



AGENDA

Council Meeting

6.00pm Tuesday 22 February 2022

VENUE:
Virtual

NEXT COUNCIL MEETING
6.00pm Tuesday 22 March 2022

Copies of Golden Plains Shire Council's Agendas & Minutes
Can be obtained online at www.goldenplains.vic.gov.au

Code of Conduct Principles

WORKING TOGETHER

We Councillors will:

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

BEHAVING WITH INTEGRITY

We Councillors will:

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

MAKING COMPETENT DECISIONS

We Councillors will:

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

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	Nil	

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 people. We acknowledge them as the Traditional Owners and Custodians. Council pays its respects to Wadawurrung Elders past, present and emerging. Council also respects Eastern Maar Elders past, present and emerging.

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

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

That the minutes of the Council Meeting held on Tuesday 21 December 2021 as circulated, be confirmed.

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

7 BUSINESS REPORTS FOR DECISION

7.1 DELEGATES REPORT - 21 DECEMBER 2021 TO 20 FEBRUARY 2022

File Number:

Author: Penny Hope, Acting EA to Chief Executive Officer

Authoriser: Eric Braslis, CEO

Attachments: Nil

RECOMMENDATION

That Council receive and note the Delegates Report – 21 December 2021 to 20 February 2022.

	Cr Gamble	Cr Cunningham	Cr Getsom	Cr Kirby	Cr Rowe	Cr Sharkey	Cr Whitfield
Council Meeting	✓	✓	✓	✓	✓	✓	✓
Councillor Briefing	✓	✓	✓	✓	✓	X	✓
Strategic Councillor Briefing	✓	✓	✓	✓	X	X	✓
Portfolios	✓	✓	✓	✓	✓	X	✓

Cr Gavin Gamble

11 January 2022	Opening of the Bannockburn Entrance Roundabout
25 January 2022	Golden Plains Community Awards 2022 and Citizenship Ceremony
6 February 2022	Councillor Conversation Post at Smythesdale Arts and Music Fiesta
8 February 2022	Audit and Risk Committee Meeting
8 February 2022	Council Budget 2022/23 Engagement Workshop
10 February 2022	PeriUrban Group of Councils
10 February 2022	Council Budget 2022/23 Engagement Workshop

Cr Brett Cunningham

25 January 2022	Golden Plains Community Awards 2022 and Citizenship Ceremony
6 February 2022	Councillor Conversation Post at Smythesdale Arts and Music Fiesta
8 February 2022	Council Budget 2022/23 Engagement Workshop
10 February 2022	TGGB – Chair Person Interviews
10 February 2022	Council Budget 2022/23 Engagement Workshop
14 February 2022	Tourism Greater Geelong and The Bellarine Board Meeting

Cr Ian Getsom

6 February 2022	Councillor Conversation Post at Smythesdale Arts and Music Fiesta
10 February 2022	Council Budget 2022/23 Engagement Workshop

Cr Helena Kirby

25 January 2022	Golden Plains Community Awards 2022 and Citizenship Ceremony
6 February 2022	Councillor Conversation Post at Smythesdale Arts and Music Fiesta

8 February 2022 Council Budget 2022/23 Engagement Workshop
10 February 2022 Council Budget 2022/23 Engagement Workshop
17 February 2022 Active Ageing & Inclusion External Advisory Board Meeting

Cr Owen Sharkey

10 February 2022 PeriUrban Group of Councils
17 February Geelong Regional Library Committee Meeting

Cr Clayton Whitfield

6 February 2022 Councillor Conversation Post at Smythesdale Arts and Music Fiesta
8 February 2022 Audit and Risk Committee Meeting
8 February 2022 Council Budget 2022/23 Engagement Workshop
10 February 2022 Council Budget 2022/23 Engagement Workshop

7.2 FINANCE QUARTER TWO UPDATE

File Number:

Author: Fiona Rae, Manager Finance

Authoriser: Ingrid Bishop, Acting Director Corporate Services

Attachments:

1. Financial Dashboard (under separate cover)
2. Financial Reports (under separate cover)

RECOMMENDATION

That Council note the content in the Quarterly Finance Report for the 6 months ended 31 December 2021.

EXECUTIVE SUMMARY

As at 31 December 2021, the Income Statement reports total operating revenue of \$36.4m and total operating expenditure of \$20.8m, which results in a year to date surplus of \$15.6m. This is \$0.8m favourable compared to the original budget, and \$3.3m favourable to the revised budget.

The Capital Works Statement indicates total capital works expenditure (including commitments) of \$11.5m, which is \$2.8m above the original budget, and \$2.5m below the revised budget. The revised budget includes \$8.7m carried forward from 2020-21 due to new income/funded projects throughout the year.

The Finance Quarterly Report was presented to the Audit and Risk Committee at the 8 February 2022 meeting for noting.

BACKGROUND

The content of this report assists Council to gain assurance in relation to financial management of Council's operations. Section 97 of the *Local Government Act 2020* requires a statement, comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date, to be presented to Council at least every three (3) months.

Council has completed six (6) months of the 2021-22 financial year. The attached budget report has been prepared on an operating basis and includes a comparison of actual results for the period to 31 December 2021 to the annual budget adopted by Council for the following financial statements:

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

DISCUSSION

Budget Report

The operating result for the period is reporting a surplus of \$15.6m compared to the original budgeted surplus of \$14.8m and revised budgeted surplus of \$12.3m. This favourable variance of \$3.3m against the revised budget surplus is primarily due to:

- \$473k higher rates and charges revenue than budgeted due to higher levels of growth in customers and higher volumes of supplementary notices processed than estimated,

- \$210k higher operating grants due to unbudgeted COVID Safe Grants for Outdoor Activation received and a higher Working for Victoria grant compared to budget,
- \$298k higher other income than budget due to higher development activity leading to Public Open Space Contributions \$222k higher and Subdivision Supervisions Fees \$185k higher, partially offset by Kindergarten Income \$134k lower than budget due to lower attendance resulting from COVID impacts,
- Contract and materials costs \$1.4m lower than revised budget due to underspends in recreation infrastructure maintenance, local roads resealing rehabilitation, garbage collection and drainage maintenance due to delays resulting from COVID19 impacts,
- Employee costs \$675k lower than revised budget, part of this decrease is due to annual leave taken is less than what has been budgeted and savings on vacant positions which are currently in the process of being filled.

The 'Adjusted Underlying Result' removes any non-recurrent grants used to fund capital expenditure, non-monetary asset contributions and other capital contributions to fund capital expenditure from the operating result. This formula is prescribed within the *Local Government (Planning and Reporting) Regulations 2020*. At 31 December 2021 the Adjusted Underlying Result is a surplus of \$13.1m, compared to a budget of \$9.8m therefore a \$3.3m favourable variance to budget, this is due to the \$3.3m favourable variance in the operating result.

Capital Projects

Actual versus Budget

Total expenditure in the Statement of Capital Works (including commitments) is \$11.5m, \$2.8m above the original budget of \$8.7m, and \$2.5m below the revised budget of \$14.0m.

The revised budget includes projects totalling \$8.7m rolled forward into 2021-22 for projects that span multiple years (refer attached capital projects report). Significant capital projects and amounts rolled forward include:

- Three Trails \$452k
- Slate Quarry Road Bridge Rehabilitation \$577k
- Lomandra Drive Stage 4 Development Costs \$1.38m
- Inverleigh Sporting Complex Clubroom Upgrade \$1.3m
- Bannockburn Soccer Club female friendly changerooms \$772k awarded
- Inverleigh Social Room Upgrade \$500k
- Bannockburn Youth Hub \$420k

Delivery of Projects

The following projects have been completed during the quarter as outlined below:

Project	Project Budget \$	Project Cost \$	\$ Variance	% Variance	Comments
Napoleons Bore	75,000	48,345	26,655 <i>Favourable</i>	35% <i>Favourable</i>	Drainage costs lower than budget
Grader	430,000	426,485	3,515 <i>Favourable</i>	0.8% <i>Favourable</i>	Slightly under budget
Superdog Hamelex Trailer	52,029	61,340	(9,311) <i>Unfavourable</i>	(18%) <i>Unfavourable</i>	Over budget due to change in requirements with street sweep transport float purchased

Sign Trailer	3,773	3,636	137 <i>Favourable</i>	3.6% <i>Favourable</i>	Slightly under budget
World Game Soccer Change Lighting and Fencing	332,545	119,567	212,978 <i>Favourable</i>	64% <i>Favourable</i>	Remaining cash going towards female friendly Pavillion
Linton Cricket Nets Upgrade	194,645	179,133	15,512) <i>Favourable</i>	7.9% <i>Favourable</i>	
Slate Quarry Road Bridge Rehabilitation	576,708	519,996	56,712 <i>Favourable</i>	9.8% <i>Favourable</i>	

Total savings made will be automatically transferred to consolidated revenue and provides opportunity to assist funding the 2021-22 budget.

The following projects are on track to be delivered on time in 2021-22 year.

- Golden Plains Community & Civic Centre
- Bannockburn Bowls Upgrade
- Bannockburn Youth Hub

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

As part of continuous improvement and reporting in relation to procurement activities, contracts that have been awarded between the values of \$200,000 and \$400,000 are presented to the Contracts, Tenders and Grants Committee to recommend for approval to the CEO. There were no contracts awarded between these values during the quarter.

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

- EOI-02-2021 Provision of Health, Wellbeing and Community Development Programs to the Dereel Community
- RFT-16-2021 Craddocks Road & Meredith-Steiglitz Road Blackspot Projects
- RFT-20-2021 Community Planning Program – External Consultant Services
- RFT-21-2021 Leighdale Equestrian Centre – New Arena Construction
- EOI-03-2021 Provider of Funded Home Support Programme Services within the Shire

The table below outlines tenders awarded during the quarter.

Project	Approved by:	Awarded To	Contract Value \$
Ross Creek Play Space	CEO	A Space	173,750
Motor Grader	Council	William Adams	426,485

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

REPORTING AND COMPLIANCE STATEMENTS:

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

The Golden Plains Shire Council Quarterly Finance Report has been prepared in accordance with the *Local Government Act 1989*.

POLICY/RELEVANT LAW

Local Government Act 1989

Local Government Amendment (Fair Go Rates) Act 2015

Local Government (Planning and Reporting) Regulations 2014

Strategic Resource Plan

Annual Budget

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Environmentally sustainable design and construction is included for all projects.

COMMUNITY ENGAGEMENT

A formal consultation process was not required.

STRATEGIES/PLANS

Financial reports are prepared ensuring consistency with the Strategic Resource Plan, Council's long term financial plan.

FINANCIAL MANAGEMENT

The Quarterly Finance Report is focused on the financial management and results for the reporting quarter. Council's financial management processes are in accordance with the *Local Government Act 1989*, *Local Government (Planning and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements. Financial sustainability is monitored by considering the financial result for the period and reporting key financial indicators on the financial dashboard.

RISK ASSESSMENT

In accordance Section 138 of the *Local Government Act 1989* a Quarterly Finance Report comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is required to be presented to Council at least every three months.

COMMUNICATION

The Finance Quarterly Report was presented at the 9 February 2021 Audit and Risk Committee meeting for noting.

HUMAN RIGHTS CHARTER

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

OPTIONS

Option 1 – Council note this report

This option is recommended by officers as the Quarterly Finance Report has been prepared in accordance with the *Local Government Act 1989* and presents a favourable financial result to budget and strong financial position.

Option 2 – Council defer the report.

This option is not recommended by officers, as this report contains an update on Council's financial position for Q2 2021-22, which has now finished.

CONFLICT OF INTEREST

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

CONCLUSION

The content included in this agenda and the attached documents are consistent with the adopted Budget and Strategic Resource Plan after taking to account the movements described above. Officers will continue to monitor variances over the remainder of the year, to ensure Council's operating sustainability is maintained.

7.3 COUNCIL PLAN 2021-2025 IMPLEMENTATION - QUARTER TWO

File Number:**Author:** Sophie Brown, Acting Governance and Legal Services Officer**Authoriser:** Ingrid Bishop, Acting Director Corporate Services**Attachments:** 1. Council Plan Implementation Report – Quarter 2 (under separate cover)**RECOMMENDATION**

That Council note the report and implementation of the actions contained in the Council Plan 2021-2025 for the second quarter from 1 October 2021 to 31 December 2021.

EXECUTIVE SUMMARY

This report is to update Council on the progress made in actioning the Council Plan 2021-2025 for the second quarter.

BACKGROUND

The Council Plan 2021-2025 is Council's commitment to delivering on the dreams and aspirations outlined in the Golden Plains Shire Community Vision 2040.

The Local Government Act 2020 requires that a Council Plan be prepared and adopted by 31 October in the year following a general election and that Council must address the strategic planning principles outlined in the Act in the preparation of its Council Plan and other strategic plans.

The Plan plays a key role in setting the strategic direction of Council for the Council term and ensuring an integrated approach is taken to planning, monitoring and performance reporting. The Council Plan has been informed by extensive community engagement and expands on the four Themes of the Community Vision - Community, Liveability, Sustainability and Prosperity with the inclusion of an additional theme in Leadership. The Themes and Community Priorities provide the framework for Golden Plains Shire to align its strategic objectives and actions to for the next four years.

In addition, the Council Plan 2021- 2025 incorporates the Municipal Public Health and Wellbeing Plan (MPHWP) as required under the Public Health and Wellbeing Act 2008. This ensures the priorities for supporting, protecting and improving the health and wellbeing of the Golden Plains Shire community are at the forefront of Council's strategic planning and are integrated across all Council services and initiatives.

DISCUSSION

Progress for the second quarter of the 2021-2025 Council Plan has continued across all pillars in the implementation of the Council Plan. Whilst COVID-19 continues to have an impact on some activities, most tasks have been able to continue.

Key achievements / highlights in quarter one include:

- The Health Wellbeing & Youth team continue to progress important mental health initiatives in the Shire in line with the newly adopted Mental Health & Wellbeing Plan 2021-2025, including:
 - The awarding a contract to Barwon Child, Youth and Family to provide generalist mental health services across the Shire,

- Partnering with Barwon Child Youth and Family to raise awareness for mental health and wellbeing services across the Shire with a series of "Let's Come Together" morning and afternoon teas.
 - Mums Matter Psychology signed an MOU with Council to provide perinatal psychology services to women, commencing in early 2022 and operating from the Family Services Centre.
- Council continues to work with community stakeholders to target prevention, resilience, preparedness and recovery from emergencies and natural disasters, with the following achieved in Q2:
 - Approval of the Municipal Emergency Management Plan, Domestic Animal Management Plan and Local Law.
 - COVID-19 financial hardship food relief for residents continues.
- The Arts and Culture Team continue to lead the Reconciliation Action Plan Working Group and the Reflect Reconciliation Action Plan is scheduled to go to Council in June 2022. Additionally, a proposal for all Council staff to undertake cultural awareness training is being developed.
- Following a public exhibition and submission process, the final Arts, Culture and Heritage Strategy was presented to, and adopted by, Council in November 2021. Implementation of the Strategy has commenced.
- Q2 has seen Council continue to provide opportunities for the community to build social connection amidst COVID-19 with the Ageing & Inclusion's Social Support Team delivering 24 centre-based activity groups across Bannockburn and Smythesdale, with 65 participants and 6 outings. Additionally, the Children's Services Team ran a Children's Week event across the Shire and held National Simultaneous Storytime and Book week events.
- Council continues to implement the Community Planning Program, with a recent request for tender process undertaken to deliver external consultant services for the delivery of six new community plans in Linton, Teesdale, Napoleons, Dereel, Shelford and Inverleigh.
- Council's Community Strengthening Grants round in November 2021 provided funding for 16 community organisations to the value of \$74,991 for a total project value of over \$159K. Grants were awarded across communities from Bannockburn, Smythesdale, Rokewood, Teesdale and Haddon.
- Q2 has seen a continued focus on shire-wide participation in community activities through the provision of a network of Council facilities. Achievements have included:
 - Completion of the Community Services Infrastructure Plan, providing comprehensive information on evidence-based service planning for future community infrastructure, services and programs.
 - Commencement of a review of Community Facilities Fees and Charges and Community Subsidies Policy. This information will help Officers develop policies and recommendations in Q3, Q4 and beyond.
 - The Community Facilities Team are exploring a number of online booking systems to assist with the management and activation of our Community Centres. A preferred supplier was identified, and appointment and implementation will occur in Q3.

- The Active Ageing & Inclusion Plan continues to be implemented. Q2 had an emphasis on Bins for Blokes, Elder Abuse, Gender Equity, Accessible areas and forward planning for interactive maps for the community to utilise.
- Gender Equity, and implementation of the Gender Equality Act 2020, has been a big focus throughout Q2. A Gender Equity Champions model has been developed to assist staff with undertaking Gender Impact Assessments. This included the development of a toolkit and 4 training sessions.
- Council's Road and bridge upgrade program this quarter has seen the completion of the Stage 2 Meredith Shelford Road widening, the reseal program, and Paddys Gully Bridge.
- Council has secured Blackspot funding for two projects to commence in 2022 - Craddocks Road and Steiglitz Road.
- Implementation of the Three Trails Project continues with upgrade and extension planned for Haddon Trail, connecting Centenary Park to the Haddon Primary School and Recreation Centre. Additionally, a planned trail extension at Ross Creek Recreation Reserve and Wetlands will occur as part of the Growing Suburbs Fund project - Ross Creek Active Play Space Upgrade.
- Council's Community Transport Trial ran until the end of Q2 with additional funding from the Vaccine Ambassadors Program, allowing for further review and work in the transport space. Community feedback, bus driver feedback and a review will be conducted during Q3 to explore further delivery opportunities.
- Implementation of the Play Space and Sport and Active Recreation Strategies continues including play space upgrades at Enfield Harrison Reserve and Garibaldi Recreation Reserve, and planning is complete for the Ross Creek Active Play Space and Meredith BMX, Skate and Play Space Upgrade.
- Upgrades on community recreational facilities this quarter have included:
 - Completion of the Cricket Net Training Facility upgrade at Lethbridge Recreation and Linton Recreation Reserves.
 - Completion of the upgrade to the Centre Wickets at Ross Creek and Shelford Recreation.
 - Completion of the Teesdale Turtle Bend upgrade, inclusive of bridge, public toilet and playground upgrade.
 - Completion of the Lethbridge Irrigation and Lighting upgrade.
- Continued promotion of Healthy Active Living in the community has seen the development of an active movement program for girls, called Move Your Way. Information on preferred movement activities has been collected from girls across the Shire, with the top 3 preferred activities being rollerblading, netball and ninja warrior.
- Strategic land use planning in quarter 2 included:
 - The adoption of amendment C92gpla (Teesdale Structure Plan).
 - Commencement of the preparation for the shire wide Housing Needs Assessment, shire wide Strategic Bushfire Risk Assessment, Bannockburn town centre commercial rezoning, and scoping phase of Development Contributions Project.
 - Council was notified of its successful SFG funding application to prepare and implement a shire wide Settlement Strategy. Officers commenced Scoping Settlement Strategy and relevant RFQ's.

- In Q2, Council determined a total of 119 applications, valued at \$20,918,718. A total of 148 lots were created for the period and the processing timeframe was 60%.
- Actions from Council's Environmental Strategy 2019-2027 continue to progress with completion of the Integrated Water Management project - Blue Green Infrastructure Guide for Small Towns, the progression of the Climate Emergency Plan and planning for the Weeds Management Strategy and Plan.
- Actions from Council's Waste and Resource Recovery Strategy 2020-2030 continue to progress through the commencement of a collaborative kerbside collection tender evaluation process which involves partnering with the Surf Coast Shire and Borough of Queenscliffe to source a new long term kerbside collection supplier. Additionally, a process has commenced for the review of waste services, and the Rokewood Transfer Station feasibility study.
- Council continues to address illegal dumping and contamination of waste streams. This quarter The Waste Communication Plan has been finalised. Additionally, signs around illegal dumping spots have been installed across the Shire.
- 296 Fire Prevention Notices have been issued during this quarter to aid in reducing the risk of wildfire danger, and roadside slashing has commenced, including the slashing of gravel roads. Council is also working with CFA to increase education and door knocking in areas of high fire danger.
- Work on reducing the prevalence of pest plant and animal management has continued with the adoption of The Rabbit Management Plan and Strategy in Q2 following a period of community consultation. Work has also commenced on planning an Invasive Weeds Management Strategy and Plan.
- In response to Council declaring a climate emergency in July 2021 and the development of a Climate Emergency Plan, a Waste Education and Sustainability Officer was recruited to lead the development of the Plan. Work is ongoing to reduce our carbon emissions through the Energy Collaboration (solar installations etc.) and adaptation measures (the Regional Climate Adaptation Strategy for the Grampians).
- Planning for the introduction of 2 years of funded Kindergarten in 2022 (3- and 4-year-old) has included near finalisation of the Kindergarten Infrastructure Services Planning agreement with DET, and preparation of the initial stages concept plans for Teesdale and Haddon Kindergarten facilities.
- SGS Economics and Planning have been engaged to support the development of the new Economic Development, Tourism and Investment Attraction Strategy 2022-2032. Initial stages are underway.
- The Golden Plains Farmers' Market continues to connect and showcase local business. The December Golden Plains Twilight Market saw an estimated 3,600 people attending across the evening.
- To address development of potential pathways for employment opportunities for local residents, the Economic Development division has been working with Federation University regarding the Asia Pacific Renewable Energy Tech-Transition Centre (APRETC) facility and associated employment opportunities, training and apprenticeships.
- The Smythesdale Digital Hub was officially launched and opened in Q2. There has been a continuing increase in hours booked by various community and business members.
- Council published informative and engaging communications across its many channels. Stories communicated over this quarter include, but are not limited to:

- Election of Golden Plains Shire Mayor 2021/22,
- Openings of the Sharps Road Bridge upgrade in She Oaks, Paddys Gully Bridge in Rokewood and Slate Quarry Road Bridge in Meredith,
- Opening of Enfield and Garibaldi playgrounds,
- Community Strengthening Grants Round Two 2021 awarded,
- Opening of new water supply at Maude Recreation Reserve,
- Funding for Teesdale Flood Study and Transport Connections Study,
- Completion of Teesdale Turtle Bend Upgrade,
- Gift Local business campaign,
- Get Online at the Digital Hub event,
- Nominations for the Golden Plains Shire Community Awards 2021,
- New solar panels on community buildings,
- Council continued its accountable and transparent governance and financial management through completion of the following LGA2020 requirements prior to the required date: Workforce Plan, Staff Code of Conduct, Complaints Handling Policy, CEO Employment and Remuneration Policy, and Long-Term Financial Plan.
- Implementation of Council's Risk Management Framework continues with a risk management stage included in the Project Management Framework, which will implement the Risk Management Framework into project planning and delivery across Council. It is intended that the Risk Management Framework is further embedded in Council processes through the development of KPIs and the newly created Business Performance Specialist position.
- Progression of the improvement of Council's ICT systems and processes this quarter has included the Council First implementation now sitting at the Solution Design phase for Finance, Customer Services, Rates & Property and Records Management. The Aurion Payroll system project has been delivered for Payroll with Time Recording and HR Management in the Solution design phase.
- Addressing improvement of the customer experience, Council has commenced planning for the development of The Customer Service Strategy, with the engagement of consultancy company CX Loop. The first stages will be focused on feedback & data collection through internal workshops and customer surveys, then commencement of the development of the strategy will occur.

A detailed explanation of all actions completed to date can be obtained from Attachment 1 – Council Plan Implementation Report – Quarter 2.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes

Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes
Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	Yes

GOVERNANCE PRINCIPLES

In accordance with the principles in Section 9 of the Local Government Act 2020, the quarterly reporting of the Council Plan will specifically:

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

POLICY/RELEVANT LAW

The quarterly progress report is provided in relation to the Council Plan 2021-2025. Ongoing monitoring of progress is a requirement under section 89 of the LGA 2020.

PUBLIC TRANSPARENCY

The Council Plan quarterly progress report is available for the public to view as part of the Council Meeting agenda or on request.

STRATEGIES/PLANS

The quarterly Council Plan reports provide for ongoing monitoring of progress and regular reviews under section 89 of the LGA 2020.

SERVICE PERFORMANCE

The quarterly progress report focuses on Council's performance in relation to the actions of the Council Plan 2021-2025. Each quarterly report is a valuable tool in demonstrating service gains and improvements.

RISK ASSESSMENT

There are no identified risk implications associated with this report.

COMMUNICATION

The Council Plan quarterly progress report will be available for the public to view as part of the Council Meeting agenda or on request.

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020.

OPTIONS

Option 1 – that Council note the implementation of the actions contained in the Council Plan 2021-2025 for the second quarter from 1 October 2021 to 31 December 2021

This option is recommended by officers as the report is to provide an overview of the implementation of the actions contained in the Council Plan 2021-2025 for the second quarter from 1 October 2021 to 31 December 2021.

Option 2 – that Council do not note the implementation of the actions contained in the Council Plan 2021-2025 for the second quarter from 1 October 2021 to 31 December 2021

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

Option 3 – that Council require further information

This option is not recommended by officers as the full content of the implementation of the actions throughout quarter 2 is accessible to Councillors.

CONFLICT OF INTEREST

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

CONCLUSION

As outlined in the attached report, actions for Q2 of the Council Plan 2021-2025 have commenced, with some well underway. Continued action and future planning will continue to see the successful progression and completion of the Council Plan 2021-2025.

7.4 RATING STRATEGY 2020-2024 REVIEW

File Number:**Author:** Fiona Rae, Manager Finance**Authoriser:** Ingrid Bishop, Acting Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council consider if it wishes to amend the current Rating Strategy 2020-2024.

EXECUTIVE SUMMARY

Mach2 Consulting have completed over 20 scenarios of possible changes to the Rating Strategy. A series of workshops were held resulting in a Propositions Paper including 3 options placed on public exhibition in late 2021 and provided the opportunity for the community to present to Council. A total of 26 public submissions were received and contents considered and discussed by Council.

BACKGROUND

Council has several rating categories within the property and rating database which are used to calculate the rates charge applied to the customer property, referred to as rating differentials.

A Rating Strategy review was conducted in 2019-20 where Council engaged Mach2 Consulting to conduct a review of Council's Rating Strategy which identified the key objectives and considered mechanisms available to achieve the desired outcome of greater rate equity between different rating categories across the Shire. A series of workshops were held with Councillors considering modelling of a number of scenarios. Outcomes of the review resulted in the following changes:

- Removing growth differentials
- Establishing separate farm differentials for broadacre, intensive and small farms
- Increase business property differential for the Bannockburn township

A further review of the Rating Strategy has been conducted following a request from the newly elected Council where Mach2 Consulting have been engaged to undertake a similar process to the 2019-20 review which involved modelling a number of scenarios for consideration of impacts on the rating differentials.

DISCUSSION

Council engaged Mach2 Consulting to facilitate a review of the Rating Strategy and held a series of workshops over the past six months to discuss over 20 scenarios of changes to the rating differentials which were modelled for consideration.

After an extensive process and much discussion and consideration by Council a Propositions Paper was developed which included the following three options:

- Status Quo – Retain the current number and level of differential rates
- Option 1 – Increase the Business (Bannockburn) differential from 120% to 130% of the general rate, increase the Vacant Land (non-farm) differential to from 200% to 220%, decrease the Municipal Charge from \$310.60 to \$250 and retain the status quo for the other differential rates.
- Option 2 - Increase the Business (Bannockburn) differential from 120% to 130% of the general rate, increase the Vacant Land (non-farm) differential to from 200% to 220%, increase the Farm (broadacre) differential from 85% to 90%, increase the Farm (intensive) differential from 90% to 95%, decrease the Municipal Charge from \$310.60 to \$250 and retain the status quo for the other differential rates.

The Propositions Paper was placed on public exhibition providing the public with the opportunity to lodge submissions to the proposed options. Council received a total of 26 submissions (a copy of all submissions have been provided to Councillors). The submissions generally note the following themes:

- Batesford rates continue to increase and objecting to both options as they result in an increase in rates for Bannockburn ratepayers.
- Batesford ratepayers would prefer that Batesford is included in the COGG area as they believe their rates would reduce.
- Leave the municipal charge unchanged as this helps to share the burden, otherwise rates in Batesford will increase from this change.
- Based on the submission received the community preference was Option 1.
- Shouldn't impact farmers.
- Support increase to vacant land rate to discourage land banking.

All submissions were tabled to Council and those wishing to speak to their submissions were heard at the December 2021 Council meeting. Following receipt of the submissions, additional modelling was undertaken to determine how Council may address some of the concerns raised in the submission.

Upon determination by the Council, the adopted Rating Strategy will be included in the formulation of the 2022-23 budget.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

(Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	
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GOVERNANCE PRINCIPLES

The Rating Strategy Propositions Paper was prepared in accordance with the requirements of the *Local Government Act 2020*.

POLICY/RELEVANT LAW

Local Government Act 2020

Local Government Amendment (Fair Go Rates) Act 2015

Local Government (Planning and Reporting) Regulations 2020

Financial Plan

Annual Budget

COMMUNITY ENGAGEMENT

The Rating Strategy Propositions Paper was placed on public exhibition and made available for inspection and comment up to the 15 December 2021. Feedback was heard at a council meeting on 21 December 2021. Councillors also held a series of Conversation Posts across the Shire for residents to attend the Rating Strategy Consultations and the Rating Strategy Propositions Paper was also made available via Council's website and Council offices.

PUBLIC TRANSPARENCY

The public consultation process facilitates transparency of the Rating Strategy Propositions Paper submitted for consideration and all Council reports are available for the public to access.

STRATEGIES/PLANS

The Rating Strategy Propositions Paper was prepared ensuring consistency with Council's budget and long term financial plan, and also ensuring alignment with the 2021-2025 Council Plan.

FINANCIAL MANAGEMENT

The Rating Strategy Propositions Paper has been prepared ensuring consistency with Council's 2021-22 budget and long term financial plan, and also ensuring alignment with the 2021-2025 Council Plan.

RISK ASSESSMENT

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

The Rating Strategy Propositions Paper was prepared in accordance with the requirements of the *Local Government Act 2020* incorporating long term financial plan requirements to ensure financial sustainability over the short and long term.

COMMUNICATION

The Rating Strategy Propositions Paper was endorsed by Council at its meeting on 23 November, for community consultation. Submissions on the Paper were open from Wednesday 24 November to 5pm, to Wednesday 15 December.

Councillors held a series of Conversation Posts across the Shire for residents to attend the Rating Strategy Consultations and the Rating Strategy Propositions Paper was also made available via Council's website and Council offices.

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020. There are no identified potential gender inequality implications associated with this report.

OPTIONSOption 1 – Council determine the differential categories and adopt a Rating Strategy for 2022-2026

This is one option available to Councillors as the differentials adopted are required to complete the formulation of the 2022-23 budget which will be prepared with a draft budget to be presented to Council for endorsement in April.

Option 2 – Council do not determine the differential categories and do not adopt a Rating Strategy for 2022-2026

This option is not recommended by officers as a Rating Strategy is required to meet budget and rating deadlines.

Option 3 – Council retains the existing Rating Strategy until its review in 2024

This is another option available to Councillors as the existing Rating Strategy would enable officers to meet budget and rating deadlines.

CONFLICT OF INTEREST

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

CONCLUSION

The option agreed to adopt for the Rating Strategy will be included in the formulation of the 2022-23 budget.

7.5 CHANGES TO INFRASTRUCTURE DESIGN MANUAL DESIGN GUIDELINES FOR EARTHEN DRAINS

File Number:

Author: Tejaswi Giri, Coordinator Development Engineering

Authoriser: Phil Josipovic, Director Infrastructure and Development

Attachments: Nil

RECOMMENDATION

That Council adopts Council specific change to Section 17.4 of Clause 17 of the Infrastructure Design Manual (IDM) Guidelines in relation to minimum longitudinal slope for earthen drains within Low Density Residential Zone (LDRZ), from 1 in 500 to 1 in 300.

EXECUTIVE SUMMARY

The Infrastructure Design Manual (IDM) is a set of design guidelines adopted and accepted by most regional Victorian Councils for design of civil infrastructure. IDM also provides a basis for planning permit conditions that are specific to design of civil infrastructure by developers.

This report is presented to Council with a recommendation to adopt a Council specific change to the IDM, Section 17.4 of clause 17 in relation to the longitudinal slope of earthen drain for land development within LDRZ.

Golden Plains Shire Council is experiencing significant growth, more so than most other regional Councils that uses IDM as their design guideline, as such, the risks associated with adopting the milder slope of IDM is significantly greater than other regional and rural Councils, which are discussed further in this report.

BACKGROUND

Council currently uses IDM to ascertain planning permit conditions in relation to design and construction of civil infrastructure. IDM is used by most regional and rural Victorian Councils. Section 17.4 Clause 17 of IDM specifies 1 in 500 as the minimum longitudinal slope for earthen drains within LDRZ. As such, most developers use 1 in 500 as standard longitudinal slope, even where achieving greater slope is feasible. This has resulted in greater operation and maintenance cost to Council, increased risk to public health due to water logging and stagnant pooling in the earthen drains. In addition, the stagnant water has also had an adverse impact on local amenity and a favourable breeding conditions for mosquitoes.

DISCUSSION

IDM specifies minimum design requirement for civil infrastructure. However, this has led to developers not wanting to adopt desirable engineering standard, even where feasible, as a measure to reduce development cost. This has resulted in higher operation and maintenance cost to Council and an increased risk to public health and local amenity.

The IDM guideline for 1 in 500 minimum longitudinal slope for earthen drain in LDRZ is generalised for all regional and rural areas, and does not consider area specific issues. Golden Plains Shire has faster rate of development in LDRZ than most other regional and rural areas. In addition, the development areas within Golden Plains Shire have a reactive clay base, which is less permeable than most other earthen bases. 1 in 500 minimum longitudinal slope is most suitable where there is a combination of fewer developments, low population density and highly permeable soil type. Most of these are not applicable to the development areas within Council. As such, water remains stagnant for longer period thus increasing risk to public health, local amenity and result in greater operations and maintenance cost to Council.

Council is represented on the Technical Committee of the IDM and this issue was raised at the last meeting held Dec 3, 2021. The consensus was that Council should consider standards that are

suitable for their region and nature of development. There are several other Councils which have already taken this approach and have set their own minimum standards, that are relevant to their specific areas and types of development.

Council officers have considered number of different options.

Option 1: No changes

One of the options that was considered was to proceed with existing measures and enforce planning permit conditions relevant to the design of earthen drain longitudinal slope on a case by case basis depending on the nature and location of the development. One of the major risks identified with this option is the push back from developers and insistence on using IDM specified minimum requirements, regardless of site specific conditions. This has been a major challenge in the recent development. In the absence of Council endorsed position on design standards and generalisation of IDM, most developers use this as a tool to reduce cost of development, which comes at a cost of increase public health risk and additional ongoing maintenance cost to Council. Officers do not recommend this option as a viable option.

Option 2: Adopt Council specific changes to IDM with an endorsed Council position

This is the recommended approach. This option gives Officers an endorsed Council position on design standards that are specific and relevant to Golden Plains Shire Council, as opposed to accepting a state-wide generalised standard. Adoption of minimum 1 in 300 slope in earthen drains satisfies all relevant design guidelines whilst making sure that water logging will rarely occur, scouring of drains is prevented and risk to public health and local amenity is managed accordingly. In addition, this will reduce ongoing maintenance cost on Council and increase life of civil infrastructure.

Option 3: Change IDM guidelines

Whilst changing the IDM guidelines is the most ideal option, the likelihood of changes to the suite of designs within IDM requires a lengthy and rigorous process. In addition, the desired changes within IDM are not sought by all Councils and Councils seeking changes have their individual standard needs. As such, this option is not recommended by Officers.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

(Consideration of Service Performance Principles under s.106 of LGA 2020)	
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes
Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	No

GOVERNANCE PRINCIPLES

The priority is given to Option 2 as it delivers the best outcome for the community of Golden Plains and ensures gifted assets obtained through development are efficient for long term operations and maintenance.

The IDM is a state-wide design manual, and this recommendation seeks to make improvement to the guidelines that are specific to Golden Plains.

The recommendations are made after thorough and robust discussions amongst the member of the Technical Committee of IDM, which comprises of majority of regional and rural Victorian Councils.

POLICY/RELEVANT LAW

There are no set legislative and/or statutory requirements for design of civil infrastructure. The recommended changes are within the threshold of prescribed design standards, which is likely to be implemented by qualified Engineer as per Professional Engineers Registration Act 2019 (Vic).

The design requirements will form part of the planning permit which are issued pursuant to Planning and Environment Act 1987 (Vic).

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

The recommendation to adopt changes to the design guidelines will have a positive impact on the environment and public health. The proposed changes will reduce the possibility of water logging and stagnant pooling. It will also reduce the likelihood of breeding environment for mosquitoes and other harmful insects in residential areas.

RISK ASSESSMENT

There are no identified risk implications associated with this report.

COMMUNICATION

The recommendation will have impact on future planning permit conditions, which will be communicated to the developers/applicants during the planning permit application phase. The recommendation is entirely technical and thus is not deemed to have any adverse impact on the general community.

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020.

OPTIONS

Option 1 – No changes

This option is not recommended by officers as this exposes Council to a generalised design standard that is not suitable for development activities within Council. Officers are often faced with pushback from developers citing IDM standards in absence of Council adopted position.

Option 2 – Adopt Council specific changes to IDM with an endorsed Council position of minimum 1 in 300 longitudinal slope in LDRZ.

This option is recommended by officers as this ensures Council position of relevant design standards where following IDM design guidelines are not suitable. This report only recommends on Council specific changes to the IDM, which has been carefully assessed. The recommendation is made after having robust discussion at the last IDM Technical Committee meeting held Dec 3, 2021. In addition, Council is likely to gain operational efficiencies in ongoing maintenance of assets acquired by Council.

Option 3 – Change IDM guidelines

This option is not recommended by officers as this requires a consensus in the IDM Technical Committee. Also, the changes sought by Golden Plains are for issues that are specific to Golden Plains and some other Councils. And those Councils may have a different standard than what is applicable to Golden Plains. In addition, IDM changes (if any) will take time and Council is likely to lose opportunity to implement changes in a short period of time.

CONFLICT OF INTEREST

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

CONCLUSION

The proposed recommendation to adopt Council specific changes to IDM with an endorsed Council position on minimum longitudinal slope of earthen drain within LDRZ from 1 in 500 to 1 in 300 is consistent with engineering principles and within threshold of applicable design standards. The changes will give officers a Council endorsed position on a matter that is specific to Golden Plains region whilst specifying design standards that form part of planning permit conditions and endorsed construction plans. Council is also likely to gain operational efficiencies in ongoing maintenance of acquired drainage. In addition, risk to public health and local amenity due to water logging and stagnant pooling will also be significantly reduced.

As such, it is recommended that Council adopts a specific change to IDM in relation to longitudinal slope of earthen drain within LDRZ.

7.6 STATUTORY PLANNING FEE WAIVER AND REBATE POLICY REPORT

File Number:**Author:** Sarah Fisher, Coordinator Statutory Planning**Authoriser:** Phil Josipovic, Director Infrastructure and Development**Attachments:** 1. Statutory Planning Fee Waiver and Rebate Policy**RECOMMENDATION**

That Council:

1. Adopt the Statutory Planning Fee Waiver and Rebate Policy.
 2. Note that any applications for full or partial refund or waiver of fees associated with statutory planning matters, both statutory and non-statutory, are dealt with in accordance with the Statutory Planning Fee Waiver and Rebate Policy.
-

EXECUTIVE SUMMARY

The Planning & Environment and Subdivision (Fees) Regulations 2016 provide the ability for councils to wholly or in part waive or refund the payment of statutory planning fees. Refunds (in full or partial) or the waiver of fees are at times requested of the statutory planning department however there is currently no council policy in place to provide direction on this matter. Consequently, this recommended policy is the outcome of this deficiency being identified and in turn sets out the instances in which statutory and non-statutory fee refunds (whole or in part) or the waiver of a fee, should apply.

The purpose of this recommended policy is to provide transparent and consistent decision making for all requests for full or partial refund or waiver of planning fees, both statutory and non-statutory.

The Statutory Planning Fee Waiver and Rebate Policy aligns with Councils *Vision and Values* to maintain integrity and a commitment to being authentic, honest and ethical in our work and will be applicable to all persons and/or companies or organisations who request a full or partial waiver or rebate as set out in the policy.

BACKGROUND

Refunds (in full or partial) or the waiver of fees are at times requested of the statutory planning department however there is currently no council policy in place to provide direction and clarity on this matter. Consequently, this recommended policy is the outcome of this deficiency being identified and in turn sets out the instances in which statutory and non-statutory fee refunds (whole or in part) or the waiver of a fee, will apply.

The purpose of this recommended policy is to provide transparent and consistent decision making for all requests for full or partial refund or waiver of planning fees, both statutory and non-statutory.

DISCUSSION

Section's 47(b) and 72 of the *Planning and Environment Act 1987* (the 'Act') states a permit application or an application to amend a permit must be accompanied by the prescribed fee. The requirement of a prescribed fee is primarily linked to the cost of the development and assists the statutory planning department in recouping (some of) the costs associated with the assessment of permit applications, together with the administrative functions required to be undertaken in accordance with the Act.

There are two types of fees charged in relation to statutory planning processes, statutory fees, and non-statutory fees.

The Planning and Environment (Fees) Regulations 2016 prescribe the fees to be paid to responsible authorities for applications for planning permits, certificates of compliance and planning certificates. The Regulations set fees in fee units. A fee unit value is adjusted each year by the Treasurer's amount and is published in the Government Gazette.

Statutory fees include those relating to:

- Planning permit applications
- Applications to amend a planning permit
- Applications for extension of time
- Applications for secondary consent
- Applications to end or amend a 173 agreement
- Applications for Certificate of Compliance
- Satisfaction matter

The Subdivision (Fees) Regulations 2016 prescribe the fees to be paid to responsible authorities for subdivision matters. The Regulations set fees in fee units. A fee unit value is adjusted each year by the Treasurer's amount and is published in the Government Gazette.

Statutory fees required to be paid under the Subdivision Regulations 2016 are as follows:

- Fee for application to certify a plan
- Fee for alteration of a plan
- Fee for application to amend a certified plan
- Fee for plan checking
- Fee for engineering plans prepared by Council
- Fee for supervision of works

The Subdivision (Fees) Regulations also provides the responsible authority with the opportunity to waive or refund the payment of fees in certain circumstances. Non-statutory fees are the fees council determines to charge for other services provided as part of the statutory planning process; these are reviewed annually.

Non-statutory fees include those relating to:

- Letters of written planning advice
- Advertising costs associated with applications
- Liquor licensing letters of advice

Most of these fees cover the assessment and checking of applications for planning permits and the checking and supervision of engineering plans and works. Ultimately, the assessment and checking are part of the decision-making process on matters that are technical in nature and time consuming. The statutory fees are set out in the respective regulations and are required to be paid as part of the processes; it is not appropriate to waive or refund these fees.

Not only would it be non-compliant with the Regulations, but it would also have a financial burden on Council, as the cost of the associated work is not accounted for. Further, it is not equitable if some fees are waived or refunded in circumstances other than those specified under the Regulations.

The proposed policy prescribes those instances where a refund or fee exemption may be applied for statutory fees, pursuant to regulation 20 of the Planning and Environment (Fees) and regulation 12 Subdivision Regulations 2016, and, for non-statutory fees, the instances where a refund or waiver may be deemed acceptable.

The Regulations clearly set out when a planning authority (council) is able to *consider* fee exemptions for planning applications. Refer to the *Statutory Planning Fee Waiver and Rebate Policy* (attached), which sets out the circumstances in which council will exercise its rights to consider applications under these circumstances as set out under regulation 12 and 20, as well as in non-statutory circumstances.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	Yes
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes
Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	N/A

POLICY/RELEVANT LAW

This policy creates a formal decision-making process regarding the waiver or refund of fees for matters related to the statutory planning process in line with the relevant Regulations as well as addressing applications for refund or waiver associated with non-statutory fees.

PUBLIC TRANSPARENCY

The development and implementation of this policy will provide a transparent and consistent decision-making process for the public in accordance with the *Local Government Act 2020*. There is currently no policy in place to guide applications for waiver or fees associated with statutory planning processes.

FINANCIAL MANAGEMENT

Currently there is no policy in place for applications for the waiver or refund of fees associated with statutory planning processes. The implementation of this policy brings practices into line with the relevant Regulations and provides clarity and equity. Statutory fees are set out in the respective regulations and are required to be paid as part of the processes; the consideration of any waiver or refunds must be in accordance with the relevant Regulations.

It is not appropriate to waive or refund these fees, even for 'minor' or non-statutory matters because there is always officer time and expertise required to review, assess, and decide on all matters that come before statutory planning. Further, it is not deemed transparent and impartial for these decisions to be made on an ad-hoc basis. The waiver or refund of these fees ultimately places a financial burden on the statutory planning business unit as the cost of the associated work is not accounted for.

SERVICE PERFORMANCE

The implementation of a Statutory Planning Fee Waiver and Rebate Policy will provide clarity and equity around the service in relation to when application for the waiver or refund of a fee can be made. This addresses the current situation of not having a policy in place.

RISK ASSESSMENT

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

Council is not currently considering any requests to waive or refund statutory fees in accordance with the relevant Planning and Environment (Fees) Regulations 2016.

COMMUNICATION

The adopted policy will be added to the statutory planning webpage for transparency and clarity. The policy will be referred to each time application is made to waive or refund a fee.

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 – To adopt the Statutory Planning Fee Waiver and Rebate Policy

This option is recommended by officers as there is currently no such policy in place. It will provide transparent and consistent decision making in accordance with the Planning and Environment and Subdivision (Fees) Regulations 2016.

Option 2 – Adopt the Statutory Planning Fee Waiver and Rebate Policy with changes

This option is not recommended by officers as the policy is considered to address the situations relevant to this matter.

Option 3 – Not adopt the Statutory Planning Fee Waiver and Rebate Policy

This option is not recommended by officers as there is currently no policy in place meaning requests must be dealt with in an ad-hoc manner which is not in accordance with the relevant Regulations and does not provide a clear, transparent and equitable process.

CONFLICT OF INTEREST

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

CONCLUSION

It is recommended that council adopts the recommended Statutory Planning Fee Waiver and Rebate Policy to provide a transparent and consistent decision-making process for all parties as well as being reflective of the Planning and Environment and Subdivision (Fees) Regulations 2016.

This would align with councils Vision and Values to maintain integrity and a commitment to being authentic, honest and ethical in our work.

Finally, the adoption of the recommended policy will be reflective of the work involved in all the relevant (statutory planning) process and negate any further financial burden on the statutory planning business unit as the cost of the associated work will be accounted for.

Statutory Planning Fee Waiver & Refund Policy



Statutory Planning Fee Waiver and Rebate Policy

Statutory Planning Fee Waiver and Rebate Policy Policy

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Statutory Planning Fee Waiver and Rebate Policy

1. PURPOSE

- 1.1 The purpose of this policy is to provide transparent and consistent decision making for all requests for full or partial refund or waiver of planning fees (both statutory and non-statutory).
- 1.2 This Statutory Planning Fee Waiver and Rebate Policy aligns with Council's Vision and Values to maintain integrity and a commitment to being authentic, honest and ethical in our work.



2. SCOPE

- 2.1 This policy applies to all requests received in writing from an applicant, contact or landowner (including a company or organisation and any Golden Plains Shire departments or individuals) seeking a waiver, reduction or refund of fees relating to any statutory planning matters which attract a fee, both statutory and non-statutory.

3. POLICY STATEMENT

- 3.1 Golden Plains Shire Council is committed to providing transparent and consistent decision making for all requests for full or partial refund or waiver of statutory planning fees.
- 3.2 This policy sets out those instances where a refund or planning fee exemption may be applied for, for statutory fees pursuant to regulation 20 of the Planning and Environment (Fees) Regulations 2016 and regulation 12 of the Subdivision (Fees) Regulations, and how requests for refund or waiver for non-statutory fees set by council will be dealt with.

4. PROCEDURES

- 4.1 Section's 47(b) and 72 of the *Planning and Environment Act 1987* state that a permit application or an application to amend a permit must be accompanied by a prescribed fee.
- 4.2 Planning application fees are set out in the Planning and Environment (Fees) and Subdivision (Fees) Regulations 2016 and are amended by the State Government. Regulation 20 of the Planning and Environment (fees) Regulations states:
A responsible authority or the Minister may wholly or in part waive or rebate the payment of a fee, which the responsible authority or the Minister has received in connection with matters that do not relate to an amendment to a planning scheme, if –
 - (a) *An application is withdrawn and a new application is submitted in its place; or*
 - (b) *In the opinion of the responsible authority or the Minister the payment of the fee is not warranted because –*

Statutory Planning Fee Waiver and Rebate Policy

- (i) *of the minor nature of the consideration of the matter decided or to be decided; or*
 - (ii) *the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
 - (c) *in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists –*
 - (i) *the proper development of the State, region or municipal district; or*
 - (ii) *the proper development of part of the State, region or municipal district, or*
 - (iii) *the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
 - (d) *the application relates to the land used exclusively for charitable purposes.*
- 4.3 Regulation 12 of the Subdivision (Fees) Regulations 2016 sets out the power to waive or rebate (refund) the payment of all or part of any fee as follows:
- A council or referral authority may waive or rebate the payment of all or part of any fee payable under the Act –*
- a) *In respect of an application that is withdrawn, if a new application is submitted in its place; or*
 - b) *If in the opinion of the Council or referral authority (as the case may be) the payment of the fee is not warranted because –*
 - i) *Of the minor nature of the consideration of the matter decided or to be decided; or*
 - ii) *The requested service imposes on the Council or referral authority (as the case may be) no appreciable burden or a lesser burden than usual for that type of service; or*
 - c) *If the fee relates to land used exclusively for charitable purposes.*
- 4.4 The respective Regulations clearly set out when a planning authority (Council) is able to consider fee exemptions for planning applications. The following detail sets out the circumstances in which Council will exercise its rights to consider applications under these circumstances as set out under sections 20 and 12 of the Regulations.

STATUTORY FEES - PLANNING AND ENVIRONMENT (FEES) REGULATIONS

- 4.5 Section 20 of the Regulations (Planning and Environment) sets out the power to waive or rebate (refund) fees that do not relate to an amendment to a planning scheme. These are the only instances (aside from non-statutory matters) where the Regulations provide this consideration.
- An application is withdrawn and a new application is submitted in its place***
- 4.6 If a planning permit is withdrawn by an applicant before any referral/s and/or advertising, the application is subsequently re-submitted by the same applicant, for the same property and the same application (same permit trigger/s) within three [3] months of the withdrawal, the application fee will be waived. If any of the above circumstances do not apply, the fee will not be waived. As Council will exempt the subsequent application fee on the resubmitted application (if the abovementioned criteria are met), Council will not refund any of the original application fee paid.

Statutory Planning Fee Waiver and Rebate Policy

- 4.7 *In the opinion of the responsible authority or the Minister the payment of the fee is not warranted because –*
- (iii) of the minor nature of the consideration of the matter decided or the be decided; or*
 - (iv) the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service*

Statutory fees cover the assessment and checking of applications for planning permits, the checking and supervision of engineering plans and works and other related processes.

Ultimately, assessment and checking are part of the decision-making process on matters that are technical in nature and time consuming; the waiving or reduction of any related fees ultimately places a financial burden on the business units, being Statutory Planning and Development Engineering, as the cost of the associated work is not accounted for.

The statutory fees are set out in the respective regulations and are required to be paid as part of the processes; it is not appropriate to waive or refund these fees, even for 'minor' matters, because there is always officer time and expertise required to review, assess, and decide on all matters that come before statutory planning. Further, it is not deemed transparent and impartial for these decisions to be made on an ad-hoc basis.

- 4.8 *In the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists –*
- I) The proper development of the State, region or municipal district; or*
 - II) The proper development of part of the State, region or municipal district; or*
 - III) The preservation of buildings or places of State, region or municipal district which are of historical or environmental interest.*

- 4.9 In accordance with section 16(c) of the Regulations, the responsible authority is able to waive fees for applications when the development is of significance to the municipality. In this regard, the decision for the waiver of statutory planning fees is afforded to the CEO for any application where it is deemed to accord with this regulation. Justification of the waiver must be provided in writing (by the CEO) for the file.

4.10 *The application relates to the land used exclusively for charitable purposes*

In accordance with section 20(d) of the Regulations, Council will exempt charitable organisation from statutory and non-statutory fees and charges if all of the following requirements are met when lodging:

- The owner/applicant must be a not-for-profit, community-based organisation occupying Council land;
- The request to waive or reduce fees must be made in writing to the Manager of Development and Regulatory Services and must set out the community benefit that will be derived from the use and/or development;
- The application must meet all of the requirements in relation to the provision of information, including lodgement of plans and documentation (see website for detail);

Statutory Planning Fee Waiver and Rebate Policy

- There must be no unpaid debt owed to any Council department by the owner/applicant; and
- Any waiving or reduction of fees will be identified in the business budget as negative income.

4.11 STATUTORY FEES - SUBDIVISION (FEES) REGULATIONS

Regulation 12 of the Subdivision (Fees) Regulations 2016 sets out the power to waive or rebate (refund) the payment of all or part of any fee payable under the Act.

4.12 *In respect of an application that is withdrawn, if a new application is submitted in its place*

If a planning permit application is withdrawn by the applicant before any referral/s and/or advertising, the application is subsequently re-submitted by the same applicant, for the same property and the same application (same permit trigger/s) within three [3] months of the withdrawal, the application fee will be waived. If any of these circumstances do not apply, the fee will not be waived. As Council will waive the subsequent application fee on the resubmitted application (if all the above-mentioned criteria are met), Council will not refund any of the original application fee paid.

4.13 *If in the opinion of the Council the payment of the fee is not warranted because –*

- i) Of the minor nature of the consideration of the matter decided or to be decided; or*
- ii) The requested service imposes on the Council no appreciable burden or a lesser burden than usual for that type of service*

4.14 Statutory fees cover the assessment and checking of applications for planning permits, the checking and supervision of engineering plans and works, and other related processes which are technical in nature and time consuming.

4.15 The statutory fees set out in the respective regulations are required to be paid as part of the process; it is not appropriate to waive or refund these fees as it is not transparent and consistent decision-making.

4.16 **The fee relates to land used exclusively for charitable purposes**

In accordance with regulation 12, Council will exempt charitable organisations from statutory and non-statutory fees and charges if all of the following requirements are met when lodging:

- The owner/applicant must be a not-for-profit, community-based organisation occupying Council land;
- The request to waive or reduce fees must be made in writing to the Coordinator Statutory Planning and must set out the community benefit that will be derived from the use and/or development;
- The application must meet all the requirements in relation to the provision of information, including lodgement of plans and documentation (see website for detail);
- There must be no unpaid debt owed to any Council department by the owner/application; and
- Any waiving or reduction of fees will be identified in the business budget as negative income.

Statutory Planning Fee Waiver and Rebate Policy

OTHER TYPES OF FEE (WAIVER OR REBATE) REQUESTS

4.17 Council receives other fee (waiver or rebate) requests which this policy also seeks to address so that all fee-related matters can receive the same consistent and transparent decision making. These instances and how they will be dealt with are set out as follows:

4.18 *Lapsed applications*

The Regulations do not afford Council the discretion to refund or exempt the fees associated with applications that have lapsed, nor applications submitted subsequent to the lapsing of an application. No fees will be waived or refunded when an application has lapsed, regardless of whether or not a subsequent application is submitted.

4.19 *Environmentally Sustainable Applications*

The Regulations do not afford Council any discretion in respect to an application that may be considered by any party to be an environmentally sustainable application. Council cannot provide any waiver or refund of fees associated with such applications.

4.20 *Council initiated permit applications (or other matters that attract a fee)*

The Regulations do not afford Council the discretion to waive or refund fees associated with Council-initiated planning applications. In such instances, the Council department seeking the planning approval is required to meet the requisite application fee, in full, in accordance with the Regulations. This will also apply to any other planning-related process (statutory or non-statutory) that attracts a fee, such as requests for written planning advice or application for certification, for example.

4.21 *Change of mind*

The Regulations do not afford Council the discretion to waive or refund fees associated with applications where circumstances alter, and the applicant no longer wishes to pursue the application, or other planning-related matters that attract a fee. No fees will be waived or refunded in these instances.

4.22 *Application is lodged but no planning permit is required*

If an application for a planning permit or amendment to a planning permit is lodged and it is determined that no planning permit is required (a planning permit is not triggered under the Golden Plains Planning Scheme), the full fee will be refunded. If the applicant wants this in writing, they must apply separately for written planning advice and pay the full fee.

4.23 *Changes to a certified plan*

Changes to a certified plan at the request of the applicant will attract a re-certification fee. Changes to a certified plan at the request of Council or a Referral Authority will not attract a re-certification fee.

4.24 *NON-STATUTORY FEES*

Non-statutory fees are the fees Council determines to charge for other services provided as part of the statutory planning process; these are reviewed annually.

4.25 *Application for written planning advice*

Applications for written planning advice generate formal planning advice on Council letterhead in response to the application. All applications for written planning advice attract the full fee, which does not vary dependent on what the advice says. The fee will not be waived or refunded if the advice is not in line with what the applicant requested or anticipated to be provided. *For example, if the applicant requests written planning advice to say a shed does not need a permit, however a planning permit is triggered under the Golden Plains Planning Scheme based on the information provided.*

Statutory Planning Fee Waiver and Rebate Policy

4.26 Other non-statutory fees

The payment of any planning related fee request is not a guarantee that the approval/advice/or process will be in accordance with the wishes of the applicant. *For example, an applicant applies for an extension of time to a planning permit, however the permit has expired; an extension of time cannot be issued.* No fees will be waived or refunded in these instances.

5. RESPONSIBILITIES

Compliance, monitoring and review

5.1 Council's Manager Development & Regulatory Services and other relevant authorised officers are responsible for implementing this policy.

5.2 The policy owner is responsible for ensuring the policy:

- aligns with relevant legislation, government policy and Council's requirements/strategies/values;
- is reviewed to evaluate its continuing effectiveness (e.g. achieving its purpose, remains relevant/current).

Records Management

5.3 Council must maintain all records relevant to administering this policy in accordance with the *Public Records Act 1973*.

6. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Terms and definitions

Term	Definition
<i>Council</i>	Golden Plains Shire Council
<i>The Act</i>	<i>Planning and Environment Act 1987</i> <i>Subdivision Act 1988</i>
<i>The Regulations</i>	<i>Planning and Environment (Fees) Regulations 2016</i> <i>Subdivision (Fees) Regulations 2016</i>

7. RELATED LEGISLATION AND DOCUMENTS

Planning and Environment Act 1987

Subdivision Act 1988

Local Government Act 2020

Planning and Environment (Fees) Regulations 2016

Planning and Environment (Fees) Regulations (2016)

Statutory Planning Fee Waiver and Rebate Policy

8. HUMAN RIGHTS STATEMENT OF COMPATABILITY

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

9. POLICY OWNER

9.1 The Manager Development and Regulatory Services is the policy owner.

DOCUMENT INFORMATION

DOCUMENT TYPE:	Council Policy document
DOCUMENT STATUS:	[For example: Approved/Not Approved]
DOCUMENT OWNER POSITION:	Manager Development and Regulatory Services
APPROVED BY:	Council
DATE ADOPTED:	[Insert Date/Month/Year]
VERSION NUMBER:	[Insert version number]
REVIEW DATE:	
DATE RESCINDED:	
EVIDENCE OF APPROVAL:	Signed by Chief Executive Officer
FILE LOCATION:	INT[XX/XXXX]
NOTES:	<p>Policy documents are amended from time to time therefore you should not rely on a printed copy being the current version. Please consult Council's Policy page on the Golden Plains Shire Council website to ensure that the version you are using is up to date.</p> <p>Available at: https://www.goldenplains.vic.gov.au/residents/my-council/about-council/council-policies </p>

7.7 REVIEW OF AUDIT AND RISK COMMITTEE CHARTER

File Number:

Author: Rosie Wright, Acting Coordinator Governance and Risk

Authoriser: Ingrid Bishop, Acting Director Corporate Services

Attachments: 1. Audit and Risk Committee Charter (under separate cover)

RECOMMENDATION

That Council note and approve the Audit and Risk Committee Charter as reviewed and recommended by the Audit and Risk Committee at the February Committee meeting.

EXECUTIVE SUMMARY

Section 12 of the Audit and Risk Committee charter states that *'This Charter will be reviewed by the Committee on an annual basis, and the Committee will provide a report to the Council recommending that the Council approve the Charter.'*

In accordance with this section, the Audit and Risk Committee Charter was reviewed by the Committee at the Audit and Risk Committee meeting on 8 February 2022. No changes were made. The Charter is now recommended to Council for approval.

BACKGROUND

The Local Government Act 2020 section 54 requires that a Council must prepare and approve an Audit and Risk Committee Charter. This requirement was introduced in Stage 2 of the implementation of the Local Government Act 2020, an Audit and Risk Committee Charter was required to be adopted by Council no later than 1 September 2020. The Audit and Risk Committee Charter was adopted by Council on 28 July 2020, well ahead of the deadline for adoption.

The Audit and Risk Committee Charter section 12 requires that the Charter undergoes an annual review by the Committee, with a report to be presented to Council to approve the Charter. The Charter was reviewed by the Audit and Risk Committee at its meeting on 8 February 2022.

DISCUSSION

As the Charter was extensively reviewed and refreshed as part of the implementation of the Local Government Act 2020, no further changes have been recommended at this time.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	Yes
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No
Communication	No
Human Rights Charter	No
Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	No

GOVERNANCE PRINCIPLES

The Audit and Risk Committee Charter is aligned to the governance principles as outlined in Section 9 of the Local Government Act, 2020 by ensuring that Council's Audit and Risk Committee considers all key principles when undertaking their function.

POLICY/RELEVANT LAW

Local Government Act 2020

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

The Audit and Risk Committee Charter assists to mitigate environmental risks by providing the framework to the Audit and Risk Committee's role and responsibilities and ensures that Councils control, processes and risk management practises are compliant.

PUBLIC TRANSPARENCY

By providing a report to Council and requesting approval of the Audit and Risk Committee Charter, the public transparency principles as outlined in section 58 of the Local Government Act 2020 are upheld.

STRATEGIES/PLANS

- Audit and Risk Committee Charter
- Risk Management Framework
- Long Term financial Plan
- Budget
- Council and Organisational Policies

FINANCIAL MANAGEMENT

The Audit and Risk Committee Charter assists to mitigate financial risks by providing the framework to the Audit and Risk Committee's role and responsibilities and ensures that Councils control, processes and risk management practises are compliant.

RISK ASSESSMENT

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

- Failure to maintain an Audit and Risk Committee Charter would be non-compliant with the Local Government Act 2020

- The Audit and Risk Committee requires the Charter to ensure roles and responsibilities are determined and met

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020.

OPTIONS

Option 1 – That Council note and approve the Audit and Risk Committee Charter as reviewed and recommended by the Audit and Risk Committee at the February Committee meeting.

Option 1 is recommended by officers in order to comply with both the Local Government Act 2020 and the obligations under the Charter.

Option 2 – That Council do not approve the Audit and Risk Committee Charter as reviewed and recommended by the Audit and Risk Committee at the February Committee meeting.

Option 2 is not recommended by officers as the Audit and Risk Committee Charter must be reviewed annually.

CONFLICT OF INTEREST

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

CONCLUSION

In accordance with Section 12 of the Audit and Risk Committee Charter, the Audit and Risk Committee has completed its annual review of the Audit and Risk Committee Charter, which is now recommended to Council for approval.

7.8 REVIEW OF INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987

File Number:

Author: Rosie Wright, Acting Coordinator Governance and Risk

Authoriser: Ingrid Bishop, Acting Director Corporate Services

Attachments: 1. Instrument of Appointment and Authorisation - Planning and Environment Act 1987 (under separate cover)

RECOMMENDATION

That Council in the exercise of the powers conferred by s313 of the *Local Government Act 2020* and the legislation referred to in the attached Instrument of Appointment and Authorisation ('the instrument'), resolves that:

1. The members of Council staff referred to in the instrument as shown in Attachment 1 be appointed and authorised as set out in the instrument.
2. The Chief Executive Officer is authorised to execute the instrument by affixing the common seal in accordance with Councils Governance Rules of 2021, Council Meeting Procedures & Common Seal.
3. The instrument comes into force immediately upon execution and remains in force until Council determines to vary or revoke it.
4. The previous instrument dated 22 September 2020 is revoked.

EXECUTIVE SUMMARY

The appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made through resolution of Council.

The Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* was last reviewed and adopted by Council in September 2020.

A review of that instrument has now been completed and updated to reflect staffing changes that have occurred in the Planning team.

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

BACKGROUND

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

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

The instrument was updated by Maddocks Lawyers in January 2021 and the authorised staff have been reviewed and updated to reflect staff changes in Council's Planning team.

DISCUSSION

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

Maddocks Lawyers issued an amended instrument of appointment and authorisation under the *Planning and Environment Act 1987* in January 2021. The changes are not substantive and are

primarily aesthetic in nature, however the January 2021 instrument has been used in this update to ensure the instrument remains up to date.

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

The specific authorisations provided through this instrument include:

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

The proposed changes to the instrument are detailed below:

- Updated list of authorised officers following recent staff changes

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	No
Human Rights Charter	No
Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	No

GOVERNANCE PRINCIPLES

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

POLICY/RELEVANT LAW

The *Local Government Act 2020*; and

The legislation referred to in the attached Instruments of Delegation.

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

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

PUBLIC TRANSPARENCY

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

RISK ASSESSMENT

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

COMMUNICATION

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

Changes to the authorisations will be communicated internally.

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020. The gender impact assessment decision matrix has been completed and no gender impact assessment is required.

OPTIONS

Option 1 – That Council adopt the reviewed Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

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

Option 2 – That Council defer the report.

This option is not recommended by officers as it will risk non-compliance with legislation and hinder Council staff who require these authorisations to perform their duties.

CONFLICT OF INTEREST

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

CONCLUSION

The appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated and must be made by resolution of Council. The Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* was last reviewed and adopted by

Council in September 2020. A review of that instrument has now been completed and updated to reflect staffing changes that have occurred in the Planning team. It is recommended that Council consider and adopt the revised the Instrument, as shown at Attachment 1.

7.9 VAGO AUDIT - SEXUAL HARASSMENT IN LOCAL GOVERNMENT**File Number:****Author:** Ingrid Bishop, Acting Director Corporate Services**Authoriser:** Ingrid Bishop, Acting Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council note the update on the implementation of the action plan for the recommendations made in the VAGO report into Sexual Harassment in Local Government.

EXECUTIVE SUMMARY

In February 2021, the Audit and Risk Committee were presented with the findings of the Audit report conducted by the Victorian Audit Generals Office (VAGO) on Sexual Harassment in Local Government.

An action plan has been developed by Council to incorporate these recommendations and also the requirements of the *Gender Equality Act 2020* due to the close alignment.

This report provides a quarterly update on the progress of the implementation plan to the Audit and Risk Committee.

In addition, Council resolved at the Council meeting of 27 April 2021, to receive quarterly reports to the council on actions, progress and implementation of the recommendations as contained in the "Sexual Harassment In Local Government" report conducted by the Victorian Auditor-General's Office, December 2021 and adopted by Golden Plains Council in February 2021. As a result, this report will be provided at the 22 February 2022 Council meeting.

BACKGROUND**What VAGO Examined**

VAGO examined whether Council's were providing their staff and councillors with workplaces that are free from sexual harassment. Specifically, they looked at:

- The prevalence and nature of sexual harassment in council's
- Council's policies, training and communication
- The effectiveness of Council's complaint handling.

VAGO's Recommendation

This audit report provided eleven recommendations to Victorian local councils and one to the Department of Jobs, Precincts and Regions in relation to identifying and acting on risk factors, regularly collecting data on the prevalence of sexual harassment and the development of regular data collection methodology.

All eleven recommendations VAGO made were accepted by Golden Plains Shire Council and Council has completed nine of the recommendations and all other actions are in progress.

DISCUSSION**Actions for Golden Plains Shire Council**

The following action plan has been developed to implement the VAGO recommendations over a 12–18-month period, with mandatory training and regular surveys to be built into ongoing business-as-usual activities.

VAGO Recommendation	Action item	Due Date	Status
Recommendations about the prevalence of sexual harassment			
1. Use findings from the Victorian Auditor-General's 2020 Sexual Harassment in Local Government survey to identify and act on risk factors for council employees and workplaces (see Sections 2.1, 2.2 and 2.3)	In order to scan the workplace for risk, Council will refer to the risk matrix tool provided in the <i>Preventing and responding to workplace sexual harassment</i> guideline produced by the Victorian Equal Opportunity and Human Rights Commission. Council will also consult with workers and their representatives such as union delegates; equal opportunity contact officers and health and safety representatives. The risk assessments will identify the likelihood of different forms of sexual harassment occurring and the potential harm that would flow to workers if the risk were realised. This will help Council identify risks that should be addressed as a priority	31/12/2021	COMPLETED Risk assessments have commenced and will continue across the organisation. This action works in conjunction with Council's implementation of the Gender Equality Actions including gender impact assessments being completed on relevant policies and procedures.
2. Collect information about the prevalence and nature of sexual harassment at least once every two years by: - Conducting workplace surveys	All staff survey will be conducted in May/June 2021. This is a mandatory survey required under the Gender Equality Act and survey questions have been specified by the Commissioner for Gender Equality in the Public Sector to support organisations to report on progress against the Gender Equality Act 2020.	30/06/2021	COMPLETED The Gender Equality survey was undertaken in June 2021. Results have been incorporated into the Gender Equality Audit report which will be submitted to the Commissioner in December 2021.
- Reviewing complaints information (see Section 2.6)	Annual benchmarking of key metrics against other councils and Council's performance over time. The collection of information continues to be undertaken to ensure the due date of 1 June 2022 is met.	30/06/2022	
3. Address the risk of sexual harassment by members of the public by: - Ensuring sexual harassment policies, procedures and training explicitly cover sexual harassment from the public	New standalone policy will meet this requirement.	31/12/2021	COMPLETED The internal staff policy has been adopted. Risk assessments have commenced and will continue across the organisation. This action works in conjunction with Council's implementation of the Gender Equality Actions including gender impact assessments being completed on relevant policies and procedures.
- Regularly communicating to customers and staff that the council does not tolerate any form of sexual harassment from the public (see Section 2.4).	Using information from the Risk Assessment tool, a program will be developed to address this recommendation.	31/12/2021	
Recommendations about preventing sexual harassment			
4. Introduce a standalone sexual harassment policy that: - Aligns with the VEOHR's Guideline: Preventing and responding to workplace sexual harassment—Complying with the Equal Opportunity Act 2010 and the Victorian Public Sector Commission's Model Policy for the Prevention of Sexual Harassment in the Workplace	New standalone policy will meet this requirement.	31/12/2021	COMPLETED. The internal staff policy has been adopted.
- Includes clear links to relevant council policies and procedures	New standalone policy will meet this requirement.		
- Covers the applicability of council policies to different roles and workplace settings, including councillors, customer-facing staff and members of the public	New standalone policy will meet this requirement.		
- Is searchable on council intranet sites or cloud software, and available in hard copy to all staff (see Section 3.1)	Policy will be saved on the intranet and available in hard copy to all staff.		

VAGO Recommendation	Action item	Due Date	Status
5. Introduce mandatory training on sexual harassment, or improve existing training, so that at a minimum it: <ul style="list-style-type: none"> - Includes face-to-face or live online sessions for all staff and councillors at least once every two years (in addition to online modules) - Covers safe strategies for bystander interventions - Is tailored to the council's policies, procedures and workplace risk factors (see Section 3.2) 	Training package will be developed and rolled out across the organisation to incorporate the recommendations from the VAGO Audit and the requirements of the <i>Gender Equality Act</i> .	30/11/2021 REVISED DATE 30/06/2022	IN PROGRESS. Due to the resignation of GPSC learning and development specialist and other key resignations within the HR department this training is still in development.
6. Communicate a culture of respect in the council by ensuring leaders model respectful behaviour at all times and communicate to all staff at least annually that the council does not tolerate sexual harassment (see Section 3.3).	CEO and SMT to promote at quarterly directorate updates. CEO to include in an all-staff meeting.	30/06/2021	COMPLETED GPSC provides weekly all staff communication via the 'In the Loop' newsletter and over the last 3 months, a number of communication 'bites' have been provided on what is defined as sexual harassment, where to go for help and what options are available. This will continue to be use as a communication tool to keep this at front of mind.
Recommendations about responding to sexual harassment			
7. Encourage reporting of inappropriate behaviour by: <ul style="list-style-type: none"> - Promoting formal and informal complaint channels - Allowing for anonymous complaints (see Section 4.1) 	Clearly outlined in the new standalone policy and procedures. Promoted at OHS and team meetings and in lunchrooms and common areas New standalone policy will meet this requirement.	31/12/2021	COMPLETED.
8. Improve record keeping of sexual harassment complaints by: <ul style="list-style-type: none"> - Keeping complete records of all interactions relating to a complaint 	New confidential folder created in Altus ECM to store all records pertaining to complaints	15/05/2021	COMPLETED.
<ul style="list-style-type: none"> - Documenting decisions to not investigate complaints or to stop investigations, including the rationale for the decision and the name and role of decision makers (see Section 4.3) 	New standalone policy and procedures will detail all record keeping requirements including who has delegated responsibility.	30/11/2021	
9. View complaint procedures to ensure they include: <ul style="list-style-type: none"> - A requirement to inform the complainant of the outcome of the complaint - Guidance on how investigators can support reluctant complainants (see Section 4.2). 	New standalone policy and procedure will meet these requirements.	30/11/2021	COMPLETED. The internal staff policy has been adopted.
Recommendations about councillors			
10. Ensure councillors receive training on sexual harassment at least twice per council term (see Section 3.2)	Following the adoption of a standalone policy for Councillors, training will be undertaken every 2 years.	30/11/2021 REVISED DATE 30/06/2022	IN PROGRESS. Training for Councillors has been provided via the MAV training sessions, Councillors will also be provided the same training as our staff. Due to the resignation of our learning and development specialist, this training is still in development

VAGO Recommendation	Action item	Due Date	Status
11. Ensure councillors are informed of their internal and external options for sexual harassment support and complaints, including: <ul style="list-style-type: none">- The council's employee assistance program- Councillor Code of Conduct dispute resolution processes- External complaint bodies (see Section 4.1).	New standalone policy and procedures will meet this requirement. The Councillor dispute resolution procedures will be reviewed to ensure that aligned with the VAGO recommendations.	31/12/2021	COMPLETED The draft Councillor Sexual Harassment Policy and supporting dispute resolution was adopted at the 26 October 2021 Council meeting.

REPORTING AND COMPLIANCE STATEMENTS*Local Government Act 2020 (LGA 2020)*

Implications	Applicable to this Report
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Policy/Relevant Law (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes
Environmental/Sustainability Implications (Consideration of the Governance Principles under s.9 of LGA 2020)	No
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	No
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	No
Human Rights Charter	Yes
Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	Yes

GOVERNANCE PRINCIPLES

The newly developed Sexual Harassment Policy aligns with the Victorian Equal Opportunity and Human Rights Commission's Guideline: Preventing and responding to workplace sexual harassment - Complying with the Equal Opportunity Act 2010 and the Victorian Public Sector Commission's Model Policy for the Prevention of Sexual Harassment in the Workplace and meets the requirements of the Gender Equality Act 2020.

POLICY/RELEVANT LAW*Equal Opportunity Act 2010**Sex Discrimination Act 1984**Local Government Act 2020**Occupational Health and Safety Act 2004**Equal Opportunity Act 2010, Preventing and responding to workplace sexual harassment (2020)**Model Policy for the Prevention of Sexual Harassment in the Workplace (2018)**Charter of Human Rights and Responsibilities Act 2006*

*Gender Equality Act 2020***RISK ASSESSMENT**

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

Sexual harassment in the workplace is unlawful and can cause significant harm to those who experience it. It can also be costly for employers, exposing them to legal liability and increasing staff turnover. Under the *Equal Opportunity Act 2010*, employers must take reasonable and proportionate measures to eliminate sexual harassment in their workplaces

To prevent sexual harassment in the workplace, there is a requirement for clear policies and procedures to be in place, together with awareness across all Council officers of the ways to identify and report sexual harassment. This will be supported by regular training of all staff and communication from the leadership group on the importance of a zero-tolerance approach to sexual harassment.

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020.

OPTIONS

As this report is a progress update, the report is for noting.

CONFLICT OF INTEREST

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

CONCLUSION

Golden Plains Shire Council takes a zero-tolerance approach to sexual harassment, and we note the recommendations for all Victorian Councils will strengthen this approach.

7.10 AUDIT & RISK COMMITTEE REPORT - 8 FEBRUARY 2022**File Number:****Author:** Sophie Brown, Acting Governance and Legal Services Officer**Authoriser:** Ingrid Bishop, Acting Director Corporate Services**Attachments:** 1. 8 February Audit & Risk Committee Unconfirmed Minutes (under separate cover)**RECOMMENDATION**

That Council note the unconfirmed minutes from the Audit & Risk Committee meeting held on 8 February 2022 (Attachment 1).

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 8 February 2022 meeting of the Audit & Risk Committee.

BACKGROUND

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

DISCUSSION

Attendees at the Committee meeting were as follows:

Councillors:

- Mayor Gavin Gamble
- Councillor Clayton Whitfield

Independent Members:

- Andrew Pearce
- Joe Adamski
- Phil Delahunty

Internal & External Auditors:

- Martin Thompson (Crowe)
- Jung Yau (VAGO)
- Travis Derricott (VAGO)

Officers:

- Eric Braslis (CEO)
- Ingrid Bishop (Acting Director Corporate Services)
- Steven Sagona (Director Community Services)
- Fiona Rae (Manager Finance)
- Rosie Wright (Acting Coordinator Governance and Risk)
- Sophie Brown (Acting Governance and Legal Services Officer)

Apologies:

- Phil Josipovic (Director Infrastructure and Development)
- Gabrielle Castree (Crowe)

Declaration of Conflict of Interest: Nil

The Committee considered the following matters at the meeting:

Audit Committee Action Items
Outstanding Internal and External Audit Actions
Council First - Progress Update
Audit and Risk Committee Charter Review
2021-2022 Audit Strategy
Aged Care Reform Update
Review Internal Audit Charter
Internal Audit Plan 2021-2022
Review Risk Appetite Statements
Risk Owner Presentation – Strategic Risk No.7 – Climate Change (Adaptation)
Risk Management and Insurance Quarter 2 Report
OHS Quarter 2 Report
Finance Quarter 2 Update
Governance Quarter 2 Report
Instances of Fraud and Corruption and Actions Taken
VAGO Audit -Sexual Harassment in Local Government
Local Government Act 2020 -Implementation Update
Status Update on Payroll Matters
Employee Code of Conduct
CONFIDENTIAL REPORT – Aged Care Reform Update

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

Gender Equality (Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	No
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POLICY/RELEVANT LAW

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

RISK ASSESSMENT

There are no identified risk implications associated with this report.

HUMAN RIGHTS CHARTER

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

OPTIONS

Option 1 – that Council receive the Audit & Risk Committee report from the meeting of 8 February 2022

This option is recommended by officers as the report is to provide an overview of the items tabled at the Audit and Risk Committee Meeting. No decisions are required to be made.

Option 2 – that Council do not receive the Audit & Risk Committee report from the meeting of 8 February 2022

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

Option 3 – that Council require further information

This option is not recommended by officers as the full agenda and minutes from the meeting are accessible to Councillors.

CONFLICT OF INTEREST

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

CONCLUSION

The next meeting of the Committee is scheduled for May 2022.

7.11 COUNCILLOR EXPENSES AND MEETING ATTENDANCE REPORT - SECOND QUARTER ENDING 31 DECEMBER 2021**File Number:****Author:** Rosie Wright, Acting Coordinator Governance and Risk**Authoriser:** Ingrid Bishop, Acting Director Corporate Services**Attachments:** 1. Councillor Expenses Q2 21-22 (YTD) (under separate cover)**RECOMMENDATION**

That Council note the contents of the Councillor Expenses and attendance report for quarter two of 2021/22.

EXECUTIVE SUMMARY

The report provides a record of expenditure made on behalf of Councillors in the performance of their duties for quarter two of 2021/22. This report also includes quarterly updates on Councillor attendance at both scheduled and unscheduled meetings of Council. Providing regular updates throughout the year on the Councillor attendance at meetings enables enhanced transparency rather than only one annual update as reported in Council's annual report.

BACKGROUND

In accordance with Legislation and policy, Councillors can be reimbursed for eligible out of pocket expenditure in relation to resources and training to undertake their role as Councillors.

Furthermore, Councillors have a number of roles in providing leadership to the community including decision making on behalf of the community. The formal decision-making process is conducted through council meetings which are held on the fourth Tuesday of each month. The meetings provide an opportunity for community members to attend and if required, address the Council in support of their submissions. This report now provides a regular update on Councillor attendance at Ordinary meetings and Special meetings of Council during the year.

DISCUSSION

Summarised in the attached document are the figures for allowances and expenses for the Mayor and Councillors for quarter two of 2021/22.

The actual expenditure in comparison to the annual budget is as follows:-

Category	Annual Budget \$	Actual \$	Percentage spent
Conferences & Training Expenses	17,387	121	0.7%
Travel Expenses	5,495	626	11.4%
Car Expenses	6,230	4,507	72.3%
IT & Communications	6,300	1,822	28.9%
Childcare Expenses	-	-	
Total Councillor Allowances	35,412	7,076	19.98%

Councillor attendance at scheduled and unscheduled meetings of council

The table below outlines the Councillor attendance at both schedule and unscheduled meetings of Council for quarter two of 2021/22.

Council held the following meetings:

- 3 scheduled Ordinary Council meetings held in October, November and December
- 1 scheduled Special Council meeting held in November (Mayoral Election)
- 1 unscheduled Council meeting held on 12 October

Councillor	Scheduled Meetings (4 meetings)	Unscheduled Meetings (1 meetings)	Total Meetings (5 meetings)
Brett Cunningham	4	1	5
Gavin Gamble	4	1	5
Ian Getsom	4	1	5
Helena Kirby	4	1	5
Les Rowe	4	1	5
Owen Sharkey	4	1	5
Clayton Whitfield	4	1	5

REPORTING AND COMPLIANCE STATEMENTS:

Local Government Act 2020 (LGA 2020)

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

(Consideration of the Gender Equality Act 2020 and obligations to conduct gender impact assessments on new or reviewed policies, procedures and services that have a significant and direct impact on the public)	
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POLICY/RELEVANT LAW

In accordance with section 41B of the *Local Government Act 2020*, Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.

The expenses outlined in this report comply with Golden Plains Shire Council's, Councillors expenses and entitlement policy.

PUBLIC TRANSPARENCY

In accordance with Section 58 of the *Local Government Act, 2020*, information contained within this report complies with the public transparency principles.

FINANCIAL MANAGEMENT

Councillor expenses and reimbursements are monitored against the annual financial budget to ensure expenses remain within the budget provision adopted.

HUMAN RIGHTS CHARTER

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

GENDER EQUALITY

This report has considered the gender equality principles as set out in the Gender Equality Act 2020. The gender impact assessment decision matrix has been completed and no gender impact assessment is required.

OPTIONS

Option 1 – That Council note the contents of this report.

This option is recommended by officers as it ensures compliance with legislated requirements.

Option 2 – That Council defer the report.

This option is not recommended by officers as the report provides an update on Councillor expenses and attendance for Q2 2021/22 which has now finished.

CONFLICT OF INTEREST

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

CONCLUSION

That Council note the contents of the Councillor Expenses and attendance report for the second quarter of 2021/22 being the quarter ended 31 December 2021.

8 NOTICES OF MOTION

Nil

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil