



AGENDA

Council Meeting

6.00pm Tuesday 26 September 2023

VENUE:
The Well
19 Heales Street, Smythesdale

NEXT COUNCIL MEETING
6.00pm Tuesday 24 October 2023

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at 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.

Members of the Gallery

Welcome to a Golden Plains Shire Council meeting and thank you for joining us.

MEETING PROCEDURES

The procedures for this Council meeting are provided in Council's Governance Rules. A copy of the Governance Rules can be found on Council's [website](#).

MEETING FACILITIES

Council meetings are generally held at:

- Golden Plains Shire Council Civic Centre (2 Pope Street, Bannockburn)
- Linton Shire Hall (68 Sussex Street, Linton)
- The Well, Smythesdale (19 Heales Street, Smythesdale)

EXPECTATIONS OF THE GALLERY

Council meetings are decision-making forums and it is important that they are open to the community to attend and view proceedings. Community members may participate in Council meetings in accordance with Chapter 2, Division 7 of the Governance Rules.

At each meeting, there is an opportunity for members of the public to ask questions of the Council. Questions must be submitted to Council no later than 10:00am on the day of the meeting in order to be asked at the meeting.

Members of the public present at Council meetings must remain silent during the proceedings except when specifically invited to address the meeting. Mobile devices are permitted for silent use but must not be used for recording, talking or any usage that generates noise, unless permission is granted by the Chairperson of the meeting.

The Chairperson of the meeting may remove a person from the meeting if the person continues to interject or gesticulate offensively after being asked to desist. The Chairperson may cause the removal of any object or material that is deemed by them to be objectionable or disrespectful.

The Chairperson may call a break in a meeting for either a short time or to resume another day if the behaviour at the Council table or in the gallery is significantly disrupting the meeting.

RECORDING OF MEETINGS

Council meetings are recorded and streamed live on the internet. Recordings are archived and available on Council's [Youtube page](#).

All care is taken to maintain your privacy however as a visitor in the public gallery, your presence may be recorded.

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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 Council confirms the minutes of the Council Meeting held on Tuesday 22 August 2023.

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 Meeting of Councillors Record - Strategic Briefing - 5 September 2023

RECOMMENDATION

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

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 Cunningham

- Mower Handover to Smythesdale Progress Association
- Dereel Community Plan Launch & Afternoon Tea
- G21 Strategy Day
- Golden Plains Youth Battle of the Bands
- Meeting with CEO and Catherine King MP, Member for Ballarat
- Golden Plains Farmers Market
- Meeting with CEO and Martha Haylett MP, Member for Ripon
- 2023 National Local Roads, Transport and Infrastructure Congress in Canberra
- Greater Ballarat Alliance of Councils Launch

- Maude Recreation Reserve Committee Annual General Meeting
- Grampians Regional Package Forum in Ballarat
- Visit by Minister for Early Year Childhood & Pre-Prep – Bannockburn and Haddon
- Meeting with CEO and Bev McArthur MP, Member for Western Victoria
- Meeting with Smythesdale CFA Management Team

Cr Gamble

- G21 Regional Plan Refresh / Strategy Day
- Golden Plains Youth Battle of the Bands
- Bruce's Creek Landcare AGM
- Golden Plains Farmers Market
- Edible Gardens Seminar
- Ballarat ABC Interview
- Safe Cycling Workshop by the Amy Gillet Foundation
- Amy's Gran Fondo: media interviews and with Surf Coast Shire Deputy Mayor
- Scouts Presentation Night: for Dereel, Lethbridge, Bannockburn and Lara Groups
- Ganash Festival, Ballarat Indian Community

Cr Getsom

- 2023 Timber Towns Victoria Annual General Meeting/Combined Forum in Portland
- The Linton & District Historical Society Inc Annual General Meeting

Cr Kirby

- Dereel Community Plan Launch & Afternoon Tea

Cr Rowe

- Nil

Cr Sharkey

- Nil

Cr Whitfield

- Nil

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 SMYTHESDALE GARDENS & BREWERY DAM RESERVE MASTER PLAN

File Number:

Author: Ben Jordan, Manager Recreation & Community Infrastructure

Authoriser: Phil Josipovic, Director Infrastructure and Environment

Attachments: 1. Smythesdale Gardens and Brewery Dam Reserve Master Plan
2. Communications and Engagement Report

RECOMMENDATION

That Council adopt the Smythesdale Gardens & Brewery Dam Reserve Master Plan (Attachment 1).

EXECUTIVE SUMMARY

Council has engaged the services of Insight Leisure Planning to prepare a Master Plan to guide future planning and development of Smythesdale Gardens & Brewery Dam Reserve.

Insight Leisure Planning has consulted with community stakeholders on current facility provisions, future facility improvements and recreation opportunities through the development of the Master Plan (Attachment 1) for Smythesdale Gardens & Brewery Dam Reserve.

An extensive community engagement process to develop the Master Plan was undertaken, with the Smythesdale Progress Association/Committee of Management (CoM) taking part in a site walk through and consultation session where they were given the opportunity to provide input in relation to site issues, constraints, ideas and suggestions for improvements. A workshop session was also facilitated with a selection of key Council Officers.

Council officers sought further community input via public exhibition of the Smythesdale Gardens and Brewery Dam Reserve Draft Master Plan which included an online survey from 26 July to 23 August 2023. Throughout this period, there were two submissions received as detailed in the Communications & Engagement Report (Attachment 2). The submissions were assessed with one minor addition made to the final Master Plan.

This process has been supported by a detailed research and evidence base, and will inform strategic planning, investment and priorities for future infrastructure and programming opportunities for the period 2023-2033. The Master Plan provides clear and prioritised recommendations to assist the Committee and Council to explore opportunities to source external grants and funding to support implementation.

BACKGROUND

For Council to plan the development and enhancement of recreation and open space reserves across the Shire, site-specific masterplans are required. Master planning assists with the prioritisation of projects, decisions about investment and supports advocacy and opportunities to seek external funding. Master plans 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 masterplans 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.

The Council Plan details Strategic Objectives and key actions for delivery during the Council term. Whilst development of master plans is not specifically referenced, the project aligns with key

themes aimed at improving community infrastructure provision, protection of natural, cultural and heritage environments as well as the provision of attractive, functional open spaces that support community health, wellbeing, and recreation.

Master planning ensures the best possible chance of advocacy and securing external funding by identifying prioritised capital works and projects that have considered feasibility and financial sustainability/viability prior to development (shelf-ready).

Council commissioned the development of a new master plan to guide the future planning and development of the Smythesdale Gardens & Brewery Dam Reserves. Key objectives of the master planning process were to:

- Improve and enhance the reserve landscape.
- Improve and enhance recreation opportunities for a range of reserve users.
- Undertake consultation with user groups and residents to establish current and future needs and issues.
- Document options for additional facilities or infrastructure that could help address community needs.
- Ensure each reserve is accessible and appealing to all members of the community.
- Resolve existing circulation and access issues.
- Develop a master plan that provides clear direction for the development of each reserve that is realistic and within resource constraints.

In line with Council's procurement processes, Insight Leisure Planning were appointed to undertake the Smythesdale Gardens & Brewery Dam Reserve Master Plan process.

DISCUSSION

Current Status

Smythesdale Gardens Reserve

Smythesdale Gardens is located at 33 Garden Street, Smythesdale. It is bounded by Garden Street to the south, Willis Street to the north and west, and the Ballarat-Skipton Rail Trail to the southeast. The 3.0-hectare site comprises multiple individual allotments of Crown land. It is zoned 'Rural Living' under the Golden Plains Planning Scheme, and is subject to the Bushfire Management, Design & Development, and Significant Landscape overlays.

The site is Department of Energy, Environment and Climate Action (DEECA) owned Crown Land, delegated to Council and managed by a Committee of Management on behalf of Council (i.e. Smythesdale Progress Association). The volunteer Committee manages the site as an unpowered camping destination ("free camp") and invites donations from users to help fund asset maintenance and improvements (annual revenue reportedly around \$12k p.a.).

The site is one of two approved camping sites in the Shire with associated facilities including camp hut, fire pits and shelters, a shower block, public toilets, and local play space. It is also well used by the local community for a range of active and passive recreation activities including community gatherings, family outings, picnicking and informal play.

Smythesdale Brewery Dam Reserve

The Smythesdale Brewery Dam Reserve is situated at 29 Sebastopol-Smythesdale Road, Smythesdale. The site comprises multiple individual allotments of Crown land, delegated to Council and managed by a Committee of Management on behalf of Council.

The Brewery Dam site is a designated community open space area which consists of a mix of established native trees, cleared open space and a large dam with a fishing pier. The site is largely hidden within a bush setting, however, provides opportunities for passive recreation including picnicking, walking, nature appreciation, yabbing and fishing - swimming is not permitted. Council

and the community are keen to explore opportunities to increase the use and amenity value of the reserve.

Masterplan Process

The methodology to undertake the Master Plan project with community stakeholders involved several elements under the following phases:

Phase 1 – Situation Analysis

Phase 2 – Targeted Consultation

Phase 3 – Draft Master Plan

Phase 4 – Final Master Plan

The aim of the Master Plan is to provide a realistic and achievable vision for both reserves to guide future decision-making, resource allocation and improvement opportunities at each site.

Findings and Masterplan Recommendations

Improvement/development at each reserve will enable greater accessibility and utilisation to meet increasing demand, address safety concerns and provide enhanced opportunities and experiences for the community and visitors to the Shire.

A framework has been developed to guide implementation priorities over the next 10+ years. Prioritisation has considered site assessments, asset conditions, stakeholder engagement and capacity to deliver.

A full list of prioritised recommendations for each reserve is provided in section 7 of the Master Plan. These recommendations cover a broad range of improvement possibilities that focus on ensuring the open space reserves are safe and well maintained to encourage active recreation and social cohesion.

Some of the high priority actions within the recommendations identified an emphasis on vegetation, access, safety and increased usability, including:

Smythesdale Gardens

- Implement arborist assessment recommendations and develop a tree replacement strategy
- Restrict access and revegetate overland drainage area – prevent vehicle bogging
- Upgrade internal roads and improve drainage
- Add additional historic signage
- Upgrade main entrance to provide safer access for vehicles with caravans

Brewery Dam

- Undertake drainage assessment and address flooding over the weir of the dam during storm events
- Upgrade existing entrance signage
- Install appropriate safety signage and barriers

Given the nature, extent and cost associated with several of the Master Plan improvement recommendations, it is highly likely that the Smythesdale Progress Association, and Council will need to plan for and explore external funding opportunities to progress any of 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.

Final Master Plan

To finalise the Master Plan document, further community input on the Smythesdale Gardens and Brewery Dam Reserve Draft Master Plan was sought following Council's endorsement. The Draft was made available from 26 July to 23 August 2023 which included a survey on the 'Have Your Say' section of Council's website, supported by online, social and print media.

Throughout this period, there were two submissions received as provided in the Smythesdale Gardens and Brewery Dam Reserve Draft Master Plan – Communications & Engagement Report (Attachment 2).

Officers have considered the feedback received (in consultation with Insight Leisure Planning and the Committee). As a result, one update to the recommendations of the Master Plan is proposed as follows:

- Smythesdale Gardens - if demand or future opportunity arises, explore the feasibility of onsite cabins or tiny house style accommodation.

Feedback provided during public exhibition on Brewery Dam Reserve details specific maintenance, minor reserve improvements or some individual elements already addressed in the Master Plan. This feedback will be de-identified and provided to the Committee of Management for implementation or future consideration.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

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 Master Plan seeks to clarify and prioritise opportunities for improved community infrastructure to create social and recreational 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 Smythesdale Gardens & Brewery Dam Reserve Master Plan.

This has included a public online survey, social media engagement, extensive consultation and engagement at various stages with internal Council departments and representatives from the Smythesdale Progress Association/Committee of Management (CoM).

Following presentation of the Draft Master Plan to Council, a public exhibition process was undertaken from 26 July to 23 August 2023. Two written submissions were received which are included in the Communications & Engagement Report (as detailed in Attachment 2) and were considered as part of final updates to the Master Plan.

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 adoption of the Master Plan developed through research and community engagement, 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 Smythesdale Gardens & Brewery Dam Master Plan has been undertaken to engage on future opportunities for these reserves 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*. Insight Leisure Planning was engaged by Council to undertake this process utilising an operational budget allocation for Master Plan preparation.

The report and attached Master Plan 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 decisions.

RISK ASSESSMENT

The Smythesdale Gardens & Brewery Dam Reserve Master Plan 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.

COMMUNICATION

Communication about Council's preparation of the Master Plan has been provided directly to internal and external stakeholders and partners over an extended period.

Broad communication on the public exhibition process for the Draft Master Plan was also undertaken seeking community feedback and submissions.

Following Council adoption, further external communications will be provided to the community to advise on the final Smythesdale Gardens & Brewery Dam Reserve Master Plan.

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 undertaking of a master planning process for Smythesdale Gardens & Brewery Dam Reserve and the presentation of the Master Plan have been considered (in accordance with s.9 of Gender Equality Act 2020) and have identified no gender inequality implications.

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

OPTIONS

Option 1 – That Council adopt the Smythesdale Gardens & Brewery Dam Reserve Master Plan

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

Option 2 – That Council does not adopt the Smythesdale Gardens & Brewery Dam Reserve Master Plan.

This option is not recommended by officers as the Master Plan has been informed by a comprehensive process, including community engagement. It should be noted that adopting the Master Plan does not commit Council to any individual decisions in relation to funding or implementation of specific projects.

Option 3 – That Council delay adopting the Smythesdale Gardens & Brewery Dam Master Plan.

This option is not recommended by officers as all community engagement has been undertaken including a public exhibition process for the Draft Master Plan. The final stage of the process is Council adopting the Master Plan.

CONFLICT OF INTEREST

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

CONCLUSION

Following detailed research, a review of the existing facilities and analysis of engagement activities, a Draft Master Plan was developed for Smythesdale Gardens & Brewery Dam Reserve. The Draft Master Plan was made available for public exhibition during July and August 2023 with feedback considered and final updates made to the Master Plan.

It is recommended that Council adopt the Master Plan which provides strategic direction for the development and management of the reserves for the next 10 years from 2023 to 2033. The Master Plan will assist the Committee of Management (CoM) and Council to prioritise advocacy, capital project upgrades and explore new opportunities to activate the reserves and increase physical activity.

Council support will be requested and discussed in future reports where any specific opportunities are identified that require Council and/or external funding commitments to support infrastructure developments.

7.3 FINANCE REPORT QUARTER 4 (UNAUDITED)

File Number:**Author:** Fiona Rae, Manager Finance**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** 1. Finance Reports - June 2023**RECOMMENDATION**

That Council note the Quarter 4 Finance Report for the 12 month period ending 30 June 2023.

EXECUTIVE SUMMARY

At 30 June 2023, the Income Statement reports total operating revenue of \$55.6m and total operating expenditure of \$52.5m, which results in a year-to-date surplus of \$3.1m. This is \$4.8m unfavourable variance compared to budget.

The Capital Works Statement reports total capital works expenditure of \$12.8m, which is \$6m below the original budget, and \$14.6m below the revised budget. The revised budget includes \$9.5m rolled forward for projects.

The Quarter 4 Finance Update (unaudited) was presented to the Audit and Risk Committee at the 12 September 2023 meeting.

The draft underlying result is a deficit of \$5.3m compared to the underlying result from the Original Budget of \$100k, is a difference of \$5.4m. This is represented materially by:

- Landfill Rehabilitation Reserve movement \$493K
- *Flood damage costs (net of grant received) \$2.1m
- Reduced level of sales from Lomandra Drive \$1.8m
- Asset impairments and write-offs \$862K

*Claims continue to be lodged in accordance with the DFRA processes.

BACKGROUND

The contents of this report assist the 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 2022-23 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 2023 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

DISCUSSION

The operating result for the period is reporting a surplus of \$3.1m compared to a budgeted surplus of \$7.5m, which is primarily due to:

- Operating Grants – \$4.8m grants classified as received in advance due to the performance obligations not being met assessment at June 2023 (includes \$3.5m Rokewood Community Hub Pavillion). Also \$2m additional General Purpose grant received than budgeted;
- Capital Grants – \$0.5m grants classified as received in advance due to performance obligations not met assessment at June 2023 (\$174k Linton Oval Drainage, \$175k LRIC Phase 3);
- Gain/Loss on Disposals – \$1.8m lower land sales from Lomandra Drive than budget;
- Gifted Assets \$2.7m higher than budget reflecting higher development activity;
- Materials and Services – includes unbudgeted \$2.0m flood damage costs to repair roads following the October and November 2022 flood events; and
- \$1.3m asset adjustments (\$474k impairment for reduction in bridge values due to flood damage, \$387k asset write-offs from data cleansing and \$492k increase in landfill provision)

Capital Projects

Actual versus Budget

Total expenditure in the Statement of Capital Works (including commitments) is \$12.8m, \$6m below the original budget of \$18.8m, and \$14.6m below the revised budget of \$27.4m.

The capital program delivered 68% of the original budget and 47% of the revised budget. The revised budget includes projects totalling \$9.5m rolled forward into 2022-23 for projects that span multiple years, mainly relating to LRIC 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
Local Roads Resealing	1,000,000	1,307,855	307,855 unfavourable	31% favourable
Local Roads Improvements	800,000	1,402,521	602,521 unfavourable	75% unfavourable
Gravel Roads Resheeting	700,000	513,231	186,769 favourable	26% favourable
Bridge Replacement	1,532,000	1,059,017	472,983 favourable	31% favourable
Bridge Renewal	0	452,534	452,534 unfavourable	100% unfavourable
Storm Water Drainage Improvements	400,000	413,628	13,628 unfavourable	3% unfavourable
Hard Wicket Replacement	75,000	81,711	6,711 unfavourable	9% unfavourable
Sports Oval Irrigation Upgrades	100,000	106,244	6,244 unfavourable	6% unfavourable
Netball/Tennis Court Renewal	108,000	111,250	3,250 unfavourable	3% unfavourable
Excavator	155,282	155,282	Nil	Nil

Any project savings made are transferred to consolidated revenue and provides opportunity to assist funding for the 2022-23 budget.

The following projects were carried over from 2021-22 into the 2022-23 year:

- Meredith-Shelford Road Stages 4 & 5 (Stage 4 complete, Stage 5 bridge culvert design complete with drainage works to be completed at same time as bridge construction).
- Tannery Road floodway works road improvement (complete).
- Arthurs Lane bridge renewal (complete).
- Playground refurbishments – Council were successful in obtaining external funding of \$200k for Lethbridge Rec Reserve with total project cost \$400k, consultation with key stakeholders on design options complete, contractor appointed and construction in progress.
- Cypress Tree replacement – stage 1 tree removal works complete with tree installation aimed for October 2023 and stage 2 works to be completed across the 2023-24 and 2024-25 financial years.
- Meredith Skate Park (complete).
- Leighdale Equestrian Upgrade – equestrian arena and irrigation works complete, spectator seating and surface works yet to complete.
- Linton Oval Drainage Upgrade – Council were successful in obtaining federal funding with scope revised to reconstruction of the oval, design reviewed and new program of works developed, tender awarded in July 2023.
- Netball/tennis court renewal (complete).

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.

Contracts Awarded – Contract Value Between \$200,000 - \$400,000			
Project	Approved By	Awarded To	Contract Value \$
GPSC-RFT-09-2023 Drainage and Carpark Upgrade, Inverleigh	SMT	CJL Civil Pty Ltd	215,530

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-01-2023- Provision of Concreting Services
- GPSC-RFT-04-2023- Cape Clear-Rokewood Road Improvement
- GPSC-RFT-11-2023- Linton-Piggoreet Road Bridge Replacement Piggoreet
- GPSC-RFT-07-2023- Linton Oval Reconstruction - Construction Tender
- GPSC-RFT-08-2023- Kopkes Road Widening, Haddon
- GPSC-RFT-06-2023- Panel of Suppliers - Minor Civil Works and Plant Hire
- GPSC-RFT-02-2023- Panel of Suppliers - General Maintenance Services
- GPSC-RFT-05-2023- Panel of Suppliers - Plumbing Maintenance Services
- GPSC-RFT-09-2023- Drainage and Carpark Upgrade, Inverleigh

- GPSC-RFQ-11-2023- Gravel Flocon
- RFQ-24-2022 - Excavator

The table below outlines tenders/RFQs awarded during the quarter.

Project	Awarded To	Contract Value \$
GPSC-RFT-03-2023- Turf Sports Ground Maintenance	Turfcare & Hire	149,515
Bituminous Surfacing Collaboration-CH003	VSA Roads Pty Ltd trading as Primal Surfacing Pty Ltd	Schedule of Rates

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 variations in this category during the quarter:

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

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

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 was presented to the Audit and Risk Committee at the 12 September 2023 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).

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 report and the attached documents are consistent with the adopted Budget and Long-Term Financial Plan after taking in to account the movements described above.

7.4 IN-PRINCIPLE APPROVAL OF THE ANNUAL FINANCIAL STATEMENTS 2022/23 AND PERFORMANCE STATEMENT 2022/23

File Number:

Author: Fiona Rae, Manager Finance

Authoriser: Lynne Gray, Director Corporate Services

Attachments:

1. Draft Financial Statements (under separate cover)
2. Governance and Management Checklist
3. Draft Performance Statement

RECOMMENDATION

That Council:

1. Gives in principle approval to the annual financial statements and performance statement for the financial year ended 30 June 2023.
2. Authorises the Mayor (or his deputy) and Cr Rowe (or his delegate) to certify the annual financial statements and performance statement for the financial year ended 30 June 2023.
3. Authorises the Mayor and Chief Executive Officer to certify the Governance and Management checklist.

EXECUTIVE SUMMARY

The financial statements and performance statement have been prepared by Council Officers and will be subject to a financial audit during the final audit visit by the Victorian Auditor-General's Office (VAGO) from 13-20 September 2023.

The statements will be reviewed by the Audit and Risk Committee on 3 October 2023 following the VAGO audit.

The performance statement includes results for 2022/23 and 2021/22. Councils are required to establish materiality thresholds to explain movements between reporting periods. If the current year result falls outside the materiality threshold range, Councils are required to explain the movement as a material variance.

Council is required under the Local Government (Planning and Reporting) Regulations to prepare the Governance and Management checklist, which is to be certified by the Mayor and Chief Executive Officer.

BACKGROUND

Council is required under Sections 98 and 99 of the Local Government Act 2020 to:

- Prepare an annual report each financial year that contains a report on operations, audited financial statements, an audited performance statement, and copies of the auditor's report on the statements.
- Pass a resolution giving in principle approval to the financial statements and performance statements and submit these to the Auditor-General's Office as soon as possible after the end of financial year for reporting on the audit.
- Authorise two specific Councillors to certify the statements in their final form after any changes recommended or agreed to by audit have been made.

DISCUSSION

Council Officers have prepared the financial statements and performance statement which will be subject to a financial audit during VAGO's final audit visit from 13-20 September 2023. The financial audit includes completing work remaining from the interim audit conducted in April and a

review of the financial statements and performance statement with an audit opinion issued on completion of the audit.

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

DESCRIPTION OF TASK	DUE DATE
Accounts available for audit	13/09/2023
Completion of audit	20/09/2023
Audit closing report issued	25/09/2023
Council approval In Principle of draft financial statements and performance statement and authorise two Councillors to certify the annual statements.	26/09/2023
Audit and Risk Committee meeting to consider the financial statements and performance statement	03/10/2023
Advertise Council meeting to consider annual report	9/10/2023
Council Briefing to consider financial statements and performance statement	17/10/2023
Audit Opinion issued by Auditor-General	18/10/2023
Council meeting to note Annual Report financial statements and auditor's report	24/10/2023

Annual Financial Statements

Council has reported a \$3.1 million operating surplus, which is a reduction of \$2.9 million from the 2021/22 operating surplus. This result has been impacted by several factors.

- Operating Grants – \$1.3m grants classified as received in advance due to the performance obligations not being met assessment at June 2023. Also \$2m additional General Purpose grant received than budgeted;
- Capital Grants – \$4.0m grants classified as received in advance due to performance obligations not met assessment at June 2023 (\$3.5m Rokewood Community Hub Pavillion, \$174k Linton Oval Drainage, \$175k LRIC Phase 3);
- Gain/Loss on Disposals – \$1.8m lower land sales from Lomandra Drive than budget;
- Gifted Assets \$2.7m higher than budget reflecting higher development activity;
- Materials and Services – includes unbudgeted \$2.0m flood damage costs to repair roads following the October and November 2022 flood events; and
- \$1.3m asset adjustments (includes \$474k impairment for reduction in bridge values due to flood damage, \$492k increase in landfill provision, and \$387k asset write-offs off duplications of small sections of roads and footpaths included in gifted assets and also in roads valuation data).

The Statement of Capital Works reports total expenditure of \$12.8 million on capital projects, \$6 million below the original budget, and \$14.6 million below the revised budget. The capital program delivered 68% of the original budget and 47% of the revised budget.

The revised budget for 2022/23 included projects totalling \$9.5 million rolled forward into 2022/23 for projects that span multiple years. A number of projects will continue into 2023/24 as a result of delays in grant funding or phased project stages. The revised budget also included \$1.6m of LRIC projects budgeted in one year but planned to be delivered over multiple years and the Rokewood Community Hub \$3.96m budgeted in one year but planned to be delivered over the next two years. In addition to the above, \$2.9m of budgeted projects have been tendered and contracts awarded with works scheduled to commence shortly, of which a number were part of the six (6) tenders approved by Council at the July 2023 meeting.

Key balances reported in the Balance Sheet include cash of \$24.5 million (\$9.7m cash and \$14.8m financial assets) and total borrowings of \$9.98 million, noting higher cash balances were held to fund capital projects. Council reported an \$11.2 million positive cashflow from operating activities and an overall decrease in cash movements during the year of \$1.8 million, to generate a closing cash balance of \$24.5 million. One item that is under discussion with VAGO is the representation of the Cash and Cash Equivalents on the Balance Sheet, Note 5.1 and the Statement of Cashflows as VAGO required a change to these disclosures in the prior year, reflected again this year, that causes these items to not agree with each other across the three separate disclosures. Officers do not agree with this representation and will continue discussions with VAGO in relation to this matter.

The draft underlying result is a deficit of \$5.3m compared to the underlying result from the Original Budget of \$100k, is a difference of \$5.4m. This is represented materially by:

- Landfill Rehabilitation Reserve movement \$493K
- *Flood damage costs (net of grant received) \$2.1m
- Reduced level of sales from Lomandra Drive \$1.8m
- Asset impairments and write-offs \$862K

*Claims continue to be lodged in accordance with the DFRA processes. Noting to date \$500k worth of claims have been lodged and approximately \$1m to be lodged over the next six months.

Formatting and immaterial items requiring update are being captured by Officers and will be incorporated into the final set of audited statements including audit adjustments (if any).

The attached draft Performance Statement has been prepared and will be reviewed by VAGO during their final audit visit. Also attached is the Governance and Management checklist which is included in the annual report.

Following the completion of the VAGO audit a set of audited financial statements and audited performance statement will be provided at the October council meeting for noting.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes
Gender Equality (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

GOVERNANCE PRINCIPLES

The 2022-23 Financial Statements and Performance Statement will be 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*.

Council is required to give 'in-principle' approval to the statements and authorise two Councillors to certify the statements in their final form. The statements are then forwarded and reviewed by the Victorian Auditor-General who may recommend further changes. Final changes (if required), will be made to the statements which are then certified by the Principal Accounting Officer, two Councillors and the Chief Executive Officer. The Victorian Auditor-General certifies the statements and issues an independent Audit Report expressing an opinion on the statements.

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 2022-23 Audits: Local Government' report scheduled for tabling in March 2024.

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 discussed at a meeting open to the public by 31 October each year.

COMMUNICATION

Council is required to consider the Annual Report at an open Council meeting within four months of the end of the financial year. This meeting will be advertised in the local media. Council must also advertise that the statements have been audited.

The 2022-23 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 – Delegate approval of the 'In Principle' Performance Statement and 'In Principle' Financial Statements to the Audit and Risk Committee

This option is recommended by officers as it is necessary to delegate authority to approve the performance statement and financial statements to the Audit and Risk Committee due to the tight timeline.

Option 2 – Note the approval requested but not agree to delegate

This option is not recommended by officers as not delegating approval to the Audit and Risk Committee meeting would extend the timeframe to complete the annual report and would have the potential of not complying with the timeframes and holding a meeting open to the public by 31 October.

CONFLICT OF INTEREST

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

CONCLUSION

Due to the relatively tight timetable required to meet the legislative requirements, it is necessary to have appropriate delegations in place to ensure that decisions can be made promptly to comply with the deadlines. In the absence of this delegation, special meetings of Council would need to be called at short notice.

This system of delegation has operated effectively in the past and is in accordance with the Charter of the Audit and Risk Committee.

7.5 ADOPTION OF ELECTION PERIOD POLICY

File Number:**Author:** Rosie Wright, Coordinator Governance and Risk**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** 1. For Adoption - Election Period Policy**RECOMMENDATION**

That Council adopt the Election Period policy, as attached.

EXECUTIVE SUMMARY

Council must adopt an Election Period policy in accordance with section 69 of the Local Government Act 2020. The policy provides for the ways in which Council will operate to ensure fairness, transparency, and equity among candidates for Council elections.

Chapter 7 of Council's Governance Rules provide that the Election Period policy must be reviewed at least once in each Council term and no later than 12 months prior to the Election Period. As the Election Period policy forms part of Council's Governance Rules, community engagement was undertaken following endorsement from Council at its August meeting, with no submissions received.

BACKGROUND

The Election Period policy was last adopted by Council on 25 August 2020, prior to the 2020 general Council election.

The election period for a general election commences at the time that nominations close on nomination day and ends at 6pm on election day. It is sometimes referred to as the 'caretaker period'. For the 2024 election, the election period will commence on 24 September 2024 and end at 6pm on 26 October 2024.

Section 69 of the Local Government Act 2020 requires the Election Period policy to prohibit any decision during the election period for a general election that:

- a) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- b) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- c) the Council considers could be reasonably deferred until the next Council is in place; or
- d) the Council considers should not be made during an election period.

Additionally, for general or by-elections, decisions that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election must be prohibited by the policy.

For the purposes of section 69 of the Act, a decision includes a resolution made at a Council or delegated committee meeting or the exercise or performance of a power, duty or function of the Council by a member of Council staff or a Community Asset Committee under delegation.

Serious penalties are imposed by section 123 of the Local Government Act for misuse of position by a person who is or has been a Councillor or member of a delegated committee. This includes misuse of information obtained in these positions or use of public funds or resources in a manner that is improper or unauthorised. The maximum penalty provided by this section is 600 penalty units (\$115,386.00 as at 1 July 2023) or 5 years imprisonment.

As the Election Period policy forms part of the Governance Rules, a process of community engagement must be undertaken in accordance with section 60(5) of the Local Government Act prior to amending or adopting the policy.

DISCUSSION

The Election Period policy ensures that Council can continue to operate and deliver the decision making, services and functions that are required by the Golden Plains Shire community, while ensuring that the election process is conducted in a fair and transparent manner which treats all candidates equally.

The reviewed draft has been updated to reflect the dates of the 2024 election and some minor changes have been made. These are listed below.

- Formatting changes for consistency throughout the document;
- Clause 3.8.2 added - This has been included to align the CEO's certification decision making with the requirements and terminology of the Local Government Act;
- Clause 3.14.1 added - specific section reference added to align with the Local Government Act;
- Clause 3.14.6 added - to provide clarity for Councillors about reimbursement of expenses and costs incurred during the election period;
- Clause 3.18 and 3.20 - clarified that information will not be released to all candidates where legislative restrictions do not allow this (for example privacy requirements);
- Clause 3.19 - information request register to be made accessible for inspection at Council's offices;
- Clause 3.21 - specific section reference added to align with the Local Government Act;
- Clause 3.23 - to provide a process for staff members who nominate as a candidate for Council;
- Definitions added to support these changes and reflecting the Local Government Act.

The reviewed draft was endorsed by Council at its meeting on 22 August 2023 to commence community engagement. The draft was exhibited for four weeks, from 23 August 2023 to 19 September 2023. No submissions were received on the draft. As such, no changes have been made to the draft and the policy is now presented for adoption.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

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

GOVERNANCE PRINCIPLES

The adoption of an Election Period policy ensures that good governance continues to be provided for the municipal community during the election period.

POLICY/RELEVANT LAW

- Local Government Act 2020
- Governance Rules

COMMUNITY ENGAGEMENT

Community engagement has been conducted on the draft policy, following endorsement by the Council at its 22 August 2023 Council meeting. Residents were invited to submit their written feedback between 23 August 2023 and 19 September 2023. Submissions were accepted online via Golden Plains Shire Council's website, via email to the enquiries@gplains.vic.gov.au address, or by mail. A media release was issued seeking feedback from the community. The community engagement was included in the Golden Plains Times and Council's Engage newsletter. Posts were published on Council's social media page.

No submissions were received on the draft policy.

PUBLIC TRANSPARENCY

The Election Period policy ensures transparency by clearly describing the kinds of decisions and processes that will apply during the election period.

RISK ASSESSMENT

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

Failure to review and adopt the Election Period policy or failure to engage with the community would lead to non-compliance with the Act and Council's Governance Rules.

COMMUNICATION

The Election Period policy provides for communication of the election period processes to Councillors, candidates and Council staff.

Adoption of the policy with a year to the election ensures that all prospective candidates and community members have sufficient time to review and understand the policy, in relation to how Council will function during the Election Period.

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).

OPTIONSOption 1 – That Council adopt the Election Period policy.

This option is recommended by officers to ensure that the Election Period policy is reviewed and adopted prior to the 2024 general election.

Option 2 – That Council do not adopt the Election Period policy.

This option is not recommended by officers as the policy is required to be reviewed and adopted no less than 12 months prior to the Election Period.

CONFLICT OF INTEREST

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

CONCLUSION

The Election Period policy is presented to Council to adopt, following community engagement. The policy has been reviewed with changes made to align the policy to the Local Government Act 2020. No submissions were received on the draft policy.

7.6 REVIEW OF INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING & ENVIRONMENT ACT 1987

File Number:

Author: Rosie Wright, Coordinator Governance and Risk

Authoriser: Lynne Gray, Director Corporate Services

Attachments: 1. Instrument of Appointment and Authorisation - Planning and Environment Act 1987

RECOMMENDATION

In the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987* and other legislation referred to in the attached Instrument of Appointment (the 'instrument'), Golden Plains Shire Council (Council) resolves that:

1. The members of Council staff referred to in the instrument as shown in Attachment 1 be appointed and authorised as set out in the instrument;
2. The Chief Executive Officer is authorised to sign the instrument;
3. The instrument comes into force immediately upon being signed by Council's Chief Executive Officer and remains in force until Council determines to vary or revoke it; and
4. The previous instrument dated 22 August 2023 is revoked.

EXECUTIVE SUMMARY

The appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council. The Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* was last reviewed and adopted by Council in August 2023. A review of the instrument has now been completed and updated to reflect staffing changes that have occurred in the Community, Planning and Growth directorate.

It is recommended that Council consider and adopt the revised instrument, as shown in Attachment 1.

BACKGROUND

The Chief Executive Officer (CEO) appoints most authorised officers under Council's delegation to the CEO. However, under section 188(2)(c) of the *Planning and Environment Act 1987*, the appointment of authorised officers under this Act cannot be delegated and must be made through resolution of Council.

By authorising the relevant officers to act under the *Planning and Environment Act 1987* Council will ensure they have the required authority to carry out their roles within legislative requirements.

DISCUSSION

Council subscribes to the Maddocks Lawyers Delegations and Authorisations service. This service includes the provision of templates and regular updates as required to reflect new or amended legislation.

The instrument of appointment and authorisation under the *Planning and Environment Act 1987* was updated by Maddocks Lawyers in January 2023. Authorised staff have been recently reviewed and the instrument has been updated to reflect staffing changes that have occurred in the Community, Planning and Growth directorate.

Officers authorised to act under the *Planning and Environment Act 1987* have authorisation to enter sites, gather evidence or serve legal notices, etc. if required, as appropriate to their level of experience and qualifications.

The specific authorisations provided through this instrument include:

1. under section 147(4) of the *Planning and Environment Act 1987* – appointment as an authorised officer for the purposes of the Planning and Environment Act 1987 and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorisation generally to institute proceedings for offences against the Act and/or any regulations.

The proposed changes to the instrument are detailed below:

Change	Reason
Added Roland Abrahams	New Statutory Planner (Contractor) commencing
Removed Shawn Langley	Ceased as Statutory Planner (Contractor)
Added Zac Van Grondelle	New Coordinator Statutory Planning commencing

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

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

POLICY/RELEVANT LAW

Local Government Act 2020; and
Planning and Environment Act 1987.

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Delegation of powers provided by the *Planning and Environment Act 1987* will allow Council officers to exercise these powers in protection of the environment.

PUBLIC TRANSPARENCY

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

RISK ASSESSMENT

- Authorised officers are required to ensure Legislative Compliance; and
- Authorisations mitigate risks associated with inappropriate exercise of powers.

COMMUNICATION

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

Changes to the authorisations 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 reviewed Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

This option is recommended by officers as this will ensure compliance with legislation and ensure the members of Council staff exercising these powers are appropriately authorised.

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 these authorisations to perform their duties.

CONFLICT OF INTEREST

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

CONCLUSION

The appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made by resolution of Council. The Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* was last reviewed and adopted by Council in August 2023. A review of that instrument has now been completed and updated to reflect staffing changes that have occurred in the Community, Planning and Growth directorate. It is recommended that Council consider and adopt the revised the Instrument, as shown at Attachment 1.

7.7 AUDIT AND RISK COMMITTEE BIENNIAL REPORT (FEBRUARY AND MAY 2023)**File Number:****Author:** Sophie Brown, Governance and Risk Specialist**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** 1. **Bi-Annual Audit and Risk Committee Report - February and May 2023****RECOMMENDATION**

That Council note the Audit and Risk Committee bi-annual report for February and May 2023 (Attachment 1), adopted by the Committee at its 12 September 2023 meeting

EXECUTIVE SUMMARY

The Audit and Risk Committee's bi-annual report (Attachment 1) is provided in accordance with section 54(5) of the Local Government Act 2020 and section 13 of the Audit and Risk Committee Charter. It describes the activities of the Audit and Risk Committee for the second half of 2022-23 and includes Committee findings and recommendations.

BACKGROUND

Under Section 53 of the Local Government Act 2020 (the Act) it is a requirement that Council must establish an Audit and Risk Committee (Committee).

Under Section 54(5) of the Act, the Committee must prepare a bi-annual report that describes the activities of the Committee and includes its findings and recommendations. The bi-annual report must be provided to the Chief Executive Officer for tabling at the next Council Meeting.

Under section 13 of the Audit and Risk Committee Charter (the Charter), the report should include:

- A summary of the work the Committee performed to fully discharge its responsibilities.
- A summary of management's progress in addressing the results of internal and external audit engagement reports.
- An overall assessment of management's risks, controls, and compliance processes, including details of any significant emerging risks or legislative changes impacting the organisation.
- Details of meetings, including the number of meetings held during the relevant period and the number of meetings each member attended.
- Information required by new or emerging corporate governance developments.

The Committee received several reports across the February and May 2023 meetings regarding Council's governance, risk management and internal control practices and continued to provide Council with independent advice and guidance regarding the adequacy and effectiveness of management's practices and potential improvements to those practices.

DISCUSSION

The Committee's bi-annual report presents a summary of the items received and discussed at the February and May 2023 Committee meetings and is provided at Attachment 1 for Council's noting.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

Reporting on the bi-annual activity of the Audit and Risk Committee supports achievement of the overarching governance principles in section 9 of the *Local Government Act 2020*.

POLICY/RELEVANT LAW

Local Government Act 2020

Audit and Risk Committee Charter

PUBLIC TRANSPARENCY

A summary of matters considered at the Audit and Risk Committee meetings is presented to an open Council meeting bi-annually for transparency to the public.

STRATEGIES/PLANS

Audit and Risk Committee reports are prepared ensuring consistency with various Council strategies and plans including the Long-Term Financial Plan, Council Budget, Risk Management Framework, and Council Plan 2021-2025.

FINANCIAL MANAGEMENT

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 financial results for the period and reporting key financial indicators on the financial dashboard to the Audit and Risk Committee meeting quarterly.

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 regards to this matter.

CONCLUSION

The Committee's bi-annual report highlights matters noted and received across the Committee meetings held in February and May 2023. The Committee will continue to review Council's governance, risk management and internal control practices and continue to provide Council with independent advice and guidance regarding the adequacy and effectiveness of management's practices and potential improvements to those practices.

7.8 AUDIT AND RISK COMMITTEE MEETING MINUTES - 12 SEPTEMBER 2023**File Number:****Author:** Sophie Brown, Governance and Risk Specialist**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** 1. Unconfirmed Audit & Risk Committee Meeting Minutes - 12 September 2023**RECOMMENDATION**

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 12 September 2023.

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 12 September 2023 meeting of the Audit & Risk Committee.

The unconfirmed minutes are provided in Attachment 1 for Council's noting.

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)

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

Human Rights Charter	No
Gender Equality (Gender Impact Assessment required by s.9 of Gender Equality Act 2020)	No

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.

PUBLIC TRANSPARENCY

A summary of matters considered at the Audit and Risk Committee meetings is presented to an open Council meeting for transparency to the public.

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 with regard to this matter.

CONCLUSION

This report provides a summary to Council of business considered at the 12 September 2023 meeting of the Audit & Risk Committee. The next meeting of the Audit & Risk Committee will be held on 3rd October 2023 to consider the VAGO End of Year Audit Findings and Financial Statements.

7.9 AUDIT AND RISK COMMITTEE PERFORMANCE ASSESSMENT 2022/23**File Number:****Author:** Sophie Brown, Governance and Risk Specialist**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** 1. Audit and Risk Committee Self Assessment 2022/23 - Results**RECOMMENDATION**

That Council:

1. Notes the Audit and Risk Committee's self-assessment report for the 2022/23 year.
2. Notes 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 section 54(4) of the Local Government Act, the Audit and Risk Committee (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, this report presents the outcomes for 2022/23.

The results from the 2022/23 self-assessment indicate that the Committee members are satisfied with the performance of the Committee throughout 2022/23, with the average result for all areas rated as 'adequate' or 'more than adequate'.

BACKGROUND

Section 54(4) of the Local Government Act requires that the 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 four Committee members in August 2023 and at the September Committee meeting the results were endorsed to be presented to Council.

DISCUSSION

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

Area of Responsibility	Less than Adequate %		Adequate %		More than Adequate %	
	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23
Audit Committee Charter	-	-	-	31	100	69
Skills and Experience	-	4	37	32	63	61
Understanding the business	4	-	40	8	56	92
Meeting Administration & Conduct	-	-	10	17	90	83
Communications with Council	-	-	30	38	70	50
Management Commitment & Support	-	-	48	50	52	50

Internal Audit	3	8	30	29	63	58
External Audit	7	8	7	25	80	58
Total	2%	1.9%	28%	21%	69%	55.2%

Overall, the average result for all areas was rated as 'adequate' or 'more than adequate'. Most areas have remained constant, with 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 Committee members is detailed below and highlights specific areas for continued improvement and areas that have improved.

Comments

- The Charter is reviewed annually which ensures it is kept up to date.*
- Councillor representatives on the Committee provide an important link between the Council and the Committee.*
- 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.*
- External to Committee responsibility, members are active in other organisations and institutions which allows them to bring both existing complimentary skills, and new ideas and refreshed skills to the Committee.*
- With annual change to Committee member representatives from Council, different views and ideas is provided. The level and communication of available support for these Council members (and externals as required) re training and advice to discharge their role on the Committee is not clear to me.*

Improvement Areas

- Questions 5 and 8 (Part B Skills and Experience) – Specialist IT skills would be useful.*
- Risk management appetite, profile and hence framework needs to be dynamic and reflect the changing environment in which the organisation operates in.*
- While IA reports are considered and discussed well, the internal audit performance is not specifically reviewed.*
- The Committee questioned and discussed the internal audit resources, further follow up is required given the governance load on the Council.*
- I cannot recall providing feedback on external audit's performance, other than general comments when reports received. A more formal approach is suggested.*
- Introduce an annual formal review by the committee of the Internal Auditor.*
- The Committee needs to ensure continued improvement ensuring that the A&R Committee readily adapts to an ever-changing governance environment.*

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

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

GOVERNANCE PRINCIPLES

Undertaking the annual performance assessment of the 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 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 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.

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 annual performance assessment provides an opportunity for the Committee to reflect on what is working well and areas for improvement for the next 12 months. This report is presented to Council for noting in accordance with section 54(4)(b) of the Local Government Act and section 13 of the Audit and Risk Committee Charter.

8 NOTICES OF MOTION

Nil

9 PETITIONS

9.1 PETITION - ADVANCE MEREDITH ASSOCIATION INC

File Number:

Author: Rosie Wright, Coordinator Governance and Risk

Authoriser: Lynne Gray, Director Corporate Services

Attachments: 1. Petition Request - Advance Meredith Association Inc

RECOMMENDATION

That Council:

1. Receive the petition; and
 2. Refer the petition to the Chief Executive Officer for consideration and response.
-

EXECUTIVE SUMMARY

A petition was submitted to Council on 12 September 2023. The petition relates to the condition of roads in Meredith and in the 3333 postcode district. The petition contained 292 signatures, of which 200 gave a Golden Plains Shire based location.

This petition has been received and is submitted to the Council in accordance with rule 37 of the Governance Rules.

BACKGROUND

The Governance Rules provide the process for petitions to be received by Council. Specifically, petitions must:

- a. Be lodged with the Chief Executive Officer at least seven days prior to the Council meeting at which it is to be considered to allow inclusion in the agenda;
- b. Be written, typed or printed;
- c. Contain at least five signatures;
- d. Have the full name, address and signature of all individual signatories;
- e. Not be defamatory, indecent, abusive or objectionable in language or content;
- f. Not relate to matters beyond the powers of the Council;
- g. Not be aimed at embarrassing a Councillor or member of Council staff;
- h. Not relate to a matter which will be or is likely to be considered in a meeting closed to the public in accordance with sub-rule 29.1(a); and
- i. Include the whole of the request of the petitioners or signatories on each page.

This petition was received on 12 September 2023 and in accordance with sub-rule 37.4, the CEO must arrange for petitions to be submitted to the next practicable meeting following their receipt, which in this instance was the September meeting.

Governance Rule sub-rule 37.7 provides that the only motions that may be considered for any petitions are:

- a. That the petition be received; and
- b. That the petition be referred to the Chief Executive Officer for consideration and response; or
- c. That the petition be referred to the Chief Executive Officer for a report to a future Council meeting.

Governance Rule sub-rule 37.8 provides that if a petition relates to an operational matter, the council must refer it to the Chief Executive Officer for consideration and response. This petition relates to operational matters and therefore must be referred to the Chief Executive Officer for response.

DISCUSSION

The petition request is provided at attachment 1. At the time of receipt, the petition had 292 signatures. A breakdown of location of signatories is provided below.

Location	Number of signatories
Golden Plains	200
Non-Golden Plains	69
Unable to determine	23
Grand total	292

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

The submission and presentation of petitions to Council supports the overarching governance principles, specifically that the transparency of Council decisions, actions and information is to be ensured.

POLICY/RELEVANT LAW

- Local Government Act 2020
- Governance Rules

COMMUNITY ENGAGEMENT

Petitions are a form of community engagement and allow community members to demonstrate community support for a request or views on a matter and for that request or view to be presented directly to Council.

PUBLIC TRANSPARENCY

Petitions allow community members to demonstrate community support for a request or views on a matter and for that request or view to be presented directly to Council. The processes in the Governance Rules provide transparency on the way that petitions are presented to Council and how Council decisions relating to petitions will be made.

RISK ASSESSMENT

There are no identified risk implications associated with this report.

COMMUNICATION

If Council determines to refer the petition to the Chief Executive Officer for consideration and response, a response will be provided to the lead petitioner, as the obvious intended contact person for the petition.

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 petition and refer it to the Chief Executive Officer for consideration and response.

This option is recommended by officers as this petition relates to operational matters and in accordance with Governance Rule 37.8 must be referred to the Chief Executive Officer for consideration and response.

Option 2 – Receive the petition and refer it to the Chief Executive Officer for a report to a future Council meeting.

This option is not recommended by officers this petition relates to operational matters and in accordance with Governance Rule 37.8 must be referred to the Chief Executive Officer for consideration and response. Referral to the Chief Executive Officer for a report to a future Council meeting would be non-compliant with the Governance Rules.

CONFLICT OF INTEREST

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

CONCLUSION

The petition has been submitted to the Chief Executive Officer and is now presented to Council in accordance with rule 37 of the Governance Rules.

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 Reappointment of Audit and Risk Committee Independent Member

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.

10.2 Tender for Jetpatcher Truck Replacement

This matter is considered to be confidential under Section 3(1) - g and g(ii) 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 private commercial information, being information provided by a business, commercial or financial undertaking that—and or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
