



SCOPE

This assessment tool is to be used when preparing any new Council Policy or amending/updating an existing policy. It also applies to any new or updated CEO Directive.

WHY DO WE NEED AN ASSESSMENT TOOL?

The Charter of Human Rights and Responsibilities Act 2006 and the Gender Equity Act 2020 both require Council to consider the impacts on rights and responsibilities when making decisions, preparing or updating a new local law, when making changes to council services and when preparing/updating new policies and procedures. Council is also required to consider climate change mitigation and planning in its decisions under section 9 of the Local Government Act 2020. This same act also outlines strategic principles that must be considered when developing or updating policies and directives.

This tool is to guide you through how to complete such an assessment to ensure that Council is meeting its legislative obligations, as well as ensuring there is no unconscious bias or inadvertent adverse implications for peoples' rights when preparing policies and CEO Directives.

HOW DO I USE THIS TOOL?

You must use this tool whenever updating or preparing a new Council Policy or CEO Directive. This assessment will form part of the documentation provide to ELT and Council to inform their consideration of the proposed policy or directive.

All sections of the tool need to be completed – if there are no apparent implications, then please write something along the lines of '*It is considered there are no implications at the time of preparing this document.*' For the Local Government Act 2020 principles, you may include the text '*Not applicable*' if it is irrelevant to the policy or directive.

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	The Lease and Licensing policy achieves the requirement on the Local Government Act 2020 to include deliberative engagement in the development of the Council Plan and Community Vision.
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	The policy aims to ensure value for money and transparency in relation to the use of all land and buildings of which Council is the custodian on behalf of and for the benefit of the community.
The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	Policy has clear guidelines for all user groups which provide fairness to all residents/users.
The municipal community is to be engaged in strategic planning and strategic decision making	The policy intent ensures communication and engagement to the community in accordance with Section 115 and in some instances as determined by the CEO. The proposed policy will be subject to community consultation.
Innovation and continuous improvement is to be pursued	Regular updates of the policy ensure that continuous improvement is achieved and ensures community, legislative and regulated requirements are met.
Collaboration with other Councils and Governments and statutory bodies is to be sought	Collaboration with other councils has been undertaken in the development of this policy.
The ongoing financial viability of the Council is to be ensured	This policy clearly outlines lease and licensing principles that leads to financial sustainability.
Regional, state and national plans and policies are to be taken into account in strategic planning and decision making	It is considered and policy is in line with relevant legislations.
The transparency of Council decisions, actions and information is to be ensured	This policy provides transparency of all lease and licenses entered into by Council.
Community Engagement Principles (section 56)	
A community engagement process must have a clearly defined objective and scope	Community consultation undertaken for this policy were in line with the Community Engagement Policy, Future proposed lease and licences (when required) will be in line with the Community Engagement Policy and will achieve the requirements of the Community Engagement Principles.

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Participants in community engagement must have access to objective, relevant and timely information to inform their participation	The policy states in clear terms when the community engagement will be undertaken. The information provided to the community will be de-identified and will include an un-biased summary of facts relating to the proposed lease or license of the property.
Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement	When using deliberative engagement practice – recruitment is independent and representative. However any responses received from associated person/s of the proposed applicants, may be biased in their submission.
Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;	This is particularly relevant when using deliberative engagement practice which are independently facilitated.
Principle	Comment
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	This is outlined in the Community Engagement Policy principles. <ul style="list-style-type: none"> • Genuine and transparent • Inclusive and accessible • Responsive and flexible • Listen and learn
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 transparent decision-making process defined.
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 complies with this provision.
Council information must be understandable and accessible to members of the municipal community	The policy has been drafted in plain English, noting that there is technical language that must be used given the policy is required by legislation.
Public awareness of the availability of Council information must be facilitated	The policy is available via the Council Agenda and Minutes section on Council’s website, Council meetings are held in public, and people are able to request to inspect reports or ask for printed copies via our customer service centres. Councils adopted policies are available on Councils Website.
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.

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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.
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	This policy is complied with financial policies and strategic plans objectives.
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	This is considered in this policy.
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	This is considered in this policy.
Accounts and records that explain the financial operations and financial position of the Council must be kept	Any financial record arise from this policy will be kept as per record keeping requirements.
Service Performance Principles (section 106)	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	There are no significant impacts on this principle.
Services should be accessible to the members of the municipal community for whom the services are intended	There are no significant impacts on this principle.
Quality and costs standards for services set by the Council should provide good value to the municipal community	The policy clearly outlines Lease and Licensing principles to ensure alignment with other financial policies and plans and provides good value to the municipal community
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)	It is considered and there are no implications at the time of preparing this document.
Freedom of thought, conscience, religion and belief (section 14)	It is considered and there are no implications at the time of preparing this document.
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.

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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?	The policy does not raise any human rights issues.
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? If yes, are the limitations or restrictions reasonably and demonstrably justified under Section 7 of the Human Rights Charter?	No. It is considered and there are no implications at the time of preparing this document
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)?	No gender differences applied to this policy.
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	No gender differences applied to this policy.
Do you think that people of different genders access this policy or directive at the same rate?	No gender differences applied to this policy.
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 addresses a wider group and is inclusive
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?	This policy effects all in our municipality
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Review of historic agreements and discussions with Council Officers and Committee of Management members.
What did the research and evidence tell you? List key points and references/evidence	The majority of the stakeholders (occupants of the Council Properties) are volunteers of Not-for-Profit Organisations that provide a service / benefit to the community.
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>The Draft Lease and Licensing Policy was released for public exhibition and engagement on Wednesday June 19 and closed Wednesday July 17, 2024. All current occupants were invited to contribute and/or attend drop-in sessions of which 30 people attended and 20 written submissions were received.</p> <p>The submissions received were from various categories of occupants. Community Volunteer/Service Organisations currently occupying council properties provided the most feedback, with 12 submissions, all highlighting concerns relating to the financial implications the policy will have on their facility, and at least half of these groups having concerns regarding the burden of maintenance and utility expenses.</p> <p>Sporting Clubs and Recreation Reserves, submitted 4 responses, also emphasizing concerns over rental charges, utility expenses and the introduction of principal 3 (Item 12.3) which requires a 2% on gross alcohol sales be set aside.</p>
What information is available to understand the lived experiences of the diverse groups who will be affected?	Limited impact
Do you already have this information?	No
How will you find the further information you need? Think about internal data, research, consultation.	Through engagement with the Committees of Management/ Occupants of Council Properties.
What did the research and evidence tell you? List key points and references/evidence	Not Applicable

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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>	Not Applicable
<p>How is this policy or directive likely to have different impacts for different people?</p>	Limited impact
<p>Do you already have this information?</p>	No
<p>How will you find the further information you need? Think about internal data, research, consultation.</p>	Through engagement with the Committees of Management/ Occupants of Council Properties.
<p>What did the research and evidence tell you? List key points and references/evidence</p>	Not Applicable
<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>	No
Step 3 – Options analysis	
<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>This is a new policy for Lease and License issuing procedure. There are no alternative options as this is an area governed by Local Government Act 2020.</p>
<p>What are the potential policy options and what gendered impact might they have?</p>	<p>It is considered that the policy is gender neutral in its impacts.</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>It is considered that the policy is gender neutral in its impacts and does not give rise to costs or risks.</p>
<p>What are the gendered benefits?</p>	<p>It is considered that the policy is gender neutral in its impacts and does not provide gendered benefit.</p>

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<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? 	
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?	It is considered that the policy is gender neutral in its impacts and does not provide greater benefits to some people as it provides equal access to members of the community.
Will it contribute to transforming gender norms in a positive way?	It is considered that the policy is gender neutral and hence will not contribute to positively transforming gender norms.
Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	It is considered that the policy is gender neutral and will not have negative unintended consequences for certain groups of people.
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).

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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	There are no impacts at the time of preparing this document.

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Changing rainfall patterns, drought conditions, and extreme meteorological conditions	There are no impacts at the time of preparing this document.
Increased bushfire conditions and declining volunteer numbers	There are no impacts at the time of preparing this document.
Increased social impacts	There are no impacts at the time of preparing this document.
Reducing our emissions	Comment
Net Zero by 2025	There are no impacts at the time of preparing this document.
Energy Efficiency	There are no impacts at the time of preparing this document.
Energy Storage	There are no impacts at the time of preparing this document.
Renewable Energy	There are no impacts at the time of preparing this document.
Community Renewable Energy	There are no impacts at the time of preparing this document.
Conserving valuable potable water	There are no impacts at the time of preparing this document.
Stormwater management	There are no impacts at the time of preparing this document.
Adaptive and recycled water resources	There are no impacts at the time of preparing this document.
Keeping our shire green, cool and resilient	There are no impacts at the time of preparing this document.
Advocating for Change	Comment
Are we increasing resilience?	There are no impacts at the time of preparing this document.
What is the impact?	There are no impacts at the time of preparing this document.
Economic benefits	There are no impacts at the time of preparing this document.
Protecting our natural environment	Comment
Deforestation	There are no impacts at the time of preparing this document.
Rural green infrastructure	There are no impacts at the time of preparing this document.
Increasing our urban canopy	There are no impacts at the time of preparing this document.

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Rural roadsides	There are no impacts at the time of preparing this document.
Rivers & Wetlands	There are no impacts at the time of preparing this document.
Benefitting from our native forests	There are no impacts at the time of preparing this document.
Moving sustainably: Transport	Comment
Security of fuel supply	There are no impacts at the time of preparing this document.
Transition to new fuel economy	There are no impacts at the time of preparing this document.
Enabling access to the outdoors	There are no impacts at the time of preparing this document.
Alternative fuel sources	There are no impacts at the time of preparing this document.