



Minutes

Council Meeting held at 12.30 PM on Monday 6 December 2021 in the Perry Room, St Arnaud Town Hall.

Present

Cr Tony Driscoll (Mayor)
Cr Lauren Demspey
Cr Murray Emerson
Cr Kevin Erwin
Cr Trevor Gready
Cr Rob Haswell
Cr Eddy Ostarcevic PhD

Ms Liana Thompson, Chief Executive Officer
Mr Vaughan Williams, Director Corporate and Community Services
Mr Jonathan Chinomona, Acting Director Infrastructure and Amenity

Affirmation

We recognise the traditional owners of the land.
We are inspired by the early pioneers and by those who gave their lives for our country.
We now ask God's blessing on our deliberations
and on our commitment to build a better lifestyle and environment.

Confirmed at the meeting of Council on Monday 7 February 2022.

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1. Apologies

Nil

2. Confirmation of Minutes

Council Meeting held on Monday, 8 November 2021

Statutory Council Meeting held on Monday, 8 November 2021

RESOLUTION

That the minutes as listed, copies of which have been circulated, be confirmed and adopted.

Moved: Cr Murray Emerson

Seconded: Cr Rob Haswell

Carried

3. Matters Arising from the Minutes

Nil

4. Presentations/Awards

Cr Emerson presented the Mayor, Cr Driscoll, with a new gavel and base to congratulate him on his appointment on behalf of the citizens of the shire. The Mayoral chain was presented at this time.

The Mayor, Cr Driscoll, presented to former Mayor, Cr Murray Emerson the gavel and base that was presented to him at the start of his Mayoral term for 2020-21 as a personal keepsake, as a token of the esteem in which he is held and as a memento of his year in office. In addition to the gavel and base, a small token of gratitude was presented to Cr Emerson for his service to the shire.

5. Presentation of Petitions and Joint Letters

Nil

6. Disclosure of a Conflict of Interest at a Council Meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she-

(i) is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

(ii) intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice-

- advising of the conflict of interest;**
- explaining the nature of the conflict of interest; and**
- detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the-**
 - name of the other person**
 - nature of the relationship with that other person or the date on receipt, value and type of gift received from the other person; and**
 - nature of that other person's interest in the matter;**

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer.

The Councillor must, in either event, exclude themselves from the decision-making process, including any discussion or vote on the matter and any action in relation to the matter and leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

Members of Staff

A member of Council staff must disclose any conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for a Council meeting. They must immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining its nature.

The Chief Executive Officer, Mrs Liana Thompson, declared a general interest in Item 9.4.4, as the report relates to a CEO Employment and Remuneration Policy.

7. Informal Meetings of Councillors

[Liana Thompson, Chief Executive Officer]

Council's Governance Rules require that if there is a meeting of Councillors that-

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

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

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The records for the period since the last Council Meeting are listed below.

◆ Date	Meeting Description	◆ Matters Considered At The Informal Meeting:	Conflict Of Interest Disclosures		
22/11/2021	Sustainable Infrastructure Briefing	8.1. St Arnaud Structure Plan 8.2. General Local Law Review 8.3. Planning Application 5.2021.94.1 - Wild Horses Music Festival 8.4. Emergency Management Summer Preparation 8.5. Halls Gap Community Preparedness and Resilience Project 9.1. C7 2018/19 - Provision of Transfer Station Services - St Arnaud 9.2. C7 2021/22 - St Arnaud Tennis Club Renewal 9.3. C8 2021/22 - Stawell Grampians Gate Caravan Park Stage 2	Councillor/Officer	Item Number	Left Meeting?
			Nil	Nil	Nil
15/11/2021	Economic Growth Briefing	8.1. 10am Presentation - Rail Projects Victoria 8.2. Energy Transition Action Plan 8.3. Waste Action Plan - Projects Update 8.4. Stawell Transfer Station Lease Agreement 8.5. Domestic Wastewater Management Plan	Councillor/Officer	Item Number	Left Meeting?
			Nil	Nil	Nil
08/11/2021	Lifestyles and Community Briefing	7.1 Grants Funding Policy 7.2 OPAN and WDA Housing and Workforce Findings 7.3 11am Presentation - Wimmera Development Association 7.4 Quarterly Council Action Plan 2021-22 Report 7.5 CEO and Executive Update 8.1 Council Agenda Review	Councillor/Officer	Item Number	Left Meeting?
			Kevin Erwin	7.3	No
			Kevin Erwin	7.5	Yes

RESOLUTION

That the report on Informal Meetings of Councillors be approved.

Moved: Cr Tony Driscoll

Seconded: Cr Eddy Ostarcevic

Carried

8. Items Brought Forward

Nil

9. Consideration of Reports of Officers
9.1. Enhance Lifestyle and Community
Nil

9.2. Boost Economic Growth
Nil

9.3. Providing Sustainable Infrastructure

9.3.1. Planning Application 5.2021.94.1 - Wild Horses Music Festival

Author/Position: David George, Manager Community Safety and Amenity

Purpose

The purpose of this report is for Council to determine planning application 5.2021.94.1 for a temporary music festival.

Summary

Council must consider and decide on an application for a planning permit (Notice of Decision) for the Temporary Use and Development of land for Place of Assembly (Music Festival between Friday 25 to Sunday 27 March 2022, which includes Live Music and Entertainment, Camping, Food Vendors, Craft Stalls, Carparking, Creation of All-Weather Road, native vegetation removal) and associated works. Notice was given by council and five objections were received.

Recommendation

That Council

- a) **approves the Planning Permit Application No. 5.2021.94.1 to allow the Temporary Use and Development of land for Place of Assembly (Music Festival between Friday 25 to Sunday 27 March 2022, which includes Live Music and Entertainment, Camping, Food Vendors, Craft Stalls, Carparking, Creation of All-Weather Road, native vegetation removal) and associated works at 99 Torney Road, Carapooee West, which is also known as Lot 1 PS 505918L Parish of Carapooee West and 4799 Sunraysia Highway Carapooee West which is also known Crown Allotment 68B Section A Parish of Carapooee West, as submitted subject to conditions; and**
- b) **issues a Notice of Decision to grant a permit.**

RESOLUTION

That Council

- a) **approves the Planning Permit Application No. 5.2021.94.1 to allow the Temporary Use and Development of land for Place of Assembly (Music Festival between Friday 25 to Sunday 27 March 2022, which includes Live Music and Entertainment, Camping, Food Vendors, Craft Stalls, Carparking, Creation of All-Weather Road, native vegetation removal) and associated works at 99 Torney Road, Carapooee West, which is also known as Lot 1 PS 505918L Parish of Carapooee West and 4799 Sunraysia Highway Carapooee West which is also known Crown Allotment 68B Section A Parish of Carapooee West, as submitted subject to conditions with the inclusion of additional conditions:**
 - **increase the level of security to have a static presence at neighbouring driveways, in addition to the drive-bys**
 - **increase the level of litter collection and removal on adjoining neighbouring property with owner permission**
 - **the organisers to provide residents the opportunity to leave the festival at the organiser's expense; and**
- b) **issues a Notice of Decision to grant a permit.**

Moved: Cr Eddy Ostarcevic

Seconded: Cr Kevin Erwin

Carried

Cr Emerson called for a Division.

For the motion: Crs Ostarcevic, Erwin, Gready, Dempsey and Driscoll

Against the motion: Crs Emerson and Haswell

Background/Rationale

APPLICATION DETAILS:	
Applicant:	Y Bruck
Application Received:	27/09/2021
Proposal from Application:	Music festival and creation of a road and removal of native vegetation
Proposal for "The Permit Allows":	Temporary Use and Development of land for Place of Assembly (Music Festival between Friday 25 to Sunday 27 March 2022, which includes Live Music and Entertainment, Camping, Food Vendors, Craft Stalls, Carparking, Creation of All-Weather Road, native vegetation removal) and associated works.
Property Address:	99 Torney Road, Carapooee West and 4799 Sunraysia Highway, Carapooee West
Legal Description:	Lot 1 on Plan of Subdivision 505198L and Crown Allotment 68B Section A Parish of Carapooee West.
Land Area:	99 Torney Road, Carapooee West - 90.37 hectares and 4799 Sunraysia Highway, Carapooee West - 58.75 hectares.
Existing Use:	99 Torney Road - Vacant farmland 4799 Sunraysia Highway - Dwelling, associated works and vacant farmland
Zone:	Clause 35.07 Farming Zone (FZ) Schedule to Farming Zone
Adjoining Zones:	Clause 35.07 Farming Zone (FZ) to north and east Clause 36.03 Public Conservation and Resource Zone (PCRZ) to south and west
Overlays:	Clause 44.06 Bushfire Management Overlay (BMO)
Particular Provisions:	Clause 52.06 Car Parking Clause 52.17 Native Vegetation Clause 52.27 Licenced Premises Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road Clause 53.06 Live Music Entertainment Venues
Easements, Covenants or Restrictions:	R1 - Right of Way Easement - located in northern most part of property and does not affect the proposed event.
Permit Triggers:	Clause 35.07-1 Use associated with a Section 2 Use being Place of Assembly. Clause 35.07-4 Buildings and Works associated with a Section 2 Use being Place of Assembly. Clause 44.06-2 Buildings and Works in the Bushfire Management Overlay associated with Place of Assembly. Clause 52.17 Removal of native vegetation Clause 52.29 Alter access to Road Zone Category 1
Is the Site Potentially Contaminated?	No reason to suspect contamination.
Is the Land on the EPA Priority Sites Register?	No
Has the EPA recorded an environmental audit on the land?	No
Is the site in the Heritage Study?	No

Is the land in an area identified as Culturally Sensitive? Is the proposal low or high impact? Is a Cultural Heritage Management Plan (CHMP) required?	No However, the land is surrounded by the Kara Kara National Park which is subject to cultural sensitivity. The application details have been provided to Aboriginal Victoria, as well as Dja Dja Wurrung for their information.
Is the land within 500 metres of a quarry or stone extraction site?	No
Does the subject land have gas/transmission line/easement going through or encumbering the subject land?	Yes. Right of way easement located in the northern part of the property.

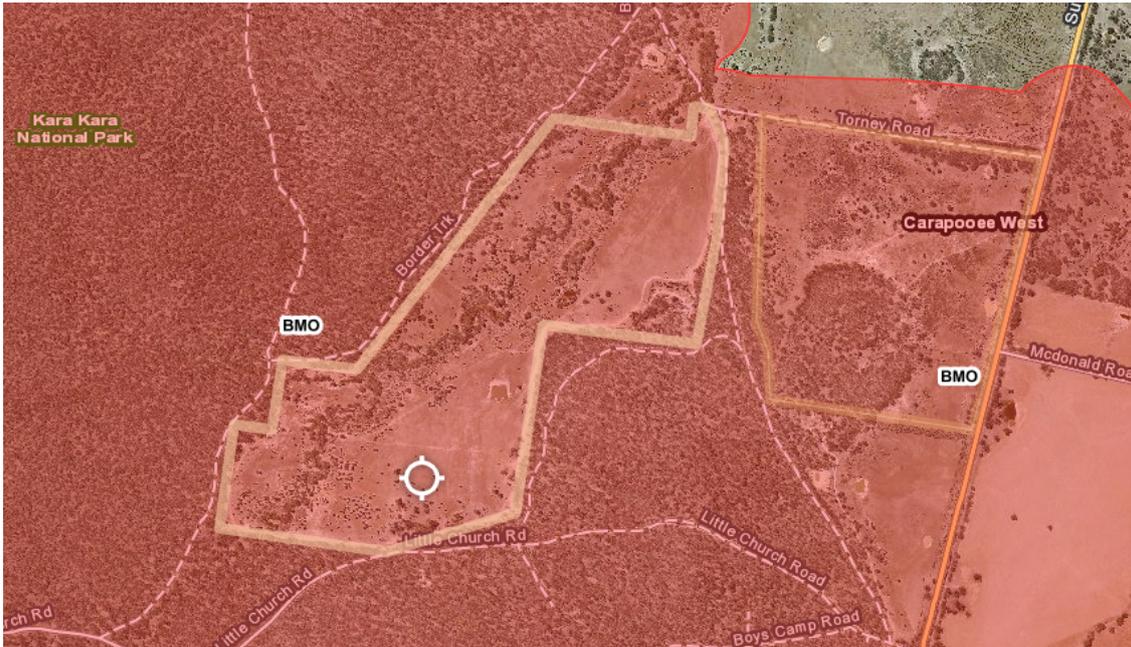
Locality Map



Aerial map outlining 99 Torney Road, Carapooee West (POZI GIS, July 2021)



Aerial map outlining 4799 Sunraysia Highway, Carapooee (POZI GIS, July 2021)



Overlay map of subject land (POZI GIS, July 2021)



Cultural sensitivity map of subject land (POZI GIS, July 2021)

Site History (Planning Permit History)

Planning Permit Number	Proposal Description	Permit Status
5.2016.89.1	Temporary Use and Development of Land for Place of Assembly for Music Festival (Camping and Electronic Music Festival between 10-14 March 2017, which includes live music and entertainment, sale of liquor and food, market stalls, camping, car parking, primary infrastructure) and associated works.	Issued
5.2017.63.1	Temporary Use and Development of Land for Place of Assembly for Music Festival (Camping and Electronic Music Festival between 23-26 February 2018, which includes live music and entertainment, sale of liquor and food, market stalls, camping, car parking, primary infrastructure) and associated works.	Issued

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5.2018.53.1	Temporary Use and Development of Land for Place of Assembly for Music Festival (Camping and Electronic Music Festival between 14-18 February 2019, which includes live music and entertainment, sale of liquor and food, market stalls, camping, car parking, primary infrastructure) and associated works.	Issued
5.2019.48.1	Temporary Use of Land for Place of Assembly being Music, Arts and Lifestyle Festival (Camping and Electronic Music Festival from Thursday 20 February – Monday 24 February 2020 which includes live music and entertainment, sale of liquor and food, market stalls, camping, car parking, primary infrastructure) and associated works.	Withdrawn

Comparison - Previous and Proposed Events

	Days Held	Number of Patrons	Number of Staff	Number of Stages	Hours of Music
2019 (previous)	5 days	7500	600	3 stages	Thurs-Fri 3pm - 1am Fri-Sat 12pm-5am Sat-Sun 10am-5am
2022 (proposed)	3 days	2000	250	3 stages, including 1 smaller non-amplified live music area	Fri-Sun 4pm-6pm

Proposal

Use and development of land for place of assembly (Music Festival between Friday 25 and Sunday 27 March 2022, which includes live Music and Entertainment, Camping, Food Vendors, Craft Stalls, Carparking, Creation of Road), Removal of Native Vegetation and associated works. The creation of a road is proposed to provide an alternative access road to the event in addition to Torney Road. The access road will be used for all patrons and event associated staff, while Torney Road will be solely used for emergency access.

Proposed Access Road

On the recommendation of the CFA, due to concerns over the width and capacity of Torney Road to accommodate traffic to and from the site, the proposal includes the construction of a new six metre access road through private property at 4799 Sunraysia Highway, Carapooee West (Crown Allotment 68B Section A Parish of Carapooee West) and an official agreement has been undertaken reflecting its provision and construction.

The proposed access road has been located along an old farming track route on the property. This route is partially clear closer to the exit onto Torney Road however, shrubs and eucalyptus regrowth exist along much of the route.

Details in relation to the access track include:

- Construction of a new approximate 830 metre long, six metre wide access track through private property.
- The road will be constructed of quartz gravel with a depth of 100mm and a shoulder of one metre on each side.
- The roadway will be cleared of vegetation and topsoil removed to create the access and cover with compacted gravel.
- Appropriate drainage will be placed along the roadway in the form of runoffs to limit stormwater eroding the access, with a general drainage condition included ensuring it is appropriately drained and to the satisfaction of council.
- The access will have a chamber of approximately four degrees each way.

- Some vegetation, generally shrubs under two metres in height, will require removal however this will be minimised. No trees will be removed. A vegetation offset will be required that meets state government regulations for vegetation removal. Refer to the discussion addressing Clause 52.17 later in this report.

Modification will be required to the proposed access alignment to ensure there is no impact on the DELWP pipe track located at the western boundary of the site (refer to further discussion in the referral section of this report).



Proposed amended access realignment through 4799 Sunraysia Highway



View of originally proposed track alignment

Event Details

The proposal is for a three day lifestyle, music and arts festival taking place on and accessed via private property. The event will cater for a maximum of 2,000 patrons, excluding 250 stakeholders/staff/vendors and other employed or voluntary staff.

Patrons generally arrive and camp for the duration of the event (there is no permission for pass-outs that allow a return to the site). Food and drink venues are available on-site enabling patrons to remain on-site for the entirety of the event.

Technical professionals are engaged for the production of the festival, with volunteers also providing a significant role in supporting a range of activities. The festival site is well established with infrastructure, such as road networks and various permanent structures, to support the delivery of the event. Festivals have previously been held at the site with success.

Set up will occur seven to ten days before the event and three to four days after the event is anticipated for the clean up and vacating of the site. Additional event details are outlined below:

- Two access points to the site, including via the existing Torney Road and a new access track constructed on private land which converges with Torney Road at its western end
- Entry processing gate, waiting bays and car park
- Friends waiting bays
- Helipad
- Camping area including 'glamping' area with amenities
- A separate crew camping area
- Site office and operations
- First aid area
- Three stages - main stage, smaller second stage and workshop and live stage (no amplification) situated at the southern end of the site.
- Artist, vendors and marketing area
- Emergency assembly areas
- Waste management compounds and portable lighting towers
- Exclusion zones for camping and access

Conditions of Entry

- 21 years of age and above.
- Double vaccination with proof of vaccinations, in addition to any further controls required by applicable state government COVID legislation at the time of the event.
- The event will be pre-ticketed and patrons will not be able to purchase tickets at the gate/event.
- No illicit substances will be permitted and will be controlled at the entry.
- Patrons are permitted to bring their own alcohol and food.
- No pass-outs will be permitted.

Please refer to attachment for further detailed information regarding the proposed festival and relevant management plan. **(Attachment 3.1.1)**

Support Letters

Several support letters have also been provided with the application from organisations that have worked with Wild Horses and the Stuart Mill Progress Association.

Letters were received from:

- Kellie Wollie - Events Manager, Lake Mountain Resort
- Stanley Dryden - Director of Dja Dja Warung People
- Asher Luber - Operations Manager and owner of The Timber Yard in Port Melbourne
- Sheryn Lloyd - Stuart Mill Progress Association Secretary

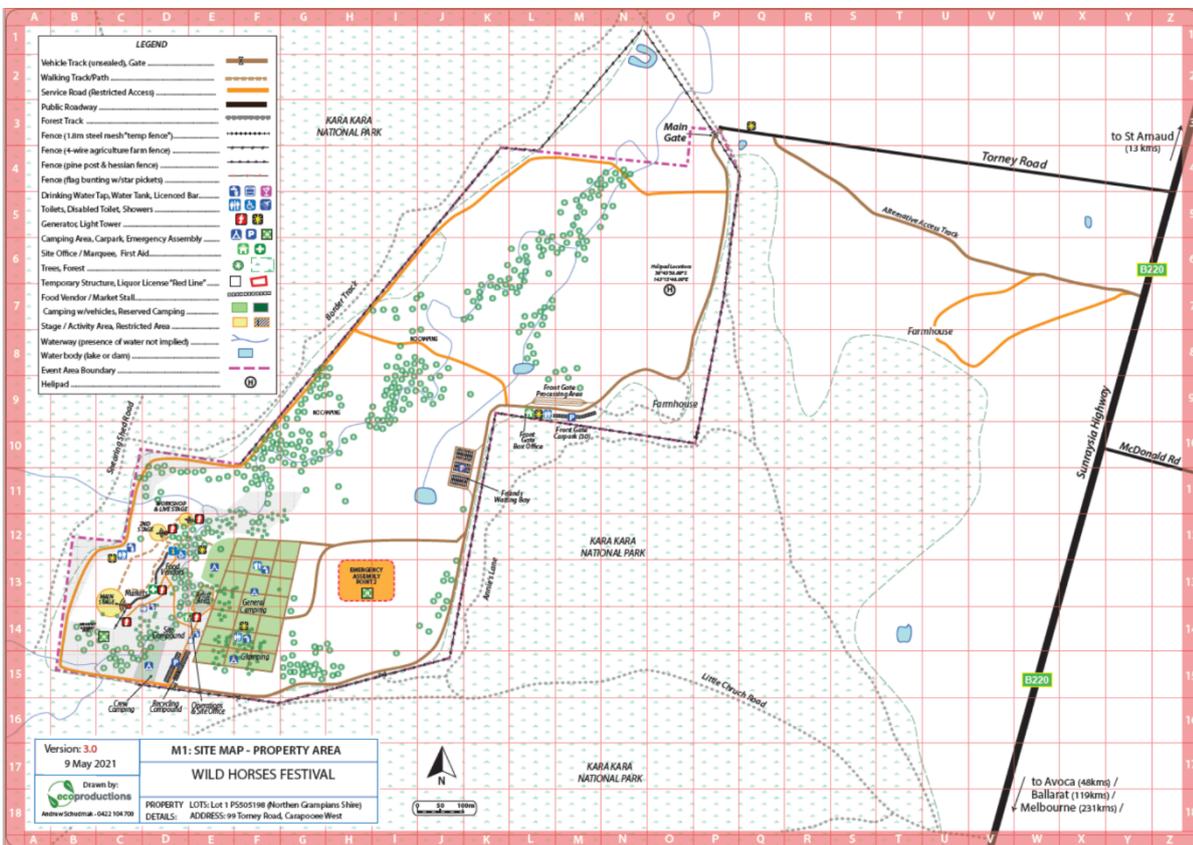
Subject Site:

The land over which the proposal is situated on is two separate land parcels as follows:

- 99 Torney Road, Carapooee West being Lot 1 PS 505198L Parish of Carapooee West
- 4799 Sunraysia Highway, Carapooee West being Crown Allotment 68B Section A Parish of Carapooee West

The land at 99 Torney Road is situated on the western side of the Sunraysia Highway, south of Torney Road, and is surrounded by the Kara Kara National Park on three boundaries. It is approximately 12km south of St Arnaud, 230km north/west of Melbourne. The land is privately owned and used for grazing purposes and not as high productive farmland. The land is undulated with an unnamed waterway running through it, with eucalypt trees along the waterway and ironbark trees at the south/western corner and western boundary, adjacent to the Kara Kara National Park.

The site at 4799 Sunraysia Highway will be used to provide access to the event through private land in response to CFA concern about Torney Road becoming congested if a dangerous weather event were to occur or in the case of emergency vehicle access being required.



Proposed overall site plan with the indicative alignment of access road originally proposed (brown)

Surrounds:

The subject site is the Farming Zone and the surrounding land is in the Farming Zone and Public Conservation and Recreation Zone.

The land to the north is generally flat. Kara Kara National Park extends for over 2km and is highly vegetated. Beyond the park is grazing farmland.

The land to the west gradually rises. Kara Kara National Park extends for over 2.8km and is highly vegetated. Further beyond the National Park land is used as open pasture/farmland.

The land to the south gradually falls with a slope averaging between 0-5 degrees. Kara Kara National Park and other public reserves extend to the south for over 18km.

The land to the east has small patches of undulating forest, woodland, and scrubland within open grazing land and comprises the Farming Zone. There is a dwelling immediately across the lot boundary to the east, close to the proposed entrance and another dwelling to the east around 400m from the subject site. The dwelling immediately across the lot boundary did not object to the proposal, and the other dwelling 400m to the east is on the land which is owned by the residents who are giving permission to the alternative access route.

Points of Note:

- Land in the area is predominantly rural.
- Access will be available from private land on an all-weather access track to be constructed purposefully for the event and allow for alternate access to the site for all vehicles. Emergency vehicles will have sole use of Torney Road.
- Reticulated sewerage and water are not available to the site, however, temporary facilities will be provided to service these requirements.
- Power is available to the site.
- Native Vegetation – some native vegetation (spreading wattle and grasses) will be removed to make way for the new access track. An offset plan is to be put in place to accommodate the vegetation lost.
- The layout of the site is designed to manage amenity implications both on and off the site.

Key Issues:

- Access to and from the site.
- Music and noise levels.
- Potential impact on the amenity of the area as a result of noise and traffic.
- Management of the event including adherence to proposed management plans.
- Management of site interfaces.

Overview and Economic Benefits

- This site has previously been used for music festivals for larger events and does not have a history of any major incidents which have caused detriment to the amenity of the area and the safety of the patrons. The referral response from Victoria Police has rendered no complaints of previous negative behaviour in the community resulting from past festivals.
- At a maximum capacity of 2,000 patrons, excluding stakeholders/vendors/staff, this event proposes a significant reduction in the number of patrons from previous events and hence potential associated impacts, which are nevertheless to be controlled as referenced in the various management plans.
- Ensuring safe access and egress is critical. The creation of an access track through private land in response to CFA concerns has been provided to address this, which also ensures access to the site for emergency services vehicles is unobstructed via Torney Road.
- Health considerations such as COVID are managed by the relevant and appropriate regulations and regulatory authorities.
- Section 4(2)(c) and (d) of the Act specifies within the objectives of the planning framework:
 - (c) to enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;
 - (d) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.
- Having regard to the economic benefits of the festival, in 2017 it was reported that Babylon Festival spent \$120,000 using local suppliers and contractors and estimated that \$60,000 was spent on goods, services and accommodation. In addition, \$9,000 was raised by Stuart Mill CFA (BBQ and rattle tins).

Wild Horses expressly indicates clear intention to similarly contribute to the local economy which will include sourcing and using local goods/produce/services/contractors and expenditure on local accommodation for event organisers. Therefore, there is a significant advantage in the festival occurring at this time, particularly exiting COVID restrictions and the significant financial and economic impact this has imposed on businesses, employees and employers. Such an event may also attract returning visitors following the festival which is a further advantage of the festival. As a result of a survey undertaken following the Babylon Festival in 2017 of St Arnaud businesses, 11 businesses randomly selected advised they would all like to see Babylon return in 2018, nine of the 11 experienced increased sales of between 20% and 40%.

Referral Authorities

Section 55(1) of the *Planning and Environment Act 1987* states that council must give a copy of an application to every person or body that the Planning Scheme specifies as a referral authority. Clause 66 of the Northern Grampians Planning Scheme requires such a planning permit application to be referred to the following referral authorities. Please refer to the attachment. **(Attachment 3.1.2.)**

Assessment of Planning Scheme Requirements

Zone, Overlay and Particular Provisions

Before deciding on an application, Council must consider the relevant provisions of the Planning Scheme, including the zone, overlay and particular provisions, which are shown in the Planning Scheme Requirements Assessment attached. **(Attachment 3.1.3.)**

Summary of Key Issues

Key Issues:

- Aboriginal Cultural Heritage
- Bushfire Management Overlay
- The purpose of the zone
- The potential for impact on the amenity of the area and waste management
- The on-site treatment and disposal of wastewater

Aboriginal Cultural Heritage

The land is not located within a culturally sensitive overlay. The planning department is satisfied that a Cultural Heritage Management Plan (CHMP) is not required.

Bushfire Management Overlay

The applicant prepared a Fire Management Plan which was referred to the CFA for determination. The CFA has no objection to the application, subject to conditions.

Purpose of the Zone

The proposal has no direct relationship with farming use. Nevertheless, the festival is a temporary event and will not have a detrimental impact on the future farming use of the land.

Potential Impact

Noise

Similar to the 2017, 2018 and 2019 festivals, the event is likely to have an impact on neighbouring properties from the live music. The application was referred to the EPA, which offered no objection subject to conditions. The applicant is however required to submit a detailed noise management plan to the EPA for consideration.

Car parking and traffic management

A traffic management plan has been prepared by the applicant and referred to council's Infrastructure department for comment. Refer to referral comments for advice from council's Infrastructure department.

Management Plans

The applicant/event organisers have provided a number of Management Plans for the proposal. After a number of meetings with key stakeholders and consultation between the applicant/event organisers and the relevant referral authorities, the plans are to the satisfaction of the responsible authorities. A condition on the permit will require that in the event any changes are made to the plans which warrant reconsideration by the responsible authority, then the plan will be referred at the time to ensure compliance.

On-site treatment and disposal of wastewater

The on-site treatment and disposal of wastewater has been considered within the Environmental Management Plan and will be disposed of off-site. All toilets, food vans and other facilities requiring disposal of wastewater will be required to store their waste in holding tanks and dispose of off-site.

Conclusion

The proposal meets the requirements of the Northern Grampians Planning Scheme subject to conditions.

This report represents the assessment of the application in accordance with the *Planning and Environment Act, 1987*.

The Planning department recommends that a Notice of Decision to Grant a Permit subject to appropriate conditions.

Refer to attachments for recommendation. **(Attachment 3.1.4.)**

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25

Northern Grampians Planning Scheme

Planning and Environment Act 1987

Options

Option 1

That Council issues a permit (Notice of Decision). **[recommended]**

Option 2

That Council issues a permit (Notice of Decision) with amendments. **[not recommended]**

Option 2

That Council defers consideration of the application. **[not recommended]**

Implications

Any relevant sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

Nil

Community Engagement

Notice was given of the application pursuant to Section 52 of the *Planning and Environment Act 1987* by:

Notice Type	Date of Notice	Period Ended
Mail to immediate and adjoining owners and occupiers	18/10/2021	5/11/2021
Advertisement in the North Central News	20/10/2021	5/11/2021
Customer Service Offices St Arnaud	19/10/2021	5/11/2021

As a result of the public notice, five objections were received.

Submissions/Grounds of Objection:

- Fire Hazard at the time of year proposed
- Timing of event given the COVID pandemic and capacity of the local area to accommodate infected persons if the virus spreads
- Amenity impacts on Kara Kara National Park
- Excessive noise levels
- Lack of economic benefit
- Liability on adjacent landowners if patrons get onto their land and are injured
- Security concerns of patrons trespassing
- Inappropriate location for the festival
- Illicit drug taking/substance abuse and risk of harm to human health
- Inadequate access to the site
- Potential for damage to adjacent properties
- Potential impact on native flora and fauna
- Management of pollution from the site (air, noise, dust)

Response to Submissions/Objections

The above submissions/objections have been considered by the applicant with their responses outlined below.

1. Fire Risk

Applicant Response:

The organisers had several meetings with the CFA and council on-site to ensure CFA requirements for a two-lane entry/exit road to the site are acceptable. A local company has been contracted to construct an access road to and out of the property. This will give CFA full access from Torney Road during the event for any fire emergency situation that may happen.

Council Response:

- The organisers have worked closely with the CFA throughout the year in preparing their Fire Management Plan. The CFA has not objected to the application, subject to a number of conditions.
- The main concern of the CFA and Planning department was the use of Torney Road in case of an emergency, as it is a one-way all-weather road, with very few opportunities available for passing traffic. As a result, the applicant and CFA have devised a plan for a separate entry/egress through private land including a six metre all-weather access track that will re-join Torney Road near the main site entry.
- The event will not be operating should it be a Code Red Day.

2. Health concerns

Applicant Response:

The organisers will follow the Victorian Government and DHHS requirements for public outdoor events which currently require proof of vaccination on entry. The event organisers will be required to comply with any relevant health and COVID legislation applicable at the time of the event.

Council Response:

Health matters are covered by DHHS regulations and the applicant will be required to adhere to COVID, DHHS and any other applicable regulations for a Major Event.

3. Trespassing

Applicant Response:

The event organisers are aware of the concerns of some neighbouring residents for trespassing and the following will be in place during the event:

- Security will be on alert and will include patrols every half hour along the fence lines of the neighbouring properties.

- Twenty-four Hour Resident Hotline - Local residents will have a hotline available throughout the duration of the event which they can call for any trespassing related issues. The event control centre will respond to any issues if they arise.
- Crowd demographic age is predominantly 27 years of age and above. The organisers propose to restrict entry to patrons 21 years old and above.

Council Response:

The above actions are considered to adequately respond to the need to protect the amenity of adjacent landowners and ensure the use and development reflect good orderly planning. The actions are reflected in the relevant management plans.

4. Economic Benefit

Applicant Response:

The local Stuart Mill community will have a free from charge bbq food stall on-site and will be the only stall that will be allowed to sell ice to patrons. All of their income will be going to the local CFA and will assist them with future purchases/expenses.

The festival organisers propose to contract local businesses/contractors/farmers to supply services before and during the event including constructing the access road, cutting grass before the event, supplying drinking water, portable toilets, dust suppression during the event, temporary fencing, bookings of hotel rooms for artists during the event amongst other services and goods to be engaged and purchased.

The organisers will encourage patrons to buy from local St Arnaud and/or Stuart Mill shops through social media and the website to raise patron's awareness.

Council Response:

Contributing to the local economy aligns with State Planning and Environment Act objective 4A (c) *to enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels*. Events such as these contribute to local economic investment that will continue to provide ongoing investment in the region including generation of employment.

5. Noise

Applicant Response:

The organisers are aware of resident concerns regarding noise and have made some adjustments in comparison to the previous festival that took place on the property which includes:

- Reducing the number of stages from five to three (with one stage not being amplified).
- Directing sound/stages towards the Kara Kara National Park instead of Torney Road, which will reduce significantly the potential for noise impact on surrounding residents.
- Reducing noise decibels during the hours of 5am and 10am Sunday morning.
- Maximum of 2,000 patrons compared to 6,000 in previous years. As a result, sound systems have been reduced which will consequently result in reducing noise impacts.
- The applicants' acoustic consultant recommends the following at critical times to reduce the impact to a barely noticeable level at all dwellings.
- Reduce music levels by approximately 15 decibels. This is the same as the existing ambient noise level, except under unusually still and quiet conditions. At this level, it is likely that music will not be the dominant noise source. These levels will be reduced between 4am and 10am Sunday morning. These controls should ensure that any music does not cause unreasonable sleep disturbance at dwellings, noting the applicant has also agreed to offer surrounding residents/objector's opportunity to stay in alternative accommodation for the period of the event at the cost of the even operator.

Council Response:

Noise management is a key issue and can be appropriately managed by conditions on the permit. Processes for ensuring compliance with noise limits are outlined in the management plans, which includes actions to be undertaken by authorities in response to complaints should they arise, to ensure compliance.

6. Use of Drugs

Applicant Response:

Any use of illegal drugs will be prohibited, which will be enforced by security with the full cooperation of police should an incident arise.

Council Response:

Whilst not a planning issue, such a stance is embodied in orderly planning and implementation of good management contributing to the effective operation of an event of this nature.

7. Rubbish

Applicant Response:

Local residents will have a hotline available for the duration of the event for any rubbish related issues near their property. Event operations will respond within 30 minutes and remove any rubbish. Mesh will also be installed along the borders of the property and attached to boundary fencing to be installed, in order to prevent any rubbish flow to the national park or surrounding area.

Council Response:

Conditions are proposed to require appropriate perimeter fencing and/or other barriers to prevent and minimise the opportunity for rubbish to enter neighbouring properties. A Waste Management Plan has been submitted which will be approved as part of any permit issued. Parks Victoria has also suggested conditions protecting the amenity of the National Park through appropriate fencing.

Applicants Concluding Statements

- The organisers acknowledge the rights and concerns that the surrounding residents have raised and take them very seriously.
- The organisers are very confident in their ability to create a safe event while minimising the impact on the surrounding residents.
- The organisers hope that all local residents will be able to benefit from the event financially and culturally.
- The organisers will provide free entry to the event to all local residents within a 30km radius of the property and wish for as many local residents as possible to attend.

Innovation and Continuous Improvement

The proposal contributes to the improvement of the local economy by encouraging tourism and attracting people to regularly visit the area and supporting local goods and services providers.

Collaboration

Collaboration and consultation have occurred with numerous statutory bodies and organisations as outlined in the detailed assessment.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

David George, Manager Community Safety and Amenity

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Wild Horses Music Festival Conditions and Management Plan [9.3.1.1 - 4 pages]
2. Referral Authorities [9.3.1.2 - 3 pages]
3. Planning Scheme Requirements Assessment [9.3.1.3 - 16 pages]
4. Recommendation [9.3.1.4 - 8 pages]

Wild Horses Music Festival Conditions and Management Plan

Stages

Three temporary stages will be erected for the festival including one main stage, a secondary smaller stage and a further smaller stage/workshop area. The stages must meet the building regulations and will be directed towards the Kara Kara National Park to minimise noise emissions towards the nearest residential properties. The applicant will reduce stage use and music amplification in the early morning hours (refer to additional comments later in this report). The third stage is provided to create a space for live music which is not amplified.

Commercial Arrangements

The applicant advises that there will be a range of quality food offerings to cater for dietary requirements of patrons. Local suppliers will be offered the opportunity to provide their supplies for stallholders, as the applicant prefers to source their produce locally. The designated market areas will include food/drink stalls and clothing/accessory stalls. All outlets are required to comply with relevant Council Health regulations such as lodging Statements of Trade (SOTs) and registering their premises.

Communications

The applicant will operate a hotline service during the festival. Patrons will be advised in advance of limited mobile phone coverage in the area. Telecommunications companies will be approached to provide mobile wi-fi coverage for the event, noting there is access to 3G and 4G in locations adjacent to the site. The operators will also hold satellite phones and 2-way devices to effectively communicate. There will also be a resident hotline/emergency number during the event to deal with any local amenity issues such as noise, traffic, dust, lights etc.

Event information will be forwarded to all key stakeholders and essential services.



Area specific location of music festival event within subject site

Risk Framework and Management Plans

The applicant has provided the following Management Plans. In the event that any of the management plans are amended, they will be referred back to the relevant authority for comment/review if deemed necessary by Council.

- **Event Risk Register** prepared by Crowdcare and event organisers
A comprehensive ERR has been prepared to support detailed management plans. The ERR identified risks and ratings of those risks against every function in the event. It also allocates persons responsible for managing the risks. It is a live document that can be updated to reflect changing conditions.
- **Traffic Management-Plan** prepared by GAME Traffic and Contracting
The objectives of this Traffic Management Plan (TMP) are to:
 - Provide a safe environment for the travelling public and construction personnel.
 - Cater for the needs of all traffic, including pedestrians.
 - Communicate the purpose of the proposed traffic management.
 - Communicate the arrangements for and impacts of any event affecting traffic.



Proposed TMP (to be modified to change junction point with Torney Rd)

COVIDSafe Event Plan prepared by event organisers

It is understood that it is mandatory for every Victorian business with on-site operations to have a COVIDSafe Plan. This plan will need to be updated just prior to the event taking place, if necessary, in accordance with legislation at the time.

Security Management Plan prepared by NSA Security

The Security Management Plan addresses core command structures and responsibility for security coordination and management. Groups, roles and tasks are outlined for each member of the security organisation to provide clear division of operational scope. Security policy measures have been developed as security controls, to coordinate operational duties, strategies and requirements. Security Policies articulate the objectives of specific security strategy and introduces standard procedures to effectively implement these initiatives.

Safety and Emergency Management Plan prepared by event organisers

The aim of this document is to detail the agreed plans to be utilized in initiating and managing all responses to emergency incidents which might occur during the conduct of the music festival taking place.

The three main objectives of this plan are to:

1. Develop and apply appropriate strategies/actions to reduce/prevent emergency incidents from occurring.
2. Apply appropriate measures to minimize actual or potential impact/effects of an emergency incident (should one occur).
3. Effectively manage timely responses to an emergency incident including the provision of appropriate resources.

Medical Operations Plan prepared by Medical Edge Australia

The First Aid and Medical Operations Plan provides information, guidance and a coordinated response for first aid and medical operations. Medical Edge Australia aims to minimise impact on local health and emergency medical services through clinically appropriate referral to such services. Given the nature of the event and its participants it is predicted that there may be some requirement for local health and emergency medical services throughout the event. Wild Horses Festival has been assessed as a moderate risk and moderate workload event.

First aid and paramedic staff will be equipped to manage incidents in accordance with relevant first aid, medical guidelines and clinical protocols. A registered Paramedic and team of first aid staff will be on site to manage any medical presentations. Medical Edge Australia aims to provide a timely and coordinated response to all incidents within the event area requiring first aid or medical assistance. Cases will be advised to the on-site team through the event operations centre.

Fire Management Plan prepared by Event Fire Safety

The aim of the plan is to identify possible scenarios that could reasonably be classified as fire incidents and to develop a response procedure that will allow the event organisers to respond to any occurrence in a safe and orderly manner. The plan will also minimise risk levels by identifying possible hazards or scenarios and putting in place methods or processes for managing and resolving any potential fire incidents.

The broad objectives of this plan are:

- To identify hazards and scenarios that could occur and to provide advice and guidelines for managing fire incidents.
- To implement measures to prevent or reduce the causes and effects of fire incidents.
- To appropriately respond to fire incidents as they occur.
- To assist employees and patrons to recovery from any emergency situation.

Weather-Management Plan prepared by Crowdcare

The aim of the plan is to identify possible scenarios that could reasonably be determined as emergency situations and to develop a plan that will allow the event organisers to manage emergency event situations in a safe and orderly manner. The plan will also minimise risk levels by identifying possible hazards or scenarios and putting in place methods or processes for managing the emergency event. Key weather

events relate to high wind, extreme temperatures and heavy precipitation. Weather predictions will be monitored in the week prior to the event and during the event. Wind, temperature, and rainfall will be monitored on both Saturday and Sunday, at Event Headquarters via the Bureau of Meteorology website under the direction of the Emergency Management Coordinator.

Waste Management Plan prepared by event organisers

To assist in minimising the impact on the environment and the lands surrounding the festival site, a comprehensive Waste Management Plan has been prepared. This plan will be implemented and adhered to during all stages of the festival operation including set up, festival duration and following the event. Best practice in waste management and waste reduction has been adopted in the process of developing this plan.

Noise Management Plan prepared by Noise Consulting Management Pty Ltd

- This Plan outlines a series of actions which will be implemented to minimise the impact of noise on residences during the event and ensure that the venue complies with the Environmental Protection Regulations. These are summarised below:
- A complaints hotline will be established for the duration of the event.
- A notice informing residents (within 3000 metres) of the event and the hotline number to be sent out to these residents at least 14 days prior to the event.
- The sound systems will have a limiter/compressor installed.
- A sound check will be performed prior to the event commencing. During the sound check, appropriate music levels will be set at each of the stages to ensure they are at appropriate levels.
- A qualified acoustic consultant will frequently monitor throughout the entire event the pre-determined noise sensitive locations and any additional locations that may become necessary to monitor dependent on conditions and in the event complaints encountered.
- The consultants will be in two-way radio and mobile phone contact with the production manager, sound engineers, event organiser, and hotline staff throughout the event.
- The production manager and sound engineers have been briefed on the importance of reducing music levels as requested by the acoustic consultant.
- Procedures have been implemented to allow for a quick reduction of the music levels of all stages if required. The production manager will ensure that sound engineers reduce music levels when instructed.

Native Vegetation Removal Plan prepared by Central Highlands Environmental Consultancy Pty Ltd.

A condition showing the realigned track will also require updating of the NVR accordingly, which is to be addressed by permit condition.

The below outlines advice received in response to the original track location:

- Native Vegetation removal is required to create a new 6m wide access track. CFA have required this alternate access point as part of safety and evacuation requirements to host the Music Festival.
- Although a Clearing Permit was previously held by the Landholder, this permit expired in 2007 (Northern Grampians Shire Pers. Comm.). Therefore, Council has instructed that an Offset will be required to clear the native vegetation along the proposed new access route for the Music festival.
- This report identifies the native vegetation to be removed as **0.424ha**.
- Native vegetation to be removed includes understorey shrubs, grasses and herbs; no trees to be removed.
- Location of new access track was located to also avoid any Tree Protection Zones that were close to the proposed route that could result in consequential loss
- The report includes an Offset Statement identifying the offset requirement in the event the permit is issued. The native vegetation offset equals 0.103 general habitat units with a strategic biodiversity value of 0.329.

Referral Authorities

Section 55 to Servicing Authorities	Date Sent	Response Received
CFA	20/10/2021	No objection subject to conditions.
Department of Transport	20/10/2021	No objection subject to conditions.

Section 52 to Authorities (For comment)	Date Sent	Advice Received
GWM Water	20/10/2021	No objection.
North Central CMA	20/10/2021	<p>No objection. The following advice provided:</p> <p>Flood levels for the 1% AEP probability (100 year ARI) have not been determined for this area under the Water Act 1989. However, information available at North Central CMA indicates that in the event of a 1% AEP flood event it is likely that the property will be subject to inundation. Please note - the waterway that traverses the property is a waterway gazetted by the North Central CMA to be a designated waterway under the Water Act 1989.</p> <p>Any works in, on or over designated waterways such as a modified or temporary access crossing of the waterway will require a Works on Waterway Permit under By-Law No 2014/01 Waterways Protection from the North Central CMA prior to any works commencing.</p>
DELWP	20/10/2021	Requested further information because the submitted plans show inconsistent locations of the proposed alternative access route. There was also a concern that the location of access route would impact a pipe track on the title. A condition is being placed which requests updated plans to consistently show relocated track that does not impact pipe track.
EPA	20/10/2021	<p>EPA does not object, however, provides the following comments for Council's consideration:</p> <p>In this instance, EPA notes that the application proposes to operate the Music Festival on:</p> <ul style="list-style-type: none"> • 4:00pm Fri 25 Mar – 04:00am Sat 26 Mar • 10:00am Sat 26 Mar – 06:00pm Sun 27 Mar <p>Given that the hours of the festival are outside the standard operating hours set out in the Regulations, the proposal is likely to be a prescribed activity L05 requiring a permission (permit) from EPA.</p>

		<p>EPA recommends the following:</p> <ol style="list-style-type: none"> 1. This permit is not an EPA permission / approval. Before the use or development authorised under this permit starts, the permit holder must ensure that any obligations or duties that arise under the Environment Protection Act 2017 are met. This may include obtaining an EPA Page 3 permission, approval or exemption, in accordance with the Environment Protection Regulations 2021. 2. The amended Environment Protection Act 2017 came into effect on 1 July 2021. 2. The amended Environment Protection Act 2017 imposes new duties on individuals and/or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.
Victoria Police	20/10/2021	<p>No objection. A summary of comments is outlined below:</p> <p>Victoria Police are satisfied that the event will meet COVID capacity limitations, however, the COVIDSafe Plan needs to address how organisers will ensure all attendees (staff and patrons) are vaccinated.</p> <p>It is recommended that the Emergency Management Team (EMT) is formed earlier rather than during the actual event, and that the first EMT meeting is held in December, followed by fortnightly meetings which are minuted with actions assigned and documented to ensure progress.</p> <p>The EMT should clarify whether music will be "24/7 throughout" otherwise Victoria Police has concerns for patrons and staff's safety if breaks are not taken.</p> <p>All matters raised by Victoria Police have been addressed throughout this report.</p>
SES	20/10/2021	<p>No objection. Requests that the Weather Plan to be amended to take this into consideration the localised flash flood risk. It is recommended that if flooding occurs, that people should shelter in a place if safe to do so. Localised floodwater will rise quickly and will be powerful. People should move away from waterways. No driving through floodwater. If flooding occurs it will be very fast event, will recede quickly.</p>
Ambulance Victoria	20/10/2021	<p>No objection. Requires Helipad Co-ordinates.</p> <p>Recommendation for a dedicated AV recourse on site with a Health Commander.</p>
Dja Dja Wurrung	20/10/2021	<p>No requirement for CHMP.</p> <p>Suggested that the organisers engage a DJAARA staff member to oversee any ground disturbing activities that may take place during preparation for the festival and an invitation to provide a welcoming ceremony. This suggestion has been forwarded onto the applicant.</p>
Parks Victoria	20/10/2021	<p>No objection subject to conditions.</p>

St Arnaud Hospital – Health Services	20/10/2021	No response.
Aboriginal Victoria	20/10/2021	No response.

Internal Business Unit (Comment)	Date Sent	Date Received
Building	20/10/2021	No objection. Application for a POPE (Place of Public Entertainment) is required.
Infrastructure	20/10/2021	No objection; conditions recommended.
Environmental Health	20/10/2021	No objection. Recommended permit notes/conditions from previous music festival permits on the land, as well as ensuring that the COVIDSafe Plan is updated prior to the event.
Economic Development	20/10/2021	Referral noted.
Local Laws	20/10/2021	Referral noted.

DELWP

Given the applicants intent to amend the proposed access design, the native vegetation removal report provided will no longer reflect the proposal being assessed.

Conditions on approval will address this and will require an updated report and assessment.

DELWP requests that Council obtain the following information to ensure Crown land is not impacted upon and that the full and accurate native vegetation impacts are assessed and offset in accordance with the Guidelines. Once obtained, the information should be provided to DELWP for review and / or comment. The information should include:

- An updated design/plan for the full length of the proposed accessway, including correct title dimension, pipeline track (as shown on title), abutting property in different ownership and the abutting road reserves
- An updated biodiversity / native vegetation assessment in accordance with the Guidelines.
- A statement from the applicant (including access plans or reference details of updated access plans) confirming the proposal (use, new access and buildings / works) will not impact upon Crown land ('Pipe track' on title) or native vegetation within Crown land (this would exclude any native vegetation assessed within the abutting made road reserves).

The above has been addressed by conditions/notes proposed to be included on the permit.

Planning Scheme Requirements Assessment

Statement of Permissibility

Zone	Comment
Clause 35.07 Farming Zone	A planning permit is required for the use and development of a Place of Assembly.
Overlays	
Clause 44.06 Bushfire Management Overlay	A permit is required for buildings and works associated with a Place of Assembly.
Particular Provisions	
Clause 52.06 Car Parking	Has been considered in this report.
Clause 52.17 Native Vegetation	Has been considered in this report
Clause 52.27 Licenced Premises	Not applicable as a limited license does not require planning approval, albeit the applicant advises alcohol will not be sold.
Clause 52.29 Land Adjacent to a Road Zone Category 1	Has been considered in this report.
Clause 53.06 Live Music and Entertainment Noise	Has been considered in this report.

Planning Policy Framework

Pursuant to the *Planning Policy Framework*, and of relevant to this application, Council has considered relevant clauses and objectives please refer attachment. **(Attachment #)**

11 SETTLEMENT

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

11.01-1R Settlement - Wimmera Southern Mallee

Support the ongoing growth and development of Edenhope, Hopetoun, Nhill, St Arnaud, Stawell and Warracknabeal as the key service hubs in their sub-regional communities of interest.

12 ENVIRONMENTAL AND LANDSCAPE VALUES

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, the National Strategy for the Conservation of Australia's Biological Diversity, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

<p>Clause 12.01 BIODIVERSITY Clause 12.01-1S Protection of Biodiversity <u>Objective</u> To assist the protection and conservation of Victoria's biodiversity.</p>
<p>Planning Department Response: With conditions proposed, the proposed use and development is not considered will result in impact on the adjoining Kara Kara National Park. Such impact that could occur is: - pedestrians/rubbish in the park, impacting on flora/fauna - noise having a possible impact on the wildlife. The application was referred to Parks Victoria and DELWP whereby no objection was received, subject to conditions, mainly relating to waste in and around the National Park and access within the Park.</p>
<p>Clause 12.01-2S NATIVE VEGETATION MANAGMENT <u>Objective</u> To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.</p>
<p>Clause 12.03 WATER BODIES AND WETLANDS <u>Objective</u> To protect and enhance river corridors, waterways, lakes and wetlands.</p>
<p>Planning Department Response: Due to a waterway running through the subject land, the application was referred to the North Central Catchment Management Authority, which offered no objection subject to conditions.</p>
<p>Clause 12.05 SIGNIFICANT ENVIRONMENTS AND LANDSCAPES Clause 12.05-1S ENVIRONMENTALLY SENSITIVE AREAS <u>Objective</u> To protect and conserve environmentally sensitive areas</p>
<p>13 ENVIRONMENTAL RISKS AND AMENITY Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach. Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts. Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society. Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes. Planning should prepare for and respond to the impacts of climate change.</p>
<p>Clause 13.02 BUSHFIRE Clause 13.02-1S BUSHFIRE PLANNING <u>Objective</u> To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. <u>Strategies</u> Protection of human life Give priority to the protection of human life by:</p> <ul style="list-style-type: none"> • Prioritising the protection of human life over all other policy considerations.

- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

Planning Department Response:

The application was referred to the CFA for comment, which offered no objection, subject to conditions.

Clause 13.03 FLOODPLAINS

Clause 13.03-1S FLOODPLAIN MANAGEMENT

Objective

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

Planning Department Response:

Due to a waterway running through the subject land, the application was referred to the North Central Catchment Management Authority, which offered no objection subject to conditions.

Clause 13.05 NOISE

Clause 13.05-1S NOISE ABATEMENT

Objective

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

Planning Department Response:

Matters surrounding the impacts of noise have been outlined in detail in the report.
The application was referred to the EPA for comment, which offered no objection, subject to conditions.

Clause 13.06 AIR QUALITY

CLAUSE 13.06-1S AIR QUALITY MANAGEMENT

Objective

To assist the protection and improvement of air quality.

Clause 13.07 AMENITY AN SAFETY

Clause 13.07-1S LAND USE COMPATIBILITY

Objective

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Strategies

Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:

- Directing land uses to appropriate locations.
- Using a range of building design, urban design, operational and land use separation measures.

14 NATURAL RESOURCE MANAGEMENT

Planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.

Planning should ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.

Clause 14.01 AGRICULTURE

Clause 14.01-1S PROTECTION OF AGRICULTURAL LAND

Objective

To protect the state’s agricultural base by preserving productive farmland.

Planning Department Response:

After considering this objective, the planning department believes that the proposed use and development is not likely to have an impact on the agricultural resources or productivity in the area.

The subject land is rarely used for grazing, and it is not high productive farm land.

The proposal will not have an impact on adjoining or adjacent farm land.

Clause 14.02 WATER

Clause 14.02-1S CATCHMENT PLANNING AND MANAGEMENT

Objective

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

Planning Department Response:

As stated earlier, there is a waterway that runs through the middle of the subject land, which is a tributary of the Avoca River. The waterway is an unnamed waterway.

The application was referred to the local catchment management authority which offered no objection to the proposal.

Relevant conditions apply to the proposed use and development in regards to waste, effluent and greywater.

Clause 14.02-2S WATER QUALITY

Objective

To protect water quality.

Planning Department Response:

Refer to comments above.

15 BUILT ENVIRONMENT AND HERITAGE

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.

Planning should promote excellence in the built environment and create places that:

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.

<p>Clause 15.03 HERITAGE Clause 15.03-1S HERITAGE CONSERVATION <u>Objective</u> To ensure the conservation of places of heritage significance.</p>
<p>Planning Department Response: The Kara Kara National Park adjoins the subject land on three boundaries. There are no other places of heritage significance. The application was referred to Aboriginal Victoria and Dja Dja Wurrung for comment. Dja Dja Warung has advised no objection.</p>
<p>Clause 17 ECONOMIC DEVELOPMENT Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity. Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.</p>
<p>Clause 17.01-1R DIVERSIFIED ECONOMY – WIMMERA SOUTHERN MALLEE <u>Strategies</u> Capitalise on economic development opportunities through building on the region’s assets, particularly agriculture, energy, mining and tourism. Facilitate the use of secure water supplies to develop the region’s economy</p>
<p>Planning Department Response: Previous festivals have put St Arnaud (Carapooee West) on the map, and it appears that a majority of the local community and businesses welcome those travelling through. The proposal attracts visitors to the region and promotes Northern Grampians Shire as a tourist destination offering a diversified event in addition to the existing events and tourist opportunities within the municipality.</p>
<p>Clause 17.01 EMPLOYMENT Clause 17.01-1S DIVERSIFIED ECONOMY <u>Objective</u> To strengthen and diversify the economy.</p>
<p>Clause 17.02 COMMERCIAL Clause 17.02-1S BUSINESS <u>Objective</u> To encourage development that meets the community’s needs for retail, entertainment, office and other commercial services.</p>
<p>Planning Department Response: Wild Horses Music Festival will provide an opportunity for patrons, volunteers, contractors, organisers to use local suppliers and services. In previous years, the organisers/applicant used local contractors, purchased food, fuel, ice, lighting and other goods and services in order to have the event function successfully. The Stuart Mill community also benefits through fundraising and the local auxiliary providing services.</p>
<p>Clause 17.04 TOURISM</p>

Clause 17.04-1S FACILITATING TOURISMObjective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Clause 17.04-1R TOURISM – WIMMERA SUTHERN MALLEEStrategies

Support a diverse range of tourism development on private land, particularly in designated locations where the development will:

- Have access to settlements, transport infrastructure and other services.
- Be compatible with environmental and cultural assets and values.
- Link with nearby environmental assets.
- Not be exposed to unacceptable bushfire hazards.
- Operate in conjunction with agricultural activities and be located away from intensive agriculture and mining.

Avoid residential growth in areas where tourism developments should be given priority to support the local economy.

Facilitate further development of tourism related to the wine industry at Great Western.

Facilitate further development of nature-based tourism around key attractions such as the Grampians National Park, Little Desert National Park, major lakes and cultural heritage sites.

Support the development of Halls Gap as a resort town and tourism focal point for the region.

Facilitate the economic opportunities presented by the region's wetlands and lakes to encourage more tourism.

Planning Department Response:

The proposed use and development is definitely considered diversified in this area.

It supports the economy and brings people to the area where they have access to transport, infrastructure, local services and produce.

However, one of the strategies that this application does not comply with is where it states "not be exposed to unacceptable bushfire hazards".

The application was referred to the CFA, which offered no objection, subject to conditions, and subject to the Management Plans.

Clause 18 TRANSPORT

Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

Clause 18.02-4S CAR PARKINGObjective

To ensure an adequate supply of car parking that is appropriately designed and located.

Planning Department Response:

Carparking has been considered later in the report.

There is adequate room on the site to meet the carparking requirements.

Clause 19 INFRASTRUCTURE

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

Clause 19.03-5S WASTE AND RESOURCE RECOVERY

Objective

To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

Planning Department Response:

Waste will be managed in accordance with the Waste Management Plan. Skips and bins will be emptied as required and removed from the site by the end of the event.

Council Plan 2017-2021 - Enhance Lifestyles and Community and Boost Economic Growth

The following Council Plan strategies are applicable to planning and have been considered in this application as far as they are applicable.

ZONE

Clause 35.07 Farming Zone

Clause 35.07-1 Table of Uses – Section 2 Use

A permit is required for the use and development of a Place of Assembly in accordance with the Farming Zone.

The purpose of the Farming Zone:

Purpose	Comments
To implement the Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	The proposed Place of Assembly has been considered against the Planning and Local Planning Policy Frameworks.
To provide for the use of land for agriculture.	The subject land has been used for grazing purposes only, not cropping. It is not high productive farmland.
To encourage the retention of productive agricultural land.	The land is not high productive farmland. Nevertheless, the proposal is for a temporary use, retaining the opportunity for future use for productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.	The application is not for a dwelling. The proposed place of assembly is not considered to adversely affect the use of land for agriculture, including having regard to its temporary nature and limited portion of the site to be used.
To encourage the retention of employment and population to support rural communities.	It is proposed to use local services and providers for the event, which supports local communities.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.	Not applicable as the proposal is for place of assembly and a limited and temporary event.

Clause 35.07-4 Buildings and works

A permit is required to construct or carry out buildings or works associated with a Section 2 Use.

The application has been assessed against the Decision Guidelines of Clause 35.07-6 below.

Clause 35.07-6 Decision Guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Decision Guidelines	Comments
General Issues	
The Municipal Planning Strategy and the Planning Policy Framework.	The relevant policies have been considered. Refer to previous sections.
Any Regional Catchment Strategy and associated plan applying to the land	The application was referred to the North Central Catchment Management Authority and GWM Water, both of which did not object to the proposal.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The subject land will be managed in accordance with the relevant management plans that have been supplied with the application. The subject land is large enough to cater for the size of the event, including car parking and camping, and utilises a limited section of the site. Access to and from the site must be in accordance with the Traffic Management Plan and Event Management Plan.
How the use or development relates to sustainable land management.	Not applicable given a permanent use is not proposed.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	Any and all potential amenity impacts on neighbours have been considered and addressed in the various management plans provided and to be approved as part of any permit issued. The subject land is zoned Farming Zone, with Farming Zone land nearby.

	Whilst the area is not high productive farmland, there is a mixture of farming and rural living type use and developments in the area.
How the use and development makes use of existing infrastructure and services.	The event will be managed in accordance with the applicable management plans and any infrastructure/services not available to the site will be provided temporarily to accommodate the event. The additional access point through private land as requested by the CFA will relieve the potential for congestion on Torney Road and improve egress in the event of any emergency evacuation.
Agricultural issues and the impacts from non-agricultural uses	
Whether the use or development will support and enhance agricultural production.	The use and development does not support or enhance agriculture production. The proposal is a limited and temporary event on land that is used for minimal grazing. The subject land is not productive farmland and is not used for cropping. Therefore, although temporary, the proposal will not require any crop removal.
Whether the use or development will adversely affect soil quality or permanently remove the land from agricultural production.	Refer to comments above.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural use.	The proposal will not limit operation and expansion of adjoining and nearby agricultural uses.
The capacity of the site to sustain the agricultural use.	Not applicable. Agricultural use not proposed.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	The agricultural qualities will not be unreasonably or detrimentally impacted as a result of the proposal.
Any integrated land management plan prepared for the site.	Management plans have been provided to respond to all considerations relating to the event.
Dwelling Issues	
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	Not applicable.
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	Not applicable.
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	Not applicable.
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture	Not applicable.
Environmental Issues	

<p>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water.</p>	<p>The proposal runs for three (3) days, with post and pre-event works occurring to prepare for the event. The proposal does not significantly impact on the physical features of the site and that there is expected to be no impact on the waterway nearby. There will be a number of portable toilets and showers that are contracted out and cleaned/emptied when necessary and will be removed from the site. Construction of the access road will require some minimal excavation with the details to be outlined in an updated agreement with the land owner which will be required to be consistent with permit conditions.</p>
<p>The impact of the use or development on the flora and fauna on the site and its surrounds.</p>	<p>The event will have minimal impact on the flora and fauna on the site and its surrounds, with the new track requiring removal of some scrub and shrubs.</p>
<p>The need to protect and enhance the biodiversity of the area, including retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge.</p>	<p>Please refer to comments above. Vegetation removal will be required to construct the new access track. No VROT species impact and only small shrubs and grasses impacted. No large trees will be lost.</p>
<p>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</p>	<p>Portable toilets are to be located throughout the site and will be cleaned/emptied when required and removed from the site after the event. Food/stall holders will also be required to remove all grey water from the land via holding tanks. Relevant conditions will be included on permit. The applicant has supplied a Waste Management Plan demonstrating waste will be managed appropriately.</p>
<p>Design and siting issues</p>	
<p>The need to located buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.</p>	<p>Stages and bar areas are proposed to be erected prior to the day of the event and removed when the event concludes. Therefore, no loss of productive and opportunity for productive agricultural land will result.</p>
<p>The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.</p>	<p>Due to the temporary nature of the proposal there will not result an adverse impact on the environment.</p>
<p>The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural beauty or importance.</p>	<p>No impact as the buildings and works are temporary and are to be removed from the site once the event is complete.</p>
<p>The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.</p>	<p><u>Access:</u> Torney Road is an all weather road with limited passing capacity for vehicles travelling in both directions. The access point through private land as requested by the CFA will address the potential for congestion on Torney Road and improve access arrangements by separating patron/operator access from emergency access.</p>

	<p><u>Water:</u> Applicant provides water tanks and taps throughout the site.</p> <p><u>Telecommunications:</u> Mobile phone coverage is very limited, however, there is some 4G and 3G servicing available near adjacent sites. The applicant has addressed communication via use of two-way radios between staff/organisers/emergency services and security. Hotline service will be available to surrounding residents. Satellite phones will be held by the operator/s.</p> <p><u>Sewerage Facilities:</u> Refer to prior comments. Portable toilets will be provided.</p>
Whether the use and development will require traffic management measures.	The applicant has supplied a Traffic Management Plan that has been referred to VicRoads and Council's Infrastructure Department. Regardless of additional follow up, a response from VicRoads has not been provided to date.

OVERLAY

Clause 44.06 Bushfire Management Overlay

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Clause 44.06-2 Buildings and Works

A permit is required to construct a building or construct or carry out works associated with Place of Assembly.

A Fire Management Plan has been submitted as part of the application and was referred to the CFA in accordance with Section 55 of the Act. The CFA has been working closely with the applicant and offered no objection subject to conditions.

PARTICULAR PROVISIONS

Clause 52.06 Car Parking

Purpose

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06 applies to a new use, and the provision of car parking spaces is to be provided before a new use commences, to the satisfaction of the Responsible Authority. A planning permit is required to reduce the number specified in the table.

Place of Assembly: 0.3 to each patron permitted. In this case, 2000 patrons are proposed to attend the event, excluding staff/vendors/stakeholders. Therefore, a total of 600 car spaces are required to be provided on the site and available for event patrons. There is ample room on the subject land to accommodate for car parking requirements. There will be separate parking areas for patrons and staff (crew/vendors). The parking required for staff is currently marked on the site plan to allow for 50 spaces; amended plans will be requested to show parking for 75 spaces, thus meeting the 'patron' requirement which is deemed applicable to staff, particularly because people may choose to drive separate cars more so than typical times due to COVID-19 and resulting social distancing practices.

Clause 52.17 – Native Vegetation

Purpose

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
 1. Avoid the removal, destruction or lopping of native vegetation.
 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation

The proposal requires native vegetation removal to enable the construction of a 6m wide access track through private property to form an alternative access/egress from the site to allow for unrestricted use of Torney Rd for emergency, staff and service vehicles only. A Native Vegetation Removal report was prepared by the applicant which summarised:

- No Victorian rare or threatened (VROT) species were detected during the survey of the area and there was very limited habitat options observed for fauna i.e. lack of logs or hollow bearing trees.
- This report identifies the native vegetation to be removed as 0.424ha.
- The native vegetation was found to be in a low-moderate condition and was indicative of past effects of clearing across the property. In addition, there were indications of past use of the track for farm activities, which may have compacted the soil resulting in lower diversity of plants in general across parts of the proposed route.
- The native vegetation quality assessed along the proposed route did not affect any small, medium or large trees and was kept away from any Tree Protection Zones.
- There is more than enough Offset available on site (if required) to meet the Offset requirements of the Native Vegetation Removal Report.
- The offset can be provided within the property in a designated area that is 9.19ha in area and identified in the Report. Only 5% of this area is required to offset the proposed vegetation loss. The NVR recommends that the Offset is paid for via a broker through a 3rd Party agreement rather than provided on site.

Given the proposed track realignment to be addressed via permit condition, the Native Vegetation Removal report will require updating to re-assess the potential impact and revise the requirements and recommendations as relevant.

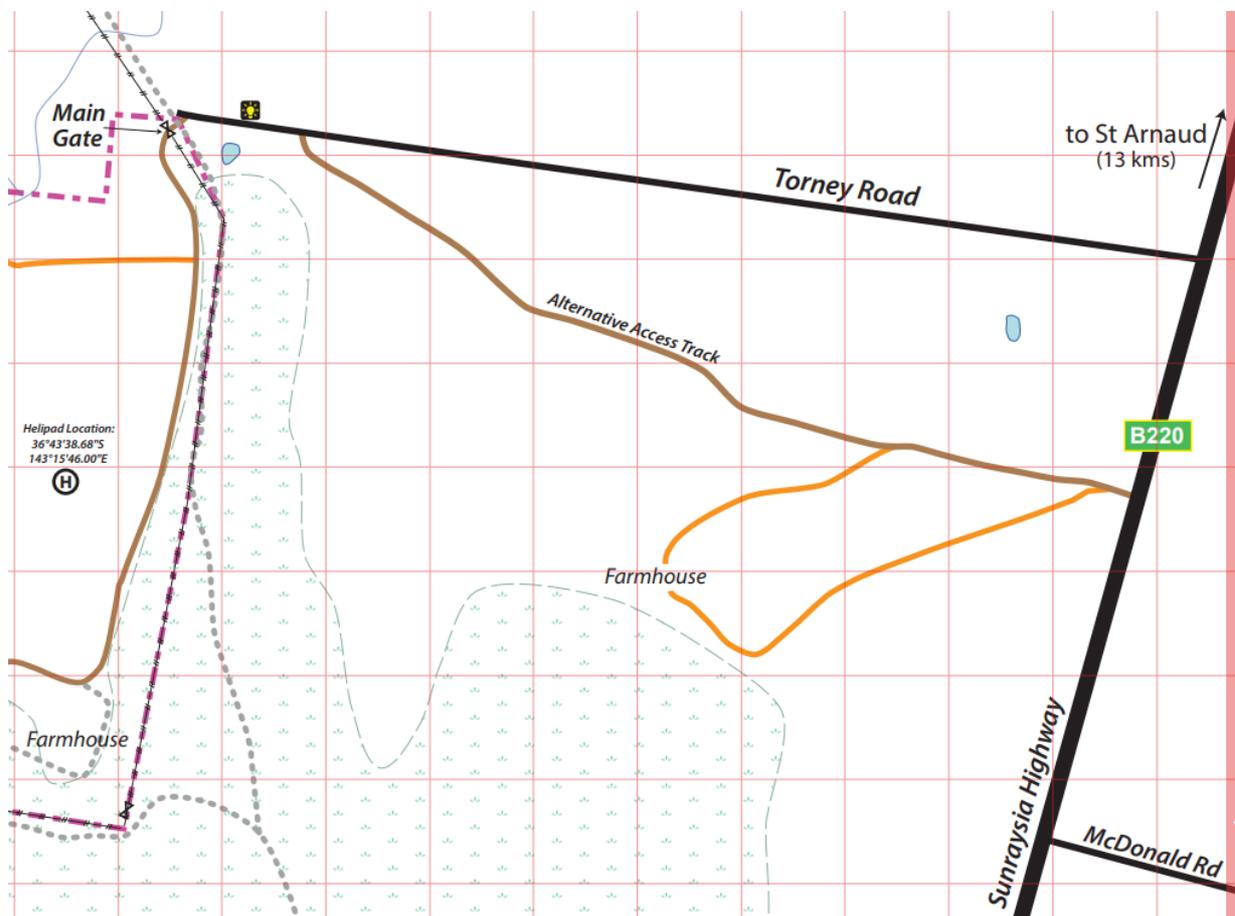
Clause 52.27 Licensed Premises

Pursuant to Clause 52.27 a limited license does not require planning approval. The operator has indicated that liquor will not be sold at the event. Nevertheless, in the event the operator proposes to sell liquor, an application to the liquor licensing authority will be required for a temporary limited license.

Clause 52.29 Land Adjacent to a Road Zone Category 1

Purpose:

- To ensure appropriate access to identified roads.
- To ensure appropriate subdivision of land adjacent to identified roads.



Original Proposed Access Track (refer to previous plan for altered access track alignment).

Clause 53.06 Live music and entertainment noise

Purpose

- To recognise that live music is an important part of the State’s culture and economy.
- To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

- To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
- To ensure that the primary responsibility for noise attenuation rests with the agent of change.

The purpose of this clause is to recognise that live music is important and part of the State's culture and economy and also to protect nearby residential uses, ensure that the primary responsibility for noise attenuation rests with the agent of change.

This clause applies to an application to use land for, or to construct a building or construct or carry out works associated with:

- A live music entertainment venue.
- A noise sensitive residential use that is within 50m of a live music entertainment venue.

In this clause:

- **live music entertainment venue means:**
 - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
 - a rehearsal studio
 - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.
- **noise sensitive residential use** means a boarding house, dependent person's unit, dwelling, nursing home, residential aged care facility, residential village or retirement village.

Requirements to be met

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- outdoor live music entertainment venue to below 45dB(A), assessed as an Leq over 15 minutes.

To assess whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).

A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.

The application was referred to the EPA, which offered no objection to the application subject to conditions (refer to previous referral comments and report discussion).

Two stages (being the main stage and a smaller stage) will be orientated toward the Kara Kara National Park to minimise noise disturbance to neighbouring properties. A third smaller stage will have live music without amplification.

In the early hours of Sunday morning (4am to 10am), noise will be reduced by 15db to reduce potential impacts to nearby properties. In addition, only one stage (main one) will remain in use. The above has been addressed by permit conditions and is considered appropriate to limit noise to acceptable levels during these hours.

It is noted that in 2019 at the Babylon music festival, the music ceased at 5.00am and recommenced at 10a.m, albeit this related to a festival with significantly greater patron numbers and hence a larger event. Given the location of the objectors' dwellings, their significant separation from the stage areas and reduced capacity, it is considered reasonable to allow continuous music for this proposal in relation to the main stage only, however a reduction decibels between 4am and 10am.

GENERAL PROVISIONS

Clause 65.01 APPROVAL OF AN APPLICATION OR PLAN

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

Decision Guidelines	Comment
The matters set out in section 60 of the Act.	Have been considered.
The Municipal Planning Strategy and the Planning Policy Framework.	The relevant policies have been considered.
The purpose of the zone, overlay or other provision.	The report has considered the purpose of the zone, overlays and particular provisions.
Any matter required to be considered in the zone, overlay or other provision.	The zone, overlay and particular provisions have been considered and are addressed earlier in the assessment report.
The orderly planning of the area.	The proposal is for a temporary event and adequate management plans have been developed in consultation with relevant government authorities. The event must be operated in accordance with these plans which will be referenced in permit conditions.
The effect on the amenity of the area.	This event is unlikely to have long term detrimental impacts due to its temporary nature. There will be some noise impacts and other off site amenity issues including dust, however, site management and noise management plans submitted with the application have proposed detailed measures to manage these impacts. Noise will be required to meet the amended Environment Protection Act 2017 (EP Act 2017) that came into effect on 1 July 2021. EPA notes that the following is a prescribed permit activity under the Regulations: L05 (operation outside of hours or extended operations):

	<p>Operating an outdoor entertainment event or outdoor entertainment venue in the circumstances set out as follows:</p> <p>a) in the case of an outdoor entertainment venue, in regulation 128(1); or</p> <p>b) in the case of an outdoor entertainment event, in regulation 129(1).</p> <p>Given that the hours of the festival are outside the standard operating hours set out in the Regulations, the proposal is likely to be a prescribed activity L05 requiring a permission (permit) from EPA.</p> <p>The event permit application must be submitted online through the EPA portal at least 45 days before the event.</p>
The proximity of the land to any public land.	<p>The Kara Kara National Park abuts three boundaries of the subject land.</p> <p>After previous Babylon events on the land there were some concerns in regards to:</p> <ul style="list-style-type: none"> • Access - vehicles • Access - pedestrians • Waste • Flora/fauna <p>Relevant stakeholder meetings have been conducted in the past, however, due to covid interruptions no consultation has been undertaken since 2019.</p> <p>Further conditions are proposed (should a permit be issued) to ensure that the Kara Kara National Park is protected.</p>
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	The proposal will not contribute to land degradation, salinity or reduction of water quality.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	The proposal will not have a greater impact on water quality subject to meeting requirements of any permit issued.
The extent and character of native vegetation and the likelihood of its destruction.	No native vegetation is proposed to be removed, lopped or destroyed, with the exception of shrubs and scrub to accommodate the access track.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	No native vegetation of significance is proposed to be removed, lopped or destroyed.
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.	<p>The risk of fire is paramount due to the location.</p> <p>The proposal itself will not increase hazard for flood, erosion or fire.</p> <p>In the event of a Code Red day, the event must be cancelled.</p> <p>The CFA have provided consent subject to the Fire Management Plan being implemented.</p>
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Have been considered as part of Traffic Impact Report and can be appropriately undertaken on the site.

RECOMMENDATION

The provisions of the Northern Grampians Planning Scheme and the submitted information have been considered by the Planning Department which intends to issue a **Notice of Decision to Grant a Permit** subject to the following conditions.

Plans

1. Prior to endorsement of the plans, the documents and plans listed below must be updated to ensure consistency in information and content including but not limited to:
 - a) realignment of the access track and provide construction and drainage details and plans, to the satisfaction of Council.
 - b) perimeter fencing to the event site must be a minimum 1.8 metre high chain mesh fence, with mesh or similar material attached to the fence to prevent waste from escaping.
 - c) crew camping and crew car parking area's to be located at least 30 metres from the title boundary.
 - d) friends waiting bay area to be located at least 30 metres from the title boundary.

Documents and plans to be updated:

- Event Management Plan (Version 1.1)
- Covid Safe Event Plan (Version 2.1 dated 10 Oct 2021)
- Safety and Emergency Management Plan (Version 1.2 dated 3 Sept 2021)
- Event Risk Register (Version 1.0 dated 3 Sept 2021)
- Fire Management Plan (Version 1.0 dated 3 Sept 2021)
- Medical Operations Plan (Version 1.2 15 Nov 2021)
- Noise Management Plan (Ref 4043 dated 14 Oct 2021)
- Security Management Plan (Version 3 dated 17 Oct 2021)
- Traffic Management Plan Objectives (dated 15 Oct 2021)
- Traffic Management Plan (dated on 15 Feb 2021, re-submitted 24 Nov 2021)
- Waste Management Plan (Version 1.0 dated 14 Oct 2021)
- Weather Management Plan (Version 1 dated 3 Sept 2021)
- Site Plan M1 Event Area (Version 3 dated 9 May 2021)
- Site Plan M2 Event Area (Version 3 dated 11 May 2021)

Management Plans

2. The use and development hereby approved must at all times operate in accordance with the Management Plans endorsed by this Permit and referred to in Condition 1, to the satisfaction of the Responsible Authority.

Event scheduling

3. The event must only operate between the following hours/days, unless with the prior written consent of the Responsible Authority:
 - a) Friday 25 March, 2022 12.00pm to Sunday 27 March, 2022 6:00pm
4. Preparation and set up for the event may occur up to a maximum of 10 days prior to the event commencement and removal of associated structures, equipment and the like must be removed and the site vacated and restored to its former state within four days of cessation of the event, to the satisfaction of the responsible authority.

Music hours of operation

5. Music may operate for the duration of the festival commencing at 4pm 25 March 2022 and noise reduced by 15 decibels between the hours of 4am and 10am Sunday 27 March 2022 and is only permitted to operate for the main stage between these hours, unless otherwise approved in writing by the Responsible Authority.

Maximum number of patrons and entry conditions

6. A maximum of 2000 patrons (excluding event organisers/vendors/staff and other employees including employed voluntary workers for which a maximum of 250 are permitted) on the subject land during the event at any one time, to the satisfaction of the Responsible Authority.
7. Patrons must be a minimum of 21 years of age and above and provide identification at the event entrance.
8. Patrons are not permitted to leave and re-enter the event premises throughout the duration of the event.
9. Patrons are permitted to bring their own food and alcohol.

Acoustic monitoring

10. The event must engage a suitably qualified acoustic engineer to monitor the sound levels during the event to ensure compliance with the Noise Management Plan.

Camping

11. The permit holder must ensure there are adequate camping spaces available to cater for the total number of patrons attending the event, to the satisfaction of the Responsible Authority.
12. All camping must be undertaken within the designated camping area, in accordance with the endorsed plans.
13. The permit holder must ensure there is no camping permitted on the waterway, to the satisfaction of the Responsible Authority.

Loading and Unloading

14. The loading and unloading of goods from vehicles must only be carried out on the land.

Amenity

General Amenity

15. The use and development hereby permitted must be managed so that the amenity of the area is not detrimentally affected through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. presence of vermin

to the satisfaction of the Responsible Authority.

Post Event Clean-Up

16. The permit holder must ensure that the subject land and immediately surrounding area, including the Kara Kara National Park, is cleared of all waste produced from the site during the event, within four days of cessation of the event and to the satisfaction of the responsible authority.

External Lighting

17. External lighting must be located, directed and shielded, and of such intensity so that no unreasonable nuisance is caused to nearby residents, to the satisfaction of the Responsible Authority.
18. Adequate lighting is to be located at the vehicle and pedestrian access points to the land, to ensure the safety of patrons to the satisfaction of the responsible authority.

Site reinstatement

19. The event organiser/s must ensure that the site and environs (including car parking and camping areas) are reinstated to an equivalent condition as existed prior to the event being conducted and must ensure the removal of any rubbish or litter from the site, repairing any damage caused by the occupation of the site, remove any materials used to protect any public works or to gain access to or egress from the site, to the satisfaction of the Responsible Authority.

Fire Safety

20. To ensure the safety of patrons, the event may not operate on a day declared as 'Code Red' by the Country Fire Authority and/or otherwise required by the Fire Management Plan applicable to this Permit, to the satisfaction of the Responsible Authority.

Native Vegetation

21. No native vegetation, other than vegetation to be removed to construct the access track through 4799 Sunraysia Highway, is to be removed, destroyed, compacted or lopped to the satisfaction of the Responsible Authority.

Department of Transport Conditions

22. Prior to the commencement of construction of the access road from the Sunraysia Highway, the crossover and driveway are to be designed and constructed generally in accordance with VicRoads guideline drawing "GD4010 Typical Access to Rural Properties" (attached) to cater for an 8.8m service vehicle as detailed in Table 2 - Access Setout Details (or greater, if so required by the Country Fire Authority), to the satisfaction of, and at no cost to, the Head, Transport for Victoria and the Responsible Authority. Should you have any enquiries, please contact:
western.mail@roads.vic.gov.au
23. Advance warning signs (e.g. "Event Traffic Ahead") must be placed on the Sunraysia Highway 300m each side of the access point 24 hours before the commencement of the event, and remain in place until 48 hours after the event has finished.

Council Infrastructure Department Conditions

Site Access & Car Parking

24. The access route for all vehicles entering the site from Sunraysia Highway event must be via the private alternative access track, which then connects to Torney Road and then the site entrance point as shown on Version 3 of the Site Map-Property Area to the satisfaction of the Responsible Authority.
25. The minimum width of the access route from Sunraysia Highway to the entry point of the event should be 6.0m with a 1.0m clear shoulder each side of the road. The access route is to be surfaced with suitable all-weather material at a minimum thickness of 100mm to the satisfaction of the Responsible Authority.

26. Torney Road must be kept clear at all times to allow for emergency service vehicle use to the satisfaction of the Responsible Authority.
27. The applicant must organise with the Responsible Authority an inspection of Torney Road within seven days prior to the event and again seven days after the event so any damage to Torney Road can be rectified at the applicant's expense, to the satisfaction of the Responsible Authority.
28. The entry and exit of vehicles must be in accordance with the approved Traffic Management Plan.
29. The permit holder must ensure that where car parking areas are proposed on the land, attendants must direct vehicles to optimise the use of available space. The attendant must be available to direct vehicles at least two hours prior to the event commencing and two hours post the conclusion of the event.
30. All vehicles must be parked in the designated parking areas and there is to be no parking of vehicles on the Public Road Reserves or the adjoining Crown Land.
31. No tree(s) or significant vegetation on the Road Reserves shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed without the written consent of the Responsible Authority.
32. Parking areas and the parking layout must be clearly defined and capable of accommodating vehicles for the maximum number patrons at the event to the satisfaction of the Responsible Authority.
33. Clearly defined signage is to be provided at the property entrance and throughout the land (where applicable) to direct patrons to the designated car parking areas to the satisfaction of the Responsible Authority.
34. Any works in the road reserve required by permit conditions is at the cost of the permit holder to the satisfaction of the Responsible Authority.
35. For the duration of the event, dust control measures are to be implemented (where required) on the site and Torney Road to the Satisfaction of the Responsible Authority.
36. The approved Traffic Management Plan is to be implemented by the event organiser.

Stormwater Drainage

37. Stormwater from the property must be drained to the satisfaction of the Responsible Authority.
38. No effluent or polluted water of any type will be allowed to enter the natural stormwater drainage system to the satisfaction of the Responsible Authority.

CFA Conditions

39. The event organiser is to engage a suitably qualified risk management practitioner that to the satisfaction of the Responsible Authority has recognised qualifications and experience to conduct a full risk assessment and response plan meeting (AS/NZS) ISO 31000 Risk management – Principles and guidelines addressing the following areas (but not limited to):
 - Assessments of fire and other emergencies within the site and external threats impinging on the site.
 - Risk treatments to mitigate identified risks.

- Assessment & agreed process for event closure should fire danger forecast be unacceptable (to be discussed with CFA District 16 Operations Ararat).
 - Develop and emergency management plan based on the treatment strategy.
 - Identification of the area(s) for assembly of event patrons. In the event of an emergency to the satisfaction of the CFA.
 - Assembly areas, vehicular traffic, parking or paths of access and egress are not to impinge on responding CFA vehicles or the operational requirements of CFA.
 - Event plans for the site are to be developed using a guide document, 'Event Management – Planning Guideline for Event Managers'.
 - Any identified fire fighting resources and personnel are to be available at the site and available for use during set-up, duration and demobilisation of the event.
40. A draft copy of the emergency management plan is to be submitted to; Operations Manager CFA District 16 Ararat not less than three (3) months prior to any proposed event (annually) to provide opportunity for comment to the Responsible Authority.
41. A finalised draft copy of the emergency management plan is to be submitted to Operations Manager CFA District 16 Ararat. Not less than six (6) weeks prior to any proposed event (annually) to provide opportunity for comment to the Responsible Authority.
42. No fires are to be permitted without the written consent of CFA. This may need to be reviewed on a daily basis at the discretion of CFA.
43. Food vendors, display stalls, market stalls and other providers are not to have their stalls/tents/vans or other temporary or permanent structures within a distance of not less than six (6) metres of each other or may have a lesser distance where the event organiser has demonstrated to the satisfaction of the Responsible Authority that fire spread between stalls will not occur.
44. Each food vendor, stall holder or other provider is required to get an individual permit (no blanket or group permit for these operators are to be issued).
45. Access and egress routes are to be clearly marked to a width of not less than six (6) metres and are to meet the following conditions:
- Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
 - The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres.
 - Dips must have no more than 1 in 8 (12%) (7.1 degrees) entry and exit angle.
46. Car parking areas, vehicular routes, camping areas and emergency assembly areas are to maintain the vegetation to the following conditions to the satisfaction of the Responsible Authority:
- Grass must be no more than 100mm in height.
 - Leaf litter must be less than 10mm deep.
 - There must be no elevated fuel on at least 50% of the area. On the remaining 50% the elevated fuel must be at most sparse, with very little dead material.
47. Public roads which bound the site are to be fuel reduced to the following condition to the satisfaction of the Responsible Authority:
- Grass must be no more than 100mm in height.
48. The internal perimeter of the event site for a distance of not less than ten (10) metres is to have any surface fuel reduced to the following conditions to the satisfaction of the Responsible Authority:

- Grass must be no more than 100mm in height.
49. All fires or pyrotechnical effects must comply with the CFA Act/Regulations or any other required regulations in regard to use and conditions.
 50. The Event Organiser is to appoint Safety Officers for the event, who have successfully completed the 'Safety Officer – In a Place of Public Entertainment', training that is available from Melbourne Metropolitan Fire Brigade.
 51. Any use of CFA resources and/or personnel is to have the written approval from Operations Manager CFA District 16 Ararat.

Parks Victoria Conditions

52. A revised site plan must be submitted and approved by the Responsible Authority. The revised site plan must show the:
 - a. Crew camping and crew car parking area's to be relocated at least 30 metres from the title boundary.
 - b. Friends waiting bay area to be located at least 30 metres from the title boundary.
53. A temporary 1.8m high chainmesh fence, covered with hessian/mesh or similar material must be erected along the eastern, southern and western boundaries of the event/festival site at a distance of 30 metres from the title boundary to deter patrons from accessing Crown Land and mitigate against waste from entering the Park.
54. Temporary signs must be installed at the entrance to the festival and on the temporary fence advising patrons that there is to be no access or use of the adjoining Kara Kara National Park and that it is prohibited to collect firewood.
55. The Park must not be used for vehicle access by patrons, event organisers.
56. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Park.
57. To protect the nearby waterways, toilet and refuelling/maintenance operations must not be established or carried out within 100 metres of any waterway, channel or drainage line or within a floodplain.
58. Any rubbish within the Park which the festival has generated must be removed by the proponent daily, to the satisfaction of Parks Victoria.
59. If there is any encroachment of patron into the adjoining Kara Kara National Park, the permit holder or festival organiser shall ensure the subject land and environs are reinstated to an equivalent condition as existed prior to the event being conducted to the satisfaction of the Responsible Authority and Parks Victoria.
60. Should there be any inconsistency between endorsed plans/documents and permit conditions, the conditions of the permit prevail.
61. No occupations are to be located within the Park, such as structures (including tents), equipment or materials.
62. Park is not to be used for vehicle access to or from the event, by either patrons or event organizers.

63. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the adjoining Park.
64. Firewood must not be cut within or removed from the Park.
65. Sufficient portable toilets should be provided to cater for all patrons, including enough spare units to cover unforeseen breakdowns and higher than expected patron numbers.

Permit Expiry

Music Festival

66. The proposal allowed by this permit is for a temporary use and development and only permitted to operate between 12pm 25 March 2022 and 6pm on 27 March 2022, following which this permit expires, unless with the prior consent of the responsible authority.

Re-Instatement of Site

67. The permit holder has up to seven days following the cessation of the event to reinstate the site to its original condition.

NOTES

Environmental Protection Authority (EPA)

- This permit is not an EPA permission / approval. Before the use or development authorised under this permit starts, the permit holder must ensure that any obligations or duties that arise under the Environment Protection Act 2017 are met.

North Central Catchment Management Authority (NCCMA)

- The waterway that traverses the property is a waterway gazetted by the North Central CMA to be a designated waterway under the Water Act 1989. Any works in, on or over designated waterways such as a modified or temporary access crossing of the waterway will require a Works on Waterway Permit under By-Law No 2014/01 Waterways Protection from the North Central CMA prior to any works commencing.

State Emergency Service (SES)

- It is requested that the Weather Plan is amended to take into consideration the event of a localised flash flood risk.

Victoria Police

- The COVID Safe Plan for this event is to address how organisers will ensure all attendees (staff and patrons) are vaccinated and processes detailed to validate each attendees vaccination status.

Health Department

- In order to comply with Council's Environmental Health requirements, the applicant needs to allow 21 days for the registration/notification to be processed and cannot trade until their premises have been registered/notified. Lodgement of a Statement of Trade (SOT) ensures that they have complied with the Food Act.
- Food vendors are required to submit a 'Statement of Trade' through the Streatrader website and have it approved by the Responsible Authority prior to the event.

Building Department

- An application for a POPE (Place of Public Entertainment) is required.

- The Agreement between the landowner of 4799 Sunraysia Highway Carapooee West (Crown Allotment 68B Section A Parish of Carapooee West) and the event operator shall be updated to reflect the applicable permit condition requirements, including but not limited to widening of the access road to 6 metres.
- The adjoining Kara Kara National Park must not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.

9.4. Improve Organisational Effectiveness

9.4.1. Procurement Policy

Author/Position: **Graham Haylock, Manager Financial Services**

Purpose

To adopt the revised Procurement Policy.

Summary

The new *Local Government Act 2020* (the Act) requires councils to prepare and adopt a Procurement Policy by 1 January 2022. The policy attached to this report has been revised to comply with the requirements of the Act.

Recommendation

That Council

- **adopt the Procurement Policy as attached to this report**
- **request the Procurement Policy be reviewed by 31 July 2022.**

RESOLUTION

That Council

- **adopt the Procurement Policy as attached to this report**
- **request the Procurement Policy be reviewed by 31 July 2022.**

Moved: **Cr Murray Emerson**

Seconded: **Cr Eddy Ostarcevic**

Carried

Background/Rationale

Sections 108 and 109 of the *Local Government Act 2020* (the Act) came into effect on 1 July 2021, requiring councils to prepare and adopt a Procurement Policy by 1 January 2022.

Under the new legislation, the Procurement Policy must, as a minimum:

- specify the principles, processes and procedures that will apply to all purchases of goods, services and works by the council.
- seek to promote open and fair competition and provide value for money.
- establish the thresholds and processes for public procurements.
- provide for collaboration in procurement.
- include the conditions where goods or services may be purchased without inviting a public tender or expression of interest.
- describe the process of how a public tenders or expression of interest will be undertaken.
- be reviewed at least once during each four year term of Council (the previous act required this to be completed annually).

The *Local Government Act 1989* was quite prescriptive in regards to procurement. It set the thresholds for going out to public tender and provided a list of exemptions from the requirement to adhere to the procurement requirements. The Act allows councils to set their own thresholds. It no longer sets specific exemptions and does not provide for the ability to seek a Ministerial exemption. All of these areas of decision making now sit with individual councils and are required to be included in the Procurement Policy.

The revised Procurement Policy has been updated to comply with the requirements of the Act. The noteworthy changes include:

- An expansion of the 'local business philosophy' section, which allows at least a five percent evaluation allowance for local suppliers, and encourages seeking quotes from local suppliers wherever possible (e.g. where two or more quotes are required, a minimum of one should be from a local supplier).
- Updated values and categories in the procurement 'thresholds' section. A new one written quote category has been introduced, and the public tender requirement threshold is set to match the CEO's current financial delegation (\$150,000 for goods and services, and \$200,000 for works).
- A new section on 'threshold exemptions', which tables the scenarios that are exempt from the procurement threshold requirements.
- A new section on 'variations to Council resolution', which allow for a variation of up to 10% (but not exceeding \$150,000 for goods or services, and \$200,000 for works) of the resolution amount to be approved without requiring an additional Council resolution to approve the variation, as long as the amount is within the allocated budget, the intended outcome of the contracted works or services is not changed, and it approved by both the relevant Director and the CEO.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Option 1

- adopts the Procurement Policy as attached to this report.
- request the Procurment Policy be reviewed by 31 July 2022. **[recommended]**

Option 2

That Council does not adopt the Procurement Policy. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

This report does not raise any procurement agreement matters however, it sets the parameters for all future procurement activities.

Community Engagement

No community engagement was required.

Innovation and Continuous Improvement

The updated Procurement Policy incorporates best practice principles and aims to improve the efficiency of council's procurement processes.

Collaboration

No collaboration was required in completing this report.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Graham Haylock, Manager Financial Services

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Procurement Policy 2021 [9.4.1.1 - 16 pages]

Procurement Policy 2021



Council Policy

December 2021



Northern Grampians Shire Council
LIVE | WORK | INVEST | VISIT

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PROCUREMENT POLICY 2021

Council Policy



Responsible director:	Director Corporate and Community Services
Responsible officer:	Manager Financial Services
Functional area:	Financial Services
Date adopted by Council:	6 December 2021
Review date:	July 2022

Purpose

The purpose of this document is to set out the key policies and principles forming the framework for procurement at the Northern Grampians Shire Council, to ensure that all purchases:

- demonstrate and achieve value for money
- are undertaken in a consistent and robust manner
- are consistent with Council objectives
- comply with all relevant legislation; and
- meet expected standards of probity and transparency.

This policy document is supported by a more detailed set of Procurement Guidelines which are designed to assist with the implementation of this policy. These documents, along with the relevant sections of the *Local Government Act 2020* (the Act), provide direction for how all Council procurement should be performed.

Background

Section 108 of the Act requires Council to prepare and approve a procurement policy which must:

- specify the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council
- seek to promote open and fair competition and provide value for money.
- establish the thresholds and processes for public procurements
- provide for collaboration in procurement
- included the conditions where goods or services may be purchased without inviting a public tender or expression of interest
- describe the process of how a public tenders or expression of interest will be undertaken
- be reviewed at least once during each 4-year term of the Council

The Northern Grampians Shire Council spends a significant amount of its annual budget on purchasing goods and services and assets. These purchases have an enormous impact on the delivery of programs, services and projects therefore it is crucial that the process is well conducted.

Policy

Expectation to comply

Compliance with this policy, including associated guidelines, is mandatory.

Officers must bring any instances of non-compliance to the attention of their direct Manager or Director. The Manager or Director must then notify the Manager Financial Services of the non-compliance and any remedial action taken.

Non-compliance with this policy is taken seriously and will be dealt with in accordance with Council's [Disciplinary Procedure](#).

All Council staff, including their agents are expected to implement this policy:

- Officers engaged in the selection of external suppliers should seek timely input from the Contracts Officer
- Officers engaged in any procurement activity must be able to demonstrate that they have complied with this policy
- The source of funds must be identified, and the procurement authorised in accordance with Council delegations of authority, before any commitment to purchase is made
- More than one person will be involved in, and responsible for, each transaction with appropriate authorisations obtained and documented.

Conduct of Councillors and Council staff/conflict of interest

Councillors and Council officers must exercise the highest standards of integrity in a manner able to withstand the closest possible scrutiny. In accordance with sections 126-131 of the Act, Councillors and Council officers have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest.

Councillors and Council officers, must:

- Maintain confidentiality of Commercial in Confidence matters and information such as contract prices and other sensitive information
- Treat potential and existing suppliers with equality and fairness
- Council officers with delegated Council powers or duties are prohibited from exercising those powers, duties or functions if they have conflicts of interest
- Councillors (and members of the Audit and Risk committee) must disclose a conflict of interest
- A Councillor must comply with the Primary Principle of Councillor Conduct and avoid conflicts between their public duties as a Councillor and their personal interests and obligations.
- At all times avoid situations in which private interests' conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties
- Disclose a direct or indirect interest (and the type of interest) before providing advice or reports (or any other matter)
- Not participate in any action or matter associated with the arrangement of a procurement where that person has a direct or indirect conflict as defined by the Act; and
- When becoming aware of a conflict, promptly declare the direct or indirect Conflict of Interest to the Governance Unit.

Basic principles

There are some basic principles that should be applied to all purchases, irrespective of the value or complexity of the purchase:

- value for money

- open and fair competition
- accountability
- risk management
- probity and transparency
- ethical behaviour
- responsible financial management
- collaborative procurement
- other considerations

Value for money

Value for money does not necessarily mean accepting the lowest price but obtaining the best quality and value for the price, for quality goods/services that meet Northern Grampians Shire Council's criteria and cost constraints.

Factors considered in the evaluation of value for money may include:

- contribution to the advancement of Council's priorities and objectives
- fitness for purpose, quality, social and environmental impacts, service and support
- cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works

Value for money will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the procurement lifecycle
- aggregating purchasing whenever possible; and
- undertaking competitive procurement processes.

Open and fair competition

All prospective suppliers/vendors must be treated fairly in an open and transparent manner without bias (or perception of bias), with the same access to information regarding the proposed purchase, in order to enable submission of quotes/tenders to be made on the same basis.

Accountability

Clear and robust processes consistent across the entire organisation must be followed, in order that the lines of responsibility and accountability are clear, and to ensure that appropriate audit controls are in place.

Risk management

All purchases carry some level of risk. It is important that this risk is identified, assessed and dealt with appropriately.

Probity and transparency

Probity in purchasing relates to fairness, impartiality and integrity, and is often used in a general sense to mean good process. All Council dealings must be conducted in a fair and open manner, observing the highest standards of honesty, and demonstrating the highest levels of integrity consistent with the public interest.

Council's purchasing processes must be undertaken in a manner which meets all expected standards of probity and transparency, including consistent application of procedures, appropriate record keeping, compliance with policies and legislation, consideration for suppliers, and clear and transparent decision making.

Ethical behaviour

Ethical behaviour encompasses the concepts of honesty, integrity, probity, diligence, fairness, trust, respect and consistency. Council's purchasing processes must be undertaken in a manner which meets all expected standards

of ethical behaviour and includes avoiding conflicts of interest and avoiding improper use of an individual's position. At all times, Councillors and Council staff must act in accordance with relevant policies, codes of conduct and guidelines regarding gifts and hospitality and conflicts of interest.

Specific processes regarding application of these basic principles are included within the Procurement Guidelines. If any officer is unclear of their responsibilities regarding procurement, they should seek advice from the Manager Financial Services.

Responsible financial management

The principle of responsible financial management will be applied to all procurement activities.

The availability of existing funds within an approved budget or source of funds will be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this policy.

Collaborative procurement

When procurement is being planned, due diligence should be undertaken to evaluate if best value for money can be achieved by using an Agent or a collaborative tender.

Where practical, Council will collaborate with other Councils in order to take advantage of economies of scale, reduce risk and deliver community benefits for all participating councils.

In accordance with section 109 (2) of the Act, the Chief Executive Officer must ensure that any report to Council recommending entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available.

As such, any report to Council on the outcomes of a tender process must set out information relating to opportunities explored for collaborative procurement and why or why not those identified opportunities are recommended.

Collaborative procurement will be achieved through:

- aligning procurement categories and timing (joint procurement)
- using Panels, including Panels in the region (that include the capacity to provide services outside of the contracting council area under the same terms and conditions)
- using State Government contracts and aggregators

Other considerations

There are also a number of organisational and legislative directives that help set the framework for purchasing decisions made by Council including the Council Plan and the *Local Government Act 2020* (see – Legislation/Standards).

In addition to the requirements of the Act, purchasing decisions must also consider other principles, Council policies, guidelines and philosophies. These include:

- sustainable procurement
- social procurement
- environmental purchasing

- local purchasing philosophy
- innovation
- IT hardware and software procurement
- category management
- purchase orders
- officer's financial delegations
- panel of contactors
- contractor register (approved suppliers)
- procurement vehicle
- thresholds
- threshold exemptions
- variations to Council resolution; and
- public tender requirements

Sustainable procurement

Council will consider benefits and value for money based on whole of life costs, as well as social and environmental impacts of its procurement processes, in order to achieve the best outcomes for the community having regard to the long-term and cumulative effects of its decisions.

Social procurement

Council supports procurement that not only delivers appropriate value for money goods and services and works, but also generates positive social outcomes.

Where strategic opportunities arise, Council's Economic Development Team will work with locals to encourage economic development.

The Economic Development Team and Contract Officer will work with local suppliers to explain Council's requirements with regards to providing goods and services and works to Council and the tendering processes in line with this policy and encourage them to tender for business.

Environmental purchasing

Council prefers to purchase recycled and environmentally sound products whenever they perform satisfactorily and represent value for money.

Local purchasing philosophy

Council is committed to supporting the local business community and encouraging its involvement in purchasing processes. Buying locally is preferred where local suppliers are competitive and achieve value for money.

Wherever practicable, Council will fully examine the benefits available through purchasing goods, services or works from suppliers/contractors within the Northern Grampians Region. Council will also seek from prospective suppliers/contractors where applicable what economic contribution they will make to the Northern Grampians region.

All tenders/quotes should allow at least five percent (5%) evaluation allowance for local suppliers.

Council will endeavour to obtain quotes from local suppliers wherever possible, if two or more quotes are required then a minimum of one should be from a local supplier. If no local suppliers can be identified, this must be noted on the standard quote form.

Innovation

Council will use innovative procurement solutions to promote sustainability and achieve best value.

IT hardware and software procurement

To ensure consistency in our IT system architecture in-line with Council's Business Transformation Strategy, all IT hardware and software procurement is subject to additional requirements and must have the preapproval of the Manager Business Transformation before proceeding to the procurement stage.

Category management

Council will use a category management approach to identify the most appropriate and effective sourcing and supply arrangements in order to achieve the best outcomes for the community.

Purchase orders

Notwithstanding the processes used to select suppliers, purchase orders are to be raised and forwarded to suppliers to commit Council expenditure in advance of the goods or services being received, or works being commenced, in accordance with the Council's Purchasing Guidelines.

Officer's financial delegations

Section 11 of the Act enables Council to delegate its powers, duties and functions. Northern Grampians Shire Council has by an Instrument of Delegation delegated powers and responsibilities to the Chief Executive Officer. In turn, the Chief Executive Officer has delegated powers, responsibilities and financial purchasing limits to officers as appropriate to perform their duties.

Officers must be aware of their role and financial responsibilities and must ensure that all purchases they make are within their delegated authority. In the case of a purchase exceeding their authority the intended purchase should be referred to an appropriate officer with suitable delegated levels. Under no circumstances is a single purchase to be dissected into smaller dollar values in order to circumvent the prescribed financial delegations.

It should be noted that no employee can raise a purchase order or authorise reimbursement for their own training/conferences and associated costs (such as accommodation and meals) and this should at all times be referred to their line manager for approval and authorisation.

Panel of contractors

A panel of contractors is a contractor/company that has been appointed following an open tender process (this includes third party agents (e.g. MAV Procurement, Procurement Australia, State Government, etc.)). A panel of contractors cannot be appointed in any other manner. Unless specified during a tender process, no minimum quantity of work or turnover is guaranteed to any contractor on the panel.

Benefits of appointing a panel of contractors include:

- Savings in time and money
- Provide higher level of quality
- Faster turnaround times; and
- Increased confidentiality.

A panel of contractors should be appointed for one (1) year with a further option to extend for two (2) x one (1) years to a maximum of three (3) years, subject to contract requirements.

Council's panel of contractors should always be utilised whenever possible. A full list is available from the OnBudget section within InSites. When utilising any contractor within the panel "best value for money" should always be the first consideration.

Where a panel or standing offer agreement has been established through a competitive and open process, the following purchasing thresholds may be used to support purchases through these existing agreements.

Value (exclusive of GST)	Procurement threshold (minimum requirement)
\$0 - \$50,000	Issue a request in writing to at least two panel suppliers. Responses to be managed through the procurement e-tender platform. Rationale for selecting successful respondent must be documented.
<i>Purchase of goods and services:</i> \$50,001 - \$150,000 <i>Carrying out of works:</i> \$50,001 - \$200,000	Issue a request in writing to at least three panel suppliers. Responses to be managed through the procurement e-tender platform. Rationale for selecting successful respondent must be documented.

Any project, single purchase or a combination of approved contractors are not to be utilised to bypass the requirements to tender where the total project cost may exceed the threshold limits for tendering. If a schedule of rates was not provided, then a preferred supplier is to be selected by standard competitive quotation or tender process, subject to the value of the service or works (refer Thresholds section below).

Approval to complete the works or services, by panel contractors, is subject to normal limits for Council's financial delegates.

Provided the preferred contractor is pre-approved by Council, the CEO may approve the supplier appointment notwithstanding that the services / works may exceed normal delegation limits. CEO approval of amounts above delegation limits only applies where:

- The preferred contractor is pre-approved by Council as a member of the contractor panel; and
- The services/works to be performed were identified in the tender specifications that gave rise to the panel of contractors; and
- The services/works are to be performed within the contract term pre-approved by Council.

Where the preferred contractor is pre-approved by Council to carry out services/works within the contract term, then it is deemed that the CEO is not exercising a financial delegation, by approving the preferred supplier, but rather exercising the resolution of Council.

Where the above conditions are not met, and the value of the works or service exceeds the CEO delegation, then the project is to either be the subject of a public tender and/or required to be approved by Council.

Contractor register (approved suppliers)

Council has established a pre-qualified contractors register for those contractors who have submitted their insurances, qualifications, and OH&S documentation. These contractors/suppliers have not been through a public tender so have not submitted a schedule of rates. As a schedule of rates was not provided, then a preferred contractor/supplier is to be selected by standard competitive quotation or tender process, subject to the value of the service or works (refer Thresholds section below).

New contractors/suppliers can be added to the Contractors Register at any stage throughout the year via the process on Promapp: *Register a new contractor*.

Procurement vehicle

The acquisition of goods, services and works for which the estimated expenditure exceeds \$250,000 must be undertaken by public tender.

Thresholds

There are a number of methods by which goods and services can be purchased, however not all methods are appropriate to all circumstances. The critical factors in determining the most appropriate method to purchase goods or services are the value of the purchase, the extent of risk associated with the purchase and any other complexities involved in the purchase decision.

Other factors such as market size/potential suppliers and time constraints may affect the decisions made in regards to the procurement process.

It should be noted that the thresholds as detailed below for a formal public tender will come into effect when one of the following occurs: 1) the cumulative supplier spend per financial year exceeds or is expected to exceed the threshold or 2) the expected spend per project exceeds the threshold.

The following table sets out Council's policy regarding procurement processes to be followed based on the value of the purchase.

Value of purchase (ex. GST)	Method of purchasing / selection of supplier
Under \$5,000	<ul style="list-style-type: none"> • Officers are able to determine the most appropriate process as identified in Council's Procurement Guidelines. • Minimum 1 verbal quote from a potential supplier. • Use of agency contracts (e.g. Procurement Australia) may be considered.
\$5,001 - \$15,000	<ul style="list-style-type: none"> • Minimum 1 written quotation • Use of agency contracts (e.g. Procurement Australia) may be considered.
\$15,001 – \$50,000	<ul style="list-style-type: none"> • Minimum 2 written quotations* • Use of agency contracts (e.g. Procurement Australia) may be considered.
\$50,001 - \$100,000	<ul style="list-style-type: none"> • Minimum 3 written quotations * • May be publicly advertised. • Formal contract agreement should be implemented if the purchase involves high risk for Council – confirm with Contracts Officer. • Use of agency contracts (e.g. Procurement Australia) may be considered.
<i>Purchase of goods and services:</i> \$100,001 - \$150,000 <i>Carrying out of works:</i> \$100,001 - \$200,000	<ul style="list-style-type: none"> • Minimum 3 written quotations * • Formal quotes required including (but not limited to) OHS questionnaire – confirm with Contracts Officer • Formal contract agreement should be implemented if the purchase involves high risk for Council – confirm with Contracts Officer. • May be publicly advertised. • Use of agency contracts (e.g. Procurement Australia) may be considered. • Public Tender may be used depending on risk, complexity or where project estimates are close to \$200,000 for contracts for the carrying out of works.
<i>Purchase of goods and services:</i> \$150,001 and over <i>Carrying out of works:</i> \$200,001 and over	<ul style="list-style-type: none"> • Public Tender is required. • Option to tender, or conduct Expression of Interest (EOI) followed by a Tender • Use of agency tenders, (e.g. MAV Procurement) subject to Ministerial approval, may be considered.

* A minimum of one of the quotes must be obtained from a local supplier/provider wherever possible.

Specific details regarding application of these procurement processes are included within Council's Procurement Guidelines. If any officer is unclear regarding their responsibilities in regards to procurement they should seek advice from the Manager Financial Services.

Threshold exemptions

Exemption Description	Explanation, including any limitations and responsibilities
1. A contract made because of genuine emergency or hardship	<ul style="list-style-type: none"> Where the Council has resolved that the contract must be entered into because of an emergency (e.g. to provide immediate response to a natural disaster, declared emergency, etc.)
2. A contract made with, or a purchase from a contract made by another government entity, government-owned entity, or other approved third party	<ul style="list-style-type: none"> This general exemption allows engagements: <ul style="list-style-type: none"> With another government entity or government owned entity. For example, Federal, State or Local Government or an entity owned by the Federal, State or Local Government; and/or In reliance on contracts and arrangements established by another government entity, local authority or local government group purchasing scheme, Municipal Association of Victoria (MAV) or National Procurement network members (e.g. Local Buy), Procurement Australia (PA).
4. Extension of contracts while Council is at market	<ul style="list-style-type: none"> Allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the tender process or negotiations will take or are taking longer than expected. This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.
5. Professional services unsuitable for tendering	<ul style="list-style-type: none"> Legal services Insurance
5. Novated contracts	<ul style="list-style-type: none"> Where the initial contract was entered into in compliance with this policy and due diligence has been undertaken in respect to the new party.
6. Information technology resellers and software developers	<ul style="list-style-type: none"> Allows Council to renew software licenses, maintenance and support, or upgrade existing systems. This includes situations where the barrier to change software providers is prohibitive.
7. Regional Waste and Resource Recovery Groups	<ul style="list-style-type: none"> Situations where a Regional Waste and Resource Recovery Group constituted under the <i>Environment Protection Act 1970</i> had already conducted a public tender for and on behalf of its member councils.
8. Proven monopoly or specialised market	<ul style="list-style-type: none"> Statutory compulsory monopoly insurance schemes, i.e. Workcover, motor vehicle compulsory third party. Other statutory bodies such as water supply, electricity connections. Landfill providers. Legislatively required services, such as Aboriginal Land Council. When supply of goods, services or works can only be sought from a monopoly supplier, for example the marketplace is restricted by a statement of licence, technology or third-party ownership of an asset. If there are few suppliers for the goods, services or works being sought or where the work is highly specialised.
9. Operating leases	<ul style="list-style-type: none"> Where a lessor leases an asset (generally a vehicle or plant and equipment) to the Council and assumes the residual value risk of the vehicle.
10. Borrowings (loans)	<ul style="list-style-type: none"> Borrowings are not within the scope of this policy as these are considered contracts of borrowings and not contracts of goods, services or the carrying out of works.

In addition to the listed exemptions, the CEO or Director may grant an exemption from seeking responses via a competitive procurement process, such as tenders or multiple quotations, when it can be demonstrated that:

- it is in the public interest;
- Council is still obtaining value for money in the process adopted; and
- the process is defensible and able to withstand internal and external scrutiny – one which achieves both accountability and transparency.

Variations to Council resolution

Where Council has resolved to award a contract, a variation up to 10% of the resolution amount may be approved without requiring a Council resolution provided the variation:

- does not exceed \$150,000 for goods or services, and \$200,000 for works
- is within the allocated budget
- does not change the intended outcome(s) of the contracted works or services
- is approved by both the relevant Director and the CEO.

Public tender requirements

All public tenders will be published via Council's eTendering Portal and will be publicly advertised. Advertising will be appropriate to the offering, at a minimum this will include local papers. Information regarding current tenders will be placed on Council's website.

Council Plan Objective/Strategy

Council Plan 2021-25; Objective - to improve organisational effectiveness.

Strategies for effectiveness - streamline processes by reviewing internal processes to reduce red tape and increase efficiency.

Legislation and standards

Local Government Act 2020 – s.108 Procurement Policy

Section 108 of the Act requires Councils to prepare and approve a procurement policy which must include the principles, processes and procedures that will apply to all purchases of goods, services and works by the Council. Also, the policy must seek to promote open and fair competition and provide value for money

In addition, the policy must include:

- the contract value which Council must invite a tender or seek an expression of interest
- a description of the criteria to be used by the Council to evaluate whether a proposed contract provides value for money
- a description of how the Council will seek collaboration with other Councils and public bodies in the procurement of goods or services
- the conditions under which the Council may purchase goods or services without inviting a public tender or expression of interest
- a description of the process to be undertaken in inviting a public tender or expression of interest

Local Government Act 2020 – s.109 Procurement

Section 109 of the Act requires Councils to comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works.

Also, this section requires the CEO to ensure that any report to the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available.

Responsibilities

The Director Corporate and Community Services is responsible for the good governance of Council's procurement practices. The Manager Financial Services is responsible for the development and management of this policy. The Contracts Officer is responsible for assisting delegated purchasing officers and facilitating compliant tender and contract processes and procedures.

Monitoring of the Policy will be through:

- day to day enforcement of the processes as defined in the Procurement Guidelines by the officer/s responsible for processing the final payments for purchases made on behalf of Council
- periodic scrutiny of the processes as defined in the Procurement Guidelines by the officer/s responsible for authorising the final payments for purchases made on behalf of Council; and
- Internal Audits.

Stakeholders

Mayor, Councillors, Chief Executive Officer, Director Corporate and Community Services, Manager Financial Services, Contracts Officer, all delegated purchasing officers and all other Council staff, temporary employees, contractors and consultants while engaged by Council.

Review

Assessment of the Policy will be undertaken every four years to align with the Council term to ensure it remains current with the Council's goals, processes, aims and requirements and as a means by which to reduce Council's exposure to risk. Triggers for an earlier assessment include legislative changes and introduction of new systems or procedures.

Communication and implementation

Northern Grampians Shire Council's EDRMS Procurement Guidelines
Council induction and in-house training presentations

References

Local Government Victoria Beyond Value for Money - Social Procurement for Victorian Councils – 3rd edition
Victorian Local Government Best Practice Procurement Guidelines 2013
MAV Model Procurement Policy (August 2011)
Local Government Victoria Conflict of Interest Guidelines
Procurement Guidelines
Staff Code of Conduct
Councillor Code of Conduct
Public Interest Disclosures
Fraud Policy and Fraud Awareness Training
Council Purchasing Delegations
Standard Tender and Contract documents
Disciplinary Procedure

Privacy and Data Protection compliance

All Council policies must consider the *Privacy and Data Protection Act 2014* and the *Victorian Protective Data Security (VPDSS) Framework* which adopts a risk-based approach to protective data security. This policy includes relevant, identified security risks and governance arrangements in place to protect security across the domains of information, personnel, ICT and physical.

Gender Equality compliance

N/A

Charter of Human Rights compliance

It is considered that this policy does not impact on any human rights identified in the *Charter of Human Rights & Responsibilities Act 2006*.

Definitions

In this Policy, the following words and phrases have the meanings set out below:

Procurement/purchasing – to buy or acquire products, goods or services using Council’s operational or capital works budgeted funds in order to deliver outcomes consistent with Council’s objectives.

Category – an area of spending determined by market boundaries separating different products, services or industries.

Category management – recognising suppliers within certain markets that are likely to have similarities which enable a tailored approach to procurement.

Conflict of interest - an interest, pecuniary or otherwise, that could conflict with the proper performance of duties, or conflict or incompatibility between personal interests and the impartial fulfilment of public or professional duties.

Expression of interest – Public request for organisations to register their interest in the supply of goods or services but without providing details of pricing

Sustainable Procurement – a process whereby Council meets its needs for goods and services and works in a way that achieves value for money on a whole of life basis in terms of generating benefits not only to Council, but also to society and the economy, whilst minimising damage to the environment.

Tender/Request for Tender – Public request for organisations to submit a bid for the supply of goods or services, including pricing and other relevant information which demonstrates their ability to meet the specification and address the relevant selection criteria.

Procurement Australia/MAV Procurement – External contracting organisations that act on behalf of all Victorian Local Governments and establish various supply and service contracts at tendered rates.

Review history

Date	Review details	Action
7 November, 2013	Aligned to new format and updated to include information based on the Victorian Local Government Best Practice Guidelines 2013 and MAV Model Procurement Policy (Updated).	Presented to Audit Committee 12 November, 2013 Presented to Council Briefing 18 November, 2013 Presented to Council Meeting 2 December, 2013
18 November 2014	Increase the threshold levels that have remained constant for many years to recognise inflationary increases in costs.	Presented to Audit Committee 25 November, 2014 Presented to Council Briefing 23 November, 2014 Presented to Council Meeting 1 December, 2014
4 November 2015	Altered the review process of the policy to incorporate this statement, "If the policy is deemed to require only minor changes then the review process is to inform Councillors through the Councillor Bulletin. Significant alterations to the policy will require the Council to adopt the changes."	Submitted to the Councillor Bulletin on 4 November, 2015
29 June 2017	Aligned to new format and forwarded to civic support to include in next Councillor Bulletin	Submitted to the Councillor Bulletin on 29 June, 2017
22 August 2018	<i>New threshold limits:</i> Threshold limit for going to public tender separated into 2 different dollar values being: <ol style="list-style-type: none"> 1. \$125,001 and above relating to contracts for the purchase of goods and services 2. \$170,001 and above relating to contracts for the carrying out of works Amended all NGSC thresholds from GST inclusive to GST exclusive. Included an additional section under thresholds in relation to information on compliance with the policy.	Presented to Audit Committee 5 September 2018 Presented to Council Meeting 1 October 2018

	New wording around purchase order splitting added.	
29 July 2019	<i>Thresholds:</i> Paragraph 3 added for formal public tender to include cumulative spend per supplier and spend per project. <i>Officers Financial Delegations:</i> Paragraph 3 added whereby no employee should be purchasing/reimbursing their own training/conferences and associated costs.	Presented to Audit Committee 9 September 2019
7 October 2019	Presented to Council Meeting 7 October 2019	
31 August 2020	Panel of Contractors & Contractors Register now included	
7 September 2020	Presented to Council Meeting 7 September 2020	
6 December 2021	Presented to Council Meeting 6 December 2021	

9.4.2. Quarterly Finance Report

Author/Position: **Graham Haylock, Manager Financial Services**

Purpose

To advise Council of the Financial Report for the first quarter ended 30 September 2021 that includes projects carried forward from the prior 2020-21 financial year.

Summary

This report discloses:

1. The Financial Report for the first quarter ended 30 September 2021;
2. The value of projects, operating and capital, to be carried forward from the 2020-21 financial year for completion during the 2021-22 financial year.

Recommendation

That Council notes the Financial Report for the first quarter ended 30 September 2021.

RESOLUTION

That Council notes the Financial Report for the first quarter ended 30 September 2021.

Moved: Cr Murray Emerson

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer is required to provide Council with a financial report, comparing the actual and budgeted results to date and an explanation of any material variations.

This report is the first financial report for the 2021-22 financial year that will assess council's performance against the adopted budget. It will also include the value of projects, operating and capital, to be carried forward from the 2020-21 financial year for completion during the 2021-22 financial year.

The report shows the forecast end of year result for the current financial year based on actual results to 30 September 2021 together with percentage variations to the adopted budget. It should be noted that the opening cash balance includes \$13.28 million to fund services and projects that were carried forward from the prior 2020-21 financial year.

The quarterly financial report includes the following key highlights:

- \$14.78 million additional opening cash balance to fund projects carried forward from the prior 2020-21 year.
- \$24.17 million forecast capital works that is an increase compared to the adopted budget of \$15.65 million. The increase is mainly due to projects carried forward from the prior 2020-21 financial year as well as additional grant funding not available at the time of budget adoption.
- \$28.21 million total cash balance at the end of September 2021 mainly to fund capital works and other scheduled projects.
- \$16.93 million debtors (rates and sundry) balance outstanding at the end of September 2021. This balance is comparable to the prior 2020-21 year with minimal impact due to the pandemic.
- \$1.10 million loan balance forecast to the end of the 2021-22 financial year with \$1.09 million of scheduled repayments during the 2020-21 financial year.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Option 1

That Council notes the Financial Report for the first quarter ended 30 September 2021 without amendments.
[recommended]

Option 2

That Council notes the Financial Report for the first quarter ended 30 September 2021 with amendments.
[not recommended]

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

The report does not raise any procurement agreement matters

Community Engagement

No community engagement was required

Innovation and Continuous Improvement

This report incorporates the impact of new accounting standards and better practice reporting.

Collaboration

No collaboration was required in completing this report.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Graham Haylock, Manager Financial Services

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Finance Report September 2021 [9.4.2.1 - 15 pages]

Financial Report

30 September, 2021



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FINANCE REPORT - SEPTEMBER 2021: CARRY FORWARDS & MAJOR VARIATIONS

Summary of Variations

The variation between the 2021/22 Adopted Budget and the 2020/21 Actuals made up of the following components: -

		\$000's
Opening Cash		
	Additional Cash @ 30 June 2021 vs 2022 Opening Budgeted Cash Position	14,782
Explanation of Additional Cash		
	<i>Carry Forward to 2021/22:</i>	
	Capital Works & Projects	8,492
	Projects Grants & Contributions	4,401
	Operating Programs	391
		13,284
Explanations of Further Variances Against Additional Cash		
	Savings in Operating Programs	1,498
		1,498

Summary of Carry Forwards		\$
Capital Works		
Expenditure budgeted for in 2020/21 - to be expended in 2021/22		
	Buildings program	2,489,623
	Heavy Plant Replacement Program	164,885
	Roads program	1,169,605
	Footpaths Program	221,499
	Bridge & Culverts Program	1,162,046
	Drainage Program	188,033
	Floodway Program	10,000
	Project Management	130,251
		5,535,942
Capital Projects		
Expenditure budgeted in 2020/21 - to be expended in 2021/22		
	Stawell Aerodrome Open Spaces	356,530
	St Arnaud Streetscape	272,832
	Grampian Rd/ Stoney Creek	163,349
	SMART Waste Technology	256,365
	Great Western Trail	294,880
	Open Spaces - Central Park/North Park Upgrades	190,557
	Bellfield Bikepath Development	25,289
	Land Improvement - Sloane St Development	660,000
	Greening St Arnaud	6,300
	Great Western Future Plan	14,173
	Soldiers' Memorial	20,109
	Grampians RDV Regional Cycling	200,000
	OPAN	167,851
	Walkers Lake Reserve	100,158
	Enhancing	61,625
	Rural Councils ICT	70,816
	Outdoor Dining Project	65,849
	Halls Gap Pedestrian & Bike Path	29,348
		2,956,031

Project Grants & Contributions

Income budgeted in 2020/21 - to be received in 2021/22

Stawell Aerodrome Open Spaces	60,000
Footpaths Program	177,100
Bridge & Culverts Program	227,500
Buildings program	1,660,000
Spaces Program	2,076,219
Land & Land Improvement Program	200,000
	<u>4,400,819</u>

Operating Projects

Aged Friendly Grant	80,300
HACC - PYP	44,600
MCH Recurring Grant	48,460
Kinder Central Enrolment	33,000
Early Schools Readiness Funding	11,440
KISP Planning Grant	35,000
Engage! 18-20	25,000
Information Systems	65,500
	<u>343,300</u>

Operating Programs

St Arnaud ELC - programs	47,940
	<u>47,940</u>

Total Carry Forwards 13,284,032

Executive Summary as at 30 September, 2021

It should be noted that this report only reflects spending to 30 September, 2021.

The forecast shows a favourable movement of \$-9.7M in expected closing cash held at the end of the financial year compared to budget.

It is projected that the Council will end the year with \$21.3M cash.

Cash Flow Statement as at 30 September, 2021

	Actuals to September, 2021 \$ '000	Total Forecast \$ '000	Budget 2021-22 \$ '000	Variations to Budget Fav (Unfav) \$ '000
Operating Activities				
Revenue				
Rates & Charges	(3,360)	(18,748)	(18,756)	(8)
Operating Grants	(1,735)	(10,595)	(10,493)	102
Statutory Fees & Fines	(118)	(462)	(455)	7
User Fees	(360)	(1,982)	(1,813)	169
Contributions	(3)	(53)	(50)	3
Other Revenue	(173)	(858)	(883)	(25)
Total Revenue	(5,749)	(32,698)	(32,450)	248
Expenses				
Employee Costs	3,987	17,810	17,166	(644)
Materials & Services	2,832	10,146	9,388	(758)
Borrowing Costs	-	75	75	-
Other Expenses	180	1,387	1,608	221
Total Expenses	6,999	29,418	28,237	(1,181)
Net Operating	1,250	(3,280)	(4,213)	(933)
Investing Activities				
Capital Expenditure	1,554	24,141	15,649	(8,492)
Capital Grants	(563)	(12,482)	(8,081)	4,401
Capital Income	-	-	(155)	(155)
Capital Contributions	(233)	(510)	(510)	-
Proceeds from investment in associates	-	-	-	-
Repayment of Loans & Advances	(3)	(9)	(63)	(54)
Net Investing Activities	755	11,140	6,840	(4,300)
Financing Activities				
Principal Repayments	22	1,092	1,092	-
Interest Paid - Lease Liability	-	3	3	-
Repayment of Lease Liability	-	87	87	-
Net Trust Movement	(6)	(117)	-	117
Net Financing Activities	16	1,065	1,182	117
Net Movements for Year	2,021	8,925	3,809	(5,116)
Opening Cash	30,232	30,232	15,450	(14,782)
Closing Cash	28,211	21,307	11,641	(9,666)

Operating Statement as at 30 September, 2021

25% through the year

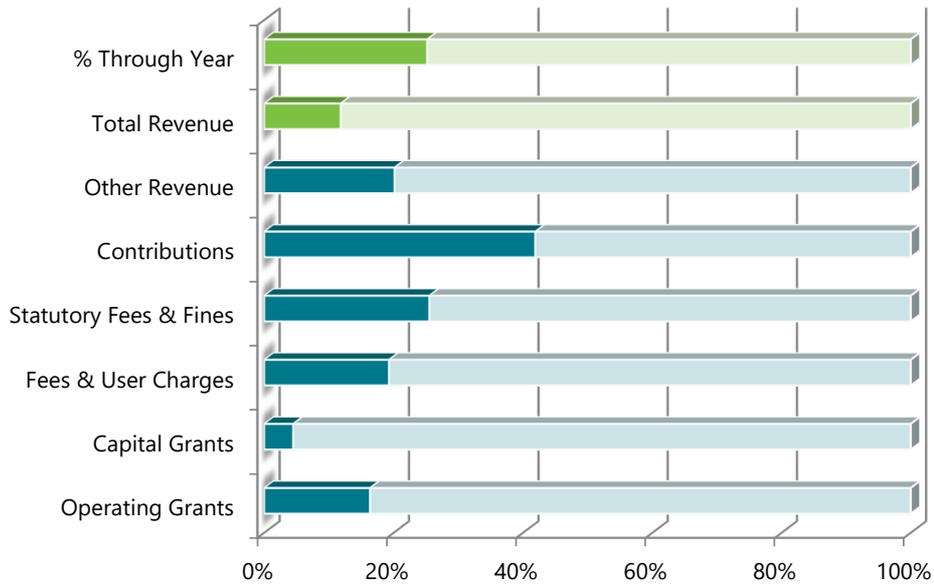
	YTD Committed Actuals \$000's	Forecast \$000's	Adopted Budget \$000's	% Actuals to Forecast %
Revenue				
Rates & Charges				
Residential	(7,999)	(7,999)	(7,738)	100%
Farm/Rural	(5,359)	(5,359)	(5,562)	100%
Commercial	(755)	(755)	(725)	100%
Industrial	(494)	(494)	(291)	100%
Cultural & Recreational	(11)	(11)	(11)	100%
Municipal Charge	(1,337)	(1,337)	(1,330)	100%
Garbage Charge	(2,842)	(2,830)	(2,830)	100%
Rates in Lieu	(24)	(24)	(326)	100%
Rates & Charges	(18,821)	(18,808)	(18,811)	100%
Grants Capital				
Capital Grants	(563)	(12,482)	(8,081)	5%
Grants Capital	(563)	(12,482)	(8,081)	5%
Grants Operating				
Aged & Disability Services Grants	(194)	(880)	(868)	22%
Child Care Grants	(229)	(939)	(853)	24%
Environmental Grants	(75)	(75)	(75)	100%
Untied Grants	(1,064)	(8,205)	(8,205)	13%
Operating Grants	(173)	(373)	(368)	46%
Public Safety Grants	(0)	(123)	(123)	0%
Grants Operating	(1,735)	(10,595)	(10,493)	16%
User Fees				
Aged and Disability Service Fees	(109)	(384)	(382)	28%
Child Care Fees	(74)	(277)	(276)	27%
Leisure Fees	(69)	(698)	(698)	10%
Local Law Fees	(10)	(116)	(115)	9%
Other Fees	(18)	(142)	(142)	12%
Public Health Fees	(3)	(46)	(46)	8%
Rental Income	(52)	(116)	(116)	45%
Private Works Infrastructure	(1)	(17)	(17)	5%
Waste Management Fees	(14)	(22)	(22)	67%
User Fees	(351)	(1,818)	(1,813)	19%
Statutory Fees and Fines				
Building Fees	(57)	(285)	(285)	20%
Local Law Fees	(1)	(4)	(4)	35%
Other Fees	(11)	(37)	(29)	31%
Planning Fees	(49)	(137)	(137)	36%
Statutory Fees and Fines	(118)	(462)	(455)	26%
Contributions				
Contributions to Capital	(233)	(510)	(510)	46%
Contributions Other	(3)	(53)	(49)	7%
Contributions	(236)	(563)	(559)	42%
Other Revenue				
Interest Income	-	(175)	(175)	0%
Other Revenue	(173)	(683)	(652)	25%
Other Revenue	(173)	(858)	(827)	20%
Revenue	(21,997)	(45,585)	(41,039)	48%
Revenue (excl Rates & Charges)	(3,176)	(26,777)	(22,228)	12%

Operating Statement as at 30 September, 2021

25% through the year

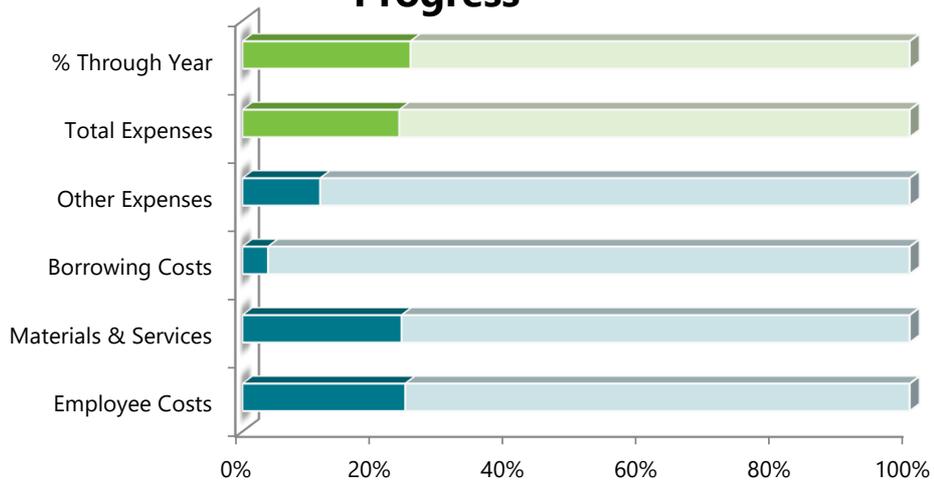
	YTD Committed Actuals \$000's	Forecast \$000's	Adopted Budget \$000's	% Actuals to Forecast %
Expenses				
Employee Benefits				
Salary & Wages	3,759	15,350	14,910	24%
Superannuation	327	1,528	1,463	21%
LSL Provision Movement	-	430	429	0%
Fringe Benefit Tax	(16)	33	33	-49%
Workcover	279	469	331	60%
Employee Benefits	4,349	17,809	17,166	24%
Materials & Services				
Advertising	23	123	122	18%
Apprentice Reimbursements	1	7	7	18%
Audit Fees	9	86	86	
Bank Fees	11	66	66	17%
Catering	0	46	45	0%
Communications	22	162	162	14%
Contract Employees	194	461	330	42%
Contractors	596	3,507	2,721	17%
Contributions - Reciprocal	10	116	116	8%
Cost of Goods Sold	29	175	175	16%
Equipment Mtc & Repair	237	711	680	33%
Fuel	118	556	556	21%
Insurance	554	728	586	76%
Leases	79	368	368	21%
Legal Expenses	2	118	117	2%
Memberships & Subscriptions	116	233	144	50%
Minor Equipment	13	87	73	15%
Office Supplies	1	10	10	8%
Other Materials and Services	372	2,128	800	17%
Postage & Freight	6	37	37	17%
Printing	5	81	81	6%
Professional Advice	150	582	554	26%
Recruitment & Retention Expenses	1	21	21	6%
Security Expenses	8	58	58	14%
Software Costs	208	1,016	1,000	20%
Uniforms & Protective Clothing	21	136	96	16%
Utilities	93	443	427	21%
Materials & Services	2,879	12,062	9,435	24%
Depreciation				
Depreciation	-	13,818	13,818	0%
Depreciation	0	13,818	13,818	0%
Amortisation				
Amortisation	-	86	86	0%
Amortisation	-	86	86	0%
Finance Costs				
Finance Costs	3	75	75	3%
Lease Costs	-	3	3	0%
Finance Costs	3	78	78	3%
Other Expenses				
Contributions - Non Reciprocal	17	979	1,001	2%
Councillor Allowances	53	214	214	25%
Other Expenses	111	349	391	32%
Other Expenses	180	1,542	1,606	12%
Expenses	7,411	45,395	42,189	16%
Expenses (excl Depreciation)	7,411	31,491	28,285	24%
Other Income Statement Items				
Proceeds of Asset Sales	-	(155)	-	0%
Other Income Statement Items	0	(155)	0	0%
Operating Statement	(14,586)	(346)	1,150	

Ordinary Operating Revenue Progress



This graph excludes rates & charges, with the details for this area shown in the Debtors Report.

Ordinary Operating Expenditure Progress



Capital & Project Expenditure Summary

Programs	Actuals \$000's	Forecast \$000's	% Complete	Remaning
Major Emergency Restoration	2	-	0%	100%
Roads	1,865	7,617	24%	76%
Bridges	213	2,190	10%	90%
Building	3,280	5,986	55%	45%
Drainage	110	352	31%	69%
Open Spaces	1,552	4,985	31%	69%
Land & Land Improvements	185	1,260	15%	85%
IT	37	-	0%	100%
Plant, Vehicles & Equipment	11	975	1%	99%
Projects	206	809	26%	74%
Total Capital & Projects	7,461	24,174	31%	69%

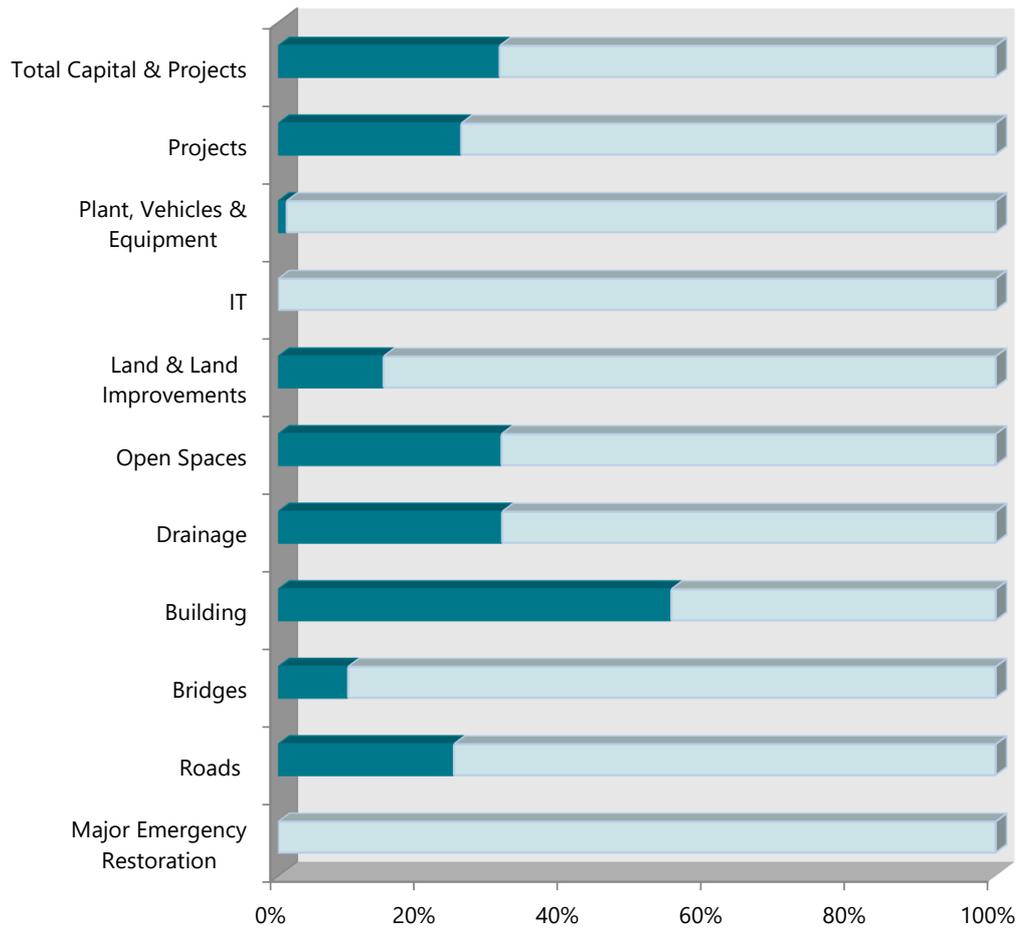
2021/22 Capital Program

Capital Projects	7,160	22,912
Expensed Projects	299	1,262

2021/22 Major Emergency Restoration

Capital Projects	-	-
Expensed Projects	2	-
Total Capital & Projects	7,461	24,174

Capital & Project Expenditure Progress



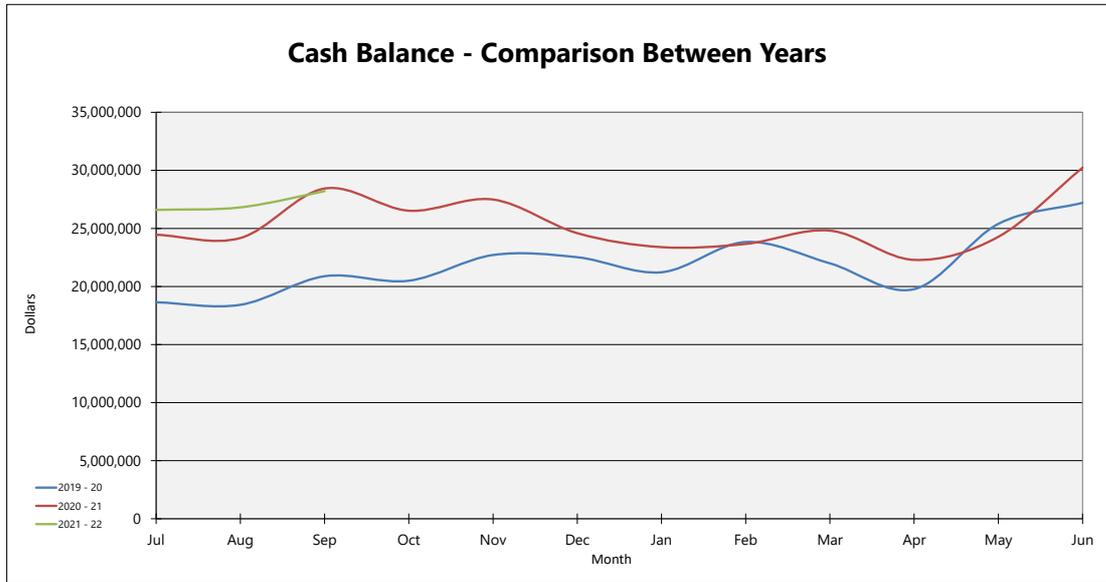
Capital & Project Expenditure Summary as at 30 September, 2021

Capital and Projects	Forecast	Adopted Budget
1112 - B - Roads - Aerodrome Program	656,530	300,000
1101 - B - Roads - Final Seal Program	405,000	325,000
1110 - B - Roads - Footpaths Program	629,599	408,100
1100 - B - Roads - Kerb & Channel Program	563,017	228,750
1102 - B - Roads - Major Rural Roads Program	398,000	398,000
1104 - B - Roads - Resealing Program	1,269,238	1,198,400
1105 - B - Roads - Resheeting Program	939,464	939,464
1106 - B - Roads - Rural & Residential Program	320,544	240,000
1111 - B - Roads - Streetscapes	976,568	540,387
1107 - B - Roads - Town Street Sealing Program	82,000	82,000
1108 - B - Roads - Transport Dev Program	797,337	408,000
1109 - B - Roads - Urban Rd Improvement Program	175,000	82,000
1103 - B - Roads - Rehabilitation Program	373,619	252,000
1113 - C - Bridge & Major Culverts Program	2,190,166	1,028,120
1114 - C - Floodway Program	31,000	21,000
1115 - D - Building Program	5,985,623	3,496,000
1116 - E - Drainage Program	352,283	164,250
1122 - F - Open Spaces Program	4,984,842	4,087,500
1120 - G - Land & Land Improvement Program	1,260,000	600,000
1119 - H - IT Program	0	0
1118 - H - Plant, Vehicles & Equipment Program	974,885	810,000
1121 - J - Projects	809,041	40,000
Grand Total	24,173,756	15,648,971

Capital & Project Revenue Summary as at 30 September, 2021

Level 2	Forecast	Adopted Budget
02 - Capital		
1112 - B - Roads - Aerodrome Program	(360,000)	(300,000)
1101 - B - Roads - Final Seal Program	(157,000)	(157,000)
1110 - B - Roads - Footpaths Program	(371,200)	(194,100)
1102 - B - Roads - Major Rural Roads Program	0	0
1104 - B - Roads - Resealing Program	(880,000)	(880,000)
1105 - B - Roads - Resheeting Program	(520,984)	(520,984)
1111 - B - Roads - Streetscapes	(425,387)	(425,387)
1108 - B - Roads - Transport Dev Program	(204,000)	(204,000)
1109 - B - Roads - Urban Rd Improvement Program	0	0
1103 - B - Roads - Rehabilitation Program	(140,000)	(140,000)
1113 - C - Bridge & Major Culverts Program	(377,500)	(150,000)
1114 - C - Floodway Program	(10,000)	(10,000)
1115 - D - Building Program	(3,231,000)	(1,571,000)
1116 - E - Drainage Program	(88,000)	(88,000)
1122 - F - Open Spaces Program	(5,626,719)	(3,550,500)
1120 - G - Land & Land Improvement Program	(600,000)	(400,000)
1118 - H - Plant, Vehicles & Equipment Program	(155,000)	0
1121 - J - Projects	0	0
Grand Total	(13,146,790)	(8,590,971)

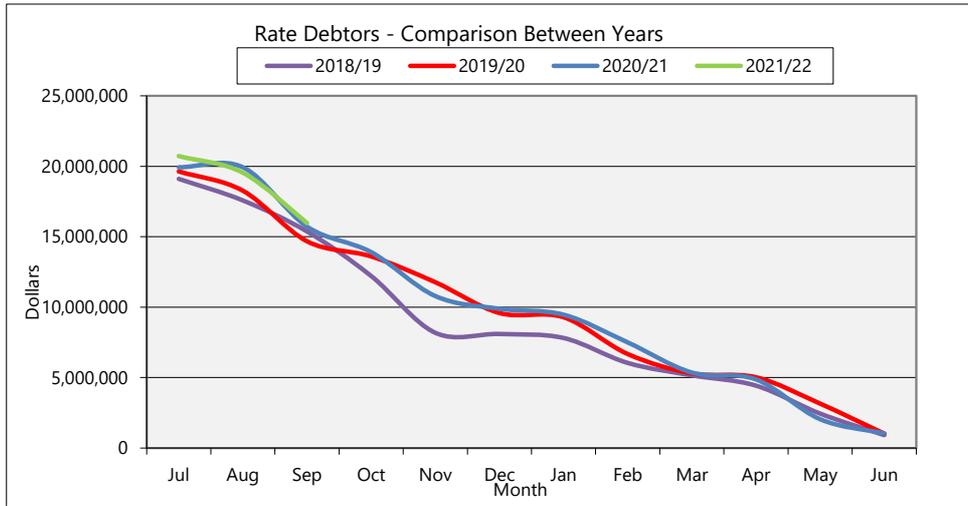
Cash and Investments as at 30 September, 2021



Total Cash Balance at Month End

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2017 - 18	12,943,095	11,722,616	12,402,540	10,045,586	11,871,466	10,298,760	8,070,124	10,076,254	10,520,858	9,157,008	11,843,662	16,202,519
2018 - 19	14,662,878	13,696,212	14,814,349	19,043,239	19,466,664	18,213,979	17,049,983	19,275,427	18,514,123	16,357,309	18,298,119	20,785,979
2019 - 20	18,642,143	18,424,373	20,885,437	20,496,673	22,711,437	22,520,759	21,226,659	23,831,676	21,993,073	19,771,946	25,394,596	27,206,212
2020 - 21	24,458,405	24,173,971	28,436,358	26,525,969	27,490,366	24,592,324	23,388,847	23,663,702	24,811,535	22,290,630	24,280,838	30,230,677
2021 - 22	26,594,594	26,813,020	28,211,375									

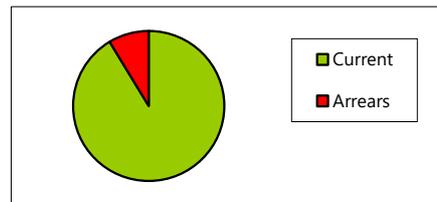
Debtors Reports as at 30 September, 2021



Rates Debtors YTD

Current
Arrears
Total

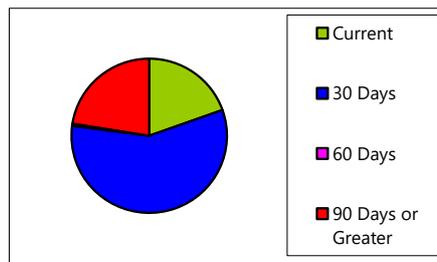
	\$	%
Current	14,585,674	91%
Arrears	1,381,946	9%
Total	15,967,619	100%



Sundry Debtors YTD

Current
30 Days
60 Days
90 Days or Greater
Total

	\$	%
Current	189,086	19.6%
30 Days	555,352	57.5%
60 Days	4,634	0.5%
90 Days or Greater	216,985	22.5%
Total	966,057	100%



Details:

Current	The majority of the current balance is for the Swifts Football/Netball contribution to the North Park Clubrooms
30 days	This is mostly made up of \$525,096 invoiced to the Department of Transport for road upgrade funding
60 days	No major debtors
90 Days or Greater	Larger debts relate to: Stawell Cemeteries (\$61k) and a loan with \$25,368 remaining (a payment arrangement is in place)

Loan Report - Budget 2021/22

Borrowing principles:

Indebtedness

Our level of debt will not exceed 60% or \$11.3 million of rates and charges revenue.

Indebtness Calculation Check 6% ✓

Debt servicing costs

Our level of annual debt servicing costs (principal plus Interest) will not exceed 5% or \$2.1 million of our total operating revenue.

Debt Servicing Calculation Check 3% ✓

Loans budgeted 2021/22:

Principal

	\$000's
Loans outstanding as at 30 June, 2021	2,189
Add proposed new loans 2021/22	-
Less scheduled repayments 2021/21	(1,092)
Loans Outstanding as at 30 June, 2022	1,097

Expiry of existing loans

	Expiry	Balance \$000's
Loan 16	Jun-23	97
Loan 20	Jun-26	1,000
		1,097

9.4.3. Workforce Plan and Gender Equality Action Plan 2021-25

Author/Position: Daryl Clifton, Manager People and Culture

Purpose

To enable Council to acknowledge and adopt the Workforce Plan and Gender Equality Plan, effectively complying with new state government legislation.

Summary

This report provides a summary of the legislative requirements and intention of implementing Workforce and Gender Equality Plans. It further outlines the ongoing requirements for these plans.

Recommendation

That Council adopts the Northern Grampians Shire Council Workforce Plan 2021-25, including the Northern Grampians Shire Council Gender Equality Action Plan 2021-25.

RESOLUTION

That Council adopts the Northern Grampians Shire Council Workforce Plan 2021-25, including the Northern Grampians Shire Council Gender Equality Action Plan 2021-25.

Moved: Cr Lauren Dempsey

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

The *Local Government Act 2020* requires all local governments to develop and implement four year Workforce Plans by 31 December 2021. This plan is to be primarily used for and designed to ensure that the right staff and skill sets are either in place or developed to ensure the delivery of council business and the Council Plan 2021-25. The legislation outlines that the Workforce Plan is not limited to, but must at least contain information that:

1. Describes the Organisational Structure of the Council;
2. Specifies the projected staffing requirements for the next four years; and
3. Sets out measures that seek to ensure gender equality, diversity and inclusiveness.

The *Gender Equality Act 2020* requires all local governments to undertake local gender audits and to develop and implement a four year Gender Equality Action Plan (GEAP) by 31 March 2022. Given the requirements, outlined above regarding gender equity being included in the Workforce Plan, NGSC has developed their GEAP separate to but as an appendix to the Workforce Plan 2021-25. As prescribed, this plan contains actions that are intended to address gender equality, diversity and inclusiveness issues that have been identified through a local gender audit and by the Gender Equality Commission.

Whilst both plans are compiled as proactive measures, they do naturally outline gaps and issues that council will need to address over the next four years, regarding equity issues, staffing skills and employee numbers to ensure ongoing delivery of service and the achievement of the Council Plan 2021-25.

Legislation, Council Plan, Strategy and Policy Implications

Council will be adopting the plans in line with the requirements of the *Local Government Act 2020* and the *Gender Equality Act 2020*.

Options

There is no other option than to produce a four year strategic plan under both pieces of legislation. There is also a requirement to produce annual Operational Plans, within both Strategic Plans, over the four year period. This means that Council does have options on which parts of the Strategic Plans they will address in any given 12 month period. However, it should be noted that some actions for the annual GEAP will be dictated by the Gender Equality Commission.

Implications

The GEAP does raise gender equality issues that will be addressed over the period of the plan. They are too complex to address in this report and are not out of step with most other remote rural councils in Victoria.

Procurement

There are no procurement issues to the initial implementation of both plans. In future times, some aspects of the plan may be achieved through opportunities for collaboration with other councils.

Community Engagement

No community engagement is required at this stage of the plans. Some future community engagement may be required when new recruitment of available workforces are considered and undertaken.

Innovation and Continuous Improvement

Almost the entire context of both plans involves identifying and realising continuous improvement for council's current and future employees. Both plans are about ensuring the skill development of present staff and the attainment of the required and improved skills from newly employed staff in order to realise the Council Plan 2021-25. Most of this will need to be done through innovative management practices, especially in and through the future methods used to attract and retain council employees.

Collaboration

Collaboration was at a state level with and through various departments. All local governments were involved and included in this collaboration.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

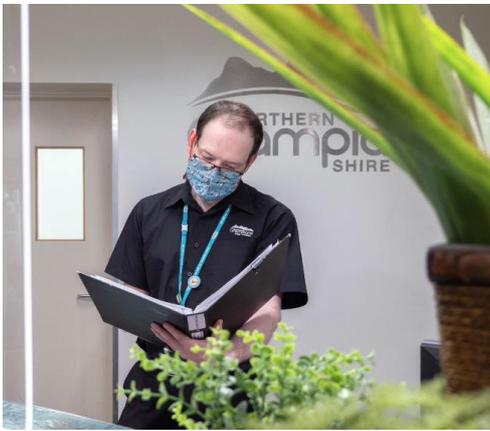
Daryl Clifton, Manager People and Culture

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Workforce Plan 2021-25 [9.4.3.1 - 28 pages]

Northern Grampians Shire Council Strategic Workforce Plan 2021-2025



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Appendix “A” - The Gender Equity Action Plan (GEAP)	13

Executive Summary

In March 2020, the Victorian State Government legislated substantial changes to Local Government operations through the introduction of a new Local Government Act. Amongst many other changes, the new Act legislated that all Councils were required to develop, adopt, and implement Workforce Plans by the 31st of December 2021. These plans were not limited to, but needed to at least contain information that:

1. Describes the Organisational Structure of the Council
2. Specifies the projected staffing requirements of the Council for at least 4 years and
3. Sets out measures that seek to ensure gender equality, diversity and inclusiveness.

This Foundational Plan complies with those requirements. Furthermore, this Strategic Workforce Plan outlines the current staffing models and staffing skills in Council, identifies gaps in those areas and produces strategies that will be undertaken to best place the Council to provide the services outlined in the Council Plan 2021 -2025.

To determine those future strategies, this document has been largely developed by gathering internal and external workforce data and aligning it to the PESTEL framework, a process that allows examination of the Political, Environmental, Social, Technical, Economic and Legal impacts on and for our workforce.

This process identified several overarching themes and pressing issues that are addressed in the Strategy Section of the Workforce Plan. In precis, they are:

1. **Retention and attraction** - Council has a higher than average attrition rate when compared to the other similar local governments and often has difficulty attracting staff to the more skilled or specialised roles/positions.
2. **An ageing workforce** – Council has a workforce that is of a higher than average age when compared to the local government sector and this presents both Workcover and succession planning issues.
3. **Specialist skills** - There are a lack of some specialist skills and personnel to deliver on the 2021-2025 Council Plan and the Council Strategic Planning process has not been traditionally aligned to Workforce Planning or with workforce requirements considered, and
4. **IT Skills and Platforms** - Council will need to address, in the life of this plan, the number of specialist employees, the skills of individual employees and the IT platforms currently in use, to enable progress towards more efficient and cost-effective operations. This issue also impacts on retention and attraction of employees.

Whilst these issues are all addressed in more detail, in this Strategic Workforce Plan it is important to note that the ultimate aim, in undertaking this workforce planning exercise, is for the NGSC People and Culture Team to use the analysis to produce Annual Operational Plans that work towards achievement of Council's Strategic Workforce Plan.

Introduction

Workforce Planning is the systematic identification, analysis and planning of organisational needs in terms of people. It is an active and continuous process used to generate intelligence to inform Council about the current and future impact of the external and internal environment on their business and services, and in the process, to become resilient to structural and cultural changes and be better positioned for the future. There are two separate but interrelated tasks that define workforce planning:

- **Strategic Workforce Planning:** which covers a defined period, aligned to organisational strategy. In the case of this plan, 4 years.
- **Operational Workforce Planning:** which covers a defined period, aligned with the organisations planning cycle and usually no more than 12 months. In this case the People and Culture 12 Month Operational Plan.

The information in this paper outlines the Northern Grampians Shire Council (NGSC) approach to the research for and implementation of these tasks.

Development of the NGSC Workforce Plan 2021 – 2025

The following information is presented to depict how the NGSC Strategic Workforce Plan was developed:

1. Analysis of the NGSC Councils Workforce

An analysis of our existing workforce profile in addition to an examination of National and State Local Government workforce trends was undertaken. Identification of roles that are essential to meeting legislative requirements and those that are at risk of effecting service delivery if they become vacant or are not able to be filled was also undertaken. This analysis enabled the identification of risks associated with the impact on business, should these positions become vacant. Shortfalls and opportunities were highlighted to utilise current resources more efficiently and effectively and to align strategy with Council's values and with projections and trends within the Northern Grampians Region. It is important to note that significant research and comparisons were made in this analysis process. However, due to the overwhelming amount of information, only those issues that were seen as critical or most needing attention or those that provide context are presented in this document.

2. Forecast of Future Needs

Research and consideration of NGSC Council Plan 2021-2025 content and objectives were undertaken to understand our capacity and capability to deliver current and future work requirements and identify future skill and competency needs. Future workforce requirements were projected based on identification of gaps in the current workforce profile, the future requirement to support community capacity via local employment and projections of national, state and regional skill shortages. To ensure that identified positions are aligned with Council's strategic direction and that the Strategic Workforce Plan remains an active working document, all vacant or new positions will be analysed against the findings of this Strategic Workforce Plan.

3. Gap Analysis

Findings from our workforce analysis and forecasting steps enabled the identification of gaps in demand and supply, internal and external impacts, challenges on current resources and potential strategies to be undertaken.

4. Developing an Action Plan to Address Key Issues

This document contains strategies for a 4-year period that have been developed to address gaps in demand and supply of labour and skill shortages. An Operational Plan will be developed annually to support the achievement of objectives in the 4-year plan. This Operational Plan will work in conjunction with other People and Culture Plans that address development of current staff and recruitment of future employees.

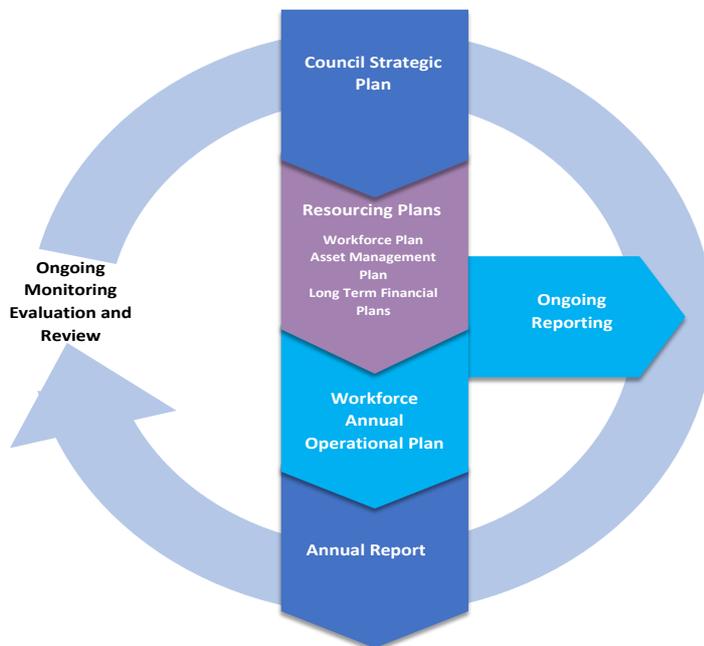
5. Implementation of Strategies

For the Workforce Strategies to be effectively implemented it is critical that key stakeholders are consulted and involved at all stages of the delivery. Management will hold key responsibilities in the delivery of the strategies and will be supported by the People and Culture Team to ensure innovative and best practice human resource tools are used, in line with Council Values, to support them in this endeavour.

6. Monitoring and Evaluation

Ongoing review of the Strategic Workforce Plan will be undertaken on regular basis with alignment to Council's planning documents and processes with remedial actions to be implemented as required. The annual Operational Plan will be used to measure the effectiveness of this Strategic Workforce Plan.

Relationship of the Strategic Workforce Plan to Council Operations



The Strategic Workforce Plan operates in conjunction with other key strategic and management documents that NGSC Council has implemented to meet the needs of our community.

Workforce analysis

1. Organisational Direction and the External Environment

To determine organisational direction, working documents that were utilised to establish the Council Plan 2021 – 2025 were examined and considered. The final Council Plan was also considered. This examination identified that whilst most strategies in the Plan were catered for by our current workforce there were several areas where Council either does not have sufficient staff or the skills to deliver outcomes. This was especially evident in areas that cover indigenous culture relationships, protecting and enhancing the natural environment and managing the impacts of climate change.

Through workshops with individual Senior Leadership Team (SLT) Managers, internal issues in delivering the Council Plan were also examined. Whilst most managers showed a good general understanding of the Plan and outlined staffing strategies to achieve it, they did raise some concerns on the current capacity to deliver increased and improved services. This was particularly evident in and exacerbated by the increasing need to modernise and review IT Platforms and the increasing State Government demands for legislation compliance. These issues may interfere with the current staff capacity to progress towards achievement of the Council Plan.

Many Managers also raised the issue of the Council Plan not being done in conjunction with the Strategic Workforce Plan. This would have allowed a full consideration of the resources and skills needed to achieve strategic outcomes. However, this is a circumstance brought on by State Government Legislation and the order of its implementation and future versions of both Plans will need to take this requirement into account.

A necessary part of Workforce Plan compilation is the consideration of the environment and community in which an organisation operates. This is particularly so for small remote rural communities who gain most of their skills and staff from local sources. To determine the external workforce environment in which the NGSC operates, a range of statistics, demographics and data was examined. Whilst the Northern Grampians Shire is not that different to a number of other small rural shires it does have some issues that are worth highlighting in regard to workforce planning. In precis, they are:

- The age demographic of the residents of the Northern Grampians Shire is quite old and not always that conducive to recruiting suitable staff, and
- The socio economic and education levels of Northern Grampians residents is quite low and not always suitable for recruiting the right staff, especially for highly skilled and qualified positions.

Comment: Given that resourcing required to achieve some outcomes in the Council Plan are not adequately catered for by the present staffing and skill sets and the existence of a limited labour market in the Northern Grampians Shire, Council will need to be increasingly innovative in retaining current staff and attracting suitable future employees and these issues will be addressed by strategies in this plan.

2. Analysis of the Internal and External influences on Labour Supply and Demand

A PESTEL is a simple and effective way to identify what is happening with the external and internal environment that may impact the workforce. The below table was produced through consultation

with the NGSC Managers responsible for the delivery of the Council Plan and those responsible for managing the workforce in supporting that delivery. Some of the findings are explored more fully in the body of this document and were used to inform the strategies contained in this Plan.

<p>Political – What are the political factors that are likely to affect the business?</p> <ol style="list-style-type: none"> 1. Rate capping by State Government puts pressure on Council’s capacity. 2. Negotiating shared services may be required to find adequately skilled staff. 3. Decreasing grants from different levels of government may impact levels of services and staff. 4. New legislative requirements require specialist skills to implement. 	<p>Economic – What are the economic factors that will affect Council?</p> <ol style="list-style-type: none"> 1. Grants (See point 3 in Political). 2. Council inability to sustain current assets – staff may need to negotiate more meaningfully with the public. 3. Grant attainment could be affected by a shortage of skills to focus on and attain grants. This may limit Council applications for new funds. 4. Resourcing the growth in aged care may increase labour costs considerably. 5. NGSC Workforce predictions/data sets are not currently set up to accurately establish future costs and needs.
<p>Social – What cultural aspects, attitudes, beliefs will affect the demand for service?</p> <ol style="list-style-type: none"> 1. Ongoing Pandemic restrictions may make some staffing issues problematic. 2. The NGSC aging workforce pool may make recruitment increasingly difficult. 3. NGSC community has a skill/education gap that may not readily supply a labour force for Council’s more skilled/technical needs/jobs. 4. Inadequate staff with the right skills to engage the changing demographics of the NGSC community. E.g., Aging Population. 	<p>Technology – What technical factors will affect Council?</p> <ol style="list-style-type: none"> 1. Increased expectation of residents to interact with Council electronically. 2. Staff efficiency and customer service may be affected by outdated platforms that are either not fit for purpose or too complex. 3. Current staff numbers and skills may not be adequate for future delivery of IT Platforms or to leverage current capacity of current platforms. 4. Current Council Website is not adequate for future use and may require specialist skills to be further developed.
<p>Environmental – What factors need to be considered?</p> <ol style="list-style-type: none"> 1. Targets for Council on the carbon footprint may be forced from outside of our control and there are presently no staff who could manage this. 2. There are inadequate staff and skills to cater for Climate Change impacts. 3. The community may have expectations on increased green space which will require an increase in the current staff skills. 4. Council stance on climate change has not been expressed and there are no staff in Council to address an increased focus in this area. 	<p>Legal - What current and impending legislation will affect Council?</p> <ol style="list-style-type: none"> 1. Local Government Act Changes have a considerable impact on the current staff capacity. 2. The Gender Equity Legislation will shortly impact Councillors and Council Elections and specialist staff will need to manage this issue. 3. Planning and Environment and Building Act and Environmental Health staff are currently inadequate to meet legislated requirements. 4. The Victorian Protective Data Security Framework standards require effort outside Council’s current capacity.

3. What does better practice look like?

Workforce planning is intrinsically linked with strategic and business planning and should be part of the normal business planning process, effectively enabling Council to identify the workforce implications of annual and strategic council plans.

The Workforce Plan, in future times, will help Council to identify and ideally put in place human resources with appropriate skills to deliver Council business and plans. It will expose gaps in addressing priority workforce segments, work locations, roles, functions and capabilities. It will provide the evidence to justify the adoption of workforce risk management and risk mitigation strategies. To do this it is important that:

- Roles and responsibilities are clearly defined,
- Data capture and analysis reporting are part of everyday business, and
- Data is reliable and trusted to inform decision making.

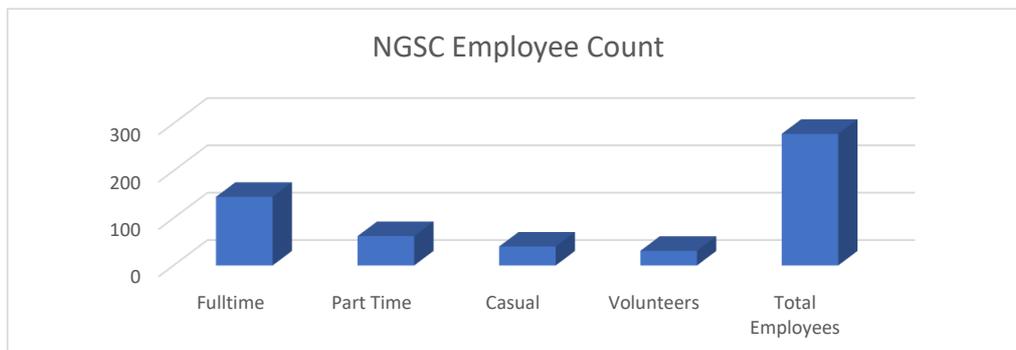
This foundational Workforce Plan starts the NGSC on the journey of creating smarter and improved workforce skills and capacity, in order to deliver community service and planned outcomes.

4. NGSC Workforce Data

Employee Numbers

As of October 2021, internal data indicates that the NGSC has 247 paid employees. This total includes 145 fulltime and 62 part time employees and 40 Casuals.

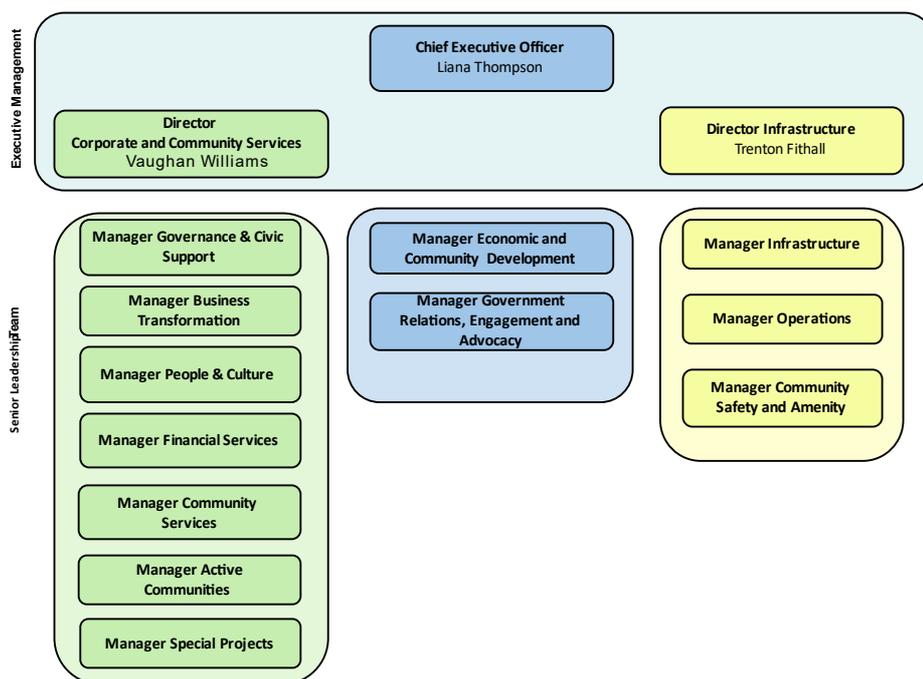
Council is currently hosting 2 Trainees and 5 Apprentices in the paid employee total. Council's Full Time Equivalent (FTE) is 183 people. Council also has 31 Volunteers that are primarily used for meals on wheels, which in turn means that the NGSC has an effective total of 278 employees.



Comment: The NGSC, in comparison to other Small Regional Councils, employs an average number of staff. Council has slightly more part time workers than most other similar councils but generally the figures, overall, are unremarkable.

Organisational Structure

In many surveys and government working documents, Local Governments are often classified by either their location, size and/or budget. In all of those measures the NGSC is classed as a “Small Rural Council”. When comparisons are made with other like Councils the following organisational chart and management set up is not unlike a significant number of those Local Governments. The NGSC, in regard to population, budget and employee numbers sits at about the middle of the group of Small Rural Councils in Victoria. The following chart outlines the Council Structure at management level:



Comment: This Organisational Structure was revised in September 2021 through a restructure that reduced 3 Directorates to 2 in an effort to create more streamlined operations and contingencies of scale. This restructure created a number of new positions designed to better implement the Council Plan 2021 – 2025, especially in the Economic Development area.

Band and Salary Levels

There is a large amount of data and information available on the pay rates and banding in Local Governments across Australia and Victoria. The following table outlines the pay rates for employees at the NGSC in comparison to the Victorian State Average for Small Rural Councils:

Band	NGSC pay rate at the base level (A) per week	Victorian Small Rural Council average pay rate at the base level (A) per week
1	\$979.08	\$1009.88
2	\$1029.05	\$1056.43
3	\$1071.16	\$1097.19
4	\$1162.44	\$1178.82
5	\$1281.45	\$1284.60
6	\$1559.72	\$1544.28
7	\$1749.26	\$1728.13
8	\$2031.51	\$2049.49
SEO (Managers)	\$2616.50	\$2872.35 (Variable dependent on vehicle packaging)

Analysis shows that whilst the NGSC is slightly below the average in Bands 1 to 5 it is slightly above in Bands 6 to 8. Although there are many different variances in the pay rate for Managers (SEOs), a general comparison shows that NGSC Managers are well below average when compared to other comparable Councils. This is often due to some Local Governments supplying Managers with vehicles for private use as part of their salary package.

Comment: The NGSC is currently negotiating a new Enterprise Agreement. This agreement will see Band 1 to 5 employees raise to the average comparable wage and will address the inequities in SEO packages. This should go some way to addressing the attraction and retention difficulties currently being experienced and outlined further in the mobility section of this document. Given the concerns outlined throughout this document regarding retention and attraction of staff, Council will need to be vigilant in maintaining attractive salary packages in future Enterprise Agreements.

Age

Like many other Small Rural Councils, the NGSC has an aging workforce - 68 of the 247 permanent employees are over the age of 55, and 12 of those are over the age of 60. It would be reasonable to assume that a significant number of these employees are either looking toward retirement or to transition into retirement. Compounding this issue is the fact that 23 of those employees over 55 have more than 20 years' service and experience in Council. This will present Council with a significant loss of knowledge and expertise over the coming years. The following chart outlines respective employee age groups in the NGSC:

Age Group	Manager		White Collar		Blue Collar		Total
	Male	Female	Male	Female	Male	Female	
15-25			2	9	9	15	35
26-39	2	1	16	16	13	19	67
40-54	3	3	6	29	20	16	77
55-65	3	1	7	20	18	7	56
65-74		2	2	1	5	1	11
75+						1	1
							247

ABS data indicates that the percentage of employees working in Small Rural Councils across Australia over 50 years of age makes up 37% of the workforce. In the NGSC this percentage is 36% and replicates that national trend.

Comment: Council is currently working on several initiatives to address the aging workforce issue. These include both procedural and legislated flexible working arrangements, a health and wellbeing employee assistance program and alternative recruitment methods. However, there is an urgent need to address the long-term issues associated with the age of our workforce in a more holistic manner and this issue will be addressed by strategies in this plan.

Gender

As a result of legislative requirements in the Victorian Gender Equality Act 2020, the NGSC has recently completed a Gender Equality Action Plan (GEAP). For a more extensive breakdown of gender data and actions planned to address gender issues, see The GEAP at Appendix "A".

In précis, The GEAP contains the following findings:

- There is no pay gap, at given levels, between males and females in the NGSC. However, there is a far larger percentage of females working in part time and casual positions which means that the overall pay average for women is less than men.
- The overall percentage of woman employees is slightly higher than men with 55.31% female employees to 44.69% male.
- Whilst the NGSC Leadership Team has a majority of males, the workforce composition for non-managerial positions has more women than men. This tends to be vocationally aligned with men predominately performing outdoor labour roles whilst women tend to perform roles associated with in home care, early learning and organisational support.
- Whilst the NGSC does not have any known substantial gender issues, there is a significant lack in available data to analyse issues to a proper level and actions in the GEAP will address the issue of how future data will be gathered and used.

Comment: The GEAP addresses actions that need to be taken in regard to Gender Equality.

Diversity

As a result of legislative requirements in the Victorian Gender Equality Act 2020, the NGSC has recently completed a Gender Equality Action Plan (GEAP). This included an examination of Diversity issues. For a more extensive breakdown of diversity data and actions planned to address diversity issues, see The GEAP at Appendix "A".

In précis, The GEAP contains the following findings:

- Like many other Small Rural Councils, NGSC is predominately Australian but over the last 2 years there has been a significant shift, with 18% of the shire now culturally identifying as other than Australian.
- A significant majority of NGSC employees are heterosexual.
- A significant majority of NGSC employees were born in Australia.
- There is a significant lack of available data within Council to understand diversity issues and this is the subject of Action Items in the GEAP.

Comment: The GEAP addresses actions that need to be taken in regard to Diversity.

Staff Mobility

Organisations often measure their turnover rate as a means of determining the effect that it has on culture, succession planning and delivery of goals and projects. Turnover rate is calculated by % = the total number of voluntary resignations divided by the total number of permanent staff x 100. Meerkin and Apel (Lawyers representing the majority of Local Governments in Victoria), produce an annual "Salaries, Leave and Turnover" Survey Report. This paper is formulated through a survey completed by at least 50 Local Governments from across Victoria. An examination of the November 2021 results is useful in determining where the NGSC sits in regard to other similar Small Rural Councils. The following table outlines the turnover rate in the NGSC compared to the State average for Small Rural Councils:

Year	Number of Permanent Employees	Terminated Permanent Employees	NGSC % Turnover	State Average % Turnover
2019/2020	232	48	20%	14%
2020/2021	236	35	14%	13%
2021/2022 (5 months)	247	18	7% Pro Rata (Estimated full year is approximately 15%)	N/A

Comment: Extensive research has shown that any turnover rate greater than 10% per annum may be considered unhealthy for most organisations. Examination of the data in the Meerkin and Apel Survey shows that the NGSC has a turnover rate slightly higher than the average but also indicates that this is a significant problem for most Small Rural Councils.

Anecdotally, a small number of work teams are responsible for most of the turnover and whilst there has been some improvement in the last 2 years, there is still a need to better understand the work areas with higher turnover and the reasons for that turnover.

The NGSC also has an aging workforce and this may increase the number of terminations in the coming years (see Age Section). Council has recently attempted to address the termination rates by introducing more flexible working arrangements and other measures designed to attract and retain staff, but it is clear that this area needs to be a continual focus. Understanding and reacting to the turnover rate and forthcoming retirements will be addressed by strategies in this Plan.

Skill Shortages

Whilst the Local Government sector has been able to traditionally maintain a relatively stable employment base due to the state of the Labour Market, this situation would appear to be waning quickly. Most Small Rural Councils are currently experiencing labour shortages in the areas of planning, engineering and local law enforcement and all of these positions are critical to a Council's legislated responsibilities. Should any of these positions remain vacant in a Council for some time, then this would interfere with its ability to conduct essential business. This is no different for the NGSC, where recent times have seen unqualified, unskilled and/or no applicants applying for job opportunities in these fields. The NGSC is increasingly having to take special efforts to attract and attain staff for a significant number of specialised positions. This results in higher recruiting costs and often results in new employees working remotely.

The NGSC operates in a world and environment that increasingly uses and relies on technology. This may mean that the manner in which shire residents interact with Council will change and Information Technology (IT) use will increase. It may also mean that the manner in which employees work and achieve outcomes is increasingly reliant on IT. Whilst the NGSC is currently fairly well placed in this area, there is a need to be continually vigilant on the changing environment and the skills that are required to operate in this area.

As noted, in the age section of this document, the NGSC operates in an aging demographic with an aging workforce and acquiring younger workers to take up employment from within the Region will present challenges in the future should the appropriate strategies not be put in place now.

Comment: The issues associated with skill shortages is perhaps the most pressing problem that Council needs to deal with. It impacts on nearly every other workforce planning issue and rather than being forecast it is present right now. There is a need to holistically address skill shortages with attraction and retention, staff development and the aging workforce and this will be addressed by strategies in this Plan.

Workforce Strategies - The Plan

The following strategies form the basis of the NGSC 4-year Strategic Workplace Plan. They have been devised from the research and data that identified the workplace issues outlined in this document. As previously discussed, a 12-month Operational Plan will be produced for each year of the Plan to ensure the achievement of more tangible outcomes.

Strategy	Key Actions
Employee Attraction and Retention	<ul style="list-style-type: none"> Review recruitment agencies and sources with a view to establishing evidence of their effectiveness. Improve and conduct Exit Interviews in a more consistent and formal manner. Improve and better market the Employee Assistance Program (EAP) Investigate the possibilities and opportunities to share resources and employees with other local governments and utility authorities.

Strategy	Key Actions
Training and Development	<ul style="list-style-type: none"> Develop and implement initiatives to multiskill current employees. Fully utilise and market the NGSC Learning and Development Hub. Explore and offer further assistance with tertiary education and industry specific education. Explore the increased possibility of external staffing placements. Create internal and external staffing networks designed to improve management, leadership and technical knowledge.

Strategy	Key Actions
The Aging Workforce	<ul style="list-style-type: none"> Develop and implement more flexible working options and plans for older workers. Improve targeting and placements of local students with a view to them seeing local government as a career. Explore increased cadet, internships and apprenticeship opportunities. Develop and implement a Transition to Retirement Policy. Develop and implement a Succession Policy and Procedure.

Strategy	Key Actions
Skill Shortages	<ul style="list-style-type: none"> • Develop and implement improved workforce planning tools and systems. • Establish more reliable data sets for skills and qualifications. • Develop and implement initiatives to multiskill current employees outside of their teams. • Research and identify future IT skills and platform requirements. • Undertake a staff skill audit in line with the delivery of the Council Plan 2021-2025 to identify skill shortages.

Strategy	Key Actions
Gender and Diversity	<ul style="list-style-type: none"> • Achieve the Actions outlined in the GEAP

Monitoring and Evaluation

Monitoring of this Strategic Plan will be done annually through the People and Culture Operational Workforce Plan. This annual evaluation will be presented to the Executive Leadership Team (ELT) and used to realign or amend the Strategic Plan as required.

Conclusion

The NGSC has some workforce challenges that are universal in nature while others are unique to our organisation. Council is currently developing or has in place a number of initiatives, policies and procedures that address the key issues of succession planning, the aging workforce, technology changes and requirements for employee retention and attraction. These will need to be built on and advanced to ensure the achievement of strategies in this plan.

Over the next 4 years, Council will be seeking to not only maintain current services but to achieve strategic outcomes outlined in the Council Plan, whilst operating in an environment where budget and resource increases may be limited. Although this document highlights a number of workforce gaps and issues, it is not intended to be solely a submission for more staff. As such, the Workforce Strategies are also centred on developing and multiskilling current employees.

References

1. Northern Grampians Shire Council Gender Equality Plan 2021.
2. LGPro Future Ready – Workforce Planning Handbook and Guide.
3. Department of Jobs, Precincts and Regions - Local Government Act 2020 – Foundational Workforce Planning Guide.
4. Local Government Act Victoria 2020
5. Gender Equality Act Victoria 2020
6. Australian Government Census 2016
7. Meerkin & Apel Annual Salary and Termination Survey
8. ABS data
9. The Gender Equality Commission Guidelines and Notes

Version Control

Date	Version	Review Date	Author
November 2021	1.1	November 2025	Daryl Clifton (Manager of People and Culture)



Northern Grampians Shire Council Gender Equality Action Plan - 2021

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Introduction

In 2020, the Victorian State Government passed the Gender Equality Act which is designed to improve workplace gender equality in the Victorian public sector, universities and local councils. The Act commenced on the 31st of March 2021 and required defined entities to:

- Take positive action towards achieving workplace gender equality, and
- To consider and promote gender equality in their policies, programs and services.

The Northern Grampians Shire Council (NGSC) is a defined entity and, in compliance with the legislated requirements, this Gender Equality Action Plan outlines the general research undertaken, the findings of the required Gender Audit and actions to address issues of gender equality. Each section of data and research, throughout this plan, includes comments that inform the actions to be taken and the body of the document is produced in line with guidance and templates provided by the Gender Equality Commission. The actual "Action Plan" is attached at Appendix "A" and sets goals and outcomes to achieve improved gender equity in and for the Northern Grampians Shire Council.

The Northern Grampians Shire

The Northern Grampians Shire is in the Wimmera Region of Victoria, located in the Western part of the state. The shire covers an area of approximately 5,730 square kilometres and is divided into four electoral wards: Kara Kara, Stawell, Central and Southwest. Towns found in Northern Grampians Shire include Stawell, St Arnaud, Marnoo, Great Western, Halls Gap, Glenorchy, Stuart Mill and Navarre. The Shire is primarily a rural farming area with a significant number of small businesses/industries.

In 2016 the population of Northern Grampians Shire was 11,439 with 49.4% males and 50.6% female. One point five percent (1.5%) of the Shire are Aboriginal/Torres Strait Islander. Whilst most residents of the Shire identify as Australian, some other nations of birth include:

- England - 2.0%
- New Zealand - 0.6%
- Philippines - 0.5%
- Netherlands - 0.4%
- India - 0.3%

These statistics are well below the average number of residents, born in other countries, across Victoria.

The median age of people within Northern Grampians Shire is 48 years of age, a considerably higher median when compared to Melbourne's 27 years of age. Northern Grampians also has a higher proportion of people aged 60 plus than that of children (Under 19). The 60 plus age group has been increasing at a steady rate. In 2016 the age breakdown was:

- 20.8% aged 0-19 years,
- 18.4% aged 20-39 years,
- 27.7% aged 40-59 years, and
- 33.2% aged 60 plus.

The percentage of people over 60, in the Shire, is well above the Victorian average. The people under 19, in the shire, is well below the Victorian average.

The NGSC Organisation

The NGSC currently has 278 employees. These people work in Full Time, Part Time, Volunteer and Casual positions. These staff members cover a range of different services, including but not limited to, Aged Care, Parks and Gardens, Local Laws Enforcement, Planning and Building and Maternal Child Health.

Council is currently being led by Chief Executive Officer Liana Thompson, who has been with the organisation for two years. Reporting to Liana are a team of two Directors:

- Trenton Fithall- Director Infrastructure and Amenity
- Vaughan Williams- Director Corporate and Community Services

The Gender Equality Audit

As part of the regulations contained in the Gender Equality Act and to inform the foundational Action Plan, each defined entity was required to undertake an internal gender audit. The following sections outline the findings of that Audit which is set out from a template supplied by the Gender Equity Commission. The Audit results have also been supplied to the Commission.

General Data

The NGSC, as required, undertook a Gender Equality Audit in June 2021. This audit showed the following key general findings:

- 55.31% of employees are female,
- 44.69% of employees are male,
- 61.28% of employees are full time,
- 38.72% of employees are Part Time/Casual, and
- Given the small numbers, there are no remarkable statistical gender imbalances in Managers Positions. However, there are some remarkable variances in the non-managerial levels of employees which is generally related to the function or type of work undertaken.

Workforce Composition		
Workforce Composition: Managers	Female	Male
CEO (1)	100%	0%
Directors (2)	0%	100%
Managers (11)	45.46%	54.54%
Coordinators (17)	57.15%	42.85%

Workforce Composition		
Workforce Composition: Non-Managers	Female	Male
Officers	60.42%	39.58%
Community and Personal Service	91.67%	8.33%
Educators	100%	0%
Machinery Operators	0%	100%
Labourers	15.39%	84.61%

Whilst undertaking the audit, there was a requirement to also report on general employee statistics regarding Aboriginal and/or Torres Strait Islander status, Disability, Religion, Cultural Identity and Sexual Orientation of employees. It was found that significant gaps were present in this data and attaining this data will be the subject of an Action Item in this Plan.

Gender Pay Gap

The Gender Pay Gap measures the difference between the average earnings of women and men in the workforce. The Gender Pay Gap is an internationally established measure of women's position in the economy in comparison to men. The Gender Pay Gap is the result of the social and economic factors that combine to reduce women's earning capacity over their lifetime. (WGEA, 2021 *What does the 'Gender Pay Gap' mean?*)

The NGSC operates under an Enterprise Bargaining Agreement with a “Pay Banding System” that ensures fair and equal pay for all employees. It ensures that all employees working in the same position, regardless of gender, age, religion, race etc, are paid at the same rate. This means that an overall current gender pay differential, across the organisation, in basic terms, does not exist.

However, due to the rate of female to male employees working in Part Time and Casual positions there are discrepancies that arise in the overall earning rates of women compared to men. The percentage of women holding part time and casual positions is far greater than men. Whilst this does affect their earning capacity it is mainly aligned to the type of job or duty performed. An example of this is the casual and part time nature of home care workers where the positions are mainly filled by females. Of the 53 Part Time employees in the NGSC, 49 of those are female. Of the 38 Casual employees, 29 are female.

Overall, males within the organisation earn a higher annual average salary than that of females. As indicated, this is due to the participation of females in certain part time and casual positions. It may also be due to the choices that women make regarding their employment status. Whatever the case, the NGSC does not have the current data or information to make a definitive finding on this issue. Actions in this plan will be aimed at attaining more information and data on the reasons for this imbalance and any initiatives that could be undertaken to address it.

Review of Policies and Practices

The Gender Equality Audit revealed that the NGSC provides a significant number of Policies, Procedures, Practices and Facilities associated with equity and wellbeing. A few of the significant ones are:

- An onsite breastfeeding room and associated Breastfeeding Procedure. This assistance to new mothers is also enshrined in the current Enterprise Agreement.
- A Flexible Work Practice and Procedure, allowing several flexible work practice options for employees to request in providing work arrangements that may be better suited to their personal circumstances.
- An Equal Opportunity, Harassment and Bullying Policy and Grievance Procedure. The organisation is wholly committed to the principles of providing a workplace free from all forms of discrimination and harassment including bullying, racial and religious vilification. This policy and procedure apply to any work-related activities including work related social functions. They also apply to work performed both on and off Council premises and to the delivery of all Council services.
- Variable leave options, with procedures outlining applications for and use of personal leave, annual leave, long service leave, family violence leave, gender transition leave, IVF leave and parental leave. All these leave types are also enshrined in the current Enterprise Award.
- An Employee Assistance Program which offers employees physical and mental services to ensure they are assisted in remaining fit and healthy for work. Amongst other things this Program offers confidential counselling to all employees free of charge. Employees can use this service to discuss a range of issues related to work or personal life.

Whilst only a few of the most relevant Policies and Procedures are listed in this document, there are a significant number of other related processes. In general, most of the examined material was up to date and appropriate. Some of the Procedures on grievances and workplace conflict do need “modernising” and this will be the subject of an Action Item in this Plan.

Recruitment, Retention and Succession Planning

The NGSC has recently implemented a new Recruitment Policy and Procedures that seek to ensure gender neutral recruitment practices. The Procedure refers to the Equal Employment Opportunity

legislation and allows the hiring Manager to actively participate during the recruitment and onboarding of new employees.

Internal vacancies are advertised to all staff, through various means, ensuring that all have equal access to relevant information. External vacancies are advertised through various internal platforms, as well as on the Council's website, social media and recognised state and national job advertising agencies. Some external positions are advertised more widely based on need. This ensures that all suitably qualified applicants have fair and equitable access to Council's employment information and opportunities.

The NGSC also has a formal Higher Duties Procedure intended to broaden the experience base of staff and facilitate greater flexibility within the organisation. Managers/Supervisors assess the duties to be performed and the period of higher duty appointment to ensure that the conditions of appointment and application is fair and equitable. In circumstances where an additional payment is warranted, the employee will be paid a higher duties allowance in accordance with the Enterprise Award. All employees have equal access to the opportunities offered under this procedure.

To date, training and development on Gender Equality has tended to be ad hoc. However, Council has recently purchased a new Learning and Development Platform which offers a wide range of Equality Courses/Programs. Council has also recently agreed on a new Enterprise Agreement (EA) which contains requirements for compulsory training against increment progression. The Learning and Development Platform and new EA will be used to deliver increased and consistent training on gender equality and this will be the subject of an Action Item in this Plan.

Employee consultation

Council's main form of employee consultation is through a formally established Consultative Committee. The purpose of the committee is to provide a forum for constructive communication and consultation between management and employees. The Consultative Committee is made up of 13 representatives. Three (3) from the Senior Leadership Team, 5 union representatives and 5 employee representatives. The committee meets quarterly, or more often if required, to discuss matters and issues raised by employees regarding organisation policies, procedures and/or practices. Minutes of the committee meeting are distributed to all employees through Microsoft Teams.

Employees are also given the opportunity to provide formal feedback to the organisation in their annual performance review process. The review is a two-way communication process, devised to give supervisors and employees the opportunity to discuss ways in which management can assist staff to achieve targets/objectives, identify required training and allow for individual comment from both parties.

Consultation is also available for any permanent employee leaving the organisation in a formal exit interview. Employees are given the opportunity to discuss the reason/s as to why they are leaving and identify any negative factors/patterns that need to be addressed to improve the employment environment and reduce staff turnover.

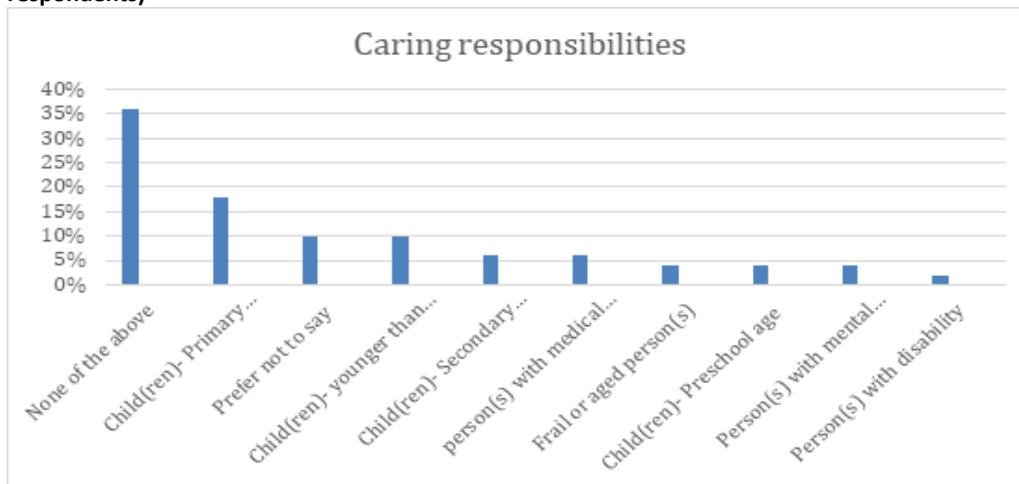
In general, there are number of different avenues that both seek and allow input from employees. During this audit it was identified that the Exit Interview Procedure could be conducted more formally and independently and this will be the subject of an Action Item in this Plan.

The People Matters Survey

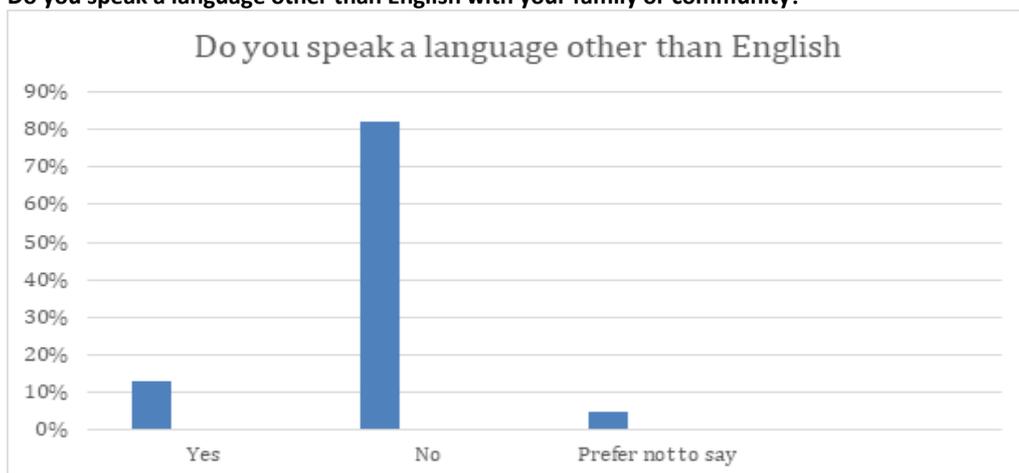
NGSC employees are frequently invited to take part in the People Matters Survey conducted by the Victorian State Government. The most recent survey conducted within Council was administered by the Gender Equality Commission. Although only a minority of staff members took part in the survey, Council had an overall participation rate of 33%, which was higher than the average overall state participation rate. That said, it is thought that the findings are worth producing for the purpose of identifying any issues that may need addressing.

The following graphs are presented outlining the answers to set questions and are reasonably self-explanatory:

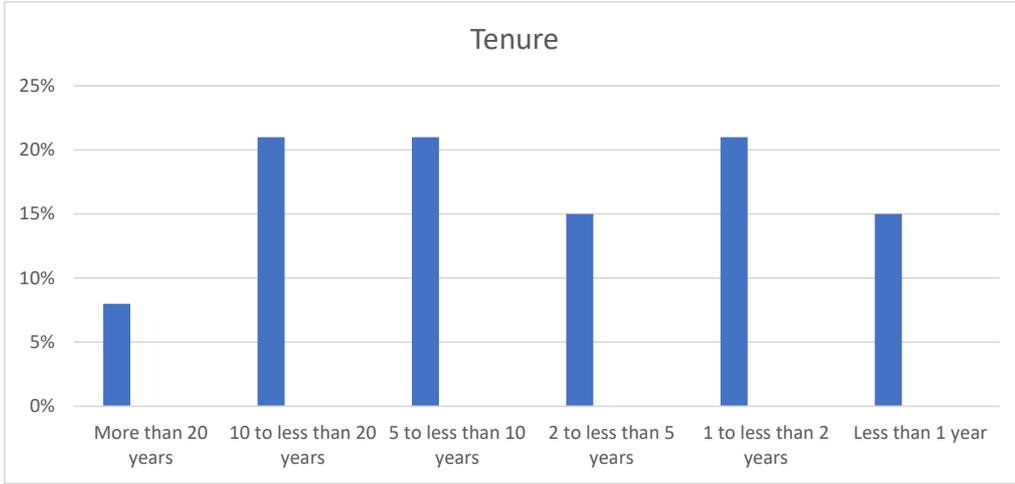
Employees with Caring Responsibilities (Respondents could pick all that applied - Percentage of all respondents)



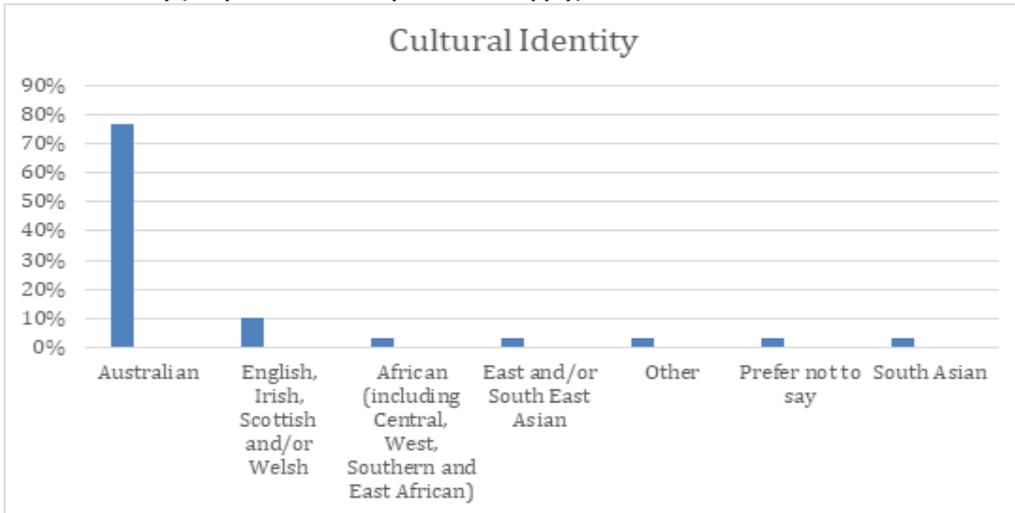
Do you speak a language other than English with your family or community?



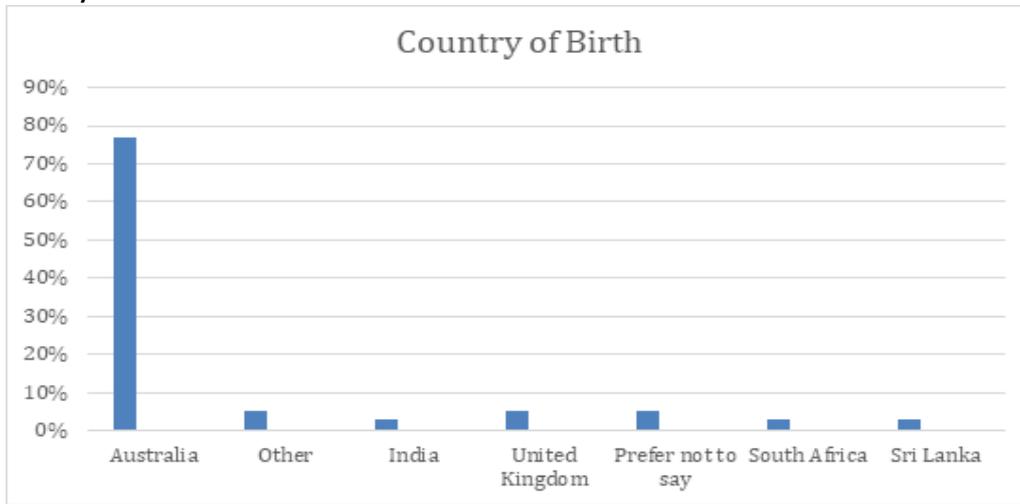
Tenure



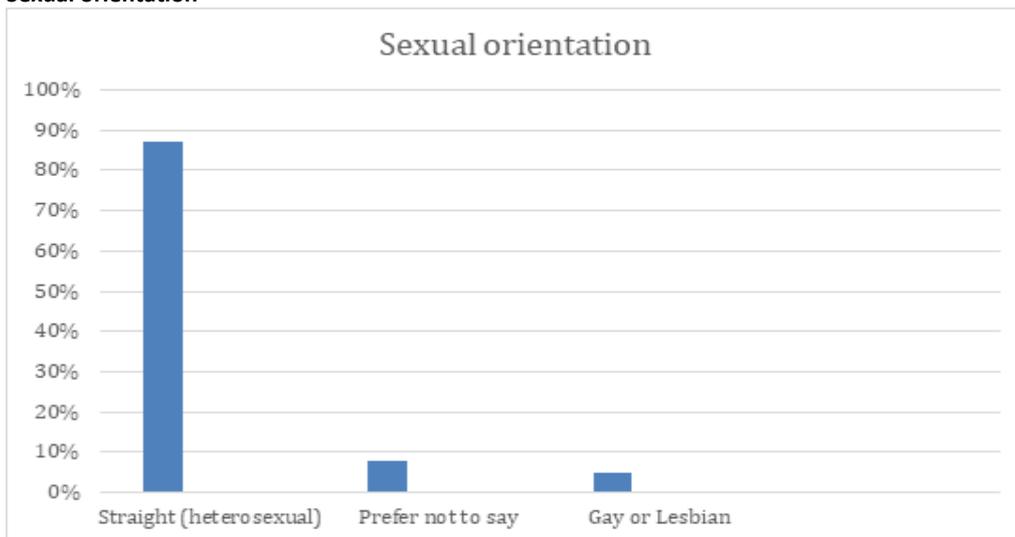
Cultural identity (Respondents could pick all that apply)



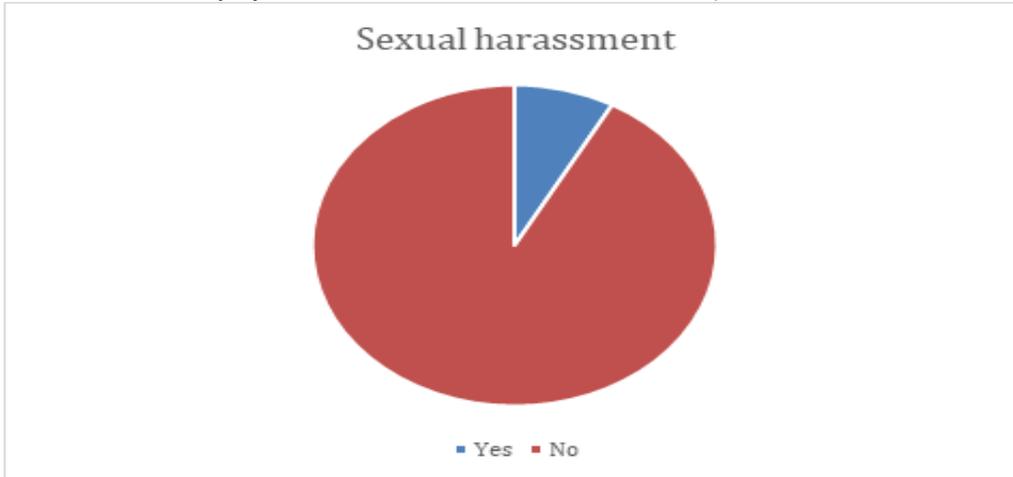
Country of Birth



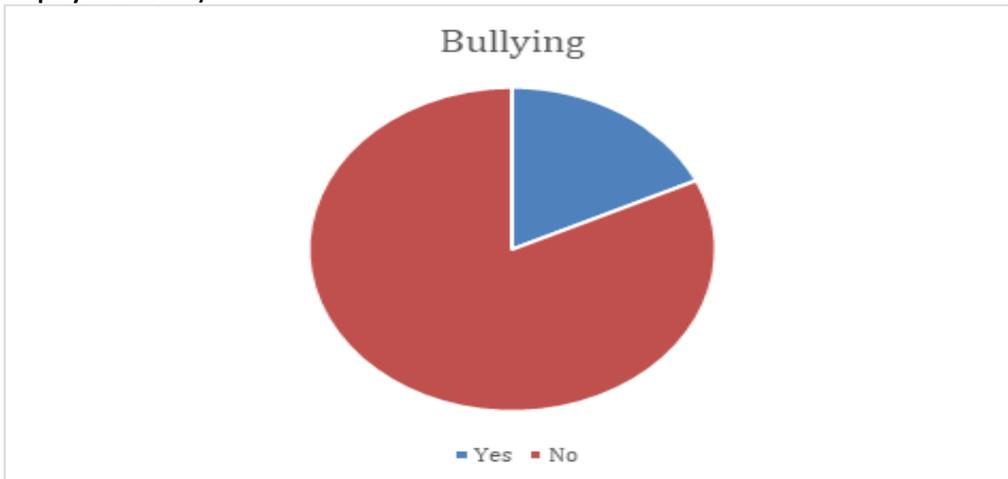
Sexual orientation



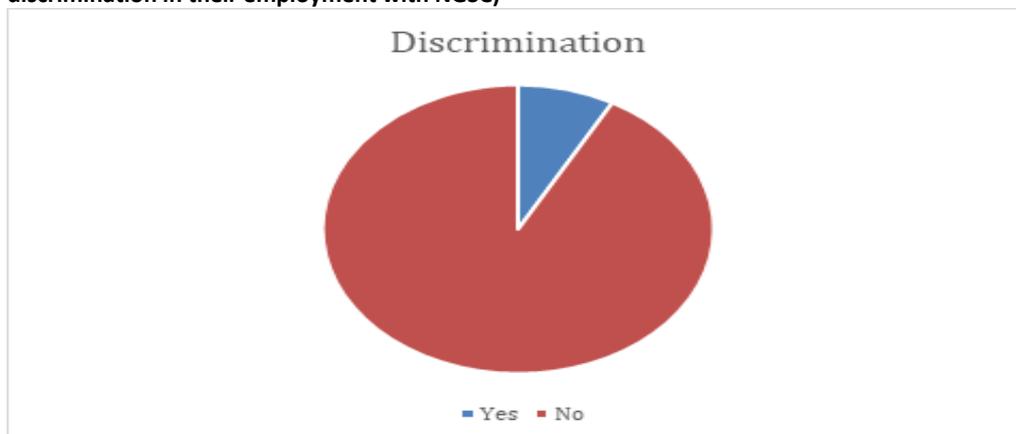
Respondents who have experienced sexual harassment (8% indicated that they had been sexually harassed in their employment with NGSC – 0% in the last 12 months)



Respondents who have experienced bullying (18% indicated that they had been bullied whilst an employee of NGSC)



Respondents who have experience discrimination (8% indicated that they had experienced discrimination in their employment with NGSC)



As already discussed, whilst these findings do not represent a majority of Council employees, they can be useful in determining trends or issues that may need addressing. In general, the following conclusions are made from this survey:

- In line with the average older age of the NGSC workforce, many respondents do not have carer responsibilities. However, there are still a significant number of employees who undertake carer responsibilities.
- Four respondents speak a language other than English at home or in their community. This is well below the state averages.
- 10 Respondents have a country of birth and/or identify as non-Australian. This is a small but increasing number compared to previous surveys.
- Certain cohorts in Council do not have a lengthy tenure and this may be of a concern both for establishment and maintenance of culture and succession planning.
- There are small but significant numbers of employees who have experienced discrimination, bullying and sexual harassment.

Whilst some of these outcomes are inconclusive it is important to note that the NGSC has values that do not tolerate discrimination or harassment. To ensure Council lives these values it is important that either increasing awareness of complaints or survey participation need to be further promoted to achieve those aims and this will be the subject of an Action Item in this Plan.

Conclusion

Whilst this document is intended to identify contemporary issues and future opportunities for creating and ensuring gender equality it is not intended to be all encompassing. Nor is it meant to be a completed document and it should be continuously re-examined as an ongoing process to ensure continuous improvement. As such this Plan should be revisited regularly with a view to matching the contemporary issues in the NGSC.

Version Control

Date	Review Date	Version	Author
November 2021	November 2022	1.1 Foundational Plan required by legislation	Alexander Baldwin (Welfare Officer) & Daryl Clifton (Manager People and Culture)

Appendix “A”

The Action Plan

Introduction

In 2020, the Victorian State Government passed the Gender Equality Act which is designed to improve workplace gender equality in the Victorian public sector, universities and local councils. The Act commenced on the 31st of March 2021 and required defined entities to:

- Take positive action towards achieving workplace gender equality, and
- To consider and promote gender equality in their policies, programs and services.

This foundational Action Plan has been produced from research undertaken across and within the Northern Grampians Shire and Shire Council. It addresses identified issues and attempts to ensure that the Council has commenced a journey to ensure that gender equality is part of and a consideration in all aspects of business and community engagement.

Purpose

The purpose of this foundational plan is to improve the gender equality in and for Northern Grampians Shire Council employees.

Consultation

The Northern Grampians Shire Council has consulted with a range of employees within the organisation, regarding this Gender Equality Action Plan. The Executive Leadership Team, Senior Leadership Team and the Consultative Committee have been included in each stage of the development of the plan.

Vision:

The Northern Grampians Shire Council has a vision to provide all Victorians with fair and equal access and opportunity to services and to treat all as equal in society. We would like to be recognised as a leading organisation and employer of choice for a gender equitable workplace that reflects the community we serve.

Mission:

The Northern Grampians Shire Council mission is to provide the highest quality service to our community, as well as our staff. We also intend to provide our staff with a gender inclusive culture and grow our organisations diversity.

Case for Change:

Values	The Northern Grampians Shire Council recognises that gender equality is a human right and is a shared responsibility. We understand that Gender Equality brings significant benefits to the Victorian Community and acknowledge that gender inequality may be compounded by other forms of intersectional disadvantage and discrimination.
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Benefit	The Northern Grampians Shire Council will experience many benefits with a gender equal workplace. Equality, diversity, and inclusion will add value to our organisation, as we will see improved productivity, a more diverse view on all programs, policies and procedures and an improved organisation reputation.
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Measures to achieve better Gender Equality

Goals	An inclusive staff culture that demonstrates gender equality.	Diversity in leadership positions.	Improved platform for reporting sexual harassment/ violence	Improved strategies for data collection
Strategic Actions	<ol style="list-style-type: none"> 1. Implement compulsory Gender Equality Training through the NGSC Learning and Development Hub in line with the Annual Appraisal Process. 2. Implement advancement strategies such as mentoring and scholarship opportunities that ensure gender equality. 	<ol style="list-style-type: none"> 1. Develop and implement Senior Leadership Team (SLT) KPIs that ensure leaders are measured on their implementation of gender equality measures in the management of their teams. 2. Ensure, where appropriate, that leadership training includes gender equality discussions and activities. 	<ol style="list-style-type: none"> 1. Re-examine and implement an improved NGSC EO, Bullying and Harassment Policy and Grievance Procedure. 2. Through various forums, conduct awareness training on the revised NGSC Bullying and Harassment Policy and Grievance Procedure. 3. Review and improve the NGSC Exit Procedure to ensure data is captured on gender equality specific issues. 	<ol style="list-style-type: none"> 1. Set up more formal systems to gather employee/gender specific data at Recruitment and Induction. 2. Actively encourage increased participation in People Matters and gender specific surveys. 3. Take active steps to attain more complete data on the reasons for female part time and casual participation in the NGSC workforce.

Measures	<ol style="list-style-type: none"> 1. 100% of employees undertake set training by 31/7/2022. 2. Number of opportunities sought and obtained. 	<ol style="list-style-type: none"> 1. KPIs set and achieved for 2022/23 financial year. 2. Number of training opportunities identified, and discussions/activities undertaken by 31/12/2022. 	<ol style="list-style-type: none"> 1. Policy and Procedure reviewed and implemented by 30/6/2022. 2. Deliver to at least 3 different forums before 30/6/2022. Number of sessions delivered. 3. Review and implement the improved Exit Procedure and set up a system to record the data from these interviews by 30/6/2022. 	<ol style="list-style-type: none"> 1. System established with recording processes in place by 30/6/2022. 2. Number of initiatives undertaken over the 2022 calendar year. 3. Survey conducted and reported/acted on by 30/6/2022.
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9.4.4. CEO Employment and Remuneration Policy

Author/Position: Mary Scully, Manager Governance & Civic Support

Purpose

The purpose of the report is for Council to adopt a CEO Employment and Remuneration Policy.

Summary

Council is required, under section 45 of the *Local Government Act 2020* to develop, adopt and keep in force a CEO Employment and Remuneration Policy.

Recommendation

That Council adopts the CEO Employment and Remuneration Policy.

The CEO, Liana Thompson, having earlier declared an interest in Item 9.4.4, left the meeting at 12.57pm.

RESOLUTION

That Council adopts the CEO Employment and Remuneration Policy.

Moved: Cr Eddy Ostarcevic

Seconded: Cr Murray Emerson

Carried

The CEO, Mrs Thompson, returned to the meeting at 12.59pm.

Background/Rationale

The *Local Government Act 2020* requires Council to adopt a policy and prescribe the matters to be included in the policy.

The policy must provide for the council to obtain independent professional advice in relation to the matters dealt with in the policy and provide for the recruitment and appointment process, provisions to be included in the contract of employment, performance monitoring and an annual review.

The policy must have regard to any statement of policy issued by the Government of Victoria which is in force with respect of its wages policy (or equivalent); and any Determination that is currently in effect under section 21 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2018* in relation to remuneration bands for executives employed in public service bodies.

Under the policy, council will engage an independent and suitably qualified recruitment firm to support it in the recruitment and appointment of a CEO and establish a CEO Employment and Remuneration Advisory Committee that will operate under a Terms of Reference.

Legislation, Council Plan, Strategy and Policy Implications

Section 45, *Local Government Act 2020*

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019

Options

Option 1

That Council adopts the draft CEO Employment and Remuneration Policy as presented. **[recommended]**

Option 2

That Council adopts the draft CEO Employment and Remuneration Policy with amendments. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

N/A

Community Engagement

N/A

Innovation and Continuous Improvement

N/A

Collaboration

The document has been modelled on the suggested policy samples provided by Local Government Victoria that has worked collaboratively with all Victorian councils to enable them to meet the requirements of the LGA 2020 transition. This was achieved through co-design engagement and support to the sector and fast-tracking the development of a pathway of documents and materials.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance & Civic Support

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. CEO Employment and Remuneration Policy (1) [9.4.4.1 - 9 pages]

CEO Employment and Remuneration Policy



November 2021



Northern Grampians Shire Council
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CEO Employment and Remuneration Policy



Council Policy

Responsible director	Director Corporate and Community Services
Responsible officer	Director Corporate and Community Services
Functional area	Governance
Date adopted by Council	6 December 2021
Review date	

Purpose

This policy outlines the mechanisms that will support the council in fulfilling its obligations for the employment, management and remuneration of the council's Chief Executive Officer (CEO).

Background

Under section 45 of the [Local Government Act 2020](#) (the Act) council must develop, adopt and keep in force a *Chief Executive Officer Employment and Remuneration Policy*.

The policy must:

- a. Provide for the council to obtain independent professional advice in relation to the matters dealt with in the *CEO Employment and Remuneration Policy*.
- b. Provide for the following:
 - i. the recruitment and appointment process
 - ii provisions to be included in the Contract of Employment
 - iii performance monitoring
 - iv an annual review.
- c. Include any other matters prescribed by the regulations.

In development the policy council must have regard to—

- a. any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); and
- b. any Determination that is currently in effect under section 21 of the [Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019](#) in relation to remuneration bands for executives employed in public service bodies.

s.21. Determinations in relation to remuneration bands for executives employed in public service bodies

- (1) The Tribunal must make a Determination setting the values of the remuneration bands for executives employed in public service bodies which must-
 - (a) include a comprehensive review of the roles of executives employed in public service bodies and the existing remuneration provided to executives under the [Public Administration Act 2004](#) as in force before the commencement of Part 7 of this Act; and
 - (b) provide for any other matter that the Tribunal considers relevant
- (2) The Tribunal must make a new Determination under subsection (1) at the end of each subsequent period of 4 years after the previous Determination was made under subsection (1).
- (3) A new Determination under subsection (1) must-
 - (a) include a comprehensive review of the roles of executives employed in public service bodies and the existing remuneration provided to executives; and
 - (b) provide for any other matter that the Tribunal considers relevant.

Scope

Council must appoint a CEO in accordance with its *CEO Employment and Remuneration Policy*. The CEO or any Acting CEO appointed in the event of any vacancy in the office of CEO is a member of council staff (s.44(5) of the Act).

Policy

CEO Employment and Remuneration Committee

Council must establish a CEO Employment and Remuneration Committee (the Committee) in accordance with section 45(2) of the Act.

Council will agree on *Terms of Reference* for the Committee as set out in **Appendix 1**.

Council will call for Expressions of Interest from interested persons to be an independent member of the Committee.

The independent member will chair the Committee and is entitled to be remunerated for their advisory role.

Recruitment and appointment

The appointment of the CEO must be made by a resolution of the council.

Council will engage an independent and suitably qualified recruitment firm to support it in recruitment and appointment of a CEO. The Committee will make recommendations to the council when appointing a recruitment firm, determining the CEO selection criteria and developing the CEO Contract of Employment.

Acting CEO

The council must appoint an Acting CEO when there is a vacancy in the office of the CEO of greater than 28 days or the CEO is unable to perform the duties of the office of CEO.

The appointment of the Acting CEO must be made by a resolution of the council unless the Acting CEO is appointed for a period not exceeding 28 days, in which case the CEO may appoint an Acting CEO under delegation from council pursuant to section 11(3) of the Act.

The Committee must advise the council on the selection and appointment of an Acting CEO.

Contract of Employment

The Contract of Employment will generally be in accordance with the Maddocks Senior Officer model contract as updated from time to time.

Council will receive a report from the Committee on the completion of its role in the recruitment process and will proceed to decide on a preferred candidate and to negotiate and finalise a draft Contract of Employment.

The Contract of Employment will at a minimum outline:

- the employment term which must not exceed five years
- the responsibilities and duties of the position including compliance with the Act
- conflict of interest management requirements
- the total remuneration package and other entitlements
- leave and other terms and conditions of employment
- dispute resolution procedures
- legislative obligations including those continuing after appointment
- processes for managing unsatisfactory performance and early termination provisions
- any other matters required to be contained.

The Contract of Employment may only be varied by a resolution of the council.

Six months prior to the expiry of the CEO's Contract of Employment and having regard to current legislation, the Committee will provide a recommendation to council on:

- whether the CEO should be reappointed under a new contract of employment
- if the recommendation is to reappoint the CEO, the proposed provisions of the further Contract of Employment.

Remuneration and Expenses

The remuneration package provided to the CEO will form part of the Committee's annual review, having regard to (in accordance with section 45(3) of the Act):

- any statement of policy issued by Government of Victoria which is in force with respect to its wages policy (or equivalent).¹,
- any Public Sector Wages Determination.²

The total remuneration package will be inclusive of salary, superannuation, and other employment benefits, including associated Fringe Benefits Tax. It will be subject to an annual review by the Committee as part of the CEO's annual performance review, in accordance with the CEO's Contract of Employment. The annual review will take into consideration:

- Increases in CPI in the preceding twelve-month period
- The officer's achievement of the performance objectives
- Market rates for comparable positions
- The acquisition and satisfactory utilisation of new or enhanced skills by the officer if beneficial to, or required by, the council.

¹ The current Victorian Government Wages Policy applies in the public sector until 31 December 2021. See [Wages Policy and the Enterprise Bargaining Framework | Victorian Government \(www.vic.gov.au\)](https://www.vic.gov.au/wages-policy-and-the-enterprise-bargaining-framework) Changes to the Policy apply from 1 January 2022. See [Moving to the new Wages Policy 2022 | Victorian Government \(www.vic.gov.au\)](https://www.vic.gov.au/moving-to-the-new-wages-policy-2022)

² Section 45(3)(b) of the Act requires Council to have regard to any determination that is currently in effect under section 21 of the [Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019](https://www.vic.gov.au/victorian-independent-remuneration-tribunal-and-improving-parliamentary-standards-act-2019) in relation to remuneration bands for executives employed in public service bodies. See [Remuneration bands for executives employed in public service bodies](https://www.vic.gov.au/remuneration-bands-for-executives-employed-in-public-service-bodies).

Council will meet reasonable expenses incurred by the CEO including:

- Membership and subscription fees payable to professional associations which are reasonably necessary or desirable in performance of duties
- Reasonable costs incurred when attending approved conferences, seminars or undertaking study
- Reasonable costs incurred in the performance of duties.

The CEO may be provided a corporate credit card to use in transactions related to the role of CEO. Corporate card expenditure will be reviewed and approved by the Mayor and the Director Corporate and Community Services. The Audit and Risk Committee can, at any time, ask to receive a report on all CEO corporate card transactions.

Annual Review and CEO Performance Monitoring

The council will adopt annually, a set of relevant and measurable performance objectives and outcomes for the CEO. The Performance Plan will be developed collaboratively between the CEO and the Committee.

The Committee will undertake the formal review process of the performance of the CEO against the agreed performance objectives in accordance with this policy and the CEO's Contract of Employment.

The review will include the opportunity for council to provide the CEO with performance related feedback and input into the CEO's development plan and the opportunity to adjust any of the objectives set, by agreement, if required.

Independent Advice

The council or the Committee can, on an as needed basis, obtain additional independent professional and legal advice in respect of the matters dealt with under this Policy.

Legislation and Standards

[Local Government Act 2020](#)

[Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019](#)

Council Plan 2021-24 – Improve Organisational Effectiveness (Be a Better Council).

Responsibilities

The Council, Committee and CEO are responsible for the implementation of this policy.

The Audit and Risk Committee will oversee adherence to the *Council's Credit Card Policy*.

The CEO will work collaboratively with the Committee in determining the Performance Plan on an annual basis and actively participate in any performance appraisal process as required by the Committee.

Review

Assessment of the policy will be undertaken every four years to align with the council term to ensure it remains current with the council's goals, processes, aims and requirements and as a means by which to reduce council's exposure to risk. Triggers for an earlier assessment include legislative changes and introduction of new systems or procedures.

Communication and implementation

The policy will be communicated to all stakeholders via the EDRMS and made available on council's website. It will be referred to in the CEO recruitment process.

References

[Victorian Government Wages Policy and Enterprise Bargaining Framework](#)

[Victorian Public Sector Wages Policy 2022](#)

NGSC Credit Card Policy

Compliance

This policy requires relevant State Government legislative compliance with:

- [Local Government Act 2020](#)
- [Gender Equality Act 2020](#)
- [Privacy and Data Protection Act 2014](#)
- [Charter of Human Rights and Responsibilities Act 2006](#)
- [Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019](#)

Privacy and Data Protection compliance

All information relating to the recruitment, selection and performance review process must be kept strictly confidential. Councillors and staff involved in the process must take all reasonable steps to maintain confidentiality and respect the privacy of all persons involved. A breach of confidentiality or privacy may constitute a breach of the Council's *Privacy and Data Protection Policy* and Councillor and Staff Codes of Conduct.

Gender Equality compliance

N/A

Charter of Human Rights compliance

It is considered that this policy does not impact on any [human rights](#) identified in the *Charter of Human Rights & Responsibilities Act 2006*.

Definitions

Nil

Review history

Date	Review details	Action
	ELT presentation	
	Councillor Briefing	
6 December 2021	Council Meeting	

APPENDIX 1

CEO Employment and Remuneration Committee

Terms of Reference

1. Committee

- 1.1 The Committee will be an advisory committee to the Council and has no delegated decision-making power or authority.
- 1.2. The Council will:
 - 1.2.1 Appoint at least three Councillors, one of whom will be the Mayor, to the Committee
 - 1.2.2 Appoint an independent member to the Committee
 - 1.2.3 Appoint the independent member as Chairperson
 - 1.2.4 Determine the rate of remuneration of the Independent Member of the Committee
 - 1.2.5 Consider reports and recommendations from the Committee.
- 1.3 The Committee will:
 - 1.3.1 Establish and oversee the process to enable the Council to appoint the CEO
 - 1.3.2 Develop the CEO Performance Plan
 - 1.3.3 Undertake the formal performance review process
 - 1.3.4 Regularly monitor the CEO's progress towards achieving the performance plan
 - 1.3.5 Provide feedback to Council on CEO's performance
 - 1.3.6 Make recommendations on the remuneration of the CEO including variations
 - 1.3.7 Provide a recommendation to Council on the provisions to be contained in the proposed Contract of Employment
 - 1.3.8 Call for Expressions of Interest for an independent member of when a vacancy in the position of independent member occurs, and undertake the selection and interview processes before making a recommendation on the appointment to Council
 - 1.3.9 Make available any formal advice requested by the Committee to all Committee members and, where relevant and appropriate, will provide them to Council through meeting minutes
 - 1.3.10 Arrange obtaining any formal advice required through the Director Corporate and Community Services to ensure compliance with Council's Procurement policies and procedures.
- 1.4 The Committee will:
 - 1.4.1 Meet at least twice per year
 - 1.4.2 Meet with the CEO to discuss Performance Plan against an agreed set of criteria
 - 1.4.3 Prepare relevant documentation including Council reports and contractual documents for the approval of the Council
 - 1.4.4 Conduct and maintain appropriate records regarding performance reviews
 - 1.4.5 Review the Remuneration Package and conditions of employment of the CEO.

1.5 Meetings

- 1.5.1 Meetings will follow standard meeting procedures
- 1.5.2 Meetings will be recorded by the Manager Governance and Civic Support and minutes kept in Council's official records management system
- 1.5.3 All members will have equal voting rights
- 1.5.4 Members must disclose conflicts of interest
- 1.5.5 A quorum at a committee meeting is an absolute majority
- 1.5.6 If a quorum is not present at a meeting within 30 minutes after the start time, the meeting will be adjourned and must re-convene within two weeks
- 1.5.7 The CEO will attend meetings, as required
- 1.5.8 Virtual attendance is deemed to be attendance
- 1.5.9 A member who misses two consecutive meetings without a formal apology may, at the discretion of Council, have their term revoked
- 1.5.10 The Manager Governance & Civic Support will provide administrative support to the Committee including coordination of meetings, preparation of relevant documentation and seeking Expressions of Interest to undertake the role of independent Chair.

2. Independent member

- 2.1 The appointment of an independent member to the Committee will ensure consistent and quality advice to the Committee and Council.
- 2.2 The independent member will be appointed following an advertisement calling for expressions of interest from suitably skilled and qualified people.
- 2.3 Where there is a vacancy in the position of Independent Member (or an impending vacancy) the Committee will call for Expressions of Interest.
- 2.4 The independent member
 - 2.4.1 Must not be a Councillor or member of Council staff
 - 2.4.2 Must have knowledge and experience in human resources management (including executive recruitment, remuneration and oversight of employment contracts)
 - 2.4.3 Must have experience in developing and facilitating executive performance reviews
 - 2.4.4 Must have senior business or government (including local government) experience
 - 2.4.5 Must have strong leadership and communication skills
 - 2.4.6 Must have an understanding of good governance and previous experience working with governance bodies or boards
 - 2.4.7 Must have the ability to work effectively with Councillors and the CEO
 - 2.4.8 Must have knowledge and understanding of the issues affecting the Northern Grampians Shire.
- 2.5 The independent member will be remunerated at a rate to be determined by Council from time to time.
- 2.6 The independent member may be appointed for up to four years, or the term of the CEO's contract, whichever is the lesser period.

3. Recruitment

- 3.1 The Committee will:

- 3.1.1 Establish and oversee the process to enable the Council to recruit the CEO, including, but not limited to:
- Advising on the selection of a recruitment consultant or agency to facilitate and advise on the recruitment process
 - Acting as the Selection Panel
 - Preparing a short list of applicants for interview
 - Interviewing shortlisted applicants
 - Coordinating and reviewing testing of applicants
 - Developing details of the interview process – questions, required presentations, etc

- 3.1.2 Provide a recommendation on any extension of the appointment of the CEO under section 44(3) of the Act, when required.

4. Annual Review

- 4.1 In preparation for Council's review, the Committee is required to submit an annual review report after the end of the financial year to the Council which includes recommendations on the following:
- 4.1.1 whether, and to what extent, the CEO has met the KPIs under the Performance Plan
 - 4.1.2 whether any KPIs or other criteria ought to be varied under the Performance Plan
 - 4.1.3 whether the Remuneration Package ought to be varied
 - 4.1.4 any other necessary matters.
- 4.2 The Committee will submit a report to Council after meeting with the CEO to discuss the Committee's proposed recommendations.
- 4.3 The Committee may choose to meet with the CEO informally at six monthly intervals to discuss the Performance Plan and any other necessary matters.

5. Other

- 5.1 The Committee can make recommendations to Council on any other matters relevant to the employment and performance of the CEO in accordance with the CEO's employment contract and the *Local Government Act 2020*.

9.4.5. Appointment of Council Committee Delegates/Representatives 2022

Author/Position: Mary Scully, Manager Governance and Civic Support

Purpose

The purpose of this report is to appoint the councillor and officer delegates for 2022.

Summary

Councillors and officers commit to representing Council through involvement with a number of advisory committees, organisations and support groups. This involvement includes, but is not limited to, attending meetings, providing advocacy, and acting as the conduit through which the group's ideas and plans are communicated to Council.

Recommendation

That Council appoints the councillor and officer delegates for 2022 as detailed in the attached report.

RESOLUTION

That Council appoints the councillor and officer delegates for 2022 as detailed in the attached report with the amendment to the MAV substitute member to be Cr Driscoll and that Cr Dempsey be appointed as Council's representative to the Stawell Neighbourhood House.

Moved: Cr Lauren Dempsey

Seconded: Cr Rob Haswell

Carried

Background/Rationale

The committees, organisations and groups are established for a variety of purposes including providing advice to Council, making particular types of Council decisions such as planning decisions, those established that have been delegated a power or duty by the Council, those required by legislation, and others established in order to provide a regional focus on a particular issue.

Councillors will have an opportunity to be involved with numerous local groups and those detailed in the attachment are those that Council may be directly involved with or have been asked to be part of. Councillors have had an opportunity to consider the various delegations to the committees, organisations and groups as detailed in the attachment.

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Council has the option to appoint the various councillor and officer delegates or take no further action.

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

Council provides for the cost of memberships and meeting attendances in its annual budget. There is no opportunity for collaboration as each council must pay for their own memberships.

Community Engagement

There has been no community engagement at this time however, committees, organisations and groups will be notified once a Council representative has been appointed.

Innovation and Continuous Improvement

Nil

Collaboration

Nil

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance and Civic Support

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Council Committees Representatives Delegates List [9.4.5.1 - 4 pages]

Council Committees Representatives/Delegates List – 6 December 2021

Committee	Purpose	Delegates
Audit and Risk Committee	<p>The Audit and Risk Committee has the responsibility to:</p> <ul style="list-style-type: none"> • Monitor the compliance of Council policies and procedures with the overarching governance principles, the <i>Local Government Act 2020</i> and any Ministerial directions. • Monitor Council's financial and performance reporting. • Monitor and provide advice on risk management and fraud prevention systems and controls. • Oversee internal and external audit functions. 	<p>Cr Erwin Cr Emerson</p>
CEO Performance Review Committee		All Councillors
COVID19 Economic Recovery Strategy Project Steering Committee		Cr Driscoll (Chair)
NCLLEN St Arnaud Community Education Partnership Project	<p>LLENS are led by a volunteer Board of Management and support children and young people to actively participate in education, training, employment and the community</p>	Cr Ostarcevic PhD
Queen Mary Gardens Advisory Group	<p>Established to provide advice on the care and manage QMG and Pioneer Park</p>	<p>Cr Driscoll Manager Operations Parks and Gardens Officer</p>
St Arnaud Recreation Advisory Group	<p>To provide advice regarding Lord Nelson Park, King George Park and Goldfields Reservoir</p>	Cr Driscoll
Stawell Aerodrome Advisory Committee	<p>To research and act as a consulting and advising body to the Council to support and guide the strategic management and development of the Stawell Aerodrome and its surrounds.</p>	<p>Cr Erwin Cr Emerson Director Infrastructure and Amenity</p>

Committee	Purpose	Delegates
Stawell Gift Event Management Pty Ltd	Management committee to focus on the Stawell Gift's long term sustainability.	Cr Emerson CEO
Stawell Harness Racing Club Community Grants Panel	Panel for community grants program	Cr Haswell
Stawell Recreation Advisory Group	To provide advice regarding North Park and Central Park	Cr Emerson Cr Dempsey
Stawell Underground Physics Laboratory (SUPL) Project Control Group	Group oversees construction and manages scope, budget and program. Group makes recommendations and provides progress to the University of Melbourne Oversight Committee.	Manager Government Relations, Engagement & Advocacy
Sunraysia Highway Improvement Committee	Six member councils – to pursue improvement and upgrading of Sunraysia Highway	Cr Driscoll Director Infrastructure and Amenity
Walkers Lake Advisory Group	Formed to investigate and advise Council on the establishment of Walkers Lake as a recreational lake	Cr Erwin (Chair) Cr Driscoll (no voting rights)
Central Highlands Mayors & CEOs Forum	8 member councils – primary responsibility is to maintain a strategic oversight of the priorities and issues of the region incl review, ongoing development & implementation of the Regional Strategic Plan (RSP)	Mayor of the Day CEO
Memberships	Purpose	Delegates
Grampians Central West Waste & Resource Recovery Group Board	Formally constituted by the Minister	Cr Erwin (State Government appointment) Director Infrastructure and Amenity
Grampians Tourism Board	Peak industry body which delivers a coordinated approach to marketing, product development, infrastructure investment and industry development for the Grampians Region.	CEO
Municipal Association of Victoria (MAV)	Incorporated by Act of Parliament	Cr Emerson Cr Tony Driscoll (substitute)

Memberships	Purpose	Delegates
Municipal Emergency Management Planning Committee	Established under <i>the Emergency Management Act 2013</i> the MEMPC promotes shared responsibility for emergency planning by requiring relevant agencies to participate in the planning process and the MEMPC reports directly to the Regional Emergency Management Planning Committee, not to council.	David George (Chair)
North West Municipalities Association	The Association comprises the municipalities of Buloke, Gannawarra, Hindmarsh, Horsham, Mildura, Northern Grampians, Swan Hill, West Wimmera and Yarriambiack.	Cr Emerson CEO
Rail Freight Alliance	24 rural and regional Councils advocating for rail standardisation and upgrading of all key rail lines in Victoria to world class transport standards, a competitive, independent and non-discriminatory Open Access rail freight system and seamless freight logistics that will facilitate the movement of bulk freight by rail rather than by road.	Cr Erwin Cr Driscoll Cr Gready
Rural Councils Victoria Inc Executive Committee	RCV is an alliance representing the 38 rural Victorian councils, supporting and promoting sustainable, liveable, prosperous rural communities. The Executive Committee meets monthly to provide direction, identify priorities and guide the implementation of RCV's program.	Nil
Western Highway Action Committee	Group working to gain improvements for the Western Highway	Cr Erwin Director Infrastructure and Amenity
Wimmera Southern Mallee Regional Transport Group	Group of six councils (and VicRoads) focusing of regional road transport projects	Cr Erwin Director Infrastructure and Amenity
Wimmera Development Association (WDA) Advisory Board	The peak economic development organisation for the Wimmera Southern-Mallee region which supports existing local businesses and promotes economic development opportunities to investors within and outside the region.	Cr Erwin (Council) CEO (ex officio)
East Grampians Rural Pipeline Project Customer Consultative Committee	Committee provides input into the development of detailed designs for the EGRP project and advise on potential customer views and issues that could arise from the development of a water-supply scheme	Cr Gready

Supported Groups	Purpose	Delegates
Friends of the Heatherlie Trail Committee	Committee established to manage Heatherlie Rail Trail.	Cr Emerson
Central Grampians LLEN Board of Management	LLENS are led by a volunteer Board of Management and support children and young people to actively participate in education, training, employment and the community. The Board has sought a nomination for the board under the local government category.	Cr Haswell
North Central LLEN St Arnaud Community Education Partnership Project	LLENS are led by a volunteer Board of Management and support children and young people to actively participate in education, training, employment and the community.	Cr Ostarcevic PhD
Grampians Peaks Trail PCG	Project Control Group established to coordinate development of the Peaks Trail	CEO
Great Western Futures Committee	Local Progress Association	Cr Gready
Halls Gap Residents & Ratepayers Association	Local Residents Association	Cr Gready
Lake Fyans Recreation Area Committee of Management		Cr Gready
St Arnaud Community Access Network (SCAN)		Cr Ostarcevic PhD
Stawell Neighbourhood House	The Stawell Neighbourhood House offers a variety of activities including recreational and craft, accredited and non-accredited vocational courses for the community.	Cr Dempsey

9.4.6. Council Meeting Schedule 2022

Author/Position: Mary Scully, Manager Governance and Civic Support

Purpose

The purpose of this report is to set the schedule of Council Meeting dates for 2022.

Summary

Council must fix the date, time and place of Council Meetings, this can be done as a schedule of meetings or at various times during the year.

Council Meetings are currently held on the first Monday of the month and commence at 12.30pm. Due to the COVID restrictions, the majority of meetings throughout 2021 had to be held online. It is usually council's practice to hold Council Meetings alternating between Stawell and St Arnaud.

Recommendation

That Council adopts the proposed meeting schedule for 2022, as listed in the report.

RESOLUTION

That Council adopts the proposed meeting schedule for 2022, as listed in the report.

Moved: Cr Kevin Erwin

Seconded: Cr Eddy Ostarcevic

Carried

Background/Rationale

This report allows Council the opportunity to consider the location and starting time of its meetings. If Council agrees to continue its practice of meeting on the first Monday of the month at 12.30pm, alternating between Stawell and St Arnaud, a proposed meeting timetable is provided for consideration.

Date	Meeting	Location	Time
Monday 7 February	Council	Stawell	12.30pm
Monday 7 March	Council	St Arnaud	12.30pm
Monday 4 April	Council	Stawell	12.30pm
Monday 2 May	Council	St Arnaud	12.30pm
Monday 6 June	Council	Stawell	12.30pm
Monday 27 June (Budget adoption)	Council	St Arnaud	12.30pm
Monday 4 July	Council	Stawell	12.30pm
Monday 1 August	Council	St Arnaud	12.30pm
Monday 5 September	Council	Stawell	12.30pm
Monday 3 October	Council	St Arnaud	12.30pm
Monday 7 November	Council	Stawell	12.30pm
Monday 5 December	Council	St Arnaud	12.30pm

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Option 1

That Council adopts the proposed meeting schedule as listed. **[recommended]**

Option 2

That Council amends the proposed meeting schedule. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

Nil

Community Engagement

Public notice will be provided to the community via local newspapers, social media and on council's website to inform the community of the Council Meeting schedule for 2022 once approved and adopted by Council.

Innovation and Continuous Improvement

Nil

Collaboration

Nil

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance and Civic Support

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

Nil

9.4.7. Formal Road Naming - Zebina Lane

Author/Position: Mary Scully, Manager Governance and Civic Support

Purpose

To formally name an unnamed road as Zebina Lane.

Summary

Council is asked to consider the formal naming of an unnamed road off Dunstan and Trafalgar Street, St Arnaud as Zebina Lane and extending the road name to include a nearby access road to a new property development. To meet with statutory requirements for naming places in Victoria, Council recently gave public notice of its intention to name the unnamed road as Zebina Lane.

Recommendation

That Council

- a) names the unnamed road off Dunstan and Trafalgar Street, St Arnaud as Zebina Lane; and
- b) extends the road name to include the access road to a nearby property development.

RESOLUTION

That Council

- a) names the unnamed road off Dunstan and Trafalgar Street, St Arnaud as Zebina Lane; and
- b) extends the road name to include the access road to a nearby property development.

Moved: Cr Kevin Erwin

Seconded: Cr Eddy Ostarcevic

Carried

Background/Rationale

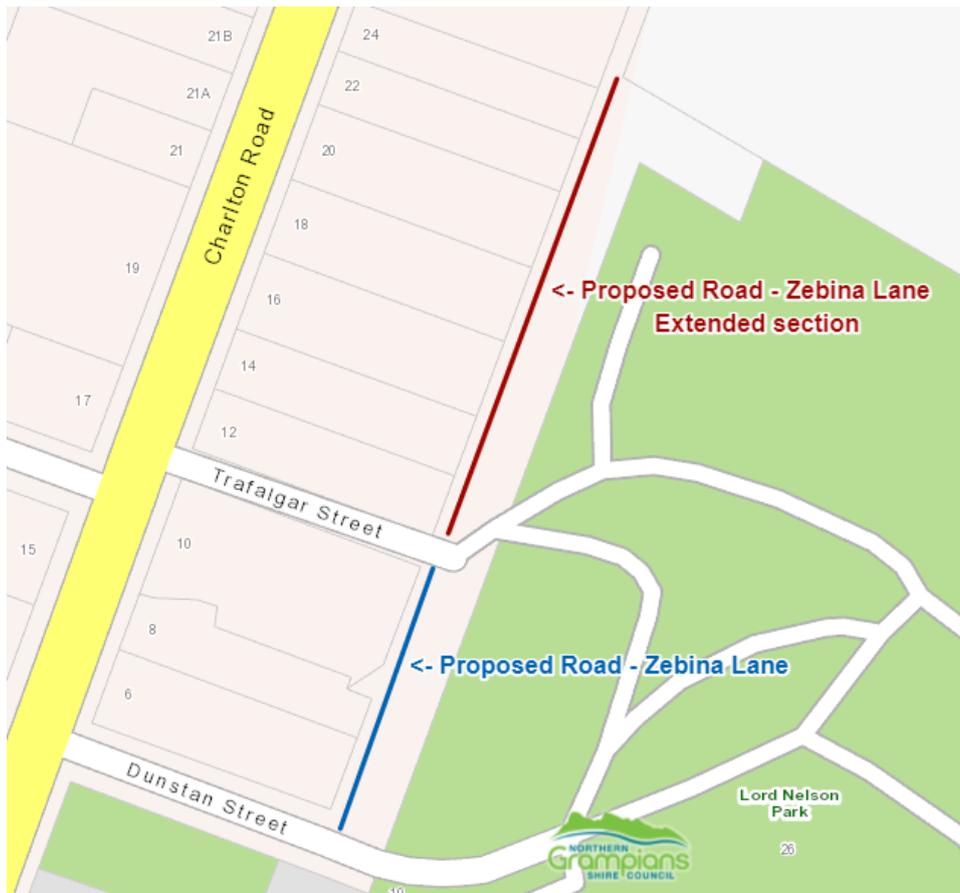
Council is the road naming authority for local roads in accordance with Schedule 10 of the *Local Government Act 1989* which empowers Council to name roads. Any road naming must be in accordance with *Geographic Place Names* legislation.

At its meeting on 6 September 20201, Council resolved to commence the formal naming process and to give public notice of its intention to name the unnamed road in St Arnaud as Zebina Lane in recognition of Zebina Lane the long-time manager of the Lord Nelson Mine situated near the unnamed road. Mr Lane revived the run down mine which remained profitable through the 1890's and was the richest mine in the history of St Arnaud. He was also a significant member of the community and involved in civic affairs.

Public notice was given on 15 September and nearby property owners were notified to give the community an opportunity to comment on the road naming proposal. One submission was received requesting that the road name be extended to include the access road off Trafalgar Street due to a new building development.

Council officers inspected the access road and have confirmed that it has been graded and with further work would meet permit requirements and be included on council's Road Register. In extending the road naming to include the access road it would enable prompt delivery of emergency services to the property if required.

Nearby residents have been informed of the proposal to extend the naming of the road, with the option to give comment. No submissions were received against the proposal.



Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 1989

Geographic Place Naming Act 1998

Naming rules for places in Victoria

Options

Option 1

To name the unnamed road off Dunstan and Trafalgar Street, St Arnaud as Zebina Lane. **[recommended]**

Option 2

To take no further action. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

Not applicable

Community Engagement

Community consultation is an important part of the place naming process, providing any interested persons an opportunity to comment prior to the road being formally named. Public notice was given in the North Central News, on social media and on council's website inviting comment. Letters were also sent out to all nearby residents inviting feedback on the proposal.

Innovation and Continuous Improvement

Nil

Collaboration

Nil

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance and Civic Support

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

Nil

9.4.8. Proposed Road Naming - Boothey Street

Author/Position: Mary Scully, Manager Governance and Civic Support

Purpose

To consider undertaking the process to name an unnamed road off King Street and Hill Street, Stawell.

Summary

Council officers have requested that an unnamed road off King and Hill Street, Stawell be named due to new property developments and requirements for council to maintain this road. As Council is the road naming authority, Council is asked to consider naming the unnamed road and give public notice of its intention to name the road.

Recommendation

That Council gives public notice of its intention to name the unnamed road off King Street and Hill Street, Stawell as Boothey Street.

RESOLUTION

That Council gives public notice of its intention to name the unnamed road off King Street and Hill Street, Stawell as Boothey Street.

Moved: Cr Lauren Dempsey

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

Council is the road naming authority for local roads in accordance with Schedule 10 of the *Local Government Act 1989*, which empowers Council to name roads. Any road naming must be in accordance with Geographic Place Names legislation.

Council officers have asked that the unnamed road off the King and Hill Street, Stawell (highlighted in the image below) be named due to property developments along the road and in order for the road to be included on council's Road Register for regular maintenance.

Council officers considered various options for the best way to handle the anomalies of the proposed roads. The road running westerly from Hill Street to the centre point on the map below is shown on some maps as an unknown road and others as Rogash Road and the road running south to King Street is known as High Street. The road cannot be named as an extension of the existing High Street because it is not contiguous and a duplicated road name of High Street within 15kms is not permitted under the Naming Rules.

It is council's policy to name roads after original landholders to recognise the contribution of early families to the area. Officers sought comment on an appropriate name from the Stawell Historical Society and it was recommended that the road be named as Boothey Street.

Historical records show that Mr Walter Bartholomew Boothey owned a large section of this block for some time and it is understood that the Boothey family owned the whole block at one time. Mr Boothey also ran the corner store in Cypress Street, Stawell.



Legislation, Council Plan, Strategy and Policy Implications

Council Plan – Improve Organisational Effectiveness
Naming Rules for Places in Victoria

Options

Option 1

Council has the option of agreeing to give public notice of the proposal. **[recommended]**

Option 2

That Council takes no further action. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Finance - The naming of roads incurs administration, advertising and signage costs.

Risk Management - The naming of roads is a means to minimise risk and ensure the prompt delivery of emergency services.

Asset Management - The level of service will not increase as a result of the road being formally named. Signage is proposed.

Procurement

Not applicable

Community Engagement

Community engagement is an important part of the road naming process and the giving of public notice will allow community members an opportunity to comment prior to the road being formally named.

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance and Civic Support

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

Nil

9.4.9. S11A Instrument of Authorisation and Appointment

Author/Position: Mary Scully, Manager Governance and Civic Support

Purpose

To appoint Council employees, Justine Kingan, Dana Foenander and Patrick Kennedy by resolution, pursuant to section 147 of the *Planning and Environment Act 1987* as authorised officers.

Summary

Under the *Planning and Environment Act 1987*, Council must authorise council employees to be authorised officers by a Council resolution. Justine Kingan, Manager Economic and Community Futures, Dana Foenander, Strategic Planner and Patrick Kennedy, Statutory Planning Officer have commenced employment with Northern Grampians Shire Council and in order for each officer to perform all their duties, they require the powers provided as authorised officers.

Recommendation

That in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, Council resolves that:

- 1. The members of council staff referred to in the Instruments be appointed and authorised as set out in the Instruments.**
- 2. The Instruments come into force immediately.**
- 3. The Instruments remain in force until Council determines to vary or revoke it or the officer's employment with Northern Grampians Shire Council ceases.**

RESOLUTION

That in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, Council resolves that:

- 1. The members of council staff referred to in the Instruments be appointed and authorised as set out in the Instruments.**
- 2. The Instruments come into force immediately.**
- 3. The Instruments remain in force until Council determines to vary or revoke it or the officer's employment with Northern Grampians Shire Council ceases.**

Moved: Cr Eddy Ostarcevic

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

The attached S11A Instruments of Appointment and Authorisation provides for Council to appoint the nominated officers by resolution, pursuant to section 147 of the *Planning and Environment Act 1987*. The Instruments also include the general appointment provision in section 313 of the *Local Government Act 2020* to commence proceedings for offences if required.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Planning and Environment Act 1987

Options

Option 1

That Council appoints Justine Kingan, Dana Foenander and Patrick Kennedy as authorised officers under the *Planning and Environment Act 1987*.

No other options are proposed as the Instruments of Appointment and Authorisation will enable each officer the ability to perform their council duties.

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

Not applicable

Community Engagement

Not applicable

Innovation and Continuous Improvement

Not applicable

Collaboration

Not applicable

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance and Civic Support Officer

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. S11A Instrument of Appointment and Authorisation J Kingan [9.4.9.1 - 2 pages]
2. S11A Instrument of Appointment and Authorisation D Foenander [9.4.9.2 - 2 pages]
3. S11A Instrument of Appointment and Authorisation P Kennedy [9.4.9.3 - 2 pages]

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Northern Grampians Shire Council

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)**

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this Instrument "**officer**" means -

Justine Kingan

By this Instrument of Appointment and Authorisation Northern Grampians Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - Appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied, revoked or the officer's employment with Northern Grampians Shire Council ceases.

This Instrument is authorised by a resolution of the Northern Grampians Shire Council made on

Date

..... Mayor/Councillor

..... Senior Officer

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Northern Grampians Shire Council

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)**

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this Instrument "**officer**" means -

Dana Foenander

By this Instrument of Appointment and Authorisation Northern Grampians Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - Appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied, revoked or the officer's employment with Northern Grampians Shire Council ceases.

This Instrument is authorised by a resolution of the Northern Grampians Shire Council made on

Date

..... Mayor/Councillor

..... Senior Officer

*S11A Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)*

Northern Grampians Shire Council

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)**

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this Instrument "**officer**" means -

Patrick Kennedy

By this Instrument of Appointment and Authorisation Northern Grampians Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - Appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this Instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied, revoked or the officer's employment with Northern Grampians Shire Council ceases.

This Instrument is authorised by a resolution of the Northern Grampians Shire Council made on

Date

..... Mayor/Councillor

..... Senior Officer

10. Notices of Motion or Rescission

Nil

11. Reports from Councillors/Committees

- Cr Erwin reported that at the recent meeting of the Western Highway Action Committee it was noted that the condition of the highway all along it is falling into disrepair and starting to break up. He said it is the second busiest road in Victoria and it is not a good situation but hopefully will improve in the new year after WHAC delivered a strong message to the Department.
- Cr Erwin said that the three current projects were discussed and included the lights at Seaby Street Stawell. He said the lights are due to happen around mid next year and it is suggested it might take 12 months to complete the works.
- Cr Gready reported on matters raised at the Halls Gap Ratepayers Association meeting including the ongoing problem with television reception, waste compaction and changing policy, works on the valley floor before the planning permit has been issued and e-bikes as an ongoing problem. He said he had spoken to the owner and they are speed limited and he is actually working to the rules. He said it is a problem once the bikes go outside the shop. Other matters raised were the site north of the service station that once cleaned up would provide a large area of parking and illegal vegetation clearance at the creek.
- Cr Dempsey spoke to a number of events attended in public including the openings of the pop up parks in Stawell and Halls Gap, the Happy Sad Man film event that encouraged conversation in the community on mental health and Remembrance Day events. She spoke about her participation in a course for newly elected female councillors and thanked council for allowing her to attend.
- Cr Ostarcevic spoke of a discussion by the SCAN group and the general consensus on the traffic lights was that they are functional. He said he understood the sensors needed replacing as they posed a risk to pedestrians on the crossing. He said a number of people are happy with the township entrance signs.
- Cr Emerson reported on meetings with the Stawell Gift Event Management Board that is doing some great work for the Stawell Gift 2022. He said the Stawell Recreation Advisory Group had met and discussed the fantastic opportunity at North Park to showcase the community of Stawell and similarly the Lord Nelson Park development for St Arnaud. He said the MAV has had one Board meeting and one MAV Insurance meeting and hopefully, we come up with decisions to benefit all councils. He said the big issue at the moment is the government taking over planning and they are putting up a fight against that. He said the NWMA met and attendance from the eight member councils was very good and unfortunately, he was not able to attend the Stawell West Primary School Eating Competition due to other commitments.
- Cr Driscoll reported on the staff recognition day and reinforced what a great day it was, thanking the organisation for the new concept.

RESOLUTION

That the reports be received.

Moved: Cr Kevin Erwin

Seconded: Cr Murray Emerson

Carried

12. Urgent Business

Nil

13. Public Question Time

Nil

14. Closure of Meeting Pursuant to Section 66(2)(a) of the Local Government Act 2020

A Council or delegated committee may resolve that the meeting be closed to members of the public if it considers it necessary because a circumstance specified below apply:

The circumstances are-

- (a) the meeting is to consider confidential information; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

If the circumstances specified in subsection (b) or (c) apply, the meeting can only be closed to the public if the Council has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.

14.1. Stawell Transfer Station Lease Agreement

14.2. C7 2018/19 - Provision of Transfer Station Services - St Arnaud

14.3. C7 2021/22 - St Arnaud Tennis Club Renewal

14.4. C8 2021/22 - Grampians Gate Caravan Park Stage 2

RESOLUTION

That items 14.1, 14.2, 14.3 and 14.4 be considered in Closed Council as they deal with confidential information as detailed in section 3(1) of the *Local Government Act 2020*.

Moved: Cr Murray Emerson
Seconded: Cr Kevin Erwin Carried

RESOLUTION

That the meeting be closed to consider the item listed pursuant to section 66 of the *Local Government Act 2020*.

Moved: Cr Murray Emerson
Seconded: Cr Kevin Erwin Carried

OPEN COUNCIL

The Chief Executive Officer reported on the item discussed in Closed Council.

14.1 Council agreed to

- a) a change in operational days for the Stawell Transfer Station.
- b) negotiate a municipal rate for Stawell Transfer Station bulk waste.
- c) develop and share education and information of increased green and comingle recycling to the Northern Grampians Shire community.

14.2 Council agreed to take up the first one year option to extend Contract C7 2018/19 - Provision of Transfer Station Services - St Arnaud.

14.3 Council awarded Contract C7 2021/22 - St Arnaud Tennis Clubroom Renewal to Design Builders (Vic) Pty Ltd for their submitted tender price.

14.4 Council agreed to use a combination of Council Depot employees and local panel contractors for the Stawell Grampians Gate Caravan Park Stage 2 works.

15. Close

There being no further business the Mayor declared the meeting closed at 1.34pm.

Confirmed

A handwritten signature in black ink, appearing to be 'Tony Driscoll', written in a cursive style.

CR TONY DRISCOLL
MAYOR

Date: 7 February 2022