



SCOPE

This assessment tool is to be used for new Councillor Interaction with Developers Policy.

CONSIDERATION OF PRINCIPLES OUTLINED BY THE LOCAL GOVERNMENT ACT 2020

Principle	Comment
Governance and Strategic Principles (section 9)	
Council decisions are to be made and actions taken in accordance with the relevant law	Councillor Interaction with Developers Policy is prepared with relevant consideration into Local Government Act 2020 and other relevant legislations.
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	Interaction is conducted in accordance with the highest standards of transparency, integrity and honesty and is open to public scrutiny. The draft Policy aims to prevent actual or perceived conflicts of interest and mitigate lobbying-related risks to minimise opportunities for misconduct or corrupt behaviour.
The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	Not applicable
The municipal community is to be engaged in strategic planning and strategic decision making	It is considered and there are no implications at the time of preparing this document.
Innovation and continuous improvement is to be pursued	<i>The Local Government Act 2020</i> requires Councillors to declare direct or indirect conflicts of interest on matters that come before them for consideration. Strathbogie Shire Council seeks to go beyond the minimum requirements set out in legislation and commits itself to a higher standard of transparency in the highly important function of proposed and actual land use planning and development decision making.
Collaboration with other Councils and Governments and statutory bodies is to be sought	Not applicable
The ongoing financial viability of the Council is to be ensured	No financial impact from this policy.
Regional, state and national plans and policies are to be taken into account in strategic planning and decision making	It is considered and there are no implications at the time of preparing this document.
The transparency of Council decisions, actions and information is to be ensured	<i>The Local Government Act 2020</i> requires Councillors to declare direct or indirect conflicts of interest on matters that come before them for consideration. Strathbogie Shire Council seeks to go beyond the minimum requirements set out in legislation and commits itself to a higher standard of transparency in the highly important function of proposed and actual land use planning and development decision making.

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Community Engagement Principles (section 56)	
A community engagement process must have a clearly defined objective and scope	As this report is primarily focused on Councillor interaction and recommendations from the Local Government Inspectorate and the Independent Broad-based Anti-corruption Commission (IBAC), there was no community engagement undertaken to inform the development of this draft Policy.
Participants in community engagement must have access to objective, relevant and timely information to inform their participation	Not applicable
Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement	Not applicable
Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;	Not applicable
Principle	Comment
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	Not applicable
Public Transparency Principles (section 58)	
Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act	All of the provisions in this policy have a transparent process defined as per relative legislation.
Council information must be publicly available unless— (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest	This policy is complied with this provision.
Council information must be understandable and accessible to members of the municipal community	This policy is complied with this provision.
Public awareness of the availability of Council information must be facilitated	This policy is complied with this provision.
Strategic Planning Principles (section 89)	
A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles	It is considered and there are no implications at the time of preparing this document.
An integrated approach to planning, monitoring and performance reporting is to be adopted	It is considered and there are no implications at the time of preparing this document.

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Strategic planning must address the Community Vision	It is considered and there are no implications at the time of preparing this document.
Strategic planning must take into account the resources needed for effective implementation	It is considered and there are no implications at the time of preparing this document.
Strategic planning must identify and address the risks to effective implementation	It is considered and there are no implications at the time of preparing this document.
Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.	It is considered and there are no implications at the time of preparing this document.

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Principle	Comment
Financial Management Principles (section 101)	
revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans	It is considered and there are no implications at the time of preparing this document.
Financial risks must be monitored and managed prudently having regard to economic circumstances For the purposes of the financial management principles, financial risk includes any risk relating to the following— (a) the financial viability of the Council (b) the management of current and future liabilities of the Council (c) the beneficial enterprises of the Council	It is considered and there are no implications at the time of preparing this document.
Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community	It is considered and there are no implications at the time of preparing this document.
Accounts and records that explain the financial operations and financial position of the Council must be kept	It is considered and there are no implications at the time of preparing this document.
Service Performance Principles (section 106)	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	This is considered and applied in this policy within the provision of the Act.
Services should be accessible to the members of the municipal community for whom the services are intended	This is considered in this policy.
Quality and costs standards for services set by the Council should provide good value to the municipal community	This is considered in this policy.
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	This is considered in this policy.
Service delivery must include a fair and effective process for considering and responding to complaints about service provision	Fair and effective process is provided within this policy.

CONSIDERATION OF CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 IMPACTS

Council can limit human rights when those limitations can be justified. This means that Council can continue to make decisions on behalf of the community about how best to balance rights, ensure community safety, and use limited funding for competing public interest challenges.

Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Recognition and equality before the law (section 8)	It is considered and there are no implications at the time of preparing this document.
Right to life (section 9)	It is considered and there are no implications at the time of preparing this document.
Protection from torture and cruel, inhuman or degrading treatment (section 10)	It is considered and there are no implications at the time of preparing this document.
Freedom from forced work (section 11)	It is considered and there are no implications at the time of preparing this document.
Freedom of movement (section 12)	It is considered and there are no implications at the time of preparing this document.
Privacy and reputation (section 13)	<p>Under Human Rights, the Right to privacy and reputation (section 13) is impacted as names of people who attend meetings as Developers with Councillors will be added to a public register. This right is balanced with the Public Transparency Principles which requires:</p> <ul style="list-style-type: none"> • Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act; <p>Council information must be publicly available unless:</p> <ul style="list-style-type: none"> • the information is confidential or • public availability of the information would be contrary to the public interest.
Freedom of thought, conscience, religion and belief (section14)	It is considered and there are no implications at the time of preparing this document.

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Freedom of expression (section 15)	It is considered and there are no implications at the time of preparing this document.
Peaceful assembly and freedom of association (section 16)	It is considered and there are no implications at the time of preparing this document.
Protection of families and children (section 17)	It is considered and there are no implications at the time of preparing this document.
Right to take part in public life (section 18)	It is considered and there are no implications at the time of preparing this document.
Cultural rights (section 19)	It is considered and there are no implications at the time of preparing this document.
Property rights (section 20)	It is considered and there are no implications at the time of preparing this document.
Liberty and security of person (section 21)	It is considered and there are no implications at the time of preparing this document.
Fair hearing (section 24)	It is considered and there are no implications at the time of preparing this document.
Rights in criminal proceedings (section 25)	It is considered and there are no implications at the time of preparing this document.
Overall, does the policy, local law or decision raise human rights issues?	No.
Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Overall, does the policy, local law or directive restrict or interfere with the scope of the human right/s identified?	No.
If yes, are the limitations or restrictions reasonably and demonstrably justified under Section 7 of the Human Rights Charter?	
Are there any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve?	Not applicable.

GENDER EQUITY IMPACT ASSESSMENT

Gender impact assessments (GIAs) are designed to help organisations think critically about how policies, programs and services will meet the different needs of women, men and gender diverse people. The purpose GIAs is to create better and fairer outcomes, and make sure all people have equal access to opportunities and resources.

Your gender can affect your needs and experiences. This means that policies, programs and services can affect people of different genders in different ways. If we don't think about how their work affects different people, they might unintentionally reinforce inequalities.

A gender impact assessment must:

- assess the effects that the policy, program or service may have on people of different genders
- explain how the policy, program or service will be changed to better support Victorians of all genders and promote gender equality
- where practical, apply an intersectional approach to consider how gender inequality can be compounded by disadvantage or discrimination that a person may experience on the basis of other factors such as age, disability or ethnicity.

Step 1 – Defining the issues and challenge your assumptions	
What is the issue the policy or directive is aiming to address (think about why it is needed)?	This policy is inclusive of all.
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	This policy is inclusive of all.
Do you think that people of different genders access this policy or directive at the same rate?	This policy is inclusive of all.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	It is considered and there are no implications at the time of preparing this document.
Do you think that everyone who accesses this policy or directive has the same needs from it?	This policy aims to achieve best governance principles.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	It is considered and there are no implications at the time of preparing this document.
What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations or religions?	It is considered and there are no implications at the time of preparing this document.

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Step 2 – Understanding the policy context	
What information is available to understand who is likely to be affected by the policy or directive?	Information released by Local Government Inspectorate (LGI) and Independent Board-based Anti-corruption Commission (IBAC).
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Further information from Local Government Victoria
What did the research and evidence tell you? List key points and references/evidence	Recommendations for Councils to improve good governance.
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	No specific consultation required for this policy.
What information is available to understand the lived experiences of the diverse groups who will be affected?	Information suggest that most of the affected groups are Councillors
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Development of a register
What did the research and evidence tell you? List key points and references/evidence	No specific information available about diverse groups.
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	As this report is primarily focused on Councillor interaction and recommendations from the Local Government Inspectorate and the Independent Broad-based Anti-corruption Commission (IBAC), there was no community engagement undertaken to inform the development of this draft Policy.
How is this policy or directive likely to have different impacts for different people?	Not applicable.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Any further recommendations that are released.
What did the research and evidence tell you? List key points and references/evidence	There is no specific evidence to suggest that policy has any impact to individuals or groups.

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<p>Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?</p>	<p>No formal consultation undertaken; parameters are set within recommendations from LGI and IBAC.</p>
<p>Step 3 – Options analysis</p>	
<p>What are the policy options? For each option describe the proposed policy solution. Provide a brief description of the proposed strategies, activities or service design elements and how they will meet the needs and create benefit for the target audience.</p>	<p>The objectives of this policy are to:</p> <ul style="list-style-type: none"> • Ensure that interactions of Councillors with developers, submitters and lobbyists are open, transparent and accountable • Avoid actual or perceived conflicts of interest • Mitigate lobbying-related risk to minimise opportunities for misconduct or corrupt behaviour
<p>What are the potential policy options and what gendered impact might they have?</p>	<p>Not applicable</p>
<p>What are the gendered costs and risks?</p> <ul style="list-style-type: none"> • Who is likely to be negatively impacted by this? How are the most vulnerable groups likely to be impacted? • Will this reduce a certain group's access to economic resources or opportunities? If so, are they already disadvantaged? • Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry? 	<p>There are no identified gendered groups in this policy.</p>
<p>What are the gendered benefits?</p> <ul style="list-style-type: none"> • Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to ensure resources are distributed and used equally? • Will it contribute to transforming gender norms in a positive way? Eg will it contribute to a more balanced distribution of unpaid care labour and family responsibilities between women and men? • Will it make women and children safer in public or private spaces? 	<p>Not applicable</p>
<p>Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to make sure resources are distributed and used equally?</p>	<p>The policy is to assist in meeting requirements under the Local Government Act 2020,.</p>
<p>Will it contribute to transforming gender norms in a positive way?</p>	<p>It is considered and there are no implications at the time of preparing this document.</p>

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Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	It is considered and there are no implications at the time of preparing this document.
Overall, do the benefits outweigh the costs or vice versa?	Not applicable.
Step 4 Recommendations	
Provide the rationale for the proposed recommendation and include any mitigation strategies that could be used to avoid any harmful unintended outcome.	Not applicable.
Include here the rationale for your recommendation as well as any mitigation strategies needed. In line with the Gender Equality Act, explain: <ul style="list-style-type: none">• how your recommendation meets the needs of persons of different genders• how it addresses gender inequality• how it promotes gender equality.	Not applicable.

HANDY HINTS

The above questions have been derived from the Gender impact assessment toolkit produced by the Commission for Gender Equality in the public sector. To access the gender equity impact assessment toolkit for more information, please use this link [Gender impact assessment toolkit | Commission for Gender Equality in the Public Sector \(genderequalitycommission.vic.gov.au\)](https://www.genderequalitycommission.vic.gov.au/gender-impact-assessment-toolkit).

For Open Source gender data and research, please use the following resource – the final page is where you will find links to data and resources. [DPC 2011 CGEPS GIA-Templates & Resources FA-Web 0.pdf](#)

For Step 3 the following will assist in identifying whether an impact is a cost or a benefit for gender equity:

Negative or neutral gender impact

- Perpetuates gender inequality by reinforcing unbalanced norms, roles and relations.
- Privileges men over women and gender diverse people (or vice versa).
- Ignores differences in opportunities and resource allocation for people of different genders.
- Does not take into account issues of intersectionality.

Positive gender impact

- Considers gender norms, roles and relations for people of different genders and how they affect access to and control over resources.
- Promotes the elimination of existing gender gaps, or at least a significant reduction of them.
- Addresses the causes of gender-based health inequities, including the prevention of violence against women, girls and gender diverse people.

- Includes ways to transform harmful gender norms, roles and relations.

CLIMATE CHANGE ADAPTATION/MITIGATION AND SUSTAINABILITY CONSIDERATIONS

The Local Government Act 2020 requires council to consider climate change mitigation and adaptation measures in all its key decision making, which includes policy development.

Council has finalised its Climate Change Action Plan after declaring a Climate Emergency in 2021. This Action Plan has 5 key actions areas:

- Protecting our natural environment
- Reducing our emissions
- Our climate resilient community
- Moving sustainability: transport
- Advocating for change

Strathbogie Shire Council [Climate Change Action Plan 2022 – 2027](#) [Climate Action - Strathbogie Shire](#)

Our Climate Resilient Community	Comment
Increasing heat	Not applicable
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	Not applicable
Increased bushfire conditions and declining volunteer numbers	Not applicable
Increased social impacts	Not applicable
Reducing our emissions	Comment
Net Zero by 2025	Not applicable
Energy Efficiency	Not applicable
Energy Storage	Not applicable
Renewable Energy	Not applicable
Community Renewable Energy	Not applicable
Conserving valuable potable water	Not applicable

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Stormwater management	Not applicable
Adaptive and recycled water resources	Not applicable
Keeping our shire green, cool and resilient	Not applicable
Advocating for Change	Comment
Are we increasing resilience?	Not applicable
What is the impact?	Not applicable
Economic benefits	Not applicable
Protecting our natural environment	Comment
Deforestation	Not applicable
Rural green infrastructure	Not applicable
Increasing our urban canopy	Not applicable
Rural roadsides	Not applicable
Rivers & Wetlands	Not applicable
Benefitting from our native forests	Not applicable
Moving sustainably: Transport	Comment
Security of fuel supply	Not applicable
Transition to new fuel economy	Not applicable
Enabling access to the outdoors	Not applicable
Alternative fuel sources	Not applicable