



AGENDA

Council Meeting

6.00pm Tuesday 28 September 2021

VENUE:
Virtual Meeting

NEXT COUNCIL MEETING
6.00pm Tuesday 26 October 2021

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.

Order Of Business

1	Opening Declaration.....	5
2	Acknowledgement of Country	5
3	Apologies and Leave of Absence	5
4	Confirmation of Minutes.....	5
5	Declaration of Conflict of Interest.....	5
6	Public Question Time	5
7	Business Reports for Decision	6
7.1	Delegates Report - 24 August 2021 to 27 September 2021.....	6
7.2	P20341 1115 Shelford-Mt Mercer Road, Shelford (Broiler farm)	8
7.3	Annual Report 2020/21	23
7.4	In-Principle Performance Statement and In-Principle Financial Statements for the Year Ended 30 June 2021	28
7.5	Finance Quarter 4 Update.....	33
7.6	Submissions to 2021-22 Long Term Financial Plan.....	39
7.7	Arts Culture and Heritage Strategy 2022-2026 for Exhibition.....	42
7.8	Draft Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025.....	46
7.9	VAGO Audit - Sexual Harassment in Local Government.....	50
7.10	Local Roads and Community Infrastructure Program - Phase 3 Funding Allocation	57
7.11	Audit & Risk Committee Report - 14 September 2021	63
7.12	Audit and Risk Committee - Annual Performance Review	66
7.13	Council Governance Rules Review - Draft for Public Exhibition	70
7.14	Gifts, Benefits and Hospitality Register	76
8	Notices of Motion.....	78
8.1	Notice of Motion - Establishing an off-road trail between Teesdale and Bannockburn	78
9	Petitions	80
	Nil	
10	Confidential Reports for Decision	80
	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 24 August 2021 as circulated, be confirmed.

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

7 BUSINESS REPORTS FOR DECISION

7.1 DELEGATES REPORT - 24 AUGUST 2021 TO 27 SEPTEMBER 2021

File Number:

Author: Sharon Naylor, Executive Assistant - Chief Executive Officer

Authoriser: Eric Braslis, CEO

Attachments: Nil

RECOMMENDATION

That Council receive and note the Delegates Report – 24 August 2021 to 27 September 2021.

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

Cr Helena Kirby

24 August Australian Citizenship Ceremony
 26 August Rural Women's AGM
 27 August G21 Board meeting
 27 August Peri Urban Group Regional Councils meeting
 30 August G21 Sport & Recreation Pillar meeting
 30 August 2021 VLGGC Information session
 3 September Central Highlands Councils Victoria Mayors & CEOs Forum
 3 September Meeting with the Governor & Mr Anthony Howard AM QC
 9 September Mayoral briefing with The Hon Shaun Leane MP
 9 September Meeting with Country Fire Authority
 10 September Peri Urban Group of Rural Councils Board meeting
 10 September Meeting with Gayle Tierney MP
 13 September Linton Historical Society AGM
 14 September GPSC Audit & Risk Committee meeting
 14 September CEO Review Committee meeting
 16 September Timber Towns Victoria meeting
 17 September Meeting with Michelle Young – Deputy Commissioner – Fire Rescue Victoria
 22 September Colac Regional Advisory Group meeting
 23 September Electing the Mayor - What Leadership Requires session

Cr Brett Cunningham

26 August G21 Economic Pillar meeting
 27 August G21 Board meeting
 30 August G21 Sport & Recreation Pillar Meeting
 30 August G21 - Economic Development Health & Wellbeing Board Meeting
 14 September GPSC Audit & Risk Committee meeting
 14 September CEO Review Committee meeting

Cr Gavin Gamble

27 August G21 Board meeting
 14 September CEO Review Committee meeting

Cr Ian Getsom

27 August G21 Board meeting
14 September CEO Review Committee meeting
16 September Timber Towns Victoria meeting

Cr Les Rowe

26 August G21 Arts, Heritage & Culture Pillar meeting
27 August G21 Board meeting
14 September CEO Review Committee meeting
16 September Geelong Heritage Centre Collection Advisory Committee meeting
16 September Timber Towns Victoria meeting

Cr Owen Sharkey

27 August G21 Board meeting
27 August Peri Urban Group Regional Councils meeting
14 September CEO Review Committee meeting

Cr Clayton Whitfield

27 August G21 Board meeting
14 September CEO Review Committee meeting

7.2 P20341 1115 SHELFORD-MT MERCER ROAD, SHELFORD (BROILER FARM)**File Number:****Author:** Peter O'Brien, Town Planner**Authoriser:** Phil Josipovic, Director Infrastructure and Development**Attachments:** 1. Recommended conditions (under separate cover)**RECOMMENDATION**

That Council resolves to form a position of support for planning permit application P20341 for the use and development of the land for the purposes of a broiler farm and associated buildings and works at 1115 Shelford-Mt Mercer Road, Shelford subject to the conditions attached to this report.

EXECUTIVE SUMMARY

This report relates to a planning permit application for a broiler farm at 1115 Shelford-Mt Mercer Road, Shelford. The report was originally presented to the 24 August 2021 Ordinary Council meeting for a decision. Council did not support the officer's recommendation to issue a notice of decision to issue a permit, however, did not make a final determination on the application. The report provides a background to the application and a summary of the relevant planning considerations.

The application has been referred to the Council Meeting for determination because there are 15 objections to the application, and given the number of submissions and media attention, officers are of the opinion that the application is considered significant to the municipality. The matters raised by objectors include odour, environmental impacts, traffic and roads, noise, visual impact, power and water supply, avian influenza and animal welfare. Councillors have been provided with a full copy of the application and objections for consideration before making a decision.

As a final decision was not made at the August 2021 Council Meeting, the applicant has since lodged an Application for Review at the Victorian Civil & Administrative Tribunal (VCAT) against Council's failure to determine the application within the prescribed time. The matter has been set down by VCAT for a hearing on 2, 3, 4, 5 and 6 May 2022. Council is now required to form a position on the application prior to the VCAT proceeding. Council officers recommend that Council forms a position of support for the application, subject to the conditions attached to this report.

BACKGROUND**Site description**

The subject land is situated at 1115 Shelford-Mt Mercer Road, Shelford and is formally known as Lot 1 on Plan of Subdivision 824764X. The land is not affected by any restrictive covenants. The site is located in a rural area approximately 12 kilometres north of the Shelford township.

The site has an area of 161.9 hectares and is currently used for agricultural activities such as grazing and cropping. The site is vacant and contains an existing farm shed. Access to the site is from Shelford-Mt Mercer Road which is a sealed road managed by Council.

Surrounding land is used for agricultural activities such as grazing and cropping. The Leigh River is located approximately 600m east of the subject land.

Proposal

The application proposes the use and development of the land for a broiler farm with a capacity of 400,000 birds. The proposal consists of eight chicken sheds and includes a machinery and staff amenities building, 12 feed silos, 4 LPG tanks, 8 water tanks, access road construction and a new dam. The external materials of the broiler sheds will consist of pale green colorbond walls and custom orb (zincalume) roof. Each shed will be 182m long and 22m wide with a height of 4.3m to the ridgeline.

Access to Shelford-Mt Mercer Road is via an existing vehicle crossing on the southern boundary of the land. A new internal access road will be constructed to the sheds. Trucks will be required to service the farm including for the delivery and collection of birds, litter delivery and removal and feed deliveries. It is anticipated that up to approximately 963 trucks per year will be required to service the farm. This equates to about 19 truck visits per week.

The property does not currently have access to three-phase power and reticulated water. The applicant intends to pay for the extension and connection of electricity to the site. Drinking water for the farm will be provided from runoff from the shed roofs and hardstand areas which be collected in water tanks and the proposed dam. If necessary, supplementary water will be obtained from a bore or pumping rights from the Leigh River, subject to the appropriate approvals.

Birds will be brought onto the site in batches approximately every 65 days and it is anticipated that 5.6 batches will be grown per year. The proposed production cycle involves a growing period of approximately 7- 8 weeks and approximately a 10-to-14-day period for shed clean up and turn around. The cycle begins with the delivery of fresh litter (bedding) and chickens. The mature chickens are usually removed at night to reduce stress on the birds and are removed progressively from 34 days to about 50 days. Once all the chickens are removed the sheds are cleaned out and prepared for the next batch. The used litter is removed from the sheds and taken off-site.

Site Map



CONSULTATION

Notice of the application was given to adjoining and neighbouring owners and occupiers in accordance with Section 52 (1)(a) & (d) of the *Planning and Environment Act* 1987. Notice was given by mail to neighbouring owners and occupiers within 1km of the subject land, by placing a sign on the land and publishing notices in the Ballarat Courier and Geelong Advertiser newspapers. The advertising material was made available on Council's website.

As a result of the public notice, 15 objections were received and one petition. A copy of the objections and petition have been provided to the Councillors. The objector's concerns can be summarised as follows:

- **Odour.** The objectors are concerned that the amenity of the area will be adversely affected by odour emissions from the proposed broiler farm.
- **Environmental impacts.** Concerns have been raised that the proposed broiler farm will contaminate the Leigh River and result in impacts on native flora and fauna.
- **Traffic and roads.** The objectors believe that the local road network is inadequate for the increased truck traffic that will be generated by the proposed broiler farm and will result in road damage and maintenance issues.
- **Noise.** Concerns have been raised regarding noise impacts of the proposed broiler farm on the surrounding area.
- **Visual impact.** Objectors believe that the development is unsightly and will have an adverse impact on the appearance of the area.
- **Power and water supply.** Objectors are concerned that the proposed broiler farm does not have a reliable power and water supply.
- **Avian influenza and biosecurity.** Concerns have been raised regarding disease risk associated with Avian influenza.
- **Animal welfare.** Some objectors raised ethical concerns regarding the treatment of animals in intensive animal operations.
- **Other concerns** raised by the objectors included dust, vermin control, fire risk, waste management, cultural heritage impacts, compliance, and property devaluation.

A consultation meeting was held on 21 June 2021 with the objectors, applicant and Council officers. The meeting did not result in the resolution of any of the objections.

ASSESSMENT

The application was lodged on 24 October 2020.

A broiler farm is defined in Clause 73.03 of the planning scheme as “land used to keep broiler chickens for the production of meat” and is included in the land use term ‘poultry farm’.

A planning permit is required under the following provisions:

- Farming Zone (FZ) - Clause 35.07-1. A Poultry farm (including Broiler farm) with more than 100 poultry is a ‘Section 2 - permit required’ use. An application for a Broiler farm must meet the requirements of Clause 53.09 of the planning scheme.
- Farming Zone (FZ) - Clause 35.07-4. A permit is required for a building or works associated with a use in Section 2 of Clause 35.07-1 (broiler farm).

There are no referral authorities specified in the planning scheme for an application of this type. Advice on the application was sought from the EPA and Corangamite Catchment Management Authority (CCMA) and the application was internally referred to Council’s Works and Environment departments. These parties had no objection to the issue of a permit subject to conditions being placed on the permit.

PLANNING SCHEME

Municipal Planning Strategy

02.01 Context

The Shire is characterised by agricultural land used predominantly for grazing and cropping as well as other activities including intensive animal industries and wind farms.

02.02 Vision

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

- Residential development will predominantly be contained within townships.

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

02.03 Strategic directions

02.03-4 Natural resource management

Agriculture

Agricultural industries continue to be the major economic sector comprising more than 25 per cent of the employment in the Shire. The opportunities for agricultural diversity are limited by the Shire's climate, the availability of water and, in the northern portion of the Shire, fragmentation of land due to rural residential development.

There has been a growth of intensive agricultural activities within the Shire, particularly in the wine and specialist livestock industries. Other significant farm types are sheep and fat lambs for meat production, egg production, poultry, pastures, grasses and horticulture.

Council aims to support sustainable agriculture in the Shire by:

- Protecting the role of agricultural land as an economically valuable resource.
- Facilitating more intensive and diversified use of rural land for higher value products, including timber and agroforestry.
- Minimising the potential for conflict between sensitive uses and agricultural practices.

Animal industries

Many intensive animal production uses are in Golden Plains Shire and they represent an important local industry, with the potential for growth. The proper siting and design of this form of use and development is needed to ensure residential amenity and environmental quality is protected.

The Shire features a dedicated Food Precinct where significant infrastructure has been provided to service intensive animal industries.

Council seeks to:

- Support the development of intensive animal industries.
- Locate intensive animal production uses within the Food Precinct.
- Encourage quality design of intensive animal production developments so that they do not cause any unreasonable amenity impacts on surrounding residential land uses.
- Ensure that the use and development of land for intensive animal production does not detrimentally impact on the environment and minimises the downstream impacts on the water catchment.

Planning Policy Framework (PPF)

12.03-1S River corridors, waterways, lakes and wetlands

Objective

To protect and enhance river corridors, waterways, lakes and wetlands.

Strategies include:

- Protect the environmental, cultural and landscape values of all water bodies and wetlands.
- Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways.

12.03-1L Waterways and wetlands

Strategies include:

- Protect the quality of waterways, including wetlands, from the impacts of development and subdivision by incorporating setbacks and water sensitive urban design.

13.05-1S Noise abatement**Objective**

To assist the control of noise effects on sensitive land uses.

Strategy

Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

13.06-1S Air quality management**Objective**

To assist the protection and improvement of air quality.

Strategies include:

Ensure that land use planning contributes to improved air quality by ensuring, wherever possible, that there is suitable separation between land uses that reduce air amenity and sensitive land uses.

13.07-1S Land use compatibility**Objective**

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Strategies

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.

14.01-2S Sustainable agricultural land use**Objective**

To encourage sustainable agricultural land use.

Strategies include:

- Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.
- Facilitate the establishment and expansion of cattle feedlots, pig farms, poultry farms and other intensive animal industries in a manner consistent with orderly and proper planning and protection of the environment.

14.01-2R Agricultural productivity - Geelong G21**Strategy**

Support new opportunities in farming and fisheries.

14.01-2L Animal industries

Policy application

This policy applies to applications for the use and development of land for intensive animal production that are not covered by a Code of Practice incorporated in the planning scheme.

(This policy does not apply to the application because the Victorian Code for Broiler Farms is an incorporated document of the planning scheme.)

14.01-2L Sustainable agricultural land use

Strategies include:

Facilitate more intensive and diversified use of rural land for higher value products that are compatible with surrounding farming practice.

14.02-1S Catchment planning and management

Objective

To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

Strategies include:

Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

- Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.

17.01-1R Diversified economy - Geelong G21

Strategies include:

Build on the region's competitive strengths, including tourism and agricultural land resources and economic, social and natural assets.

17.01-1L Diversified economy

Strategy

Support value adding industries and service industries, particularly those that relate to agriculture, forestry and those that service locally grown products.

Zone and overlay provisions

Clause 35.07 Farming Zone (FZ)

The site and surrounding land is in a Farming Zone (FZ). The primary purpose of the Farming Zone is to provide for the use of land for agriculture. A broiler farm is a "Section 2 (Permit required) Use" in the Farming Zone. Before deciding on an application, Council must consider the decision guidelines contained in the Farming Zone, which include the following matters:

- Whether the site is suitable for the development and whether the proposal is compatible with adjoining and nearby land uses.
- Whether the development will support and enhance agricultural production.

Overlay provisions

There are no overlays applying to the land.

Particular provisions

Clause 53.09 Poultry Farm

This clause applies to permit applications to use and development land for a poultry farm and seeks to facilitate the establishment of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment. An application for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

The decision guidelines contained of this clause require Council to consider:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.

General provisions

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

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

Incorporated documents

Victorian Code for Broiler Farms 2009

The Victorian Code for Broiler Farms 2009 (the Code) has been developed to provide clear environmental standards for the establishment of new broiler farms and assurance for the surrounding landholders who may be impacted by broiler farming activities. The Code provides a

basis for the planning, design, assessment, approval, construction, operation and management of broiler farms.

The Code is an incorporated document of the planning scheme and compliance with the Code is mandatory for the establishment of all new broiler farms. The Code classifies broiler farms into different farm classes and specifies a minimum separation distance between the broiler sheds and existing or potential sensitive uses on neighbouring properties (i.e. neighbouring dwellings). The separation distance is calculated by using the formula contained in the Code.

The Code specifies six best practice elements of broiler farm siting, design and operation. All planning permit applications must be assessed against each element. The six best practice elements are:

- Element 1 – Location, siting and size
- Element 2 – Farm design, layout and construction
- Element 3 – Traffic, site access, on farm roads and parking
- Element 4 – Landscaping
- Element 5 – Waste management
- Element 6 – Farm operation and management (environmental management plan)

Each element contains objectives, standards and approved measures. All broiler farm permit applications are required to meet the objectives and standards of each element. Where the development proposal adopts all the approved measures for a standard, the application is deemed to comply with the standard.

Other relevant Government guidelines

Biosecurity Guidelines for Poultry Producers

The Biosecurity Guidelines for Poultry Producers (Department of Environment and Primary Industries, 2008) provides guidelines for effective biosecurity procedures to limit the spread of infectious diseases and pests, both within a poultry farm and from one poultry farm to others. The guidelines recommend the application of biosecurity buffer distances between poultry farms but do not include buffer distance requirements to domestic poultry/bird keeping. The guidelines recommend a 1000m buffer distance for new poultry farms.

CULTURAL HERITAGE IMPLICATIONS

This proposal does not require the preparation of a Cultural Heritage Management Plan under the *Aboriginal Heritage Regulations* 2018.

DISCUSSION

Planning scheme

The application is considered to satisfy the provisions of the Municipal Planning Strategy, Planning Policy Framework, Farming Zone, Clause 53.09 (Poultry farm) and Clause 65 of the Victoria Planning Provisions. The proposed use and development is supported by state and local agriculture policies which seek to facilitate the establishment of intensive animal industries in suitable locations. The proposal is compatible with surrounding use and development because the site is located within a sparsely populated rural area with substantial separation distances to townships and residential zones, neighbouring dwellings and watercourses.

We note the following cases in relation to Applications for Review heard at the Tribunal in respect to Broiler Farms, in particular, Class B Broiler Farms.

Deputy President Mark Dwyer and Member Greg Sharpley in *Ballywarra Farms Pty Ltd v Baw Base SC (2014) VCAT 27 (13 January 2014)* noted the following:

11. As we have noted, the land is in a Farming Zone. The Farming Zone is one of only three zones under VPP-based planning schemes in which a broiler farm is permissible.
12. The Council's advocate properly conceded that the use and development of the land as a broiler farm is consistent with the purposes of the Farming Zone.
15. We find that, as a matter of general planning, a broiler farm is an appropriate use of land in the Farming Zone, and specifically for this site. The proposal is for a 400,000 bird/8 shed broiler farm, which takes into account the attributes of the site, and buffer distances required for a Class B (maximum 400,000 birds) broiler farm.

Compliance with the Broiler Code

The application complies with the Victorian Code for Broiler Farms. The proposed broiler farm meets the criteria for a Class B broiler farm. A broiler farm is classified as a Class B farm where the capacity of the farm is less than or equal to 400,000 birds and where the development meets the minimum separation distance requirement, but this distance is not fully contained within the broiler farm boundary. The Code specifies a minimum separation distance for the proposed farm of 686 metres. The application meets the minimum separation distance requirements because the nearest sensitive use is the neighbouring dwelling to the west which is 750 metres from the proposed broiler sheds.

The application is considered to comply with the farm design and operation elements of the Code. The elements set out in the Code are addressed as follows:

Element 1 – Location, siting and size.

This element contains standards that address the protection of amenity, waterways, and the visual quality of the landscape, biosecurity and the future use and development of neighbouring land. The Code specifies setback requirements from existing residential and rural living zones and future residential and rural living areas, boundary setbacks, setbacks for temporary litter stockpiles and litter spreading areas, setbacks from waterways, and setbacks from other existing poultry farms. The proposed broiler farm complies with each of these setback requirements.

The proposed farm provides adequate setbacks to waterways because the proposed sheds are located at least 1.3km from the Leigh River and 80m from the nearest watercourse. Approved measure E1 M2.1 & M2.2 requires that a natural vegetative buffer zone of at least 30m is maintained along waterways and a further clearance of 20m between the vegetative buffer and broiler sheds (total setback distance of 50m).

Regarding Standard E1 S3 which seeks to protect the visual quality of the landscape, the visual impact of the buildings and works on the landscape will be minimised because the site is generally flat, will be well screened by existing vegetation and proposed landscaping, and the external walls of the shed will be muted tones and non-reflective materials. The roofing of the sheds will not be coloured because it is essential that the roofs are clad in custom orb for bird health reasons and for energy efficiency. The custom orb does not absorb as much heat as colourbond materials, therefore cooler conditions in the sheds are maintained during hot weather. The use of custom orb roofing is not considered to have any visual impact because the topography of the surrounding area is flat and the sheds are not within close view of any elevated locations.

Standard E1 S5 seeks to ensure that new broiler farms will not adversely impact the use and development of neighbouring land and the ability to establish a dwelling on a neighbouring property. To comply with this standard the minimum separation distance must not cover more than 50% of an adjoining property and where adjoining properties are currently vacant the property must be capable of providing a suitable building envelope. The minimum separation distance covers no more than 30% of adjoining properties and adjoining vacant lots are capable of providing a suitable building envelope beyond the separation distance.

Element 2 – Farm design, layout and construction.

This element focuses on farm design, layout and construction and aims to protect the visual landscape, maximise farm efficiency, avoid environmental impacts, and manage noise. Particular

measures address shed design and orientation, feeding and watering systems, hardstand areas and broiler shed floors, farm equipment and stormwater.

The proposed broiler farm complies with each of these measures including E2 M2.1 which requires that broiler sheds be orientated with tunnel ventilation fans located at the furthestmost point away from the nearest sensitive uses. In regard to noise management the broiler farm must meet the requirements of the EPA noise regulations. Standard E2 S5 requires that stormwater from the farm is collected and managed in order that it does not contaminate nearby waterways or groundwater. As shown on the plans a dam is proposed to collect and retain stormwater and if a permit is issued a condition should be placed on the permit requiring that the dam be clay lined and non-permeable and have the capacity to retain run-off from a one-in-ten-year storm event as required by Code (approved measure E2 M5.6).

Element 3 – Traffic, site access, on farm roads and parking.

This element is principally concerned with vehicle movements to and from the site. Particular measures address the location and design of farm access points, internal roads and car parking. The application complies with each of these measures, in particular the farm access point provides for trucks to park off the road while the gate is being opened. In regard to the use of the existing road network to access the site, Shelford-Mount Mercer Road is a two-lane sealed road of sufficient standard for heavy vehicle traffic movements with direct connection to the regional road network.

Element 4 - Landscaping.

This element relates to landscaping and requires a landscaping plan that provides for substantial visual screening of the broiler farm from roads and nearby sensitive uses. There are existing tree plantations on the land that will effectively screen the development however a condition of permit will require that additional screening trees be established to minimise the visual impact of the development on the surrounding area.

Element 5 – Waste management

This element aims to manage waste from broiler farm operations to minimise adverse amenity impacts and prevent pollution of surrounding land and waterways. The element contains particular measures relating to temporary stockpiling or composting of litter on farm, spreading of litter on farm, disposal and composting of dead birds and management of chemical waste. The application complies with the measures contained in this element because litter will be totally removed from site and there are no temporary litter stockpiles or compost piles to be located on the property.

Element 6 – Farm operation and management (Environmental Management Plan)

This element requires that an environmental management plan (EMP) is developed that includes strategies and measures to avoid or minimise environmental risks, and also contingency actions to manage environmental problems that may arise. Planning applications must include an EMP that is site specific and based on the approved generic EMP developed by the Department of Primary Industries. The application is considered to comply with this element because an EMP has been submitted for the proposed broiler farm which addresses the relevant parts of the generic EMP.

I also note commentary from Senior Member Russell Byard, in *Vukadinovic v Mt Alexander SC (No 3) (Red Dot) (2015) VCAT 1164 (11 August 2015)*, in relation to the Broiler Code of Practice and the planning scheme, whereby the Member states:

Purpose

To facilitate the establishment and expansion of broiler farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

The expansion of existing broiler farms or other matters to do with existing broiler farms are not relevant for present purposes. I will omit references to them so as to render references to new broiler farms easier to follow.

96. The purpose is to facilitate broiler farms. Accordingly the planning scheme regards them as a good rather than a bad thing; a thing to be encouraged. However, new broiler farms are not to be promoted to the exclusion of all other considerations. They are to be facilitated on the one hand but this is to be balanced by their being established in a manner that is consistent with orderly and proper planning and the protection of the environment.

97. Clause 52.31, so far as relevant for present purposes, deals with two important matters. The first relates to applications for broiler farm permits and the second is the broiler farm Code. The scope of the provisions, according to clause 52.31-1 is that the clause applies to applications to use or develop land to establish a new broiler farms.

98. The requirement for such a planning permit is contained in clause 52.31-2. It provides:

A permit application to use or develop land to establish a new broiler farm...must comply with the Victorian Code for Broiler Farms 2009.

99. Taken together the requirements of the clause and the Code in relation to permit applications are elaborate and extensive. It is obvious that such applications with such demanding requirements are very important. I suppose that this is because they are the basis upon which the proposal is to be assessed. Other things, including objections, will also need careful consideration, but applications and their requirements are the basis. I take this to be the reason they are so substantial and demanding. I doubt that it is intended that all this establishing of the basis of the decision to be made can be overturned at the last minute, not by an amendment to the proposal, but by a transforming intervention of another party.

Victorian Code for Broiler Farms 2009

100. The Code is a weighty printed document of 78 pages. As previously noted it is an incorporated document and thus part of the planning scheme. I propose to refer to parts that appear to me to be relevant for present purposes though some of them are extensive.

101. The Foreword^[15] provides:

The chicken meat (broiler) industry is a significant component of Victorian agriculture...The...Code has been developed to provide clear environmental standards for those wishing to establish new...broiler farms, and assurance for the surrounding land holders who may be impacted by broiler farming activities.

This Code provides a basis for the planning, design, assessment, approval, construction, operation and management of broiler farms in Victoria. It presents an appropriate balance between the operational needs of the broiler farm industry and the protection of the environment, particularly the air environment for people who live near broiler farms.^[16]

The Code acknowledges existing use rights, but places rigorous conditions on the development of all new broiler farms...

Compliance with this Code is mandatory for the establishment of all new broiler farms...

102. The purpose of the Code is expanded in the Introduction^[17] in the following terms:

1. deliver sound environmental performance in the planning, design, construction, operation and management of broiler farms
2. protect local amenity from adverse impacts, including offensive odours, dust, noise and visual impacts

3. *protect the surrounding environment from adverse impacts*
4. *permit an economically viable, competitive and sustainable broiler farm industry*

103. It goes on to assert^[18]:

This Code provides a framework for the economically and environmentally sustainable development and operation of the broiler farm industry in Victoria, recognising the needs of the industry and the community.

104. Amongst the means of achieving its purpose the Introduction refers to requirements for the:

- *preparation, assessment and determination of broiler farm development proposals through the planning permit system.*

105. The Introduction^[19] includes:

It is State planning policy to facilitate the establishment and expansion of broiler farms in a manner consistent system with orderly and proper planning and the protection of the environment.

Under Clause 52.31 of the Victoria Planning Provisions of all planning schemes, all new broiler farms...must comply with the requirements of this code.

Matters raised by objectors

The concerns raised by objectors to the application are addressed as follows:

1. **Odour.** The purpose of the Code is to protect local amenity from adverse impacts including offensive odours. To achieve this outcome the Code sets requirements for the siting and size of broiler farms including the minimum separation distance which is designed to minimise the risk of routine and abnormal odour emissions from the broiler sheds adversely impacting on nearby sensitive uses. The proposed broiler farm complies with the minimum separation distance requirements and the siting and design of the farm will ensure there are no adverse impacts due to odour. The nearest neighbouring dwelling is 750m from the broiler farm and the nearest objectors dwelling is more than 1.2km from the broiler farm.
2. **Environmental impacts.** As discussed, the Code sets out particular requirements which must be met to ensure the use and development does not contaminate waterways or adversely affect the natural environment. The proposed broiler farm is located at least 1.3km from the Leigh River which is considered more than adequate to protect the watercourse and streamside environment. A vegetative buffer will be provided to the small watercourse on the property in accordance with the requirements of the Code. Council also notified the Corangamite Catchment Management Authority (CCMA) in regard to the application and the CCMA did not object to the issue of a permit.
3. **Traffic and roads.** Advice on the application was sought from Council's Works Department regarding traffic and the use of the existing road network. Shelford-Mt Mercer Road is a two-lane sealed road which is a significant transport route for the Shire and surrounding region. The Works Department has advised that the road is capable of carrying the traffic generated by the proposed broiler farm.
4. **Noise.** The Code deals directly with noise management and requires that the broiler farm operations meet the requirements of the EPA Noise Regulations (Noise from Industry in Regional Victoria). In addition, the siting and design of the farm including substantial separation distances to neighbouring dwellings, will ensure that there are no adverse effects from noise. If a permit is issued conditions should also be placed on the permit restricting the hours in which feed delivery vehicles may access the site to daytime only.
5. **Visual impact.** As discussed, the proposed broiler farm will be effectively screened by existing tree plantations and a condition of permit will require that additional screening trees be established. Furthermore, the substantial setback distances to neighbouring dwellings together with the broiler

shed walls being muted tones and non-reflective materials will ensure there is no visual impact on the surrounding area. The use of custom orb roofing is not considered to have any visual impact because the topography of the surrounding area is flat and the sheds are not within close view of any elevated locations.

6. Power and water supply. The applicant has indicated that extensive power connection works will be carried out at the applicant's expense and a water supply will be provided through the collection of runoff in the proposed tanks and dam. It is understood that the applicant has now obtained a licence from Southern Rural Water to construct a bore, which will provide a back-up water source. If the applicant cannot secure a power supply or the costs make the proposed broiler farm unviable, the project will be unable to proceed.

7. Avian influenza and biosecurity. Appropriate biosecurity measures will be implemented to prevent the spread of disease including the application of biosecurity buffers in accordance with the Biosecurity Guidelines for Poultry Producers, vaccination of birds, and site control procedures. The guidelines recommend a 1000m buffer distance between new and existing poultry farms. The nearest existing poultry farm is located more than 8 kilometres from the site and nearest piggery more than 4 kilometres (there is a known disease transmission risk between pigs and poultry).

8. Animal welfare. The operations must meet State Government Codes and Standards for the welfare of animals and a condition will be placed on the permit to this effect. Poultry farms complying with current animal welfare standards are lawful and operating within community expectations. Any changes to animal welfare standards are a matter for State authorities and the moralities of intensive animal production practices is not a planning consideration.

9. Other matters raised are addressed as follows:

a) Dust. The Code sets out that the minimum separation distance, in addition to addressing odour emissions, is also designed to minimise dust emissions. As discussed, the proposed broiler farm fully complies with the requirements of the Code which seek to ensure that amenity is not adversely affected by dust and air emissions.

b) Vermin control. The proposed poultry farm will employ a range of measures to control vermin including the installation of solid concrete shed walls to restrict access to vermin, sealing of feed silos and undertaking a regular rodent baiting program.

c) Fire risk. Fire risk to the proposed broiler farm is minimised through the design and construction of the broiler sheds using non-combustible materials, hardstand areas around the sheds, provision of access for emergency service vehicles and water tanks for fire fighting purposes.

d) Waste management. All litter will be removed off site in covered trailers and no litter will be stockpiled or spread on the farm. Dead birds are collected daily and frozen to minimise risk of disease and odour before being removed off site. Chemicals are stored securely in an enclosed section of the machinery shed.

e) Cultural heritage. There are no cultural heritage requirements for this application. A Cultural Heritage Management Plan is not required under the *Aboriginal Heritage Regulations* 2018 because the subject land is not in an Area of Cultural Heritage Sensitivity as defined in the Regulations.

f) Compliance. If a permit is issued certain conditions will be placed on the permit regulating the construction and ongoing operation of the broiler farm. Council policy requires that annual compliance inspections are undertaken for all intensive animal husbandry operations including broiler farms.

g) Property devaluation. It is difficult to speculate on property values as a range of factors affect them. Property devaluation is not a material planning consideration and Council can only consider matters that may affect them such as amenity issues as addressed above. VCAT has consistently dismissed property devaluation per se as a valid ground of refusal.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

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

POLICY/RELEVANT LAW

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

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

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

COMMUNITY ENGAGEMENT

Notice of the planning application has been undertaken in accordance with the requirements sets out in the *Planning and Environment Act 1987*, by way of letters to adjoining and adjacent landowners, a sign on site and newspaper notices.

PUBLIC TRANSPARENCY

As objections have been submitted for this application, the application is being forwarded to Council for a decision, thereby making the determination transparent.

STRATEGIES/PLANS

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

RISK ASSESSMENT

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

COMMUNICATION

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

HUMAN RIGHTS CHARTER

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

OPTIONSOption 1 – Form a position of support for the application

This option is recommended by officers as the matters which are required to be considered have been, and the application is considered to satisfy the provisions of the Golden Plains Shire Planning Scheme.

Option 2 – Form a position of non-support for the application

This option is not recommended by officers because the application is considered to satisfy the provisions of the Golden Plains Shire Planning Scheme.

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

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

CONFLICT OF INTEREST

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

CONCLUSION

The application satisfies the provisions of the State and Local Planning Policy Frameworks, the Farming Zone, Clause 53.09 (Broiler farm) and the decision guidelines of the Planning Scheme (Clause 65). The application fully complies with the Victorian Code for Broiler Farms. The site of the proposed broiler farm is considered to be appropriate as it will facilitate the establishment of an important and productive agricultural industry in a manner that is consistent with orderly and proper planning and the protection of the environment. It is therefore recommended that Council form a position of support for the application as the grant of a permit will not cause material detriment to any person.

7.3 ANNUAL REPORT 2020/21

File Number:**Author:** Susan Talpey, Coordinator Communications, Engagement and Advocacy**Authoriser:** Eric Braslis, CEO**Attachments:** 1. Annual Report 2020/21 (under separate cover)**RECOMMENDATION**

That Council receive the Golden Plains Shire Council Annual Report 2020/21, in accordance with the *Local Government Act 1989*.

EXECUTIVE SUMMARY

Under Section 133(1) of the Local Government Act 1989 (the Act), Council must prepare an Annual Report every financial year and submit it to the Minister of Local Government by 30 September. On 15 September 2021, Council received notification that the Acting Local Government Minister had approved an extension with a new submission date this year of 30 November 2021, however Council has completed the Annual Report 2020/21 to the original timeframe and will submit it to the Minister of Local Government by 30 September 2020/21.

The Act also requires that the Annual Report is presented at a Council Meeting open to the public, and that Council give public notice that the Annual Report has been prepared and can be inspected at the Council office and on Council's website.

The unqualified Audit opinions on the Performance Statement 2020/21 and Financial Statements 2020/21 are included in the document and disclose an overall surplus of \$9.1 million, an Adjusted Underlying Result of (\$0.08) million deficit and capital expenditure on assets of \$14.3 million.

BACKGROUND

The Annual Report 2020/21 has been prepared in accordance with the requirements of the Act and includes the:

- Report of Operations;
- Audited Performance Statement;
- Audited Financial Statements;
- Auditor's report on the Performance Statement prepared under section 132;
- Auditor's report on the Financial Statements under Part 3 of the Audit Act 1994; and
- Any other matter required by the regulations.

Both the Report of Operations and Performance Statement contained in the Annual Report 2020/21 have been prepared based on the 'Better Practice Guide,' published by the Department of Environment, Land, Water and Planning (DELWP).

The Financial Statements have been prepared utilising the Local Government Model Financial Report, as required by the regulations. Section 132 to 134 of the Act provides the following:

The Annual Report must be submitted to the Minister by 30 September each year;

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

- Council must hold a publicly advertised meeting to discuss the Annual Report as soon as practicable after it has been sent to the Minister.

Council has complied with all these requirements.

DISCUSSION

Golden Plains Shire is a large rural municipality of 2,705 square kilometres with a socio-economically diverse population of 24,249 people living in 56 communities, reflecting a population growth of 2.6% per annum.

The Annual Report 2020/21 shares the story of Council's major highlights and achievements from 1 July 2020 to 30 June 2021 including:

- Significant funding investment from State and Federal Governments.
- Strategic long-term planning for the future of Golden Plains Shire including the Golden Plains Shire Community Vision 2040 and the Council Plan 2021-2025.
- Record investment in capital projects, roads infrastructure and community assets.
- Advocacy success through Council's strategic partnerships including Council's first funding from the Victorian Government's Growing Suburbs Fund and the progress of valuable regional initiatives.
- Council's commitment to community engagement including the development of its Community Engagement Policy.

Major capital works completed by Council in 2020/21 include Golden Plains Civic Centre – Stage Two and Lethbridge Lights and Irrigation Upgrade. Official openings were also held for the Victoria Park Sport Oval Lighting Upgrade in Bannockburn, Inverleigh Netball Courts and Lighting, and Haddon Recreation Centre Floor. Construction began on a number of capital work projects including the Golden Plains Youth Hub, Bannockburn Soccer Facility Upgrade, Inverleigh Change Rooms Upgrade and final planning for the Bannockburn Skate Park Upgrade.

In 2020/21, funding grants were also secured for future capital works projects including the Bannockburn South West Industrial Estate stormwater infrastructure project, Meredith skate park and BMX trails upgrade, and cricket training facilities in Lethbridge and Linton. The Federal Government's Local Roads and Community Infrastructure funding will continue to support the delivery of several community projects in 2021/22. Council also secured its first two funding commitments from the Victorian Government's Growing Suburbs Fund: Golden Plains Youth Hub and Ross Creek Play Space and Active Recreation Upgrade.

In 2020/21, Council's completed major road projects including upgrades of Shelford-Mt Mercer Road in Mount Mercer and Meredith-Shelford Road in Meredith; and replacement works on Slate Quarry Road Bridge in Meredith, Reserve Road Bridge in Rokewood, Geggies Road Bridge in Rokewood, Franklin Bridge in Napoleons, Steiglitz Bridge in Steiglitz and Barwon Park Road Bridge in Inverleigh. Construction began on the Bannockburn Township Entrance Roundabout and planning progressed on the Midland Highway Roundabout project in Bannockburn.

Financial Statements

The 'In Principle' Performance Statement and Financial Statements were presented, along with the Auditor's Final Management Letter, to Council's Audit and Risk Committee at its meeting held on 14 September 2021. The Auditor's Closing Report will be presented to Council's Audit and Risk Committee at its meeting on 9 November 2021.

Having considered the Audit Interim Management Letter, the Committee resolved:

- That the Audit and Risk Committee, having delegated power to act and in accordance with section 132 of the *Local Government Act 1989* give its approval in principle to the performance statement and financial statements and submit the statements to the auditor for reporting on the audit.

- That, as authorised by Council, the Mayor (or her deputy) and Cr Brett Cunningham, representative of the Audit and Risk Committee, certify the performance statement and financial statements in accordance with the regulations.

The overall financial position of Council remains strong and continues to be consistent with that depicted in Council's Strategic Resource Plan. This is further supported by the following table which compares the key financial indicators from the 2020/21 actual results with the original budget and the levels Council considers best practice.

Indicator	Actual	Budget	Variance	GPS	Best
	2020-21	2020-21		Target	Practice
	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Surplus	9,064	6,086	2,978	> 0	> 0
Adjusted Underlying Result	(78)	(1,859)	1,781	> 0	> 0
Working Capital* (%)	231%	136%	95%	> 188%	> 100%
Disc. Retained Earnings*	4,052	1,365	2,687	> 2,000	> 1,000
Borrowings (% of Rates and charges)	53.6%	55.4%	1.8%	< 30%	< 60%
Cash and Investments*	24,935	9,646	15,289	> 5,000	> 0
Rate Determination	928	(129)	1,057	> 0	> 0

*Actual figures for these indicators include \$3m not budgeted relating to 50% of the 2020-21 Federal Assistance Grants that were received in advance.

When preparing the Council Budget 2020/21, the primary focus was to provide a responsible and fair budget which continues to deliver all current services under the rates cap, while also recognising the challenges of the COVID-19 situation placing an emphasis on innovation and efficiency to reduce costs. In response to the COVID-19 pandemic, Council developed a COVID-19 financial hardship policy with \$100,000 included in the budget to fund rebates offered to eligible customers impacted by the pandemic. The Budget 2020/21 maintained Council's level of investment in local roads and infrastructure and included a number of important major projects funded by State and Federal Governments.

The operating result is stronger than budget largely due to more government grants received than planned and lower employee costs resulting from the timing of vacant positions being filled and a reduction in staff following the closure of the long-term day care function. The stronger operating result has also generated a more favourable adjusted underlying result than budgeted.

A higher cash balance at June 2021 has resulted from the timing of some capital works projects commencing later than forecast with \$8.7 million of capital projects rolled forward into 2021/22. The higher cash balance has also impacted the working capital ratio with a stronger result than budgeted. Please refer to pages 172 and 173 of the Annual Report 2020/21 to view the Financial Performance Indicators prescribed within the LGPRF.

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

Auditor General's Reports

No material changes have been made to the financial statements since the adoption of the in-principle statements. The audit provides a positive reflection of the quality of Council's staff, its financial management policies and procedures, good governance and strong internal controls.

Pages 114 and 166 of the Annual Report contain the Auditor's Report on the Financial Statements and the Auditor's Report on the Performance Statement respectively. Both audit opinions are unqualified.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

The Golden Plains Shire Council Annual Report 2020/21 has been prepared in accordance with the Local Government Act 1989. The Financial Statements have been prepared utilising the Local Government Model Financial Report, as required by the regulations. Both the Report of Operations and Performance Statement contained in the Annual Report have been prepared based on the 'Better Practice Guide' developed by the Department of Environment, Land, Water and Planning (DELWP).

POLICY/RELEVANT LAW

The Golden Plains Shire Council Annual Report 2020/21 has been prepared in accordance with the Local Government Act 1989 and it must be forwarded to the Minister for Local Government by 30 September 2021 as required under Section 133(1) of the Act. In 2021, the Acting Minister for Local Government approved an extension of the submission date to 30 November 2021.

PUBLIC TRANSPARENCY

The 'In Principle' Performance Statement and Financial Statements were presented, along with the Auditor's Management Letter and Closing Report, to Council's Audit and Risk Committee at its meeting held 14 September 2021. Having considered the Audit Management Letter, the Committee resolved:

- That the Audit and Risk Committee, having delegated power to act and in accordance with section 132 of the *Local Government Act 1989* give its approval in principle to the performance statement and financial statements and submit the statements to the auditor for reporting on the audit.
- That, as authorised by Council, the Mayor (or her deputy) and Cr Brett Cunningham, representative of the Audit and Risk Committee, certify the performance statement and financial statements in accordance with the regulations.

STRATEGIES/PLANS

The following Golden Plains Shire Council strategic plans are relevant to the Annual Report 2020/21: Council Plan 2021-2025, Long-Term Financial Plan 2021/22-2030/31, and Annual Budget 2020/21.

FINANCIAL MANAGEMENT

Preparation of the 'In Principle' Performance Statement and Financial Statements have been prepared in accordance with the Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2014, Australian Accounting Standards and other mandatory professional reporting requirements. The 'In Principle' Performance Statement and Financial Statements have been subject to audit and Certification by the Victorian Auditor-General's Office with unqualified audit opinions issued.

COMMUNICATION

As required under the Local Government Act 1989, the Golden Plains Shire Council Annual Report 2020/21 will be published on Council's website and promoted to the community through traditional and digital media channels. A copy of the Annual Report 2020/21 will also be available to view at Council's Customer Service Centres.

HUMAN RIGHTS CHARTER

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

OPTIONS

Option 1 – Receive the Golden Plains Shire Council Annual Report 2020/21

This option is recommended by officers as the Annual Report 2020/21 has been prepared in accordance with the Local Government Act 1989 and will be submitted to the Minister for Local Government by 30 September 2021, as required under Section 133(1) of the *Local Government Act*.

Option 2 – Not receive the Golden Plains Shire Council Annual Report 2020/21

This option is not recommended by officers as the failure to adopt will mean Council does not meet its obligations under Section 133(1) of the *Local Government Act*.

Option 3 – Defer receiving the Golden Plains Shire Council Annual Report 2020/21

This option is not recommended by officers as the Annual Report 2020/21 is presented as a complete report, ready for submission to the Minister of Local Government.

CONFLICT OF INTEREST

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

CONCLUSION

The Golden Plains Shire Council Annual Report 2020/21 is an accurate and detailed report of the operations and services of Council in the past financial year, as well as a strategic account of the Council's achievements and challenges in 2020/21. It is recommended that Council receive the Golden Plains Shire Council Annual Report 2020/21.

7.4 IN-PRINCIPLE PERFORMANCE STATEMENT AND IN-PRINCIPLE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

File Number:

Author: Fiona Rae, Manager Finance

Authoriser: Philippa O'Sullivan, Director Corporate Services

Attachments:

1. In-Principle Financial Statements (under separate cover)
2. In-Principle Performance Statement (under separate cover)
3. Draft Final Management Letter (under separate cover)

RECOMMENDATION

That Council note:

1. The attached 2020/21 financial and performance statements
 2. The Audit and Risk Committee having delegated power to act, and in accordance with Section 99 of the *Local Government Act 2020*, approved in principle the Performance Statement and Financial Statements, and submit the statements to the auditor for reporting on the audit.
 3. That due to External Audit's positive outcomes in the Management Letter, the Audit and Risk Committee recommended the 2020/21 financial statements to be certified.
 4. As authorised by Council at the 27 July 2021 meeting, the Mayor and Cr Cunningham, as Council representatives of the Audit and Risk Committee, certified the Performance Statement and Financial Statements.
-

EXECUTIVE SUMMARY

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

Due to the tight timeline in approving the 'In Principle' Performance Statement and 'In Principle' Financial Statements following completion of the audit, it is necessary to delegate authority to the Audit and Risk Committee to approve the Statements and to authorise two Councillor representatives of the Committee to certify them. At the Council meeting of 27 July 2021 Council resolved to delegate this approval.

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

BACKGROUND

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

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

- Any other matter required by the regulations.

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

- The Annual Report must be submitted to the Minister by 30 September each year;
- Council must pass a resolution giving its approval in principle to the performance statement and financial statements; and
- Council must authorise two Councillors to certify the performance statement and financial statements in their final form, after any changes have been made following the audit

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

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

DISCUSSION

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

DESCRIPTION OF TASK	DUE DATE
TASKS COMPLETED	
Council to delegate approval of In Principle Statements to the Audit and Risk Committee and authorise two Councillors to sign annual statements.	Complete
Performance Statement and Financial Statements submitted to auditor	Complete
Audit of Performance Statement and Financial Statements	Complete
Distribution of completed financial statements to Auditor-General	Complete
TASKS YET TO COMPLETE	
First review by Audit and Risk Committee with Auditor-General's agent (McLaren Hunt)	14/09/2021
Committee resolution to adopt the In Principle Statements (under delegation)	14/09/2021
Audit Opinion issued by Auditor-General	17/09/2021
Annual report sent to Minister	30/09/2021
September Council Meeting to note In Principle Statements	28/09/2021
Advertise Annual Report and Council meeting to consider the report	09/10/2021
Annual Report tabled in Parliament	19/10/2021
Council meeting to note Annual Report financial statements and auditor's report	26/10/2021

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

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

Prior period issues now resolved include:

- Long outstanding rates debtors – initially raised in 2018, a significant amount of work has been completed to follow up outstanding debtors with the Rates team regularly reviewing outstanding debtors, and updating policies and processes. Over the past twelve months a focused effort has been made to contact outstanding debtors, promote payment plans, the ten monthly payment option was introduced, and a dedicated officer funded through the Working for Victoria program pro-actively contacted customers offering alternative payment

options and support. During the COVID-19 pandemic a financial hardship policy was developed providing rebates to eligible customers impacted by the pandemic, which has provided important assistance to customers. These actions have seen an increase in customers taking up payment plans and also opting for the monthly or quarterly payment option which has resulted in a large number of customers clearing their accounts significantly or clearing in full.

- Landfill provision – landfill restoration costs have been included in the 2021/22 budget with \$450k for Rokewood landfill rehabilitation works planned to commence in 2021/22 and \$50k to complete a review of the works required on the Teesdale landfill site, with these costs funded from the waste management reserve. The increase in the annual garbage charge includes a component to collect landfill rehabilitation costs relating to these two sites over a ten year period.
- Long service leave calculation – improvements to processes have been implemented to strengthen the accuracy and completeness of this annual calculation.

Only one open issue remains with a status of partially resolved, relating to the recording of infrastructure and property, plant and equipment assets. During 2019/20 Council commenced moving towards recording infrastructure, property, plant and equipment assets into a new asset management system, Assetic. A number of issues were identified in the detail recorded in the asset registers where a combination of a number of system and spreadsheets were used to record different asset classes. Council now has a dedicated asset management team who are working through each asset class and working on improving and validating asset data prior to loading into the new Assetic asset management system. The asset management and finance teams are working closely together, particularly in the implementation of the Asset system. Footpath data is now sourced from a GIS asset dataset and the building asset class has been migrated into Assetic with all general ledger asset related tasks, such as capitalisations and valuations now being managed exclusively in Assetic. All other asset classes will be migrated after a data cleansing and reconciliation process is completed for the asset class. Please refer to the Asset Valuations report for details of the valuations completed in the 2020/21 year.

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

GOVERNANCE PRINCIPLES

The 2020-21 Financial Statements and Performance Statement have been prepared in accordance with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 2020*, and the *Local Government (Planning and Reporting) Regulations 2020*.

POLICY/RELEVANT LAW

Local Government Act 2020

Local Government (Planning and Reporting) Regulations 2020

Audit Act 1994

COMMUNITY ENGAGEMENT

A formal consultation process was not required.

PUBLIC TRANSPARENCY

The financial audit process and VAGO review supports the principles of public transparency in Section 99 of the *Local Government Act 2020* with results of the audit to be included in the 'Results of the 2020-21 Audits: Local Government' report scheduled for tabling in March 2022.

STRATEGIES/PLANS

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

FINANCIAL MANAGEMENT

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

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

RISK ASSESSMENT

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

In accordance with Section 98 of the *Local Government Act 2020* Council is required to prepare an Annual Report containing a report of operations and audited Financial Statements and an audited Performance Statement. Section 99 of the *Local Government Act 2020* requires the Annual Report to be submitted to the Minister by 30 September each year.

COMMUNICATION

The 2020-21 Financial Statements and Performance Statement will be included in the Annual Report and submitted to the Minister. The Annual Report will also be published on Council's website.

HUMAN RIGHTS CHARTER

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

OPTIONS

Option 1 – That Council note the attached 2020/21 financial and performance statements. This option is recommended by officers as this ensures that Council remains compliant with legislated requirements.

Option 2 – That Council reject the 2020/21 Financial and performance statements. This option is not recommended by officers as the statements have been certified by the Audit and Risk Committee Councillor delegates as authorised by Council at its 27 July 2021 Council meeting and if rejected it would have the potential of not complying with the timeframes and lodging the annual report with the Minister by 30 September, as required by the *Local Government Act 2020*.

CONFLICT OF INTEREST

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

CONCLUSION

Having considered the draft Financial Management Letter the Audit and Risk Committee was satisfied that both the Financial and Performance Statements are presented fairly.

As the Committee has approved and certified the in-principle Financial and Performance Statements, an unmodified audit opinion will be issued for each. The Annual Report will then be formally prepared and submitted to the Minister for Local Government before 30 September 2021. Council will consider the Annual Report and Auditor's Report at its meeting on 26 October 2021.

7.5 FINANCE QUARTER 4 UPDATE

File Number:**Author:** Fiona Rae, Manager Finance**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:**

1. Financial Dashboard (under separate cover)
2. Balance Sheet (under separate cover)
3. Cashflow Statement (under separate cover)
4. Corporate Summary (under separate cover)
5. Capital Project Summary - 2020/21 (under separate cover)

RECOMMENDATION

That Council note the content in the Quarter 4 (Final Quarter) Finance Report for the 12 months ended 30 June 2021.

EXECUTIVE SUMMARY

As at 30 June 2021, the Income Statement reports total operating revenue of \$52.7m and total operating expenditure of \$43.6m, which results in a year to date surplus of \$9.1m. This is \$3.0m favourable compared to the original budget, and \$122k unfavourable to the revised budget.

The Capital Works Statement indicates total capital works expenditure (including commitments) of \$14.3m, which is \$0.7m below the original budget, and \$10.0m below the revised budget. The revised budget includes \$6.5m carried forward from 2019-20 due to new income/funded projects throughout the year.

The Quarter 4 report was presented to the Audit and Risk Committee at the 14 September 2021 meeting for noting.

BACKGROUND

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

Council has completed twelve (12) months of the 2020-21 financial year. The attached budget report has been prepared on an operating basis and includes a comparison of actual results for the period to 30 June 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 \$9.1m compared to the original budgeted surplus of \$6.1m and revised budgeted surplus of \$9.1m. This variance of \$62k against the revised budget surplus is primarily due to:

- \$349k higher rates and charges revenue than budgeted due to higher levels of growth in customers and higher volumes of supplementary notices processed than estimated,
- \$425k operating grants carried forward from 2019-20 due to the timing of performance obligations being met after 30 June 2020 (2019-20 reporting date),
- \$3.0m lower capital grants received than anticipated due to delays in receiving approvals for some projects (Slate Quarry Road bridge renewal, Geggies Road bridge replacement, Inverleigh Sporting Complex, RDV 3 Trails, and Bannockburn Skate Park) and \$1m Fixing Country Road grant did not materialise resulting in \$1m less associated expenditure.
- \$675k higher revenue from gifted assets than anticipated. Gifted assets are assets created as part of subdivisions (road and footpath and drainage assets) handed to Council to maintain.
- Contract and materials costs \$0.9m lower than revised budget lower maintenance costs of facilities due to decreased use resulting from COVID-19 restrictions partially offset by increased spending on temporary consultants and contractors.
- Employee costs \$1.1m lower than revised budget due to employee leave taken lower than budgeted, lower maintenance employee costs due to COVID-19 related restrictions leading to decreased usage of facilities, and savings on vacant positions which are currently in the process of being filled. BCSC redundancy payments were lower than budget by approximately \$250k due to a number of resignations in the children services area since the budget was calculated.
- The Waste Management account's end of year position is also better than expected with a \$265k surplus position due to a number of reasons including; the State Government landfill levy that was budgeted to commence from 1 January 2021 was deferred for 6 months as directed by the State Government, due to resourcing constraints and covid impact, both waste education and street sweeper costs were lower than budget and additional revenue than budgeted from the Rokewood Transfer station. This surplus will be transferred to the dedicated waste management reserve.

The 'Adjusted Underlying Result' removes any non-recurrent grants used to fund capital expenditure, non-monetary asset contributions and other capital contributions to fund capital expenditure from the operating result. This formula is prescribed within the *Local Government (Planning and Reporting) Regulations 2020*. At 30 June 2021 the 'Adjusted Underlying Result' is a deficit of (\$78k), compared to a budget deficit of (\$1.9m), therefore a \$1.78m favourable variance to budget, this is due to the \$3.0m favourable variance in the operating result and timing of capital grants received.

Capital Projects

Actual versus Budget

Total expenditure in the Statement of Capital Works (including Commitments) is \$14.3m, \$0.7m below the original budget of \$15.0m, and \$10.0m below the revised budget of \$24.3m. \$8.7m of capital project budgets has been rolled forward into 2021-22.

The capital program has delivered 95% of the original budget and 59% of the revised budget. 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 (most of which have since been completed, have commenced or have been awarded):

- 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

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

Project	Project Budget \$	Project Cost \$	\$ Variance	% Variance	Comments
R2R Meredith-Shelford Road Widening Stage 1	855,000	852,635	2,365 <i>Favourable</i>	0.3% <i>Favourable</i>	Funded from Roads to Recovery Grant
Thompsons/Hargraeves Road intersection	500,000	498,570	1,430 <i>Favourable</i>	0.3% <i>Favourable</i>	
Gravel Resheeting Program	600,000	552,757	47,243 <i>Favourable</i>	7.8% <i>Favourable</i>	
Bridge Renewal – Reserve Road Bridge	700,000	431,453	268,547 <i>Favourable</i>	38.4% <i>Favourable</i>	Replacement of one lane bridge with two lane bridge tender costs came in well below budget
Bridge Replacement – Geggies Road Bridge	700,000	474,360	225,640 <i>Favourable</i>	32.2% <i>Favourable</i>	Replacement of one lane bridge with two lane bridge tender costs can in well below budget
Shelford-Mt Mercer Road Widening	1,100,000	946,821	153,179 <i>Favourable</i>	13.9% <i>Favourable</i>	
Kerb and Channel	250,000	163,562	86,438 <i>Favourable</i>	34.6% <i>Favourable</i>	Byron Street Bannockburn project delivered
Footpaths	250,000	103,572	96,428 <i>Favourable</i>	38.6% <i>Favourable</i>	5 gravel paths upgraded
Major facilities upgrade	75,000	90,915	15,915 <i>Unfavourable</i>	21% <i>Unfavourable</i>	Slightly over budget
Maude Lookout water supply	15,500	33,100	17,600 <i>Unfavourable</i>	135% <i>Unfavourable</i>	Cost overrun as required to undertake Cultural Heritage Management Plan which impacted timing and methodology
Minor building works	103,000	105,330	2,330 <i>Unfavourable</i>	2.2% <i>Unfavourable</i>	Slightly over budget

Total savings made in quarter 4 of \$845k for will be automatically transferred to consolidated revenue and provides opportunity to assist funding for the 2021-22 budget.

The following projects are near completion but will be carried over into the 2021-22 year:

- Golden Plains Community & Civic Centre
- Teesdale Turtle Bend Pedestrian Footbridge
- Bannockburn Bowls Upgrade
- Bannockburn Youth Hub
- Lethbridge Lighting and Irrigation Install

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:

- RFT-01-2021 Meredith-Shelford Road Widening Stage 3
- RFT-03-2021 Bannockburn Soccer Female Friendly Changeroom
- RFT-02-2021 Cleaning of Public Toilets and BBQs
- RFT-04-2021 Paddy's Gully Road, Rokewood Junction Bridge Replacement
- RFT-07-2021 Bannockburn Youth Hub
- RFT-05-2021 Construction Stage 1 - Lomandra Drive, Teesdale

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

Project	Approved by:	Awarded To	Contract Value \$
ICT Customer Property and Regulatory Systems	Council	Council First	873,976
Bannockburn Youth Hub	Council	Bowden Corporation	393,190
Bannockburn Soccer Female Friendly Changeroom	Council	Bowden Corporation	804,450
Meredith-Shelford Road Widening Stage 3	Council	Bowden Corporation	785,357

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
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	Yes

(Consideration of Strategic Planning Principles under s.89 of LGA 2020)	
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 2020*.

POLICY/RELEVANT LAW

Local Government Act 2020

Local Government Amendment (Fair Go Rates) Act 2015

Local Government (Planning and Reporting) Regulations 2020

Financial Plan

Annual Budget

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

Environmentally sustainable design and construction is included for all projects.

COMMUNITY ENGAGEMENT

A formal consultation process was not required.

STRATEGIES/PLANS

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

FINANCIAL MANAGEMENT

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

RISK ASSESSMENT

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

COMMUNICATION

The Finance Quarterly Report was presented at the 15 September 2021 Audit and Risk Committee meeting for noting.

HUMAN RIGHTS CHARTER

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

CONFLICT OF INTEREST

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

CONCLUSION

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

7.6 SUBMISSIONS TO 2021-22 LONG TERM FINANCIAL PLAN

File Number:**Author:** Fiona Rae, Manager Finance**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** Nil**RECOMMENDATION**

That Council note the 2021-22 Long Term Financial Plan was placed on public exhibition for a three week period and no submissions were received.

EXECUTIVE SUMMARY

At its meeting held on 24 August 2021, Council resolved to place on public exhibition the 2021-22 Draft Long Term Financial Plan in accordance with Section 96 of *the Local Government Act, 2020* (the Act).

The 2021-22 Long Term Financial Plan was placed on public exhibition for a three week period and no public submissions were received

BACKGROUND

Council is required to prepare a ten year financial plan annually in accordance with the *Local Government Act 2020* which is required to be adopted by 31 October 2021 following a public consultation process.

Submissions from the public were invited via email, hardcopy mail or through Council's Have Your Say webpage, with a closing date of 13 September 2021.

The 2021-22 Draft Ten Year Financial Plan will be presented to the 26 October 2021 Council meeting for final adoption.

DISCUSSION

As reported to Council in the July briefing Golden Plains Shire Council has traditionally prepared a ten year financial plan as part of the annual budget process.

The Financial Plan has been updated to incorporate changes to circumstances since preparing the 2021/22 budget as reported at the 24 August 2021 Council meeting.

After being placed on public exhibition for a three week period no public submissions were received therefore no consideration of public submissions is required.

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	Yes

(Consideration of Community Engagement Principles under s.56 LGA 2020)	
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)	Yes
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

GOVERNANCE PRINCIPLES

The 2021-22 Draft Long Term Financial Plan has been 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

Annual Budget

2021-2025 Council Plan

COMMUNITY ENGAGEMENT

The 2021-22 Draft Long Term Financial Plan has been placed on public exhibition for a three week consultation period. The Draft Long Term Financial Plan has been made available for inspection and comment up to the 13 September 2021. Any person was given the opportunity to make written comment on any proposal contained in the financial plan. As there were no public submissions Council do not need to consider any feedback.

PUBLIC TRANSPARENCY

The public consultation process facilitates transparency of the budget submitted for adoption and all Council reports are available for the public to access.

STRATEGIES/PLANS

The 2021-22 Draft Long Term Financial Plan has been prepared ensuring consistency with Council's 2021-22 Budget, and also ensuring alignment with the 2021-2025 Council Plan.

FINANCIAL MANAGEMENT

The 2021-22 Draft Long Term Financial Plan has been prepared in accordance with the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020*, Australian Accounting Standards and other mandatory professional reporting requirements. Financial sustainability is monitored by considering the financial result for the period and key financial indicators within Council's long term financial plan.

SERVICE PERFORMANCE

Service performance levels are considered when developing the annual budget to ensure sufficient funds are available to meet required levels of performance.

RISK ASSESSMENT

The 2021-22 Draft Long Term Financial Plan has been 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 2021-22 Draft Long Term Financial Plan was reported to Council at the 24 August 2021 council meeting, with no public submissions received, and adoption will be considered at the 26 October 2021 Council meeting.

HUMAN RIGHTS CHARTER

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

OPTIONSOption 1 – Council note the Long Term Financial Plan submissions received

This option is recommended by officers as any submissions need to be considered at this Council meeting to determine if any changes are required prior to adoption of the Long Term Financial Plan at the 26 October 2021 council meeting.

CONFLICT OF INTEREST

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

CONCLUSION

The 2021-22 Draft Long Term Financial Plan was placed on public exhibition for a three week period to allow the public to lodge submissions. No public submissions were received therefore no consideration of feedback from the public is required. The 2021-22 Draft Long Term Financial Plan can be considered for adoption at the 26 October 2021 meeting.

7.7 ARTS CULTURE AND HERITAGE STRATEGY 2022-2026 FOR EXHIBITION

File Number:

Author: Sarah Jones, Arts and Culture Advisor

Authoriser: Steven Sagona, Acting Director Community Services

Attachments: 1. Draft Arts, Culture & Heritage Strategy 2022-2026 (under separate cover)

RECOMMENDATION

That Council endorse the 'Draft Golden Plains Shire Arts, Culture and Heritage Strategy 2022-2026' (Attachment 1) for public exhibition.

EXECUTIVE SUMMARY

The draft *Arts, Culture and Heritage Strategy 2022-2026* has been developed in conversation with the Golden Plains community. It describes our cultural aspirations and details four clear strategic directions, each with a list of key actions to enable us to deliver on a number of council objectives. The objectives guiding this strategy ensure that arts, culture, and heritage initiatives will directly and measurably contribute to connected and resilient communities, whose cohesion is strongly linked to arts and culture, health and wellbeing, and economic development. The Strategy will promote understanding and celebration of our indigenous heritage, rich histories and creative future. It is recommended that the draft Strategy be publicly exhibited for feedback prior to adoption at the November Council meeting.

BACKGROUND

The development of an Arts, Culture and Heritage Strategy was commissioned by Council in May 2021. In developing the Strategy, Council acknowledges the relevance and importance of arts, cultural and heritage activity in achieving key goals set out in its Council Plan 2021 – 2025, and the relationship between arts, culture and heritage with the key themes and priorities of the Golden Plains Community Vision 2040 - Community, Liveability, Sustainability and Prosperity.

DISCUSSION

Over the last 18 months, Council has been deliberative in mapping a new and more sustainable course for arts, culture, and heritage in the municipality. A robust engagement and community partnership approach has been successful in building community capacity and has enabled Council to deliver, in partnership with the community, a number of key initiatives such as the audit and documentation of the civic collection, the strengthening of arts, culture and heritage within the Community Strengthening Grant program, policy development, and capacity building for artists and historical societies. Council also facilitated the collaborative multimedia project 'Zoom me a River', which was instrumental in connecting and inspiring creative practitioners and audiences safely during a particularly difficult period of the Covid pandemic.

In line with community feedback, the draft Strategy would see Council continue to focus on community led activation of the Shire's unique spaces and places with the view to increasing the accessibility and impact of arts, culture and heritage programs and events across Golden Plains. The Strategy responds to the rapidly evolving digital landscape, and a renewed understanding of the importance of bringing communities and townships together through arts, culture and heritage for social wellbeing and cohesion.

Areas of strategic focus are:

1. Increased opportunity for accessibility and participation in arts, culture and heritage programs and events to build professional, resilient, and inclusive creative communities.

2. Celebrating and enhancing our unique cultural history through shared storytelling, first nations led practice, maintenance of council owned assets, and development of tourism activities and resources.
3. Activating public spaces and council and community resources through community led creative programming that is relevant, equitable and dynamic.
4. Investing in creative industries through capacity building for communities and the attraction of diverse stakeholder partnerships to increase opportunities for tourism and economic development.

The draft Strategy reflects the understanding that strong arts, culture, and heritage programming offers capacity for increased participation, inclusion and intercultural dialogue that extends across council functions into the areas of economic development, tourism and health and wellbeing. Responsive to the Council Plan 2021-2025, the draft Strategy will guide the delivery of a range of initiatives that diversify recreation activities, enhance, and activate public space, and provide accessible skills development for residents. Driving this strategy is increased participation through arts and culture activities, events, and programs.

Through Council supported arts and culture initiatives that are uniquely tailored to and led by our diverse and creative communities, we will continue to celebrate our rich histories while looking to the future as a growing shire community.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

The draft *Arts, Culture and Heritage Strategy 2022-2026* addresses the overarching governance principles in s.9 of the Local Government Act 2020 through its strategic alignment with Australian, Victorian, and regional strategies, its strong focus on partnerships with key stakeholders, and the role of community engagement in the development and subsequent implementation of the strategy.

COMMUNITY ENGAGEMENT

The draft Strategy was developed having regard to the contributions of a Community Reference Group, the findings of a digital and paper survey available between 13 May and 23 June, and 6 community workshops (4 in person and 2 via zoom). Thirty-five community members completed the survey, and 40 participants attended the community workshops.

The key engagement findings are summarised on pages 7 and 8 of the draft Strategy. They relate to Access & Equity, First Nations Dialogue, Spaces & Places, Leadership & Investment, and Making Culture Part of the GPS Conversation.

Further community engagement will be undertaken through the proposed exhibition period with respondents asked to provide feedback on specific questions designed to test the strategic objectives. It will also ask people who are already creatively engaged in the community how they see their work, practice and interests aligns with the strategy and how they may contribute to the achievement of the overall objectives. It will also ask the general community which pursuits they would like to participate in. This feedback will inform the final Strategy for Council adoption, and the subsequent development of an action plan.

STRATEGIES/PLANS

The draft *Golden Plains Arts, Culture and Heritage Strategy 2022-2026* will set the strategic directions for the next four-year period and is building on the previous Arts Strategy 2017-2021. It draws on the Australian Heritage Council's Strategic Plan 2018-2021, the State Government's 'Creative State 2021-2025' currently under development, the Victorian Heritage Act 2017, and the G21 Creative Industries Strategy 2021-2026.

RISK ASSESSMENT

There are no identified risk implications associated with this report. Each significant project will be assessed for inherent risks and mitigation strategies will be put in place. It is not anticipated that any project would present a significant risk for Council.

COMMUNICATION

Exhibition of the draft Strategy for public comment will be widely promoted via Council's usual communications channels. Community members who have already engaged directly in the process will be contacted and invited to provide further comment.

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 endorse the draft *Golden Plains Arts, Culture and Heritage Strategy 2022-2026* for public exhibition and feedback.

This option is recommended by officers as it has been developed following a consultation period involving survey, workshops and under the guidance of a Community Reference Group and is a 2021/22 action in the Council Plan.

Option 2 – That Council does not endorse or delay endorsement of the draft *Golden Plains Arts, Culture and Heritage Strategy 2022-2026* for exhibition and feedback.

This option is not recommended as it would unnecessarily delay progress toward adoption of the Strategy.

Option 3 – Adopt the draft *Golden Plains Arts, Culture and Heritage Strategy 2022-2026* as presented, without public exhibition.

This option is not recommended as it will not allow for further community input and ownership of the Strategy.

CONFLICT OF INTEREST

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

CONCLUSION

The draft *Golden Plains Arts, Culture and Heritage Strategy 2022-2026* provides a framework for a more coordinated approach between Council, the community, and cultural partners with respect to the advancement of arts, culture, and heritage in the shire.

Subject to Council's endorsement, the draft Strategy will be made publicly available for feedback from late September, with a view to presenting the final draft Strategy to Council for adoption at its November meeting.

7.8 DRAFT GOLDEN PLAINS SHIRE MUNICIPAL PUBLIC HEALTH AND WELLBEING ACTION PLAN 2021-2025

File Number:

Author: Tania Barry, Coordinator Health & Wellbeing

Authoriser: Steven Sagona, Acting Director Community Services

Attachments: 1. Draft Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025 (under separate cover)

RECOMMENDATION

That Council endorse the 'Draft Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025' (Attachment 1) for public exhibition.

EXECUTIVE SUMMARY

Council has adopted the Municipal Public Health and Wellbeing Plan (MPHWP) as an integrated component of the Golden Plains Shire Council Plan 2021-2025. The MPHWP identifies five priority areas, namely: Improving mental wellbeing; Increasing active living; Preventing family violence and advancing gender equity; Increasing healthy eating; and Tackling climate change and its impact on health. To progress implementation of these priorities, a draft '*Municipal Public Health and Wellbeing Action Plan 2021-2025*' ("the Action Plan") has been prepared. It is recommended that the Action Plan be publicly exhibited for feedback prior to adoption at the October Council meeting. The *Public Health and Wellbeing Act* 2008 requires the Action Plan be submitted to the Department of Health by 29 October 2021.

BACKGROUND

The *Public Health & Wellbeing Act* 2008 ("the Act") requires Council to develop a Municipal Public Health and Wellbeing Plan within 12 months of a council election with a corresponding four-year action plan. The MPHWP must be consistent with the Council Plan and the Municipal Strategic Statement (now known as the Municipal Planning Strategy) and be reviewed and evaluated annually and at the end of the four-year period.

In developing the Council Plan 2021-2025, it was determined that Council would seek to incorporate health and wellbeing matters and the legislative requirements of a MPHWP into the Council Plan. This integrated approach to community engagement and the planning and implementation of actions was undertaken to ensure health and wellbeing is embedded as a responsibility across all areas of Council.

In accordance with Section 27 of the Act, Council sought and obtained an exemption (through the Victorian Department of Health) from producing a standalone MPHWP, and incorporated the public health and wellbeing matters specified in section 26(2) of the Act into the Council Plan. The Golden Plains Shire Council Plan 2021-2025 (incorporating the MPHWP) was adopted by Council on 29 June 2021.

DISCUSSION

In developing the Municipal Public Health and Wellbeing Plan 2021-2025 (as incorporated into the Council Plan), an examination of health status and health determinant data, analysis of the Victorian Public Health and Wellbeing Plan 2019-2023, extensive community consultation and in-depth stakeholder engagement was undertaken.

Five priorities were identified in the Municipal Public Health and Wellbeing Plan 2021-2025:

1. Improving mental wellbeing;
2. Increasing active living;

3. Preventing family violence and advancing gender equity;
4. Increasing healthy eating;
5. Tackling climate change and its impact on health.

The draft Action Plan provides actions for each of these priorities. While Council has taken the lead role in developing the draft Action Plan, the delivery of actions relies on partnerships with many organisations and community groups. This ensures that a collective impact approach is taken to improving the health and wellbeing of the community.

A number of local health, community and Council services have contributed to the development of the draft Action Plan. Council officers facilitated a health and wellbeing action planning forum in June 2021 with key partners as a critical step in the process of developing the draft Action Plan. The forum focused on identifying current and future health and wellbeing actions for the Golden Plains community and provided opportunities for shaping innovative collective action. The forum was informed by and built on substantial pre-forum engagement including a survey of partner organisations.

At the heart of the draft Action Plan is empowerment of the community through increasing community members' ownership and control of their own health, wellbeing and personal development. Whilst there is no legislative requirement for Council to seek public comment on the draft Action Plan, it is considered good practice to further promote and foster this knowledge, ownership and community empowerment.

Subject to Council endorsement, it is proposed to exhibit the draft *Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025* for three weeks commencing late September. The document will be made available online and at various Council locations and community members will be invited to make written submissions before the draft Action Plan is presented to Council for adoption at its ordinary meeting on 26 October 2021. This will allow Council to submit the Action Plan to the Department of Health by the legislated due date of 29 October 2021.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

Communication	Yes
Human Rights Charter	No

GOVERNANCE PRINCIPLES

The draft *Municipal Public Health and Wellbeing Action Plan 2021-2025* addresses the overarching governance principles in s.9 of the Local Government Act 2020 through its strategic alignment with national, state and regional strategies, its strong focus on partnerships with key stakeholders, and the role of community engagement in the development and subsequent implementation of the Action Plan.

POLICY/RELEVANT LAW

Adoption of a MPHWP Action Plan will ensure Council can deliver the legislative requirements of the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008*.

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

The Victorian Health and Wellbeing Plan 2019-2023 provides the focus area of 'tackling climate change and its impact on health', which has been incorporated in the Council Plan 2021-2025 (incorporating the MPHWP). The draft Action Plan addresses this priority area.

COMMUNITY ENGAGEMENT

Community engagement in the development of the Council Plan 2021-2025 (incorporating the MPHWP) was undertaken in accordance with the community engagement principles in the *Local Government Act 2020*. This included deliberative engagement practices as defined in Council's Community Engagement Policy. Engagement and feedback during the development of the Council Plan 2021-2025 has informed development of the draft Action Plan.

Further engagement inviting submissions on the draft Action Plan will be undertaken following endorsement of the document for public exhibition.

STRATEGIES/PLANS

The draft Action Plan aligns with and will assist in the effective implementation of the *Golden Plains Shire Council Plan 2021-2025* including Council's MPHWP.

RISK ASSESSMENT

There are no inherent risks associated with placing the draft Action Plan on public exhibition, although the exhibition period should be limited to a timeframe that allows for adoption of the Action Plan at the October Council meeting so that Council does not risk non-compliance with the legislated 29 October due date. Once adopted, implementation of the various actions will include separate assessments of risk, and mitigation strategies will be put in place as necessary.

COMMUNICATION

Exhibition of the draft Action Plan for public comment will be widely promoted via Council's usual communications channels. Community members and stakeholders who have already engaged directly in the process will be contacted and invited to provide further comment.

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 – Endorse the draft *Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025* for public exhibition and feedback

This option is recommended by officers as it will allow for further community input while enabling the draft Action Plan to be considered for adoption on 26 October 2021 in line with the legislative requirement to submit to the Victorian Department of Health by 29 October 2021.

Option 2 – Do not endorse or delay endorsement the draft *Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025* for public exhibition and feedback.

This option is not recommended as it would risk non-compliance with the legislated submission date of 29 October 2021.

Option 3 – Adopt the draft *Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025* as presented, without public exhibition.

This option is not recommended as it will not allow for further community input and ownership of the Action Plan.

CONFLICT OF INTEREST

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

CONCLUSION

The draft *Golden Plains Shire Municipal Public Health and Wellbeing Action Plan 2021-2025* has been developed following extensive community and stakeholder engagement and will guide the delivery of Council's health and wellbeing priorities over the next four years.

Subject to Council's endorsement, the draft Action Plan will be made publicly available for feedback for three weeks from late September, with a view to presenting the final draft Action Plan to Council for adoption at its October meeting.

7.9 VAGO AUDIT - SEXUAL HARASSMENT IN LOCAL GOVERNMENT

File Number:

Author: Claire Tehan, Manager People and Culture

Authoriser: Philippa O'Sullivan, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council:

1. Note the update on the implementation of the action plan for the recommendations made in the VAGO report into Sexual Harassment in Local Government.
 2. Note this report was presented to the Audit and Risk Committee at the meeting on 14 September 2021 and was recommended to be presented at the next Council meeting
-

EXECUTIVE SUMMARY

In February 2021, the Audit and Risk Committee and Council 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.

Following the presentation of the action plan, Council resolved at the Council meeting of 27 April 2021 to receive quarterly reports 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 2020 and as adopted by Golden Plains Council in February 2020 to ensure that actions were being progressed.

As a result, this report will be provided at the 28 September 2021 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.

What VAGO recommended

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 recommendations VAGO made were accepted by Golden Plains Shire Council.

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	31/7/2021 Revised date 31/12/2021	In progress. Risk assessment work has commenced but as it continues to be undertaken, we have revised the date to the end of the calendar year
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	In progress. Gender Equality survey was undertaken in June 2021. Results were available in August and analysis is underway.
- reviewing complaints information (see Section 2.6)	Annual benchmarking of key metrics against other councils and Council's performance over time.	30/06/2022	The collection of information continues to be undertaken to ensure the due date of 1 June 2022 is met.
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.	31/10/2021 Revised date 31/12/2021	In progress. The internal staff policy is currently being completed using a collaborative approach across council networks to provide a consistent approach and modified to take into account any specific factors that relate to GPSC.
- 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	In progress. Risk assessment work has commenced but as it continues to be undertaken, we have revised the date to the end of the calendar year
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. New standalone policy will meet this requirement.	31/10/2021 Revised date 31/12/2021	In progress. The internal staff policy is currently being completed using a collaborative approach across council networks to provide a consistent approach and modified to take into account

VAGO Recommendation	Action item	Due Date	Status
- includes clear links to relevant council policies and procedures	New standalone policy will meet this requirement.		any specific factors that relate to GPSC.
- 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		
5. introduce mandatory training on sexual harassment, or improve existing training, so that at a minimum it: - 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	In progress. GPSC has recently appointed a learning and development specialist and invested in an online training tool to provide a dedicated resource to training and development and using an online training tool enables a greater opportunity for staff to undertake the training at time that is most suitable. The online tool also provides easy to access reports percentage completed to target those staff that are yet to complete.
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	Complete. 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: - 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.	31/10/2021 Revised date 31/12/2021	In progress
8. improve record keeping of sexual harassment complaints by: - 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	Complete
- 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.	31/10/2021 Revised date 30/11/2021	In progress

VAGO Recommendation	Action item	Due Date	Status
9. review complaint procedures to ensure they include: - 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 this requirement. New standalone policy and procedure will meet this requirement.	31/10/2021 Revised date 30/11/2021	In progress
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.	31/07/2021 Revised date 30/11/2021	In progress. Training for Councillors has been provided via the MAV training sessions, the recently appointed GPSC learning and development employee will be developing training sessions that will be consistent with what is provided to staff for councillors. This date has been revised to ensure the training is in line with the policy.
11. ensure councillors are informed of their internal and external options for sexual harassment support and complaints, including: - 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.	31/07/2021 Revised date 31/12/2021	In progress. A new standalone policy is currently being developed with the assistance of Maddocks Lawyers who are providing advice to the network to develop a consistent template for local government, as result the date has been deferred to enable to use this model template.

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

GOVERNANCE PRINCIPLES

The sexual harassment policy that will be developed will 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 also ensure that it 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).

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. This report presents to Council that we are on track to implement all recommended actions to ensure we are committed to providing a safe workplace for our employees.

7.10 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM - PHASE 3 FUNDING ALLOCATION

File Number:**Author:** Phil Josipovic, Director Infrastructure and Development**Authoriser:** Phil Josipovic, Director Infrastructure and Development**Attachments:** Nil**RECOMMENDATION**

That Council:

1. Endorse allocating \$2,667,310 as part of the Federal Government's Local Roads and Community Infrastructure Program Phase 3 funding to the following projects (project allocations shown in brackets):
 - (i) Meredith to Shelford Road – Stage 4 (\$990,000)
 - (ii) Meredith Interpretive Centre Septic System (\$42,000)
 - (iii) Bannockburn Bowls Sewer connection (\$210,000)
 - (iv) Bannockburn Youth Hub Fit out (\$77,000)
 - (v) Public Open Space Asset Renewal (\$500,500)
 - (vi) Meredith to Shelford Road - Stage 5 (\$667,810)
 - (vii) Lethbridge Lakes Boardwalk upgrade (\$180,000)
 2. Note the Meredith to Shelford Road – Stage 5 project is contingent on securing additional funding of \$322,190.
 3. Note the list of projects endorsed by Council will be submitted to the Department of Infrastructure, Transport, Regional Development for final approval.
-

EXECUTIVE SUMMARY

In May 2021, Council received correspondence from the Hon Michael McCormack MP (Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development) and The Hon Mark Coulton MP (Minister for Regional Health, Regional Communications and Local Government) announcing that the Federal Government had allocated in its 2021-22 Budget a further \$1 Billion for the Local Roads and Community Infrastructure (LRCI) Program. An allocation of \$2,667,310 will be made to Golden Plains Shire Council.

The guidelines for the extended program had not been released at time of writing this report, but based on the existing guidelines and available information regarding the extended program, officers believe the key eligibility criteria for projects to be nominated include:

- Projects eligible for funding are local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.
- Projects must be delivered by 30 June 2023
- Projects must be additional to existing work plans
- LRCI funding cannot be used to substitute other funding sources, including Council budget allocations.

Council Officers have compiled a list of potential projects to fund under the LRCI Phase 3 program and made recommendations on projects to be supported.

BACKGROUND

The LRCI program was introduced to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic. Council was allocated \$1,333,655 as part of the initial LRCI allocation, \$1,512,680 as part of LRCI Phase 2 funding and now a Phase 3 allocation of \$2,667,310.

Council endorsed projects for funding of Phase 1 and 2 projects. Phase 1 projects have been delivered and all Phase 2 projects are on track to be completed by the end of 2021 as required under the signed funding agreement.

The notice received for Phase 3 funding allocation to Council indicates funding will become available 1 January 2022 with construction of all projects to be completed by 30 June 2023.

The guidelines for the Phase 3 program had not been released at time of writing this report, but based on the existing guidelines for Phase 1 and 2, officers believe the key eligibility criteria for projects to be nominated include:

- Projects eligible for funding are local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.
- Projects must be delivered by 30 June 2023
- Projects must be additional to existing work plans
- LRCI funding cannot be used to substitute other funding sources, including Council budget allocations.

DISCUSSION

It is assumed that projects eligible for funding under Phase 3 of the LRCI program will be the same as for Phase 1 and 2 and include local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public. Projects will need to deliver benefits to the community, such as improved accessibility, visual amenity and safety benefits. Projects are required to be delivered by 30 June 2023.

Based on the initial program criteria, eligible local road projects could include works involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible community infrastructure projects could include works involving:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;

- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;
- picnic shelters or barbeque facilities at community parks;
- playgrounds and skateparks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

Final program guidelines for the Phase 3 program were not released at time of writing this report, however it is assumed they will be similar to previous guidelines. A key issue to consider is the LRCI projects must be in addition to current work programs and cannot replace other sources of income. If a project has been brought forward from a future work program it will be eligible for funding.

Council officers have compiled a list of projects believed to be eligible for funding and identified preferred projects. By adopting the preferred projects, Council will be in a good position to commence preliminary work and nominate projects to the funding agency when guidelines and processes are finalised and released. Influencing factors in nominating preferred projects include capacity to deliver, strategic alignment, community benefit and identified risks.

Table 1 below provides projects recommended by officers to be funded under the Phase 3 program.

TABLE 1

Project	Proposed LRCI Allocation	Comments
Meredith to Shelford Road – Stage 4	\$990,000	Resurface the Meredith to Shelford Road as per existing detailed design - Stage 4 (2 km). Stages 1 – 3 contracts awarded.
Meredith Interpretive Centre Septic System	\$42,000	The Septic system associated with public toilets at the Meredith Interpretive Centre is failing. This is becoming a critical public health risk, especially as the community garden next door gains popularity. Work required includes decommissioning and removal of the old system and the installation of a new treatment and dispersal system.
Bannockburn Bowls Sewer connection	\$210,000	As a result of the Powercor requirements to subdivide the land that the Bowls club current sits on there is a need to connect the Bowls club to the sewer main. Design works are being completed but it is currently expected that the construction works will be needed to be completed prior to the subdivision being approved.
Bannockburn Youth Hub	\$77,000	Completion of the fit out of the Youth Hub.

Project	Proposed LRCI Allocation	Comments
Public Open Space asset renewal	\$500,500	Funds to renew and in some cases upgrade a number of assets across the Shire's Open Space network that include bench seats, bubblers, lookout platforms, picnic shelters, pathways and public amenity blocks. Specific examples of assets that require renewal are Bruces creek and Leigh river junction viewing platforms and Lethbridge lakes amenity blocks. There are many other small-scale items that require renewal. There are opportunities to increase inclusiveness of existing assets i.e. Leigh River Reserve lookout
Meredith to Shelford Road - Stage 5	\$667,810	Resurface the Meredith to Shelford Road as per existing detailed design - Stage 5 (2km). This would complete upgrade of the full length of this road of approximately 10km. The total cost is estimated at \$990,000 with the balance of \$322,190 proposed to be funded from other funding sources such as Roads to Recovery.
Lethbridge Lakes Boardwalk upgrade	\$180,000	Lethbridge lakes boardwalk is failing, likely needs to be replaced.
TOTAL RECOMMENDED LRCI ALLOCATION	\$2,667,310	

Table 2 below identifies other projects considered but not recommended at this point in time.

TABLE 2

Project	Estimated Cost	Comments
Teesdale to Bannockburn trail	\$1,210,000	Create a shared pathway connection between Teesdale & Bannockburn. Cost based on 7.5km length and 2m wide trail. Significant constraints include permits to remove vegetation, possible bridge and Cultural Heritage Management Plan. Estimate preliminary as no designs have been undertaken therefore subject to potential significant variation.
Virtual Animal Fence, Common Road, Inverleigh	\$29,700	Installation of virtual animal fence to reduce number of animals killed. Current trials of technology at Philip Island and Surf Coast shire. Alternative funding may be available and effectiveness of technology not fully understood at this stage.
Woody Yaloak Recreational Reserve	\$360,000	Installation of Sports Lighting. Design to be completed and requires power upgrade to site.
Rokewood Recreation Reserve Netball Courts Uogarde	\$780,000	2 new concrete based acrylic surface netball courts including sports lighting. Existing courts are reaching end of life, however yet to finalise master plan for whole of site.
Linton Recreation	\$880,000	Complete reconstruction of the Linton Recreation

Reserve Oval Upgrade		Reserve Oval to address profile and drainage issues. Works include reshaping, new subsurface drainage, irrigation improvements, fencing, coaches boxes, goal posts and a centre wicket.
Smythesdale Sub-Regional Play Space	\$1,534,375	Development of a sub-regional play space to service the north of the shire and to be co-located with the recently upgraded skate park and BMX track at the Woody Yaloak Recreation Reserve. Design development yet to commence.

REPORTING AND COMPLIANCE STATEMENTS:

Local Government Act 2020 (LGA 2020)

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

GOVERNANCE PRINCIPLES

The recommended projects are based on an asset management risk approach as well as benefiting the broader shire community.

POLICY/RELEVANT LAW

Many projects will need to be publicly tendered to comply with the contracting requirements of the Local Government Act. Once projects are approved by the Federal Government, a legally binding funding agreement will need to be finalised.

ENVIRONMENTAL/SUSTAINABILITY IMPLICATIONS

From a financial sustainability perspective, the additional LRCI funding will assist delivering projects that otherwise would have potentially required significant Council funding.

COMMUNITY ENGAGEMENT

It is proposed a media release and information on Council's website be released following Council's resolution on preferred projects.

FINANCIAL MANAGEMENT

All the proposed projects have had preliminary investigations and in some cases design carried out. It is considered they will bring significant benefits to the community in advance of what would otherwise be the case if funding was not available.

The projects would be funded by the \$2,667,310 grant noting that to complete the Meredith to Shelford Road (Stage 5) project would require securing additional funding of approximately \$322,190 through other programs, such as the annual Roads to Recovery program.

RISK ASSESSMENT

The key risk associated with this report is not delivering the nominated projects by the required completion date of 30 June 2023. The projects proposed have been identified and prioritised with this in mind and provide Council the best opportunity to deliver the projects within the required timeframe in addition to existing programs.

COMMUNICATION

A media release and information on Council's webpage will be prepared following Council's resolution advising the community of the funding and the projects nominated for funding.

HUMAN RIGHTS CHARTER

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

OPTIONSOption 1 – Decline the funding

This option is not recommended by officers as it represents a lost opportunity to deliver some significant projects.

Option 2 – Allocate funding to other projects

Council may choose to replace some or all the recommended projects. This option is not recommended by officers as the recommended projects have been considered with due consideration to asset management principles, ability to deliver in the required time frame and benefit for the broader shire community.

CONFLICT OF INTEREST

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

CONCLUSION

Council allocate the \$2,667,310 grant to the projects recommended in this report.

7.11 AUDIT & RISK COMMITTEE REPORT - 14 SEPTEMBER 2021**File Number:**

Author: Sophie Brown, Governance and Corporate Services Administration Officer

Authoriser: Philippa O'Sullivan, Director Corporate Services

Attachments: 1. Unconfirmed Minutes - Audit & Risk Committee Meeting 14 September 2021 - Confidential (under separate cover)

RECOMMENDATION

That Council note the minutes from the Audit & Risk Committee meeting held on 14 September 2021.

EXECUTIVE SUMMARY

This report is being submitted to Council to provide a summary of business considered at the 14 September 2021 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 Helena Kirby
- Councillor Brett Cunningham

Independent Members:

- Andrew Pearce
- Joe Adamski
- Phil Delahunty

Officers:

- Philippa O'Sullivan (Director Corporate Services)
- Phil Josipovic (Director Infrastructure and Development)
- Steven Sagona (Acting Director Community Services)
- Fiona Rae (Manager Finance)
- Claire Tehan (Manager People & Culture)
- Andrew Downie (Manager ICT and Digital Transformation)
- Suzannah Burton (Manager Community Wellbeing)
- Vicki Shelton (Manager Asset Services)
- Annmaree Bowey (Coordinator Governance and Risk)
- Will Neville (Coordinator OHS)
- Sophie Brown (Governance and Community Services Admin Officer)

Guests:

- Gabrielle Castree (Crowe)
- Kelly Scholes (Crowe)
- Chris Kol (McClaren Hunt)

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
Gifts, Benefits and Hospitality Register
Publications of Interest
GPCC Project Update - Final Update
Aged Care Reform Update
Council First - Progress Update
Status Update on Payroll Matters
Payroll System Implementation Update
MAV WorkCare Scheme Licence Update
OHS Quarter 4 Report
Risk Management and Insurance Quarter 4 Report
Risk Owner Presentation
Finance Quarter 4 Update
Asset Valuations
In-Principle Performance Statement and In-Principle Financial Statements for the Year Ended 30 June 2021
Instances of Fraud or Corruption and Actions Taken
VAGO Audit - Sexual Harassment in Local Government
Internal Audit Program
Committee - Annual Performance Review
Governance Quarter 4 Report
Local Government Act 2020 - Implementation 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

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 14 September 2021

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 14 September 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 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 Tuesday, 9 November 2021.

7.12 AUDIT AND RISK COMMITTEE - ANNUAL PERFORMANCE REVIEW**File Number:****Author:** Philippa O'Sullivan, Director Corporate Services**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** 1. **Audit and Risk Committee Self Assessment 2020/21 (under separate cover)****RECOMMENDATION**

That Council:

1. Notes the Audit and Risk Committee's self-assessment report for the 2020/21 year.
 2. Notes that the number of areas that have improved from last year.
 3. Notes the areas where there continues to be opportunities to improve.
-

EXECUTIVE SUMMARY

Under section 13 of Golden Plains Shire Council's adopted Audit and Risk Committee Charter under Other responsibilities, the Committee members are required to 'on an annual basis undertake an assessment of its performance against the Charter and provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting'. As a result, this report presents the outcomes from the Committee's self-assessment for 2020/21.

The results from the 2020/21 self-assessment indicates that the committee members are satisfied with the performance of the Committee throughout 2020/21. The average result for all eight areas was rated at 99.5% across both 'adequate' or 'more than adequate'.

However, it is noted that there is an opportunity to improve the process for audit and risk committee members to access advice and/or training to improve their skills and knowledge. This feedback will be taken into account for the next twelve months to support committee members.

Management has continued a dedicated focus on increasing the quality of reports to the Audit and Risk Committee over the last 12 months with a significant increase in reporting of on risk management and occupational, health and safety reporting to ensure key issues, trends and themes are clearly identified to enable measures are put in place to mitigate the organisations risks.

BACKGROUND

Under section 13 of the last adopted Audit and Risk Committee Charter under Other responsibilities, the members are required to 'on an annual basis undertake an assessment of its performance against the Charter and provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting'.

The self-assessment tool was distributed to the five committee members in July 2021.

Implementation of the Local Government Act 2020

It is important to note that with the implementation of the Local Government Act 2020 and subsequent adoption of the new Audit and Risk Committee charter by Council at its August 2020 council meeting, the annual self-assessment template has been revised to align to the new charter requirements. The template has been based on the model template that has been developed by Local Government Victoria. As a result, comparisons to the 2019/20 annual performance assessment cannot be completed against each category. Not Available (N/A) is provided where this is the case.

DISCUSSION

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

Area of Responsibility	Less than Adequate %		Adequate %		More than Adequate %	
	2019/20	2020/21	2019/20	2020/21	2019/20	2020/21
Audit Committee Charter	N/A	0	N/A	30	N/A	70
Skills and Experience	N/A	3	N/A	23	N/A	74
Understanding the business	N/A	0	N/A	40	N/A	60
Meeting Administration & Conduct	-	0	54	20	46	80
Communications with Council	N/A	0	N/A	30	N/A	70
Management Commitment & Support	N/A	0	N/A	28	N/A	72
Internal Audit	-	0	70	40	30	60
External Audit	-	0	47	47	53	53
Total		0.5%		32%		68%

Overall the average result for all areas was rated as 'adequate' or 'more than adequate'. It is noted there has been clear improvements in meeting administration and conduct and also in the internal audit function. The full list of results is presented in Attachment 1.

As noted above though, management have taken note of the less than adequate response to the available access to training and advice for committee members and this will be actioned over the next 12 months.

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

Comments

The Committee has built on improvements from the previous 12 months and continues to look for further opportunities to add value to the Council through meetings and suggestions back to Council. The level of reporting from Council Officers continues to improve and addressing continuous improvement of business' risk management is commended and needs to continue. An opportunity for the Committee is to recheck reporting to Council is meeting their requirements.

As a new Councilor I have been made to feel very welcome and any information / reports that I have requested have always been provided. I also fully understand that I have much more to learn in this area of Council and look forward to continuing to being part of this committee and increasing my understanding and knowledge.

In relation to question 7 being there is a clear process that Committee members can follow to access advice and/or training to improve their skills and knowledge a response was included:

I am not sure this has been available for external members.

Improvement Areas

Management will continue to focus on ensuring the responsibilities and requirements of the Audit and Risk Committee members as outlined in the Audit and Risk Committee charter are being met and will provide opportunities for new members to have access to training and advice.

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)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	Yes
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	Yes
Risk Assessment	No
Communication	No
Human Rights Charter	No

GOVERNANCE PRINCIPLES

Undertaking the annual performance assessment of the Audit and Risk Committee members meets the overarching governance principles in S.9 of the Local Government Act by providing the opportunity to reflect on what is working well and where we can continuously improve, ensuring that the Committee is focussed on the financial viability by monitoring that all the appropriate controls are in place to mitigate financial risks.

POLICY/RELEVANT LAW

Local Government Act, 2020

Audit and Risk Committee Charter

Internal Audit Charter

PUBLIC TRANSPARENCY

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

FINANCIAL MANAGEMENT

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

The purpose of the Audit and Risk Committee is to provide a structured, systematic oversight of Council's governance, risk management and internal control practices. The Committee assists the Council and management by providing advice and guidance on the adequacy of initiatives for:

- Values and ethics
- Governance structure
- Risk management
- Internal control framework
- Oversight of the internal audit activity, external auditors and other providers of assurance
- Financial statements, performance and public accountability reporting.

SERVICE PERFORMANCE

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

RISK ASSESSMENT

There are no identified risk implications associated with this report.

COMMUNICATION

The results from the annual performance assessment will be tabled at the next Council meeting on 28 September 2021.

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 the Audit and Risk Committee note the results of the annual performance assessment

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

Option 2 – Rejects the results of the annual performance assessment

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

CONFLICT OF INTEREST

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

CONCLUSION

The annual performance assessment provides an opportunity for the Audit and Risk Committee to reflect on what is working well and areas for improvement for the next 12 months.

7.13 COUNCIL GOVERNANCE RULES REVIEW - DRAFT FOR PUBLIC EXHIBITION**File Number:****Author:** Philippa O'Sullivan, Director Corporate Services**Authoriser:** Philippa O'Sullivan, Director Corporate Services**Attachments:** 1. Draft Governance Rules for Public Exhibition (under separate cover)**RECOMMENDATION**

That Council:

1. Endorse the review of the Governance Rules (Attachment 1).
 2. Place the document on public exhibition for a period of 3 weeks.
 3. Hear any submissions at the 26 October 2021 Council meeting.
 4. Consider the Governance Rules for adoption at the November 2021 Council meeting.
-

EXECUTIVE SUMMARY

The Governance Rules were adopted by Council on 25 August 2020, in accordance with section 60 of the *Local Government Act 2020* (LGA20). Following a period of review by council officers, opportunities for improvement and clarification of the Governance Rules have been identified and it is proposed that the Governance Rules are amended.

The LGA20 enables Council to amend its Governance Rules (s 60(3)) and, in doing so, Council must ensure that a process of community engagement is followed (s 60(4)). It is proposed that Council endorse the draft amendment to the Governance Rules and place the document on public exhibition in order to meet this requirement.

BACKGROUND

Under the LGA20 (s 60(1)), a Council must develop, adopt and keep in force Governance Rules for or with respect to the following:

- (a) the conduct of Council meetings;
- (b) the conduct of meetings of delegated committees;
- (c) the form and availability of meeting records;
- (d) the election of the Mayor and the Deputy Mayor;
- (e) the appointment of an Acting Mayor;
- (f) an election period policy in accordance with section 69;
- (g) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;
- (h) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
- (i) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
- (j) any other matters prescribed by the regulations.

The Governance Rules were adopted by Council on 25 August 2020, prior to the 1 September 2020 deadline for adoption under the LGA20. Council may amend its Governance Rules (LGA20 s 60(3)). A Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules (LGA20 s 60(4)), unless the Council is developing and adopting or amending a Governance Rule that only adopts a good practice guideline issued by the Minister

under section 87 (LGA20 s 60(5)). To date, no good practice guidelines have been issued by the Minister in relation to Governance Rules.

DISCUSSION

The Governance Rules are designed to be clear, instructive and provide transparency about the decision-making processes of Council.

Since the initial adoption of the Governance Rules, areas for improvement of the Governance Rules have been identified and amendments are now proposed. These are summarised in the below table. Specifically, the amendments are intended to provide additional clarity, definition and structure to procedural aspects of the Council Meeting process, such as Notices of Motion.

The Draft Governance Rules Amendment is submitted to Council for approval to commence the public exhibition process allowing for the community to have their say on this document, as required by the LGA20 s 60(4).

Table 1: Governance Rules – Summary of changes

Amended Rules			
Rule	Heading	Change	Change Reasoning
12.3.2	Types, Dates & Times of Meetings	Updated so that an unscheduled meeting can be called by written notice of the Mayor 'and one Councillor'. The existing option that allows for an unscheduled to be called by written notice by three Councillors remains.	The grounds for calling an unscheduled meeting, including the urgency of the business to be transacted, to be considered by at least two Councillors.
12.3.4(b)	Types, Dates & Times of Meetings	Changes 'section 15' to 'Rule 15'.	Typographical error.
21.7	Joint Council Meeting	Changes 'this section' to 'this Rule'.	Typographical error.
23.1	Conflicts of Interest	Removed reference to Local Government Act 1989.	Local Government Act 2020 applies.
25.1.1	Notice of Motion	Added 'Be' for clarity and consistency.	Readability.
25.1.2	Notice of Motion	Notice of Motion to be signed by the Councillor intending to move the motion and another Councillor willing to second the motion at the Council meeting for the purpose of debate.	Improved workflow.
25.1.3	Notice of Motion	Number of days for lodging a Notice of Motion with the CEO prior to the meeting reduced from 7 days to 6 days.	Improved workflow.
25.6	Notice of Motion	Amended the structure of the Rule so 'The Chairperson must not accept' is at the start,	Readability and clarity. No change to meaning.

		followed by a list with three existing requirements, and two additional requirements (25.6.4 and 25.6.5 inserted, see below).	
65.1	Removal from Meeting	Council able to give directions to maintain security, including remove a person from the Chamber or a meeting, where their actions breach the Governance Rules.	Empowers Council to act where the Chairperson has been suspended.
New Rules			
Rule	Heading	Change	Change Reasoning
25.1.4	Notice of Motion	Inserted 'Relate to the objectives, role and functions of Council as outlined in the Act'	Notice of Motions limited to matters within the powers, duties and functions of Council
25.2	Notice of Motion	Updated to provide specific circumstances in which a Notice of Motion must call for an officer's report before being placed on the agenda at a Council meeting.	Threshold requirements to be met where there is an impact on Council services include, expenditure, budget, policy, or commits Council to a contractual arrangement or concerns litigation.
25.6.4 & 25.6.5	Notice of Motion	Circumstances in which the CEO or Chairperson must reject a Notice of Motion, including a motion that is the same or similar to a motion that has been considered by Council in the previous 3 months, or where the motion must call for an officer's report before being placed on the agenda at a Council meeting.	Efficient use of time at Council meetings.
25.7	Notice of Motion	CEO can reject a Notice of Motion that can be addressed through the operational service request process, where the matter has previously been resolved by Council or acted upon, or the motion has been consider by Council in the previous 3 months.	Consistent application of operational service request process. Efficient use of time at Council meetings.
25.13	Notice of Motion	Three-month timeframe in which the same or similar motion, with or without amendment, even in a different form, cannot be raised at a Council meeting.	Efficient use of time at Council meetings.

28.1.3	Urgent Business	Business that can be dealt with by operational service request process cannot be addressed as urgent business.	Consistent application of operational service request process.
--------	-----------------	--	--

CONSULTATION

Community engagement will be conducted, allowing the community to review and make a submission on the draft documents prior to their finalisation and adoption by Council.

The *Local Government Act 2020* requires Council to ensure that a process of community engagement is followed in developing or amending its Governance Rules however, there is no legislative restriction or requirement as to the length of public exhibition period required.

It is recommended that the documents be placed on public exhibition for a period of three weeks. External legal advice obtained in June 2020 confirmed that in circumstances where the community response is likely to be minimal, as in this case, then a 2-week consultation period is considered reasonable.

The public exhibition of these documents will be advertised on the Council website and social media pages. The documents will be accessible via the Council website or in person at the Council offices.

Written submissions are invited from any person. A person may also request in their submission to be heard in support of their submission and/or to nominate a representative to present their submission, if they wish to do so. Submissions must be received in writing by the date advertised and can be provided in the following ways:

- Through Council's website at <https://www.goldenplains.vic.gov.au/consultations>
- Emailed to enquiries@gplains.vic.gov.au
- By mail addressed to the Chief Executive Officer, Golden Plains Shire Council, PO Box 111, Bannockburn, VIC 3331.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	Yes
Communication	Yes
Human Rights Charter	Yes

GOVERNANCE PRINCIPLES

The Governance Rules will ensure adherence to the overarching governance principles in s.9 of the *Local Government Act 2020*.

POLICY/RELEVANT LAW

Local Government Act 2020 (LGA20)

COMMUNITY ENGAGEMENT

Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules (LGA20 s 60(4)).

RISK ASSESSMENT

The *Local Government Act 2020* prescribes the provisions that must be included in the Governance Rules, as well as the process of engagement required in amending the same.

COMMUNICATION

Changes identified following community engagement will be incorporated into the draft documents and presented to Councillors for further review before adoption at the Council meeting in October 2021.

PUBLIC TRANSPARENCY

The Governance Rules will be placed on public exhibition for three weeks to provide community the opportunity to comment on the proposed changes and ensures that the process for making changes is in line with the public transparency principles under section 58 of the LGA2020.

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 endorse the draft amendments to the Governance Rules to be placed on public exhibition.

This option is recommended by officers to ensure that Council's Governance Rules are continually improved and that the community engagement requirements under the *Local Government Act 2020* are met.

Option 2 – That Council do not endorse the amendments to the Governance Rules.

This option is not recommended by officers as the amendments proposed will provide additional clarity, definition and structure to Council's Governance Rules.

CONFLICT OF INTEREST

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

CONCLUSION

The draft Governance Rules are being presented to Council to progress to public exhibition and community engagement in accordance with the new *Local Government Act 2020*.

7.14 GIFTS, BENEFITS AND HOSPITALITY REGISTER**File Number:**

Author: Sophie Brown, Governance and Corporate Services Administration Officer

Authoriser: Philippa O'Sullivan, Director Corporate Services

Attachments: 1. Gifts Benefits and Hospitality Register 30 April 2020 - 31 August 2021 (under separate cover)

RECOMMENDATION

That Council note the gifts, benefits and hospitality received by Councillors and Council Officers over the period 30 April 2020 to 31 August 2021.

EXECUTIVE SUMMARY

To ensure compliance with the Local Government Act, Council has established a record of gifts, benefits and hospitality received by Councillors and Council Officers.

The Gifts, Benefits and Hospitality Register is to be reviewed annually by the Audit and Risk Committee and then recommended to be noted by Council and the Council meeting immediately following the Audit and Risk Committee meeting.

BACKGROUND

A revised Gifts, Benefits and Hospitality Policy was adopted by Council on 23 February 2021.

This was the first report to the Audit and Risk Committee since its adoption and is now presented to Council for noting.

DISCUSSION

The Gifts, Benefits and Hospitality Register is attached for the period 30 April 2020 to 31 August 2021 for the Council's information.

The register shows a total value of \$420.00 has been received in gifts, benefits and hospitality by Council Officers and Councillors over this period.

This report assists both the Audit and Risk Committee members and Council in identifying any areas of concern or conflicts of interest around the gifts and hospitality being received. No concerns have been identified in this report.

REPORTING AND COMPLIANCE STATEMENTS

Local Government Act 2020 (LGA 2020)

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

Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No
Risk Assessment	No
Communication	No
Human Rights Charter	No

POLICY/RELEVANT LAW

- Gifts, Benefits and Hospitality Policy.
- The Local Government Act 2020.
- Independent Broad-based Anti-Corruption Commission (IBAC) Act 2011.
- Employee Code of Conduct.
- Councillor Code of Conduct.
- Department of Environment, Land, Water and Planning – Model Policy Minimum accountabilities for the management of Gifts, Benefits and Hospitality.
- Victorian Auditor-General's Report - Implementing the Gifts, Benefits and Hospitality Framework.
- Victorian Public Sector Commission's Gifts, Benefits and Hospitality – Policy Guide.

PUBLIC TRANSPARENCY

In accordance with Council's Public Transparency Policy, the public version of the Gifts, Benefits and Hospitality Register which contains a subset of the information detailed in the internal register, will be published on Council's website, and updated on a quarterly basis.

Privacy requirements are taken into account when recording and publishing the register, such as restricting access to relevant persons within the organisation.

RISK ASSESSMENT

There are no identified risk implications associated with this report.

HUMAN RIGHTS CHARTER

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

CONFLICT OF INTEREST

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

CONCLUSION

This report provides information on the gifts, benefits and hospitality received by Councillors and Council Officers. This report is provided to the Audit and Risk Committee and Council for review on an annual basis to ensure ongoing transparency and compliance under the Local Government Act.

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION - ESTABLISHING AN OFF-ROAD TRAIL BETWEEN TEESDALE AND BANNOCKBURN

File Number:

Attachments: 1. Notice of Motion

I, Councillor Gavin Gamble, give notice that at the next Ordinary Meeting of Council be held on 28 September 2021, I intend to move the following motion:-

MOTION

That Council request that a report by Council officers be presented to Council at the October or November ordinary meeting regarding the feasibility and costings of establishing of an off-road trail between Teesdale and Bannockburn.

RATIONALE

The proposal has been high on the community co-ordinators agenda for at least 14 years. There is a lot of support within the Teesdale community for this proposal.

Benefits of a multi-use path/trail between the two largest population towns of Golden Plains Shire include: health and well-being for exercise and fitness; promotion of safe mobility and independence for younger and older residents to access services, school and further public transport in a fun and healthy way; reduction in carbon emissions and will, for example, be ideally suited to electric bike or scooter use; provision of an exceptional recreational asset able to be used by walkers, horse riders, cyclists, runners, etc.. through some remarkably pleasant and high quality native vegetation.

This trail will also tie in, service and be an infrastructure asset for many of the new residents of the proposed Bannockburn West / Somerset housing developments.

The lack of a feasibility study and costings has prevented this infrastructure project to advance or be considered for funding allocation.

I commend this Notice of Motion to Council.

**NOTICE OF MOTION**

This form lodges a notice of intention to move a Notice of Motion in accordance with Section 25 of the Governance Rules.

A Notice of Motion must be:

- In writing, or sent electronically, and generally be in a form approved by the Chief Executive Officer;*
- Be signed by the Councillor intending to move the motion;*
- Be lodged with the Chief Executive Officer by 5pm 7 days prior to the date of the meeting to allow sufficient time for the Notice of Motion to be included in the agenda for the next Council meeting.'*

I, CouncillorGavin Gamble..... give notice of my intention to move at the Ordinary Meeting of Council to be held on ...28... / ...9... / 2021... that:

Wording of proposed motion:

That a report by council officers be presented to council at the October or November ordinary meeting regarding the feasibility and costings of establishing of an off-road trail between Teesdale and Bannockburn.

Reasoning for proposed motion:

The proposal has been high on the community co-ordinators agenda for at least 14 years. There is a lot of support within the Teesdale community for this proposal.

Benefits of a multi-use path/trail between the two largest population towns of Golden Plains Shire include: health and well-being for exercise and fitness; promotion of safe mobility and independence for younger and older residents to access services, school and further public transport in a fun and healthy way; reduction in carbon emissions and will, for example, be ideally suited to electric bike or scooter use; provision of an exceptional recreational asset able to be used by walkers, horse riders, cyclists, runners, etc.. through some remarkably pleasant and high quality native vegetation.

This trail will also tie in, service and be an infrastructure asset for many of the new residents of the proposed Bannockburn West / Somerset housing developments.

The lack of a feasibility study and costings has prevented this infrastructure project to advance or be considered for funding allocation.

I commend this Notice of Motion to Council.

COUNCILLOR SIGNATURE

(This section to be completed and signed by Chief Executive Officer)

This notice was received by the Chief Executive Officer at 4.45pm on 22/09/2021

CEO SIGNATURE**NOM NUMBER: 7**

9 PETITIONS

Nil

10 CONFIDENTIAL REPORTS FOR DECISION

Nil