



## 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
<b>Governance and Strategic Principles (section 9)</b>	
Council decisions are to be made and actions taken in accordance with the relevant law	Yes
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	Yes
The economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	Yes
The municipal community is to be engaged in strategic planning and strategic decision making	Yes
Innovation and continuous improvement is to be pursued	Yes
Collaboration with other Councils and Governments and statutory bodies is to be sought	Yes
The ongoing financial viability of the Council is to be ensured	Yes
Regional, state, and national plans and policies are to be taken into account in strategic planning and decision making	Yes
The transparency of Council decisions, actions and information is to be ensured	Yes
<b>Community Engagement Principles (section 56)</b>	
A community engagement process must have a clearly defined objective and scope	Not Applicable
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

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Principle	Comment
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	Not Applicable
<b>Public Transparency Principles (section 58)</b>	
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	Yes
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	Yes
Council information must be understandable and accessible to members of the municipal community	Yes
Public awareness of the availability of Council information must be facilitated	Yes
<b>Strategic Planning Principles (section 89)</b>	
A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles	Yes
An integrated approach to planning, monitoring and performance reporting is to be adopted	Yes
Strategic planning must address the Community Vision	Yes
Strategic planning must take into account the resources needed for effective implementation	Yes
Strategic planning must identify and address the risks to effective implementation	Yes
Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.	Yes

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Principle	Comment
<b>Financial Management Principles (section 101)</b>	
revenue, expenses, assets, liabilities, investments, and financial transactions must be managed in accordance with a Council's financial policies and strategic plans	Yes
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	Yes
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	Yes
Accounts and records that explain the financial operations and financial position of the Council must be kept	Yes
<b>Service Performance Principles (section 106)</b>	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	Yes
Services should be accessible to the members of the municipal community for whom the services are intended	Yes
Quality and costs standards for services set by the Council should provide good value to the municipal community	Yes
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	Yes
Service delivery must include a fair and effective process for considering and responding to complaints about service provision	Yes

## 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 (e.g., deprivation of liberty)	Analysis
Recognition and equality before the law (section 8)	No implications at the time of preparing this document
Right to life (section 9)	No implications at the time of preparing this document
Protection from torture and cruel, inhuman, or degrading treatment (section 10)	No implications at the time of preparing this document
Freedom from forced work (section 11)	No implications at the time of preparing this document
Freedom of movement (section 12)	No implications at the time of preparing this document
Privacy and reputation (section 13)	No implications at the time of preparing this document
Freedom of thought, conscience, religion, and belief (section 14)	No implications at the time of preparing this document
Freedom of expression (section 15)	No implications at the time of preparing this document
Peaceful assembly and freedom of association (section 16)	No implications at the time of preparing this document
Protection of families and children (section 17)	No implications at the time of preparing this document
Right to take part in public life (section 18)	No implications at the time of preparing this document
Cultural rights (section 19)	No implications at the time of preparing this document
Property rights (section 20)	No implications at the time of preparing this document
Liberty and security of person (section 21)	No implications at the time of preparing this document
Fair hearing (section 24)	No implications at the time of preparing this document
Rights in criminal proceedings (section 25)	No implications at the time of preparing this document
Overall, does the policy, local law, or decision raise human rights issues?	No implications at the time of preparing this document
Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights	Analysis

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have been excluded that do not apply to local government (e.g., deprivation of liberty)	
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?	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)?	<b>Not Applicable</b>
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	Yes
Do you think that people of different genders access this policy or directive at the same rate?	Yes
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	<b>Not Applicable</b>
Do you think that everyone who accesses this policy or directive has the same needs from it?	<b>Not Applicable</b>
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	<b>Not Applicable</b>
What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations, or religions?	<b>Not Applicable</b>

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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?	Policy
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	<b>Not Applicable</b>
What did the research and evidence tell you? List key points and references/evidence	<b>Not Applicable</b>
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	<b>Not Applicable</b>
What information is available to understand the lived experiences of the diverse groups who will be affected?	<b>Not Applicable</b>
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	<b>Not Applicable</b>
What did the research and evidence tell you? List key points and references/evidence	<b>Not Applicable</b>
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	<b>Not Applicable</b>
How is this policy or directive likely to have different impacts for different people?	<b>Not Applicable</b>
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	<b>Not Applicable</b>
What did the research and evidence tell you? List key points and references/evidence	<b>Not Applicable</b>



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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><b>Not Applicable</b></p>
<p><b>Step 3 – Options analysis</b></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><b>Not Applicable</b></p>
<p>What are the potential policy options and what gendered impact might they have?</p>	<p><b>No implications at the time of preparing this document</b></p>
<p>What are the gendered costs and risks?</p> <ul style="list-style-type: none"> <li>• Who is likely to be negatively impacted by this? How are the most vulnerable groups likely to be impacted?</li> <li>• Will this reduce a certain group's access to economic resources or opportunities? If so, are they already disadvantaged?</li> <li>• Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry?</li> </ul>	<p><b>Not Applicable</b></p>
<p>What are the gendered benefits?</p> <ul style="list-style-type: none"> <li>• 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?</li> <li>• Will it contribute to transforming gender norms in a positive way? E.g., will it contribute to a more balanced distribution of unpaid care labour and family responsibilities between women and men?</li> <li>• Will it make women and children safer in public or private spaces?</li> </ul>	<p><b>Not Applicable</b></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><b>Not Applicable</b></p>
<p>Will it contribute to transforming gender norms in a positive way?</p>	<p><b>Not Applicable</b></p>
<p>Does your policy, program or service potentially have negative unintended consequences for certain groups of people?</p>	<p><b>Not Applicable</b></p>

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Overall, do the benefits outweigh the costs or vice versa?	Yes
<b>Step 4 Recommendations</b>	
Provide the rationale for the proposed recommendation and include any mitigation strategies that could be used to avoid any harmful unintended outcome.	<b>Not Applicable</b>
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"><li>• how your recommendation meets the needs of persons of different genders</li><li>• how it addresses gender inequality</li><li>• how it promotes gender equality.</li></ul>	<b>Not Applicable</b>

### 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	Note 1 : The Tree Management policy provides the guidelines for managing trees in the Strathbogie Shire and forms an important part of the climate change action plan. Having well managed, healthy trees and plans for increasing the tree canopy throughout the Shire address all of the points below
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	See Note in chapter 6 which address this point
Increased bushfire conditions and declining volunteer numbers	See Note in chapter 6 which address this point
Increased social impacts	See Note in chapter 6 which address this point
Reducing our emissions	Comment
Net Zero by 2025	See Note in chapter 6 which address this point
Energy Efficiency	See Note in chapter 6 which address this point
Energy Storage	See Note in chapter 6 which address this point
Renewable Energy	See Note in chapter 6 which address this point

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Community Renewable Energy	See Note in chapter 6 which address this point
Chapter 8 A water sensitive shire	Comment
Conserving valuable potable water	See Note in chapter 6 which address this point
Stormwater management	See Note in chapter 6 which address this point
Adaptive and recycled water resources	See Note in chapter 6 which address this point
Keeping our shire green, cool, and resilient	See Note in chapter 6 which address this point
Chapter 9 A zero waste shire	Comment
Environmental impacts of landfill	See Note in chapter 6 which address this point
Limited landfill capacity	See Note in chapter 6 which address this point
Increased illegal dumping	See Note in chapter 6 which address this point
Economic benefits from resource recovery	See Note in chapter 6 which address this point
Protecting our natural environment	Comment
Deforestation	See Note in chapter 6 which address this point
Rural green infrastructure	See Note in chapter 6 which address this point
Increasing our urban canopy	See Note in chapter 6 which address this point
Rural roadsides	See Note in chapter 6 which address this point
Rivers & Wetlands	See Note in chapter 6 which address this point
Benefitting from our native forests	See Note in chapter 6 which address this point
Moving sustainably: Transport	Comment
Security of fuel supply	See Note in chapter 6 which address this point
Transition to new fuel economy	See Note in chapter 6 which address this point
Enabling access to the outdoors	See Note in chapter 6 which address this point