

# **AGENDA**

## **Council Meeting**

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**6.00pm Tuesday 25 October 2022**

**VENUE:**  
**Linton Shire Hall**  
**Council Chamber**  
**68 Sussex St, Linton**

NEXT COUNCIL MEETING  
6.00pm Tuesday 15 November 2022

Copies of Golden Plains Shire Council's Agendas & Minutes  
Can be obtained online at [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

## **Code of Conduct Principles**

### **WORKING TOGETHER**

We Councillors will:

- acknowledge and respect that a diversity of opinion exists among us;
- recognise that each of us has different life experience, knowledge and values, and that all of these contribute collectively to our discussions;
- behave with courtesy towards each other, Council officers and our citizens;
- conform to the policy and precedents that guide the conduct of meetings;
- attend punctually and participate in all relevant meetings, workshops and briefings;
- share reasonably in the representation, ceremonial and hosting tasks of the full Council; and
- honour the majority decisions made by the Council, irrespective of our own position, and explain these decisions frankly to the community, once made.

### **BEHAVING WITH INTEGRITY**

We Councillors will:

- identify our financial and personal interest, or potential interest, in any matter that comes before the Council;
- be honest and truthful;
- comply with laws and the regulations deriving there from;
- respect Council property and be frugal in its use, where allowed;
- avoid using our position for personal gain or to achieve advantage over others or to obtain preferential treatment;
- be sympathetic to the legitimate concerns of our citizens;
- act impartially when making decisions and have due regard to the needs of the community as a whole, rather than that of narrow vested interest; and
- acknowledge the role of Council officers in providing advice to us and in implementing Council decisions.

### **MAKING COMPETENT DECISIONS**

We Councillors will:

- without diminishing the short term focus, approach decisions with due regard to the long term needs of the municipality;
- form policies with regard to the needs of the entire Shire;
- direct our attentions to the strategic and statutory needs of the municipality rather than short term, transient, operational issues;
- seek to fully inform ourselves on the issues before Council before making a decision;
- take all reasonable steps to improve our knowledge of matters relevant to our municipal duties; and
- use and respect the professional knowledge of Council officers and other advisers to Council.

## Order Of Business

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## **1 OPENING DECLARATION**

We the Councillors of Golden Plains Shire declare that we will undertake, on every occasion, to carry out our duties in the best interest of the community and that our conduct shall maintain the standards of the code of good governance so that we may faithfully represent and uphold the trust placed in this Council by the people of Golden Plains Shire

## **2 ACKNOWLEDGEMENT OF COUNTRY**

Golden Plains Shire spans the Traditional lands of the Wadawurrung and Eastern Maar Peoples.

Council acknowledges them as the Traditional Owners and Custodians and pays its respects to both Wadawurrung and Eastern Maar Elders past, present and emerging.

Council extends that respect to all Aboriginal and Torres Strait Islander People who are part of Golden Plains Shire.

## **3 APOLOGIES AND LEAVE OF ABSENCE**

## **4 CONFIRMATION OF MINUTES**

### **Recommendation**

That the minutes of the Council Meeting held on Tuesday 27 September 2022 as circulated, be confirmed.

## **5 DECLARATION OF CONFLICT OF INTEREST**

## **6 PUBLIC QUESTION TIME**

## **7 BUSINESS REPORTS FOR DECISION**

### **7.1 DELEGATES REPORT & INFORMAL MEETINGS OF COUNCILLORS RECORDS**

**File Number:**

**Author:** Elise Holmes, Executive Assistant to the CEO

**Authoriser:** Eric Braslis, CEO

**Attachments:**

1. Informal Meetings of Councillors Record - Strategic Briefing Meeting - 4 October 2022
2. Informal Meetings of Councillors Record - Briefing Meeting - 18 October 2022

### **RECOMMENDATION**

That Council receive and note the Delegates Report and Informal Meetings of Councillors for the past month

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### **EXECUTIVE SUMMARY**

At each Council meeting, Councillors have the opportunity to update their colleagues and the community about attendances at various Delegated Boards/Committees/Meetings that they attended on behalf of the Council and can acknowledge significant community events or Council functions / engagement opportunities that they have attended over the past month. This report contains records of informal meetings of Councillors as defined under Rule 1 of Chapter 5 of Council's Governance Rules.

### **MANDATORY BOARDS / COMMITTEES / MEETINGS**

- Audit Committee
- G21 - Board of Directors
- Central Highlands Councils Victoria
- Peri Urban Group of Rural Councils
- Berrybank Wind Farm Community Engagement Committee
- Municipal Association of Victoria
- Geelong Regional Library Corporation
- Tourism Greater Geelong and the Bellarine Board
- Grampians Central West Waste & Resource Recovery Group - Local Government Forum
- Council Meeting, Strategic Briefing, Councillor Briefing and Portfolio meetings

### **COMMUNITY ENGAGEMENT / EVENTS**

#### **Cr Gamble**

- National Police Remembrance Day Service, Ballarat, (Western Region - Division 3)
- Funding Announcement by Christine Couzens MP, Bannockburn Skate Park
- Regional Social and Affordable Housing Summit, Creswick
- Goldfields World Heritage - Media Event to Release Economic Benefits Assessment, Creswick
- Coffee with the Mayor at Smythesdale, Teesdale, Ross Creek,

- Committee of Ballarat AGM, with Steve Moneghetti
- Wurriki Nyal Opening, City of Greater Geelong New Offices, Mercer St, Geelong
- Funding Announcement by Michaela Settle MP, for the Inverleigh Active Youth Space
- Geelong Region Scouts Annual Reports and Presentation Evening
- Inverleigh township including sandbagging area and locals engagement
- Smythesdale Spring Into Summer event with Petanque Clubs Event
- Meredith Book Club
- Funding announcement for Lethbridge Playspace with Michaela Settle MP
- Election commitment for Don Wallace Recreation Reserve with Michaela Settle MP
- Turtle Bend Festival Committee of Management Planning Meeting, Teesdale
- Funding announcement with Catherine King, MP at Linton
- Funding announcement with Catherine King, MP at Woody Yaloak Recreation Reserve
- Opening of Three Trails Project with Michaela Settle MP, Linton
- Vision For Our Region Debate, Ballarat

**Cr Cunningham**

- Golden Plains Youth Hub - Community Reference Group Meeting
- G21 Health and Wellbeing Pillar Meeting
- Ageism Awareness Day Celebration and EveryAGE Counts Campaign Launch

**Cr Getsom**

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**Cr Kirby**

- Funding Announcement by Michaela Settle MP, for the Bannockburn Skate Park
- International Day for Older Persons Celebration
- Golden Plains Northern Business Network
- Funding Announcement by Michaela Settle MP, for the Inverleigh Active Youth Space

**Cr Rowe**

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**Cr Sharkey**

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**Cr Whitfield**

- Inverleigh Youth Day with Michaela Settle MP
- Open Space Annual General Meeting
- Golf Club Annual General Meeting

**INFORMAL MEETINGS OF COUNCILLORS**

Rule 1 of Chapter 5 of the Governance Rules requires that if there is a meeting of Councillors that:

- a) Is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors.
- b) Is attended by an absolute majority of Councillors and one member of Council staff; and
- c) Is not a Council meeting, delegated committee meeting or community asset committee meeting.

The Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

- a) Tabled at the next convenient Council meeting; and
- b) Recorded in the minutes of that Council meeting.

Records of informal meetings of Councillors are reported to an open Council meeting in order to promote transparency of Council decisions, actions and information, in accordance with the Governance Principles as contained in s9(2) Local Government Act 2020. The informal meetings of Councillors records are attached to this report. Rule 6 of Chapter 5 of the Governance Rules provides procedures for the declaration of a conflict of interest at a meeting being held under the auspices of Council, which includes a meeting which meets the definition of an informal meeting of Councillors under Rule 1 of Chapter 5. The informal meetings of Councillors records attached include any declarations of conflicts of interest made at these meetings.

## 7.2 P22145 48 DARUMA WAY, BATESFORD (2 LOT SUBDIVISION & COVENANT VARIATION)

**File Number:** P22145

**Author:** Peter O'Brien, Town Planner

**Authoriser:** Steven Sagona, Director Community, Planning & Growth

**Attachments:** 1. P22145 Recommended conditions

### RECOMMENDATION

That Council resolves to issue a planning permit for a two (2) lot subdivision and covenant variation at 48 Daruma Way, Batesford subject to the conditions attached to this report.

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### EXECUTIVE SUMMARY

This report relates to a planning permit application for the development of land for the purposes of a two (2) lot subdivision and covenant variation at 48 Daruma Way, Batesford. The report provides a background to the application and a summary of the relevant planning considerations.

In accordance with Council's Consideration of Planning Applications Policy, an application where a Council officer or current sitting Councillor has a financial interest in the subject site must be forwarded to a Council meeting for determination. There are no objections to the application. The Councillors have been provided with a full copy of the application for consideration prior to deciding.

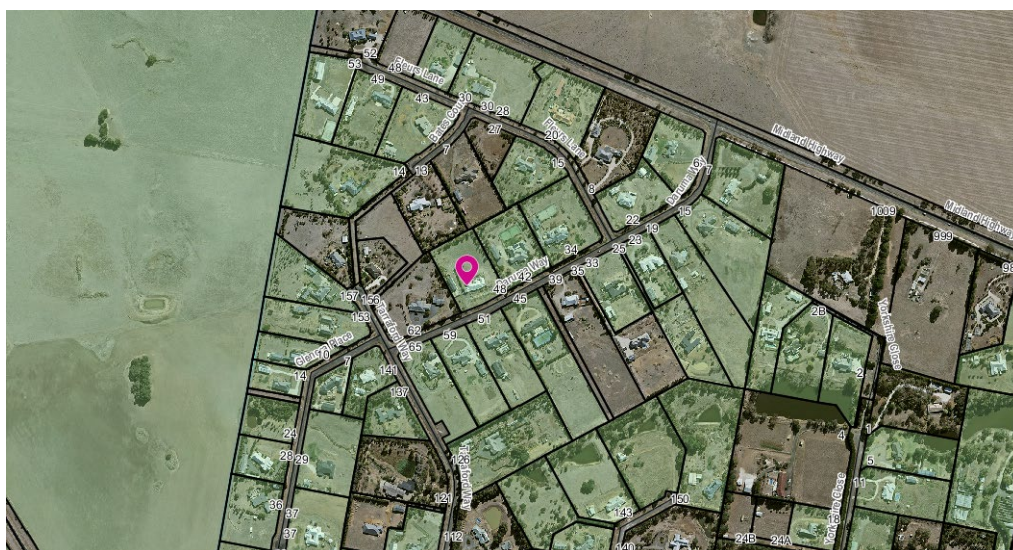
The issue of a Planning Permit is recommended, subject to the conditions attached to this report.

### BACKGROUND

#### Site description

The subject land is situated at 48 Daruma Way, Batesford and is formally known as Lot 17 on Plan of Subdivision 525141E. The site contains an existing dwelling and shed and has a total area of 1ha. The land has a gentle slope to the south and is cleared except for planted trees and gardens. The site has access from Daruma Way which is a sealed road managed by Council. The site is located in a low density residential area of Batesford and is zoned accordingly as Low Density Residential (LDRZ) and is subject to Design and Development Overlay Schedule 5 (DDO5) and Development Plan Overlay Schedule 2 (DPO2). Covenant number AD976373Q (03/11/2005) applies to the land and prohibits, among other things, the construction of more than one dwelling on the land.

#### Site map



The application proposes the development of the land for a two (2) lot subdivision. The proposed subdivision will create a lot with an area of 0.511ha containing the existing dwelling and shed (proposed lot 1) and a vacant lot with an area of 0.487ha (proposed lot 2). Lot 1 has frontage and existing access to Daruma Way and lot 2 is a battle-axe lot with access to Daruma Way via a long driveway along the eastern boundary.

PS 908038N

57°56'30" 84m

POST AND WIRE FENCE

3

50m

3

2 0.487 ha

building envelope

primary EFD 643m<sup>2</sup>

secondary EFD 643m<sup>2</sup>

237°56'30" 65m

10

147°56'19" 115.98

POST AND WIRE FENCE

SHED FL 75.00

65.98

PILING FENCE

1 0.511 ha

GADEN

SINGLE STORY DWELLING FL 74.96

VERANDA

GADEN

DRIVEWAY

DRIVEWAY

63°38'30" 40.49

POST AND WIRE FENCE

34.71

INVERT

57°56'30" 43.71

EDGE OF BITUMEN

327°56'30" 120m

SHED

147°56'30" 60m

TANK

POST AND WIRE FENCE

POWER PIT

TELSTRA PIT

PROPOSED CROSSING

DARUMA WAY

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## CONSULTATION

Notice of an application to vary a covenant must be given in accordance with Section 52 (1)(cb) of the *Planning and Environment Act 1987*. Notice was given by mail to the owners and occupiers of land benefitting from the covenant, by placing a sign on the land and by placing an advertisement in the Saturday edition of the *Geelong Advertiser* newspaper. An application for subdivision that is in accordance with a development plan approved under the Development Plan Overlay is exempt from the notice requirements of Section 52 and the review rights of Section 82 of the Act.

There were no objections to the application. As no objections were received it is considered that the issue of a permit will not cause material detriment to any person.

## ASSESSMENT

A planning permit is required under the following provisions of the Golden Plains Planning Scheme:

- LDRZ (Clause 32.03-3) A permit is required to subdivide land. The minimum lot size is 4000m<sup>2</sup>.
- DDO5 (Clause 43.02-3) A permit is required to subdivide land.
- Clause 52.02 (Easement, restrictions & reserves) A permit is required to vary a restriction (covenant).

The application was lodged on 18 May 2022. A further information request was made on 23 May 2022 and the information was received on 16 June 2022.

There are no referral authorities specified in the planning scheme for an application of this type. Under Clause 66.01 of the planning scheme an application for a two (2) lot subdivision is exempt from referral to utility authorities.

The application was internally referred to Council's Environmental Health and Development Engineering departments. These parties had no objection to the issue of a permit subject to conditions being placed on the permit.

## PLANNING SCHEME

### Municipal Planning Strategy (MPS)

#### Clause 02.03 Strategic Directions

The Strategic Directions for Settlement (LPP Clause 02.03-1) encourages the consolidation of townships, including directing residential development to within township boundaries. The Strategic Directions for Residential Development (LPP Clause 02.03-6) applies to Low Density Residential Zones and discourages subdivision of land in the Low Density Residential Zone that does not maintain or complement the established character and does not meet the requirements of the Domestic Wastewater Management Plan (DWMP).

#### Clause 02.04 Strategic Framework Plans

Town structure plans have been prepared for most settlements and establish a basis for future strategic planning decisions in each town. The Batesford Structure Plan contained in Clause 02.04 was adopted by Council on 22/11/2001 and shows the subject land within a 'future rural-residential' area of the Batesford township. The structure plan does not make any specific references to the subject land or contain any policies of particular relevance to the application.

### Planning Policy Framework (PPF)

#### Clause 11.01-1L Settlement

This policy seeks to direct population growth to urban areas provided with water, sewerage and social infrastructure.

#### Clause 11.02 Managing Growth

The objective of the policy for the supply of urban land (Clause 11.02-1S) is to ensure a sufficient supply of land is available for residential and other uses. Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

#### Clause 15.01 Urban Environment

The objective of the policy for subdivision design (Clause 15.01-3S) is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. In the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by, among other things, providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

#### Clause 15.01-6L Low Density Residential Subdivision Policy

This policy applies to subdivisions in the Low Density Residential Zone and encourages subdivision that respects the lot configuration and character elements of the surrounding area. The policy seeks to maintain an open and spacious character through:

- Design that provides for generous areas of open space and landscaping including along accessways.
- Retention of existing vegetation.
- Avoiding creation of lots with battle-axe access.
- The provision of wide driveways with areas available for landscaping.

The policy requires Council to consider (as relevant) whether the subdivision requires the provision of infrastructure, including drainage and roads.

#### Clause 16.01 Residential Development

The objective of the policy for the location of residential development (Clause 16.01-2S) is to locate new housing in designated locations that offer good access to jobs, services and transport. The policy seeks to increase the proportion of new housing in designated locations within established urban areas, ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development and to identify opportunities for increased residential densities to help consolidate urban areas.

### **Zone and overlay provisions**

#### Clause 32.03 Low Density Residential Zone (LDRZ)

The site and surrounding land is in a Low Density Residential Zone (LDRZ). The purpose of the LDRZ is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. A permit is required to subdivide land under the provisions of the LDRZ. The LDRZ sets a minimum lot size of 0.4 hectares. The decision guidelines of the LDRZ require Council to consider, as appropriate:

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

#### Clause 43.02 Design & Development Overlay Schedule 5 (DDO5)

The land is affected by the Design & Development Overlay Schedule 5 (DDO5) which relates to setbacks for the construction of buildings. The DDO5 does not contain any specific requirements related to subdivision.

#### Clause 43.04 Development Plan Overlay – Schedule 2 (DPO2)

The land is affected by the Development Plan Overlay – Schedule 2 (DPO2). The DPO2 requires the preparation of a development plan and any permit granted must be generally in accordance with the approved development plan. An application for subdivision that is in accordance with a development plan approved under the Development Plan Overlay is exempt from the notice requirements of Section 52 and the review rights of Section 82 of the Act.

A development plan for the original subdivision was approved by Council on 1/05/2003. An amended (spot) development plan meeting the requirements of the DPO2 has been submitted for approval, concurrent to this application.

#### Particular provisions

##### Clause 52.02 – Easements, restrictions and reserves

A planning permit is required under Clause 52.02 to create, vary or remove a restriction (covenant). The purpose of this clause is to provide for the removal and variation of restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered. The decision guidelines of Clause 52.02 require Council to consider the interests of affected people before making a decision on an application.

#### General provisions

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

In addition, before deciding on an application to subdivide land, the decision guidelines contained in Clause 65.02 must be considered, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.

- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

### **Section 60 of the Planning and Environment Act 1987**

Before making a decision on an application to remove or vary a restrictive covenant Council must consider the requirements of section 60 of the Act. Because this covenant was created after 25 June 1991, the application must satisfy the requirements of section 60(2) of the Act. This provision requires Council to be satisfied that any beneficiary will be unlikely to suffer financial loss, loss of amenity, loss arising from change to the character of the neighbourhood or any other material detriment as a consequence of the removal or variation of the covenant.

### **CULTURAL HERITAGE IMPLICATIONS**

This proposal does not require the preparation of a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Regulations* 2018. A CHMP is not required because a two (2) lot subdivision is an exempt activity under the Regulations.

### **DISCUSSION**

#### **Subdivision**

The proposed subdivision is considered to satisfy the relevant provisions of the planning scheme including the Municipal Planning Strategy and Planning Policy Framework, the Low Density Residential Zone, Design & Development Overlay Schedule 5, and Clause 65 of the Victoria Planning Provisions.

The application satisfies the Municipal Planning Strategy including the Strategic Directions for Residential Development (LPP Clause 02.03-6) and Batesford Structure Plan (Clause 02.04) because the proposed subdivision will have no impact on the character of the area and meets the requirements of the Domestic Wastewater Management Plan.

The proposal is supported by the Low Density Residential Zone and local policy for Low Density Residential Subdivision (Clause 15.01-6L) because the proposed subdivision maintains the character of the area by providing open space and opportunities for landscaping, retaining existing vegetation, and creating lots of sufficient size to contain on The proposed subdivision design will maintain the character of the area by providing open space and opportunities for landscaping, retaining existing vegetation, and creating lots of sufficient size to contain on-site effluent disposal and provide setbacks in accordance with the DDO5.

#### **Variation of covenant**

The provisions of the Planning Scheme (Clause 52.02) and Act (Section 60(2)) requires that Council consider the interests of affected people (beneficiaries) before making a decision on an application to remove or vary a covenant. If an objection is received from a beneficiary, Council must not grant a permit unless it is satisfied that the grant of a permit is unlikely to cause material detriment of the kind described in Section 60(2) of the Act.

The application satisfies section 60 of the Act because notice of the application was given to all covenant beneficiaries and as no objections were received the variation to the covenant is not considered to cause material detriment to any covenant beneficiary.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes
<b>Gender Equality</b> (Gender Impact Assessment required by S.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

In assessing and formulating a recommendation for this planning application, the *Planning and Environment Act 1987* and Golden Plains Planning Scheme have been considered in the officers' assessment.

## POLICY/RELEVANT LAW

In assessing and formulating a recommendation for this planning application, the *Planning and Environment Act 1987* and Golden Plains Planning Scheme have been considered in the officers' assessment.

## ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Environmental considerations have been taken into account in formulating a recommendation in this matter.

## COMMUNITY ENGAGEMENT

Notice of the planning application has been undertaken in accordance with the requirements set out in the *Planning and Environment Act 1987*.

## **PUBLIC TRANSPARENCY**

As a Council officer or Councillor (Councillor in this instance) has a financial interest in the subject site, the application is being forwarded to Council for a decision, thereby making the determination transparent.

## **STRATEGIES/PLANS**

In assessing and formulating a recommendation for this planning application, the Golden Plains Planning Scheme (which consists of strategic plans) has been considered in the officers' assessment.

## **RISK ASSESSMENT**

- Applicant lodging an Application for Review at the Victorian Civil & Administrative Tribunal.
- Applicant lodging an Application for Review at the Victorian Civil & Administrative Tribunal, and due to the unnecessary delay, apply for costs against Council. This outcome may impact Council's professional indemnity insurance and reputational risk to Council.

## **COMMUNICATION**

For all options proposed for this application, the outcome will be communicated to all parties in writing.

## **HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## **GENDER EQUALITY**

It is considered that this report does not impact negatively in relation to gender equality and hence does not require a Gender Impact Assessment.

## **OPTIONS**

### Option 1 – Issue a Planning Permit

This option is recommended by officers as the application satisfies the provisions of the Golden Plains Planning Scheme.

### Option 2 – Refuse to Grant a Planning Permit

This option is not recommended by officers as the matters which are required to be considered have been, and the application satisfies the provisions of the Golden Plains Planning Scheme.

### Option 3 – Defer the matter to another Council Meeting for Consideration

This option is not recommended by officers as there is no outstanding information which would alter the officer recommendation on this matter.

## **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest regarding this matter.

## **CONCLUSION**

The application satisfies the provisions of the Planning Scheme, including the Batesford Structure Plan (Clause 02.04), Low Density Residential Subdivision policy (Clause 15.01-6L), the provisions of the Low Density Residential Zone, and the decision guidelines of the Planning Scheme (Clause 65). The proposed subdivision design will ensure there is no adverse effect on the character of the area and the proposed lots are capable of on-site effluent disposal. In relation to the proposed variation of the covenant the application is considered to satisfy the matters contained in section 60(2) of the Act because notice of the application was given to all covenant beneficiaries and as no objections were received the variation of the covenant will not cause material detriment to any person.

### 7.3 ANNUAL REPORT 2021/2022

**File Number:****Author:** Georgia Liistro, Senior Communications Officer**Authoriser:** Eric Braslis, CEO**Attachments:** *(To be tabled at the Council Meeting)***RECOMMENDATION**

That Council receive the Golden Plains Shire Council Annual Report 2021/22, in accordance with the *Local Government Act 2020*.

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**EXECUTIVE SUMMARY**

Under Section 133(1) of the *Local Government Act 2020* (the Act), Council must prepare an Annual Report every financial year and present the Annual Report at a Council Meeting open to the public by 31 October. The Act also requires that Council give public notice that the Annual Report has been prepared and can be inspected at the Council office and on Council's website.

The unqualified Audit opinions on the Performance Statement 2021/22 and Financial Statements 2021/22 are included in the document and disclose an overall surplus of \$6.0 million, an Adjusted Underlying Result of (\$0.86) million deficit and capital expenditure on assets of \$14.4 million.

**BACKGROUND**

The Annual Report 2021/22 has been prepared in accordance with the requirements of the Act and includes the:

- Report of Operations;
- Audited Performance Statement;
- Audited Financial Statements;
- Auditor's report on the Performance Statement prepared under section 98;
- Auditor's report on the Financial Statements under Part 3 of the Audit Act 1994; and
- Any other matter required by the regulations.

Both the Report of Operations and Performance Statement contained in the Annual Report 2021/22 have been prepared based on the 'Better Practice Guide,' published by the Department of Environment, Land, Water and Planning (DELWP).

The Financial Statements have been prepared utilising the Local Government Model Financial Report, as required by the regulations. Section 99 to 100 of the Act provides the following:

- Council must pass a resolution giving its approval in principle to the Performance Statement and Financial Statements;
- Council must authorise two Councillors to certify the Performance Statement and financial statements in their final form, after any changes have been made following the audit; and
- Council must hold a publicly advertised meeting to present the Annual Report.

Council has complied with all these requirements.

## DISCUSSION

Golden Plains Shire is a large rural municipality of 2,705 square kilometres with a socio-economically diverse population of 24,985 people living in 56 communities, reflecting a population growth of 3.04% per annum.

The Annual Report 2021/22 shares the story of Council's major highlights and achievements from 1 July 2021 to 30 June 2022 including:

- Significant funding investment from State and Federal Governments.
- Strategic long-term planning for the future of Golden Plains Shire including the development of the Golden Plains Shire Settlement Strategy and the Climate Emergency Plan 2022-2032.
- Advocacy success through Council's lobbying and strategic partnerships including Council's largest ever single grant from the Victorian Government's Growing Suburbs Fund and securing \$3.61 million in Federal Election commitments.
- Delivery of an extensive list of infrastructure projects and upgrades.
- Council's commitment to community engagement including community engagement on and adoption of 12 strategic plans.

Major capital works completed by Council in 2021/22 include Teesdale Turtle Bend Upgrade, Lethbridge and Linton cricket net facilities, Enfield and Garibaldi playgrounds and the Bannockburn Bowls Green Upgrade. Official openings were also held for the Golden Plains Youth Hub, Bannockburn Soccer Facility Upgrade, Bannockburn Skate Park Upgrade, Inverleigh Sporting Complex Change and Club Rooms Upgrades, Lethbridge Lighting and Irrigation Upgrade. Construction began on a number of capital work projects including the Ross Creek Active Rec Project and Bannockburn South West Industrial Estate stormwater infrastructure project.

In 2021/22, funding grants were also secured for future capital works projects including the Victoria Park Netball Pavilion and Rokewood Recreation Reserve Netball and Tennis Court Upgrade. During the 2022 Federal Election, Council received \$3.61 million in funding across seven community projects. Funding was secured from projects including the Golden Plains Shire Tracks and Trails Strategy, Teesdale Flood Study, Golden Plains Transport Connection Study and a public artwork in Linton and a community safety program at the Golden Plains Youth Hub. Council also secured its third and largest funding commitment from the Victorian Government's Growing Suburbs Fund: Rokewood Community Hub Project.

In 2021/22, Council's completed major road projects including the Bannockburn Town Entrance Roundabout; upgrades of Meredith-Shelford Road in Meredith and Sharp Road Bridge in She Oaks; replacement works on Slate Quarry Road Bridge in Meredith, Paddys Gully Road Bridge in Rokewood Junction, Franklin Bridge in Napoleons. The installation of guardrails in 13 locations across Golden Plains Shire was also completed.

## Financial Statements

The 'In Principle' Performance Statement and Financial Statements are presented, along with the Auditor's Final Management Letter and Auditor's Closing Report, to Council (refer 'In-Principle Performance Statement and In-Principle Financial Statements' report at agenda item 3.3) and were be presented to Council's Audit and Risk Committee at its meeting on 20 October 2022.

Having considered the Audit Management Letter, the Committee noted:

- The performance statement and financial statements in principle, in accordance with section 99(2) of the *Local Government Act 2020* upon the statements being approved by Council.
- Completion of the external audit by the Victorian Auditor-General's Office.

- Council has authorised Cr Gavin Gamble (Mayor) and Cr Clayton Whitfield to certify the final audited performance statement and financial statements on behalf of Council, in accordance with Section 99 of the *Local Government Act 2020*.

The overall financial position of Council remains strong and continues to be consistent with that depicted in Council's Budget. This is further supported by the following table which compares the key financial indicators from the 2021/22 actual results with the original budget and the levels Council considers best practice.

Indicator	Actual	Budget	Variance	GPS	Best
	2021-22	2021-22		Target	Practice
	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Surplus	6,029	7,563	1,534	> 0	> 0
Adjusted Underlying Result	527	(346)	873	> 0	> 0
Working Capital* (%)	182%	122%	60%	> 188%	> 100%
Borrowings (% of Rates and charges)	44.5%	46.1%	1.6%	< 30%	< 60%
Cash and Investments	26,257	11,595	14,662	> 5,000	> 0

When preparing the Council Budget 2021/22, the primary focus was to maintain and improve services and infrastructure as well as deliver projects and services that are valued by our community, within the 1.5% rate increase mandated by the State Government. Council continued to provide financial support to customers impacted by the COVID19 pandemic via the financial hardship policy.

The operating result is stronger than budget largely due to more government grants received than planned and lower materials and services due to projects carried forward into 2022/23. The stronger operating result has also generated a more favourable adjusted underlying result than budgeted.

A higher cash balance at June 2022 has resulted from the timing of some capital works projects commencing later than forecast with \$9.5 million of capital projects rolled forward into 2022/23. The higher cash balance has also impacted the working capital ratio with a stronger result than budgeted. Please refer to the Annual Report 2021/22 to view the Financial Performance Indicators prescribed within the LGPRF.

Given the requirements of the 'Fair Go Rates' system (rate capping), Council will need to continually review the strategies contained within its Council Plan and Long-Term Financial Plan to ensure it continues to deliver the services required by a growing municipality, whilst remaining financially sustainable.

### Auditor General's Reports

Pages 136 and 193 of the Annual Report contain the Auditor's Report on the Financial Statements and the Auditor's Report on the Performance Statement respectively. Both audit opinions are unqualified.

### REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
Governance Principles	Yes

(Consideration of the Governance Principles under s.9 of LGA 2020)	
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes

## GOVERNANCE PRINCIPLES

The Golden Plains Shire Council Annual Report 2021/22 has been prepared in accordance with the *Local Government Act 2020*. The Financial Statements have been prepared utilising the Local Government Model Financial Report, as required by the regulations. Both the Report of Operations and Performance Statement contained in the Annual Report have been prepared based on the 'Better Practice Guide' developed by the Department of Environment, Land, Water and Planning (DELWP).

## POLICY/RELEVANT LAW

The Golden Plains Shire Council Annual Report 2021/22 has been prepared in accordance with the *Local Government Act 2020* and it must be presented at a Council meeting open to the public by 31 October 2022 as required under Section 100(1) of the Act.

## PUBLIC TRANSPARENCY

The 'In Principle' Performance Statement and Financial Statements were presented, along with the Auditor's Management Letter and Closing Report, to Council's Audit and Risk Committee at its meeting held 20 October 2020. Having considered the Audit Management Letter, the Committee noted:

- The performance statement and financial statements in principle, in accordance with section 99(2) of the *Local Government Act 2020* upon the statements being approved by Council.
- Completion of the external audit by the Victorian Auditor-General's Office.
- Council has authorised Cr Gavin Gamble (Mayor) and Cr Clayton Whitfield to certify the final audited performance statement and financial statements on behalf of Council, in accordance with Section 99 of the *Local Government Act 2020*.

## STRATEGIES/PLANS

The following Golden Plains Shire Council strategic plans are relevant to the Annual Report 2021/22: Council Plan 2021-2025, Long-Term Financial Plan 2021/22-2030/31, and Annual Budget 2021/22.

## FINANCIAL MANAGEMENT

Preparation of the 'In Principle' Performance Statement and Financial Statements have been prepared in accordance with the *Local Government Act 2020*, the Local Government (Planning and Reporting) Regulations 2014, Australian Accounting Standards and other mandatory professional reporting requirements. The 'In Principle' Performance Statement and Financial Statements have been subject to audit and Certification by the Victorian Auditor-General's Office with unqualified audit opinions issued.

## COMMUNICATION

As required under the *Local Government Act 2020*, the Golden Plains Shire Council Annual Report 2021/22 will be published on Council's website and promoted to the community through traditional and digital media channels. A copy of the Annual Report 2021/22 will also be available to view at Council's Customer Service Centres.

## HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## OPTIONS

### Option 1 – Receive the Golden Plains Shire Council Annual Report 2021/22

This option is recommended by officers as the Annual Report 2021/22 has been prepared in accordance with the *Local Government Act 2020* and has been presented to Council by 31 October 2022, as required under Section 133(1) of the *Local Government Act*.

### Option 2 – Not receive the Golden Plains Shire Council Annual Report 2021/22

This option is not recommended by officers as the failure to adopt will mean Council does not meet its obligations under Section 100(1) of the *Local Government Act 2020*.

### Option 3 – Defer receiving the Golden Plains Shire Council Annual Report 2021/22

This option is not recommended by officers as the Annual Report 2021/22 is presented as a complete report.

## CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

## CONCLUSION

The Golden Plains Shire Council Annual Report 2021/21 is an accurate and detailed report of the operations and services of Council in the past financial year, as well as a strategic account of the Council's achievements and challenges in 2021/22. It is recommended that Council receive the Golden Plains Shire Council Annual Report 2021/22.

## 7.4 IN-PRINCIPLE PERFORMANCE STATEMENT AND IN-PRINCIPLE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

**File Number:****Author:** Fiona Rae, Acting Director Corporate Services**Authoriser:** Fiona Rae, Acting Director Corporate Services**Attachments:**

1. 2021-22 Financial Statements
2. 2021-22 Performance Statement
3. VAGO Draft Closing Report
4. VAGO Draft Final Management Letter

**RECOMMENDATION**

That Council:

1. Approve the attached 2021-22 Annual Financial Statements and Performance Statement in principle, in accordance with section 99(2) of the *Local Government Act 2020* upon the statements being endorsed by Council's Audit and Risk Committee
2. That due to External Audit's positive outcomes in the Management Letter recommend the 2021-22 financial statements to be certified
3. Authorise Cr Gavin Gamble (Mayor) and Cr Clayton Whitfield to certify the final audited 2021-22 Financial Statements and Performance Statement on behalf of Council, in accordance with Section 99 of the *Local Government Act 2020*.

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**EXECUTIVE SUMMARY**

This report is for Council to approve in principle the Financial Statements and Performance Statement as attached, and two Councillors to certify these statements in accordance with Section 99 of the *Local Government Act 2020*.

Due to the tight timeline in approving the 'In Principle' Performance Statement and 'In Principle' Financial Statements following completion of the audit, it is necessary to authorise two Councillor representatives of Council to certify them. At the Council meeting of 19 July 2022 Council resolved this approval.

The Financial Statements and Performance Statement are approved 'In Principle', being approval of the statements subject to the Victoria Auditor-General's Office (VAGO) clearance and no material changes to the accounts are presented, which is consistent with the approach adopted in prior years and also by other Councils. Any material changes require approval from the Audit and Risk Committee.

The Financial Statements and Performance Statement will be presented to the Audit and Risk Committee at the 20 October 2022 meeting for noting.

**BACKGROUND**

Section 98 of the *Local Government Act 2020* requires Council to prepare an Annual Report containing:

- Report of Operations of the Council;
- Audited Performance Statement;
- Audited Financial Statements;
- Auditor's report on the performance statement prepared under section 99;
- Auditor's report on the financial statements under Part 3 of the *Audit Act 1994*; and
- Any other matter required by the regulations.

Section 99 of the *Local Government Act 2020* provides the following:

- Council must pass a resolution giving its approval in principle to the performance statement and financial statements; and
- Council must authorise two Councillors to certify the performance statement and financial statements in their final form, after any changes have been made following the audit

Section 100 of the *Local Government Act 2020* provides the following:

- Council must hold a publicly advertised meeting to discuss the Annual Report as soon as practicable after it has been sent to the Minister, but within four months of the end of the financial year.

## DISCUSSION

The following timetable outlines the process to achieve the requirements of the *Local Government Act 2020*:

DESCRIPTION OF TASK	DUE DATE
<b>TASKS COMPLETED</b>	
Council to delegate approval of In Principle Statements to the Audit and Risk Committee and authorise two Councillors to sign annual statements.	Complete
Performance Statement and Financial Statements submitted to auditor	Complete
Audit of Performance Statement and Financial Statements	Complete
Distribution of completed financial statements to Auditor-General	Complete
Advertise Annual Report and Council meeting to consider the report	Complete
<b>TASKS YET TO COMPLETE</b>	
Review by Audit and Risk Committee with the Victoria Auditor-General's Office (VAGO)	20/10/2022
Committee resolution to adopt the In Principle Statements (under delegation)	20/10/2022
Audit Opinion issued by Auditor-General	17/10/2022
October Council Meeting to note In Principle Statements	18/10/2022
Annual Report tabled in Parliament	19/11/2022
Council meeting to note Annual Report financial statements and auditor's report	25/10/2022

Before resolving to approve the 'in-principle' Performance Statement and Financial Statements, the Committee should consider the draft Management Letter as attached and verbal update provided by VAGO (our external auditors).

The draft Final Management Letter provides a summary of audit findings, issues resolved and any unresolved items.

Issues resolved during the year include:

- IT policies and procedures reviewed and updated
- IT Strategy developed and adopted

Only one open issue from prior periods remains with a status of partially resolved, relating to the recording of infrastructure and property, plant and equipment assets. During 2019/20 Council commenced moving towards recording infrastructure, property, plant and equipment assets into a new asset management system, Assetic. The remainder of infrastructure assets were loaded into the Assetic system during 2020/21 with all infrastructure asset classes now recorded in the one system.

A summary of the detailed audit findings together with management responses is provided in the table below.

Audit Findings	Additional information	Management Response
Absence of formalised process for review of payroll reconciliations.	Recommend reconciliations are reviewed by a secondary person.	A review of the reconciliation process will be completed to include a review by a secondary person.
Improve review process over Performance Statement data inputs.	Recommend quality assurance review of datasets.	Quality review of performance statement workings will be completed during the preparation of the 2022-23 performance statement.
Improvement in managing contribution of non-monetary fixed assets.  \$3.4m found assets were recognised as a prior year error.	Gifted assets for subdivisions developed in prior years not previously recognised were identified during the reconciliation of data to load into the Assetic system.	Council now has all infrastructure assets recorded in the Assetic system with each asset class reconciled prior to loading into Assetic. Found assets related to prior year data identified during this reconciliation process. New procedures have been developed and will be revisited to address, including project manager requirements on practical completion of projects.
Rokewood and Teesdale landfill provision requires update.	Recommend engaging an expert to reassess future capping and aftercare costs.	Teesdale landfill rehabilitation design being peer reviewed at present and will have a quantity survey estimate completed following the peer review. Rokewood landfill rehabilitation to be completed. Aftercare costs to be estimated and incorporated into landfill provision after completion.
Recording of Infrastructure and property, plant and equipment assets.  Unable to assess depreciation against individual assets in Assetic.	Depreciation calculations were able to be verified in spreadsheets outside Assetic and reconciled to the total depreciation charge.  Asset additions were added at 30 June 2022 and not during the year.  Depreciation calculated in Assetic did not take into account the residual value for road assets resulting in data updated in Assetic after depreciation was calculated impacting the residual value and useful life of individual	This year-end is the first year-end processed in the Assetic system which identified some recording differences between Assetic and the general ledger. The Asset and Finance teams will work together to resolve these issues and align the systems.

	assets.	
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The attached VAGO closing report outlines that they have substantially completed the audit of the financial report and performance statement and can provide reasonable assurance that the these documents present fairly, in all material respects in accordance with applicable Australian Accounting Standards and reporting requirements.

Areas of focus during the audit include:

- Valuation of property, infrastructure, plant and equipment
- Impact of COVID19 on the financial report
- Accounting for landfill provision
- Implementation of a new payroll system
- Performance statement preparation

The closing report also outlines adjusted differences processed during the audit and one minor unadjusted audit difference which was not adjusted due to the amount not being material. Some minor outstanding items are listed as yet to complete at the time of writing this report.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

**GOVERNANCE PRINCIPLES**

The 2021-22 Financial Statements and Performance Statement have been prepared in accordance with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

**POLICY/RELEVANT LAW**

*Local Government Act 2020*

*Local Government (Planning and Reporting) Regulations 2020*

*Audit Act 1994*

**COMMUNITY ENGAGEMENT**

A formal consultation process was not required.

**PUBLIC TRANSPARENCY**

The financial audit process and VAGO review supports the principles of public transparency in Section 99 of the *Local Government Act 2020* with results of the audit to be included in the 'Results of the 2021-22 Audits: Local Government' report scheduled for tabling in March 2023.

**STRATEGIES/PLANS**

Financial reports are prepared ensuring consistency with Council's long term financial plan.

**FINANCIAL MANAGEMENT**

Council's financial management processes are in accordance with Australian Accounting Standards and other mandatory professional reporting requirements, the *Local Government Act 2020*, and *Local Government (Planning and Reporting) Regulations 2020*.

The financial audit process considers financial management processes, internal controls, accounting policies, and financial sustainability via the use of the going concern basis of accounting. VAGO express an audit opinion on the financial report based on the audit with the objective to obtain a reasonable assurance about whether the financial report is free from material misstatement.

**RISK ASSESSMENT**

There are identified risk implications associated with this report, detailed below:

In accordance with Section 98 of the *Local Government Act 2020* Council is required to prepare an Annual Report containing a report of operations and audited Financial Statements and an audited Performance Statement. Section 99 of the *Local Government Act 2020* requires the Annual Report to be submitted to the Minister by 31 October each year.

**COMMUNICATION**

The 2021-22 Financial Statements and Performance Statement will be included in the Annual Report and submitted to the Minister. The Annual Report will also be published on Council's website.

**HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

**OPTIONS**

Option 1 – That Council note the attached 2021/22 financial and performance statements. This option is recommended by officers as this ensures that Council remains compliant with legislated requirements.

Option 2 – That Council reject the 2021/22 Financial and performance statements. This option is not recommended by officers as the statements have been certified by the Audit and Risk Committee Councillor delegates as authorised by Council at its 19 July 2022 Council meeting and if rejected it would have the potential of not complying with the timeframes and lodging the annual report with the Minister by 31 October, as required by the *Local Government Act 2020*.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

Having considered the draft Financial Management Letter the Audit Closing Report and satisfied that both the Financial and Performance Statements are presented fairly.

Approve and certify the in-principle Financial Statements and Performance Statement. The Annual Report will then be formally prepared and submitted to the Minister for Local Government before 31 October 2022. Council will consider the Annual Report and Auditor's Report at its meeting on 25 October 2022.

## 7.5 LOCAL GOVERNMENT PERFORMANCE REPORTING INDICATORS - END OF YEAR REPORT

### File Number:

**Author:** Sophie Brown, Governance and Legal Services Specialist

**Authoriser:** Fiona Rae, Acting Director Corporate Services

**Attachments:** 1. LGPRF End of Year Report 2021/22

### RECOMMENDATION

That Council receive the end of year report on the Local Government Performance Reporting Indicators (Attachment 1) for the period 1 July 2021 to 30 June 2022.

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### EXECUTIVE SUMMARY

Council is required under the *Local Government Act 2020* and Local Government (Planning and Reporting) Regulations 2020 to report on its performance in accordance with the Local Government Performance Reporting Framework (LGPRF).

Council's performance against LGPRF measures is reported to management, the Audit & Risk Committee and Council on a six-monthly basis and included in the Golden Plains Shire Council Annual Report.

The end of year report for the period 1 July 2021 to 30 June 2022 is provided for Council's information (Attachment 1).

### BACKGROUND

The Local Government Performance Reporting Framework (LGPRF) is a key initiative developed by Local Government Victoria (LGV) within the Department of Environment, Land, Water and Planning (DELWP) to improve the transparency and accountability of Council performance.

The LGPRF requires Councils across Victoria to measure and report on performance in a consistent way. The mandatory performance reporting became a requirement for local government from the 2014-15 local government annual budgeting and reporting cycle onwards.

The framework is made up of 58 measures and a governance and management checklist of 24 items which together build a comprehensive picture of council performance.

The 58 measures comprise of reporting across the following service areas:

- **Animal Management** - *Provision of animal management and responsible pet ownership services to the community including monitoring, registration, enforcement and education.*
- **Aquatic Facilities** (*not applicable*).
- **Food Safety** - *Provision of food safety services to the community including registrations, education, monitoring, inspections and compliance.*
- **Governance** - *Provision of good governance to the community including making and implementing decisions with reference to community engagement, policy frameworks and agreed practice.*
- **Libraries** - *Provision of print and digital based resources to the community in a variety of formats including collection services, e-services, research tools and interactive learning programs.*
- **Maternal Child Health** - *Provision of universal access to health services for children from birth to school age and their families including early detection, referral, monitoring and recording of child health and development.*

- **Roads** - *Provision of a network of sealed local roads under the control of the municipal council to all road users.*
- **Statutory Planning** - *Provision of land use and development assessment services to applicants and the community including advice and determination of applications.*
- **Waste Collection** - *Provision of kerbside waste collection service to the community including garbage and recyclables.*
- **Financial Performance** - *Provision of relevant information about the effectiveness of financial management in local government including efficiency, liquidity, obligations, operating position and stability.*
- **Sustainable Capacity** - *Provision of relevant information about whether local governments have the capacity to meet the agreed service and infrastructure needs of their community.*

Council's performance against the LGPRF measures is reported to management, the Audit & Risk Committee and Council on a six-monthly basis and also included in the Golden Plains Shire Council Annual Report.

The performance data for each financial year is additionally made publicly available. The 'Know Your Council' website [www.knowyourcouncil.vic.gov.au](http://www.knowyourcouncil.vic.gov.au) provides an opportunity for the community to access performance data for each Council and compare that data against similar Councils.

## DISCUSSION

The end of year report covering the period 1 July 2021 – 30 June 2022 is provided (Attachment 1) for Council's information.

The data captured in the report shows Council's performance for the 2021/22 year against the LGPRF measures.

Data is measured against performance over the last 4 financial years with the aim of maintaining all areas that were tracking well and improving those that weren't.

Of the 55 measures reported key areas of improvement to note are as follows:

- **Maternal Child Health:**
  - 8% increase in participation in the MCH service by Aboriginal children compared to 20/21.
  - 7% increase in participation in the 4-week Key Age and Stage visit compared to 20/21.
- **Food Safety:**
  - 20% increase in number of registered food premises that received a food safety assessment compared to 20/21.
  - 49% reduction in total direct costs of food safety service due to reduction in immunisation costs compared to 20/21.
- **Governance:**
  - Satisfaction with community consultation and engagement increased from 47% in 20/21 to 49% in 21/22.
  - Satisfaction with council decisions increased from 49% in 20/21 to 50% in 21/22.
- **Libraries:**
  - 30% increase in physical library collection usage compared to 20/21, attributed to the impact of COVID-19 lockdowns and restrictions.
- **Waste Collection:**
  - 22% reduction in number of kerbside collection requests compared to 20/21.

- 23% reduction in number of kerbside collection bins missed compared to 20/21.
- **Sustainable Capacity:**
  - 22% reduction in staff turnover rate compared to 20/21.

## REPORTING AND COMPLIANCE STATEMENTS:

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
<b>Risk Assessment</b>	No
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

In accordance with the principles in Section 9 of the *Local Government Act 2020*, the half-yearly reporting of the LGPRF Indicators to the Audit and Risk Committee will specifically:

- Contribute to innovation and continuous improvement
- Ensure transparency of Council decisions, actions and information.

## POLICY/RELEVANT LAW

Reporting on the LGPRF indicators ensures compliance with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 2020*.

**PUBLIC TRANSPARENCY**

Council's performance against LGPRF measures will be presented to a public Council meeting six-monthly and reported in the Golden Plains Shire Council Annual Report.

**SERVICE PERFORMANCE**

Reporting on the LGPRF Indicators provides valuable insights on the delivery of service performance principles under s.106 of the *Local Government Act 2020*.

**COMMUNICATION**

Council's performance against LGPRF measures will be presented to a public Council meeting six-monthly and reported in the Golden Plains Shire Council Annual Report.

**HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

**OPTIONS**

Option 1 – That Council receive and note the 2021/22 end of year report in its present form.

This option is recommended by officers as all available indicator results for the 21/22 period appear. This report has also been reviewed by the Senior Management Team and the Audit & Risk Committee for accuracy.

Option 2 – That Council do not receive and note the 2021/22 end of year report.

This option is not recommended by officers as the report is to provide an update on progress only.

Option 3 – That Council require further information.

This option is not recommended by officers as all available LGPRF Indicators have been reported on. Further requests for additional information or changes may be implemented in future reports.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

**CONCLUSION**

This report provides information on Council's performance in relation to the LGPRF strategic indicators contained in the Local Government (Performance Reporting) Framework 2014 which provide a transparent reporting mechanism to the community in relation to Council's performance.

## 7.6 FINANCE QUARTER 4 UPDATE

### File Number:

**Author:** Fiona Rae, Acting Director Corporate Services

**Authoriser:** Fiona Rae, Acting Director Corporate Services

**Attachments:**

1. Financial Dashboard
2. Quarterly Finance Report

### RECOMMENDATION

That Council note the content in the Quarter 4 (Final Quarter) Finance Report for the 12 months ended 30 June 2022.

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### EXECUTIVE SUMMARY

As at 30 June 2022, the Income Statement reports total operating revenue of \$52.6m and total operating expenditure of \$46.5m, which results in a year to date surplus of \$6.0m. This is \$1.5m unfavourable compared to the original budget, and \$252k unfavourable to the revised budget.

The Capital Works Statement indicates total capital works expenditure (including commitments) of \$14.4m, which is \$3.7m below the original budget, and \$10.8m below the revised budget. The revised budget includes \$8.7m rolled forward for projects.

The Quarter 4 report will be presented to the Audit and Risk Committee at the 20 October 2022 meeting for noting.

### BACKGROUND

The content of this report assists Council to gain assurance in relation to financial management of Council's operations. Section 138 of the *Local Government Act 1989* requires a statement, comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date, to be presented to Council at least every three (3) months.

Council has completed twelve (12) months of the 2021-22 financial year. The attached budget report has been prepared on an operating basis and includes a comparison of actual results for the period to 30 June 2022 to the annual budget adopted by Council for the following financial statements:

- Income Statement
- Balance Sheet
- Statement of Cash Flows
- Statement of Capital Works
- Corporate Summary
- Key Strategic Area Report
- Operational and Capital Grants

### DISCUSSION

#### Budget Report

The operating result for the period is reporting a surplus of \$6.0m compared to the original budgeted surplus of \$7.6m and revised budgeted surplus of \$6.3m. This variance of \$253k against the revised budget surplus is primarily due to:

- Operating grants - Advance payment of Financial Assistance Grant increased from 50% to 75% (\$1.7m additional grant funds received),
- Capital grants - \$3.5m reclassified as payments in advance due accounting requirements at the reporting date of 30 June 2022

- Contributions Non-Monetary - gifted assets handed to council as part of new developments \$1.3m higher than forecast
- Other income –
  - Bannockburn Industrial Estate reduced by \$1.1m due to change in funding
  - Lomandra Drive land sales impacted by delays in land titles
- Materials and services –
  - \$2.3m operating projects carried forward to 2022-23
  - Bannockburn Industrial Estate expenditure reduced by \$1.1m to correspond to reduction in grant funding
  - Recreation infrastructure maintenance, local roads rehabilitation, drainage and township maintenance costs lower than budget due to timing delays from covid impacts
- Other income – Derecognition of non-current assets by \$717k identified as included in last asset revaluation.

The 'Adjusted Underlying Result' removes any non-recurrent grants used to fund capital expenditure, non-monetary asset contributions and other capital contributions to fund capital expenditure from the operating result. This formula is prescribed within the *Local Government (Planning and Reporting) Regulations 2020*. At 30 June 2022 the 'Adjusted Underlying Result' is a surplus of \$527k, compared to a budget deficit of (\$346k) therefore a \$900k favourable variance to budget, this is due to variances in the income statement outlined above.

## Capital Projects

### **Actual versus Budget**

Total expenditure in the Statement of Capital Works (including Commitments) is \$14.4m, \$3.7m below the original budget of \$18.1m, and \$10.8m below the revised budget of \$25.2m.

The capital program has delivered 80% of the original budget and 57% of the revised budget. The revised budget includes projects totalling \$8.7m rolled forward into 2021-22 for projects that span multiple years, mainly relating to LRCI Phase 2 & 3 (refer attached capital projects report).

### **Delivery of Projects**

A number of projects have been completed during the quarter as outlined below:

Project	Project Budget \$	Project Cost \$	\$ Variance	% Variance
Common Road Swale Drain Improvements	80,000	66,581	13,419 <i>Favourable</i>	16.7% <i>Favourable</i>
Gravel Resheeting Program	700,000	695,218	4,782 <i>Favourable</i>	1.0% <i>Favourable</i>
Periodic Footpath/Kerb Replacement	100,000	67,223	32,777 <i>Favourable</i>	32.7% <i>Favourable</i>
Community and Rec Facility Beautification and Safety works	100,000	75,862	24,138 <i>Favourable</i>	24.1% <i>Favourable</i>
Bannockburn Skate Park Upgrade	449,512	344,719	104,793 <i>Favourable</i>	23.3% <i>Favourable</i>
Lomandra Drive Stage 4 Development	1,384,187	1,386,629	2,442 <i>Favourable</i>	0.001% <i>Favourable</i>
Inverleigh Sporting Complex Upgrade	1,834,795	1,744,653	100,142 <i>Favourable</i>	5.4% <i>Favourable</i>
Bannockburn Soccer Club female friendly	832,000	915,067	83,067	9.9%

changerooms			<i>Unfavourable</i>	<i>Unfavourable</i>
Linton Cricket Net Upgrade	194,645	194,950	305 <i>Unfavourable</i>	0.001% <i>Unfavourable</i>
Bannockburn Youth Hub	497,175	496,452	723 <i>Favourable</i>	0.001% <i>Favourable</i>

Any project savings made are transferred to consolidated revenue and provides opportunity to assist funding for the 2021-22 budget.

The following projects will be carried over into the 2022-23 year:

- Meredith-Shelford Road Stages 4 & 5 (awarded July 2022)
- Tannery Road floodway works road improvement (approved July 2022)
- Arthurs Lane bridge renewal (awarded September 2022)
- Playground refurbishments – Lethbridge Rec Reserve
- Cypress Tree replacement
- Meredith Skate Park (to be awarded in October)
- Leighdale Equestrian Upgrade
- Linton Oval Drainage Upgrade
- Netball/tennis court renewal

#### **Contracts approved under CEO delegation via the Contracts, Tenders and Grants Committee**

As part of continuous improvement and reporting in relation to procurement activities, contracts that have been awarded between the values of \$200,000 and \$400,000 are presented to the Contracts, Tenders and Grants Committee to recommend for approval to the CEO. Contracts awarded between these values during the quarter are listed in the table below:

<b>Project</b>	<b>Approved by:</b>	<b>Awarded To</b>	<b>Contract Value \$</b>
Derwent Jacks and Staffordshire Reef Roads, Berringa intersection improve	CEO	BILD Infrastructure	306,900
Road Improvement Works With Kerb & Channel - Moore Street Stage 1	CEO	Begbies Contracting	266,020

Council officers have been pro-active with earlier planning of projects and allocation of budgets than traditional processes, which has enabled a number of tenders to be issued and awarded well in advance of a normal year. Projects advertised during the quarter include:

- GPSC-RFT-04-2022- Bitumen Emulsion CR 60
- GPSC-RFT-05-2022- Roadside Slashing, Township Maintenance, Mowing And Guidepost Spraying
- GPSC-RFT-06-2022- Lethbridge Fresh Water Lake Boardwalk Upgrade
- GPSC-RFT-07-2022- Meredith-Shelford Road Widening Stage 4 and 5
- GPSC-RFT-20-2022- Tannery Road Flood Way Improvement
- GPSC-RFQ-12-2022 -Crane Truck

The table below outlines tenders and subsequent contracts awarded during the quarter.

Project	Approved by:	Awarded To	Contract Value \$
Kerbside Collection Services	Council	Cleanaway	Commercial in confidence
Tandem Tipper Truck(s)	Council	HINO Australia	461,231

In addition, if there have been any contract variations to contracts valued over \$200,000 greater than 10% but less than 15% they will be reported to provide transparency in relation to variances. There were no contract variations of this nature during the quarter.

## REPORTING AND COMPLIANCE STATEMENTS:

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

The Golden Plains Shire Council Quarterly Finance Report has been prepared in accordance with the *Local Government Act 2020*.

## POLICY/RELEVANT LAW

*Local Government Act 2020*

*Local Government Amendment (Fair Go Rates) Act 2015*

*Local Government (Planning and Reporting) Regulations 2020*

Financial Plan

Annual Budget

**ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS**

Environmentally sustainable design and construction is included for all projects.

**COMMUNITY ENGAGEMENT**

A formal consultation process was not required.

**STRATEGIES/PLANS**

Financial reports are prepared ensuring consistency with Council's long term financial plan.

**FINANCIAL MANAGEMENT**

The Quarterly Finance Report is focused on the financial management and results for the reporting quarter. Council's financial management processes are in accordance with the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020*, Australian Accounting Standards and other mandatory professional reporting requirements. Financial sustainability is monitored by considering the financial result for the period and reporting key financial indicators on the financial dashboard.

**RISK ASSESSMENT**

In accordance Section 138 of the *Local Government Act 2020* a Quarterly Finance Report comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is required to be presented to Council at least every three months.

**COMMUNICATION**

The Finance Quarterly Report will be presented at the 20 October 2021 Audit and Risk Committee meeting for noting.

**HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

The content included in this agenda and the attached documents are consistent with the adopted Budget and Long-Term Financial Plan after taking to account the movements described above.

## **7.7 CLIMATE EMERGENCY PLAN - FOR ADOPTION**

### **File Number:**

**Author:** David Collins, Acting Manager Environment & Open Spaces

**Authoriser:** Ben Jordan, Manager Recreation & Community Infrastructure

**Attachments:** 1. Climate Emergency Plan 2022-2032

### **RECOMMENDATION**

That Council:

1. Note the public submissions received regarding the draft Climate Emergency Plan.
  2. Adopt the Climate Emergency Plan 2022-2032 as attached.
- 

### **EXECUTIVE SUMMARY**

In July 2021, Council declared a Climate Emergency and committed to the development of a Climate Emergency Plan (the Plan).

Since the declaration, Officers have undertaken community engagement, analysed feedback and drafted the Plan. The Plan aligns with themes and objectives in the 2021-2025 Council Plan, Council's Environment Strategy 2019-2027 as well as the Local Government Act 2020 and Climate Change Act 2017.

In August 2022, Council endorsed the Draft Climate Emergency Plan 2022-2032 which was then placed on public exhibition from Thursday 25 August to Thursday 22 September. During this time Council received two submissions. The information received in these submissions was reviewed by Council Officers and, where possible, incorporated into the Plan.

There is a strong imperative for Council to reduce emissions and prepare for the changing climate given the expected impact on Council's operations, assets and the health and wellbeing of the Golden Plains Shire community.

To demonstrate Council's commitment and drive the response to the climate emergency, Officers recommend the adoption of the Draft Climate Emergency Plan 2022-2032.

### **BACKGROUND**

In July 2021, Council declared a Climate Emergency and committed to the development of the Plan to detail actions Council and the community can take to mitigate, adapt and respond to climate change in the Shire.

In March 2022 Council was briefed by Officers on the development of the Plan to date.

Subsequently, Officers completed extensive community engagement followed by an in-depth analysis of community and stakeholder feedback to ensure the draft Plan is an accurate representation of the community's sentiment.

In July 2022, Officers presented the Plan's development at the Council Strategic Briefing and provided Councillors an opportunity to offer input on actions for inclusion in the Plan.

In August 2022, Officers presented the Draft Climate Emergency Plan 2022-2032 to Council and Council endorsed the Draft Plan to be placed on public exhibition.

The Draft Plan was provided for public exhibition and submission from Thursday 25 August to Thursday 22 September 2022.

## DISCUSSION

There are numerous existing drivers for Council to respond proactively to climate change that sit alongside Council's declaration of a Climate Emergency.

In the 2021-2025 Council Plan, climate change is a recurring theme. Tackling climate change is represented in the Golden Plains Shire Community Vision 2040 as a key focus of the Sustainability section and is one of five health and wellbeing priorities in the Municipal Public Health and Wellbeing Plan.

Council's Environment Strategy 2019–2027 also has a focus on responding to climate change. Theme 4.2 of the Strategy focuses on climate change adaptation and mitigation. The key implementation mechanisms of this Theme are:

- Identify and implement actions that support Council carbon draw down to address climate change and reduce Council's carbon footprint.
- Strengthen community capacity to effectively respond to current and future challenges related to climate change.
- Establish and support partnerships with other agencies, community groups and education facilities to improve understanding and action on climate adaptation.
- Educate and empower the community, community groups and landholders about the impacts of climate change and actions on climate adaptation.

The Local Government Act 2020 and Climate Change Act 2017 also underpin Council's climate emergency response through requiring Council to consider climate change in planning and decision-making.

There is a strong imperative for Council to reduce greenhouse gas emissions and prepare for the changing climate given the expected impact on Council's strategic goals, operations, assets and service delivery, as well as the health and wellbeing of the community.

Engagement with community, other Councils, GPS staff and Councillors has informed the development of the Plan. The Plan gives context to the current and future impacts of climate change within the Shire and lays out actions for Council to undertake over the next 10 years under the following five themes:

- Embedding climate action in Council
- Resilient and adaptive communities
- Caring for the land
- Climate responsive development
- Sustainable transport and travel.

Feedback on the Plan was sought through the exhibition period by the following means:

- From 23 August to 22 September 2022, the Golden Plains Shire Council website homepage featured a Draft Climate Emergency Plan 2022-2032 'Have Your Say' banner which linked to the Draft Plan and Have Your Say page.
- A media release, titled 'Draft Climate Emergency Plan open for feedback' was distributed on 25 August 2022. The media release was also published as a web story on the Golden Plains Shire Council website.
- The Draft Plan was featured in the September edition of Engage, Council's Community Engagement e-Newsletter, which was distributed to an audience of 369.
- The Draft Plan was featured in the latest edition of the eGazette, which was distributed to an audience of 382.
- The Draft Plan was featured in the September edition of Golden Plains Business News, which was distributed to an audience of 682.

- The Draft Plan was advertised through 10 social media posts with a total reach of 14,385 and a total engagement of 113.

During the Plan's time on public exhibition, Council received two submissions. The first submission refutes Climate Change, and the second submission provides detailed feedback on the Plan and is generally supportive. From this second submission, Officers incorporated the following changes to the Plan:

- The narrative was adjusted to reflect that climate change is already having impacts and will continue to put people, ecological systems, industries and infrastructure at risk into the future.
- The Grampians Regional Climate Adaptation Strategy 2021-25 was noted as a key document that has informed the Plan.
- Greater transparency has been added at the beginning of Section 6: Addressing the Climate Emergency to explain the rationale behind the commencement years for the actions.
- Under 'What Council is already doing' in Theme 1: Embedding Climate Action in Council, an additional point was added to note the climate change work being completed under the Municipal Health and Wellbeing Plan.
- Action headings were tightened to differentiate similar actions, such as those related to Council practices and processes.

The full submissions were previously provided to Councillors as part of a comprehensive Communications and Engagement Report.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	No
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	Yes

## **GOVERNANCE PRINCIPLES**

Consistent with the Governance Principles of the Act, the economic, social, and environmental sustainability of the Shire's residents will be enhanced by undertaking the actions identified in the Climate Emergency Plan.

Multiple actions within the Plan will involve collaboration with other Councils and entities such as through the Barwon Southwest Climate Alliance. The Plan draws from the Grampians Region Climate Adaptation Strategy 2021-2025.

## **POLICY/RELEVANT LAW**

The Plan aligns with requirements in the Local Government Act 2020 and Climate Change Act 2017.

The Golden Plains Shire Council Plan 2021-2025 (incorporating the Municipal Public Health and Wellbeing Plan) and Environment Strategy 2019–2027 underpin the development of the Plan.

## **ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS**

The Plan directly addresses climate change, environmental sustainability and social issues through the Action Plan.

## **COMMUNITY ENGAGEMENT**

Feedback about actions to include in the Plan was collected through the following consultation methods:

- Review and input by Wadawurrung Traditional Owner Aboriginal Corporation.
- A Have Your Say community survey.
- Three in-person community workshops in Teesdale, Dereel, Smythesdale and one online workshop.
- Booths at the Golden Plains Farmers' Market, Smythesdale Market, Golden Plains Community Fair in Bannockburn and at the Bannockburn Youth Hub.
- Engagement with students at Ross Creek and Meredith Primary Schools.
- Nine 1:1 interviews with businesses and community groups in the Shire.
- Conversations with staff from seven Victorian Councils that have Climate Emergency Plans and Golden Plains Shire internal staff teams.
- Four weeks of public exhibition in which two written submissions were received.

The Plan outlines an ongoing commitment to consult with the public during the lifetime of the Plan.

## **PUBLIC TRANSPARENCY**

The Plan outlines a commitment to transparency in providing publicly available summary documents on progress and outcomes of Climate Emergency Plan actions every two years.

## **STRATEGIES/PLANS**

The Plan aligns with both the Council Plan 2021-2025, Municipal Public Health and Wellbeing Plan and the Environment Strategy 2019-2027.

## **FINANCIAL MANAGEMENT**

Both staff and project costs will be required to deliver the actions within the Plan over its 10-year duration. Project and offset costs have been estimated but given the complexity, duration and extent of the Plan there is considerable uncertainty associated with these estimates. The staff time will largely be contained within the Environment and Sustainability team but will also require input

from staff across the organisation for various projects. Funds for projects may come from a mix of Council funding and grants.

Total estimated costs over lifetime of Plan	
In-house resourcing (staff time)	\$648,750
External resourcing (non-staff project costs)	\$2,565,760
Offset costs (purchasing)	\$611,712
Total overall estimated resourcing requirements	\$3,826,222

## RISK ASSESSMENT

There are identified risk implications associated with this report. By adopting the Plan, Council takes a proactive step towards reducing the impacts climate change will have on Council operations, assets, and the health and wellbeing of the Golden Plains community.

## GENDER EQUALITY

As this report relates to the development or review of a policy, program or service that has a direct and significant impact on the public, the Gender Equality Act 2020 requires that a Gender Impact Assessment (GIA) be undertaken. A GIA has been conducted and there are no identified gender inequality implications.

## OPTIONS

### Option 1 – Adopt the Climate Emergency Plan 2022-2032

This option is recommended by officers as the Climate Emergency Plan has had significant public consultation, has been out for public exhibition and has been reviewed by relevant Council teams.

### Option 2 – Delay adoption of the Climate Emergency Plan 2022-2032

This option is not recommended by officers as the Plan is unlikely to benefit from further review prior to adoption.

### Option 3 – Do not adopt Climate Emergency Plan 2022-2032

This option is not recommended by officers as Council has declared a Climate Emergency, committed to the development of this Plan and undertaken significant engagement with the community in preparing the Plan.

## CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

## CONCLUSION

There is a strong imperative for Council to continue to reduce greenhouse gas emissions and prepare for the changing climate given the expected impact on Council's strategic goals, operations, assets and service delivery, as well as the health and wellbeing of the community.

The Climate Emergency Plan 2022-2032 responds to Council's declaration of a Climate Emergency in July 2021 and commitment to development of an action plan. It has been developed in-house following extensive community consultation which has included a period of 4 weeks on public exhibition where 2 submissions were received.

To demonstrate Council's commitment and drive the response to the climate emergency, Officers recommend the adoption of the Climate Emergency Plan 2022-2032.

## 7.8 INVERLEIGH TREE SUCCESSION PLAN

**File Number:****Author:** Jarrod England, Arboriculture Specialist**Authoriser:** Ben Jordan, Manager Recreation & Community Infrastructure**Attachments:**

1. Inverleigh Tree Succession Plan - Site Map
2. Inverleigh Tree Succession Plan - proposed eastern entry species

**RECOMMENDATION**

That Council

1. Endorses the Inverleigh Tree Succession Plan for public exhibition and community feedback.
  2. Note that further engagement to determine the tree species to be planted at the eastern entrance to Inverleigh will be undertaken.
- 

**EXECUTIVE SUMMARY**

The condition of the trees in the east and west entrances to Inverleigh township is mixed with many requiring significant works to be maintained and others in such poor condition that they will need to be removed and replaced.

In order to take a strategic approach to managing this significant set of assets and to ensure an attractive and maintainable avenue of trees, an Inverleigh Tree Succession Plan (the Plan) has been developed. This Plan looks to provide the best way forward in renewing the trees along the east and west entrances to Inverleigh.

The Plan incorporates results from community consultation as well as professional recommendations from internal and external Arborists for tree removal, management and establishment. Officers recommend Council endorse the Inverleigh Tree Succession Plan for public exhibition and community feedback.

**BACKGROUND**

Beginning in June 2021, Council engaged the Inverleigh community seeking guidance on the preparation of an Inverleigh Tree Succession Plan to manage the ongoing loss of large, significant trees through the township. Council has since conducted two rounds of community consultation that has guided the creation of this Plan.

The Inverleigh Tree Succession Plan survey was open from 2 November to 5 December 2021. During this time, residents were encouraged to share their perspective on the shapes and styles of trees that should be included in the Inverleigh Tree Succession Plan.

On Saturday 20 November 2021, an in-person engagement session was held in Inverleigh. During the two-hour period, 18 community members attended the engagement session. At the engagement session, images of 6 proposed tree styles for the western and eastern entrance avenues were provided, with community members able to share their preferences on the style of tree they would like to see in these areas.

In April 2022, Officers presented the planning and consultation to date to Council along with recommended next steps.

From 19 May to 16 June 2022, a second Inverleigh Tree Succession Plan survey was undertaken giving community members of Inverleigh a chance to have their say on the style of trees they would like to see as part of the Inverleigh Tree Succession Plan.

## DISCUSSION

The trees along the east and west entrances to Inverleigh contain a mix of species (mostly Cypress with some Eucalypts). The trees have been assessed and their condition varies with many requiring significant works to be maintained and others in such poor condition that they need to be removed and replaced (as noted in Attachment One).

In order to take a strategic approach to managing this significant set of assets and to ensure an attractive and maintainable avenue of trees, an Inverleigh Tree Succession Plan is required. This Plan incorporates input from professional Arborists and the outcomes of engagement with the Inverleigh community.

The community input has been gathered through multiple means including two open surveys. Results of the initial community consultation were provided to the Councillor Briefing on 19 April 2022.

The results of the Inverleigh Tree Succession Plan survey undertaken in May/June 2022 indicated the following:

- The most preferred tree species identified for the western entrance Cypress Avenue is Rough-barked Apple, followed by Yellow Gum and then Spotted Gum.
- The most preferred tree species for the eastern entrance avenue was somewhat inconclusive from the surveying.

As a result, Officers will re-engage the community on an appropriate and preferred species for the eastern entrance avenue. Two native trees (Argyle Apple, Kurrajong) and two exotic trees (Southern Magnolia, Holm Oak) will be provided as options with respondents asked to indicate only one tree as a preference. The four tree species to be proposed are shown in Attachment Two.

The most recent inspection of the west and east entrances to Inverleigh was been undertaken by Golden Plains Shire Council Arboricultural Specialist on 1 September 2022.

This inspection identified that the row of trees on the southern side of the west entrance presents with several trees removed from the row. The removal of the trees has changed the environmental conditions the remaining trees are exposed to, leading to minor failures within the remaining trees.

The east entrance presents ample opportunity to establish trees; there are 5 trees present in the road reserve, two of which are dead or in severe decline and two are mature trees located within the proposed avenue planting. The last is a large Cypress located behind the Inverleigh township entrance sign. It presents in good health and sound structure and will be retained.

The conditions of the road reserve located opposite the camping area are not preferable to most of the proposed trees for the eastern entrance, in this location there are a few existing mature Red Gums - as the site conditions are suitable for this species, they have been selected for planting.

Taking into consideration all information collated, the following plan of works and indicative timelines have been developed (Attachment One - Site Map, provides further detail):

- Pruning of high-risk trees throughout both east and west entrances - December 2022.
- Removal of 4 trees located in the east entrance to accommodate avenue planting - December 2022.
- Removal of the 17 Cypress trees and two Eucalypts located in the southern side of the west entrance - January to February 2023.
- Soil conditioning of the southern side of the west entrance for best planting - January to February 2023.
- Planting of the favoured tree from community engagement process and Red Gum trees in the eastern entrance avenue – April to May 2023.
- Site inspection of northern side of the west entrance and camping area to develop future works - July 2023.

At the initial Briefing of Councillors in September 2021, Officers proposed to Council a process and timeline which included presenting the information to the community before works are approved by

Council to commence. As per this proposal, Officers are now seeking endorsement from Council to present the Inverleigh Tree Succession Plan to the community for public exhibition and feedback.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

In accordance with the Governance Principles s.9 of the Local Government Act 2020, the Inverleigh Tree Succession Plan seeks to prioritise achieving the best outcomes for the municipal community.

## ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

The Inverleigh Tree Succession Plan seeks to provide sustainability and has been developed to increase the canopy cover of the east and west entrances of Inverleigh. This increase will also provide habitat to some local fauna.

## COMMUNITY ENGAGEMENT

The Inverleigh community has been engaged in the development of the Tree Succession Plan as detailed in background of this report. Further engagement is proposed with the Plan to be provided for public exhibition/community feedback and through community surveying to confirm a preferred tree species for the eastern entrance avenue.

## **PUBLIC TRANSPARENCY**

Consideration of the Public Transparency Principles in developing of the Inverleigh Tree Succession Plan has occurred with the Plan guided by the community engagement detailed in the background of this report. Officers will work further to inform the community of the Plan being available for public viewing and comment prior to implementation.

## **STRATEGIES/PLANS**

The Inverleigh Tree Succession Plan aligns with a number of Strategies of the Council Plan 2021-2025 including:

- 3.1.1 - Ensuring our native vegetation, ecosystems, flora, and fauna and old growth trees are healthy and protected.
- 3.1.2 - Value, promote and preserve our cultural and natural heritage for future generations.
- 3.3.1 - Conduct land management practices and behaviours that enable a safe and thriving natural environment.

The Plan also reflects Council's Environment Strategy 2019-2027, in particular Strategic Directions 3 (Thriving natural environments) and 4 (Invasive species).

## **FINANCIAL MANAGEMENT**

Budget has been allocated for works to occur in implementing the first stage of the Inverleigh Tree Succession Plan.

The Plan identifies there is a requirement for future budget with information to be provided as part of the development of the 2023/24 Council Budget.

The ongoing establishment and maintenance of trees within Inverleigh will be funded by existing operational budgets.

## **RISK ASSESSMENT**

There are identified risk implications associated with this report including:

- The Inverleigh Tree Succession Plan will seek to mitigate risk to public and property by removing defective trees from the landscape.
- This Plan will mitigate environmental risk by removing trees that have been identified as being susceptible to Cypress canker disease (*Seiridium spp*).

## **COMMUNICATION**

In addition to the communication and consultation that has already occurred for the Inverleigh Tree Succession Plan, Officers will develop print, online and social media content to inform the community of the public exhibition/community feedback process and community surveying to confirm a preferred tree species for the eastern entrance avenue.

## **HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## **OPTIONS**

Option 1 – Council endorses the Inverleigh Tree Succession Plan for public exhibition and community feedback.

This option is recommended by Officers as there has been significant consultation with the community about this project with the Plan looking to reduce risk to people, property and environment. The Plan is now ready to go to the community for final comments.

Option 2 – Defer endorsing the Inverleigh Tree Succession Plan for release for public exhibition and community feedback.

This option is not recommended by Officers as the Plan has been developed with input from qualified professionals and the local Inverleigh community. Public exhibition is an important final stage of engagement and it does not add any value to further delay the Plan's release.

Option 3 – Endorse the Inverleigh Tree Succession Plan and do not release for public exhibition and community feedback.

This option is not recommended by Officers as it does not align with the Transparency Principles as outlined in Section 58 of the Local Government Act 2020.

### **CONFLICT OF INTEREST**

No Officer involved in preparing this report has any conflicts of interest in regard to this matter.

### **CONCLUSION**

The engagement undertaken on the project to prepare an Inverleigh Tree Succession Plan identified that the community are looking to see appropriate long-term tree management along the east and west entrances to Inverleigh. The Plan has been developed as the best approach for delivering this with professional recommendations from internal and external Arborists focussed on achieving positive outcomes and mitigating identified risks.

Considering these factors, Officers recommend that the Inverleigh Tree Succession Plan be endorsed for public exhibition and community feedback noting that further engagement to determine the tree species at the eastern entrance to Inverleigh will be undertaken prior to new plantings in the Autumn of 2023.

## **7.9 DON WALLACE RECREATION RESERVE MASTERPLAN**

### **File Number:**

**Author:** Brodie Marston, Acting Manager Recreation and Community Infrastructure

**Authoriser:** Ben Jordan, Manager Recreation & Community Infrastructure

**Attachments:** 1. Don Wallace Recreation Reserve Teesdale Masterplan 2022

### **RECOMMENDATION**

That Council adopt the updated Don Wallace Recreation Reserve Masterplan as attached.

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### **EXECUTIVE SUMMARY**

Council has engaged True Resource Group to consult with community stakeholders on current facility provisions at the Don Wallace Recreation Reserve, identify the demand for possible future facility improvements and explore future participation opportunities through the development of an updated Masterplan (Attachment 1) for the reserve in Teesdale.

An extensive community engagement process to develop this Masterplan update was undertaken, with the engagement process demonstrating strong community interest in this reserve, and the current and future opportunities for participation and facility activation. The Don Wallace Recreation Reserve Committee of Management took part in face to face and telephone sessions, with further one to one discussions occurring with key user groups, the local primary school, and several Council Officers.

This process has been supported by a detailed research piece and evidence base, and will inform strategic planning, investment and priorities for future infrastructure and programming opportunities for the period 2022-2032. The Masterplan provides clear and prioritised recommendations and is supported by evidence of community need, benefit and sustainability, and will assist in the scoping of potential funding/grant opportunities which aim to deliver facility improvements and increase participation.

### **BACKGROUND**

For Council to plan the development and enhancement of sport and active recreation facilities and programs across the Shire, site-specific recreation masterplans are required. Master planning assists with the prioritisation of projects, decisions about investment and supports advocacy and opportunities to seek external funding. Masterplans provide a strong evidence base as they require extensive consultation and site-specific planning.

Golden Plains Shire's 'Sport and Active Recreation Strategy 2020-2030' identifies the need for site masterplans which align with the strategic planning principles of the Strategy and have been developed in partnership with key stakeholders and tested with community.

The Sport & Active Recreation Strategy 2020-2030 states that each of Council's master plans for recreation reserves should be reviewed to identify which actions have been achieved, which actions are in progress, which actions are no longer relevant and which actions are yet to be achieved (and the reason why). Once this list has been compiled, each project should be assessed against the agreed planning principles and other Council priorities.

To ensure that best possible chance of securing external funding for prioritised capital works projects, projects should be shelf-ready and have considered feasibility and financial sustainability/viability prior to development.

Council committed funds in the 2020/21 Budget to develop this site Masterplan in order to:

- Assess the demand for sporting and recreation facilities relating to the site
- Review the condition and provision of the sport and recreation facilities at the reserve

- Identify capital and strategic development opportunities at the reserve for future developments and activation including costings and funding responsibilities
- Produce a concept plan detailing the recommended location of potential developments.

In line with Council's procurement processes, quotes were requested and True Resource Group were appointed to undertake the Don Wallace Recreation Reserve Masterplan process.

## **DISCUSSION**

### **Current Status**

The Don Wallace Recreation Reserve is located at 1164 Shelford Bannockburn Road in Teesdale, Victoria. It is one of seven significant open space parcels in and around the main township and it, along with the Leighdale Equestrian Centre, are considered the only active recreation reserves in the area.

The reserve is a Crown owned facility with management responsibilities delegated to Council, and then by agreement to the Don Wallace Recreation Reserve Committee of Management, which has driven sport participation and the development/activation of the reserve.

The reserve is home to a range of community groups and clubs, including Teesdale Cricket Club, Teesdale Junior Football Club and Teesdale Tennis Club, all of which collectively represent the Teesdale Recreation Reserve Committee of Management. The Teesdale Primary School is a regular user of the site for school sports and events.

### **Masterplan Process**

The methodology to undertake the Masterplan project with community stakeholders involved several elements under the following five stages:

Stage 1 – Project Inception + Site Visits

Stage 2 – Background Review, Research + Renew

Stage 3 – Stakeholder Consultation (Internal + External)

Stage 4 – Draft Master Plan + Concept Design

Stage 5 – Final Master Plan + Concept Design

### **Findings/Recommendations**

Based on feedback from stakeholders, sport and participation trends and continued projected population growth (within Golden Plains and surrounding LGAs), it is likely that there will be increasing interest and demand for activities facilitated at Don Wallace Recreation Reserve.

Further improvement/development of facilities at the reserve would enable greater accessibility and utilisation to meet increasing demand, address safety concerns and provide enhanced opportunities and experiences for participants and spectators.

Based on the stakeholder/community consultation, industry trends and best practice, a full list of recommendations for the reserve is provided in the Masterplan. Some of the high priority actions within the recommendations identified a focus on participation, safety and increased usability, including:

- Improving directional signage, traffic movement, parking and landscaping.
- Upgrading changeroom facilities to meet minimum sport requirements.
- Redeveloping the oval, cricket nets and hardcourt surfaces.
- Removing the existing public toilet block and integrating toilets within the proposed changeroom development.
- Upgrading the play space.

Given the nature, extent and cost associated with several of the Masterplan improvement recommendations, it is highly likely that the Don Wallace Recreation Reserve Committee of

Management, user clubs and Council will need to plan for and explore external funding opportunities to progress these projects, which may also need to be delivered in a staged approach.

Detailed designs and costings would need to be prepared, including escalations and contingencies, when planning is being undertaken for each specific item of infrastructure, before being brought to Council for further discussion prior to delivery.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

The overarching governance principles in s.9 of the *Local Government Act 2020* provide for giving priority to achieving the best outcomes for the municipal community and that innovation and continuous improvement is to be pursued.

The development of the Masterplan seeks to clarify and prioritise opportunities for improved community infrastructure to create social, recreational and learning outcomes that align with community expectations. This is consistent with the Council Plan 2021-2025 and the principles outlined in Council's Sport and Active Recreation Strategy 2020-2030.

## COMMUNITY ENGAGEMENT

The community engagement principles under s.56 of the *Local Government Act 2020* have been considered through engagement undertaken to develop the Don Wallace Recreation Reserve Masterplan.

This has included discussions with State Sporting Associations and extensive consultation and engagement at various stages with internal Council departments and representatives from the Don Wallace Recreation Reserve Committee of Management and tenant clubs.

## **PUBLIC TRANSPARENCY**

One of the overarching governance principles in s.9 of the *Local Government Act 2020* is to ensure the transparency of decision making, actions and information. By seeking Council endorsement of the final Masterplan, Council is adhering to the public transparency principles in s.58 of the Act.

## **STRATEGIES/PLANS**

One of the overarching governance principles in s.9 of the *Local Government Act 2020* is that the municipal community is to be engaged in strategic planning and strategic decision making. This is further defined by the Strategic Planning principles under s.89 of the LGA 2020.

The preparation of the Don Wallace Recreation Reserve Masterplan has been undertaken to engage on future opportunities for this facility and aligns with the objectives and principles of the Golden Plains Shire Community Vision 2040, Council Plan 2021-2025 and Sport and Active Recreation Strategy 2020-2030.

## **FINANCIAL MANAGEMENT**

Consideration has been given to the financial management principles under s.101 of the *Local Government Act 2020*. True Resource Group was engaged by Council to undertake this process utilising a 2021/22 operational budget allocation for Masterplan preparation.

The report and attached Masterplan do not commit Council to further financial contributions or budget implications at this time and any future investment or funding applications for facility improvements would be subject to subsequent budget deliberations and decisions.

## **RISK ASSESSMENT**

The Don Wallace Recreation Reserve Masterplan seeks to mitigate the risks of insufficient planning and engagement with community and enable future facility development to be informed by strong evidence and priorities.

Implementation of any future infrastructure improvements arising from the Masterplan would be subject to further risk assessment processes.

## **COMMUNICATION**

Communication about Council's preparation of the masterplan has been provided directly to internal and external stakeholders and partners. Following Council endorsement, online and media communications will be provided to the broader community on the final Masterplan.

## **HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## **GENDER EQUALITY**

The process of undertaking a master planning process for Don Wallace Recreation Reserve and the presentation of the Masterplan have been considered (in accordance with s.9 of Gender Equality Act 2020) and have identified no identified gender inequality implications.

It is noted in the Masterplan that the implementation of the recommendations and individual elements will require Gender Impact Assessments (GIA) to be undertaken.

## **OPTIONS**

Option 1 – That Council adopt the Don Wallace Recreation Reserve Masterplan

This option is recommended by officers as a comprehensive process has been undertaken, including community engagement, to provide a strategic Masterplan outlining facility enhancements and opportunities to increase participation at the reserve over the next ten years.

Option 2 – That Council does not adopt the Don Wallace Recreation Reserve Masterplan

This option is not recommended by officers as the Masterplan has been informed by a comprehensive process, including community engagement and identifies strategic opportunities to improve the reserve over the next ten years. It should be noted, that endorsing the Masterplan at this time does not commit Council to any individual decisions in relation to funding or implementation of projects.

Option 3 – That Council delay adoption of the Don Wallace Recreation Reserve Masterplan

This option is not recommended by officers as extensive community engagement has been undertaken and the final stage of the process is Council endorsing the Masterplan.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

Following detailed research, a review of existing facilities and analysis of engagement activities, a Masterplan has been developed for the Don Wallace Recreation Reserve in Teesdale. It is recommended Council adopt the Masterplan which provides strategic direction for the development and management of the Don Wallace Recreation Reserve for the next 10 years from 2022 to 2032.

This Masterplan will assist the Don Wallace Recreation Reserve Committee of Management and Council to prioritise capital project upgrades, explore new opportunities to activate the reserve and increase physical activity and sport participation. Council support will be requested and discussed in future reports where specific opportunities are identified that require Council and/or external funding commitments to support infrastructure developments.

## **7.10 ECONOMIC DEVELOPMENT, TOURISM & INVESTMENT ATTRACTION STRATEGY 2022 - 2032**

### **File Number:**

**Author:** Peter Ridsdale, Coordinator Economic Development

**Authoriser:** Eric Braslis, CEO

**Attachments:** 1. **Economic Development, Tourism & Investment Attraction Strategy 2022 - 2032**

### **RECOMMENDATION**

That Council adopt the Economic Development, Tourism & Investment Attraction Strategy 2022 – 2032 as attached.

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### **EXECUTIVE SUMMARY**

The Economic Development, Tourism & Investment Attraction Strategy 2022-2032 will give Council a direction to guide the future prosperity of Golden Plains Shire over the next 10 years. The role of economic development in Golden Plains Shire is to support our business communities, agricultural sector and tourism sectors while having regard for social, environmental and economic outcomes. Following public exhibition of the document, it is now recommended that Council adopt the Economic Development, Tourism & Investment Attraction Strategy 2022 – 2032 as attached.

### **BACKGROUND**

The development of the strategy commenced with the appointment of SGS Economics & Planning in July 2021 noting the progress of the development of the strategy has been impacted by restrictions limiting access to a number of the community engagement activities and availability of consulting staff.

It is noted that while this strategy is developed for the next 10 years, the action plan that forms part of this strategy will focus on the first 4 years of the 10-year period with the balance of the period considering the aspirational concepts across the main pillars of economic development, tourism and investment attraction. It is anticipated there will be a review of the strategy around the four-year mark to deliver revised and more specific actions that will be relevant at the time.

The strategy has been developed with inputs from key stakeholders, a Councillor workshop, workshops with community groups, community survey conducted May/June 2022 and was on public exhibition from the 25 August until the 22 September 2022.

### **DISCUSSION**

The Economic Development, Tourism & Investment Attraction Strategy 2022-2032 commenced with an inception workshop between the consultants and Council Officers from various departments who provided insights to current projects and initiatives that influenced the economic profile of Golden Plains Shire.

In November 2022 a workshop was conducted with Councillors and SMT to overview the strategy development process, obtain Councillors understanding of the current economic performance of Golden Plains Shire and to gain an insight to their ambitions and objectives for economic development in the future. In December 2022 the Background Working Report draft was presented to Council officers for review. This report provides the foundations to informing the Action Plan component of the Strategy. In April 2022, consultants and Council officers met with a number of community members from various areas of Golden Plains Shire to explore the economic development themes specific to townships and settlements. This facilitated workshop was aimed at briefing the consultants on the community preferences or opposition to economic growth in their communities assisting in complimenting a Shire wide strategy with targeted variations to suit individual communities.

A Shire wide community survey was conducted during May/June 2022 providing the opportunity for all community members, business owners to have input to the process undertaken to arrive at this draft stage. A total of 19 submissions were received.

At the August 2022 Council Meeting, Councillors endorsed the draft strategy for public exhibition. The draft strategy was on public exhibition from the 25 August 2022 until 22 September 2022. Two submissions were received from residents during this period:

- One requesting Council support the provision of native trees to private landowners as undertaken by Yarra Ranges Shire Council;
- The second requesting more bike paths and footpaths linking town in the region and providing improved access to wineries.

Both submissions have been referred to the relevant departments of Council that lead these initiatives with the Economic Development Unit providing input as required.

It is noted that the strategy is delivered through over 60 individual defined actions to drive growth and prosperity in our business communities, tourism sector and investment attraction initiatives. In addition, there is an overarching consideration of our community groups and direct contribution through the implementation of this strategy to enhancing the liveability in Golden Plains Shire.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	No
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	Yes

## **COMMUNITY ENGAGEMENT**

The Strategy was developed in consultation with several key stakeholders from various industry sectors and organisations across Golden Plains Shire, a workshop with Councillors and SMT, a workshop with community leaders from various areas of the Shire, a community survey conducted in May/June 2022 and public exhibition.

## **STRATEGIES/PLANS**

This strategy is developed for the next 10 years, the action plan that forms part of this strategy will focus on the first 4 years of the 10-year period with the balance of the period considering the aspirational concepts across the main pillars of economic development, tourism and investment attraction. It is anticipated there will be a review of the strategy around the four-year mark to deliver revised and more specific actions that will be relevant at the time.

## **RISK ASSESSMENT**

There are no identified risk implications associated with this report.

## **COMMUNICATION**

Confirmation of the endorsement of the final Strategy will be widely promoted via Council's usual communication channels.

## **HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## **GENDER EQUALITY**

This report has considered the gender equity principles as set out in the Gender Equality Act 2020. No Gender Equity issues were identified.

## **OPTIONS**

Option 1 – That Council endorses the Economic Development, Tourism & Investment Attraction Strategy 2022-2032 as attached.

Recommended

Option 2 – That Council does not endorse the Economic Development, Tourism & Investment Attraction Strategy 2022-2032 as attached.

Not Recommended

## **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

## **CONCLUSION**

The Economic Development, Tourism & Investment Attraction Strategy 2022-2032 provides a framework and a defined action plan to guide the implementation of the 10-year strategy. The Plan will guide Council's efforts to help build a local economy that enhances local economic prosperity, reduce disadvantage and promotes community wellbeing.

**7.11 SURPLUS COUNCIL LAND IN BATESFORD****File Number:****Author:** Sophie Brown, Governance and Legal Services Specialist**Authoriser:** Fiona Rae, Acting Director Corporate Services**Attachments:** 1. Map of Surplus Land - Batesford**RECOMMENDATION**

That Council:

1. Deems the land described as “Surplus Area” in the attachment to this report as surplus to Council’s needs.
  2. Obtain a planning permit to remove the reserved status on the block.
  3. If successful in removing the reserved status of the block, in accordance with the requirements of section 114(2) of the Local Government Act 2020, publish notice of intention to sell the block at least 4 weeks prior to sale, and undertake a community engagement process in accordance with the community engagement policy.
  4. In accordance with the requirements of section 114(2) of the Local Government Act 2020, obtain a valuation of the land not more than 6 months prior to sale or exchange.
  5. Consider submissions and hear any submitters wishing to be heard at a future meeting of Council, prior to making a decision on the sale.
- 

**EXECUTIVE SUMMARY**

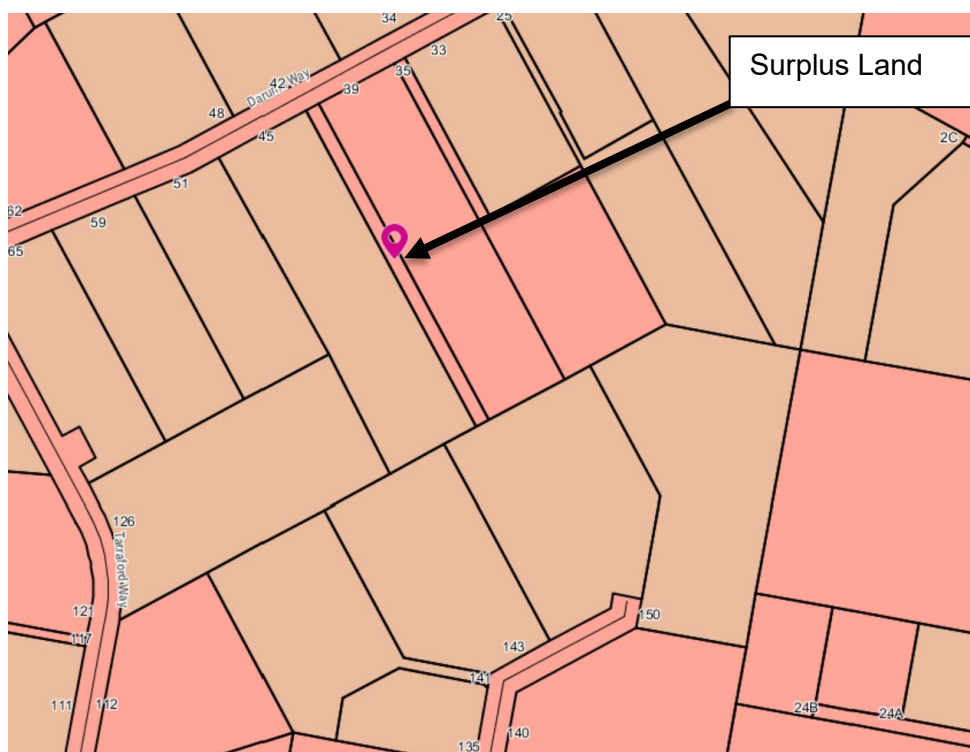
Council owns a narrow strip of land in the Dog Rocks North Estate in Batesford which is unutilised for any Council or public purpose. The land appears best suited for sale. In order to commence the statutory process to sell, a planning permit needs to be obtained to remove the reserved status of the block, and Council is required to comply with section 114 of the Local Government Act 2020 which sets out the legislative process for the sale of Council land.

This matter was deferred from the Council meeting of 27 September 2022.

**BACKGROUND**

Council owns a 2496m<sup>2</sup> narrow strip of vacant land in Batesford, situated between 39 and 45 Daruma Way, which is not in use for any Council or public purpose. Adjoining the land are private residential blocks. The land is 10 metres in width and 249.6 metres in length. It is not an appropriate site for subdivision.

The development plan for the Dog Rocks North Estate endorsed in 2005, shows this strip of land classified as a walkway reserve, but has since ended up leading only to a private property. See below image.



The land is zoned Low Density Residential, and its zoning was never altered to the Public Park and Recreation Zone.

At face value it appears the land has the potential for sale.

## DISCUSSION

It is proposed to declare the land described as “Surplus Area” in the attachment to this report and commence the process to sell the land.

A planning permit will need to be obtained to remove the reserved status on the block. The requirement for obtaining a permit is under Clause 52.02, Easements, Restrictions and Reserves and the relevant Section of the Subdivision Act 1988 is section 24A.

Before selling the land, the Council must, in accordance with Section 114(2) of the Local Government Act:

- At least 4 weeks prior to selling or exchanging the land, publish notice of intention to do so;
- Undertake a community engagement process in accordance with Council's Community Engagement Policy; and
- Not more than 6 months prior to sale, obtain a valuation of the land.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b>	No

(Consideration of the Governance Principles under s.9 of LGA 2020)	
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	No
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

The recommendations of this report are proposed with a view to achieving the best outcome for the municipality.

The land is not currently generating benefits for the community; however the eventual sale of the land could generate revenue that is then put towards generating community benefits.

## POLICY/RELEVANT LAW

- The Subdivision Act 1988
- The Local Government Act 2020.

## COMMUNITY ENGAGEMENT

In accordance with section 114 of the Local Government Act 2020, before selling or exchanging land, Council must publish a notice of intention to do so 4 weeks prior on Council's website, and in any other manner prescribed by the regulations; and undertake a community engagement process in accordance with Council's Community Engagement Policy.

## PUBLIC TRANSPARENCY

In accordance with section 58 of the *Local Government Act 2020*, this report will be made publicly available as part of the Council Meeting Agenda.

## RISK ASSESSMENT

There are no identified risk implications associated with this report.

## COMMUNICATION

The proposal will be communicated in line with Council's Community Engagement Policy.

## HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

**OPTIONS**

Option 1 – Declare the land as surplus, obtain a planning permit to remove the reserved status on the block, and commence the statutory process to sell

This option is recommended by officers as the land is not in use for any Council or public purpose, would not add value as open space or be an appropriate site for subdivision.

Option 2 – Do not declare the land as surplus

This option is not recommended by Council officers as the land is currently not benefiting the community or Council.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

There is a 2496m<sup>2</sup> narrow strip of Council land within Batesford which provides no current benefit to the community, would not add value as open space, nor would it be a suitable site for subdivision.

The land is zoned Low Density Residential, and its zoning was never altered to the Public Park and Recreation Zone. It is proposed to declare the land described as “Surplus Area” in the attachment to this report and commence a process to sell the land.

## 7.12 FLAG POLICY REVIEW

**File Number:****Author:** Steven Sagona, Director Community, Planning & Growth**Authoriser:** Steven Sagona, Director Community, Planning & Growth**Attachments:** 1. Draft Flag Policy**RECOMMENDATION**

That Council adopt the Flag Policy as attached.

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**EXECUTIVE SUMMARY**

Council's Flag Policy is due for review pursuant to section 5.2 of the Policy and Procedures Framework. Some minor, policy neutral updates were proposed to the Flag Policy at the July 2022 Council meeting, with Council resolving to defer consideration pending a more extensive review of the policy. This has now been undertaken and a new Flag Policy is now proposed for Council's consideration. The draft Flag Policy (attached) is wider in scope than the existing policy, setting out guidelines and procedures in relation to the display of flags during official council occasions, outside Council's customer hubs, at other council-managed sites, and at council-owned sites managed by other entities.

**BACKGROUND**

Council adopted its current Flag Policy on 23 March 2021 to guide decisions around the flying of the Australian flag, and to ensure the flying of the Australian Aboriginal and the Aboriginal and Torres Strait Islander flags alongside the Australian flag as a sign of Council's commitment to reconciliation.

The policy had a 12 month review date and thus was presented to Council earlier this year with minor, policy neutral updates and a proposed further, more comprehensive review by December 2023. Council resolved, however, to defer consideration of the proposed policy update pending a more comprehensive review this calendar year.

**DISCUSSION**

The review of the Flag Policy has included review of other councils' policies, consultation with the Department of Prime Minister and Cabinet, discussion at the September Councillor Briefing including presentation of potential policy inclusions, and consultation with relevant staff. The result is that a *new* policy, rather than an update of the existing policy, is now proposed. The proposed policy includes:

1. Ensuring that the Australian, Australian Aboriginal and Aboriginal and Torres Strait Islander flags are on display during official Council occasions including Council Meetings, Citizenship Ceremonies, Community Award Ceremonies and other relevant civic occasions regardless of where they occur, including outdoors.
2. Ensuring that the Australian, Australian Aboriginal, Aboriginal and Torres Strait Islander flags are flown outside Council's Bannockburn and Smythesdale Customer Hubs, and that a fourth flagpole is provided at each location for the flying of a Community Flag.
3. Requiring that appropriate versions / representations of the Australian, Australian Aboriginal and Aboriginal and Torres Strait Islander flags are on display at Council operated early years facilities and community centres.
4. Enabling the Chief Executive Officer to delegate the management of flagpoles at other Council owned facilities to groups that manage or have a direct connection with the site at which the flagpole/s are located. This could include delegation to local RSL clubs or facility tenants.

In relation to point 2 above, the draft Flag Policy provides clear guidelines to ensure the appropriate flying of Community Flags. Specifically, the draft policy proposes that:

- *The Chief Executive Officer shall have discretion to fly a Community Flag, and to consider community requests for flying of a Community Flag, subject to the following:*
  - a) *The flying of any Community Flag must:*
    - *Promote respect for all; raise awareness; symbolise identity, pride and belonging; and/or be part of a locally based or nationally recognised event or commemorative day/week.*
    - *Be consistent with Council's values and policies.*
    - *Not be connected to individual advancement, a political party, political or cultural sensitivities, or criticism of Council or the community.*
  - b) *A Community Flag may be flown for a minimum of one and a maximum of seven days.*
  - c) *Groups applying to have a Community Flag flown will be required to provide the relevant flag.*
  - d) *A Golden Plains Shire flag may be flown when a Community Flagpole is otherwise not in use.*

The Community Flagpole is an instrument that can promote and celebrate inclusion, diversity, identity, pride and solidarity, and that can raise community awareness of important events, celebrations and commemorations. This could include flying the New Zealand Flag or RSL Flag on Anzac Day; Remembrance Day Flag on 11 November; Pride (rainbow) Flag on IDAHOBIT Day; and the Harmony (orange) Flag during Harmony Week.

It is noted that taking opportunities to fly the rainbow or trans flags is a prerequisite for achievement of 'Rainbow Readiness' status under Victorian Government's Rainbow Roadmap program.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No

<b>Risk Assessment</b>	No
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## **POLICY/RELEVANT LAW**

In flying, displaying or using the Australian Flag, Council must adhere to the Australian Government Australian National Flag protocols. These protocols relate to requirements to treat the Australian Flag with respect and dignity, the flying and handling of the flag and its disposal.

## **PUBLIC TRANSPARENCY**

The Flag Policy will be publicly accessible and provide transparency in relation to the flying or displaying of the Australian and other flags during official Council occasions and at Council owned sites.

## **COMMUNICATION**

Adoption of the new Flag Policy will be communicated to the community via Council's regular communications channels including via media release and social media.

## **OPTIONS**

Option 1 – Adopt the draft Flag Policy (attached).

This is the recommended option following the recent review and redraft of the Flag Policy.

Option 2 – Do not adopt the draft Flag Policy.

This option is not recommended as the draft Flag Policy is considered appropriate.

Option 3 – Make other changes to the Flag Policy.

This option is not recommended as the draft Flag Policy is considered appropriate.

## **CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

## **CONCLUSION**

Following review of the current Flag Policy, a new Flag Policy is now proposed to assist Council in appropriately respecting the national flag, acknowledging First Nations peoples, and celebrating and commemorating social inclusion and community issues via the appropriate flying of community flags.

**7.13 AUDIT & RISK COMMITTEE REPORT - 20 OCTOBER 2022****File Number:****Author:** Sophie Brown, Governance and Legal Services Specialist**Authoriser:** Fiona Rae, Acting Director Corporate Services**Attachments:** 1. **Unconfirmed Audit & Risk Committee Meeting Minutes - 20 October 2022****RECOMMENDATION**

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 20 October 2022.

**EXECUTIVE SUMMARY**

This report is being submitted to Council to provide a summary of business considered at the 20 October 2022 meeting of the Audit & Risk Committee.

**BACKGROUND**

The Audit & Risk Committee (the Committee) is an independent advisory committee to Council. The primary objective of the Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

**REPORTING AND COMPLIANCE STATEMENTS**

*Local Government Act 2020 (LGA 2020)*

<b>Implications</b>	<b>Applicable to this Report</b>
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	No
<b>Communication</b>	No
<b>Human Rights Charter</b>	No
<b>Gender Equality</b>	No

(Gender Impact Assessment required by S.9 of Gender Equality Act 2020)	
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**POLICY/RELEVANT LAW**

To remain compliant with Section 53 of *Local Government Act 2020*, the Audit and Risk Committee has been established to assist Council in fulfilling its responsibilities relating to risk management, financial management and control and reporting.

**RISK ASSESSMENT**

There are no identified risk implications associated with this report.

**HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic).

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regard to this matter.

**CONCLUSION**

The next meeting of the Audit & Risk Committee is scheduled for 8 November 2022.

**7.14 AUDIT AND RISK COMMITTEE - ANNUAL PERFORMANCE REVIEW****File Number:****Author:** Rosie Wright, Coordinator Governance and Risk**Authoriser:** Fiona Rae, Acting Director Corporate Services**Attachments:** 1. Audit and Risk Committee Self Assessment Results 2021/22**RECOMMENDATION**

That Council notes:

1. The Audit and Risk Committee's self-assessment report for the 2021/22 year.
2. The areas that have improved from last year and opportunities for continual improvement.

**EXECUTIVE SUMMARY**

Under section 13 of Golden Plains Shire Council's adopted Audit and Risk Committee Charter and in accordance with the Local Government Act, the Committee is required to complete an annual assessment of its performance, which is to be tabled at the next Council meeting. Following the completion of the self-assessment at the October Audit and Risk Committee meeting, this report presents the outcomes for 2021/22.

The results from the 2021/22 self-assessment indicates that the committee members are satisfied with the performance of the Committee throughout 2021/22. The average result for all eight areas was rated at 97.1% 'adequate' or above.

**BACKGROUND**

The Local Government Act requires that an Audit and Risk committee undertake an annual assessment of its performance against the Audit and Risk Committee Charter and provide a copy of the assessment to the Chief Executive Officer for tabling at the next Council meeting. This requirement is echoed in section 13 of the Audit and Risk Committee Charter.

The self-assessment tool was distributed to the five committee members in September 2022 and results presented to the October Audit and Risk Committee meeting.

**DISCUSSION**

Overall each of the eight areas evaluated were assessed as follows:

Area of Responsibility	Less than Adequate %		Adequate %		More than Adequate %	
	2020/21	2021/22	2020/21	2021/22	2020/21	2021/22
Audit Committee Charter	0	-	30	-	70	100
Skills and Experience	3	-	23	37	74	63
Understanding the business	0	4	40	40	60	56
Meeting Administration & Conduct	0	-	20	10	80	90
Communications with Council	0	-	30	30	70	70
Management Commitment & Support	0	-	28	48	72	52
Internal Audit	0	3	40	30	60	63
External Audit	0	7	47	7	53	80
<b>Total</b>	0.5	2%	32	28%	68	69%

Overall the average result for all areas was rated as 'adequate' or 'more than adequate'. It is noted that the majority of areas have improved or remained constant. The full list of results is presented in Attachment 1.

Management have noted less favourable responses and will review actions to be taken to improve these areas.

Supporting commentary provided by the Audit and Risk Committee members is detailed below and highlights specific areas for continued improvement and areas that have improved.

### Comments

*Risk Management continues to evolve, and the significant work undertaken is acknowledge by the Committee. Strong Governance has been established and needs to be maintained.*

*The Committee needs to ensure continued improvement ensuring that the A&R Committee readily adapts to an ever changing governance environment.*

*A professional, considerate and well-run committee.*

### Improvement Areas

*Risk management appetite, profile and hence framework needs to be dynamic and reflect the changing environment in which the organisation operates in.*

*Like most councils, the risk management process is always in a state of evolution – these are very challenging and resource intensive and no one seems to be able to get totally on top of them as other strategic and operational obligations are dealt with.*

It is noted that a consultant has been engaged and a significant project is currently underway in relation to implementing and operationalising the Risk Management Framework, with further detail provided in the Risk Management and Insurance Quarter 3 Update.

*I cannot recall providing feedback on external audit's performance, other than general comments when reports received. A more formal approach is suggested.*

*The Committee questioned and discussed the internal audit resources, further follow up is required given the Governance load on the Council.*

Management note this comment and will review opportunities for the Committee to provide feedback on external audit performance and internal audit resources.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b>	No

(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
<b>Risk Assessment</b>	No
<b>Communication</b>	No
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

## GOVERNANCE PRINCIPLES

Undertaking the annual performance assessment of the Audit and Risk Committee members meets the overarching governance principles in s9 of the Local Government Act by providing the opportunity to reflect on what is working well and where we can continuously improve, ensuring that the Committee is focussed on the financial viability by monitoring that all the appropriate controls are in place to mitigate financial risks.

## POLICY/RELEVANT LAW

Local Government Act 2020

Audit and Risk Committee Charter

## PUBLIC TRANSPARENCY

To ensure public transparency, the results from the annual performance assessment are required to be tabled at the next Council meeting by the Council's Chief Executive Officer.

## FINANCIAL MANAGEMENT

The performance of the Audit and Risk Committee provides assurance that they are undertaking their responsibilities as outlined in the Audit and Risk Committee charter being that:

- *The purpose of the Audit and Risk Committee is to provide a structured, systematic oversight of Council's governance, risk management and internal control practices. The Committee assists the Council and management by providing advice and guidance on the adequacy of initiatives for:*
  - *Values and ethics*
  - *Governance structure*
  - *Risk management*
  - *Internal control framework*
  - *Oversight of the internal audit activity, external auditors and other providers of assurance*
  - *Financial statements, performance and public accountability reporting.*

## SERVICE PERFORMANCE

The Audit and Risk Committee ensure that the correct controls are in place to mitigate risk to service provision and also ensuring that Council provides a safe workplace for staff.

## RISK ASSESSMENT

There are no identified risk implications associated with this report.

**COMMUNICATION**

The results from the annual performance assessment are tabled at an Audit and Risk Committee meeting and at the following Council meeting.

**HUMAN RIGHTS CHARTER**

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

**OPTIONS****Option 1 – That Council note the results of the annual performance assessment**

This option is recommended by officers as the performance of the Audit and Risk Committee assists in continuous improvement and ensures the Committee is meeting all its responsibilities as outlined within the Charter.

**Option 2 – Rejects the results of the annual performance assessment**

This option is not recommended by officers as the opportunities for improvement and areas for focus will not be actioned.

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest with regard to this matter.

**CONCLUSION**

The annual performance assessment provides an opportunity for the Audit and Risk Committee to reflect on what is working well and areas for improvement for the next 12 months. This report is now tabled to Council in accordance with the Local Government Act and Audit and Risk Committee Charter.

**7.15 REVIEW INSTRUMENT OF DELEGATION TO MEMBERS OF COUNCIL STAFF****File Number:****Author:** Sophie Brown, Governance and Legal Services Specialist**Authoriser:** Fiona Rae, Acting Director Corporate Services**Attachments:** 1. Instrument of Delegation - Council to Members of Council Staff**RECOMMENDATION**

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Golden Plains Shire Council resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation – Council to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately once the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous versions of the same are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

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**EXECUTIVE SUMMARY**

The legislation referred to in the attached *Instrument of Delegation – Council to Members of Council Staff* (Attachment 1) enables Council to delegate functions, duties and powers, other than specific exemptions, to Council staff.

One updated instrument of delegation is presented for Council's adoption:

- *Instrument of Delegation – Council to Members of Staff* (Attachment 1)

**BACKGROUND**

Council can act in only one of two ways:

1. A decision by resolution of Council, and
2. Instrument of delegation to others to act on Council's behalf.

Delegation by Council of powers is formalised via written instruments of delegation. Delegation of powers is considered essential to enable day-to-day decisions to be made.

There are several reasons why delegations should be reviewed regularly, including:

- identifying decision-makers to ensure accountability and responsibility for decisions;
- ensuring Council set conditions, limitations and guidelines for decision-makers, including reporting requirements;
- Council decisions are often subject to legal scrutiny in courts and tribunals. This calls for precision about what decision was made, who made it and when it was made.

Delegations must be performed and executed in accordance with any guidelines or policies of Council and position roles and responsibilities. Members of Council staff who have delegated powers are provided with the necessary training and supporting materials to assist them in understanding their roles as a delegated officer.

Council last reviewed and adopted Instrument of Delegation to Members of Council Staff at 28<sup>th</sup> June 2022 Council meeting.

## DISCUSSION

Council subscribes to the Maddocks Lawyers Delegations and Authorisations Service. This service not only assists Council in managing its delegations and authorisations, but also assists members of staff to understand the scope of their powers and avoid any risk of acting outside their delegated authority. This service includes provision of instruments of delegation templates based on the best practice model along with regular updates taking into account any legislative changes to the various acts and regulations included in the delegations.

A review of the instruments of delegation from Council to members of Council staff has been undertaken.

### **Summary of Changes – S6 Instrument of Delegation from Council to members of Council staff:**

- Changes required under the instrument template issued by Maddocks Lawyers (July 2022);
- An internal review to ensure alignment with overall organisational requirements, structure and position responsibilities. Due to recent organisational restructures, these changes were significant; and
- Minor cosmetic changes.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	No
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	Yes
<b>Gender Equality</b>	No

(Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	
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## GOVERNANCE PRINCIPLES

The overarching Governance Principles have been taken into consideration when completing the update of the Delegations attached to this report.

## POLICY/RELEVANT LAW

*Local Government Act 2020*; and

The legislation referred to in the attached Instrument of Delegation.

## PUBLIC TRANSPARENCY

Council will make available for public inspection a register of delegations, including the dates on which the last reviews took place.

## FINANCIAL MANAGEMENT

The delegations presented to Council, ensure only limited staff are delegated to make financial decisions, therefore ensure Council has provisions in place to mitigate risks of financial mismanagement, and risks associated with fraud.

## RISK ASSESSMENT

There are identified risk implications associated with this report, detailed below:

- Delegates are required to ensure Legislative Compliance; and
- Delegations mitigate risks associated with Fraud and Corruption.

## COMMUNICATION

Council will make available for public inspection a register of delegations, including the dates on which the last reviews took place.

Relevant officers have been consulted in updating the instrument of delegation and changes to the delegations will be communicated internally.

## HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## OPTIONS

### Option 1 – That Council adopt the amended Instrument of Delegation

This option is recommended by officers as this will ensure compliance with legislation and provide a clear framework to ensure the members of Council staff are aware of and acting within their designated levels of authority.

### Option 2 – That Council defer the report.

This option is not recommended by officers as it will risk non-compliance with legislation and hinder Council staff who require delegations when acting within their position, and delay items for the community.

## CONFLICT OF INTEREST

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

After a thorough review of Council's Instruments of Delegation to Members of Council Staff, it is now appropriate for Council to adopt the amended Instrument of Delegation. By carrying out a review of the instruments of delegation, Council will ensure compliance with legislation and provide a clear framework to ensure the members of Council staff are aware of and acting within their designated levels of authority.

**7.16 MEREDITH MULTI PLAY SPACE - TENDER REPORT****File Number:****Author:** Nathan Roberts, Community Projects Capital Planner**Authoriser:** Phil Josipovic, Director Infrastructure and Environment**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Resolves to award Contract GPSC-RFT-23-2022-Meredith Multi Play Space project to Convic Pty Ltd for the sum of \$670,939.65 exclusive of GST, and for the initial term of eight [8] months.
  2. Delegates to the Chief Executive Officer or his delegate authority to execute the contract on behalf of Council.
- 

**EXECUTIVE SUMMARY**

Golden Plains Shire Council wishes to engage suitably qualified and experienced consultants/contractors to undertake the design and construction services of the Meredith Multi Play Space precinct, in accordance with the requirements in the tender specifications.

**BACKGROUND**

The Meredith Multi Play Space project will deliver an upgrade of safe and compliant active recreation and play facilities to the Meredith Recreation Reserve, with the aim to increase utilisation, encourage physical activity and social connection.

With the support of the Golden Plains Shire Council, local residents have driven the project with extensive advocacy to their local member and within the media, successfully obtaining a State Government budget commitment towards the project.

The broad objectives of the contract are to deliver:

- An upgrade of the existing skate park, including basketball area
- The development of new BMX track to cater for intermediate and advanced users
- Dry play space
- Pathways, seating, bins, drinking fountain, shelter and landscaping.

**DISCUSSION**

The tender was opened on 4 August 2022 and advertised in The Age, Geelong Times, Ballarat Times, Golden Plains Times and Council's eProcure portal. Tenders closed on 31 August and at closing two submissions were received.

The evaluation panel met on 12 September 2022 and reviewed the two (2) submissions received. Individual scores were provided to the Procurement department by all members of the Evaluation Panel prior to the Evaluation meeting, and a consensus score was reached. A further meeting took place on the 27 September 2022 to view information obtained through the Request For Information process, and based on this information and the consensus scores, Convic Pty Ltd is recommended as the preferred supplier based on capability, methodology, capacity, local content and price.

A detailed Confidential Tender Evaluation Report has been previously provided to Councillors.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
<b>Governance Principles</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Policy/Relevant Law</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
<b>Environmental/Sustainability Implications</b> (Consideration of the Governance Principles under s.9 of LGA 2020)	No
<b>Community Engagement</b> (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
<b>Public Transparency</b> (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
<b>Strategies and Plans</b> (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
<b>Financial Management</b> (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
<b>Service Performance</b> (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
<b>Risk Assessment</b>	Yes
<b>Communication</b>	Yes
<b>Human Rights Charter</b>	No
<b>Gender Equality</b> (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

### GOVERNANCE PRINCIPLES

The overarching Governance Principles of the Act are a key consideration in the tendering processes for delivery of community infrastructure projects including:

- Priority is to be given to achieving the best outcomes for the municipal community
- Ongoing financial viability is to be ensured.

### POLICY/RELEVANT LAW

Tender GPSC-RFT-23-2022-Meredith Multi Play Space complies with GPSC Procurement Policy and the *Local Government Act 2020*.

### PUBLIC TRANSPARENCY

Public notice was provided and included advertisements in the Geelong Times, Ballarat Times, Golden Plains Times, The Age and Council's eProcure portal. Decision outcomes will be advised on eProcure tender website and Council minutes.

## FINANCIAL MANAGEMENT

The project is co-funded by a Sport and Recreation Victoria grant and Golden Plains Shire Council. The total project budget (design and construction) is \$879,108.00 (ex GST) inclusive of a 7% construction contingency sum

- Sport and Recreation Victoria \$420,000.00
- Golden Plains Shire Council from following budget lines:
  - Meredith Multi Playspace \$320,000.00
  - Meredith Skate/BMX/Play Design \$ 88,550.00
  - Sports Oval Irrigation \$ 50,558.00

Total Council Contribution \$459,108.00

The 'whole of project' includes the tendered scope of works associated with this report and the following items:

- Removal of trees in readiness for build \$ 15,591.20
- Installation of new storage shed \$ 20,000.00
- Direct purchase of play equipment – install included \$ 80,870.00
- Relocation of Oval Irrigation Infrastructure \$ 47,035.00
- Tendered Price for works associated with this report \$ 670,939.65
- Construction contingency (approx. 7%) \$ 44,672.15

Therefore the 'whole of project' cost is estimated at \$879,108.00

## RISK ASSESSMENT

Risks were considered by the tender evaluation panel and requirements associated with this specific type of activity are actively monitored throughout the life of the contract. There are no identified risk implications associated with this report.

## COMMUNICATION

Council decisions on tender/s awarded are advised through Council Minutes and the electronic tender system and supplier notifications via procurement email.

## HUMAN RIGHTS CHARTER

It is considered that this report does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (VIC).

## OPTIONS

Option 1 – Approve Tender and Award GPSC-RFT-23-2022-Meredith Multi Play Space project.  
This option is recommended by Council officers following a comprehensive Tender evaluation and selection process which recommends GPSC-RFT-23-2022-Meredith Multi Play Space project – Design and Construct be awarded to *Convic Pty Ltd*.

Option 2 – Not award contract to any tenderer.

This option is not recommended as the works have been identified as high need and if a contract is not awarded, external funding may be compromised and result in reputational damage for Council .

**CONFLICT OF INTEREST**

No officer involved in preparing this report has any conflicts of interest in regards to this matter.

**CONCLUSION**

The Evaluation Panel has conducted a comprehensive and detailed assessment of the submissions which were received in response to Council's request for tender GPSC-RFT-23-2022-Meredith Multi Play Space project as outlined in this report to ensure compliance with:

1. The relevant provisions of the *Local Government Act 2020- (Vic)*; and
2. Council's Procurement Policy requirements.

In conclusion, Convic Pty Ltd met the Council's tender requirements and is considered best placed to provide the Meredith Multi Play Space project works for Council.

**8 NOTICES OF MOTION**

Nil

**9 PETITIONS**

Nil

## **10 CONFIDENTIAL REPORTS FOR DECISION**

### **RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66 of the Local Government Act 2020:

#### **10.1 Chief Executive Officer Performance Review**

This matter is considered to be confidential under Section 3(1) - f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

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