \$0.700 million in Commonwealth funding for building works, relating to the winding up of the Drought Relief Program funding made available to Council.

→ An decline of \$0.600 million in State Government funded building grants, representing the redevelopment of the Edenhope Library under the Living Libraries funding stream. The funding for this was received in the 2018/19 year, whilst the expenditure will occur during 2019/20.

→ An increase of \$0.775 million in State Government roads funding under the Rural Roads Victoria program

4.1.5 Contributions

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000		Change \$'000	%
Monetary	114	86	-	28	-24.33%
Total contributions	114	86	-	28	-24.33%

Contributions for 2019-20 include \$80,000 from neighbouring municipalities for shared boundary road reconstructions

4.1.6 Other income

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000		Change \$'000	%
Interest	150	180		30	20.00%
Reimbursements	2,232	2,301		69	3.09%
Other revenue	288	150	-	138	-47.92%
Total other income	2,670	2,631	-	39	-1.46%

Other sundry income is anticipated to decrease overall by \$39,000. This is largely due to Council no longer being able to sell rating information to the Valuer General as Council transitions to the new centralised valuation scheme. This is partially offset by increase anticipated interest income and reimbursements income

4.1.7 Employee costs

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000		Change \$'000	%
Wages and salaries	6,229	6,796		567	9.10%
WorkCover	128	144		16	12.27%
Superannuation	635	706		70	11.09%
Fringe Benefits tax	73	61	-	12	-16.09%
Total employee costs	7,066	7,707		641	9.08%

Employee expenses are budgeted to increase by 9.08% (\$0.641million). The major increase here relates to wages and salaries which equates to a \$0.567million increase. Along with Enterprise Bargaining Agreement rises, the reasons for this increase include:

- \$0.1 million relates to a new position created for Human Resources Manager (shared with Yarriambiack Shire Council). Council employs and pays for this position full time and then charges Yarriambiack Shire 50% of the costs (shown in income).
- \$0.09 million relating to maternity leave backfill for Council's Manager of Business and Economic
- \$0.07 million relating to maternity leave backfill for Council's Early Years Co-Ordinator
- \$0.05 million to employee a Planning Manager for the full year (previously position was vacant for half of the budget year)
- \$0.05 million for new fixed term position to enable Council to digitise its paper records.

4.1.8 Materials and services

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000 %	
Contract payments	4,474	3,028	-	1,446 -32.33%
Plant and equipment maintenance	764	887		123 16.12%
Utilities	349	353		4 1.05%
Office administration	54	52	-	1 -2.24%
Information technology	153	153		0 0.30%
Insurance	351	346	-	6 -1.62%
Consultants	184	179	-	5 -2.77%
Other materials and services	1,213	1,158	-	55 -4.53%
Total materials and services	7,542	6,156	-	1,386 -18.38%

Materials and Services are budgeted to decline by \$1,386 million during 2019/20. This is largely a reduction in flood recovery related contract payments as the Flood recovery program has concluded during the 2018/19 year. Included in the 2019/20 budget is a \$0.03 million allocation to planning for a Wetlands Centre of Excellence within the Shire.

4.1.9 Depreciation and amortisation

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000 %	
Property	845	856		11 1.28%
Plant & equipment	969	944	-	25 -2.54%
Infrastructure	5,153	5,198		45 0.87%
Total depreciation and amortisation	6,967	6,998		31 0.44%

A full independent infrastructure revlauation was undertaken in June 2018 was undertaken in May 2018. Council anticipates no significant changes to its depreciation period or values over the 2019/20 year.

4.1.10 Other expenses

Add additional tables for each material components of the Comprehensive Income Statement

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000 %	
Councillors' allowances	145	145	-	0 -0.23%
Operating lease rentals	32	9	-	23 -73.19%
Auditor remuneration - VAGO	39	40		1 2.04%
Auditor remuneration - other	50	22	-	28 -56.57%
Other	54	51	-	3 -5.44%
Total other expenses	320	266	-	54 -16.78%

Operating Lease rentals are budgeted to decline by \$0.023 million as leases for IT equipment and office furniture utilised in the fllood recovery project come to a conclusion.

Auditor remuneration - other is anticipated to reduce by \$0.028 million. This reflects the inclusion of a separate Asbestos audit undertaken during 2018/19 which will not be required during 2019/20

4.2 Balance Sheet

4.2.1 Assets

4.2.1.1 Cash and Cash Equivalents

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000 %	
Cash and Cash Equivalents	9,908	8,884	-	1,024 -10.34%

Council anticipates to draw down on cash reserves by \$1.024 million over 2019/20. This is mainly a result of two factors. The first being the receipt of \$0.600 million in capital grants relating to the construction of the new Library facility in Edenhope in late 2018/19 this funding relates to expenditure which is budgeted to occur during 2019/20. The second item affecting cash represents transfers from cash reserves (\$0.694 million) maintained in previous years to fund plant replacements and capital expenditure (see reserves section 4.3.1 for more detail)

4.2.1.2 Property, Infrastructure Plant and Equipment

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000 %	
Property, infrastructure, plant & equipment	226,526	228,534	2,008	0.89%

Property, Infrastructure, Plant and Equipment represents all of Council's infrastructure assets used to provide services to our community. It includes Roads, Bridges, Footpaths, Drains as well as public buildings and open space and plant and equipment needed for use by Council.

Council's investment in Property, Infrastructure, Plant and Equipment is anticipated to increase by \$2.008 million over the 2019/20 year, in line with Council's Capital Works program minus depreciation. For more information on Council's Capital Works program refer to section 4.5 Capital Works

4.2.2 Liabilities

Council's overall liabilities are anticipated to increase marginally over the 2019/20 year, largely due to the addition of new borrowings and a slight increase in provisions, predominately those for employee benefits in line with increasing EBA rates. These are somewhat offset by an anticipated decline in trade creditors at balance date as the use of contractors declines due to the winding up of the flood recovery program.

4.2.3 Borrowings

	2018/19 \$'000	2019/20 \$'000
Amount borrowed as at 30 June of the prior year	-	-
Amount proposed to be borrowed	-	200
Amount projected to be redeemed	-	(37)
Amount of borrowings as at 30 June	-	163

The budget proposes that Council source borrowings of \$0.20 million during 2019/20, for the purposes of completing stage 2 of the Edenhope Community Centre development. It is anticipated that this borrowing be taken over a 5 year loan period.

4.3 Statement of changes in Equity

4.3.1 Reserves

Council holds a number of cash reserves intended to set aside cash for future known expenditure. Council anticipates to draw down \$0.694 million from reserves over the 2019/20 budget year. The following table summarises Council's reserves and purposes:

Reserve Name	Purpose of Reserve
Plant Replacement Reserve	To set aside funding for future major plant purchases
Quarry Restoration Reserve	To set aside funds to cover the future costs of rehabilitation to Council controlled quarries
Capital Improvement Reserve	To set aside funds to assist with future capital works projects
Rates Revaluation Reserve	To set aside funds to cover future property revaluation costs for rating purposes, including supplemental valuations
Elections Reserve	To set aside funds to cover the costs of future municipal elections

The following table shows budgeted reserve movements for 2019/20:

	Opening Balance \$'000	Transfer to \$'000	Transfer From \$'000	Closing Balance \$'000
Plant Replacement Reserve	499	62	499	62
Quarry Restoration Reserve	112	3	-	115
Capital Improvement Reserve	301	-	301	-
Rates Revaluation Reserve	187	5	14	178
Elections Reserve	70	50	-	120
	1,169	120	814	475

4.4 Statement of Cash Flows

4.4.1 Net cash flows provided by/used in operating activities

Council is budgeting to receive a net cash inflow from operating activities of \$7.738 million. This represents a decline of \$3.25 million from the projected 2018/19 result. This is largely due to the reduction in grant funding relating to the completion of the Flood Recovery program.

4.4.2 Net cash flows provided by/used in investing activities

Council anticipates a net cash outflow of \$8.918 million over the 2019-20 financial year, representing Council's capital expenditure program. This shows a decline in outflows of \$3.597 million over the previous year due to a reduction on capital expenditure, largely based upon the culmination of the flood recovery program and major projects such as the Kaniva Cultural and Tourism Precinct, Kaniva Shire Hall, and reduced expenditure on the Edenhope Hall redevelopment project (due to staged completion).

4.4.3 Net cash flows provided by/used in financing activities

The budget proposes an additional \$0.2 million be borrowed during the 2019/20 financial year for the purposes of funding stage 2 construction of the Edenhope Community Centre.

4.5 Capital works program

This section presents a listing of the capital works projects that will be undertaken for the 2018/19 year, classified by expenditure type and funding source. Works are also disclosed as current budget or carried forward from prior year.

4.5.1 Summary

	Forecast Actual 2018/19 \$'000	Budget 2019/20 \$'000	Change \$'000	%
Property	2,688	362	- 2,326	-86.53%
Plant and equipment	983	1,035	52	5.29%
Infrastructure	9,097	7,199	- 1,898	-20.86%
Total	12,768	8,596	- 4,172	-32.67%

Capital expenditure is budgeted to decline by \$4.377 million for the 2019/20 year when compared to 2017/18. This is largely in the Property and Infrastructure areas.

Property capital expenditure is budgeted to decline by \$2.326 million for 2019/20. This is a result of the bulk of works at the Edenhope & District Community Centre being budgeted for in 2018/19 but not 2019/20 (although a further \$600,000 is anticipated to be carried forward into 2019/20 - see section 4.5.3 below), as well as works on the Kaniva Hall restoration and Kaniva Cultural and Tourism Precinct buildings being forecast to be completed during 2018/19.

Infrastructure capital expenditure is anticipated to reduce by \$1.903 million for 2019/20. The majority of this relates to road culvert works carried out during 2018/19 under the flood recovery program (funded by the Natural Disaster Relief and Recovery Arrangements scheme). With the flood recovery works coming to a conclusion no further works will be budgeted for. Also included here is the anticipated completion of the open space works component of the Kaniva Cultural and Tourism Precinct which are budgeted to be complete in 2018/19.

	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contrib. \$'000	Council cash \$'000	Borrowings \$'000
Property	362	-	12	350	-	50	-	112	200
Plant and equipment	1,035	-	1,035	-	-	-	273	763	-
Infrastructure	7,199	137	6,570	492	-	3,029	80	4,090	-
Total	8,596	137	7,617	842	-	3,079	353	4,965	200

4.5.2 Current Budget

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Expansion \$'000	Grants \$'000	Contrib. \$'000	Council cash \$'000	Borrowings \$'000
PROPERTY									
Buildings									
Edenhope Pound - Upgrade due to compliance issues.	50	-	-	50	-	-	-	50	-
Local Govt. Energy Saver Program.	100	-	-	100	-	50	-	50	-
Edenhope & District Community Centre	200	-	-	200	-	-	-	-	200
Kaniva Swimming Pool painting	6	-	6	-	-	-	-	6	-
Goroke Swimming Pool painting	6	-	6	-	-	-	-	6	-
TOTAL PROPERTY	362	-	12	350	-	50	-	112	200
PLANT AND EQUIPMENT									
Plant, Machinery and Equipment									
Plant	834	-	834	-	-	-	188	647	-
Motor Vehicles	186	-	186	-	-	-	85	101	-
Computers and Telecommunications									
Computers/laptops	15	-	15	-	-	-	-	15	-
TOTAL PLANT AND EQUIPMENT	1,035	-	1,035	-	-	-	273	763	-

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
INFRASTRUCTURE									
Roads									
Apsley Natimuk Rd Reconstruction: Ch. 4185m - Ch.4985m x 6.2m Seal	27	-	27	-	-	-	-	27	
Ullswater Mortat Rd Reconstruction: Ch.0m-Ch.2,800m x 4.0m Seal	62	-	62	-	-	-	-	62	
Lillimur Yearinga Rd Reconstruction Ch.0m-Ch.1,840m x 6.2m Seal	63	-	63	-	-	-	-	63	
Leeor Rd Reconstruction: Ch.7515m - Ch.9315m x 5.6m Seal	55	-	55	-	-	-	-	55	
Cove Estate Rd Reconstruction: Ch.7,700 - Ch.9,700m x 4.0m Seal	44	-	44	-	-	-	-	44	
Cemetery Rd, Kaniva Reconstruction: Ch.1,750m - 2,650m x 4.0m Seal	20	-	20	-	-	-	-	20	
Harrow Casterton Rd Reconstruction: Ch.3950 - Ch.5495 x 6.4m seal	54	-	54	-	-	-	-	54	
Ozenkadnook - Mortat Rd. Reconstruction & Widening Ch. 1740 - Ch. 4100 x 6.2m Seal	80	-	80	-	-	-	-	80	
Comaum Rd Reconstruction Ch. 5000m - Ch. 6540m x 4.0m Seal	234	-	234	-	-	234	-	-	
Newlands Settlement Rd. Reconstruction Ch. 9340m - Ch. 10380m x 3.8m Seal	158	-	158	-	-	158	-	-	
Kybybolite Rd. Reconstruction Ch. 1300m - 3000m x 4.0m Seal	252	-	252	-	-	252	-	-	
Leeor Rd Reconstruction: Ch. 2240m - Ch. 4725m x 5.6m Seal, Ch. 5790m - 7500m	940	-	940	-	-	940	-	-	

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
INFRASTRUCTURE									
Roads (Contd.)									
Brooks Rd. Reconstruction Ch. 6110m - Ch. 7110m x 4.0m Seal	160	-	160	-	-	160	-	-	
Serviceton South Road Ch. 1935m - Ch. 3255m x 4.0m	211	-	211	-	-	87	-	124	
Douglas St, Ch. 00m - 450m x 6.0m seal	70	-	70	-	-	-	-	70	
Kadnook - Connewirricoo Rd.Ch. 4700m - Ch. 5300m, Ch. 9600m - Ch. 11000 x 6.0m seal	504	-	302	202	-	504	-	-	
Ozenkadnook Mortat Rd Ch. 15570m - Ch.17370m (incl bend near Barbettie's)	469	-	281	187	-	469	-	-	
Border Road Construction Ch. 20,115m (Dorodong Rd.) - Ch. 21,880m (Old Telegraph Rd.)	125	-	125	-	-	-	-	125	
Reseals	1,200	-	1,200	-	-	-	-	1,200	
Additional Reseal/Linemarking	10	-	10	-	-	-	-	10	
Shoulder Resheeting	400	-	400	-	-	-	-	400	
Resheeting	1,200	-	1,200	-	-	-	-	1,200	
Boundary Rd	160	-	160	-	-	-	80	80	
Elizabeth St. and Boundary Rd. Serviceton	7	-	-	7	-	-	-	7	
Lake Booroopki Access Track on northern end	5	5	-	-	-	-	-	5	
Cormacks Road - Fire Access Grant	14	-	14	-	-	12	-	2	
Fry\Yarrook St. Intersection incl. K&C	56	-	-	56	-	-	-	56	
Various Kerb and Channel renewal projects. To be identified.	10	-	10	-	-	-	-	10	

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Bridges									
Kadnook Connewerico Bridge, Deck overlay and Guardrail	325	-	325	-	-	163	-	162	-
Footpaths and Cycleways									
Wallace Street between Langford St. and Elizabeth St, Edenhope	20	20	-	-	-	-	-	20	-
Phillips Street between Camp and Farmers St., Kaniva	40	40	-	-	-	-	-	40	-
Lake Wallace Walking Track	5	5	-	-	-	-	-	5	-
Footpath/pram crossing replacements for DDA	20	-	20	-	-	-	-	20	-
Drainage									
Minor Culvert Renewal's	50	-	40	10	-	-	-	50	-
Parks, Open Space and Streetscapes									
Lake Wallace Foreshore (Henley Park) automatic watering system	12	-	12	-	-	-	-	12	-
Kaniva Township watering system, Commercial Street between Camp and Webb Sts.	20	-	-	20	-	-	-	20	-
Goroke Playspace watering system	-								
Playgrounds, soft fall top up, mtce, inspections	10	-	10	-	-	-	-	10	-
Playgrounds - Rogerson St Playground Equipment	10	-	-	10	-	-	-	10	-
Playgrounds - Henley Park Playground equipment	20	-	20	-	-	-	-	20	-

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Parks, Open Space and Streetscapes (Contd.)									
Kaniva Rec. Reserve - Replace northern fence	10	-	10	-	-	-	-	10	-
Tourism Signage	-								
Aboriginal Cricket Trail Signage	67	67	-	-	-	50	-	17	-
TOTAL INFRASTRUCTURE	7,199	137	6,570	492	-	3,029	80	4,090	-
TOTAL CAPITAL WORKS	8,596	137	7,617	842	-	3,079	353	4,965	200

4.5.3 Works carried forward from the 2017/18 year

Capital Works Area	Project Cost \$'000	Asset expenditure types				Summary of Funding Sources			
		New	Renewal	Upgrade	Expansion	Grants	Contrib.	Council cash	Borrowings
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
PROPERTY									
Buildings									
Edenhope & District Community Centre Redevelopment	600	-	-	600	-	600	-	-	-
TOTAL PROPERTY	600	-	-	600	-	600	-	-	-
TOTAL CARRIED FORWARD CAPITAL WORKS 2017/18	600	-	-	600	-	600	-	-	-

5. Financial performance indicators

The following table highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the organisation's objectives.

Indicator	Measure	Notes	Actual	Forecast	Budget	Strategic Resource Plan Projections			Trend
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	+/-
Operating position									
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	-51.0%	-6.3%	-5.0%	-6.5%	-6.2%	-6.0%	-
Liquidity									
Working Capital	Current assets / current liabilities	2	273.7%	350.0%	314.5%	334.2%	315.4%	319.2%	-
Unrestricted cash	Unrestricted cash / current liabilities		144.9%	264.5%	277.5%	295.2%	275.1%	280.4%	o
Obligations									
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	3	0.5%	0.0%	2.1%	1.6%	1.1%	0.5%	o
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		1.9%	0.5%	0.6%	0.6%	0.5%	0.5%	o
Indebtedness	Non-current liabilities / own source revenue		2.5%	5.5%	6.8%	6.4%	6.1%	5.7%	o
Asset renewal	Asset renewal expenses / Asset depreciation	4	81.9%	173.0%	108.8%	91.7%	105.3%	99.2%	o
Stability									
Rates concentration	Rate revenue / adjusted underlying revenue	5	33.9%	36.5%	38.6%	36.9%	36.9%	36.9%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.4%	0.4%	0.3%	0.4%	0.4%	0.4%	o
Efficiency									
Expenditure level	Total expenses/ no. of property assessments		\$6,454	\$4,614	\$4,469	\$4,514	\$4,620	\$4,730	+
Revenue level	Residential rate revenue / no. of residential property assessments		\$654	\$766	\$739	\$754	\$769	\$784	+
Workforce turnover	No. of permanent staff resignations & terminations / average no. of permanent staff for the financial year		4.4%	19.2%	8.0%	8.0%	8.0%	8.0%	-

Key to Forecast Trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

Notes to indicators

1. Adjusted underlying result

The 2017-18 actual figure included a significant amount of non-recurrent expenditure incurred as a part of the flood recovery program. This result will improve significantly with the completion of that program and then gradually decline as Council's own sourced recurrent revenue declines due to a combination of declining population and the application of the rate cap.

2. Working Capital

Working capital is anticipated to decline over the four years as cash declines slightly and employee provisions increase slightly over the period.

3. Unrestricted Cash

Unrestricted cash remains relatively steady over the period, with fluctuations from cash held at the end of each year. The significantly lower figure from 2017/18 reflected a larger amount of cash held to carry future works.

4. Debt compared to rates

Loans and borrowings as a percentage of rates reduces to zero as Council extinguishes all debt and has no plans to take on any new debt over the period.

5. Asset renewal

Asset renewal varies from year to year as Council's capital expenditure program fluctuates depending upon. Overall over the period the ratio remains at or close to 100.

6. Rates concentration

Council's rates concentration level increases from 33.9% to 38.6% over the period in which Council has received a rate cap variation from the Essential Services Commission. It then declines and remains steady at around 36.9% for the following 3 years where Council applies the rate cap (estimated at 2.5%). This figure remains well below the average of other similar Councils 51.93% source: [Knowyourcouncil.vic.gov.au](http://knowyourcouncil.vic.gov.au)).