

# **AGENDA**

## **Council Meeting**

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**6:00 PM Tuesday 22 April 2025**

**VENUE:**  
**Golden Plains Civic Centre**  
**Council Chambers**  
**2 Pope Street, Bannockburn**

NEXT COUNCIL MEETING  
6:00 PM Tuesday 27 May 2025

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

## **Code of Conduct Principles**

### **WORKING TOGETHER**

We Councillors will:

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

### **BEHAVING WITH INTEGRITY**

We Councillors will:

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

### **MAKING COMPETENT DECISIONS**

We Councillors will:

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

## 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)
- 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.

## Order Of Business

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**1 OPENING DECLARATION**

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

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

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

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

**3 APOLOGIES AND LEAVE OF ABSENCE****4 CONFIRMATION OF MINUTES****Recommendation**

That Council confirms the minutes of the Council Meeting held on Tuesday 25 March 2025 and Tuesday 1 April 2025.

**5 DECLARATION OF CONFLICT OF INTEREST****6 PUBLIC QUESTION TIME**

## 7 BUSINESS REPORTS FOR DECISION

### 7.1 PLANNING SCHEME AMENDMENT C104GPLA TEESDALE FLOOD STUDY - POST EXHIBITION

**File Number:**

**Author:** Daniel Murrihy, Senior Strategic Planner

**Authoriser:** Jo Wilson, Director Community, Planning and Growth

**Attachments:** 1. Teesdale Flood Risk Identification Study  
2. Combined Planning Scheme Amendment Documents

#### RECOMMENDATION

That Council:

1. Refer all submissions regarding the Planning Scheme Amendment C104GPLA Teesdale Flood Study to an independent Planning Panel pursuant to section 23(1)(b) of the *Planning and Environment Act 1987*.
2. Authorise officers/suitable persons to represent Council at the Planning Panel hearing generally in accordance with the response to submissions outlined in this report.

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#### EXECUTIVE SUMMARY

The purpose of this report is to summarise the outcome following exhibition of Planning Scheme Amendment C104gpla Teesdale Flood Study. The amendment was exhibited between 6 February 2025 and 10 March 2025. 15 submissions were received during exhibition and three [3] after exhibition closed.

Frequent issues raised included questions over the extent of the proposed overlays and the cost to residents due to insurance increases and decrease in property value.

Councillors have been provided with a full copy of the submissions for consideration.

#### BACKGROUND

On 24 October 2023 Council authorised the preparation and exhibition of the Planning Scheme Amendment to implement the Teesdale Flood Risk Identification Study (TFRIS) by amending the Maps for the Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) in Teesdale.

Exhibition of the Amendment included letters provided to relevant agencies and prescribed ministers, letters to 139 owners and occupiers of the properties in Teesdale that are within the proposed changes to the Flood Overlay and Land Subject to Inundation Overlay, public notice in the Golden Plains Times on 15 November 2024, and publication in the Government Gazette on 31 January 2025. Fifteen submissions were received during the exhibition period – two from agencies and 13 from residents of Teesdale. After the close of exhibition, three additional submissions were received – two from residents and one from an agency.

The submissions from the residents have not been resolved.

#### DISCUSSION

##### Teesdale Flood Study

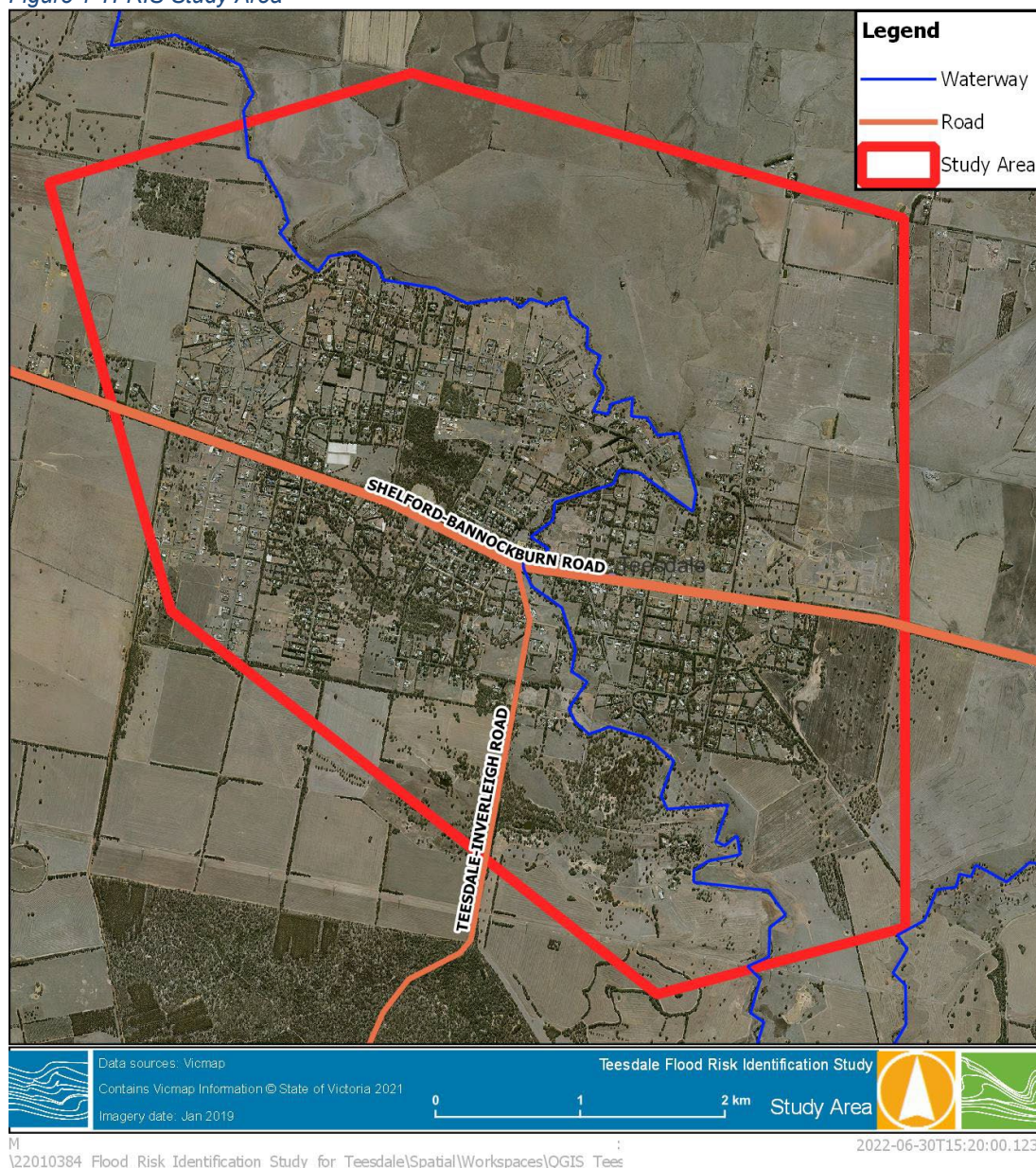
Teesdale is identified as a Priority Flood Risk Area in the Corangamite Regional Floodplain Management Strategy (2018), which identifies both riverine and flash flood risks for the town and states that “flooding associated with Native Hut Creek has damaged several residential properties”. The Corangamite Catchment Management Authority (CCMA), the regulatory authority for

management of floodplain strategies and provision of flood advice, has undertaken flood investigations showing that the current flood mapping which is the basis for the current FO and LSIO understates the flood hazard in Teesdale.

Council received funding to conduct a flood study in Teesdale through the Risk and Resilience Grants Program managed by Emergency Management Victoria, with funding provided by the Australian Government in partnership with the Victorian Government under the National Partnership Agreement for Disaster Risk Reduction.

Water Technology was commissioned by Golden Plains Shire Council (Council) to undertake the TFRIS (Attachment 1). The investigation area covered the Native Hut Creek and tributaries in the township of Teesdale, as shown in *Figure 1*.

*Figure 1 TFRIS Study Area*



The TFRIS was compiled through Hydrology and Hydraulic Modelling, road and drainage infrastructure and rainfall inputs and topographical information from multiple LiDAR data sets. This information was combined to assess the 2011, 1995 and 1973 flood events and used information gathered from community consultation to test the model against those events.

Community consultation sessions were held in person on 4 August 2022 at the Teesdale Community Hall and online on 9 August 2022. Approximately 20 attendees shared information with Golden Plains Shire, CCMA, Vic State Emergency Service (SES) and Water Technology.



officers. Most of the concerns raised at the sessions related to infill and greenfield subdivision and associated increased flows in local drainage, however, information regarding historical riverine flooding of Native Hut Creek was shared.

A consultation session was held at the Teesdale Community Hall on 9 March 2023 with approximately 18 attendees. During this session, the developed models were displayed so that additional historical records and observations could be obtained to validate the findings.

After completion of the modelling, the TFRIS Project Reference Group which consisted of members from Water Technology, Council, CCMA, and the SES considered the application of Climate Change scenarios to use in the development of the mapping for the proposed planning scheme amendment. It was agreed by the Project Reference Group that as the mapping is intended to mitigate against potential future impacts, it was most appropriate to reduce the risk by using the high emissions scenario (RCP8.5) at 2100.

### **Planning Scheme Amendment C104gpla**

Council adopted the TFRIS and authorised the preparation and exhibition of the Planning Scheme Amendment at the October 2023 meeting. The Minister for Planning authorised the Planning Scheme amendment with changes (Attachment 2) on 14 November 2024.

The amendment identifies land that is likely to be within the 1% Annual Exceedance Probability flood extent with a climate change projected rainfall intensity increase of 18.4%, to 2100. The flood lines used for the overlays are based on a flood event that has a 1 percent chance of occurring in any given year. The time horizon of 2100 has been chosen because typically built form such as housing will still be in use during that time period. A high emission scenario has been chosen to allow for climate change uncertainty. This is the standard practice when planning for flood events with respect to climate change. The flood areas shown do not necessarily represent the maximum possible extent of flooding and can be exceeded by a larger flood event.

The amendment applies a combination of updated FO and LSIO controls. The application of these planning controls allows some development to occur within floodwaters which are deemed low risk but is more restrictive for development in high-risk areas.

In September 2019, Amendment C80gpla introduced flood controls (FO1 and LSIO1) to Inverleigh. When C80gpla was approved and published in the Victoria Government Gazette an administrative error occurred that inadvertently removed the FO and LSIO schedules that had corresponded to the existing FO and LSIO mapping throughout the shire. No schedules have applied to these overlays since this time.

This amendment will correct this error by applying the Teesdale schedules to the existing FO and LSIO mapping which are proposed to be renamed FO2 and LSIO2.

Since 2019, most buildings and works within the existing FO/LSIO areas have required a planning permit. The effect of the local schedules is to provide exemptions where appropriate to exempt certain low risk buildings and works from the need for a planning permit.

The proposed new schedules are based on the content from the removed schedules but have been updated in accordance with the requirements of the CCMA and to align with the Victoria Planning Provisions and the form and content requirements of the Ministerial Direction s7(5). They are appropriate for the areas within the existing mapping and also for the new areas in Teesdale.

### **Exhibition**

Exhibition of C104gpla took place between February 6 and March 10, 2025.

The exhibition process comprised of:

- Letters to all landowners of properties within the proposed new FO and LSIO in Teesdale.
- Letters to relevant agencies and prescribed ministers.
- Newspaper notice in the Golden Plains Times.
- Government Gazette Notice.



- Information about the amendment on the Strategic Planning Projects page of the Golden Plains Shire website and the Department of Transport and Planning website.

As detailed above a total of 18 submissions were received. The three submissions from agencies (CCMA, DTP-Transport, DEECA) were supportive or requested no change to the amendment. The 15 submissions from the residents objected to the amendment.

Key issues that were raised in the submissions included:

- Support for modelling and methodology used for the mapping.
- Improvement of safety through proposed controls.
- Support for permit exemptions in Overlay schedules.
- Belief that the flood modelling is inaccurate.
- Use of anecdotal data in the flood modelling.
- Lack of 2022 flooding data use in validation.
- The 2022 flooding does not match the proposed overlay extents.
- Questions over surveying of affected areas.
- The economic effects of insurance cost and property values.
- Alternative mitigation options were not pursued.
- Reintroduction of the Schedule is unfair to residents.
- Personal responsibility for flood preparedness.
- Use of Climate Change projections.
- Increased impacts from new developments.
- Disruption to natural floodplains.
- Lack of community consultation.

#### Response to issues

Water Technology are a very experienced and credentialed organisation in riverine flood studies. The TFRIS used industry best practice methodology, and the results were validated against all available information sources. This included historical records from newspapers, photographs and firsthand experiences from previous flood events. Updated LiDAR (light detection and ranging) surveys were validated to confirm elevation data though the study area. The study was reviewed and supported by Council Engineers and the CCMA.

The Australian Rainfall and Runoff Guide: A Guide to Flood Estimation is published by the Australian Government to instruct engineers on design and modelling of drainage and flood. Section 4.5.3 of that guide explains that anecdotal information is valuable for the calibration of flood models.

The TFRIS community consultation was communicated to all residents of Teesdale through direct mail on two occasions, as well as newspaper advertisements and social media posts. All buildings that were deemed to be possibly impacted by a 0.2% Annual Exceedance Probability (AEP) flood were included in a floor level survey that was conducted in February 2023. The survey spanned 31 properties.

The TFRIS had commenced before the 2022 floods, with the first round of consultation having been conducted in August where the selection of the three historic floods being analysed was explained. The flooding occurred in October of that year and did not correspond to a 1% AEP event, with the water level being lower than the 1973 flood being used in the TFRIS. Water Technology did collect photographs and evidence from the 2022 flood event to assist with their analysis. As the flood level from this event did not reach the 1% AEP level, it cannot be used to justify the extent of the proposed Overlays.

At the completion of the TFRIS, the use of Representative Concentration Pathways (RCP) was the common approach to modelling climate change projections. The Intergovernmental Panel on Climate Change (IPCC) had defined climate change scenarios based on potential emissions until the end of the century. RCP8.5 is based on the scenario of business as usual where the world continues to burn fossil fuels. RCP4.5 is based on a scenario where carbon emissions peak around 2040 and then decline.

In the IPCCs Sixth Assessment Report released in 2021, the RCPs were incorporated into five Shared Socioeconomic Pathways (SSPs) which include consideration of socio-economic effects as well as carbon emission. RCP8.5 has been incorporated into SSP5-8.5 and is considered the very high emissions future with no reduction. An additional high emissions scenario has been incorporated into SSP3-7.0 that was not previously considered in the RCPs. This was not considered for use in the TFRIS for that reason.

There are no Federal or State Guidelines as to which climate change scenario to use. In the Victoria's Climate Science Report 2024 it states: "Although less likely, very high emissions scenarios cannot be ruled out and can be useful for adaptation planning and risk assessment" - (*The State of Victoria Department of Energy, Environment and Climate Action*, November 2024). The use of RCP8.5 in the flood modelling is consistent with that recommendation.

Section 5.2 of the Flood Damages and Mitigation Assessment included in Attachment 1 show the difference in applying the Climate Change modelling RCP8.5 against the present-day 1% AEP. Only three additional properties in total were impacted by using RCP8.5, with 5 additional properties having FO over part of their property ([Figure 2](#)).

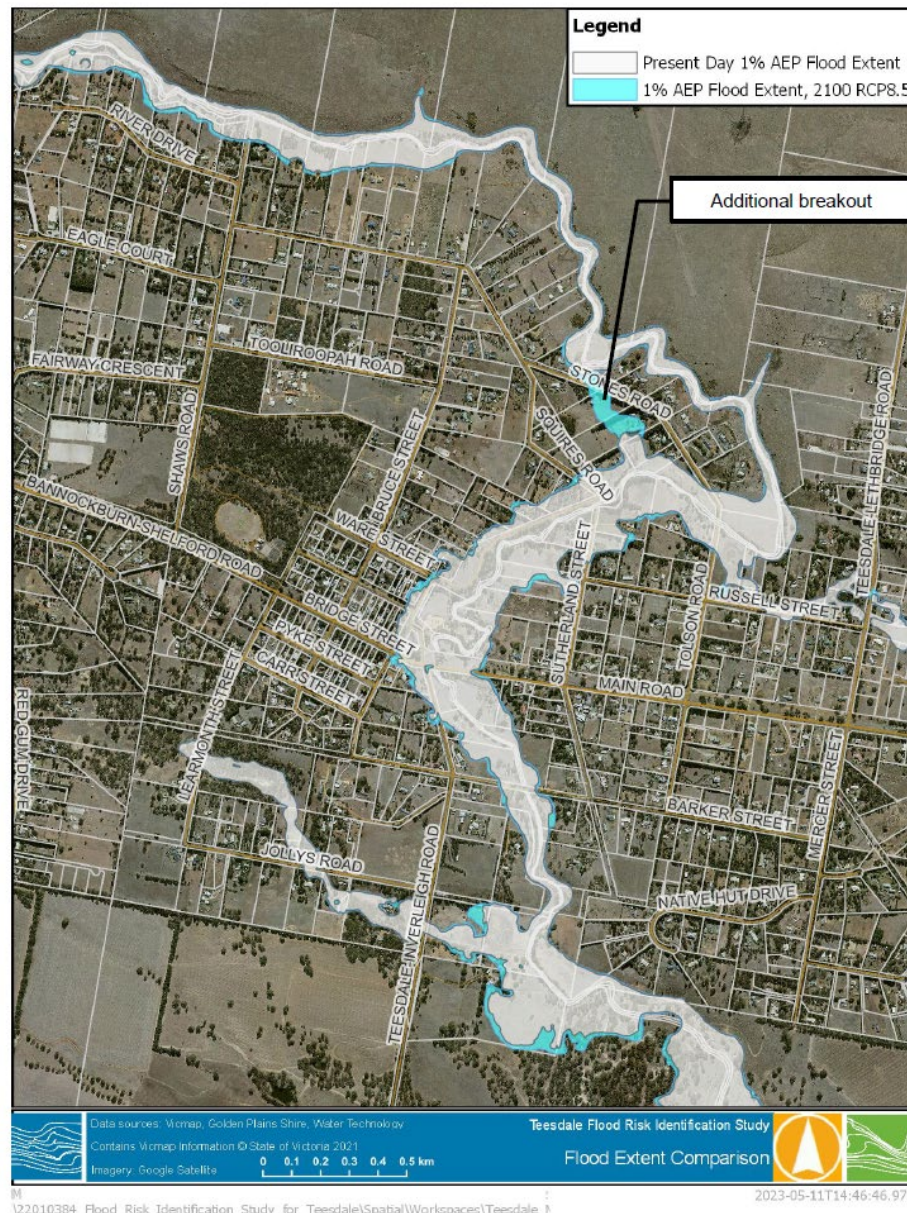


Figure 2 Comparison of the 1% AEP flood extents under present day and 2100, RCP8.5 conditions

The application of the new overlays will restrict new development in areas that have a potential to flood. There are currently few buildings within the proposed overlays. If the overlays are not adopted, houses may be built in locations with the potential to flood. This is a risk to human life and has an economic cost for damage to buildings and infrastructure. Council may be liable to losses that occur in flood events where a Flood Study has not been implemented.

Constraining development within the flood plain will have environmental and cultural benefits. Building within the LSIO and FO will need to be considered by the CCMA to ensure there is no detrimental impacts to flow paths and that the building will not create a safety risk to people or building damage.

Council has no role or relationship with the decisions of the Insurance industry. The modelling from the TFRIS is currently in use by the CCMA and SES for consideration of flood effects and is publicly available through the Digital Twin Victoria platform. Some properties may no longer be able to be subdivided, but allowing additional development in locations that may be affected by flood is contrary to Section 13.03-1S of the Golden Plains Planning Scheme.

Alternative mitigation options were considered in the TFRIS and found not to be cost effective. These options included raising Pantics Road, alternative culverts under Bannockburn-Shelford

Road, and waterway vegetation clearing. Each of those options had a significant financial or environmental cost with very limited benefit, so were not recommended.

The reintroduction of the Schedules to the other parts of the Shire will not cause a detriment to the landowners and residents within the current overlays. The Schedules do not change the extents of the overlays, and only provides planning permit exemptions to activities that are safe and do not have a detrimental effect on the floodplain.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

## GOVERNANCE PRINCIPLES

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

The amendment makes proper use of the Victorian Planning Provisions by identifying land affected by flooding, including land inundated by the 1 in 100 year flood event (1 per cent Annual Exceedance Probability) or as determined by the floodplain management authority in planning schemes.

## POLICY/RELEVANT LAW

The Amendment is proposed to proceed in accordance with the provisions of the *Planning and Environment Act 1987*. The steps in the Amendment process are shown below (*Figure 3*). The green box outlines the current stage of the process.

Under Section 22 (1) of the *Planning and Environment Act 1987* Council is required to consider all submissions to an amendment that were lodged before the date set out in the notice.

Under Section 23 (1b) of the *Planning and Environment Act 1987* the Planning Authority can refer submissions to an independent panel, as recommended under this report

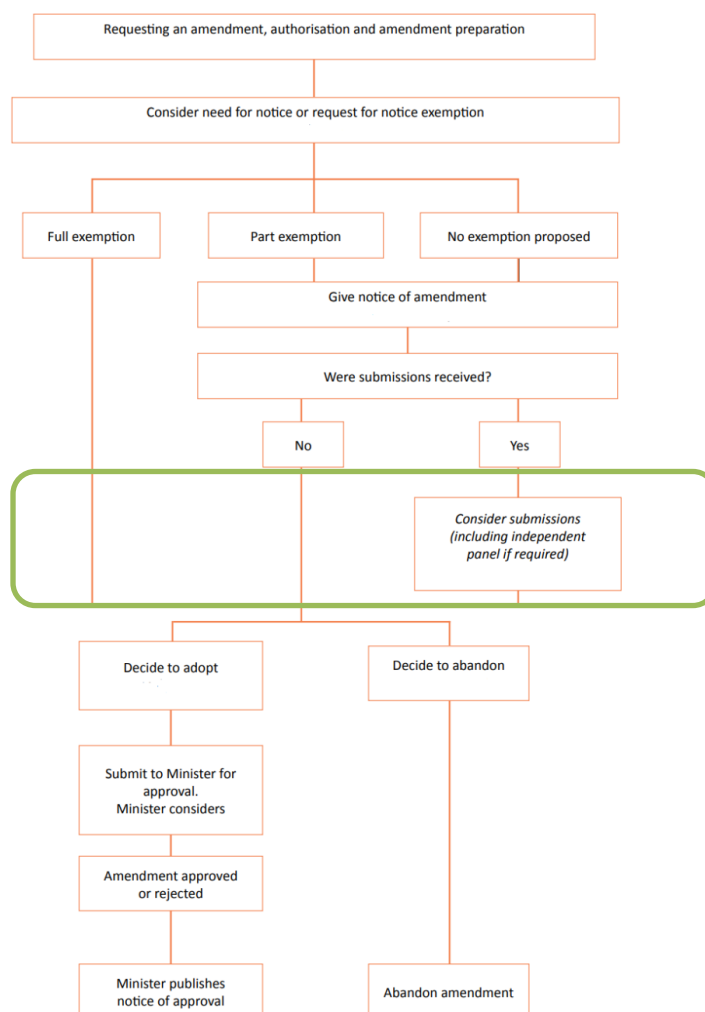


Figure 3 Planning Scheme Amendment flow chart

## ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

The amendment identifies flood-prone areas. Areas of environmental significance, such as swamps, billabongs and wetlands have an important role to play in supporting biodiversity, recycling nutrients and maintaining water quality. Through this amendment, these areas can be protected from inappropriate development that may pose a threat to water quality and flora and fauna communities. The identification of flood-prone areas will ensure that development is compatible with local environmental conditions including flood hazards and drainage conditions.

The application of the FO2 and LSIO2 in Teesdale, which is underpinned by the Study, will ensure future development is managed in areas subject to flooding. The amendment will prevent development from occurring in areas that are subject to flooding that could reduce the capacity of the floodplain to store and convey water, and consequently will help protect the creek environs.

The appropriate location of development will reduce the impact that floating debris and sewage can cause to vegetation throughout floodplains during and after flooding events.

## COMMUNITY ENGAGEMENT

Public notice of the proposed rezoning has been undertaken in accordance with the requirements set out in the *Planning and Environment Act 1987*. Notification of the Planning Panel will also be published in accordance with the Planning Panel process.

## PUBLIC TRANSPARENCY

Submissions made through the rezoning process will be considered by Council, a Planning Panel and the Minister for Planning, thereby making the determination transparent.

## STRATEGIES/PLANS

In assessing and formulating a recommendation for this planning scheme amendment, the Golden Plains Shire Planning Scheme and the Teesdale Flood Investigation Study were considered.

The requirements of the Corangamite Regional Floodplain Management Strategy (CCMA, 2018), Australian Rainfall and Runoff Guide: A Guide to Flood Estimation (Commonwealth of Australia (Geoscience Australia) 2019), and Victoria's Climate Science Report 2024 (State of Victoria Department of Energy, Environment and Climate Action November 2024) were also considered.

## FINANCIAL MANAGEMENT

Council has budgeted for the cost to request a Planning Panel and appoint Water Technology to provide expert testimony.

## RISK ASSESSMENT

- If Council do not proceed with the Amendment, there is risk that buildings may be constructed in areas subject to flood.
- Council may be liable for damages if the amendment does not proceed.
- The Planning Panel may recommend that the amendment be approved, with or without changes.
- The Planning Panel may recommend that the amendment be abandoned.

## COMMUNICATION

If the recommendation is implemented all submitters will be invited to attend a Planning Panel by Planning Panels Victoria.

## 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 –Refer the amendment to an independent Planning Panel.

This option is recommended by officers as not all submissions can be resolved. A Planning Panel will impartially consider arguments from all parties and make a fair recommendation on how to proceed.

### Option 2 – Recommend changes to amendment C104gpla and refer the amendment to an independent Planning Panel.

This option is not recommended by officers as no changes to the amendment are supported by the CCMA; however, it would depend on the extent of the modifications and reasons for them.

### Option 3 – Abandon Amendment C104gpla

This option is not recommended by officers as there will be increased risk for development to occur on land that has a potential to be affected by flood.



**CONFLICT OF INTEREST**

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

**CONCLUSION**

The TFRIS completed in 2023 was conducted using best practice methods and involved community consultation to confirm the modelling. The 2022 flood occurred after the commencement of the TFRIS and was not to the level of a 1% AEP flood event and is not indicative of the extent of land that may be impacted by a 1% AEP flood to 2100. Climate change effects have been considered in the modelling and the proposed overlays. Council has no role in the information used by Insurance industry. By referring this amendment to a Planning Panel, an independent review of the submissions will be undertaken with recommendations for any changes to the Amendment provided to Council for further consideration.



**7.2 P24158 28 JESSE WAY INVERLEIGH (VARIATION TO RESTRICTIVE COVENANT AJ633787Y BY VARYING PART (I))**

**Author:** Sarah Smith, Senior Statutory Planner (Subdivisions)

**Authoriser:** Jo Wilson, Director Community, Planning and Growth

**Attachments:** Nil

**RECOMMENDATION**

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit for the application to vary Restrictive Covenant AJ633787Y on the following grounds;

1. The application fails to satisfy section 60(2) of the *Planning & Environment Act* 1987 and Clause 52.02 of the planning scheme as owners of land benefited by the covenant have objected to the grant of a permit and Council cannot be satisfied that the owners will be unlikely to suffer material detriment as a consequence of the covenant variation

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**EXECUTIVE SUMMARY**

This report relates to a planning permit application for variation to restrictive covenant AJ633787Y to allow for the construction of a small second dwelling. The report provides a background to the application and a summary of the relevant planning considerations. Councillors have been provided with a full copy of the application and objections for consideration prior to making a decision.

The application was advertised, and two (2) objections were received. A consultation meeting was held on 11 February 2025. No objections were withdrawn as a result of the consultation meeting.

The application has been called to a Council meeting by Cr. Sharkey and seconded by Mayor Hayden for determination in accordance with Council's Consideration of Planning Applications Policy.

Officers recommend that a Notice of Refusal to grant a Planning Permit is issued, as per the proposed grounds of refusal.

**BACKGROUND****Site description**

The subject land is located on the southern side of Jesse Way, approximately 260 metres east of Cleveland Drive, and has an area of 1.0 hectares. The land is developed with an existing dwelling with ancillary outbuildings. The rear of the allotment is primarily void of any buildings or significant vegetation. Jesse Way is a sealed Council Road with grassed road reserves on each side.

The subject site and abutting allotments are all zoned Low Density Residential Zone- Schedule 1 (LDRZ1) and subject to Design and Development Overlay - Schedule 5 (DDO5) and a Development Plan Overlay Schedule 9 (DPO9).

The site is formally known as Lot 22 on PS648617S and was created as part of the 'Barrabool Views' (north and south) Estate and forms part of Stage 3. The Barrabool Views estate has one stage left before completion.

**Proposal**

The application seeks to vary part (i) of covenant on title (AJ633787Y) as outlined below;

**Current Wording:**

1. *shall not at anytime hereafter erect or build or cause or suffer to be erected or built on the loss or any part thereof:*

- a) *Any more than one single house*
- b) *any dwelling house unless 65% of the external walls (excluding windows) shall be constructed of brick, concrete, brick veneer, stone or like material;*
- c) *Any dwelling house unless the gross floor area, excluding verandas and attached garage or carport, shall not be less than 150 square metres;*
- d) *Any dwelling house relocated from any other place whatever.*

The applicant, in response to the consultation meeting held on 11 February 2025 proposed to amend part (i) of the covenant as follows;

**Proposed Wording (changes in red):**

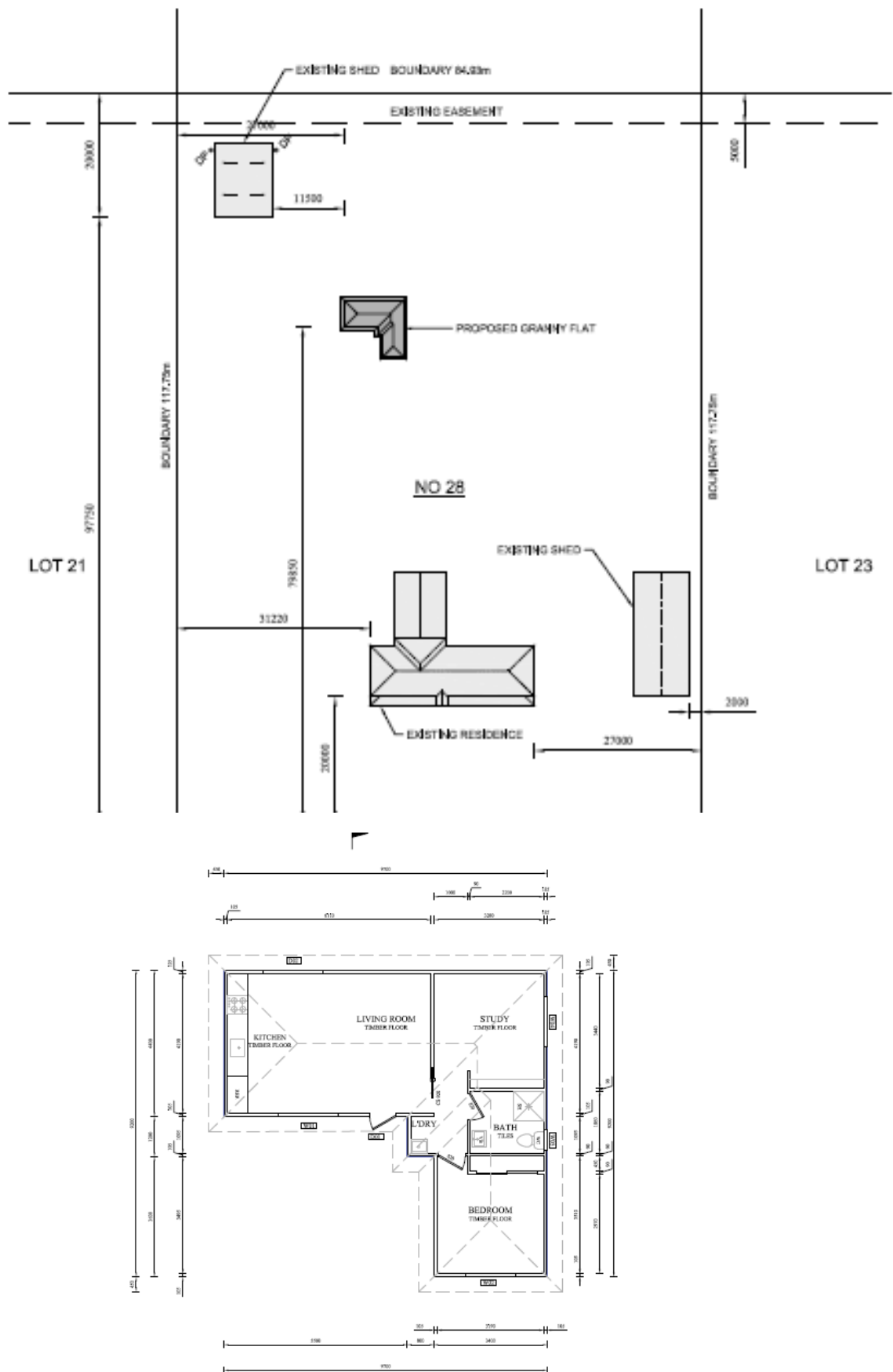
- a) *any more than one dwelling house and a “small second dwelling” as it is defined by the Planning Scheme.*
- b) *Any dwelling (excluding a small second dwelling) house unless 65% of the external walls (excluding windows) shall be constructed of brick, brick veneer, stone, weatherboard or like material*
- c) *Any dwelling house (excepting a small second dwelling) unless the gross floor area, excluding verandas and attached garage or carport, shall not be less than 150 sqm.*
- d) *Any dwelling house (excepting a small second dwelling) relocated from any other place whatever*

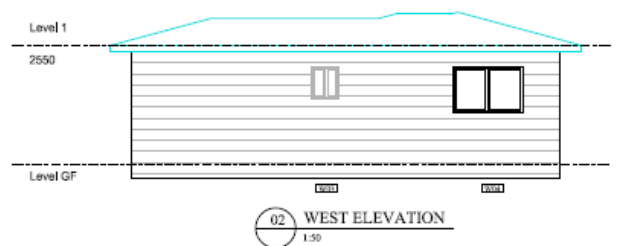
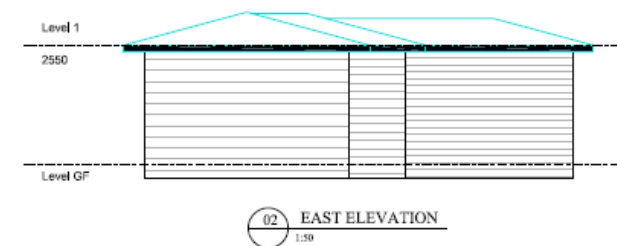
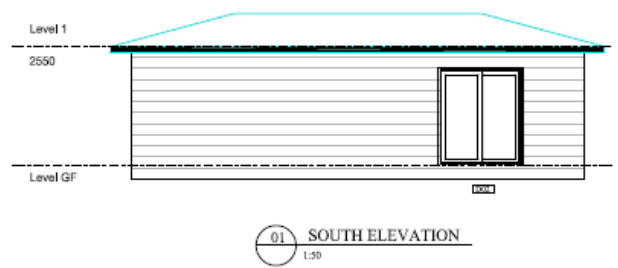
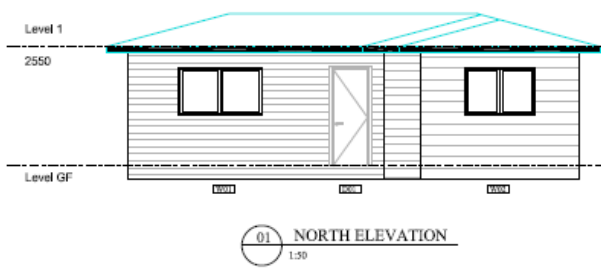
It is proposed to vary the covenant so as to allow an additional small second dwelling on the land that can be less than the size specified and have alternative materials used.

On 14 December 2023, Amendment VC253 made changes to the Victoria Planning Provisions (including the Golden Plains Planning Scheme) to facilitate the construction of small second dwellings. As a result, a small second dwelling can be built on most properties in residential and rural zones without a planning permit. A small second dwelling is a dwelling that is 60 square metres or less with a kitchen, bathroom and toilet, located on the same lot as an existing home. A small second dwelling must not be connected to reticulated natural gas and does not require a car parking space.

Under the provisions of the Golden Plains Planning Scheme, a planning permit would not be required for a small second dwelling on the subject site, however the restrictive covenant AJ633787Y prohibits the construction of a second dwelling.

The reasoning provided for varying the covenant is to provide for a small second dwelling relocated to the site for a family member. Plans of the second dwelling were not submitted with the application but circulated during the consultation process as follows;





## Site Map



## CONSULTATION

Notice of the application was given in accordance with Section 52 52(1)(a), 52 (1)(cb) 52(1)(d), 52(1AA)(a & b) and, 52(1)(cb) of the *Planning and Environment Act 1987*. Notice was given by mail

to 39 owners and occupiers of land benefitting from the covenant or those that may be affected to the covenant.

Under S.52 (1AA) of the *Planning and Environment Act 1987*, if an application is made for permit to remove or vary a registered restrictive covenant, the responsible authority must give notice of the application in the prescribed form –

- (a) by placing a sign on the land which is the subject of the application; and
- (b) by publishing a notice in a newspaper generally circulating in the area in which that land is situated.

Notice was given by placing a sign on the land and by placing an advertisement in the Saturday edition of the Geelong Advertiser newspaper. The advertising material was available on Council's website.

As a result of the public notice, two (2) objections were received. It has been determined that one (1) of the objectors is a beneficiary to the covenant (it is noted that the objector is the executor of the estate of a beneficiary, however this is determined to have the same weight as an objection from a beneficiary).

A copy of the objections has been provided to the Councillors under separate cover. Objectors have cited matters including:

- the covenant was drafted in conjunction with the original landowner in order to create the existing character within the current development.
- loss of amenity and loss arising from the change to the character of the locality.
- approving the variation would allow a precedence for the area to allow increased density applications and for subdivision.

A consultation meeting was held on 11 February 2025 and did not result in a resolution being reached.

It should be noted that at the time of public notification, the application was advertised as '*Variation to restrictive covenant AJ633787Y by removing part (i) in its entirety*'. It has been clarified through the consultation process that part (i) is not being removed, but varied to allow a small second dwelling. This was accompanied by further clarification of the wording of the covenant variation after the consultation meeting, circulated by the applicant, in relation to the proposed second dwelling with concept plans provided as outlined previously in this report.

It is considered that public notification was not required to be undertaken again as the wording of the variation was circulated during the consultation period to the objectors and the variation is considered to be less detrimental than the entire removal. Nonetheless, the objections were not withdrawn. The assessment of this application is based on the variation outlined under 'proposal'.

## **ASSESSMENT**

A planning permit is required only under the following provisions:

### Clause 52.02 (Easements, Restrictions and Reserves)

A permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to vary a restriction. The application was lodged on 8 October 2024.

There are no referral authorities specified in the planning scheme for an application of this type.

## **PLANNING SCHEME**

### Planning Policy Framework (PPF)

#### **Municipal Planning Strategy**

#### Vision (Clause 02.02)



As outlined in the Council Plan, Golden Plains Shire is a developing municipality that offers a lifestyle and opportunities that foster social, economic and environmental wellbeing.

*Council's vision is to sustainably manage land use and development within the Shire, including:*

- Residential development will predominantly be contained within townships.
- The natural environment will be protected and enhanced.
- The local economy will grow, particularly in township development and rural based and farming industries.

## Local Planning Policy Framework (LPPF)

### Clause 11.03-6L-03 Inverleigh

#### Policy application

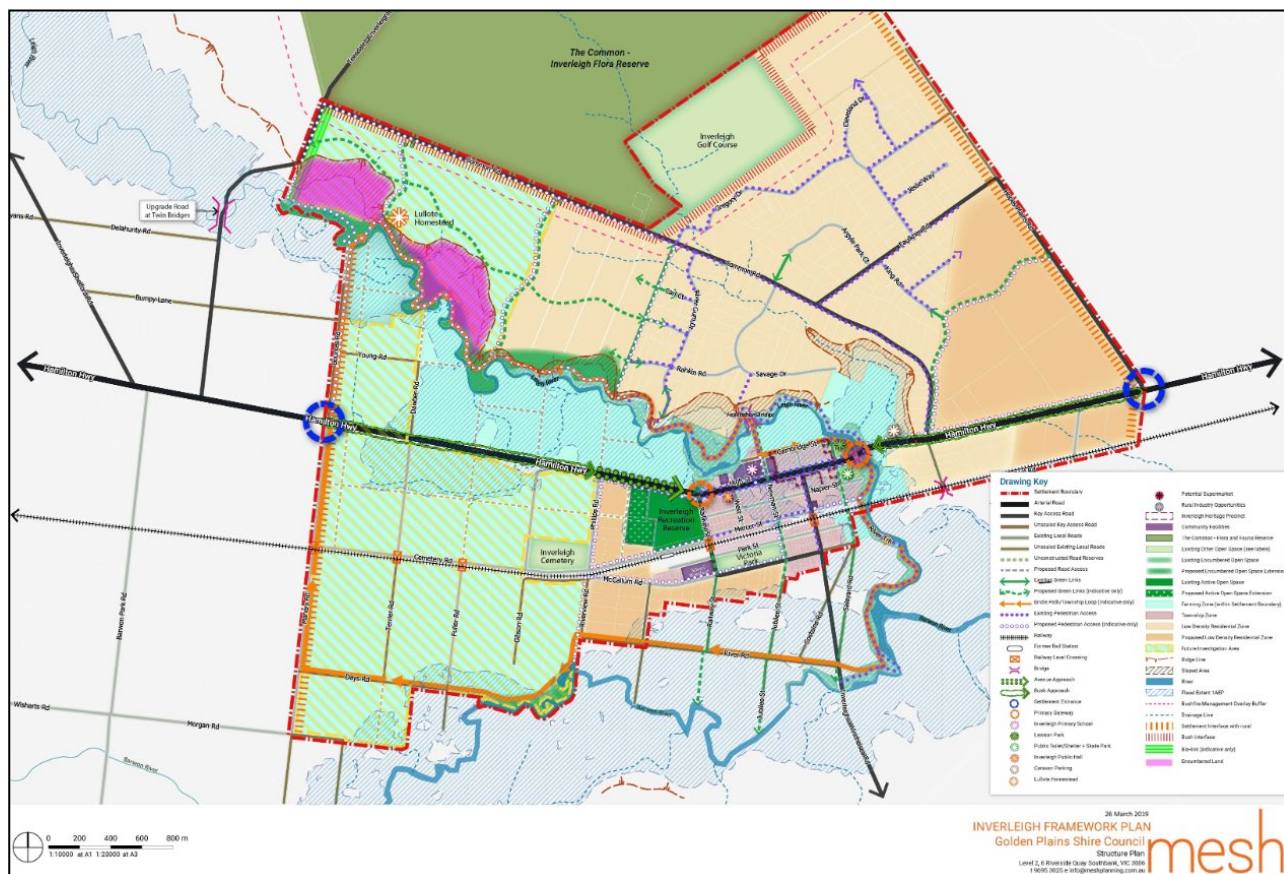
This policy applies to the land identified on the Inverleigh Framework Plan contained within the settlement boundary.

#### Objective

- To encourage residential, commercial and tourism growth in Inverleigh while recognising its rural setting, risks from natural hazards and protecting the natural landscape in and around the town.

#### Settlement and residential development strategies

- Support moderate residential growth within the existing defined settlement boundary consistent with the Inverleigh Framework Plan.



**Zone and overlay provisions****Zoning**

No assessment is required pursuant to the provisions of the Low Density Residential Zone, Schedule 1. A planning permit is not required under the Zone to remove or vary a restriction.

**Overlays**

No assessment is required pursuant to the provisions of the Design and Development Overlay Schedule 5 or the Development Plan Overlay Schedule 9. A planning permit is not required under the provisions of these overlays to remove or vary a restriction.

**Particular provisions****Clause 52.02 – Easements, restrictions and reserves**

A planning permit is required under Clause 52.02 to create, vary or remove a restriction. The purpose of this clause is to provide for the removal and variation of restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the interests of affected people.

**General provisions**

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

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

**CULTURAL HERITAGE IMPLICATIONS**

A Cultural Heritage Management Plan (CHMP) is not required under the *Aboriginal Heritage Regulations* 2018 because:

- The proposal is not a high impact activity.

Notice of the application *was not* provided to *Wadawurrung Traditional Owners/Eastern Maar* Aboriginal Corporation (Registered Aboriginal Party) because the subject land *is not* a registered Aboriginal Place.



## DISCUSSION

At its essence, a restrictive covenant is a private agreement between landowners prohibiting the way land can be used or developed. It is a proprietary right and forms an agreement contained in the transfer of land having the effect as a deed under s49 of the Transfer of Land Act 1958.

Restrictive covenants differ from other types of covenants because, if the covenantor sells or passes the burdened land to someone else, the restrictive covenant binds the new owner and the burden of the covenant 'runs with the land'.

In determining an application to vary a restriction on title, Council is required to consider:

- Section 60 (2) of the Planning and Environment Act 1987; and
- The provisions of Clause 52.02, namely the interests of affected people; and
- The decision guidelines of Clause 65 of the planning scheme.

In terms of the provisions of the Act, Sections 60(2) and 60(5) of the Act apply to the consideration of any permit application to remove or vary a restrictive covenant made under Clause 52.02 of the planning scheme.

If a covenant was created on or after 25 June 1991, section 60(2) applies. If the covenant was created before this date, section 60(5) applies. The covenant on the subject land was created on 1 May 2012 and therefore section 60(2) applies.

Section 60(2) of the **Act** states:

*The responsible authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restriction (other than an owner who, before or after the making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer—*

*(a) financial loss; or*

*(b) loss of amenity; or*

*(c) loss arising from change to the character of the neighbourhood; or*

*(d) any other material detriment*

*— as a consequence of the removal or variation of the restriction*

Officers refer to VCAT decision *Hill v Campaspe SC (includes Summary) (Red Dot) [2011] VCAT 949*, whereby Deputy President Helen Gibson noted at paragraph 63 and 64:

*63 In my view, the scheme established by the legislation provides that there are two matters to be considered in relation to a restrictive covenant case. Firstly, there is a question of whether the requirements of clause 60(5)<sup>1</sup> are satisfied. Second, where the proposal is not barred by section 60(5), a question arises under clause 52.02 as to whether, as a matter of discretion and on the basis of the planning merits in relation to clause 52.02, a permit should be granted.*

*64 The first of these matters under section 60(5) is not a matter of discretion. Sub-section (5), (and for that matter section 60(2)) impose legal barriers that prevent any decision being made to grant a permit for the removal or modification of a restrictive covenant. The responsible authority and the Tribunal are called upon to determine if the requirements imposed by the sub-section are met. On the basis of the findings, the proposal is either barred or not barred. There is no discretion. It is a legal barrier.*

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<sup>1</sup> Or section 60(2) in a case to which it applies

Council received two objections during the notice period, one objection was from a person who does not take benefit of the covenant, and the second objection was received from the executors of a number of properties (9 in total) that benefit from the covenant.

In determining the application, we turn to the submissions received from the beneficiary together with the objection from the non-benefiting covenant to ascertain the “weight” given to each objection and the status of the submitters.

Officers again refer to VCAT decision *Hill v Campaspe SC (includes Summary) (Red Dot) [2011] VCAT 949*, whereby Deputy President Helen Gibson noted at paragraph 60:

*‘Section 57(1A) of the Act provides that an owner or occupier of any land benefited by the covenant is deemed to be a person affected by the grant of the permit. Clearly, they may object to a permit under clause 52.02 and their interests must be considered under the decision guidelines, but equally other people may be affected and their interests should also be considered. Clearly, they may object to a permit under clause 52.02 and their interests must be considered under the decision guidelines, but equally other people may be affected and their interests should also be considered.’*

Further at paragraph 152 and 153, Deputy President Helen Gibson noted:

*Clause 52.02 contains decision guidelines that refer to the decision guidelines in clause 65 in addition to the interests of affected people. The interests of affected people can be the interests of the owner(s) of land benefited by the covenant, which are reflected by section 60(5) of the Act, the occupiers of benefited land (under section 57(1A)), and any other persons who may be affected by the removal or variation of the covenant. As discussed earlier, it is not just benefiting owners who may be affected by the removal or variation of a covenant or who have the right to lodge an objection or be parties to a proceeding concerning an application under clause 52.02.*

The objection received from the non-beneficiary to the covenant is from the developer of the Barrabool View Estate. It was outlined in their submission that the covenant was drafted in conjunction with the original landowner to create the character currently experienced. To allow the variation to the covenant will cause potential detriment to the character and amenity of the area that the covenant intended to uphold.

Officers again refer to VCAT decision *Hill v Campaspe SC (includes Summary) (Red Dot) [2011] VCAT 949*, whereby Deputy President Helen Gibson noted at paragraph 66:

*66 The existence of a restrictive covenant will often be instrumental in establishing the character and amenity of a particular area. The owners and occupiers of land within the area will enjoy the benefit of that amenity even though they may not enjoy the benefit of the covenant as a property law right.*

The Barrabool View Estate is typified by large low density residential lots, with spacious yards and consistent building materials and building pattern. The existence of the covenant has (and remains to) implement a neighbourhood character outcome, which amongst other things, becomes a selling point to potential purchasers. Therefore, given the objections to the variation of the covenant, officers are not persuaded that the beneficiaries to the covenant will not suffer loss arising from the change of character of the neighbourhood.

Officers also note that the beneficiary to the covenant retains titles to 9 lots that benefit the covenant. These allotments will be sold in the future, and therefore officers are also not persuaded that the beneficiaries will not suffer any financial loss due to the variation sought.

Any other material detriment is a broad consideration and is not a matter of probability but rather possibility. If there is any detriment, then a permit can only be granted if such detriment is thought to be unlikely (*Willis v Casey CC [2022] VCAT 650*, paragraph 40).

Based on the objections received, officers are not convinced that the beneficiaries to the covenant will not suffer:

- (a) Financial loss; or
  - (b) Loss of amenity; or
  - (c) Loss arising from change to the character of the neighbourhood; or
  - (d) Any other material detriment
- as a consequence of the removal of the restriction

The next consideration for Council is the provisions of Clause 52.02, whereby the decision guidelines require the responsible authority to consider the interests of affected people and Clause 65 of the planning scheme.

Clause 65 commences with the words:

*Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.*

Clause 65.01 – Approval of an Application or Plan states:

*Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

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

Having regard to the provisions set out at Clause 52.02 and Clause 65 of the planning scheme, officers have considered the interests of affected people and are not persuaded that the variation of the covenant will not affect the interests of people having regard to the matters the responsible authority is required to consider.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

### GOVERNANCE PRINCIPLES

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

### POLICY/RELEVANT LAW

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

### ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

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

### COMMUNITY ENGAGEMENT

Notice of the planning application has been undertaken in accordance with the requirements set out in the *Planning and Environment Act 1987*, by way of letters to adjoining and adjacent landowners, a sign on site and a notice in the newspaper. A consultation meeting between all parties to the application was also undertaken.

### PUBLIC TRANSPARENCY

As objections have been submitted for this application, the application has been called to a Council meeting for a decision, thereby making the determination transparent.

## **STRATEGIES/PLANS**

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

## **RISK ASSESSMENT**

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

## **COMMUNICATION**

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

## **HUMAN RIGHTS CHARTER**

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

## **OPTIONS**

### Option 1 – Issue a Notice of Decision to Refuse to Grant a Permit

This option is recommended by officers because the application is not considered to satisfy the provisions of the Golden Plains Planning Scheme or the matters required to be considered under the Planning and Environment Act 1987.

### Option 2 – Issue a Notice of Decision to Grant a Permit

This option is not recommended by officers as the matters which are required to be considered have been, and the application is not considered to satisfy the provisions of the Golden Plains Shire Planning Scheme or the matters required to be considered under the Planning and Environment Act 1987.

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

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

## **CONFLICT OF INTEREST**

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

## **CONCLUSION**

The application fails to satisfy section 60(2) of the Act and officers recommend that Council issues a Notice of Refusal to issue a Planning Permit.

### 7.3 DRAFT COUNCIL PLAN 2025-2029

**Author:** Renee Williams, Coordinator Community Development

**Authoriser:** Jo Wilson, Director Community, Planning and Growth

**Attachments:** 1. Draft Council Plan 2025-2029 (March 2025)

#### RECOMMENDATION

That Council:

1. Endorses the Draft Council Plan 2025-2029 (Attachment 1) to be made available for public exhibition and submission from 1 May 2025 until 28 May 2025.
- 

#### EXECUTIVE SUMMARY

The *Local Government Act 2020* requires that all Councils prepare and adopt a Council Plan for a period of at least the next 4 financial years by 31 October in the year following a general election.

This report details the key stages undertaken to develop the Draft Council Plan 2021-2025 which have included:

- Community Vision 2040 Refresh community engagement (March-June 2024)
- Council adoption of the Golden Plains Shire Community Vision 2040 refresh (June 2024)
- Deliberative engagement with Community (November 2024-January 2025).
- Deliberative engagement with Councillors through Councillor induction process, presenting on integrated planning and findings from deliberative community engagement processes and data.
- Priorities setting of Councillors identified through survey and workshops (December 2024-February 2025).
- Deliberative engagement with internal departments to identify and develop key priorities – (December 2024 to March 2025).
- Council Plan and Municipal Public Health and Wellbeing Plan integration processes undertaken and supporting documentation for exemption completed, endorsed by Council (February 2025)
- Municipal Public Health and Wellbeing exemption submitted for approval to Minister for Health (March 2025).
- Development of Draft Council Plan (Attachment 1).

The Draft Council Plan integrates the Municipal Public Health and Wellbeing Plan and proposes key deliverables for Council over the four-year period (2021-2025) in alignment with the themes and community priorities identified in the Community Vision 2040.

Proposed public exhibition of the Draft Council Plan will be from Thursday 1 May 2025 to 28 May 2025 (28 days in accordance with the *Local Government Act 2020*) with the document made available and promoted through extensive communications and supported by Staff and Councillor engagement sessions across the public exhibition period.

#### BACKGROUND

Upon commencement of a new Council term, the *Local Government Act 2020* requires that Golden Plains Shire Council develop and adopt a new Council Plan by 31 October in the year following an election. The current Council Plan (2021-2025) comes to a close on 30 June 2025

The project plan and timelines proposed an adoption date for the new Council Plan 2021-2025 of 24 June 2025. This requires the Draft Council Plan 2025-2029 (Attachment 1) to be presented to the Council Meeting on 22 April 2025 to enable for a public exhibition and submission period.

Initial stages of developing the Draft Council Plan 2025-2029 were undertaken throughout early 2024 and early 2025 and included a review of previous engagement information, internal priority setting across Council and information gathered and discussed through Councillor workshops and survey.

Consistent with development of the 2021-2025 Council Plan, it was determined that Council would seek to integrate health and wellbeing and the legislative requirements of a Municipal Public Health and Wellbeing Plan (*Public Health and Wellbeing Act 2008*) into the Council Plan 2025-2029. This ensures an integrated approach to the planning and implementation of actions to ensure health and wellbeing is embedded as a responsibility across all areas of Council. Section 27 of the *Public Health and Wellbeing Act 2008* provides Councils with the option to seek an exemption (through the Department of Health Victoria) from producing a standalone Municipal Public Health and Wellbeing Plan through the inclusion of public health and wellbeing matters specified in section 26(2) into the Council Plan.

## DISCUSSION

In accordance with the Strategic Planning Principles of the *Local Government Act 2020* (the Act), the Draft 2025–2029 Council Plan addresses the themes and community priorities identified in the Golden Plains Shire Community Vision 2040. This includes the four themes of the Community Vision – Community, Liveability, Sustainability and Prosperity with the additional theme of Leadership that represents the Council specific regulatory, governance, leadership and advocacy activities required to achieve outcomes for the community.

Deliberative community engagement to inform the Council Plan centred around identifying priorities for Council to deliver that address the five themes (outlined above) and health and wellbeing. Engagement activities that were undertaken between January 2024 and January 2025 included:

- Community Vision 2040 Refresh engagement and process
  - Community Workshops (Bannockburn, Smythesdale, Rokewood).
  - Online survey available on Council's 'Have Your Say' page: Community Vision 2040 Refresh.
  - Hard copy surveys available at Customer Hubs and distributed to community groups across the shire.
  - Engagement activities at Council events (community movie night, Farmer's Markets).
- Council, Asset and Financial Plan (2025-2029), Bannockburn, Smythesdale and online.
  - Community Think Tanks Sessions, Bannockburn, Smythesdale and online
  - Online survey available on Council's 'Have Your Say' page; Council, Asset and Financial Plans and Youth Engagement and Stakeholder surveys).
  - Targeted engagement activities at Council and community events and activities (Community movie night, Farmer's Markets).
  - Face to face engagement with Senior citizens groups and community groups.
  - Face to face engagement youth events.
- Youth Engagement and consultation (including Council and Asset Plan)
  - Online survey available on Council's 'Have Your Say' page; for young people 25 years and under.
  - Online survey available on Council's 'Have Your Say' page; for stakeholders 25 years and older.
  - Youth Advisory Committee engagement



At the December 2024 Councillor Induction Session on Integrated Planning, the community engagement findings were presented and discussed, to assist Councillors in understanding community priorities and priorities identified through data collected by Council. This information was then posted to the Councillor Portal to assist Councillors during the engagement in determining priorities and objectives of the Draft Council Plan 2021-2025 through surveys and Councillor Thinktank workshops sessions in December/January 2025.

The Draft Council Plan (Attachment 1) was compiled during February and March in collaboration with teams across Council and includes the following for the four-year period 2025-2029:

- the strategic direction of Council incorporating aspirations from the Community Vision 2040.
- strategic objectives for achieving the strategic direction.
- key priorities for achieving the objectives for a period of at least the next 4 financial years.
- success measures for monitoring the achievement of the objectives.
- a description of Council's initiatives over the 4 years supporting strategic objectives.

From 1 May 2025, it is proposed that the Draft Council Plan 2025-2029 will be available on Council's website and at Customer Service Centres. It will also be supported by online and print communications to advise that it is available for public exhibition and submission. During the public exhibition period (May 2025), Council Officers will be available to discuss and capture feedback on the Draft Council Plan 2025-2029 at the Farmer's Market (3 May 2025) in Bannockburn and the Community Market in Smythesdale (17 May 2025).

Community members will be invited to make written submissions on the Draft Council Plan 2025-2029 between 1 May and 28 May 2025 and any submissions received presented to Council at the 3 June 2025 Strategic Council Briefing session.

Following the Strategic Council Briefing the final version of the Council Plan 2025-2029 will be presented at the 17 June 2025 Council Briefing session. It is anticipated the Council Plan 2025-2029 will go to the Council Meeting 24 June 2025 for adoption.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

*(Indicate Yes or No for each implication in the below table)*

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

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

## GOVERNANCE PRINCIPLES

The governance principles in Section 9 of the *Local Government Act 2020*, have and will continue to be applied to the development of the Council Plan 2025-2029 including:

- Engaging the community in strategic planning and strategic decision making.
- Priority is given to achieving the best outcomes for the municipal community, including future generations
- Taking into account regional, state and national plans and policies in strategic planning and decision making.
- Ensuring transparency of Council decisions, actions and information.

## POLICY/RELEVANT LAW

The development, public exhibition and adoption of the Council Plan 2025-2029 (scheduled for June 2025) will ensure Council can deliver on a number of the legislative requirements in the *Local Government Act 2020* including Section 89 (Strategic Planning Principles) and Section 90 (Council Plan).

The Draft Council Plan 2025-2029 also addresses Section 27 of the *Public Health and Wellbeing Act 2008* through the inclusion of public health and wellbeing matters in the Council Plan.

## ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Good governance to ensure the economic, social and environmental sustainability of the municipal district are all areas addressed in the Draft Council Plan 2025-2029.

The Victorian Health and Wellbeing Plan provides the focus area of 'tackling climate change and its impact on health' to be addressed in Council's Municipal Public Health and Wellbeing Plan - this has been incorporated throughout the plan under multiple themes and predominantly under "Sustainability" in the Draft Council Plan 2025-2029 (displayed through icons).

## COMMUNITY ENGAGEMENT

Community engagement in the development of the Draft Council Plan 2025-2029 has been undertaken in accordance with the community engagement principles in the *Local Government Act 2020*. The processes for the development of the Council Plan have included deliberative engagement practices as defined in Council's Community Engagement Policy.

Further engagement on the Draft Council Plan will be undertaken following endorsement of the document for public exhibition and submission during May 2025 (Bannockburn and Smythesdale Markets).

## PUBLIC TRANSPARENCY

The development of the Draft Council Plan and delivery of the Council Plan 2025-2029 provide public transparency in decision making through actions and information that are accessible and guided by members of the community.

## STRATEGIES/PLANS

In undertaking development of the Draft Council Plan 2025-2029, Council has given effect to the Strategic Planning principles under Section 89 of the Act which include:

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;
- (b) strategic planning must address the Community Vision;
- (c) strategic planning must take into account the resources needed for effective implementation;
- (d) strategic planning must identify and address the risks to effective implementation;
- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

In addition, the Draft Council Plan has been developed to incorporate the Municipal Public Health and Wellbeing Plan (as required under the *Public Health and Wellbeing Act 2008*) which includes addressing priorities in alignment with the Victorian Public Health and Wellbeing Plan 2023-2027.

## FINANCIAL MANAGEMENT

In accordance with the Act, the Council Plan must take into account the resources needed for effective implementation and both the Budget and Financial Plan are required to give effect to the Council Plan and other strategic plans of the Council.

Development of the Draft Council Plan 2025-2029 has been undertaken in alignment with processes for the Budget to ensure that both the current and future resources required for the delivery of actions and initiatives in the Council Plan are considered and provided for.

## RISK ASSESSMENT

- The extensive engagement process undertaken and endorsement of a Draft Council Plan for public viewing / submission enables community involvement in Council decision making and minimises the risk that the community does not substantively support the final document.
- Community engagement processes and the preparation of a Draft Council Plan 2025-2029 have directly addressed the risk of not meeting the legislative requirements of the *Local Government Act 2020* and *Public Health and Wellbeing Act 2008*.
- A comprehensive approach to incorporating the requirements of the *Public Health and Wellbeing Act 2008* into the Council Plan has been undertaken to minimise the risk of not being granted an exemption from producing a stand-alone Municipal Public Health and Wellbeing Plan.

## COMMUNICATION

The key stages and timelines determined for developing the Council Plan 2025-2029 have been communicated internally and externally.

In particular, the community engagement processes were extensively promoted to encourage participation in identifying Council Plan priorities for delivery from 2025-2029. Further communication will be undertaken to promote the Draft Council Plan and the public exhibition and submission process during May 2025.

## 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**

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

## **OPTIONS**

Option 1 – Endorse the Draft Council Plan 2025-2029 to be made available for public exhibition and submission from 1 May 2025 until 28 May 2025.

This option is recommended by officers as it enables Council to be provide community with the further opportunity to review and provide final feedback on the Draft Council Plan.

This also enables the Council Plan to be considered for adoption in June 2025 prior to the commencement of the period (2025-2029) and in alignment with the Budget.

Option 2 – Do not endorse or defer endorsement of the Draft Council Plan 2025-2029 to be made available for public exhibition and submission from 1 May 2025 until 28 May 2025.

This option is not recommended by officers as the project plan and timelines for development of the Council Plan 2025-2029 included providing the Draft Council Plan for public exhibition and submission (for a 28-day period) to enable further community review and feedback and to meet legislative requirements for the adoption of a Council Plan for the 2025-2029 time period.

## **CONFLICT OF INTEREST**

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

## **CONCLUSION**

The Draft Council Plan 2025-2029 has been developed following extensive community engagement and provides the strategic direction of Council for the four-year period 2025 to 2029.

The Draft Council Plan addresses the themes and community priorities of the Golden Plains Community Vision 2040 and incorporates the requirements of the Municipal Public Health and Wellbeing Plan.

The Draft Council Plan 2025-2029 is recommended for endorsement by Council for public exhibition and submission for the period 1 May to 28 May 2025.

Following the public exhibition period, submissions and further amendments will be considered for the final Council Plan 2025-2029 which is scheduled to be presented to Council for adoption on 24 June 2025.

**7.4 MUNICIPAL EARLY YEARS AND CHILDRENS PLAN (MEYCP) 2025-2029**

**Author:** Heidi Preston, Manager Children's Services

**Authoriser:** Jo Wilson, Director Community, Planning and Growth

**Attachments:** 1. Municipal Early Years and Children's Plan 2025-29

**RECOMMENDATION**

That Council endorse the draft Municipal Early Years Plan 2025-2029.

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**EXECUTIVE SUMMARY**

The Municipal Early Years and Children's Plan (MEYCP) is a strategic document that guides Council's planning, coordination, and delivery of services and programs for young children and their families. The MEYCP is grounded in the principles of respecting, supporting, and promoting children's rights and voices, and recognising the significant benefits Council can achieve for its municipality.

Golden Plains Shire Council MEYCP 2025-2029 validates Council's role in supporting the health, wellbeing, development, and care of children and families throughout the municipality. This support is demonstrated through service provision, community capacity building, strategic planning, partnership and advocacy.

**BACKGROUND**

The draft Plan has included the cohort 6–12-year-olds. This group has not incorporated into past Municipal Early Years or Youth Strategies.

The MEYCP is structured around four key themes designed in line with the Victorian Early Years Compact 2017-2027 (Supporting Children and Families in the Early Years).

- Health and Wellbeing
- Education and Learning
- Diversity and Inclusion
- Social and Community

By segmenting into these four areas, the MEYCP aims to address our municipality's diverse needs of children and their families, fostering a supportive environment where they can thrive and contribute meaningfully to the community.

The consultation process engaged community members, early childhood education providers and support services, families and most importantly children from across the Shire through community surveys, individual consultation and listening sessions.

**DISCUSSION**

The draft Municipal Early Years and Children's Plan has been developed through extensive consultation with community, services users, providers, families and children. Council teams have been engaged in the development as internal stakeholders and Senior Leadership Team for review and feedback.

The Draft MEYCP 2025-29 is attached for consideration by Council.

Should Council endorse the Plan, the Municipal Early Years and Children's Plan 2025-2029 will be made available for public exhibition.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

| Implications   | Applicable to this Report |
|--|---------------------------|
| <b>Governance Principles</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                     | Yes                       |
| <b>Policy/Relevant Law</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                       | Yes                       |
| <b>Environmental/Sustainability Implications</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020) | Yes                       |
| <b>Community Engagement</b><br>(Consideration of Community Engagement Principles under s.56 LGA 2020)                  | Yes                       |
| <b>Public Transparency</b><br>(Consideration of Public Transparency Principles under s.58 of LGA 2020)                 | Yes                       |
| <b>Strategies and Plans</b><br>(Consideration of Strategic Planning Principles under s.89 of LGA 2020)                 | Yes                       |
| <b>Financial Management</b><br>(Consideration of Financial Management Principles under s.101 of LGA 2020)              | Yes                       |
| <b>Service Performance</b><br>(Consideration of Service Performance Principles under s.106 of LGA 2020)                | Yes                       |
| <b>Risk Assessment</b>   | Yes                       |
| <b>Communication</b>   | Yes                       |
| <b>Human Rights Charter</b>  | Yes                       |
| <b>Gender Equality</b><br>(Gender Impact Assessment required by s.9 of Gender Equality Act 2020)                       | Yes                       |

## GOVERNANCE PRINCIPLES

In developing the draft Municipal Early Years and Children's Plan the best outcomes for children, their families and service providers across Golden Plains Shire have been considered as a priority. Opportunities for innovation and continuous improvement have been considered throughout the plan and will continue to develop as actions and programs are delivered.

Consultants and officers have collaborated and engaged with a wide cohort of stakeholders across the Early Childhood sector including service providers, primary Schools and allied health and family support professionals and agencies. Most importantly our residents, the families and children themselves have contributed towards this plan.

Financial viability has been a key consideration in the development of the Plan with actions and deliverables within the scope of the internal and external stakeholders.

Where possible aligned grant opportunities will be sought and collaboration is a priority.

## POLICY/RELEVANT LAW

The Municipal Early Years Plan 2025-2029 development is supported by the Supporting Children and Families in the Early Years (Compact between DET, DHHS and LGV) 2017-2027.

## ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Sustainability considerations are captured within the Municipal Early Years Plan, the plan also aligns with Councils Climate Emergency strategy.

## COMMUNITY ENGAGEMENT

Considerable community engagement has been undertaken as per the community engagement principles in the *Local Government Act 2020*. The process for the development of the Municipal Early Years and Children's Plan has included deliberative engagement practices including one on one consultations, community surveys, listening sessions and workshops as defined in Council's Community Engagement Policy.

Further engagement on the draft Municipal Early Years and Children's Plan will be undertaken following endorsement of the document for public exhibition in April 2025. This will include development of infographic posts 'what you told us' for social media and community notice boards.

## PUBLIC TRANSPARENCY

The development of the draft Municipal Early Years Plan Council Plan followed public transparency in decision making best practise. The document will be publicly accessible through website and hard copy and shared with stakeholders.

## STRATEGIES/PLANS

Development of the draft Municipal Early Years and Children's Plan 2025-2029 has considered Strategic Planning principles under Section 89 of the Act including:

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;
- (b) strategic planning must address the Community Vision;
- (c) strategic planning must take into account the resources needed for effective implementation;
- (d) strategic planning must identify and address the risks to effective implementation;
- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

The draft Municipal Early Years and Children's Plan has been developed with consideration of the Community Vision refresh 2040 and the development of the Council Plan 2025-2029 including Municipal Public Health and Wellbeing Plan (in line with the requirements of the *Public Health and Wellbeing Act 2008*).

## FINANCIAL MANAGEMENT

The draft Municipal Early Years and Children's Plan has taken into account resources needed for effective implementation with consideration of both Budget and Financial Plan.

Development of the draft Municipal Early Years and Children's Plan 2025-2029 has been undertaken in alignment with budget processes. Due to the breadth of the stakeholder group many of the deliverables of this plan will be in collaboration with internal and external providers, current programs and through external grant opportunities.

## RISK ASSESSMENT

The in-depth and deliberate engagement process undertaken and along with endorsement of a draft Municipal Early Years and Children's Plan for public exhibition ensures community and service provider involvement in decision making reduces the risk of a lack of community support for plan actions and outcomes.

Planning for growth has been considered as part of this plan and other supportive documents will be developed namely the Kindergarten Infrastructure Services Plan (KISP 2025) to further support



Council's partnership with State Departments responsible for infrastructure associated with municipal growth and state government reforms.

## **COMMUNICATION**

If endorsed, the draft Municipal Early Years and Children's Plan will be published for public exhibition, and following which will be made public 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).

## **GENDER EQUALITY**

A Gender Impact Assessment (GIA) has been conducted and there are no identified gender inequality implications.

## **OPTIONS**

### Option 1 – That Council endorses the Municipal Early Years and Children's Plan

This option is recommended by officers as the draft Plan has been developed in line with the Early Years Compact agreement between the Department of Education (DE), the Department of Families, Fairness and Housing (DFFH) and local government – represented by the Municipal Association of Victoria (MAV) 2017-2027. The plan validates Golden Plains Shire Council's role in supporting the health, wellbeing, development and care of children and families throughout the municipality. This support is demonstrated through advocacy, service provision, community capacity building, strategic planning, and partnerships captured within this plan.

### Option 2 – That Council does not endorse the Municipal Early Years and Children's Plan

This option is not recommended by officers as to do so would not demonstrate commitment of Council to work in partnership with service providers and community to ensure high-quality, integrated, and effective early years services that benefit the entire community.

## **CONFLICT OF INTEREST**

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

## **CONCLUSION**

The draft Municipal Early Years and Children's Plan 2025-2029 developed through extensive community and stakeholder consultation and engagement and is attached for consideration by Council.

Should Council endorse the Plan, it will be made available for public exhibition, following which it will be published on Council's website and hard copies made available for external service providers.

An annual implementation plan will be developed with actions and milestones, of which measures will be reported on annually.

## **7.5 ENDORSEMENT OF RATING DIFFERENTIAL OPTION FOR COMMUNITY CONSULTATION**

**Author:** Fiona Rae, Manager Finance

**Authoriser:** Lynne Gray, Director Corporate Services

**Attachments:** Nil

### **RECOMMENDATION**

That Council:

1. Endorse the following Rating Differential option as its preferred option for community consultation:
    - (a) Municipal charge reduced to \$200
    - (b) Farm differentials consolidated into one differential rate
    - (c) The farming differential rate be reduced to 80%
    - (d) Residential differential to remain at 100%
    - (e) Business, Industrial and Commercial differential to remain at 100%
    - (f) Business, Industrial and Commercial Bannockburn to remain at 130%
    - (g) Non-Farm Vacant Land to remain at 205% and
    - (h) Non-developable Vacant Land to remain at 100%.
  2. Notes that community consultation will occur from 24 April 2025 to 8 May 2025.
  3. Notes that officers will include the preferred rating differential option (as per clause 1 above) in the draft 2025-26 budget to be presented to Council for adoption at the 27 May Council meeting.
- 

### **EXECUTIVE SUMMARY**

This report is for Council to decide its preferred rating differential option for community consultation and, subsequently, for inclusion in the draft 2025-26 Council budget and the 2025-29 Revenue and Rating Plan.

Failing a resolution on this matter, Council's current Revenue and Rating Plan, adopted in 2021, will continue to apply for the purpose of rating differentials in the 2025-26 budget (i.e. the 'status quo' will remain).

### **BACKGROUND**

Council's current rating differentials aim, within the broader Revenue and Rating Plan, is to ensure that the financial burden is shared equitably amongst ratepayers, whilst generating sufficient revenue to meet the increasing demands of future infrastructure and service needs of the Shire, Councillors supported an opportunity to review the current rating strategy with the aim to distribute the rates even more fairly across ratepayers.

### **DISCUSSION**

In recent months a number of different options (12) have been modelled with consideration of the impacts on all rating differentials from each option. Key variables modelled include:

- An increased Bannockburn Residential differential
- Consolidating Farming differentials
- Reducing Farming differentials

- Reducing the Municipal Charge
- No change to the existing differentials (ie status quo)

These options have been presented to Councillors in recent months as Council has been working through the draft budget process. Throughout this process, Councillors have had the opportunity to integrate the data, ask questions of the consultant and Council Officers to better understand each option and the impact on ratepayers.

Should Council chose any other option other than status quo a period of community consultation is required. Should Council not make any decision on this matter, the status quo will remain.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

## GOVERNANCE PRINCIPLES

The Rating Differentials Propositions Paper has been prepared in accordance with the requirements and principles of the *Local Government Act 2020*.

## POLICY/RELEVANT LAW

The following legislation/policies apply:

*Local Government Act 2020*

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

*Local Government (Planning and Reporting) Regulations 2020*

**COMMUNITY ENGAGEMENT**

The Rating Differentials Propositions paper will be placed on public exhibition for two weeks via the Have Your Say page on the council website.

**PUBLIC TRANSPARENCY**

The final outcomes of the rating differentials considerations will be reflected in the Revenue and Rating Plan 2025-29 that will be considered by Council for adoption by 30 June 2025 and made available for public access via council website.

**STRATEGIES/PLANS**

The following strategies/plans apply:

Revenue and Rating Plan 2021-25

Financial Plan

Annual Budget

**FINANCIAL MANAGEMENT**

Financial sustainability is monitored by considering the financial result for the period and key financial indicators within Council's Annual Budget and Long Term Financial Plan and have been taken into account with the development of the Rating Differentials Propositions paper.

**RISK ASSESSMENT**

There are no identified risk implications associated with this report.

**COMMUNICATION**

The final outcomes of the rating differentials considerations will be reflected in the Revenue and Rating Plan 2025-29 that will be considered by Council for adoption by 30 June 2025 and made available for public access via council 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 – Council endorse the rating differential option as presented in the recommendation for community consultation.

This option is recommend by officers to meet the requirements of the Local Government Act 2020 and the Community Engagement Policy.

Option 2 – The Council endorse an alternate rating differential option.

Option 3 – Council does not endorse a new rating differential option, in which case the status quo will remain.

**CONFLICT OF INTEREST**

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

**CONCLUSION**

Following endorsement by Council, a Rating Differentials Propositions paper will be placed on public exhibition providing an opportunity for community feedback. An update on the community feedback will be provided to Council.

## 7.6 FINANCIAL HARDSHIP POLICY UPDATE

**Author:** Fiona Rae, Manager Finance

**Authoriser:** Lynnere Gray, Director Corporate Services

**Attachments:** 1. Financial Hardship Policy - April 2025  
2. New Financial Hardship Application Form

### RECOMMENDATION

That Council review and endorse the updated Financial Hardship Policy.

### EXECUTIVE SUMMARY

Council provides financial hardship support to ratepayers with the process outlined in the Financial Hardship Policy. The policy was scheduled for review and has been updated which has included developing a new financial hardship application form.

### BACKGROUND

The Financial Hardship Policy was due for review with the last review of the policy completed in August 2022.

### DISCUSSION

The Financial Hardship Policy was last updated in August 2022 and incorporated requirements of the Ministerial Guidelines relating to the payment of rates and charges of:

- Defining financial hardship
- Outlining the content of financial hardship policies
- Specifying the circumstances in which Council applies the financial hardship policy
- Outline the process for applying for a payment plan, and
- Addressing the waiver of interest on unpaid rates or charges.

A review of the Financial Hardship Policy (refer attachment 1) has been completed in line with the scheduled review process. Updates to the policy include emphasising the support Council provides, expand on confidentiality of information and include additional support services available. A new Financial Hardship application form (refer attachment 2) has been developed to provide a more user friendly format which also includes a number of support services available.

### REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

| Implications   | Applicable to this Report |
|--|---------------------------|
| <b>Governance Principles</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                     | Yes                       |
| <b>Policy/Relevant Law</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020)                       | Yes                       |
| <b>Environmental/Sustainability Implications</b><br>(Consideration of the Governance Principles under s.9 of LGA 2020) | No                        |
| <b>Community Engagement</b><br>(Consideration of Community Engagement Principles under s.56 LGA 2020)                  | No                        |

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

## GOVERNANCE PRINCIPLES

The Policies and Procedures have been prepared in accordance with the *Local Government Act 2020*.

## POLICY/RELEVANT LAW

*Local Government Act 2020*

*Local Government (Planning and Reporting) Regulations 2020*

*Borrowing and Investment Powers Act 1987*

Financial Plan

Annual Budget

## PUBLIC TRANSPARENCY

Council review and endorsement will be recorded in the Council meeting agenda which is accessible to the public.

## 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.

## RISK ASSESSMENT

There are no identified risk implications associated with this report.

Policies and Procedures are in place to ensure adequate controls are in place to minimise the level of risk to Council.

## COMMUNICATION

The Financial Hardship Policy will be placed on Council's website when endorsed by Council to provide ease of access to the details in the policies.

## 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**

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

**OPTIONS**Option 1 – Review and Endorse attached policy

This option is recommended by officers as the attached policies have been updated to include changes to legislation and additional information to provide more clarity and transparency and have been reviewed by our Governance team.

Option 2 – Defer Endorsement

This option is not recommended by officers as unless additional information is required to make a decision on either policy update.

**CONFLICT OF INTEREST**

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

**CONCLUSION**

The updated Financial Hardship Policy will be implemented following endorsement and also placed on Council's website to make the details available and accessible by the public.

**7.7 CLIMATE EMERGENCY PLAN ANNUAL PROGRESS REPORT 2023-24**

**Author:** Luke Purcell, Coordinator Environment and Sustainability

**Authoriser:** Phil Josipovic, Director Infrastructure & Environment

**Attachments:** 1. Climate Emergency Plan Progress Report 2023-24  
2. Climate Emergency Plan Public Summary 2022-2024

**RECOMMENDATION**

That Council:

1. Note the Climate Emergency Plan Annual Progress Report.
  2. Endorse the recommendation to revise Council's corporate net zero emissions target from 2025 to 2032, noting the existing target has lapsed due to challenges with implementation.
  3. Endorse the public summary report for publication on Council's website.
- 

**EXECUTIVE SUMMARY**

The Climate Emergency Plan (CE Plan) Progress Report October 2023 to October 2024 (Attachment One) is Golden Plains Shire's (the Shire) second annual report since adoption of the Climate Emergency Plan. This report is slightly delayed due to the Council Election Period in 2024.

The Plan is an ambitious 10-year document outlining the Shire's response to climate change and includes a broad range of actions, requiring collaboration with the community, the Shire and other levels of government to achieve it.

The annual progress report includes a brief internal review of the plan, its targets and actions, which involved surveys to gather feedback from across Council departments. The report primarily focused on reviewing:

- Performance against planned actions
- What's working well and what can be improved
- Relevance of targets and actions described and ensure the plan remains in line with Council vision and community expectations
- Recommendations/required amendments to the Plan.

A detailed review of the CE Plan is required at the five-year stage of implementation and is scheduled for 2027.

Following completion of year two, as per the adopted monitoring and evaluation framework, officers have also prepared a public summary of achievements against the plan, which is provided as Attachment Two.

**BACKGROUND**

Golden Plains Shire Council adopted the Climate Emergency Plan 2022-2032 in October 2022. As part of the adoption process, Council committed to reporting annually on the Plan's progress which also included providing a biennial (every second year) progress summary to be made publicly available to the community.

The plan's 3 key objectives are:

1. Demonstrate Council's commitment to taking action on climate change by acknowledging that urgent action is required by all levels of government, including local councils.
2. Drive Council's response to addressing the Climate Emergency by committing to actions to mitigate emissions.
3. Support communities across the Shire to adapt to current and future climate impacts.



## DISCUSSION

Summary of Key Achievements over the last 12 months.

- **Climate Risk Assessment:** Council completed a comprehensive climate risk assessment project, establishing a climate risk register covering physical, transition and liability risk.
- **Fleet Transition Plan:** The Fleet Transition Plan, developed through a collaborative procurement project with Colac Otway and Warrnambool Shire Councils, outlines transition scenarios, guiding principles, and recommended actions to help the Council achieve net-zero emissions.
- **Procurement Policy:** The Golden Plains Procurement Policy was revised in early 2024 to incorporate more sustainability-focused content.
- **Decrease the environmental impact of road, footpath and playground materials:** Use of recycled plastic road furniture ie. Bollards in Inverleigh streetscape project.
- **Improve the amenity and usability of bus stops in the Shire:** Two bus stops were upgraded in partnership with the Department of Transport and Planning (DTP) on Bannockburn-Shelford Road and Teesdale.
- **WaterSmart program:** The Council has partnered with Barwon Water to monitor water use, identify leaks, and find conservation opportunities using data loggers. Installed at 12 sites across the Shire, the program has saved an estimated 795 kL of water since January 1, 2024.
- **Barwon South-West Climate Alliance (BSWCA):** The Council is an active member of the BSWCA and contributed to successfully awarded Resilient Community Assets grant project.
- **Integrated Water Management (IWM):** The draft Bannockburn IWM Plan was presented to the Barwon IWM Forum and endorsed by Council for public consultation. A revised version, following consultation, was adopted by Council in February 2025.
- **Restore biodiversity and repair damaged ecosystems:** Over 5,000 native plants and grasses were planted in revegetation projects at Moorabool River Reserve and Barwon Leigh Junction, supported by the Corangamite Catchment Management Authority and Wadawurrung Traditional Owners Aboriginal Corporation.
- **Emissions inventory update:** Council's emissions profile for 2023/24 has been updated.
- **Geelong Sustainability Partnership:** Worked in partnership with Geelong Sustainability to support their 'Electric Homes' program by promoting their news, and webinars across Golden Plains Shire through social media.
- **Knowledge Hub Creation:** Content has been developed for a Climate Change Knowledge Hub on the Council's website. It will include information on climate change, the Council's response, tips for improving health and the environment, sustainability advice for businesses and schools, and a progress report on the Climate Emergency Plan. The content will be available in the first half of 2025.

### What's working well?

**Emissions and energy efficiency** - Through Council's investments in energy saving initiatives, such as solar installation and its partnership through the Victorian Energy Collaboration (VECO), evidence shows that Council is progressing with its emission reductions. Overall, the decisions made by Council to source its energy through renewable sources and invest in renewable energy solutions such as solar are making a difference.

Through our VECO partnership alone, since 2021, Council has abated approximately 2,838t CO<sub>2</sub>e, with savings of approximately \$47,000.

**Improving understanding of climate risks and ownership** - In July 2024, GPSC commissioned Nation Partners to support with the development of a climate risk profile for the Shire, including: a systematic review of climate projection data and risk information (including targeted GIS analysis), a series of climate change risk assessment workshops spanning GPSC directorates and teams, and produced a climate risk register based on GPSC's existing enterprise risk management framework. The register covers physical, transition and liability risk.

The core purpose of this project was to provide GPSC with a clearer and more consistent understanding of relevant climate-related risks and opportunities across the Shire, as well as how these may evolve over time. Recommendations from this project are outlined later in this report.

**Integrated water management** – Action towards improving responsible water use across Council has progressed, with the adoption of the Bannockburn IWM Plan, use of smart water metering, and applying IWM as part of precinct structure planning.

**Practical steps toward sustainable procurement** - Council has updated its procurement policy to include sustainable principles and is actively working to apply circular economy principles to its waste management services. However, there is more to be done.

### **What can be improved?**

**An evidence-based approach to prioritise investment in adaptation, and mitigation** - The CE Plan covers 48 actions, and is set over 10 years. The scope of this report does not seek to provide a detailed evaluation of the plan however it is observed the plan has a high number of actions to implement each year and lacks clarity of where investment towards adaptation and mitigation should be prioritised based on risk, urgency and value to Council and community.

**Whole of Council approach** - The CE Plan's effective delivery requires ownership of actions by all departments across Council. While the environment team can seek to progress and influence actions, its reliant on working collaboratively across Council departments who acknowledge their role in delivery of the plan.

**Climate responsive development and supporting landholders to mitigate and adapt** - There is more to be done to ensure climate change considerations are reflected in Council's strategic planning and operations, including key policy, growth/new area developments, and infrastructure and asset planning. An Environmentally Sustainable Design Policy is required. Additionally, more is required to stimulate community driven climate action including by providing community groups with tools, knowledge and educational resources.

**Net Zero pathway and targeting largest emissions sources** - As outlined in the CE Plan, Council committed to achieving net-zero emissions for its operations by 2025. It involves a comprehensive approach that includes measuring and actively demonstrating a gradual reduction in emissions and compensating for residual emissions by procuring offsets. Given the above, it's recommended Council's net zero target be reviewed. This will enable Council to undertake further work to position itself to progress towards net zero over the next several years. This includes identifying preferred options for procuring carbon offsets and improve emissions tracking systems and processes to satisfactorily demonstrate net zero for Council operations. It also ensures the broader regional EV transition and supporting public charging infrastructure has time to further develop.

From Council's recent emissions profile, while we are showing an overall reduction in corporate emissions since 2019, our overall transport fuels consumption has increased. There are opportunities to optimise Council fleet, including when fleet become due for replacement, consider suitability for electric, plug in hybrid alternatives. While heavy and light fleet both contribute significantly to transport emissions, market readiness and price parity of reliable and suitable EV transition options best exist for light fleet.

**Municipal wide emissions** - Due to resourcing constraints, action towards supporting community uptake of affordable and accessible renewable energy, including regional business/commercial power purchasing partnerships, or support to explore agricultural emissions reduction strategies have not progressed.

**Resourcing** - The successful implementation of both adaptation and mitigation priorities in the Climate Emergency Plan (CEP) depends on sufficient financial and human resources.

However, it is widely acknowledged across Victorian Council's, that local governments, particularly rural Councils are constrained in their ability to directly fund all initiatives required to deliver against ambitious and urgent mitigation and adaptation targets. It is clear to meet current and future challenges, Federal and State Government need to explicitly recognise and actively support the role that local government plays in driving place-based adaptation and its contribution to building climate resilient infrastructure, assets and communities.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

## GOVERNANCE PRINCIPLES

The Golden Plains Shire Council Climate Emergency Progress Report 2023/24 has been prepared in accordance with the Climate Emergency Plan 2022-2032 monitoring and reporting requirements, and Local Government Act 2020. This includes Council's role of providing good governance, and ensuring mitigation, and adaptation planning for climate change risks.

## **ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS**

Environment and sustainability is implicit in the objectives and targets of the Climate Emergency Plan. The protection of the environment and embedding of sustainable concepts are visible across the 5 themes of the climate emergency plan.

## **PUBLIC TRANSPARENCY**

Public transparency principles have been considered in the process to publish the progress report. The Climate Emergency Plan's monitoring and reporting requirements includes providing a public summary of progress to be published on Council's website. This is attached to the briefing.

## **FINANCIAL MANAGEMENT**

This progress report acknowledges the significant financial commitment required to successfully implement the ambitious goals and targets of the Climate Emergency Plan. It is recommended in this report that a prioritisation of actions based on risk, value and return on investment be undertaken, in addition to continuing to leverage advocacy avenues such as Barwon South-West Climate Alliance, and the Municipal Association of Victoria (MAV).

## **SERVICE PERFORMANCE**

The progress report again emphasises the importance of investing in mitigation and adaptation actions that provide the most benefit and value to Council and community.

## **OPTIONS**

Option 1 – Note the Climate Emergency Progress Report 2023/24 and endorse the recommendations to:

- Revise the Corporate net zero target from 2025 to 2032
- Publish the public summary on Council's website

Option 2 – Don't revise the target and don't publish the public summary

This option is not recommended by officers as it is not possible to achieve net zero given the current emissions profile and mitigation trajectory. The public summary is a simple outline of key achievements over the last 2 years and provides visibility to community of how Council is progressing against the Climate Emergency Plan key actions.

## **CONFLICT OF INTEREST**

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

## **CONCLUSION**

Council has made good initial progress towards implementing both practical adaptation actions and its emissions reductions journey but requires strategic adjustments to meet long-term climate goals. However, resource constraints and challenges are acknowledged, and with the 2025 net-zero target no longer feasible, a revised Corporate Net Zero Emissions target of 2032 is recommended. A prioritisation of actions is required based on risk and value, and Council needs to continue to leverage relevant forums to access available grants and ensure a renewed pipeline of dedicated Federal and State Government support for climate action remains available.

**7.8 INSTRUMENT OF DELEGATION - COUNCIL TO COUNCIL STAFF (S6)****File Number:****Author:** Lauren Richardson, Governance and Risk Specialist**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** 1. S6 - Instrument of Delegation from Council to members of Council staff**RECOMMENDATION**

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

1. Each duty and/or function and/or power in the instrument be delegated to the member of Council staff holding, acting in or performing the duties of the position referred to in the instrument, as shown in Attachment 1, subject to the conditions and limitations specified.
  2. The instrument comes into force immediately upon the Chief Executive Officer signature is affixed to the instrument;
  3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it, and must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  4. On the coming into force of the instrument, all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked
- 

**EXECUTIVE SUMMARY**

The pieces of legislation referred to in the attached *Instrument of Delegation – Council to Members of Council Staff* (Attachment 1) enable Council to delegate functions, duties, and powers, other than specific exemptions, to Council staff. The review of this instrument has been prompted by position title and reporting line changes within the organisational structure.

**BACKGROUND**

Council can act in only one of two ways:

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

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

There are several reasons why delegations should be reviewed regularly, but most importantly to:

- to ensure updates to legislation are captured and assigned accordingly;
- identify decision-makers to ensure accountability and responsibility for decisions; and
- ensure Council set conditions, limitations, and guidelines for decision-makers, including reporting requirements.

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

## DISCUSSION

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

A review of the instruments of delegation from Council to members of Council staff has been undertaken. Position titles have updated to reflect the current organisational structure.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

## POLICY/RELEVANT LAW

*Local Government Act 2020*; and

The legislation referred to in the attached Instrument of Delegation.

**PUBLIC TRANSPARENCY**

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

**FINANCIAL MANAGEMENT**

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

**RISK ASSESSMENT**

- Delegates are required to ensure legislative compliance; and
- Delegations mitigate risks associated with fraud and corruption.

**COMMUNICATION**

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

Changes to the delegations will be communicated internally.

**HUMAN RIGHTS CHARTER**

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

**OPTIONS****Option 1 – That Council adopt the amended Instrument of Delegation**

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

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

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

**CONFLICT OF INTEREST**

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

**CONCLUSION**

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

## 7.9 RESPONSE TO NOTICE OF MOTION - INDEPENDENT ROADS SERVICE REVIEW AND REPORT

**Author:** Vicki Shelton, Manager Asset Services

**Authoriser:** Phil Josipovic, Director Infrastructure & Environment

**Attachments:** Nil

### RECOMMENDATION

That Council:

1. Note the independent reviews and training related to maintenance of Council's road and drainage network that has taken place and the improvements completed or underway.
  2. Note the engagement of an independent consultant to undertake a Roads Service review and prepare a report for Council is estimated to cost between \$60,000 and \$70,000
- 

### EXECUTIVE SUMMARY

A review of Council's outdoor workforce teams, assessment of the grading program along with ongoing hazard and condition assessments of our road network has shown improvements in the overall condition of the road network over the last 3-4 years. There is always room for improvement and an independent roads service review estimated at \$70,000 is another mechanism to potentially identify efficiencies.

### BACKGROUND

A Notice of Motion was raised at the 25 February 2025 Council meeting:

*That Council:*

1. *receive an Initial Report on any independent monitoring of the council-managed road and drainage network at the April Scheduled Council Meeting. The Initial Report shall include an assessment of the potential benefits and drawbacks of conducting a further review and costing for an Independent Roads Service Review and Report;*
2. *notes the scope of the potential Independent Roads Service Review and Report should consider key aspects such as the adopted Road Management Plan intervention levels, compliance to intervention levels, plant and equipment, staffing levels and maintenance schedules and practices; and*
3. *will consider the findings and costings for proceeding with the Independent Roads Service Review and Report as part of the budget deliberations for the Financial Year 2025-26.*

This report responds the above Notice of Motion.

### DISCUSSION

An independent consultant with extensive experience in operational service reviews in the Local Government sector has provided a proposal to review our operations and identify efficiencies. The review and report is estimated to cost between \$60,000 and \$70,000 to undertake the following activities.

- **Resource Demand:** Identify how many staff needed to service assets and meet identified service levels including benchmarking with other similar sized councils.
- **Baseline Productivity:** Identify how efficient operations are (relative to best practice and industry benchmarking)
- **Low Hanging Fruit:** provide a list of improvement recommendations and quick wins
- **Service Levels:** Provide recommendations to tighten up definitions on service standards and set out a plan to communicate these to the community



- **Customer Focus:** to align maintenance plan with community needs and expectations (e.g. customer centric precinct plan)
- **Productivity:** Improved planning options which will lift performance
- **Report on Findings and Recommendations**

The above review would complement and support initiatives Council management have instigated over the last 3 to 4 years. A summary of this work related to road and drainage maintenance is provided below.

**April 2021** – Review of outdoor workforce culture by an independent consultant. This followed a restructure within the Infrastructure Directorate in November 2020. The review was designed as a pulse check post the restructure which resulted in the outdoor workforce being split into two areas, the roads and drainage team and the open space team. This change strengthened leadership and team focus on specific tasks.

**September 2022** – All grader drivers (4) attended a refresher training course conducted by All Skills Services. In parallel to training, All Skills conducted an audit of Council's 739km of graded unsealed roads. All Skills audited 115 roads covering each driver's area to assess the quality of grading and recommendations for improvement. The key recommendations from the audit were:

- Materials and Maintenance – review usage of Sago Hill material; regular removal of excess material during maintenance grading.
  - Sago quarry material for road re-sheeting is no longer used and purchased quarry material is now used for road maintenance. A neighbour agreement was negotiated for the use of Council's Sago Hill quarry by the neighbouring operator, which could yield up to \$60K income for Council, partly offsetting the additional material costs in our road maintenance budgets due to use of purchased quarry material.
- Frequency of grading - selected roads to only be graded if at intervention (as per Road Management Plan); selected roads may be graded prior to schedule if at intervention.
  - Council inspects each road before grading and identifies those roads that may not require an annual grade and others that may need a more frequent grade. Council adopted a road grading charter in response to poor community satisfaction survey results. The charter commits Council to grading every road at least once a year. While this has reduced the number of CRMS requests, it doesn't seem to have made a significant impact, if any, on customer satisfaction survey results. A review of the road grading charter has commenced with a view to refresh and bring back to Council.
- Program status – program updated to support operators; information to be uploaded to Council website
  - A road grading schedule is on Council's website but need to improve currency of the information. Asset Services staff have and continue to work with communications team in this space.
- Hazard inspections and proactive maintenance.
  - Council undertakes annual hazard inspections along with road condition assessments every 4 – 5 years. The most recent road condition assessment completed in June 2024 generated prioritised re-sheeting and resealing programs. The hazard inspections identified hazards that need to be addressed. Resulting schedules will be tackled on a priority basis.
- Upgrading unsealed roads – review criteria to determine suitability of sealing selected unsealed roads
  - Council currently does not have a budget for sealing of unsealed roads due to competing priorities.

The results of the above audit were positive in terms of quality of work undertaken, but clearly highlighted areas for improvement which are being implemented. The audit results were presented to Council at a Councillor Briefing on **20 June 2023**.

**February 2024** – UnsealedRoad.com provided Management training and additional on ground Road Grading Operational Training to both the engineering and road and drainage maintenance teams. The training session provided videos and procedures for the team to enable them to learn on the job and improve their grading maintenance processes.

**March - June 2024** – Shepherd Asset Management was engaged to undertake a Road Condition Assessment, the result of this was a prioritised list of upgrade / maintenance works for both sealed and unsealed roads. The condition assessment is scheduled every four to five years. Shepherd's benchmarking on road defects across their Australian clients, including some 13 Councils in Victoria / Tasmania, shows condition of our roads are comparable, and in most cases, better than the average for their other clients. The benchmarking undertaken is based on the same data collection methodology, i.e. same consultant.

**Annual Hazard Assessments** – Agis has completed the last three years of Annual Road Hazard assessments to identify hazard defects on the road network. The data is uploaded to Assetic (Council's Asset Management System) and work orders created for maintenance teams to action.

The summary of hazards identified has changed over the past three years noting a reduction in road surface hazards identified.

It should be noted The 2022-2023 data was taken immediately following the storm events in October / November 2022 where there was significant damage to roads and other Council assets.

**Road Management Plan 2021-2025** – Council must adopt the revised Municipal Road Management Plan 2021-2025 (Plan) by 30 October 2025 in order to have a valid Plan and be compliant with the Road Management (General) Regulations 2016. The review will consider the following improvements:

- Recognise the range of assets managed under the provisions of the Plan;
- Confirmed the identification of categories of roads subject to inspection;
- Review and, where appropriate, revise intervention standards and response times to ensure that the standards and priorities in relation to the inspection maintenance and repair of the roads are safe, efficient and appropriate for use by the community; and
- Include diagrams and descriptions of roadside use and responsibilities

If an independent roads service review is undertaken it will inform future reviews of the Road Management Plan.

**Asset Plan** – Council must adopt a revised Asset Plan by 30 October 2025 in order to have a valid Plan and be compliant with the *Local Government Act (2020)*. The review has commenced with financial modelling undertaken to identify how the financial plan forecast will impact asset health. Assets include roads and all other built assets that Council maintains.

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

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

## POLICY/RELEVANT LAW

Road hazards and defects are responded to in accordance with our intervention levels within the adopted Road Management Plan 2021-2025. The Road Management Plan is required to be reviewed following the appointment of each new Council in accordance with the Road Management (General) Regulations 2016.

## COMMUNITY ENGAGEMENT

Engagement with the community is supported in the Asset Plan and the Road Management Plan Reviews. Feedback is considered for inclusion in the updated plans. Community Satisfaction Survey responses are also used to inform changes to our plans and service levels.

## PUBLIC TRANSPARENCY

The update of the Asset Plan and Road Management Plan follows a process that allows for open consultation. The confirmation of the plan is presented in Open Council for transparency

## STRATEGIES/PLANS

Council's Road Management Plan 2021-2025 (Plan) outlines intervention levels in accordance with the road hierarchy and road register.

## FINANCIAL MANAGEMENT

The costs incurred to date associated with the external assessments and training are listed in the table below. With over 1750 km of local roads – 703km unsealed and 1045km sealed, this averages out to \$175/km over the past 3 years. We are committed to \$60k per annum for hazard inspections and \$150k every four years for the road condition assessment.

| ASSESSMENT   | COST        |
|--|-------------|
| Dec 2022 - ALL SKILLS SERVICES PTY LTD - Inspection of our recently graded | \$10,454.55 |

|   |                     |
|---|---------------------|
| roads as per provided inspection list & subsequent report of findings.  |                     |
| Feb 2024 - UnsealedRoads.com - Delivery of Best Practice Unsealed Roads Training. Quote Reference 59 (Management Training, Benchmarking, Materials) - in office presentation and training | \$4,565             |
| Feb 2024 - UnsealedRoads.com - Delivery of Best Practice Unsealed Roads Training. Quote Reference 58B (Operational Training) - on ground operator training                                | \$16,759            |
|   | <b>\$31,778.55</b>  |
| March 2024 - Shepherd Asset Management - GPSC-RFT-21-2023-Road Conditions Assessment (completed every 4 years)  | \$109,202.5         |
| April 2024 - Shepherd Asset Management - Roads - Renewal Modelling and Development of a 5-year Works Plan   | \$21,659            |
|   | <b>\$130,861.50</b> |
| Nov 2022 - AGIS Annual Road Hazard Inspections 2022-23 (post flood event)   | \$45,500            |
| Feb 2024 - AGIS Annual Road Hazard Inspections 2023-24  | \$48,500            |
| Mar 2025 - AGIS Annual Road Hazard Inspections 2024-25  | \$50,900            |
|   | <b>\$144,900.00</b> |
| <b>TOTAL COSTS</b>  | <b>\$307,540.05</b> |

Approximate typical (over last 3 years) Road Maintenance and Renewal Budgets funded by Council are:

| <b>PROGRAM</b>                                    | <b>BUDGET 2024-25</b> |
|---|-----------------------|
| Sealed Roads Maintenance                          | \$600,000             |
| Resealing Program                                 | \$1,100,000           |
| Road Rehabilitation Program                       | \$600,000             |
| <b>Total Sealed Roads Maintenance and Renewal</b> | <b>\$2,300,000</b>    |
| Gravel Roads Maintenance                          | \$1,700,000           |
| Gravel Roads Resheeting                           | \$800,000             |
| <b>Total Gravel Roads Maintenance and Renewal</b> | <b>\$2,500,000</b>    |

It should be noted the maintenance budgets include staff and plant costs. It should also be noted the above allocations are supplemented by Government Grants, such as the Federal Government's Roads to Recovery Program. The amount of funding received can vary significantly from year to year and often is subject to a competitive application process.

As mentioned previously in the report, an independent consultant has provided a proposal to review our operations and identify efficiencies. The report is estimated to cost \$60-70,000. Should we proceed with the review funding should be allocated in the upcoming 2025-2026 budget.

**SERVICE PERFORMANCE**

Review of our maintenance programs ensures that we provide services efficiently and effectively to the community.

**RISK ASSESSMENT**

There are no identified risk implications associated with this report.

**COMMUNICATION**

Outcomes from road service reviews are communicated to Council in regular road improvement update reports.

**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 – Engage an independent consultant to undertake a Roads Service Review estimated to cost between \$60,000 and \$70,000.

Option 1 is supported by officers as a continuous improvement activity, as there is always room for improvement and an independent roads service review is another mechanism to identify efficiencies. Officers also note that the cost of the review needs to be budgeted for as there is not a current budget allocation for this project.

Option 2 – Not proceed with the review

This option is a valid option given budget constraints, however will result in business as usual activities which potentially could be improved.

**CONFLICT OF INTEREST**

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

**CONCLUSION**

Over the last 3-4 years a significant amount of work has been undertaken to bring in independent reviews and training related to maintenance of Council's road and drainage network.

The engagement of an independent consultant to undertake a Roads Service review and prepare a report for Council estimated at between between \$60,000 and \$70,000 would compliment the work undertaken to date and potentially lead to further efficiencies and improvements.

**7.10 DELEGATES' REPORT & INFORMAL MEETINGS OF COUNCILLORS RECORDS****File Number:****Author:** Melanie Duve, Executive Assistant to CEO**Authoriser:** Steve Sagona, Interim Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

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

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**EXECUTIVE SUMMARY**

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

**MANDATORY BOARDS / COMMITTEES / MEETINGS**

- Audit Committee
- G21 - Board of Directors
- Ballarat Regional Alliance of Councils
- Peri Urban Group of Rural Councils
- CEO Review Committee
- Municipal Association of Victoria
- Geelong Regional Library Corporation
- Tourism Greater Geelong and the Bellarine Board
- Golden Plains Emergency Management Committee
- Council Meeting, Strategic Briefing, Councillor Briefing and Portfolio Meetings

**COMMUNITY ENGAGEMENT / EVENTS****Cr Sarah Hayden****Cr Des Phelan****Cr Brett Cunningham**

- Bannockburn Skate Park Opening
- Golden Plains Farmers Market (Bannockburn)

**Cr Emma Robbins**

- Launch of the Bunanyung Native Habitat Restoration Guide

**Cr Helena Kirby**

- Vic Park Female Friendly Changeroom Upgrade Opening
- Lethbridge Bluestone Train Station Opening & Lethbridge Community Plan Launch

**Cr Owen Sharkey**

- Lethbridge Bluestone Train Station Opening & Lethbridge Community Plan Launch
- Bannockburn Skate Park Opening

**Cr Gavin Gamble**

- Bannockburn Skate Park Opening
- Golden Plains Farmers Market

**INFORMAL MEETINGS OF COUNCILLORS**

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

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

then the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting is:

- Tabled at the next convenient Council meeting; and
- Recorded in the Minutes of that Council meeting.

Records of informal meetings of Councillors are reported to an open Council meeting 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 that 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.

## 8 NOTICES OF MOTION

### 8.1 NOTICE OF MOTION - IMPROVING ROAD SAFETY FOR VULNERABLE USERS IN OUR TOWNS

#### FILE NUMBER 89

**Attachments: 1. Notice of Motion - Improving Road Safety for Vulnerable Users in Our Towns**

I, Councillor Gavin Gamble, give notice that at the next Ordinary Meeting of Council be held on 22 April 2025, I intend to move the following motion:-

#### MOTION

That Council undertakes the following actions as a priority to improve vulnerable road user safety in Teesdale and other townships:

1. Council officers investigate options and produce a report with recommendations to Council pertaining to the potential introduction of pedestrian awareness and traffic calming signage for vehicle drivers in Golden Plains town localities with schools. Priority should be given to vulnerable users: particularly concerning bus zones, children and seniors crossing, school crossings; shop areas, educational and care facilities, etc....
2. Council officers to report to Council on the steps required to prepare a Road Safety Strategy for Golden Plains Shire referencing the Victorian Road Safety Strategy and Action Plan. The proposed strategy is to provide priorities for advocacy on: pedestrian and vulnerable road user safety; traffic calming; speed zones and limits; and reducing wildlife/vehicle collisions. The development of a Golden Plains Road Safety Strategy is to include the undertaking of deliberative engagement with individual township communities and the general community.
3. The Golden Plains Road Strategy (2010) be updated.
4. Council writes to the Department of Transport and Planning, specifically Mellissa Horne, Minister for Roads and Road Safety, requesting an urgent review of speed limits and safety concerns in Teesdale and the need to identify endemic safety issues (noting a review of speed limits in the Teesdale Township zone is supported by both Council and the Department of Transport and Planning).
5. Council prioritises the implementation of a safe pedestrian crossing for Teesdale, as soon as practicable, recognising its immediate function to provide a safer pedestrian crossing for the many vulnerable road users who cross at this point, but also its further benefit as traffic calming infrastructure and increasing driver awareness of the township zone.

Additionally, Council note and thank the Teesdale Community Coordinators (as the appropriate representative and engagement group) who have been prioritising and advocating for action on pedestrian traffic safety concerns in Teesdale since 2009. Council also note and thank the many individuals who have raised concerns over many years and the past advocacy by Council officers.

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#### RATIONALE

For Council to receive expert advice and to initiate a strategic, considered and managed engagement with communities and residents to determine advocacy priorities, strategies and actions that will improve road safety for vulnerable users.

To improve road safety for all road users (pedestrians of all ages, cyclists, mobility device users) in Teesdale and other towns in the Golden Plains Shire.

To address the long-standing concerns and fears of Teesdale residents for younger, senior and impaired members of the community in particular.

To increase liveability in the towns where we live.



To provide a pathway and recommendations for Federal and and State Government support.

To achieve relatively immediate and realistic actions as well as long term and strategic actions.

I commend this Notice of Motion to Council.

## **9 PETITIONS**

### **9.1 PETITION - LGBTIQA+ ADVISORY COMMITTEE**

**File Number:****Author:** Lauren Richardson, Governance and Risk Specialist**Authoriser:** Lynne Gray, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Receive the petition in relation to the creation of a LGBTIQA+ Advisory Committee; and
  2. Refer the petition to the Chief Executive Officer for consideration and response.
- 

**EXECUTIVE SUMMARY**

A petition was submitted to Council on 28 March 2025. The petition seeks Council's support for the creation of a LGBTIQA+ Advisory Committee.

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

**BACKGROUND**

Rule 37 of the Governance Rules provides the process for petitions to be received by Council. Specifically, that all 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 complies with the Governance Rules in accordance with rule 37.

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.

## DISCUSSION

The petition document has previously been provided to Councillors. At the time of receipt, the petition had 8 signatures. A breakdown of location of signatories is provided below.

| Location    | Number of signatories |
|-------------|-----------------------|
| Meredith    | 2                     |
| Teesdale    | 3                     |
| Bannockburn | 1                     |
| Inverleigh  | 2                     |
| Grand total | 8                     |

## REPORTING AND COMPLIANCE STATEMENTS

*Local Government Act 2020 (LGA 2020)*

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

Nil