



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)	
<p>Council decisions are to be made and actions taken in accordance with the relevant law</p>	<p>Council Officers have a statutory obligation to decide on planning permit applications in a timely manner. This Policy will reduce the number of applications required to go to Council for a decision and in turn ensure more planning permit applications are decided on within the Statutory Timeframe.</p> <p>The Policy will ensure there is a formal adopted Council Document that guides decision making responsibility on Planning Permit Applications.</p> <p>The Policy will provide a documented formal process for the referral of planning permit applications to Council.</p>
<p>Priority is to be given to achieving the best outcomes for the municipal community, including future generations</p>	<p>The recent Community Satisfaction Survey Identified that the Community has a desire to see planning permit applications decided on in a timelier manner. The proposed policy will allow this to occur.</p> <p>The Policy will confirm that only the following planning permit applications will be required to be referred to Council:</p> <ul style="list-style-type: none"> a) Applications with 5 or more objections b) Applications that are called in by Councillors c) Applications that raise an issue of significant public interest, concern or controversy, or is likely to do so d) Applications where the delegate is not satisfied that the proposal is one that is appropriate for the decision of the administration rather than the Council; or the delegate believes that it is more appropriate that the proposal or any issue arising in connection with it should be determined by the Council rather than the administration.
<p>The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted</p>	<p>It is considered there are no implications at the time of preparing this document.'</p>

The municipal community is to be engaged in strategic planning and strategic decision making	The Policy will still allow for applications of strategic significance or public interest to be referred to Council for a decision. Based on community feedback Council Officers have increased the level of community engagement on strategic planning projects.
Innovation and continuous improvement is to be pursued	The implementation of this Policy is part of a continuous improvement process seeking to improve the overall approval timeframe for planning permit application decision making.
Collaboration with other Councils and Governments and statutory bodies is to be sought	In drafting the Policy officers have spoken to other surrounding Council's to help inform a suitable level of officer delegation for deciding on Planning Permit Applications.
The ongoing financial viability of the Council is to be ensured	It is considered there are no implications at the time of preparing this document.'
Regional, state and national plans and policies are to be taken into account in strategic planning and decision making	It is considered there are no implications at the time of preparing this document.'
The transparency of Council decisions, actions and information is to be ensured	Applications will still be referred to a Council Meeting where officers believe the application has strategic implications for the municipality, is controversial or is a matter of public interest. Councillors will still be able to call application in for a Decision at a Council Meeting. Officers will continue to regularly brief Council on planning permit applications received and decided including any applications that are proposed for refusal by officers.
Community Engagement Principles (section 56)	
A community engagement process must have a clearly defined objective and scope	Not applicable – Community Engagement (Customer Satisfaction Survey) has determined the need for timelier decision making on planning permit applications.
Participants in community engagement must have access to objective, relevant and timely information to inform their participation	Not applicable – as above
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 – as above
Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;	Not applicable – as above

Principle	Comment
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	Not applicable – Community Engagement (Customer Satisfaction Survey) has informed the need for the Policy.
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	A report seeking approval of the proposed policy will be presented to the September 2022 Council Meeting.
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	The Council Report will be publicly available.
Council information must be understandable and accessible to members of the municipal community	The Council Report will be publicly available.
Public awareness of the availability of Council information must be facilitated	The Council Report will be publicly available.
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	The Council Plan seeks to achieve an 80% statutory approval timeframe for planning permit approvals. The preparation and implementation of this policy will help achieve this Council Plan action.
An integrated approach to planning, monitoring and performance reporting is to be adopted	The Policy will be reviewed on a yearly basis to monitor performance and community satisfaction.
Strategic planning must address the Community Vision	<p>The Policy will address the Community Vision by responding to feedback from the Community Satisfaction Survey which expressed a desire for timelier decision making on planning permit applications and by meeting the relevant strategies of the Council Plan by:</p> <ul style="list-style-type: none"> • Delivering responsive and timely customer service • Assisting in meeting the relevant performance indicators for the approval of planning permit applications.
Strategic planning must take into account the resources needed for effective implementation	No additional resources will be required to ensure to Policies implementation.
Strategic planning must identify and address the risks to effective implementation	The policy will manage risks by clearly identifying the triggers that will require a planning permit to be referred to Council. The Policy will reduce the number of planning permit applications that need to be referred to

	Council and therefore reduce the risk of failure to determine applications being lodged at VCAT.
Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.	The Policy will be reviewed on a yearly basis to monitor performance and community satisfaction.

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	The implementation of the Policy will have on financial impact on the organisation.
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	The Policy will be reviewed on a yearly basis to monitor performance and any ongoing financial implications for Council.
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 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 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	Not applicable
Services should be accessible to the members of the municipal community for whom the services are intended	Not applicable
Quality and costs standards for services set by the Council should provide good value to the municipal community	Not applicable
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	The Policy is one of a number of continuous improvement measures the Planning & investment Department is seeking to implement.

Service delivery must include a fair and effective process for considering and responding to complaints about service provision

The Policy will alter the process for considering and responding to complaints about service provision.

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)	The proposed policy will help ensure an equitable and transparent process for all planning permit applicants
Right to life (section 9)	It is considered 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 there are no implications at the time of preparing this document.
Freedom from forced work (section 11)	It is considered there are no implications at the time of preparing this document.
Freedom of movement (section 12)	It is considered there are no implications at the time of preparing this document.
Privacy and reputation (section 13)	The Policy will not impact on the privacy of any planning permit applicants.
Freedom of thought, conscience, religion and belief (section 14)	It is considered there are no implications at the time of preparing this document.
Freedom of expression (section 15)	The Policy will not impact on the ability of planning permit applicants or other interested parties to freely express their views.
Peaceful assembly and freedom of association (section 16)	It is considered there are no implications at the time of preparing this document.
Protection of families and children (section 17)	It is considered there are no implications at the time of preparing this document.
Right to take part in public life (section 18)	The Policy will not impact on the ability of any party to participate in the planning permit application process.
Cultural rights (section 19)	It is considered there are no implications at the time of preparing this document.

Property rights (section 20)	It is considered there are no implications at the time of preparing this document.
Liberty and security of person (section 21)	It is considered there are no implications at the time of preparing this document.
Fair hearing (section 24)	It is considered there are no implications at the time of preparing this document.
Rights in criminal proceedings (section 25)	It is considered there are no implications at the time of preparing this document.
Overall, does the policy, local law or decision raise human rights issues?	No – as identified above.
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
Are there any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve?	N/A

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)?	The Policy is seeking to achieve timelier decisions on planning permit application. It is needed as it has been identified as a priority by our community.
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	Yes – planning permit applicant will not lose any rights in the decision-making process because of the implementation of the Policy.
Do you think that people of different genders access this policy or directive at the same rate?	The Policy will not be utilised by the general public. It is an internal policy only.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	The Policy will not be utilised by the general public. It is an internal Policy only.
Do you think that everyone who accesses this policy or directive has the same needs from it?	Yes – the requirement to make a decision on a planning permit application in accordance with the relevant delegations.
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	No – the policy will only be required to be accessed by internal staff involved in the decision-making process on planning permit applications.
What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations or religions?	None.

Step 2 – Understanding the policy context	
What information is available to understand who is likely to be affected by the policy or directive?	<i>The Planning and Environment Act 1987</i> . This act guides the decision-making process on planning permit applications.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	N/A
What did the research and evidence tell you? List key points and references/evidence	N/A
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
What information is available to understand the lived experiences of the diverse groups who will be affected?	Community Satisfaction Survey and feedback from the recent Talk to a Planner Days.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	N/A
What did the research and evidence tell you? List key points and references/evidence	That the community want to see timelier decision making on planning permit applications.
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	Yes, formal, and informal via the Community Satisfaction Survey and feedback from the recent Talk to a Planner Days
How is this policy or directive likely to have different impacts for different people?	It will mean additional planning permit applications will be decided on under officer delegation rather than at a Council Meeting. Meaning more planning permit applicants will experience quicker decision making timeframes.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	N/A
What did the research and evidence tell you? List key points and references/evidence	There will be a higher level of community satisfaction if planning permits are decided on in a timelier manner.

<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>Yes, formal, and informal via the Community Satisfaction Survey and feedback from the recent Talk to a Planner Days</p>
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>The proposed policy solution is outlined below.</p> <p>Only planning permit applications with the following triggers will result in a report to Council:</p> <ul style="list-style-type: none"> a) Applications with 5 or more objections b) Applications that are called in by Councillors c) Applications that raise an issue of significant public interest, concern or controversy, or is likely to do so d) Applications where the delegate is not satisfied that the proposal is one that is appropriate for the decision of the administration rather than the Council; or the delegate believes that it is more appropriate that the proposal or any issue arising in connection with it should be determined by the Council rather than the administration. <ul style="list-style-type: none"> • In addition to the above officers would be required to regularly brief Council on planning permit applications received and decided including any applications that are proposed for refusal by officers.
<p>What are the potential policy options and what gendered impact might they have?</p>	<p>The other option is to proceed as we are currently where every planning permit application that receives an objection must go to Council for a decision. This causes delays in the overall decision-making timeframes on planning permit applications which does not meet community expectations, as highlighted in the Community Satisfaction Survey, and the Council Plan performance indicator of 80% of planning permit applications decided upon within the statutory timeframe.</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? 	<p>It is considered there are no implications at the time of preparing this document.</p>

<ul style="list-style-type: none"> Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry? 	
<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? 	It is considered there are no implications at the time of preparing this document.
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 there are no implications at the time of preparing this document.
Will it contribute to transforming gender norms in a positive way?	It is considered there are no implications at the time of preparing this document.
Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	The Policy may impact of planning permit objectors who wish to have the application heard before Council. Objectors will not lose their rights to appeal any planning permit application to VCAT and can still request that a Councillor call in a planning permit application.
Overall, do the benefits outweigh the costs or vice versa?	The benefits of the Policy will outweigh the negatives. While some objectors may feel aggrieved at not having a planning permit applications decided on by Council, the Policy will achieve net Community Benefit by meeting the community needs of improving overall decision making timeframes on planning permit applications.
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.	The rational for the Policy is identified in Step 3 above as are the mitigation strategies.
<p>Include here the rationale for your recommendation as well as any mitigation strategies needed. In line with the Gender Equality Act, explain:</p> <ul style="list-style-type: none"> how your recommendation meets the needs of persons of different genders how it addresses gender inequality 	It is considered there are no implications at the time of preparing this document.

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| <ul style="list-style-type: none">• how it promotes gender equality. | |
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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 is also in the process of finalising a Climate Change Action Plan after declaring a Climate Emergency in 2021.

The Victorian Climate Change Adaptation Plan 2017-2020 sets out Council's responsibilities under the Act [Victorias-Climate-Change-Adaptation-Plan-2017-2020.pdf \(climatechange.vic.gov.au\)](https://www.climatechange.vic.gov.au/victorias-climate-change-adaptation-plan-2017-2020.pdf). The following factors should inform your analysis statement:

- Provide leadership and good governance, represent the needs and values of local communities, and foster community cohesion
- Manage climate change risks to council community services and assets, with support from the State Government

- Identify the needs and priorities of the municipality and communicate these to State Government where needed
- Develop and deliver locally-appropriate adaptation responses
- Build the resilience of local assets and services
- Plan for emergency management at the municipal level, provide relief and recovery services, and support emergency response operations
- Help the State Government understand localised impacts and responses
- Work with the community to help people understand and get involved in climate change adaptation
- Help connect the State Government with the community.

Sustainable Strathbogie 2030 Strategy (to be updated to the Climate Change Action Plan once adopted)

Chapter 6 Climate Resilient Shire	Comment
Increasing heat	It is considered there are no implications at the time of preparing this document.
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	It is considered there are no implications at the time of preparing this document.
Increased bushfire conditions and declining volunteer numbers	It is considered there are no implications at the time of preparing this document.
Increased social impacts	It is considered there are no implications at the time of preparing this document.
Chapter 7 A low carbon shire	Comment
Net Zero by 2025	It is considered there are no implications at the time of preparing this document.
Energy Efficiency	It is considered there are no implications at the time of preparing this document.
Energy Storage	It is considered there are no implications at the time of preparing this document.
Renewable Energy	It is considered there are no implications at the time of preparing this document.
Community Renewable Energy	It is considered there are no implications at the time of preparing this document.
Chapter 8 A water sensitive shire	Comment
Conserving valuable potable water	It is considered there are no implications at the time of preparing this document.
Stormwater management	It is considered there are no implications at the time of preparing this document.
Adaptive and recycled water resources	It is considered there are no implications at the time of preparing this document.

Keeping our shire green, cool and resilient	It is considered there are no implications at the time of preparing this document.
Chapter 9 A zero waste shire	Comment
Environmental impacts of landfill	It is considered there are no implications at the time of preparing this document.
Limited landfill capacity	It is considered there are no implications at the time of preparing this document.
Increased illegal dumping	It is considered there are no implications at the time of preparing this document.
Economic benefits from resource recovery	It is considered there are no implications at the time of preparing this document.
Chapter 10 An ecologically rich shire	Comment
Deforestation	It is considered there are no implications at the time of preparing this document.
Rural green infrastructure	It is considered there are no implications at the time of preparing this document.
Increasing our urban canopy	It is considered there are no implications at the time of preparing this document.
Rural roadsides	It is considered there are no implications at the time of preparing this document.
Rivers & Wetlands	It is considered there are no implications at the time of preparing this document.
Benefitting from our native forests	It is considered there are no implications at the time of preparing this document.
Chapter 11 An active and connected shire	Comment
Security of fuel supply	It is considered there are no implications at the time of preparing this document.
Transition to new fuel economy	It is considered there are no implications at the time of preparing this document.

Enabling access to the outdoors

It is considered there are no implications at the time of preparing this document.