

# AGENDA



Ordinary Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 26 August 2019 at 7:00 pm

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Tony Doyle  
Chief Executive Officer

**1 Apologies and Requests for Leave of Absence**

**2 Declarations of Conflict of Interest**

**3 Confirmation of Minutes**

Confirmation of Minutes of Ordinary Meeting of Council held on Monday 22 July 2019

Confirmation of Minutes of Special Meeting of Council held on Monday 12 August 2019

**4 Petitions and Memorials**

## 5 Reports by Councillors

### 5.1 Committees and Delegates

### 5.2 Ward Issues

## 6.3 484 Scoresby Road, Ferntree Gully

**SUMMARY: Senior Planner, Merette Shenouda**

**Extension of Time Application P/2012/6531/D to extend the Planning Permit by an additional one (1) year, for the land at 484 Scoresby Road, Ferntree Gully.**

### **RECOMMENDATION (SUMMARY)**

**That Council refuse to issue an Extension of Time for Planning Permit P/2012/6531 as the approved development no longer complies with the Planning controls applicable to the land and that the planning permit is now considered to be being warehoused, as detailed in the full recommendation in Section 10 below.**

### **1. INTRODUCTION**

An Extension of Time application has been lodged with Council pursuant to Section 69 of the Planning and Environment Act 1987. The applicant has requested an Extension of Time to Planning Permit P/2012/6531 (the Permit) which was issued on 18 June 2013 and allowed the development of the land for a double storey dwelling to the rear of the existing dwelling.

This application is being reported to Council as it has been called up by Cr Holland.

### **2. DISCUSSION**

The expiry condition of the planning permit required the development to commence within two (2) years of the date of the permit and the development to be completed within four (4) years of the date of the permit. Therefore works should have commenced by 18 June 2015 and the development should have been completed by 18 June 2017. The development has commenced as the garage for the existing dwelling has been constructed. However, it is noted that the remainder of the development is still to be started, including the entire proposed dwelling.

The owner has also been issued two (2) previous extensions of time to the Permit. The Permit was therefore valid until 18 June 2019 to complete all buildings and works on site. Other than the construction of the garage for the existing dwelling, the bulk of buildings and works are still outstanding.

Council's considerations for an extension of time application is guided by the principles outlined/summarised in a Supreme Court of Victoria judgement (Kantor v Murrindindi Shire Council (1997) 18 AATR 285) specific to the following tests:

Any written justification provided in support of the extension of time.

- *The applicant has stated that financial difficulties and delays relating to the subdivision and post permit plans process have resulted in a delay in completion of the development.*

Whether there has been a change in the planning circumstances of the site (I.e changes in zoning or planning policy) eg. ResCode.

- *Since the planning permit was originally issued, Amendment C131 rezoned the site to the General Residential Zone – Schedule 2. This change varied the private open space and landscaping requirements as well as applying a new local policy for residential development. Further, Amendment VC110 implemented building height restrictions and mandatory garden area requirements.*

Whether there has been a change in material circumstances of the site and surrounds (I.e change of use or new development)

- *There has been no changes in the material circumstances of the site and surrounds that would impact on the development. A site inspection revealed that minimal works have been undertaken on the site including the construction of a garage to the existing dwelling. No works have been commenced for the construction of the rear dwelling.*

The steps the owner may or may not have taken in an endeavour to act on the permit.

- *The owner has obtained endorsed plans in accordance with Condition 1 of the Permit, and the garage to the existing dwelling has been constructed.*

Whether the time limit imposed was adequate having regard to the actions required to fulfil the permit conditions.

- *The time limit imposed was considered adequate with regards to the actions required to fulfil the permit conditions. The applicant has also been granted two (2) previous extensions of time which should have been adequate time to construct a dwelling to the rear of the existing dwelling.*

The cost of completion and relative burden this represents on the applicant.

- *The cost of completion is relatively standard for a development of this size.*

Whether a new permit would be granted, if a new application was made for the proposal.

- *Based on the fact that planning controls have been subject to change, it is considered unlikely that another permit would be granted if a new application was made for this proposal today. The secluded private open space proposed within the development is considered inconsistent with the varied Private Open Space schedule within the General Residential Zone – Schedule 2 and the proposal is no longer an outcome that is consistent with the preferred neighbourhood character of the area.*

### **3. CONSULTATION**

There is no requirement within the Planning and Environment Act (1987) to undertake any notification for extension of time proposals.



#### **4. ENVIRONMENTAL/AMENITY ISSUES**

There are no significant environmental impacts or amenity issues associated with the proposed use/development.

#### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

There are no financial or economic implications associated with the proposed use/development for Council.

#### **6. SOCIAL IMPLICATIONS**

There are no significant social implications associated with the proposed development.

#### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

##### **Goal 1 - We value our natural and built environment**

Strategy 1.1 - Protect and enhance our natural environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

##### **Goal 2 - We have housing to meet our changing needs**

Strategy 2.1 - Plan for a diversity of housing in appropriate locations

Strategy 2.2 - Encourage high quality sustainable design

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs

#### **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Senior Planner, Merette Shenouda - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

#### **9. CONCLUSION**

On balance, it is considered inappropriate to grant an extension of time for this permit. As mentioned above, the planning controls applicable to the site have been changed since the original planning permit was issued, and the development does not comply with the new controls. Council has already twice granted one (1) year extensions to the planning permit, and it is now considered that the planning permit is now being warehoused, with no work being undertaken to the proposed rear dwelling from June 2013, when the planning permit was originally issued.

**10. RECOMMENDATION**

**That Council refuse the extension of time request P/2012/6531/D for the land at 484 Scoresby Road, Ferntree Gully for the following grounds:**

- 1. The proposed development no longer complies with the required Secluded Private Open Space areas required by the General Residential Zone – Schedule 2.**
- 2. The time taken since the planning permit was issued in June 2013 has been more than adequate to construct and complete the proposed development, and the planning permit is now considered to be ‘warehoused’.**

**11. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By: Senior Planner, Merette Shenouda**

**Report Authorised By: Director, City Development, Matt Kelleher**

**Attachments**

Nil

## 6.4 Parking Compliance Strategy

**SUMMARY:** Manager City Safety and Health, Steven Dickson

**Council at its Ordinary Meeting held 27 May 2019 adopted the draft Parking Compliance Strategy for the purposes of informing the community and seeking public submissions to the draft Strategy. This report considers public submissions received and whether any amendments are required to the draft Strategy in line with the submissions received. A final version of the Parking Compliance Strategy is provided for consideration and adoption by Council.**

**In adopting the 2017 – 2021 Council Plan, Council recognised the need to evaluate current parking compliance services, including the use of new technologies to support the service. The draft Parking Compliance Strategy supports Council’s Parking Policy adopted on 24 July 2017.**

### RECOMMENDATION

**That Council:**

- 1. Considers and notes the public submissions to the draft Parking Compliance Strategy; and**
- 2. Adopts the Parking Compliance Strategy July 2019 (Attachment 2 to the Officers’ Report) for implementation from the 2020-2021 financial year.**

### 1. INTRODUCTION

The Parking Compliance Strategy responds to and supports the Knox Parking Policy (2018/19) and considers the following key matters related to parking compliance within Knox:

- The current challenges and community pressures relating to parking behaviour of vehicle owners within Knox
- The proposed overall level of parking compliance activity for Knox and specific precincts
- Identification of parking precincts subject to parking compliance activity and details on activities and actions to achieve parking compliance outcomes
- Details of parking technology options being considered
- Community benefits to the introduction of the parking compliance strategy.

The Parking Compliance Strategy does not seek to address signed parking restrictions or the availability of parking spaces, as these matters are provided for within the Parking Policy. This Strategy seeks to specifically address compliance outcomes to support currently provided parking spaces and allocated parking restrictions.

Council at its Ordinary Meeting held 27 May 2019 resolved as follows:

- 1. Adopt the attached draft Parking Compliance Strategy for the purposes of informing the community and seeking public submissions to the draft Strategy.*
- 2. Following the public information and consultation process consider at a future Ordinary Council meeting any submissions received and any required amendments to the draft Parking Compliance Strategy prior to adoption of the Strategy for implementation.*

The draft Parking Compliance Strategy was provided to the community for information and consultation as follows:

- Community information was provided, and submissions received for the period 7 June until 7 July 2019.
- Half page advertisement in the Knox Leader newspaper 18 June 2019 edition (both hard copy and online)
- Knox Council eNews for the month of June 2019
- Knox Biz newsletter for the month of June 2019 (digital) to business trader groups
- Knox Council Facebook postings on 11 June 2019
- Knox Twitter account posting on 12 June 2019
- Banner on Knox City Council website listed on 7 June until 7 July 2019.

Council received 27 submissions from the community providing comments on the draft Parking Compliance Strategy. Details of the submissions received together with officer summary and comments are included as Attachment 1.

## **2. DISCUSSION**

The community were guided in providing submissions to the Parking Compliance Strategy with the following information to be considered prior to lodging a submission:

- This Strategy addresses parking enforcement and the challenges of ensuring legal parking compliance within the competing demands of community, local business and train commuters.
- The Strategy outlines how Council proposes to achieve improved parking compliance into the future.
- The Strategy recognises that currently Knox is not providing sufficient parking compliance services in line with community expectations and considers a range of options including additional parking officers, the proposed use of parking technology (such as Inground parking sensors) and other compliance enhancements to meet these expectations.
- This Strategy solely focuses on parking compliance and does not cover other parking matters such as the types of parking signage and parking restrictions or the allocation of parking spaces across the municipality. These parking matters have previously been considered by Council within its Parking Policy. This Strategy supports the Parking Policy only in relation to parking compliance and what is proposed to achieve improved outcomes into the future.

Of the 27 submissions received (often addressing a range of issues) the majority of comments related to the need for an increase in parking spaces across a range of public areas, ensuring new developments were required to provide sufficient off street parking within the development planning stage, and other road safety related matters. These matters have been noted and will be forwarded to relevant Council departments for consideration including the Traffic & Transport and Building & Planning Departments.

The submissions received that directly related to the Strategy are summarised in the following table:

Community Comment Summary	Officer Comment	Amendment to the Strategy Required
1. Considers parking compliance too harsh.	Parking compliance activity is conducted under State legislation.	No
2. Parking fines are resented by residents.	This is a statement that may not be shared by all residents who complain about illegal parking of vehicles. Parking compliance activity is conducted under State legislation.	No
3. More parking patrols are needed around school zones.	The Strategy proposes this outcome.	No
4. Parking compliance needed at Stud Park Shopping Centre	This is a private car park and Council does not currently have an agreement with the Stud Park Shopping Centre owners to patrol and provide parking compliance at this location.	No
5. Parking compliance on nature strips should be relaxed/not supported in some locations  • <i>Two submissions</i>	Parking on nature strips is legislated under State legislation and Council has no opportunity vary this requirement.	No
6. Support for increased parking patrols within residential areas.	The Strategy has addressed parking patrols within residential areas.	No
7. Do not support paid parking	The Strategy does not support paid parking at this time.	No
8. Education and penalties for illegal parking supported	This comment is supported in the Strategy	No
9. More needs to be done in industrial areas	The Strategy provides for additional parking patrols in industrial areas.	No
10. Hotspot patrols around hospitals will impact upon vulnerable persons. Believes the Plan is focussed on revenue raising.	Parking compliance activity is not able to differentiate between varying vehicle drivers. However, penalty infringement reviews are able to consider exceptional circumstances including vulnerable persons.	No
11. Heavy vehicles/trucks parking in residential areas	The Strategy provides for residential parking patrols which will address this matter	No
12. Support for Inground parking sensors.  • <i>Two submissions</i>	This comment supports the Strategy direction relating to Inground sensors.	No

The community submissions overall provide support generally for the draft Parking Compliance Strategy and no further amendments are required to the Strategy following the community submission process.

The draft Strategy outlines what is to be achieved in parking precincts across Knox, and current priority actions for parking compliance activity within Knox, comparing current levels of activity and proposed activity levels. It is proposed that any increase in parking compliance activity by Council, through either increased parking officer resource or introduction of parking technology, be increased incrementally to meet community expectations; as opposed to a 'one off' significant increase in parking compliance across the municipality. This is expected to achieve improved parking compliance over time minimising initial community impact.

### **3. CONSULTATION**

Extensive community consultation was undertaken during the development of Council's Parking Policy (2018/1) that informs this compliance strategy, including a Parking Policy Community Survey (2017). Internally, Transport and Traffic and City Futures contributed to developing the draft strategy. Benchmarking was undertaken with six councils.

The draft Strategy has been provided to the community through a range of information sources with submissions invited over the period 7th June until 7th July 2019.

If Council chooses to adopt technology interventions, a community information process will be implemented with identified relevant community and stakeholders following the adoption of the Strategy and as part of the strategy implementation.

Strategy implementation discussions may be undertaken with:

- Trader groups
- 90D agreement holders
- Council's Communications Department
- Internal stakeholders such as the Transport and Traffic Department and the Parking Compliance Team.

### **4. ENVIRONMENTAL/AMENITY ISSUES**

The implementation of this Strategy is expected to improve the amenity within Knox through the provision of available and convenient parking spaces within all precincts.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

The introduction of this Strategy is expected to provide a far more efficient and cost-effective parking service with the costs of implementing the Strategy offset by an associated increase in income from additional infringements issued and greater parking compliance across the municipality.

## **6. SOCIAL IMPLICATIONS**

There are likely to be both positive and potentially negative social implications as a result of the implementation of the Strategy in the community. Parking compliance is not a popular part of Council business and is often seen as 'revenue raising'. It is required however, to ensure that parking behaviour by vehicle drivers is in accordance with legislative requirement and is not adversely impacting on the amenity and safety of roads and parking areas within Knox.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

### **Goal 3 - We can move around easily**

Strategy 3.1 - Enable improved transport choices supported by integrated and sustainable transport systems and infrastructure

### **Goal 4 - We are safe and secure**

Strategy 4.1 - Encourage and support the community to take responsibility for their own safety, and the safety of others

Strategy 4.4 - Protect and promote public health, safety and amenity

## **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Manager City Safety and Health, Steven Dickson - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## **9. CONCLUSION**

The Parking Compliance Strategy sets out the current challenges and limitations to effective parking compliance activity within Knox and identifies a series of activities considered necessary to ensure that parking is available and safe within all precincts. The community submission process has not introduced any significant challenges or required amendments to the Strategy. It is considered appropriate that the Strategy be adopted without change with implementation of the Strategy proposed in 2020-2021 financial year subject to a business case process.

## **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By:** Manager City Safety and Health, Steven Dickson

**Report Authorised By:** Director City Development, Matt Kelleher

**Attachments**

1. Attachment 1 - Parking Strategy Community Comments Summary Final [6.4.1 - 13 pages]
2. Attachment 2 - Final Parking Compliance Strategy [6.4.2 - 25 pages]



**Attachment 1 – Community Submissions - Parking Compliance Strategy****The following information was provided to the community to guide the online submission process:**

*This Strategy addresses parking enforcement and the challenges of ensuring legal parking compliance within the competing demands of community, local business and train commuters. The Strategy outlines how Council proposes to achieve improved parking compliance into the future.*

*The Strategy recognises that currently Knox is not providing sufficient parking compliance services in line with community expectations and considers a range of options including additional parking officers, the proposed use of parking technology (such as Inground parking sensors) and other compliance enhancements to meet these expectations.*

*This Strategy solely focuses on parking compliance and does not cover other parking matters such as the types of parking signage and parking restrictions or the allocation of parking spaces across the municipality. These parking matters have previously been considered by Council within its Parking Policy. This Strategy supports the Parking Policy only in relation to parking compliance and what is proposed to achieve improved outcomes into the future.*

	<b>Community Submissions Received</b>	<b>Summary</b>	<b>Officer Comment</b>
1	I understand the need for compliance, but getting a fine for parking in a no standing zone when there was no parking available to figure out where the restaurant I wanted to go to was, seems to be raising revenue to me. I prevented a crash by parking where there was a space for a minute or two. This upset me so much I now refuse to go to that council area at all. They lost me as a volunteer in their area because of that. I understand the need for parking but in terms of the hospital and Boronia, the hospital needs more parking that is not costing people a fortune just for visiting their sick relatives, who they may already be also giving money to help them in terms of get well gifts, money for hospital costs, or by taking time off work to look after their children. There needs multi-level car parking at William Angliss as well as regular bus services every 15 minutes the same as the smart bus to allow people to visit their relatives and connect with the train in the area (as well as the other local buses that go to that station). In addition people drive as trains are also only every 30 minutes which is not often enough, especially when they miss a bus so wait 30 minutes for the bus then may end up waiting another 20 minutes for a train due to bus being late/broken down/ill person on bus/police called for people on bus). So it is not feasible at the moment for people to take public transport. As for Boronia, this area	<p>Considers parking compliance too harsh.</p> <p>Need more long term parking spaces in Boronia</p> <p>Need more parking spaces (multi-level) at the Angliss hospital.</p> <p>Need more frequent bus and train service to the Angliss to support the use of public transport.</p> <p>Need to increase the number of disabled parking spaces.</p> <p>Need to increase the time limits for disabled permit holders (from double time to triple time).</p>	<p>Parking compliance activity is conducted under State legislation.</p> <p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration and /or liaison with the Angliss Hospital Management.</p> <p>This is a matter for Public Transport Victoria and will be forwarded to Traffic and Transport Department for their consideration.</p> <p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p>The State government set disabled parking permit conditions.</p>

	Community Submissions Received	Summary	Officer Comment
	<p>does NOT have enough parking and also needs more parking for a longer time. I think a major problem with this area is that the train only runs every 30 mins so people drive there rather than catch the train. Furthermore the buses are only every 30minutes so again people drive rather than catching local buses. There needs to be more disability parking and for a longer time, i know my Nanna had a problem trying to park to go to the movies as well as lunch as it took her a long time to walk from the car park to anywhere when she was injured (and the council would not give her a disabled sticker only a double time sticker, which was not enough time for her). In essence improve the public transport and more car parks will not be needed, and also allow some people triple the parking time if they have a disability. People with a disability do not need to be penalised, there are very few spaces for people with disabilities, and they need enough time to be able to do whatever they are there for.</p>		<p><b>No Amendment to Strategy Required</b></p>
2	<p>Parking around major centres like Westfield Knox, Angliss, Knox Private needs to be restricted to residents only as parking is provided for people using the centres. They don't want the cost or hassle so clog residential streets surrounding preventing residents and visitors street parking. Westfield Knox is a source of lots of people who park outside and walk thru park on Gateshead Drive. The current restrictions push people into very small narrow courts near the centre. Also Studfield Shops Strip the parking around and back of strip reduces to 1 lane and no space for residents along Tate and Aisbett DESPITE a huge car park at supermarket end. The Kindergarten Child Centre Carpark is full day causing issues for parents picking up. Resident parking only with parking for employees etc. only in centres car parks.</p>	<p>Limit parking in residential areas around hospitals, Studfield and Westfield Knox to residents only.</p>	<p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>
3	<p>I don't think it addresses the real issue with residential streets. If people have a driveway make them use it!! Why are we parking on street when we have off street parking available? Pine Rd in Bayswater is a prime example of clogged up streets. We now go way out of our way to avoid</p>	<p>Require people to park within their private properties to reduce on street parking in residential areas.</p>	<p>Council cannot direct the parking of vehicles on private property.</p> <p><b>No Amendment to Strategy Required</b></p>

	Community Submissions Received	Summary	Officer Comment
	accidents. People also seem to have forgotten the give way rule and numerous times I end up in the gutter to avoid cars that are too far on my side of the road		
4	Parking fines are resented by residents, they lead us to think councils are using them as an alternative money raising activity. Council should not approve so much development that people are forced to park in the street. Instead of parking fees and fines, signs should inform people of why they should limit their parking and provide details of other parking places available.	<p>Parking fines are resented by residents.</p> <p>Council should limit development impacting on street parking.</p> <p>More signage to inform people of parking requirements and direction to available parking spaces.</p>	<p>This is a statement that may not be shared by all residents who complain about illegal parking of vehicles. Parking compliance activity is conducted under State legislation.</p> <p>Not relevant to the Strategy and the matter will be referred to Building and Planning Department for their consideration.</p> <p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>
5	Still to be studied	No relevant	No comment
6	More regular patrolling of areas, especially school zones. I contact the council nearly every school term and we get a quick drive by twice. Not sure the illegal parkers are fined as it's the same drivers that continue to abuse the rules. Parking officers need to sit and watch rather than drive by. Stud park regularly has drivers abusing Taxi, Senior and Parents with prams parking. Again it appears to be the same drivers repeatedly, so one would assume they aren't being fined. As stated on the website, school zones need to be a zero tolerance area when it comes to dangerous and illegal parking. I often see the Crossing supervisor on Taylor's lane struggling with cars stopped across the crossing and cars parking in no standing signs which stops the flow from Wellington Road. Simon avenue is 15 minutes of Chaos at pickup time. Some park in No Standing areas even if sufficient parking is available. I'm not sure lack of	<p>More parking patrols around school zones.</p> <p>Parking compliance needed at Stud Park Shopping Centre</p>	<p>The Strategy proposes this outcome.</p> <p>This is a private car park and Council does not currently have an agreement with the Stud Park Shopping Centre owners to patrol and provide parking compliance at this location.</p> <p><b>No Amendment to Strategy Required</b></p>

	Community Submissions Received	Summary	Officer Comment
	parking is the entire issue. People who park illegally see it more as a convenience to park closer to their destination. It doesn't seem to matter if sufficient parking is available.		
7	The law about parking on nature strips needs to be reconsidered. Victoria Knox Avenue is a main thoroughfare for Rowville through to Napoleon Road attracting many cars throughout the day. It is unsafe for people and car owners because cars parked legally on both sides of the road (i.e. off the nature strip) reduce the road width considerably, to one small lane. It would better to allow the cars to be parked part way onto the nature strip to avoid congested streets. Alternatively, parking lines should be painted on all streets to raise drivers awareness of where a car can park. This is already in some parts of Rowville, e.g. Sovereign Crest Boulevard/Napoleon Road, the first part of Sovereign Crest has car parking lines and it is much safer that way. Cars in my family, parked legally, have been hit twice in a year. Fortunately the driver stopped. However, others in the street that have had their cars damaged, were not so fortunate and the driver did not stop. Therefore, please consider allowing part parking on the nature strip or painting parking lines throughout Knox.	<p>Parking compliance on nature strips should be relaxed in some locations.</p> <p>Parking lines to be provided on all roadways to indicate compliant parking locations.</p>	<p>Parking on nature strips is legislated under State legislation and Council has no opportunity vary this requirement.</p> <p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>
8	You guys are losers. Stop wasting my time.	Not relevant	No comment
9	Another way of raising revenue! Slug the motorist whenever you can. You should be creating more parking around train stations and public places. Stop allowing subdivisions of land which naturally increases the population and volume of cars. It's your making Knox, not us. And now you want to fine everyone and raise revenue for parking under a "compliance Strategy" policy. It's bullshit and you know it.	<p>Create more parking spaces in high demand areas such as train stations and other public areas.</p> <p>Restrict further development due to impact on parking availability.</p>	<p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration. Council is not responsible for parking availability or compliance at train stations.</p> <p>Not relevant to the Strategy and the matter will be referred to Building and Planning Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>

	Community Submissions Received	Summary	Officer Comment
10	<p>Overall this is a very good document and a reasonable attempt to address a complex issue across the municipality. I would like to comment on two areas. 1. Hospital precincts and 2. Residential precincts. 1. Hospital precincts - Under the section What we want to achieve, I believe you have missed the impact of hospital staff parking in neighbouring residential streets and trying to find an outcome that satisfies residents. We live in Rachele Drive Wantirna very close to the Knox Private Hospital. In our street we have all day parking on one side and 4 hours parking on the other. We have hospital staff who park on the all day side and very recently the hospital had a staff meeting regarding parking and actually named our street as one where staff can park to avoid paying to use the privately operated car park under the hospital. Consequently we have even more cars in the street each day. As the development of the Wantirna Health Precinct increases we expect to have even more cars which will exacerbate the situation and make it difficult to have clear visibility in the street and make entering and exiting driveways more hazardous. Traffic from the 227 houses in Rachele Drive and its 9 side streets which equates to approximately 450 vehicles entering and exiting Rachele Drive multiple times per day creates a busy traffic flow. The parking becomes more problematic on garbage collection days when bins are blocked by hospital employee parked cars and with cars are on both sides of the road the garbage truck barely has clearance and visibility is reduced. Driveways have been blocked and it is pointless to ring council as we are very aware of the limited resources with 2 staff and the draft strategy highlights this lack of resources, hence there probably will not be any stats on complaints or infringements for this street. I would like to suggest under How we will do it section that there be a review of parking time limits in the hospital precincts to ensure they are relevant and meeting the needs of residents. For example, in our street 4 hourly parking</p>	<p>Require review of parking restrictions time limits around hospitals to prevent all day hospital staff parking.</p> <p>Support for increased parking patrols within residential areas.</p>	<p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p>The Strategy has addressed parking patrols within residential areas.</p> <p><b>No Amendment to Strategy Required</b></p>

	Community Submissions Received	Summary	Officer Comment
	<p>should be introduced on both sides of the road except for residents. The safety of residents and accessibility to properties must be recognised and included in the strategy. 2. Residential precincts - I support all the recommendations for the How we will do it section. In our street we have a Childcare Centre on the corner of Rachelle Drive and Mountain Highway. The centre has 3 driveways, two of them in Rachelle Drive, one is for Entry and the other an Exit. Parents regularly ignore the signs and Exit via the Entry driveway which is close to Mountain highway. This has created a dangerous situation with cars turning into Rachelle Drive meeting the irresponsible parents head on. Attempts over the years to get the Centre to act and encourage safe behaviour from the parents has proved useless. Added to this, renovation work carried out at the centre for several months earlier this year where tradesmen parked in the street and overstayed the 4 hour limit on a daily basis added to the bottleneck of cars with hospital staff on one side of the road and tradesmen vehicles and trucks on the other. The centre still has tradesmen vehicles on an ad hoc basis in the street overstaying the time limit. Along with this we have had single dwellings turned into dual and triple dwelling blocks and during construction had tradesmen overstayed the 4 hour time limit. Consequently the recommendation to increase parking enforcement within residential areas is critical to the safety and amenity outcomes for Rachelle Drive residents and obviously this has not been achieved with the limited resources to date.</p>		
11	<p>The residential plan is ridiculous in some streets. If people didn't park on the nature strip nobody could drive down the roads. Too many dual occupancies. In Berwick some streets have no nature strips in different parts of the road and have car parking. If you are going to give approval for building their needs to be adequate parking. It is unfair to have extra policing.</p>	<p>Do not support compliance activities related to parking on nature strips.</p>	<p>Parking on nature strips is legislated under State legislation and Council has no opportunity vary this requirement.</p> <p><b>No Amendment to Strategy Required</b></p>

	Community Submissions Received	Summary	Officer Comment
12	<p>I work for Eastern Health at the Angliss Hospital campus in Upper Ferntree Gully. I have been on the wait list for a staff car park since June 2014. I applied for special consideration for access to the staff car park in 2017 whilst experiencing pregnancy-related side-effects that meant I could not walk to work from free parking near Burwood Highway. And still I could not be offered a staff carpark prior to commencing maternity leave in May 2018. My manager had to work with OH&amp;S to secure me a park normally reserved for fleet cars so that I could actually get to work. I am often required to travel to different Eastern Health sites throughout the course of the day, it is usually nearly impossible to find a park close to Angliss Hospital between mid-morning and early afternoon unless you happen to secure a 2 hour times spot nearby. The paid carpark across the road from the hospital is usually full by 10am. I hope this helps provide you with a better understanding of the degree of access issues to staff car parking at Eastern Health, in particular Angliss Hospital. I object to the insinuation that staff are parking in public timed areas, therefore taking parking spots that would otherwise be used for patients and visitors, in order to avoid staff paying for staff car parking. I am aware of numerous other staff, usually rotating staff who are based at one site for 4-6 months, who have not even bothered to wait list themselves for a staff car park as 'what's the point, it will take too long'. It would be beneficial for Knox council to work directly with Eastern Health to ensure there are enough parks for visitors, patients, AND staff.</p>	<p>Need to address shortage of hospital staff car parking at the Angliss Hospital.</p>	<p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>
13	<p>We DON'T need more parking inspectors or ways to fine people, we need more places for people to park legally. You as a council approve multilevel units or houses on blocks of land so of course the population will grow. More use of hospitals and train stations is going to happen. People need places to park and you should really be looking at solutions for this.</p>	<p>Need more places for people to park due to increased population.</p>	<p>This matter is being considered through the development of Parking Management Plans by Traffic and Transport.</p> <p><b>No Amendment to Strategy Required</b></p>
14	<p>Huge focus in the plan on the enforcement of current parking restrictions / increasing</p>	<p>Need to improve parking availability in Knox and</p>	<p>Not relevant to the Strategy and the matter will be</p>

	Community Submissions Received	Summary	Officer Comment
	parking restrictions. What about some planning in conjunction with VicRoads, Eastern Health, or PTV to develop some strategic innovative ways of improving parking in Knox? How about you listen to objections to apartment buildings / subdivisions that go up without any more than 1 car park when the census clearly shows that more than 60% of households in Knox have 2 or more cars? Or is this report only to justify increasing fines for people who voted for you?	require new housing developments to provide adequate parking within their planning.	referred to Traffic and Transport and the Building and Planning Departments for their consideration.  <b>No Amendment to Strategy Required</b>
15	I'm not sure what the real issue is. Is it Knox wants to find a way to make more money from us or to really address the parking issues. Don't bring in paid parking. It resolves nothing other than lines the council pocket with more money. Why such complex answers. It's pretty simple. Set up appropriate parking restrictions and enforce it. One thing not addressed and that is becoming a major issue is residents (with off street parking available) parking on the roads. Deal with the specific issues with specific solutions. For example, Pine Rd Bayswater was narrowed. They allow all day parking on one side not have set 4 hr parking on the other side. The road is bloody dangerous now. No one gives way. Deal with these issues not punish everyone. Our school has been growing numbers. Residents park so we can't park then complain parents block their driveway. They choose to live there so be respectful or parents and parents will be respectful in return (mostly!). I think education campaigns and fines for not following reasonable parking restrictions is important. More so than what seems to be a big stick and over the top parking plan.	Do not support paid parking.  On street parking on both sides of road causing road safety issues.  Education and penalties for illegal parking supported.	The Strategy does not support paid parking at this time.  Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  This comment is supported in the Strategy.  <b>No Amendment to Strategy Required</b>
16	More needs to be done in industrial areas. Malvern street is possibly the worst industrial street in Bayswater frequently with only single lane access. This route is used to supply most businesses in the area with large trucks and commercial vehicles.	Request for review of road safety conditions in industrial areas, with a focus on Malvern Street Bayswater.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  <b>General Comment:</b> The Strategy provides for additional parking patrols in industrial areas.



	Community Submissions Received	Summary	Officer Comment
			<b>No Amendment to Strategy Required</b>
17	All fine with new strategy. There needs to be a more common-sense approach to parking in and around building sites . When work cars are getting unloaded / Loaded with tools it is unfair to get a fine when it is impractical to park in a designated spot when there is limited parking	Need to review parking availability around building sites to better support tradesman parking.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department with options provided under their Parking Policy to address this issue.  <b>No Amendment to Strategy Required</b>
18	The strategy includes data that identifies key areas where parking is an issue. - There is no process to facilitate the ongoing determination of hotspot parking offence areas - No criteria for what constitutes a hotspot - No authority for who may determine a hotspot and review the regulations - No process to assess the appropriateness of issuing infringements in a hotspot area which may impact vulnerable community members (Hospitals). - No review system for the appropriateness of the parking regulation/stay criteria - No transparency in the determination of criteria for a locations parking - It states "The fundamental reasons for parking compliance and enforcement are often overlooked by people who park illegally." Which is an insulting statement to anyone who has been fined at a hospital when sick/seeing sick people/called to an emergency. The justification of the strategy should be part of its introduction and not focused solely on the argument of revenue raising. This document simply provides justification for revenue raising infringement notices and gives no consideration for the responsibility of council to improve the services and parking availability. Council should be looking for solutions to hotspot parking areas and ensuring building approvals are denied where appropriate parking is not considered. If the above has been considered by council and any of my statements are incorrect - then you need to	Does not understand the Plan focus on hotspot areas.  Hotspot patrols around hospitals will impact upon vulnerable persons. Believes the Plan is focussed on revenue raising.  There is no review process or transparency in the determination of parking locations/restrictions.  Council needs to improve parking availability within hotspot areas.  Council should not support building approvals where parking is not included within the planning.	The Strategy details that Hotspot areas are locations where there is known significant non-compliance with parking restrictions.  Parking compliance activity is not able to differentiate between varying vehicle drivers. However penalty infringement reviews are able to consider exceptional circumstances including vulnerable persons.  Parking Management Plans consider parking requirements of the community and are subject to community consultation following an independent parking study.  Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  Not relevant to the Strategy and the matter will be referred to Building and Planning Department for their consideration.

	Community Submissions Received	Summary	Officer Comment
	do better explaining why there is a focus on infringements rather than improvements.		<b>No Amendment to Strategy Required</b>
19	If I need to use Train travel after say 10.00am there is no way I can get a parking spot at either Bayswater or Boronia, so my only alternative is to drive everywhere	Insufficient parking availability at Bayswater and Boronia train stations.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration. Council is not responsible for parking availability or compliance at train stations.  <b>No Amendment to Strategy Required</b>
20	There needs to be more pressure out on Eastern Health and Healthscope to provide more parking and/or cheaper parking. I realise this seems a bit simplistic but the fact is the side streets around these hospitals (Angliss and Knox Private) are bearing the burden of people parking for long periods. There's also an issue with heavy vehicles/trucks parking in residential streets and with more development happening the clogging up of residential streets is irritating and inappropriate and often there's inadequate traffic management. There should be greater scrutiny on this type of parking. I lived in the Boronia activity zone for a decade and saw the increase in vehicles parking on the streets. It was virtually impossible to park outside my house and there were parking restrictions as we lived near a school. The overdevelopment of Boronia means that the streets are clogged with cars. What's to stop Knox Council building a multi-level multi purpose car park in Boronia?	Angliss and Knox hospitals should provide more parking to ease side street parking congestion.  Heavy vehicles/trucks parking in residential areas.  Increased development impacting on residential street parking in Boronia.  Need for a multi-level car park in Boronia.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  The Strategy provides for residential parking patrols which will address this matter.  Noted  Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  <b>No Amendment to Strategy Required</b>
21	Please progress with innovation in this sector. Electronic mentoring is the correct path and will save council payers in the long run.	Support for Inground parking sensors.	This comment supports the Strategy direction relating to Inground sensors.  <b>No Amendment to Strategy Required</b>

	Community Submissions Received	Summary	Officer Comment
22	Please alter the car park at Mountain Gate shopping centre so that motorists have to reverse out of the parking space and drive the correct way out of the car park, currently too many motorists drive wherever they want through parking bays putting pedestrians and other motorists at risk. They also drive too fast with little regard for other users of the car park. This (especially the Coles end) is a very dangerous car park! This does not happen at Knoxfield because they can't drive through the bays.	Concerns about road safety matters at Mountain Gate Shopping Centre.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  <b>No Amendment to Strategy Required</b>
23	We need more parking available across Boronia and Knox. There's nowhere enough carparks at Boronia station and the drop off zone is a nightmare with taxi drivers parking illegally. Even parking at Woolworths and Coles is a disaster. The overflow parking in side streets makes us look untidy and degenerate. We should be using the new empty site beside the police station for temporary parking/drop off and pick up... no doubt you'll turn it into a park for more junkies to shoot up and deal drugs from.	Need for more parking spaces in Boronia and across Knox.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.  <b>No Amendment to Strategy Required</b>
24	Sadly the Draft Parking Compliance Strategy does nothing to address the real issue in some suburbs and shopping strips - the lack of appropriate parking in many areas. For example - Workers overstay the time restrictions in car parks because there is a lack of other suitable places to park. This happens at Boronia Mall. The roof parking is full, and there are often not enough 3 hour parking bays to meet demand. And for workers, these 3 hour bays are only suitable for short shifts. Over 200 hundred of the 2 hour spots are available at any point in the day but a worker requiring parking all day can't find a suitable long-term spot. Movie goers at Boronia Metro no doubt have the same problem. A pro-active approach would be to assess the amount of time restricted parking and make sure there is suitable long term parking for workers so they don't take up the short term spaces that shoppers need. Residential areas also have the same issue - a lack of parking, which requires people to park on the nature strip. Some streets are narrow and cars	<p>Lack of parking spaces in some shopping strips and suburbs.</p> <p>Need more all day parking spaces for workers.</p> <p>Need parking spaces to support Boronia Cinema.</p> <p>Lack of parking spaces in residential areas and narrow streets encourage people to park on nature strips.</p> <p>Need to reduce the width of nature strips or provide indented parking spaces to support more on street parking in residential areas.</p>	<p>Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for their consideration.</p> <p>As above</p> <p>As above</p> <p>Noted</p> <p>Council has a policy for the retro fitting of additional on street parking infrastructure on narrow residential streets. Residents may apply to</p>

	Community Submissions Received	Summary	Officer Comment
	can't get through unless people park on the nature strip. A pro-active approach by the council would be to consult residents in problem streets and increase parking by making the nature strips narrower or indented parking bays into the nature strips. So that's why we all feel that parking fines are revenue raising - because you don't address the underlying causes of why people are over-staying. You just come around and fine people without looking at the real needs.		construct additional indented parking bays at their own cost.  <b>No Amendment to Strategy Required</b>
25	As the main penalty notice issued is for parked for a period longer than indicated in Upper FTG, Boronia, and Bayswater. The Knox council needs to build more long duration carparks to suit residence needs in Upper FTG, Boronia, and Bayswater etc. From personal experience William Angliss Hospital and Bayswater shopping district near Mountain Hwy certainly needs increased parking capacity to meet the growing demand. The Knox council needs to focus on provide the parking that meets the demands of the residence rather than enforcement. I live in Rowville and I find the parking to be excellent at nearby locations, Stud Park Shopping centre, Knox Shopping Centre.	Provide additional longer term parking spaces in Upper FTG, Boronia and Bayswater to meet the growing demand.	Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for consideration.  <b>No Amendment to Strategy Required</b>
26	I think the concept of Inground sensors, particularly in shopping precincts is a good idea. Definitely more productive of Community Officers time and possibly safer. Parking at train stations very difficult and needs to be improved from both an availability and safety perspective. Agree that the introduction of paid parking will not be supported by the community. I'm sure that paid parking will be on the list in future. However this needs to be balanced by encouraging residents to use the local shopping areas. Residential parking difficult in many areas of Knox with the increase in medium to high density apartments, more should be done to make sure developers provide more onsite parking.	Support the use of Inground parking sensors.  Do not support the introduction of paid parking.  Parking availability and safety at train stations needs to be improved.  Medium to high density residential development planning must include more onsite parking.	Noted  The Strategy does not at this time recommend paid parking.  Not relevant to the Strategy and the matter will be referred to Traffic and Transport Department for consideration. It is noted that Council is not responsible for parking availability or compliance at train stations.  Not relevant to the Strategy and the matter will be referred to Building and

	Community Submissions Received	Summary	Officer Comment
			<p>Planning Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>
27	<p>Lobbying state government for an increase in the frequency of bus services to/from the train station would help ease parking issues around stations. The state government makes routes like the 755 less frequent because of 'low usage'. But usage is low because of the low frequency. I would take the bus to the station if I didn't have to wait up to an hour for it each way.</p>	<p>Lobby State government for increase of bus services at train stations to reduce parking issues.</p>	<p>This is a matter for Public Transport Victoria and will be forwarded to Traffic and Transport Department for their consideration.</p> <p><b>No Amendment to Strategy Required</b></p>

Attachment 2



# Parking Compliance Strategy July 2019



# Parking Compliance Strategy

July 2019

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# 1. Introduction

## What is this strategy about?

This strategy reviews Knox’s parking compliance program and presents options that will improve the balance of accessibility, safety, liveability and productivity for everyone who visits, works or lives in Knox.

## What is parking compliance?

Parking compliance is when people park their vehicles according to the regulations set at specific locations. Regulations are usually presented as signs indicating particular obligations associated with a parking space. These obligations may include the length of time a vehicle can be parked, reservation for permit holders (such as a disability permit) or other restrictions such as clearways and loading zones.

## Why is parking compliance important?

Parking regulations are put in place to enable:

- **Access** to key facilities and services, and for people with varying needs
- **Safety** for pedestrians, motorists and all road users
- **Productivity** for businesses and retail areas; and
- **Liveability** for the local community.

However, these outcomes can’t be achieved unless the public complies with these regulations. Education, partnerships and enforcement are therefore an important part of achieving compliance. The following table provides examples of the impacts of non-compliance:

**Safety** – non-compliant parking near hospitals and schools affects the safe entry and exit for patients, children and families.

**Access** – overstaying in a parking space at a retail precinct means that other people can’t park to do their shopping. This lack of accessibility creates an inconvenience for shoppers and potential revenue loss for shopkeepers in the precinct. Regular turnover of vehicles provides all visitors with the opportunity to access the shops and facilities.

**Productivity** – non-compliant parking in industrial precincts can significantly affect businesses in these locations, interrupting their operations and reducing productivity.

**Liveability** – vehicles illegally parked on nature strips or blocking driveways can inconvenience local residents, damage nature strips and infrastructure within nature strips and impact the amenity of our residential streets.

## Isn’t compliance enforcement just about raising revenue?

The fundamental reasons for parking compliance and enforcement are often overlooked by people who park illegally. It is a common reaction when people receive a parking infringement to think that enforcement is only about Council revenue raising.

Where Council finds parking hot spot problem areas, officers may meet with stakeholders; including school communities, business operators, trader groups and members of the community; to seek resolutions to these parking problems without the need to issue infringements.



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However where community engagement and community awareness raising doesn't work, compliance activities may be implemented. For parking regulations to work effectively, drivers must adhere to them. It is recognised that parking regulations to maximise access, safety, productivity and liveability in Knox, in the face of competing pressures, will only work if there is a consequence to non-compliance, and the most effective consequence is enforcement (infringements).

More multi-unit residences, industrial and business developments, and commuter parking demand around railway stations has resulted in requests for parking enforcement from the community being significant, with the community expecting parking availability for everyone.

Council manages these competing demands through the development of Parking Management Plans in areas with high parking demand. These plans when completed will allocate parking space and set parking restrictions to best meet the needs of all the users in that area. The Plans will be available on Council's website when completed.

Managing these changes the right way requires a better mix of enforcement measures to improve parking compliance throughout Knox. This strategy presents ways we can achieve this for the benefit of everyone in our growing city.



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# 2. Council's role

## Roads and Parking – What the Victorian Government Says

The Victorian State Government provide that Councils in Victoria are responsible for the planning, construction and maintenance of some roads within their area. They are also responsible for some management and restriction on the use of local roads, and the management and enforcement of parking restrictions.

Councils are responsible for local parking arrangements in their municipality. This includes issuing parking permits and enforcing parking regulations.

Parking laws exist to ensure safe and fair use of Victoria's roads for everyone's benefit. People who park illegally risk being fined. People authorised by the Council may issue parking tickets or tow vehicles when someone has parked illegally.

State legislation under which Council undertakes road related duties include:

- Road Safety Act 1986
- Road Management Act 2004
- Road Safety Road Rules 2017

## Parking in Knox

In line with the above responsibilities assigned to Council by the Victorian State Government, Council undertakes to following parking arrangements in Knox. This includes:

- Planning for the provision of parking – making sure that parking is appropriately considered in all public and private development;
- Providing sufficient parking accessibility to support the economic development of business for customers and staff;
- Implementing localised parking restrictions – allocating parking restrictions through signage, lines and permits; and
- Enforcing parking restrictions – issuing warnings and infringements to achieve higher levels of compliance.

## How does Council encourage compliance?

Council is responsible for enforcing local parking restrictions as well as most parking rules in the Victorian Road Safety Road Rules 2017.

This involves responding to complaints received from the community as well as proactively undertaking regular patrols in priority areas like schools, hospitals and activity centres.

From an enforcement perspective the tools Council has to achieve compliance include issuing warnings, issuing infringements, and in some cases towing vehicles.

Council's Community Laws Department delivers the parking compliance service. In the 2017-18 financial year our two parking officers undertook regular parking patrols across the municipality and attended 1,344 parking related complaints, or about 26 requests per week. A total of 6,108 infringements were issued.

Despite this, Council's parking compliance efforts are currently unable to keep up with demands from the community.

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### **Common parking issues raised by the community include:**

- Overstaying time restrictions in Activity and Local Shopping Centres, and other timed areas.
- Stopping contrary to No Stopping signs.
- Parking in inappropriate locations including on footpaths and across driveways.
- Parking on nature strips - this is particularly evident in new subdivisions with narrow service roads and roll-over kerbs.
- Parking and stopping around school zones.
- Parking at and around building sites.
- Parking around the interface between business and residential zones.

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# 3. How this strategy supports our Policies and Plans

### Knox Community and Council Plan

The Knox Community and Council Plan 2017-21 sets a vision for the City of Knox and identifies the eight goals that drive all Council activities until 2021. This Parking Compliance Strategy supports the delivery of Goal 3 of this plan:

**Goal 3:** We can move around easily.

**Strategy 3.1:** Enable improved transport choices supported by integrated and sustainable transport systems and infrastructure.

**Initiative 3.1.1:** Undertake a strategic review of Council’s parking compliance services to review current parking compliance issues within the municipality, and provide strategies and recommendations to address them.

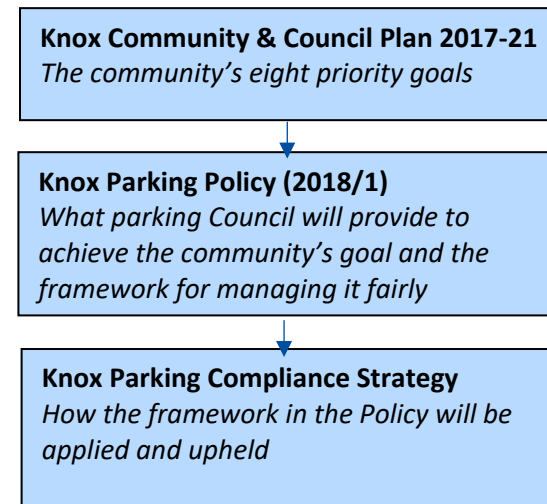
### Knox Parking Policy

The Knox Parking Policy (2018/1), adopted by Council in February 2018, sets out the ways that Council will make parking available across Knox to meet the needs of different stakeholders such as people with a disability, schools, residents, employees, businesses and major service providers (like hospitals and higher education).

The Policy sets out a priority hierarchy for the type of parking that needs to be provided and managed. It also sets out a framework for how parking will be facilitated using signage, line markings and parking permits, and how it should be managed so that it is equitable and fair.

### Knox Parking Compliance Strategy

This Strategy outlines Councils’ plan for how it will manage parking compliance around Knox to achieve the outcomes and priorities set out in the Parking Policy.

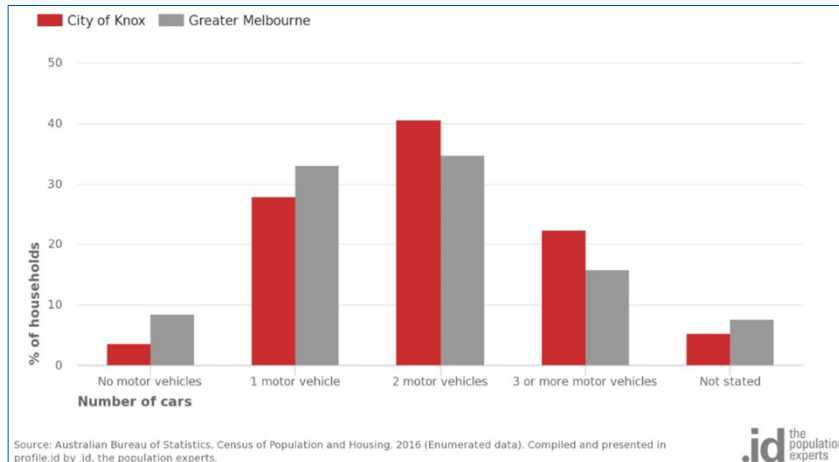


## Parking Compliance Strategy

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# 4. The current state of parking in Knox

Why is parking an increasing issue in Knox?



- The number of cars owned per household in Knox is generally higher than the Greater Melbourne area.
- There are over 4,200 more households in Knox since 2006.
- The proportion of households with no motor vehicles decreased by

City of Knox - Households (Enumerated)	2006		2016			Change 2006-2016	
	Knox	Greater Melbourne	Knox	Greater Melbourne	Greater Melbourne		
<b>Number of cars</b>	<b>Number</b>	<b>%</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>%</b>	
No motor vehicles	2,275	4.4	6.5	2,047	3.7	5.7	-228
1 motor vehicle	14,272	27.9	31.5	15,502	28.0	31.6	+1,230
2 motor vehicles	21,784	42.5	39.4	22,533	40.6	38.6	+749
3 or more motor vehicles	10,398	20.3	17.0	12,434	22.4	18.5	+2,036
Not stated	2,507	4.9	5.6	2,923	5.3	5.7	+416
<b>Total households</b>	<b>51,236</b>	<b>100.0</b>	<b>100.0</b>	<b>55,439</b>	<b>100.0</b>	<b>100.0</b>	<b>+4,203</b>

10% (228 households) and the proportion of households with three or more motor vehicles increased by 20% (2,036 households) since 2006.

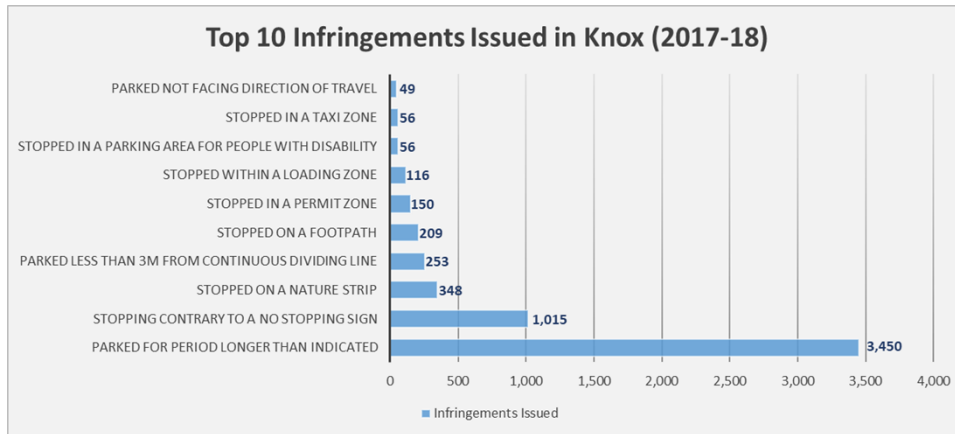
- Over 22% of households in Knox have three motor vehicles and over 40% of households have two motor vehicles.
- In 2012 there were 121,540 vehicles registered in Knox. In 2017 this increased to 129,010 vehicles. This is an additional 7,470 over five years, or approximately 1,494 vehicles within Knox each year.

Source: Australian Bureau of Statistics, [Census of Population and Housing](#) 2006 and 2016.

### What do our current infringements show?

- Over two-thirds of all infringements issued are in Upper Ferntree Gully, Boronia and Bayswater. Most infringements in Upper Ferntree Gully are from the area around the William Angliss Hospital.

## Parking Compliance Strategy July 2019



- Most infringements are for vehicles parking longer than indicated on a parking sign (56.5%). These parking areas are predominantly around shopping centres, hospitals and transport hubs.
- Most infringements are issued after 12pm, which can be explained by officer resources focusing on early morning school patrols. This is followed by commercial car park patrols commencing mid to late morning (which involves the more time-consuming manual ‘mark up’ processes). These later patrols for say two hours parking bays would then not result in overstay infringements being issued until after 12pm.
- The number of infringements issued is consistent during weekdays, however there is limited parking monitoring on weekends due to limits on resources.

### Compliance enforcement challenges

The data above highlights several key challenges and gaps for Knox that are addressed in this strategy.

#### Growing health and commercial precincts servicing more patients, employees and visitors

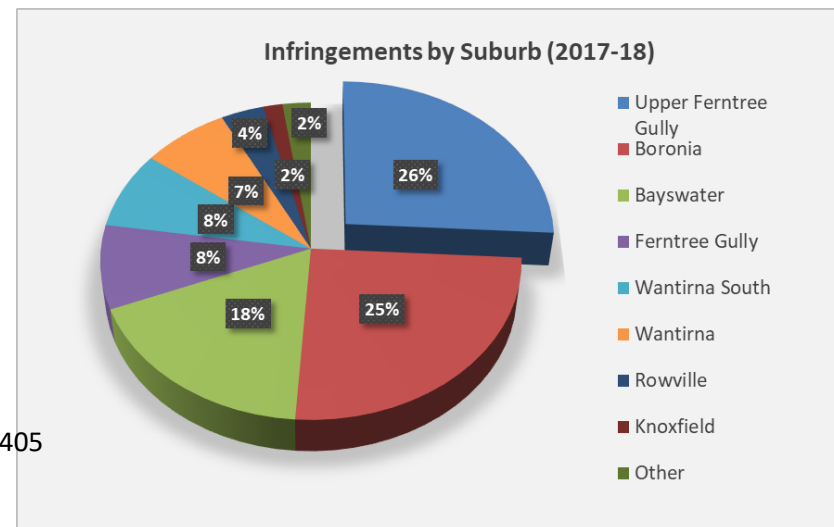
Significant parking compliance delivery challenges exist particularly around William Angliss Hospital, Bayswater commercial area and Boronia Central. In addition, future development of the Wantirna Health Precinct near Knox Private Hospital is also expected to generate additional parking compliance demands.

#### Population and housing increases driving greater parking demand

More multi-unit developments, industrial and business developments in the municipality is leading to greater demand for parking, including commuter parking at railway stations. In a community survey conducted in 2017 to inform Council’s Parking Policy, a large proportion of respondents requested more parking restrictions in Knox which is reflective of this greater demand. Many of the responses raised concerns about additional road congestion and demand on parking space availability due to increased population, associated with increased multi-unit developments in Knox.

#### Limited capacity of compliance enforcement service

Council’s current parking compliance service is at capacity. Parking availability is not meeting community expectations and monitoring and enforcement activity is less frequent than businesses would like.



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For example, Council currently has nine agreements (Road Safety Act 1986 Section 90D Parking Agreements) with private landowners, such as shopping centres, to undertake enforcement on their behalf. The service levels for these agreements vary from 2-3 visits each week to 2-3 visits each year. This is consistent with all other publicly managed retail areas in Knox which receive on average around 2 visits per week.

This is considered unsatisfactory by many owners of these private car parks and has recently seen the termination of one of the agreements because Council simply could not meet the service levels the landowner expected.

At the same time, there is new demand for additional 90D agreements which, at present, Council is unable to support.

### **Insufficient enforcement capability affecting school safety**

An even more pressing challenge is Council's responsibility for enforcing parking compliance at the 43 schools and 99 school crossings in the municipality. Due to resource limitations, current parking patrols cover only half these school areas each year.

The high level of non-compliance around school areas, especially at drop off and pickup times, is putting children at risk. For example, routine patrols at most schools generally result in between 0 -11 infringements being issued each 30 minute visit, with some schools up to 28 infringements.

Complaints from the community make it clear how concerned residents and schools are, as shown by the overall number of complaints, with a proportion of these complaints related to school zone parking. It is therefore recommended that Council improve its parking compliance and enforcement services around all schools in the municipality.



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# 5. Achieving the right mix of compliance enforcement for Knox

The information presented in the previous section illustrates the gap between community demand for better parking compliance and Council's capacity to enforce it.

This strategy proposes to reduce the gap by increasing our monitoring and enforcement capacity, through implementing the right mix of conventional enforcement approaches – parking officers manually patrolling and issuing infringement notices – and proven technology.

In some cases, a personalised visible approach to monitoring and enforcement is needed, such as around schools during drop off and pickup times or parking across footpaths and driveways.

In other cases, the use of technology has the potential to save a significant amount of officer time and provide greater, more consistent monitoring and enforcement around Knox.

This will mean an increase in monitoring and enforcement, which for those who park illegally, will likely mean more infringements. However, this will be balanced with education and greater awareness to give everyone a fair go at finding a place to park in Knox.

### **Manual officer enforcement vs technology – a case study**

The initial process for an officer to manually 'walk and chalk' the tyres of 300-400 vehicles in the Bayswater retail precinct takes about 90 minutes. The officer must attend eight different parking areas of varying time restrictions, then later recheck all parking bays to see if any vehicles have overstayed – a process that takes at least another 90 minutes.

Introducing the right parking compliance technology will help reduce this significant undertaking and improve the efficiency and effectiveness of enforcement activities.

For example, in areas where in-ground sensors (described in Section 6 of the strategy) are installed there would be no need for vehicles to be marked up. Instead, officers could start issuing infringements as soon as they arrive at the location. This could save up to three hours of officer time on the conventional 'walk and chalk' method. That means enforcement is undertaken in a more timely manner to effectively encourage compliance and vehicle turnover in the area.

This time saving will enable officer resources to be distributed more efficiently around the municipality. It will boost productivity, provide fairer coverage and increase focus in high priority areas.



# Parking Compliance Strategy

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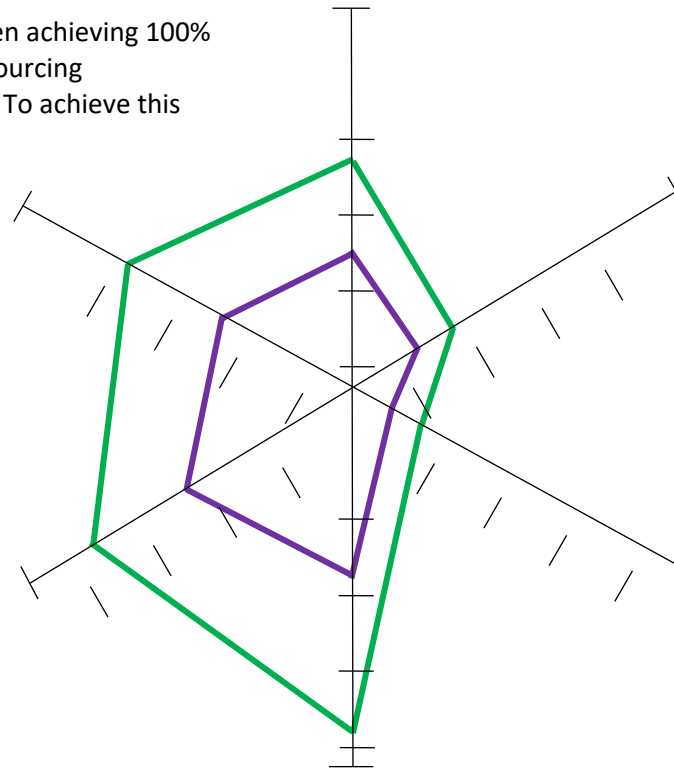
## What this strategy is trying to achieve

The diagram below illustrates how Council’s parking enforcement efforts and focus is spread across six key areas. The **purple** line represents the **current state** within the existing resources, and is based on officer attendances and patrols; the **green** line shows the **desired future state** that this strategy seeks to achieve.

As the diagram shows, there needs to be a balance between achieving 100% focus in each area, with what is reasonable in terms of resourcing requirements, and community expectations and priorities. To achieve this future state additional resources will be required.

**Hospitals** – Currently only 1-2 patrols per week are undertaken with high levels of non-compliance. Further expansions and development will increase parking demand. This strategy seeks to increase the frequency and efficiency of patrols to improve parking availability.

**Commercial (business/retail)** – Currently proactive patrols in these areas (some areas 1-2 patrols per week and many areas only weekly to monthly patrols) are a central focus, however absorb the majority of officer time. This strategy seeks to increase the efficiency and effectiveness of these patrols to allow officer resources to be redirected to improve other areas.



**Privately owned car parks** – Currently council has an agreement to patrol nine private shopping centre car parks (some areas 1-2 patrols per week and many areas only weekly to monthly patrols). This strategy aims to improve these agreements, set clearer expectations and increase the number of private car parks patrolled to meet the growing demand.

**Residential** – Currently residential parking compliance is enforced in response to complaints received. This strategy does not propose to increase parking compliance within residential areas, however with increased officer resources there is scope to improve response times to customer complaints and in dealing with issues around multi dwelling developments.

**Industrial** - Currently industrial parking compliance is enforced in response to complaints received. This strategy does not propose to increase parking compliance within industrial areas, however with increased officer resources there is scope to improve response times to customer complaints.

**Schools** – Currently parking officers only have the capacity to conduct proactive patrols at half the schools in Knox each year, while also responding to complaints. This strategy seeks to ensure 100% of schools in Knox are proactively patrolled each year in addition to being responsive to complaints and known problem areas.

## Parking Compliance Strategy

### July 2019

# 6. Technology options and benefits

Victorian councils use various technologies to make monitoring and enforcing parking compliance more efficient. Each offers different benefits, however not all are suitable for Knox. This strategy is informed by an assessment of each technology against local needs and community expectations.

### In-car cameras

In-car cameras can capture images of parking offences where extensive illegal, and/or unsafe parking occurs. This technology has the benefit of documenting frequent offences that are often difficult to enforce because they are brief. Cameras can also be used in areas where parking officers can't park legally themselves or where there are potential OHS issues.

*In-car cameras are currently used for parking compliance enforcement in Knox and it is recommended they continue to be part of the technology mix.*

### Automatic Number Plate Recognition

The vehicle mounted number plate recognition system uses technology to read a parked vehicle's number plate whilst simultaneously taking pictures of the vehicle when illegally parked. This technology is primarily for 'over staying' situations such as shopping centre car parks and on street parking.

The system notes each vehicle it passes, essentially like 'electronic chalk'. Officers can either return to the location to recheck the system directly or be alerted in real-time when passing a vehicle that has overstayed parking restrictions.

It offers the following benefits:

- Ability to scan over 1,000 vehicles per hour;
- Greater accuracy and less time than manual methods;
- Easy deployment in most vehicles; and
- Easy relocation between vehicles.

However, this technology does have resourcing considerations. For example, officers must leave their vehicle to check for disability parking permits in vehicles because these allow parking for double the permitted time. It would also require infringements to be mailed, rather than Council's preferred option to attach the infringement to the vehicle on the spot as a visible deterrent to other motorists. Mailing infringements would increase administrative staff workloads and cost Council more in postage and the conduct of VicRoads registration searches.

*This technology is not currently being used at Knox and is not recommended at this stage for the reasons noted.*

### Fee-based parking (ticket machines, parking meters)

This type of technology requires drivers to pay when parking their vehicle and is recommended in areas with vehicle occupancy greater than 85%. There are two types of machines in common use: parking meters and ticket machines. As well as paying the fee (via card or smartphone application), drivers must also obey any time limits displayed on signs and move before their paid parking time expires.

This technology generates income and is effective in encouraging vehicle turnover, with many smartphone applications providing alerts to users when their parking is due to expire. However, fee-based parking has proven to be

## Parking Compliance Strategy

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unpopular in other municipalities, particularly those outside inner-Melbourne, and can have an adverse effect on shops and cafes that are under pressure.

*Knox currently does not have paid parking. This technology is not recommended at present, with the community unlikely to support any change.*

### In-ground sensors

These small electronic devices are installed underneath parking bays and programmed in-line with the parking restrictions, including a built-in tolerance. The sensors detect and record when a vehicle arrives and leaves a parking bay and relays that information back to an officer when a vehicle overstays the time permitted.

Sensors are usually placed in high demand parking areas, as they support efficient parking turnover, and help ensure on street parking is more readily available for residents, businesses, shoppers and visitors.

This technology is a more accurate and consistent way to manage parking compared to the conventional, time consuming, manual 'chalking' method. It allows limited parking spaces to be managed in a fair and equitable way.

In-ground sensors also collect parking usage data to help Council plan parking areas and set time restrictions, as well as provide real time occupancy information to the community, which helps drivers find available parking through online applications.

This technology also saves officer time and reduces the risk of physical injury, such as back injuries from constant bending to manually chalk tyres. Some information required when issuing an infringement is also pre-populated by the parking sensor software, reducing the likelihood of officer error and minimising confrontation with motorists.

The introduction of the technology within Knox must be linked to an increase in Parking Officer resource; to obtain the benefit In-ground sensors will achieve in community parking compliance and to offset the cost of installation.

*In-ground sensor technology is not currently used in Knox but is recommended.*



## Parking Compliance Strategy

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### Case study – Operating parking sensors at Boronia

Boronia activity centre and shopping precinct is a high non-compliance area, accounting for 25% of infringements issued in 2016-17. Current manual parking enforcement activity is time consuming and only allows for one or two officer patrols per day which is having limited impact in this high demand area.

Operating parking sensors in this area would involve the installation of 309 sensors, which would be placed in the 15 minutes to 2 hours parking spaces, avoiding any special parking bays such as loading zones and disabled parking spaces.

Each patrol using the technology would focus only on overstay vehicles therefore allowing between 3 and 4 officer patrols each day, subject to additional officer resource.

### Spotlight on in-ground sensors – what do other councils say?

Of the six councils compared in the table below, Knox is at the higher end according to size and population. Most have installed in-ground sensors and those already using in-ground sensors plan to increase the numbers installed due to the technology’s proven benefits.

Councils mainly use in-ground sensors in activity centres and key areas like hospitals. However, before implementation a communication and education program is recommended to explain why the technology is being used. Sensors prove to be excellent from an OHS perspective, effectively being ‘electronic chalk’ without officers having to physically mark vehicles.

Other metropolitan councils that currently use in-ground sensors include Nillumbik Shire Council, Yarra City Council, Moreland City Council, City of Melbourne, and City of Port Phillip. The City of Casey is currently testing in-ground sensors.

COUNCIL	Greater Dandenong	Monash	Whitehorse	Man/ham	Kingston	Maroondah	Knox
Population	157,242	192,850	162,000	120,000	153,079	111,000	<b>162,238</b>
Area Sq. km	129	81.5	64	114	90	61.4	<b>114</b>
No of Field Officers	10	13	8	2.5	8	3.5	<b>2</b>
In-ground Sensors	Yes (trial)	Yes	Yes	Yes	No	No	<b>No</b>

## Parking Compliance Strategy

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# 7. Our Strategy

Knox is geographically large with diverse townships and communities. To ensure compliance is as fair as possible for all residential, commercial and industrial areas, the strategy divides the municipality into precincts.

The precincts are:

- **Commercial** (including parts of Bayswater, Boronia and Ferntree Gully)
- **Industrial** (including parts of Bayswater, Rowville, Knoxfield and Boronia)
- **Schools** (throughout the municipality)
- **Hospitals** (Upper Ferntree Gully and Wantirna)
- **Private property** (primarily private car parks in retail / business areas)
- **Residential** (particularly areas with multi-unit developments)

Within each precinct, compliance activity is designed to support the key principles of Council's Parking Policy. This Policy sets out a parking hierarchy to help balance different parking needs of the community.

For example, the Parking Policy (2018/1) prioritises the provision of accessible parking above mail zones, therefore enforcement efforts will also prioritise accessible parking. Similarly, for safety reasons the Parking Policy prioritises the provision of 'No Stopping' areas even if there is a high demand for resident parking in that area. As such, enforcement efforts will also make compliance within 'No stopping' areas the first priority.

### Reading this strategy

Analysis of parking compliance and enforcement in each of the six precincts is presented according to 'what we know', 'what we want to achieve' and 'how we will do it'.

**What we know** - Information about what we know about parking compliance in each precinct is drawn from things our community has told us through the Parking Policy Community Survey (2017) combined with our own observations.

**What we want to achieve** – Better parking compliance and enforcement in each precinct.

**How we will do it** - This sets out the practical steps we will take to achieve more effective parking compliance throughout the municipality.

## Parking Compliance Strategy

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### 7.1 Commercial precincts (business/retail)

#### What we want to achieve

- Sufficient customer vehicle parking turnover close to businesses and services to deliver the greatest social and economic benefit to residents and Knox business.
- Access for specialised services such as accessible parking, loading, bus, mail and taxi zones.
- Minimise the impact of train station commuter parking.
- Safe and compliant parking including vehicles parking within the allocated parking bays.
- Minimise the impact of commercial activities on neighbouring residential areas.

#### What we know

- In the Parking Policy Community Survey, conducted in 2017, to inform Council's Parking Policy, 47% of people said there is either not enough parking or people routinely overstay parking restrictions impacting on other visitors to retail and business areas.
- The greatest number of current parking infringements are issued within the retail and business precinct.
- Many of these infringements are for vehicles overstaying time limit parking restrictions. This reduces parking availability.
- There is a high demand for parking within activity centres and industrial/business developments, which is increasing due to increased development and proximity of railway stations. Parking Management Plans will provide a hierarchy of parking in these areas but will still require enforcement as demand will continue to outstrip supply.
- Council officers are aware that business operators want additional parking patrols to ensure parking space availability for customers to these areas.

- The current process of issuing overstay infringements is labour intensive and time consuming.
- Using in-ground parking sensors in timed parking areas delivers productivity benefits, reduces OHS incidents, and enables more effective monitoring and data collection of car parking usage.

#### How we will do it

- Consider an increase in the enforcement of parking restrictions in retail and business areas to achieve compliance and vehicle turnover.
- Provide parked vehicles with limited overstay of timed restrictions to enable owners extra time to return to their vehicle (i.e. allow 15 minutes extra in a 2 hour parking bay)
- Install in-ground parking sensors.
- Consider implementing parking technology in all future Parking Management Plans conducted by Traffic and Transport in conjunction with Community Laws.

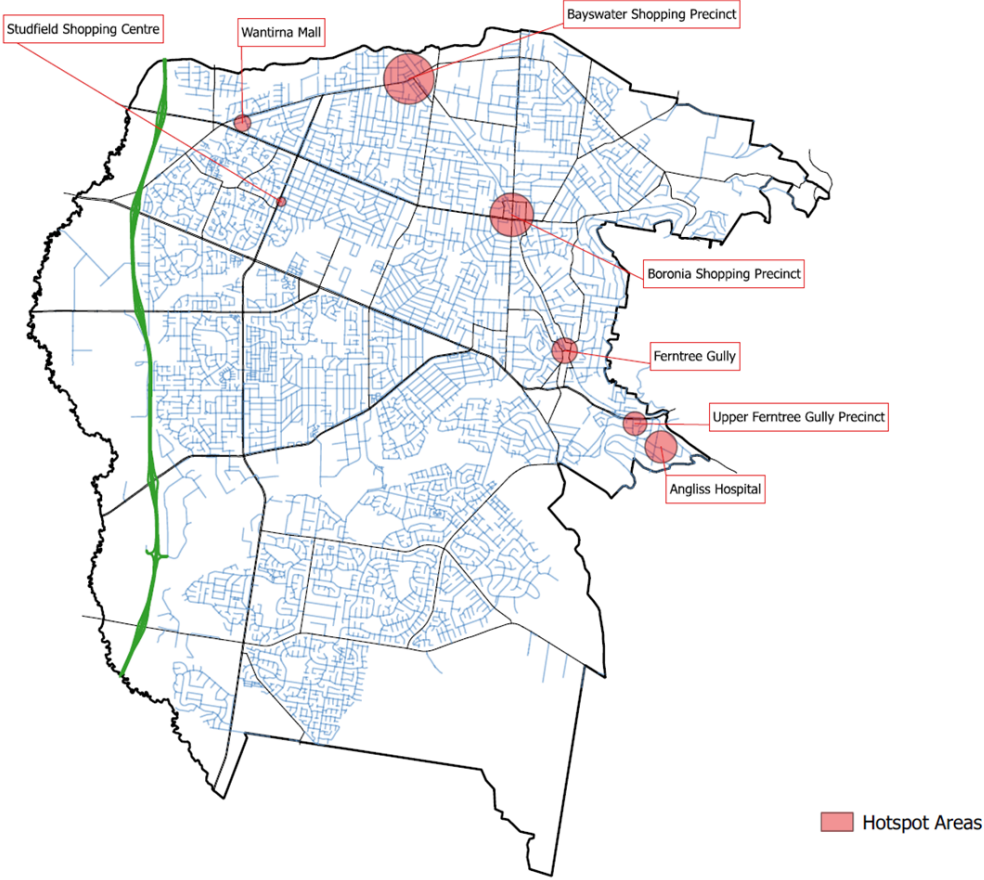
#### Case study

Parking officer's routine parking patrols at the Bayswater, Boronia and Wantirna Mall retail areas frequently find areas at capacity, with parked vehicles exceeding timed restrictions.

A residential area in Ferntree Gully is affected by staff from a nearby industrial business parking in a residential court. This sometimes makes it difficult for homeowners to enter or leave their property.

# Parking Compliance Strategy

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Retail/Commercial Precinct Hot Spots

# Parking Compliance Strategy

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## 7.2 Industrial precincts

### What we want to achieve

- Sufficient vehicle parking turnover close to businesses and services.
- Access for specialised services such as accessible parking, deliveries, loading, and employee parking.
- High vehicle turnover to deliver the greatest social and economic benefit to business visitors and Knox business.
- Ensure that oversize vehicle parking is in accordance with Road Safety Road Rules.

### What we know

- Council currently has insufficient capacity to address parking problems in industrial areas.
- Known problems include double parking of heavy vehicles, vehicles parking in no stopping areas, and parking over driveways making it unsafe and difficult to access properties for large vehicles.
- Council receives complaints about industrial businesses storing vehicles on roadways, both registered and unregistered, affecting availability of parking and amenity of the area.
- Industrial and residential area interfaces create parking availability issues for people in the residential area.

### How we will do it

- Consider an increase in the enforcement of parking restrictions in industrial areas to achieve compliance and road safety.
- Engage with business and trader groups when problem parking issues are identified, where appropriate, to seek solutions to an issue prior to the issuing of infringements.

### Case study

In some industrial areas the parking of oversized vehicles routinely double park outside factories to unload their goods blocking one lane of traffic and creating unsafe road conditions.

Some vehicle repair businesses in Knox routinely store excess vehicles unable to be stored on their property out on the roadside. This limits parking available for other businesses in the area.



# Parking Compliance Strategy

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## 7.3 School precincts

### What we want to achieve

- Ensure the safety of children around school zones.
- Minimise the impact of school drop off and pickups on neighbouring residential areas.
- Reduce the impact of parking around schools during drop off and pick up times often causing road congestion and blocking of roadways to through traffic
- Protect the safety of school crossing supervisors.
- Move towards 100% parking compliance around school areas.

### What we know

- Council is responsible for 99 school crossings covering 43 Knox schools.
- There is significant non-compliance around school areas, particularly during drop off and pick up times.
- Children's lower levels of road safety awareness puts them at greater risk around busy traffic, and parking during drop off and pickup times.
- Parking officer interactions with members of the school community and through their own observations, are aware that parents are concerned about children's safety during pickup and drop off times.
- Observations by parking officers and school crossing supervisors confirm poor parking behaviour by motorists during school pickup and drop off.
- Parking officers do not have the capacity to attend school area parking patrols as frequently as they consider necessary, focusing on priority school areas subject to complaints and known problem areas.
- Current parking patrols cover only half of school areas every year, with schools seen as a high safety risk only patrolled at present.
- Parking officers have zero tolerance for parking offences around schools.

### How we will do it

- Working with Traffic and Transport where possible to ensure that traffic infrastructure, especially signage (including advisory signs) are appropriate to encourage safe and compliant parking, as well as drop off and pick up.
- Council will work with school communities where significant problems exist to improve education and achieve voluntary compliance.
- Better inform the community relating to parking issues around school zones including stopping in no stopping zones, near to school crossings, across driveways and footpaths and on nature strips.
- Where appropriate use non infringement practices such as visible officer presence to achieve voluntary compliance.
- That Council take a zero tolerance approach to serious safety issues in school areas, including stopping in proximity to a school crossing, parking in a no stopping zone, or parking on a nature strip, or similar, and issue infringements in those circumstances.
- Consider increasing parking enforcement around all school areas to achieve a higher level of parking safety, through additional parking officer resources.

### Case study

Parents picking up or dropping off their children from schools often park as close as possible to the school gate, frequently in an illegal and unsafe way that makes it dangerous for children, school crossing supervisors and other parents.

At some school locations illegal parking by parents dropping off or picking up their children creates road congestion and blocks roadways to drivers seeking to drive through the school zone.

# Parking Compliance Strategy

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## 7.4 Hospital precincts

### What we want to achieve

- Enough patient and visitor vehicle parking turnover close to hospitals.
- Discourage hospital staff from parking in time limited parking areas intended for visitor and patient parking.
- Access for specialised services such as accessible parking, loading, bus, and taxi zones.
- Minimise the impact of hospital activities on neighbouring residential areas.

### What we know

- There are two significant hospitals in Knox; William Angliss Hospital and Knox Private Hospital.
- Proposed expansion of Knox Private Hospital and development of Wantirna Health Precinct will increase parking demand.
- Current parking patrols in hospital areas are infrequent and routinely only once or twice a week due to limited parking officer availability.
- Current parking infringements issued in hospital areas indicate high levels of non-compliance, with most infringements in Upper Ferntree Gully from the area around the William Angliss Hospital
- Infringements are usually for vehicles overstaying time limit parking restrictions, which reduces parking availability.
- Hospital areas would be key locations for introducing in-ground sensors to monitor compliance.

### How we will do it

- Consider an increase in parking enforcement around hospital areas to achieve greater compliance and safety.
- Install in-ground parking sensors around hospitals.
- Consider parking technology in all future Parking Management Plans by Traffic and Transport in conjunction with Community Laws.
- Council will work with hospital management where significant problems exist to improve education and achieve voluntary compliance.
- Persons receiving infringements around hospital zones, experiencing exceptional circumstances relating to urgent health issues or similar will be considered compassionately within the infringement review guidelines.

### Case study

Hospital staff and tradespeople routinely park in timed parking areas to avoid using fee-based staff parking areas. This behaviour takes valuable parking spaces away from hospital patients and visitors.

## Parking Compliance Strategy

July 2019

### 7.5 Privately owned car parks (under Road Safety Act 1986 Section 90D agreements)

#### What we want to achieve

- Enough customer vehicle parking turnover close to businesses and services.
- Access for specialised services such as accessible parking and loading.
- Safe and compliant parking including vehicles parking within the allocated parking bays.
- High vehicle turnover to deliver the greatest social and economic benefit to residents and Knox businesses.

#### What we know

- These agreements are made under the provisions of the Road Safety Act 1986 and seek to provide effective parking control outcomes on private land.
- Council currently has nine approved agreements.
- Five enquiries for additional agreements in the last year indicates greater customer demand at private retail and business parking areas, and associated needs for parking compliance.
- Private car park owners have high expectations for parking officers to provide daily parking patrols, which cannot be provided with current resources. This has led to one agreement being terminated by the landowner.
- Currently parking officers attend on a limited basis, premised on complaints and priority areas.
- There is currently no fee payable to Council or consideration of any required criteria to provide these parking agreements. However, Council does retain payments for any infringements collected.

- Other local government authorities have applied an approval process for agreements including criteria and application fees and annual administrative fees.
- Officers need to review the current agreements to ensure compliance and relevance.

#### How we will do it

- Consider an increase in parking enforcement within privately owned car parks to achieve greater compliance and safety.
- Review agreements to consider parking technology.
- Develop future parking agreements in conjunction with Traffic and Transport and Community Laws to ensure community needs are achieved.
- Review administrative process relating to entering into parking agreements to develop approval criteria and fees and charges payable to Council, in this private parking service.

#### Case study

One major shopping complex that had an agreement with Council to provide parking services recently withdrew from the agreement because they required parking officer attendance twice a day. This car park is affected by nearby railway station commuter parking. Council was only able to visit this location twice a week. The centre owners are currently trialling a private security company to enforce parking restrictions.

# Parking Compliance Strategy

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## 7.6 Residential precincts

### What we want to achieve

- Parking restrictions are complied with to support community demand in accordance with legislative requirements.
- Protect the integrity of community infrastructure such as nature strips, underground services and other public land areas.
- Help residents readily access their property.
- Minimise adverse effects of illegal parking on footpaths and other public areas to improve safety and amenity.

### What we know

- Knox residents own on average more cars per household than the general Greater Melbourne area.
- In residential areas, the focus of parking officers is on safety, access, liveability and minimising damage to council assets.
- Community complaints and interactions with our officers indicate concern about illegal parking including parking on nature strips, and across driveways and footpaths.
- In 2017-18, Council received 1,344 complaints about illegal parking, with many relating to residential areas.
- In the Parking Policy Community Survey (2017), 77.3% of respondents indicated they knew parking on nature strips is illegal.
- In the last 12 months, officers issued 393 warnings for parking on nature strips and 348 infringements. Officers currently apply a warning for a significant number of first-time offenders unless there is a safety risk caused by parking behaviour.
- Parking patrols of residential areas are conducted in response to complaints received or where timed parking or other parking restrictions apply.

### How we will do it

- Consider an increase in parking enforcement within residential areas to achieve greater compliance, parking safety and amenity outcomes.
- Introduce community awareness around parking issues within residential areas including parking on nature strips, across driveways and footpaths.
- Include Community Laws and Traffic and Transport as a referral authority in all Statutory Planning applications for all major developments, linked with Planning and Building notifications when a building permit is issued, to ensure parking officers patrol as soon as construction commences.

### Case study

Routine officer patrols in residential areas often see vehicles parking on footpaths and across driveways affecting homeowners' appreciation of their property. Parking on nature strips also damages the grass and services located under the nature strip, such as communications, gas, electricity and drainage.

The increase in multi-unit developments in residential areas and the delivery of building materials and trade vehicles further limits parking availability, increases damage to public land and creates frustration to residents during the construction phase.

Parking Compliance Strategy  
July 2019

# 8. How we will apply this strategy

This section of the strategy summarises and prioritises the actions that Council intends to implement to address current and anticipated parking compliance and enforcement requirements.

All actions were developed based on parking compliance information sourced from community feedback, Council data and benchmarking against other local Councils.

Each priority action is designed to improve access, safety, productivity and liveability, and ensure a fair distribution of parking availability for all Knox residents and visitors.

It is proposed that any increase in parking compliance activity by Council, through either increased parking officer resource or introduction of parking technology, be increased incrementally to meet community expectations; as opposed to a 'one off' significant increase in parking compliance across the municipality.

**A list of the actions in order of priority are listed below:**

Action	Description	Priority
A1	Prepare a business case as part of the 2020-21 budget for additional parking officer resources to increase parking patrols across all precincts and enhance current response capacity to community parking complaints.	High
A2	Prepare a business case for the 2020-21 budget to install in ground parking sensors in	High

Action	Description	Priority
	retail / business / hospital areas (linked to A1 above). A trial of in ground sensors may be explored prior to full implementation.	
A3	Review the administrative process, relating to entering into private land parking agreements, to develop approval criteria and fees and charges payable to Council in this private parking service.	High
A4	Traffic and Transport team to develop and implement Parking Management Plans that include consideration of parking technology (as proposed in the Knox Parking Policy (2018/1)).	High
A5	Prepare a business case as part of the 2021-22 budget for additional administrative officer resources as part of an expanded parking enforcement service.	High
A6	Community Laws and Traffic and Transport Teams to be included as a Statutory Planning Internal Referral Departments for all multi-unit developments. Community Laws to then actively patrol these development sites from building start.	Medium
A7	Develop Compliance and Enforcement Policy and Guidelines.	Medium
A8	Undertake Community Laws and Traffic and Transport Liaison Meetings to improve and better manage parking compliance outcomes across all areas.	Medium

## Parking Compliance Strategy July 2019

# 9. How we will know the strategy is working



Subject to significant changes in parking demand, technology or policy context, this strategy and its priority actions will be reviewed every two years to ensure it continues to meet the needs of the Knox community.

### **The following data will be collected to measure the impact of the strategy:**

1. Number and type of complaints received relating to parking.
2. Number of infringements issued within precincts.
3. Number of parking patrols conducted within all precincts.
4. Data received as a result of installing in-ground sensors such as live time tracking of parking availability in key retail activity areas and hospital precincts, levels of parking over stays and infringements issued.
5. Number of parking patrols conducted within private parking agreement areas and level of satisfaction in service levels from private parking area owners.

## 6.5 Boronia Renewal Strategy

**SUMMARY: Senior Project Manager – Boronia, Yvonne Rust**

A draft Boronia Renewal Strategy 2019 has been prepared to guide redevelopment of the Activity Centre over the next 20 years. This Strategy will supersede the Boronia Structure Plan 2006, including as a reference document in the Knox Planning Scheme. This document will act as the strategic foundation for Planning Scheme Amendment C178knox which will revise the planning controls for the Boronia Activity Centre.

### RECOMMENDATION

That Council:

1. Adopt the following documents for the purpose of public exhibition:
  - a. Draft Boronia Renewal Strategy 2019 (Attachment 3);
  - b. Proposed Planning Scheme Amendment C178knox (Attachment 4) and associated Planning Scheme Amendment C178knox maps (Attachment 5).
2. Request officers to write to the Minister for Planning to request an extension of time to the interim controls contained within Design and Development Overlap Schedule 7 until the Planning Scheme Amendment C178knox is completed.
3. Write to the Minister for Planning seeking authorisation to prepare and exhibit Planning Scheme Amendment C178knox to the Knox Planning Scheme, noting the urgency to progress the amendment prior to December 2019 and the impending expiry of interim controls.
4. Subject to receiving authorisation from the Minister for Planning, place Planning Scheme Amendment C178knox on public exhibition for a period of at least one calendar month and aim to conclude exhibition prior to the Christmas period.
5. Request officers to prepare a comprehensive Communications and Engagement Plan, outlining key messages, media platforms that will be used, supporting material to be prepared, i.e. fact sheets, and a summary document that is easy for the community to understand and is accessible to a wide audience, that explains the main changes proposed as part of the proposed amendment.
6. Note the Community Engagement Report contained in Attachment 1 and make it available on Council's website.
7. Adopt the various studies and background reports listed in this report as the strategic basis for the Boronia Renewal Strategy 2019 and the planning controls proposed in Planning Scheme Amendment C178knox, as contained in Attachment 2, and note that these documents will be made available for public viewing during the exhibition period.
8. Authorise the Director City Development to:

- a. **Make minor changes to the draft Boronia Renewal Strategy 2019, including insertion of the final Foreword, where the changes do not alter the purpose or intent of the document;**
- b. **Make minor changes to Planning Scheme Amendment C178knox documentation, where the changes do not affect the purpose or intent of the Amendment;**
- c. **Make changes, where necessary, to the Planning Scheme Amendment C178knox documentation to align with the Planning Policy Framework translation (PPF) process currently being undertaken by the Department of Environment, Land, Water, and Planning; and**
- d. **Confirm that the final designed Boronia Renewal Strategy documents reflects that of the document adopted by Council.**

## **1. INTRODUCTION**

The Boronia Renewal Strategy 2019 and proposed Planning Scheme Amendment C178knox have been prepared based on feedback gathered from the community and the Council over the past 24 months. A Community Engagement Report that details the extensive community consultation and engagement undertaken as part of developing the Boronia Renewal Strategy is included as Attachment 1.

This report provides an overview of these documents for Council's consideration and endorsement. This endorsement will enable Council to seek authorisation to commence the formal planning scheme amendment process as outlined in the Planning and Environment Act 1987.

### **Background reports and studies**

Since the Boronia Renewal Project was last reported to Council at its meeting on 22 October 2018, two further studies have been commissioned are as follows:

- Boronia Activity Centre - Movement and Access Study, November 2018 prepared by GTA Consultants; and
- Boronia Renewal Strategy – Urban Structure Report, March 2019 prepared by Hansen Partnership.

These recent reports form part of a suite of background and technical reports used to inform and prepare the Boronia Renewal Strategy 2019, in particular, the theme chapters and the Planning Scheme Amendment C178knox being:

- Boronia – Economic Demand, Land and Site Options Analysis, November 2017 prepared by Hill PDA Consulting; and
- Boronia Community Services and Facilities Review, June 2018 prepared by Council officers.

Other supporting work completed during this period has been consolidated into the Boronia Renewal Project – Key Planning Issues and Analysis Report, July 2019 prepared by Council officers.

The above background reports are included as Attachment 2.



## 2. DISCUSSION

### **Draft Boronia Renewal Strategy 2019**

The structure and content of the draft Boronia Renewal Strategy 2019 has been presented to Council previously as this document has evolved. The draft Boronia Renewal Strategy is included as Attachment 3.

The key Strategy features the following components:

- Vision, Key Directions and big Move Projects;
- Theme chapters relating to:
  - Economic Development and Investment;
  - Land Use and Built Form;
  - Movement and Access;
  - Public Realm; and
  - Community Wellbeing and Infrastructure.
- A detailed description of each Precinct within the Activity Centre boundary; and
- A high-level Implementation chapter.

The Renewal Strategy will deliver a range of benefits for the Boronia community including:

- The delivery of 'Big Move Projects', which will assist in delivering the vision for the Activity Centre through long term transformation;
- More people living and working in the town centre;
- Improved local economic conditions and more local jobs;
- A short term work program providing tangible short term change;
- Positive perceptions and experiences of Boronia;
- Efficiently managed Council's assets for the future;
- Planning controls that align redevelopment on private land with the community's and Council's Vision; and
- Stronger, more engaged and cohesive communities.

As the document is large, a Summary document and Implementation Plan will be prepared as separate stand-alone documents. The Summary will be a high-level document and will include the main proposed changes and form the basis of other visual material to be prepared as part of the exhibition process.

### **Draft Planning Scheme Amendment C178knox**

A full set of the draft amendment documents is included in Attachment 4, and all draft maps are included in Attachment 5.

The proposed new planning controls, derived from the Renewal Strategy, affect a range of Clauses in the Knox Planning Scheme, including:

- Municipal Strategic Statement;
- Local Planning Policy Framework;
- Zones; and
- Overlays.

## **Activity Centre Zone Schedule 1**

A draft Activity Centre Zone Schedule 1 (ACZ1) has been created to apply planning controls specifically for the Boronia Activity Centre. The State Government has identified the Activity Centre Zone as the preferred tool to guide and facilitate land use planning in activity centres and has strongly encouraged its application for the Boronia Activity Centre.

This approach is a departure from the current approach in the Knox Planning Scheme which has a range of different zones and schedules, as well as overlay controls, being used to manage the form of redevelopment within the Activity Centre. The ACZ1 has been prepared to apply across the whole Activity Centre to ensure a consistent approach is taken. This allows Council to specify local precinct variations in relation to land use controls, buildings and works requirements, permit exemptions, precinct specific objectives, and provide guidelines beyond that of the standard zones.

### **Proposed changes in the ACZ1**

The land use and built form changes in the proposed ACZ1 can be summarised as follows:

- Revise the Activity Centre boundary by reducing the eastern and western edges in favour of a north-south expansion of the Activity Centre. The changes to the Activity Centre boundary help strengthen the integrity of the Dandenong Foothills by reducing policy conflicts between intent of the Activity Centre and that of the Foothills.
- Intensify mixed use development and redirect residential growth, in the form of apartments, above ground floor uses into the town centre core area within Precincts 1, 2 and 3. This change will also encourage activation at ground level and encourage passive surveillance from upper levels to the public realm.
- Create new public open spaces such as plazas, forecourts and a new town square in the town centre core area to improve amenity, increase landscaping and tree canopy, and attract people and investment into the Activity Centre.
- Rezone 257 Dorset Road (former Youth Hall site) to ACZ1 to enable future mixed use redevelopment and potentially social housing to occur, and for Council to investigate partnership opportunities.
- Adopt a scaled approach to change whereby taller buildings are directed towards the town centre core, and the built form is then scaled down to the surrounding residential areas.
- Retain views identified from Tormore Reserve, Boronia Park and Boronia Road, and allow taller buildings, up to a maximum of 8–10 storeys however subject to lot consolidation, around the intersection of Boronia and Dorset Roads.
- Allow buildings up to a maximum of 4 storeys in the residential neighbourhoods, to achieve a slightly taller built form with small footprint, allowing for additional tree canopy planting and landscaping through lot consolidation and application of minimum lot widths.
- Exempt some planning permit proposals from advertising/notice requirements.

### **Building heights and viewlines**

Building heights and viewlines have been a key consideration in the preparation of new planning controls. A 3D model was prepared to test the impact of buildings at various heights and locations

in the town centre core area, on views to the Dandenong Ranges. An upper limit of 10 storeys was tested around the intersection of Dorset Road and Boronia Road. This analysis was undertaken for several reasons:

- This land is towards the low point in the town centre;
- The additional height and potential yield will create a critical mass for activation and a landmark location;
- Testing an extreme condition allows Council to be ready to respond to market pressure;
- It verified that views can be retained; and
- It supports the inclusion of mandatory height controls.

Results from this model demonstrated that the low-lying area near the intersection of Dorset and Boronia Roads can accommodate buildings up to 10 storeys without blocking the views from the western edge. Building heights of 5–8 storeys that transition away from this major intersection, were also tested at different locations in the town centre. This assessment confirmed that additional building heights could be accommodated in the core area without a significant impact on the views to the Dandenong Ranges.

The designated heights will ensure that anticipated growth can be accommodated within the Activity Centre, while providing Council with the ability to request mandatory height controls. If heights were lower, it is unlikely that mandatory height controls would be supported by the Department of Environment, Land, Water, and Planning (DELWP) and the Minister for Planning.

### **Notification required in the ACZ1**

A key change of the ACZ is the ability to exempt certain planning permit proposals from the notice/advertising requirements currently applied. This Clause is intended to streamline the permit process for uses that fit with the objectives of the zone and precinct, as well as meet the prescribed requirements. An example would be a proposal for an office at ground level with several levels of apartments above in Precinct 1, that fits within the mandatory height controls and meets all the other design and development requirements – this proposal would not be notified/advertised. This limits the ability for objections to be lodged and prevents third party appeals to VCAT. This Clause does not negate the normal statutory planning and design assessment process or Council's ability to apply conditions or refuse a planning permit application.

Increasing the notice/advertising requirements in the ACZ must have a clear strategic justification and be supported by evidence of need. The zone controls have been drafted with conditions that require specific uses, such as a bottle shop, brothel, gambling premise or nightclub to be automatically notified/ advertised, as these uses are directly associated with existing and well documented issues in the area. In addition, all applications in residential precincts are proposed to be advertised.

### **Time extension for existing interim controls**

In May 2019, the approach to the Planning Scheme Amendment C178knox changed from using existing zones to preparing a tailored Activity Centre Zone specifically for Boronia. This change was required in response to advice received from DELWP and to align with current activity centre planning principles. The additional time taken to prepare this new zone has resulted in a further delay in the overall amendment process. Subsequently there will be a gap between the expiry of existing controls (15 December 2019) and approval of C178knox. A letter to the Minister for

Planning, to seek a further extension of time to the interim controls will be required to cover the gap. This is recommended to be undertaken under section 20(4) of the Planning and Environment Act 1987 and is included as Attachment 6.

### Planning Scheme Amendment C178knox timeline

The next steps for the Planning Scheme Amendment C178knox process have been adjusted based on the standard process as set out in the Planning and Environment Act 1987 and are summarised in Table 1 below. It should be noted that not all steps listed are completely within Council's control, and this reflects a best case scenario. For example, the amendment authorisation may not be provided by DELWP within 10 days, and may be subject to conditions requiring further work or explanation.

Council consideration to adopt draft Boronia Renewal Strategy and proposed Planning Scheme Amendment C178knox	26 Aug	
Submit application to DELWP for Authorisation	Early Sept	Send letter with draft documents
10 days for DELWP to authorise	Sept	With or without changes (Can impact on timelines)
Submit exhibition docs to DELWP 10 days prior to first notice	Mid Oct	Final package of amendment documents and maps
First notice to owner/occupiers	Late Oct	Letter to all affected parties, Ministers and Referral Authorities
Public notice in Knox Leader and Government Gazette	Late Oct	Required notice
Closing date for submissions	Early Dec	Minimum 1 calendar month from Government Gazette

*Table 1 – Proposed C178knox amendment exhibition timetable*

Upon receipt of authorisation, Officers will advise Council of any conditions attached to the authorisation and any actions/ changes to the proposed amendment necessary to meet the conditions and commence exhibition.

While the priority is on completing exhibition prior to the Christmas period there are several factors that may extend this timeframe further into 2020, i.e. varied exhibition period, time taken for Ministerial decisions and receipt of a large number of submissions. Following exhibition, all submissions will be reported to Council for consideration. At this later Council meeting, Council can decide whether to forward the submissions to an independent Planning Panel for review. The Panel Hearing will likely occur in the first part of 2020.

### Knox Planning Scheme Planning Policy Framework translation

A separate process relevant to the Planning Scheme Amendment C178knox, is outlined as follows:

- DELWP introduced the Smart Planning program in 2018 which is intended to make Victoria's planning system more efficient, digital, and responsive.

- A new Planning Policy Framework (PPF) is being drafted for the Knox Planning Scheme to improve the operation and alignment of policy at State, Regional and Local levels as well as Municipal Strategic Statements. Councillors were advised of upcoming PPF changes in a memo dated 4 February 2019.
- The final draft of the PPF is yet to be received and there is no defined timeline for finalising this process.
- It is important to be aware that the format and content of Planning Scheme Amendment C178knox may be adjusted to align with the PPF translation if it comes into effect prior to exhibition.

### **3. CONSULTATION**

- Insights gained from community views have played an important part in shaping the long-term vision for Boronia;
- A summary of the consultation and engagement undertaken has been presented to Council;
- Ongoing internal consultation through the Project Control Group has ensured the coordination and integration of objectives, strategies and actions;
- Further public consultation will be held during a four-week exhibition period that forms part of the Planning Scheme Amendment process; and
- The further consultation as part of the Planning Scheme Amendment process will be guided by a Communications and Engagement Plan, prepared in conjunction with the Communications Department.

### **4. ENVIRONMENTAL/AMENITY ISSUES**

The Renewal Strategy includes:

- Strategies and actions that seek to improve the amenity of the public realm, including the enhancement of Boronia Park and street tree planting.
- Strategies and actions that will direct the design of future redevelopment and infrastructure to respond to identified environmental issues;
- Requirements for a high level of internal and external amenity for new developments while balancing the amenity of adjoining properties; and
- Application of an Environmental Audit Overlay where there is potentially contaminated land.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

This project has identified several financial and economic implications for Council as follows:

- Funding to implement projects will be required from a broad range of potential partners from the private sector, not-for-profit and State Government agencies;
- Further training may be required in the City Planning & Building team to apply the Activity Centre Zone provisions; and
- Identified Big Move Projects, capital works projects and actions will require business case preparation and will be subject to future budget planning considerations.

## **6. SOCIAL IMPLICATIONS**

This project has identified the following social implications:

- A key objective of the Boronia Renewal Strategy is to create an Activity Centre that is the social and cultural heart of Boronia;
- The renewal and intensification of Boronia Activity Centre will increase the vibrancy and bring new businesses to the centre, therefore increasing jobs; and
- The Boronia Renewal Strategy and subsequent Implementation Plan will take a place-based approach to coordinating the planning for Council's interventions in the Activity Centre.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

### **Goal 1 - We value our natural and built environment**

Strategy 1.1 - Protect and enhance our natural environment

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

### **Goal 2 - We have housing to meet our changing needs**

Strategy 2.1 - Plan for a diversity of housing in appropriate locations

Strategy 2.2 - Encourage high quality sustainable design

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs

### **Goal 3 - We can move around easily**

Strategy 3.1 - Enable improved transport choices supported by integrated and sustainable transport systems and infrastructure

Strategy 3.2 - Improve bike and footpath connectivity, including identifying gaps between existing bike routes, footpaths and key places

### **Goal 4 - We are safe and secure**

Strategy 4.1 - Encourage and support the community to take responsibility for their own safety, and the safety of others

Strategy 4.2 - Enhance community connectedness opportunities to improve perceptions of safety

Strategy 4.3 - Maintain and manage the safety of the natural and built environment

### **Goal 5 - We have a strong regional economy, local employment and learning opportunities**

Strategy 5.1 - Attract new investment to Knox and support the development of existing local businesses, with particular focus on Advanced Manufacturing, Health, Ageing and Business Service sectors

Strategy 5.2 - Plan for a range of key strategic centres that provide a diversity of employment, services and amenities to support the changing needs of our community

### **Goal 7 - We are inclusive, feel a sense of belonging and value our identity**

Strategy 7.3 - Strengthen community connections

## **Goal 8 - We have confidence in decision making**

Strategy 8.2 - Enable the community to participate in a wide range of engagement activities

### **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Senior Project Manager – Boronia, Yvonne Rust - In providing this advice as the Author, I have no disclosable interests in this report.

Author – Manager, City Futures, Anthony Petherbridge - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report. Director, City Development, Matt Kelleher

### **9. CONCLUSION**

This report presents the draft Boronia Renewal Strategy 2019 and the Planning Scheme Amendment C178knox for Council's consideration and adoption prior to commencing the formal planning scheme amendment process. In addition, a further time extension is required for the interim Design and Development Overlay (Schedule 7) that is due to expire in December 2019.

The Boronia Renewal Strategy 2019 is based on a comprehensive community engagement program, research, analysis and findings contained in several background reports that have been reported to the Council previously. This analysis provides Council with a robust rationale for substantial change within the town centre core area, which is required to trigger urban renewal. The Renewal Strategy serves as a foundation document and sets out the strategic justification for changes to the planning controls within the Knox Planning Scheme.

The proposed Planning Scheme Amendment C178knox uses the Activity Centre Zone, which enables planning controls to be tailored to achieve the desired outcomes in specific precincts within the Activity Centre.

Parallel to this process, a range of short term actions and several integration projects in the 2019/2020 work program will continue. These projects will deliver tangible outcomes for the community and maintain momentum for the Boronia Renewal Project.

### **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By: Senior Project Manager – Boronia, Yvonne Rust**

**Report Authorised By: Director, City Development, Matt Kelleher**

### **Attachments**

1. Attachment 1 - Community Engagement Summary Report - 2019-08-26 [6.5.1 - 50 pages]
2. Attachment 2 - Background Reports - 2019-08-26 [6.5.2 - 388 pages]
3. Attachment 3 - Boronia Renewal Strategy for Council mtg 20190826 [6.5.3 - 32 pages]
4. Attachment 4 - C 178 knox - Combined Amendment documents - Council 20190826 ( D 19-208387) [6.5.4 - 177 pages]
5. Attachment 5- C 178 knox Combined maps for exhibition - Council 20190826 (D19-208271) [6.5.5 - 4 pages]

**Due to the volume of these attachments they will be available separately and on Council's website**



## 7 Public Question Time

Following the completion of business relating to Item 6, City Development, the business before the Council Meeting will now be deferred to consider questions submitted by the public.

## 8 Engineering & Infrastructure Officers' Reports for consideration

### 8.1 Capital Works Program Delivery Report

#### **SUMMARY: Coordinator – Capital Works (Gene Chiron)**

**This report informs Council of the delivery outcomes of the 2018/19 Capital Works Program, as well as progress towards strategic objectives of asset renewal, sustainability initiatives, Environmentally Sustainable Development (ESD) initiatives and the Integrated Stormwater Solutions Program in 2018/19.**

#### **RECOMMENDATION**

**That Council receive and note the Capital Works Delivery Report for 2018/19.**

#### **1. INTRODUCTION**

The Capital Works Program is essentially the biggest service Council delivers to the community. The outcomes delivered through the Capital Works Program support service delivery and improve the health and wellbeing of the Knox community. To ensure this program is administered appropriately and that good governance and project management practices are observed, this report documents the outcomes of the 2018/19 Capital Works Program and Council's progress in actioning a number of associated policies.

Council's Sustainable Buildings Policy, approved 26 April 2013, requires that:

- the Director – Engineering & Infrastructure demonstrate achievements in ESD as part of the annual reporting on the delivery of the Capital Works Program; and
- a report is prepared on the achievements of ESD within Council facilities as part of Council's report on achievements on the Sustainable Water Use Plan and Climate Change Response Plan.

Further, Council adopted a policy for Water Sensitive Urban Design (WSUD) (revised 2012). This policy also requires that achievements in WSUD be incorporated as a part of the annual report on the delivery of the Capital Works Program. The achievements for 2018/19 are provided in this report.

This report is seen as a framework for not only reporting on the delivery of the program but also as a means of improving the efficiency and effectiveness of future program delivery.

#### **2. DISCUSSION**

##### **2.1 2018/19 Capital Works Outcomes and Achievements**

The 2018/19 Key Result Area (KRA) measurement for Capital Works aims for delivery of 100% of the legal compliance program, 95% of the renewal program and 80% of the new and upgrade program.

The Capital Works Program Adjusted Budget totalled \$98.32M after the budget review increase of \$11.23M, additional out of budget funding of \$2.01M from various grants, contributions and trust fund transfers becoming available after the Quarterly Budget Update and savings of \$529.4K were achieved.

Out of 218 projects, 89.0% or 194 projects of the total projects were completed or committed (commenced or tendered) in 2018/19. A number of projects were in progress at year-end and carry through into the 2019/20 year. Eight additional projects were included in the program during the course of the year, with an extra \$383.27K unscheduled, out of budget funding.

In overall financial terms, 75.4% of the Capital Works Adjusted Budget was committed in 2018/19 and 58.7% expended. Of the \$24.1M Adjusted Budget not committed or expended, \$15.0M or 62.2% related to major projects.

Variances experienced during the year were mainly due to delays associated with lead times required to commence projects, including consultation with stakeholders, developers, service and statutory authorities. The additional workload generated from the various Major Projects currently underway also placed considerable demand on Council's Capital Works delivery resources.

A small number of high value projects have been delayed due to a significant level of project complexity, some external influence from government utilities and adverse weather.

Some others have been subject to necessary deliberations by Council.

**TABLE 1 - CAPITAL WORKS PROGRAM PERFORMANCE**

	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19
Adjusted Budget	\$29.9M	\$29.2M	\$31.3M	\$35.5M	\$34.5M	\$37.5M	\$49.5M	\$68.5M	\$95.2M	\$98.3M
Budget expended (%)	94%	81%	87%	79%	81%	82%	63.9%	53%	52.5%	58.7%
						\$30.8M	\$31.6M	\$36.3M	\$50.0M	\$57.7M
Projects Committed (%)	100%	97%	93%	98%	96%	98%	98%	89%	84%	89%

Of note, for the first time, the Information Management Program (\$9.6M) has been reported separately to this Capital Works Program, which has still increased from 2017/18 (\$95.2M to \$98.3M).

It is further noted that the budget expenditure for 2018/19 was \$57.7M, which exceeds the previous years' program expenditure by \$7.7M, with 89% of projects being completed, commenced or tendered within the year.

Also, there has been only a minimal increase in staff resources to support the delivery of the capital works program. This is being closely monitored to ensure existing staff are supported in the delivery of the program and additional resources are brought in as required.

It is considered however, that the issue of an increasingly large and complex program and the possible impacts on staff resources presents a number of risks that need to be considered by Council. These include:

- Capacity to deliver within required timeframes.
- Possible adverse impacts on quality due to the pressure to deliver.
- Integration opportunities missed due to the focus on project delivery.
- Current state of the construction market.

## **2.2 Continuous Improvement Initiatives**

Significant inroads have been made into refining systems and processes such as pre-planning and preparation to support timely delivery of capital works projects. Over recent years, the following initiatives have been introduced and are being continually improved upon:

- Ranking of projects within each program based on relevant criteria which are reviewed by Program Coordinators and endorsed by Council annually.
- Program Business Cases are prepared including 5 year programs to reflect revised project priority lists and based on the current Long Term Financial Forecast (LTFF).
- Pre-planning (scoping and design phases) has been introduced to identify complex projects and where necessary, allow for staging over two or three years. Complexities include extensive ongoing consultation with stakeholders, investigation with external authorities, acquisition of land and permits, preparation of concept and detailed plans and preparation of contract documentation to allow adequate time for efficient and economic project delivery at minimum disruption to the community.
- Program and Project Delivery Coordinators with their Managers are included in integration workshops to share knowledge of proposed programs, understand priorities, and check for synergies between projects and investigate opportunities to combine or coordinate works.
- Discussions with Councillors are held through the business planning cycle about project priority lists early in the program development process to allow Program Coordinators time to undertake initial investigations to establish the scope and deliverability of each prospective project prior to the commencement of the budget process.
- Monitoring and reporting with the ProjectsPRO Capital Works reporting system incorporating lead indicators, which allow ongoing and responsive feedback for improved project management.
- Improved management reporting including monthly progress briefings with the Executive Management Team and monthly meetings of Program and Project Delivery Coordinators to actively facilitate the delivery of the Capital Works Program.
- Streamlining the process to develop lifecycle costings for each new/ upgrade project to assist Council to make an informed decision as to the true cost of the proposed works and impact on the operational maintenance budget.
- Regular condition audits over all significant asset categories.
- Restructure of management responsibilities to streamline project delivery.

- The establishment of the dedicated Major Initiatives Unit to project manage the planning and implementation of the major and complex project initiatives and deliver the more challenging projects.
- Presentation of a Major Initiatives Program to Council as part of the Capital Works Planning process.
- Capital Works Delivery Managers providing timely input and influence to Delivery Coordinators in the planning and delivery of Programs.

These initiatives and the capital works process, in its entirety, is reviewed on an ongoing basis in the pursuit of continuous improvement and integrated program delivery.

### **2.3 Asset Renewal Program**

The Asset Renewal Program Adjusted Budget for 2018/19 totalled \$29.75M, of which 93.4% was expended or committed. The expenditure was affected by the need to carry forward \$4.10M to 2019/20 for the completion of various asset renewal works committed and underway.

Renewal projects and programs that were undertaken during the year include the following:

- Road Pavement and Kerb and Channel Reconstruction Program including Ashton Road, Selman Avenue, Forest Road, and Underwood Road, Ferntree Gully; Parkhurst Drive, Knoxfield; Eastgate Court, Wantirna South; Cherrington Square, Wantirna; and Albert Avenue, Boronia and numerous designs for future works.
- In excess of 100 streets have been treated under the 2018/19 Road Resurfacing Program to the value of \$5.12 million.
- Rehabilitation programs for footpaths, to the value of \$2.37 million.
- Shared path rehabilitation has been undertaken to the value of \$560K
- Improvements to buildings, road surfaces, bridges, playgrounds, open space and reserves.
- Replacement of various fleet vehicles.
- Street Tree Renewal Program.
- Drainage Pit and Pipe Renewal Program.
- Active Sporting Facilities renewals including at finalisation of oval works at Millers Reserve, Boronia and works at Guy Turner Reserve, Bayswater; Knox Gardens Reserve, Wantirna South and Wally Tew Reserve, Ferntree Gully.
- Tennis court renewals at Scoresby (Exner) Reserve and Carrington Park Reserve.

There are four key Asset Renewal Programs which are the focus of this report (see table below). Asset Management Plans adopted by Council inform these programs and subsequent forecasting has been undertaken. During the development of each of these Asset Management Plans, extensive audits were undertaken to establish the condition rating, life expectancy and the amount of funding required to deliver these assets to the community at the desired service level.

Each adopted Plan outlined service level targets to renew the worst condition assets (condition 5 – very poor, and condition 4 – poor) in the optimum achievable time to optimise service delivery,

mitigate risk to Council, minimise maintenance costs and establish sustainable rehabilitation programs.

While the initial focus was ensuring that sufficient renewal funding was available to address the initial backlog, it was also recognised that a sustainable level of ongoing funding would be required into the future to ensure Council's asset network continued to remain at an acceptable condition level.

**TABLE 2 - ASSET MANAGEMENT PLAN – CAPITAL RENEWAL PROGRESS**

Renewal Program	Asset Category	Year Started	% network in condition 4 & 5 at initial audit	Initial target year for elimination of condition 4 & 5 assets	Year of most recent audit	% network in condition 4 & 5 at most recent audit	Next audit data due	Comments on progress of renewal program against service targets
1001 Road Sub-Structure and Kerb & Channel	Road Pavement	2005/06	7.8%	2016	2015	1.0%	2019	Initial target achieved in 2015*. Funding now maintained at a level to match deterioration. Future audits will assist in validating this.
	Kerb & Channel		0.1%	2016	2015	0%	2019	Initial target achieved in 2015*. Funding now maintained at a level to match deterioration. Future audits will assist in validating this.
1002 Road Surface	Road Surface	2006/07	19.9%	2014	2015	2.7%	2019	Initial target achieved in 2012*. Aiming to remove condition 3 segments by 2022 in accordance with Road Asset Management Plan targets.
1004 Footpaths	Footpaths	2005/06	6.1%	2011	2015	0.1%	2018 (2 <sup>nd</sup> half)	Initial target achieved in 2012*. Funding now maintained at a level to match deterioration. Future audits will assist in validating this
1005 Bicycle / Shared Paths	Shared Paths	2005/06	51.6%	2020	2017	0.6%	2021	Initial target achieved in 2011*. Funding now maintained at a level to match deterioration. Future audits will assist in validating this.
1007 Buildings	Buildings	2008	2%	2028	2017 /2018	7.9%	2021 /2022	The Draft - Building Asset Management Plan – 2019 provides renewal methodologies and investment scenarios to address the gradual decline in building asset condition.

\* Given the timing of audits relative to the programs of renewal, a result of less than 4% effectively means Council has addressed and contained its backlog assets

The above table indicates progress to date with these programs and suggests when the initial backlog of condition 5 (very poor) and 4 (poor) assets may be eliminated based on current projected funding and forecasted deterioration rates. In general, Council is maintaining good progress in meeting the target timeframes.

Progress for other asset categories (Drainage, Bridges, Carparks, and Playgrounds) will be reported in future years once multiple condition audits have been completed, to validate impact.

There is also the opportunity to incorporate a number of key asset renewal programs as a part of the Developer Contribution Plan Policy work – currently being progressed by Council. This may provide an opportunity to secure an alternative funding source for the management and renewal of some of Council's asset base.

## **2.4 New/Upgrade Program**

The Asset New/Upgrade Program Adjusted Budget totalled \$16.05M (up from \$12.4M last year) of which 55.3% was expended or committed. The expenditure percentage is impacted upon by the need to carry forward \$8.5M to 2019/20 for the completion of various asset New/Upgrade works committed and underway.

New/Upgrade and Expansion Asset projects and programs that were completed or commenced during the year included the following:

- Energy Performance Contract endorsed by Council following a Detailed Facility Study, ready for implementation.
- Henderson Road Bridge works progressing well, with Valleyview Drive LATM - works completed.
- Completion of changing facilities at Egan Lee Reserve and Batterham Reserve, The Basin.
- Solar panel installation at Kings Park.
- New footpaths at Batterham Reserve, The Basin - All Ability Footpath Network, Stud Road, Scoresby, Burwood Hwy, Upper Ferntree Gully, London Drive, Bayswater and Maryborough Road, Boronia.
- New shared path along Mountain Highway, Wantirna (Pedestrian Crossing to Eastlink) and Napoleon Road Lysterfield.
- Open space upgrades at Stud Park Reserve, Talaskia reserve, Tim Neville Arboretum, Rumann and Benedikt Reserves, Scoresby (Exner) Reserve, Arcadia Reserve, Rowville, Lewis Park, Wantirna South and several other significant ongoing projects including Fairpark Reserve, Ferntree Gully, Tormore Reserve, Boronia, Marie Wallace Reserve and Templeton Reserve, Wantirna.
- Drainage works at Dobson Creek Catchment - Streetscape Water Sensitive Urban Design Installation.
- New floodlighting at Kings Park, Upper Ferntree Gully - Oval 2 and Liberty Avenue Reserve, Rowville and upgrade to floodlighting at Eildon Park Tennis Club.

## **2.5 Major Projects Programs**

The Major Projects Program Adjusted Budget totalled \$52.3M of which \$37.3M was expended or committed. Major project works for the Wantirna South and Bayswater Early Years Hubs were completed, along with Stamford Park Estate Homestead and Gardens and restaurant opening.

Major projects progressing and with carry forwards include Knox Central (\$8.2M), Stamford Park Estate Parklands (\$5.3M), Operations Centre Relocation (\$6.0M) and delivery of the Henderson Road Bridge (\$4.3M).

## 2.6 Environmentally Sustainable Development (ESD) Achievements

As required by Council’s *Sustainable Buildings Policy*, a summary of ESD elements incorporated into new Council buildings and substantial renovations, renewals and upgrades of buildings in 2018/19 is provided below.

Council facility upgrades, renewals and new projects are to use components that provide at least 25% efficiency improvements over existing standards for both water and energy.

**TABLE 3 – ESD ACHIEVEMENTS**

<b>Major Initiatives (Buildings)</b>	
<ul style="list-style-type: none"> <li>○ Children and Family Centre (Wantirna South &amp; Bayswater)</li> </ul>	<p>The Wantirna South facility opened on the 31<sup>st</sup> of January 2019. The Bayswater facility opened on the 23<sup>rd</sup> of April 2019. Both centres have been designed to be electricity neutral and water efficient with the following key elements:</p> <ul style="list-style-type: none"> <li>• 99kW solar,</li> <li>• 180kWh battery,</li> <li>• optimise natural lighting and fresh air,</li> <li>• high levels of insulation,</li> <li>• Adaptive LED lighting with occupancy sensors and daylight sensors,</li> <li>• 200kL water tank,</li> <li>• Heat pump hot water systems,</li> <li>• Double glazed, thermally-broken windows,</li> <li>• Selection of materials with low or zero VOCs (Volatile Organic Compound), and</li> <li>• Durable long lasting materials that are recyclable at end of life</li> </ul>
<ul style="list-style-type: none"> <li>○ Knox Operations Centre – <b>Construction Stage</b></li> </ul>	<p>The New Operations Centre is currently under construction with high performance glazing, LED lighting, occupancy and daylight sensor controlled lighting, 30kW Solar Panels, Water Tanks, staff bicycle parking and the provision for Electric Vehicle charging stations are some of the ESD initiatives. Further ESD initiatives are currently being explored.</p>
<b>Sustainability Initiatives Capital Works Program 18/19</b>	
<ul style="list-style-type: none"> <li>○ <b>LED Lighting Upgrade</b> at State Basketball Centre</li> </ul>	<p>Replacement of 96 Highbay lights with LED alternatives. The new lights are 60% more energy efficient and last three to four times as long, resulting in not only in energy savings, but significant savings in maintenance.</p>



## 2.7 Integrated Stormwater Solutions Program Achievements 2018/19

In accordance with Council's *WSUD Policy* (revised 2015), the *WSUD & Stormwater Management Strategy* (2010); the *Sustainable Water Use Plan* (2008-2015); the *Drainage Asset Management Strategy* (2010); and the *Flood Modelling and Mapping* work being undertaken since 2014, stormwater management programs are more integrated to provide the greatest overall benefit to the Knox community.

Projects are planned strategically as 'Integrated Stormwater Solutions' that incorporate water sensitive urban design, best practice techniques and innovations to provide a suite of multi-outcome focussed, blue-green infrastructure solutions that provide for:

- Increased capacity of the landscape to hold stormwater during storms to relieve pressure on the stormwater network and creeks (flood mitigation).
- Capture and treatment of urban stormwater runoff before it enters local creeks (water quality treatment).
- Aquatic habitats to support and recover aquatic flora and fauna in the city, including the nationally threatened native fish species - *Dwarf Galaxias* and *Yarra Pygmy Perch*, and other wildlife such as frogs and waterbirds.
- Enhanced diversity of local flora (plants) to improve natural cooling mechanisms across the city (canopy cover and reduction in urban heat islands) for improved community wellbeing during summer extremes.
- Capture, treatment and reuse of stormwater for irrigation of public open spaces and sports fields to ensure year-round use.
- Creation of "desirable destinations" for people to visit, connect, discover nature close to home, and enjoy safe water interactions.

The following is a summary of achievements for 2018/19:

- Completed full redesign package of solutions for the Stamford Park Public Open Space including:
  - Redesign of the Heritage House Carpark, stormwater treatment system and planting plans;
  - Redesign of the planting selection for the Heritage House swale and pond system;
  - Redesign of the southern floodway (south of Stockland Development);
  - Catchment analyses and Concept Design of the Adventure Play Wetlands (west of Stockland Development);
  - Full Functional Concept Redesign Package for Melbourne Water's Kelletts Road Wetland System, to be a key feature of Stamford Park redevelopment; and Technical Analysis Report for Melbourne Water approvals.
- Completed a suite of Project Evaluation Reports, including an Economic Evaluation, for the 5-year project partnership with Melbourne Water in the pilot study - *Dobsons Creek Disconnection Project*. The pilot project was designed to protect and improve the health of the Dobsons Creek from urban stormwater pollution (The Basin). The success and findings

from this extensive analysis and evaluation will be used to guide and replicate similar projects in other waterway systems across Greater Melbourne.

- Completed Detailed Design plans for a new stormwater quality treatment wetland for Koolunga Reserve (FTG) – this wetland will bring water back into this landscape and promote the survival of the swampy vegetation community and associated wildlife, to prevent their decline and loss from the area, while also treating urban stormwater runoff to protect the downstream waterway from urban pollution. Construction scheduled for 2019-2020.
- Completed Detailed Design plans for a new stormwater quality treatment wetland for Manson Reserve (Wantirna) - this wetland will enhance the vegetation community in this site, provide an aquatic habitat for both flora and fauna, and treat urban stormwater runoff to protect the downstream waterway (Dandenong Creek) from urban pollution. Construction scheduled for 2019-2020.
- Completed Detailed Design plans for the Rehabilitation of the Waterford Valley Golf Course Lakes System – this project will reset the design levels across 3 lakes adjacent to the retirement village, ensuring irrigation volume is available for the golf course tenant, without compromising aesthetic amenity to adjacent residents from over-extraction of the lakes. New aquatic plants will be planted into the lakes to treat the organic loads (which cause odour issues) from bird droppings. Construction scheduled for 2019-2020.
- Completed full investigation of faults and new Detailed Design plans for the Retrofit of ‘old’ stormwater harvesting systems at 4 priority sports field sites – Eildon Park, Batterham Reserve, Fairpark and Knox Gardens. This will ensure optimal stormwater is harvested for oval irrigation, without dependence on drinking (potable) water supplies (conserving water and irrigation costs ongoing). Construction scheduled for 2019-2020.
- Completed the co-design of the Blind Creek Daylighting initiative in partnership with Melbourne Water. Construction by Melbourne Water is scheduled to start in October 2019 and will see Blind Creek removed from its underground pipe (since 1970s) and brought back to surface, as a naturalised waterway, from Manuka Drive to Scoresby Rd (Wantirna).
- Completed Dandenong Creek Amenity improvements – to complement the new wetlands constructed under the *Enhancing Our Dandenong Creek* partnership with Melbourne Water (2013-018), drinking fountains, outdoor gym equipment, seating and new shared path links have been completed.
- Completed Concept Design Plans for new stormwater treatment wetlands at Egan Lee Reserve and Peregrine Reserve to support the respective Master Plans. Detailed Designs scheduled for 2019-2020.
- Completed Concept Design Plans for a new Flood Retarding Basin at Orson Street (Scoresby). Detailed Designs scheduled for 2019-2020.
- Completed Functional Concept Designs and full catchment modelling for Mountain Highway (Bayswater) flood mitigation solutions to the strip shopping area. A report to VicRoads, detailing three potential options, requires their approval before works to resolve flooding in

this precinct can progress. Subject to VicRoads' approval, Detailed Design plans of the preferred option scheduled for 2019-2020.

- Completed Proof of Concept Modelling to use Talking Tanks as flood mitigation solutions on private land. Next steps – seek partnership agreements with South East Water and Melbourne Water to co-fund a talking tanks rollout and develop a Communications Plan to engage private landowners (2019-20).
- Completed water quality monitoring/testing of a developer-constructed treatment raingarden in an industrial estate (Orville Court, Rowville) to better understand pollutant loads and redesign/reconstruct this system, which is due for renewal in the coming years.
- Completed 5-year project partnership with Melbourne Water, City of Maroondah, South East Water, EPA Vic, Centre for Aquatic Pollution Identification and Management, and First Friends of Dandenong Creek – Enhancing Our Dandenong Creek initiative. This initiative won the Victorian Water Award (Dec 2018) and the National OzWater Award (Feb 2019) for excellence in innovative community infrastructure. The success of this 5-year partnership has led to Melbourne Water opting to re-partner for another 5 – 10 years with more projects.
- Pollution Hotspot Blitzes - In partnership with Melbourne Water, SEW, EPA and Monash University, pollution hotspot blitzes have been done in the Old Joes Creek Industrial Estate (Bayswater) to identify polluters and seek resolution to protect Dandenong Creek from contaminants such as lead, zinc, silver, copper, chromium and cadmium. The project continues with the implementation of sewer detection technology within stormwater pipes to identify and target illegal discharges from premises to the stormwater network. The monitoring to date has indicated this catchment is a major source of pollutants, particularly heavy metals, hydrocarbons, synthetic pyrethroids and pesticides.
- Received two grants from Melbourne Water's Living Rivers Program – (1) production and installation of sticker decals on pit lids in streetscapes that drain to the Tim Neville Arboretum new wetland and stormwater harvesting system to raise community awareness of the impacts of urban stormwater and the need to protect aquatic environments; (2) water quality monitoring study of pollutant types in the industrial catchment of Orville Court (Rowville).

### **3. CONSULTATION**

Communication and decision making is aided by monthly progress briefings with the Executive Management Team and monthly facilitation meetings with Program and Delivery Coordinators.

Timely and ongoing liaison between Council staff and stakeholders is an integral task required to prepare and deliver Council's Capital Works Program.

For projects that may be of particular interest or have potential to impact residents, Council's Communications Department is involved to provide information in the most relevant mode.

Also, prior to the construction phase of the projects, letter drops to affected residents informing of impending works and a Council contact have proven invaluable to inform local residents about upcoming works and to minimise complaints received by Council.

#### **4. ENVIRONMENTAL/AMENITY ISSUES**

A long term strategic approach to supporting surface maintenance, renewal and construction has continued with the implementation of warm season grasses conversions and the establishment of an ongoing Capital Works Program focussed on delivering sustainable outcomes for structured sports (water harvesting).

The introduction of the Council's Sustainable Buildings Policy, approved 26 April 2013, to succeed the Environmentally Sustainable Development (ESD) Policy, which applies to all new Council buildings and where possible, substantial renovations, renewals and upgrades to Council buildings, enables Council to deliver targets established in the Sustainable Water Use Plan, Greenhouse Action Plan and the Integrated Transport Plan.

#### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

Of the Revised Capital Works Program budget \$98.32M, a net amount of \$40.61M is proposed to be carried forward to the 2019/20 budget to enable the completion of projects committed or underway. This comprises \$27.94M in Major Projects, \$4.10M in Asset Renewal and \$8.57M for New and Upgrade.

This investment in Capital Works is also estimated to increase the Knox Economic output including all direct, industrial and consumption effects by up to \$218.2 million and support 608 jobs (Source: REMPLAN Knox 2019). Finally, the introduction of Developer Contribution Plans (DCPs) has the potential to support Council's investment in Capital Works – particularly in asset renewal. Council is currently working through a process to determine the feasibility of introducing DCPs – which includes asset renewal works.

#### **6. SOCIAL IMPLICATIONS**

The timely provision, upgrade and renewal of roads, drains, footpaths and bicycle paths in Knox, such as the Ashton Road, Selman Avenue, Forest Road, and Underwood Road, Ferntree Gully and bicycle paths along Mountain Highway, Wantirna (Pedestrian Crossing to Eastlink) and Napoleon Road, Lysterfield, facilitate Council's goal to value our natural and built environment as well as promoting health and wellbeing.

Similarly, the upgrade and renewal of Knox's sporting facilities and reserves such as Millers Reserve Oval, Boronia promotes community health and wellbeing.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

The Capital Works Program and its management are consistent with the goals of the Knox Community and Council Plan 2017-2021:

- Goal 1 – We value our natural and built environment
- Goal 2 – We have housing to meet our changing needs
- Goal 3 – We can move around easily
- Goal 4 – We are safe and secure
- Goal 5 – We have a strong regional economy, local employment and learning opportunities
- Goal 6 – We are healthy, happy and well
- Goal 7 – We are inclusive, feel a sense of belonging and value our identity
- Goal 8 – We have confidence in decision making

## **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Matt Hanrahan, Acting Director – Engineering & Infrastructure - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Gene Chiron, Coordinator Capital Works - In providing this advice as the Author, I have no disclosable interests in this report.

## **9. CONCLUSION**

At the conclusion of 2018/19, Council successfully completed, committed or commenced 89% of capital works projects (of the total program of projects). Council performed well in the Renewal and Legal Requirements Programs where 93.4% and 100% of the adjusted revised budget was expended or committed respectively.

Some challenges were experienced in the delivery of the New/Upgrade Program where 55.3% of expenditure was expended or committed. A small number of high value projects have been delayed due to a significant level of project complexity and some external influence from government utilities.

The establishment of the dedicated Major Initiatives Unit to project manage the planning and implementation of the increasing number of major and complex project initiatives, is assisting greatly in delivering projects.

The continuation of Council's inroads into environmental and sustainability measures have placed an important and challenging dimension on future Capital Works Programs.

Finally, it is noted that there has been only minimal increase in staff resources to support the delivery of the expanded capital works program (\$49.5M in 2015/16, \$68.5M in 2016/17, \$95.18M in 2017/18 and \$98.32M in 2018/19). This is after all Information Management projects (\$9.6M) have been removed from the 2018/19 Capital Works Program.

This is being closely monitored to ensure existing staff are supported in the delivery of the program.

#### **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By:           Coordinator – Capital Work, Gene Chiron**

**Report Authorised By:       Acting Director, Engineering and Infrastructure, Matt Hanrahan**

#### **Attachments**

Nil

## 8.2 Contract 2505 - Mowing of Open Spaces and Road Reserves

**SUMMARY: Coordinator Active Open Space, Lara Wilson**

**This report considers and recommends the appointment of tenderers for Contract No. 2505 – Maintenance of Open Spaces and Road Reserves.**

### RECOMMENDATION

**That Council:**

- 1. Award Contract No. 2505 – Maintenance of Open Spaces and Road Reserves, to the following contractors:**

<b>Skyline Landscapes Pty Ltd</b>	<b>Main Roads and outer separators Reserves, Road Closures and Other Areas (Area 2) Reserves, Road Closures and Other Areas (Area 3)</b>
<b>Sanpoint Pty Ltd T/A LD Total (LD Total)</b>	<b>Reserves, Road Closures and Other Areas (Area 1) Significant Lawns and Childcare Centres Roadsides and undeveloped blocks</b>
<b>Kendell Income Trust (Shenoc Pty Ltd)</b>	<b>Linear Paths</b>

at their tendered schedule of rates for an initial period of one (1) year with possible further extensions of up to two (2) increments of two (2) years each to a maximum contract term of five years.

- 2. Note expenditure under this contract in 2019/20 is in accordance with Council’s adopted budget and expenditure in future years will be in accordance with the approved budget allocations.**
- 3. Authorise the Chief Executive Officer to execute contract agreements with the above contractors.**
- 4. Authorise the Chief Executive Officer to negotiate and execute extensions to Contract No. 2505 – Maintenance of Open Spaces and Road Reserves to the maximum five-year contract term.**
- 5. Advise all tenderers accordingly.**

### 1. INTRODUCTION

Contract 2505 consolidates the preceding Open Space and Road Reserve Management contracts as listed below:

- 2359 (Maintenance of Tree Reserves, Outer Separators and Other Areas along Main Roads)
- 2362 (Maintenance of Reserves, Road Closures and Other Areas)
- 2363 (Maintenance of Significant Lawns)
- 2364 (Maintenance of Linear Paths)

Under Contract 2505, contractors will undertake cyclic mowing, spraying, brushcutting, reach mowing and edging of grassed areas and paths throughout the city of Knox at seasonally defined frequencies.

The works will be delivered at Schedule of Rates per cut for each contract component. The contractor will also provide a Schedule of Rates per square metre for additional works and variations.

Contract 2505 will be delivered utilising recently developed spatial data which will increase the ease and quality of service delivery.

Contract 2505 is to commence on 1 September 2019 until 31 August 2020 for a one (1) year period with the option of two (2) x two (2) year extensions at Council’s discretion.

## **2. DISCUSSION**

### **2.1 Proposed Works/Services**

Contractors will undertake cyclic mowing, spraying, brushcutting, reach mowing and edging of grassed areas and paths throughout the municipality. The removal of debris, fallen branches/limbs, glass, paper, litter, dumped items and other rubbish within Council’s open spaces will also be undertaken prior to mowing.

Contractors will deliver seven (7) components of work as outlined below under a Schedule of Rates and will also provide additional works where required at a cost per square metre to manage variations over the life of the contract:

- Main roads and outer separators
- Linear paths
- Significant lawns and Childcare Centres
- Roadsides and undeveloped blocks
- Reserves, road closures and other areas Area 1
- Reserves, road closures and other areas Area 2
- Reserves, road closures and other areas Area 3

Contract No. 2505 will be for the following periods:

<b>Contact Period</b>	<b>Dates</b>
12 Months	1 September 2019 to 31 August 2020
24 Months (option)	1 September 2020 to 31 August 2022
24 Months (option)	1 September 2022 to 31 August 2024

### **2.2 Tenders called for**

An invitation to tender notice was placed in The Age and the Leader Group of newspapers, commencing 3 July 2019 and concluding on 24 July 2019.

### **2.3 Tenders Received**

The following tenders were received for Contract No. 2505:

1. Landlinks Pty Ltd
2. Sanpoint Pty Ltd T/A LD Total



3. Skyline Landscapes Pty Ltd
4. Yarra Ranges Contracting Pty Ltd
5. Macca Pty Ltd
6. Shenoc Pty Ltd
7. Get Downes Pty Ltd
8. UDL Group Pty Ltd

### 2.3.1 Evaluation Panel

All members of the Panel signed the Tender Evaluation Panel Declaration Form indicating that they had no Conflict of Interest or association with any tenderers and a probity advisor was present during the tender evaluation process.

### 2.3.2 Evaluation Criteria

The evaluation criteria, as listed in the Conditions of Tender, were assigned the following weightings:

Price	30
Capability, Relevant Experience and Past Performance	40
Customer Service	20
Commitment to Social and Environmental Sustainability Initiatives	10
Total	100

Independent financial checks were also conducted to satisfy Council that the tenderers are capable of meeting the contract requirements financially.

### 2.3.3 Preferred Tenderers

Three (3) tenderers are preferred to deliver the works under Contract 2505 as below:

Skyline Landscape Services (Vic) Pty Ltd (Skyline) is the preferred tenderer for the following works components:

- Main Roads and outer separators
- Reserves, Road Closures and Other Areas (Area 2)
- Reserves, Road Closures and Other Areas (Area 3)

Sanpoint Pty Ltd T/A LD Total (LD Total) is the preferred tenderer for the works components below:

- Reserves, Road Closures and Other Areas (Area 1)
- Significant Lawns and Childcare Centres
- Roadsides and undeveloped blocks

Kendell Income Trust (Shenoc Pty Ltd) is the preferred tender for the component below:

- Linear Paths

### **3. CONSULTATION**

Consultation has occurred with stakeholders during the phases of tender preparation and advertising. Consultation has also occurred with the current Project Officers and the wider Parks management team during the evaluation phase to ensure a successful tendering process was achieved.

### **4. ENVIRONMENTAL / AMENITY ISSUES**

The services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's open space, keeping grassed areas trimmed and free of rubbish, weeds and tree debris.

Concerning sites of biological significance and significant vegetation, Council's Biodiversity team have been consulted during preliminary planning and no remnant vegetation should be affected during the maintenance cycles. Council's Project Manager will ensure the contractor adheres to the approved systems and procedures.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

Based on the service levels in table 1 below, it is anticipated that the cost of delivery over the course of one (1) year will be approximately \$1,255,600 (excluding GST).

The contract is anticipated to commence on 1 September 2019 for a period of one year if adopted by Council, with the option of two (2) x two (2) year extensions at Council's discretion. Assuming the extensions are granted over the full contract term, these works – including likely CPI increases – are estimated to cost approximately \$6,300,000.

### **6. SOCIAL IMPLICATIONS**

The services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's road network, parks and open spaces.

The services will also aid in keeping the municipality weed and pest free, reduce the amount of litter, and provide useable open space for active and passive recreation.

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

#### **Goal 1 - We value our natural and built environment**

Strategy 1.1 - Protect and enhance our natural environment

#### **Goal 4 - We are safe and secure**

Strategy 4.3 - Maintain and manage the safety of the natural and built environment

#### **Goal 6 - We are healthy, happy and well**

Strategy 6.2 - Support the community to enable positive physical and mental health

## 8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Coordinator Active Open Space, Lara Wilson - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director Engineering and Infrastructure, Matthew Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## 9. CONCLUSION

Following the tender evaluation process, the following tenderers achieved the highest evaluation rating for the components below and it is recommended that Council accept their Schedule of Rates for the following services:

Skyline Landscapes Pty Ltd	Main Roads and outer separators Reserves, Road Closures and Other Areas (Area 2) Reserves, Road Closures and Other Areas (Area 3)
Sanpoint Pty Ltd T/A LD Total (LD Total)	Reserves, Road Closures and Other Areas (Area 1) Significant Lawns and Childcare Centres Roadsides and undeveloped blocks
Kendell Income Trust (Shenoc Pty Ltd)	Linear Paths

## 10. CONFIDENTIALITY

A confidential attachment – Procurement Report has been circulated under a separate cover.

**Report Prepared By: Coordinator, Active Open Space – Lara Wilson**

**Report Authorised By: Acting Director, Engineering and Infrastructure – Matthew Hanrahan**

### Attachments

A confidential attachment has been circulated under a separate cover.

## 9 Community Services Officers' Reports for consideration

### 9.1 Leisure Minor Capital Works Grant Scheme 2019-20

#### **SUMMARY: Coordinator Leisure Services, Bronwyn Commandeur**

**This report presents the recommendations of the Leisure Minor Capital Works Grant Scheme (LMCWGS) Committee to Council for funding. The annual LMCWGS supports community sporting and leisure organisations to undertake facility improvements on land owned or managed by Council.**

#### **RECOMMENDATION**

**That Council:**

- 1. Approves a funding allocation of \$90,865 (including GST) from the 2019-20 Leisure Minor Capital Works Grants to the applicant clubs nominated in Attachment 1;**
- 2. Specifies that additional grant conditions are required for the sporting organisations listed in Attachment 2; and**
- 3. Notes that Council's Leisure Minor Capital Works Grant Scheme Assessment Criteria will be reviewed and presented to Council at a future meeting to consider criteria for future projects deemed to be more appropriately funded by the Open Space Reserve.**

#### **1. INTRODUCTION**

The Leisure Minor Capital Works Grant Scheme (the Scheme) is an annually funded program that enables Council to financially assist community sporting and leisure organisations to undertake facility improvement projects on Council's recreation reserves, which they tenant.

The Leisure Minor Capital Works Grant Scheme Policy (the Policy) directs the type and level of financial contribution that Council will provide to community sporting and leisure organisations for improvements on Council's reserves.

The Policy enables organisations to apply for a contribution from Council of between 50% and 70% of the total project cost based on the project type (e.g., pavilion improvements 50%, risk mitigation 70%). The maximum grant that Council will award under the Policy is \$10,000. Grants for associated sporting infrastructure are capped at \$2,500 per item.

Applications submitted to the Scheme are assessed by the Leisure Minor Capital Works Grant Scheme Committee (the Committee). The Committee for 2019-2020 consisted of Councillor Marcia Timmers-Leitch, Councillor Tony Holland and community representative Gary Saultry, a nominee of the Recreation and Leisure Committee. Following assessment by the Committee, projects recommended to receive a grant are presented to Council for consideration and approval.

## 2. DISCUSSION

### 2.1 Applications

Requests for applications from the community for the 2019-20 Leisure Minor Capital Works Grant Scheme opened on 25 February 2019, with applications closing on 17 May 2019. An extensive campaign to advertise the Scheme was conducted reaching all Council wards within the Knox municipality. All applicants were required to use the Smarty Grants online grant management system to submit their applications.

### 2.2 Assessment

A total of 19 applications were received and were assessed by the Committee. The criteria applied to the applications as described in the Policy comprises:

The application clearly demonstrates the need for the project and the level of benefit to the community.	50%
The application demonstrates alignment with Council's strategic priorities.	20%
The project addresses a risk or safety issue.	15%
The degree to which the applicant can demonstrate clear financial need and ability to deliver the project.	15%

#### Table 1 – Assessment Criteria Breakdown

Following the assessment process, the Committee recommends funding 16 of the applications from the Leisure Minor Capital Works Grant Scheme budget.

All projects meet the current Sporting Reserve and Facility Development Guidelines (SRFDG) in line with the requirements of the Policy.

The projects recommended by the Committee to receive a Leisure Minor Capital Works Grant in 2019-20 are detailed in Attachment 1.

The two projects which the Committee assessed as not being funded through the LMCWGS are:

#### a) Upper Ferntree Gully Football Club

Upper Ferntree Gully Football Club applied for funding to relocate the existing scoreboard to Oval 2 at Kings Park. This project is not recommended for funding due to the electrical switchboard currently being unable to accommodate the scoreboard without upgrading the power board. Current works are in progress to upgrade power supply to the site providing provision for a future pavilion, scoreboard and lighting for Oval 2.

Council officers will work with the club to develop a new scope for the works and application for future grant rounds.

#### b) Scoresby Magpies Junior Football Club

Scoresby Magpies Junior Football Club applied for funding for a kitchen refurbishment at Carrington Park Reserve Pavilion. The kitchen refurbishment for this building was completed in 2013 and is scheduled for Council to fund as part of the Renewal Program in 2028-29.

In addition, there was one Club that withdrew their application. The Templeton Tennis Club advised Council Officers on 7 July 2019, noting that as the capital works project involving renewal

of all 8 tennis courts was due for delivery in 2019-2020, the funds requested by the club for the upgrade of the garden beds are no longer required.

### 2.3 Conditions

Conditions have been developed for six of the applications to clarify project requirements that fall above and beyond the conditions of funding outlined within the LMCWGS Policy, including appropriate building, planning and environmental health permits, where applicable. These conditions are noted in Attachment 2.

### 2.4 Application by Sport

A wide range of activities were represented in the applications for the 2019-20 Scheme. A breakdown of the types of activities represented within the submitted applications is set out below:

Sport	Number of applications
AFL	1
Athletics	1
Cricket	5
Multi-Use	3
Soccer	1
Tennis	4
Bowls	1

**Table 2 – Applications by Sport**

An even spread was represented within applications of age ranges and gender participating in sport and leisure. Projects also supported different age cohorts in the community and were spread throughout the municipality. A breakdown of the number of applications received per Ward is outlined in attachment 3.

### 2.5 Completion of the 2018-19 Leisure Minor Capital Works Grant Scheme

A total of 23 LMCWGS projects were supported throughout 2018-19 including five projects carried over from 2017-18. Of these projects, 20 have been completed, with extensions requested by three clubs for completion of works in early 2019-20.

### 2.6 Grant Scheme Evaluation

Grant recipients are required to provide an evaluation of the Scheme upon completion of the project. This evaluation outlines the level of importance and satisfaction rating by recipients of a grant. As shown in Table 3, 100% of clubs are extremely or very satisfied with the Scheme and 92% believe it to be extremely or very important.

Satisfaction Rating		Importance Rating	
Extremely satisfied	50%	Extremely important	83%
Very satisfied	50%	Very important	9%
Satisfied	0%	Important	8%
Opportunity for improvement	0%	Limited importance	0%
Not satisfied	0%	Not important	0%

**Table 3 – Grant Scheme Evaluation Summary**

Successful clubs also provided written feedback, which showed that recipients highly value the support Council provides through these grants and that the Scheme is vital in assisting clubs to carry out minor improvements that may otherwise not have occurred.

Council Officers recognise future work which will include the update of the Policy, due for review in 2020. The review of the Assessment Criteria will consider the conditions for future projects deemed to be more appropriately funded by the Open Space Reserve (historically there has been more submissions than funds available and some projects were more appropriately funded from this reserve allowing for a greater number of worthwhile projects to be implemented).

### **3. CONSULTATION**

All leisure and sporting clubs and organisations within Knox were advised of the 2019-20 Scheme through an awareness campaign over the period of 25 February to 17 May 2019. This included direct emails to all sporting and leisure clubs on the Leisure Services database and targeted emails to groups on Council's leases and licences database, inclusion in the ¼ Time Newsletter and information on Council's website and social media pages. Advertisements were posted in the Knox Leader and the Knox News and the program was discussed at the Knox Community Grants Seminars conducted by the Community Wellbeing Department.

### **4. ENVIRONMENTAL / AMENITY ISSUES**

The provision of the Leisure Minor Capital Works Grants allows local leisure and sporting clubs as tenants of Council's sporting reserves and leisure facilities to apply for a grant(s) to improve and/or address amenity issues at Council's facilities.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

The Committee recommends that grants totalling \$82,604 (ex GST) be awarded to local sporting and leisure organisations. This amount, along with a contingency provision of \$17,396 (ex GST) is provided within Councils LMCWGS 2019-20 budget of \$100,000 (ex GST).

### **6. SOCIAL IMPLICATIONS**

The Leisure Minor Capital Works Grants Scheme assists the local community to develop and improve facilities to participate in leisure and sporting pursuits. This contributes to the development of the social environment and health and wellbeing within Knox by developing community connections and facilitating and promoting active lifestyles.

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

#### **Goal 4 - We are safe and secure**

Strategy 4.2 - Enhance community connectedness opportunities to improve perceptions of safety

Strategy 4.4 - Protect and promote public health, safety and amenity

#### **Goal 6 - We are healthy, happy and well**

Strategy 6.2 - Support the community to enable positive physical and mental health

## **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Coordinator Leisure Services, Bronwyn Commandeur - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Co-Manager Youth, Leisure and Cultural Services, Nicole Columbine - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## **9. CONCLUSION**

The Leisure Minor Capital Works Grant Scheme is an important resource to assist Council's role in encouraging community participation in the development of leisure and sporting activities in partnership with Knox City Council.

The projects recommended for funding in 2019-20 represent a range of leisure and sporting activities in Knox and will support a diverse cross-section of the Knox community.

Successful applicants are required to sign project specific service agreements and will be committed to the provision of relevant project reporting and acquittal forms.

## **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By: Coordinator Leisure Services, Bronwyn Commandeur**

**Report Authorised By: Acting Director, Community Services, Judy Chalkley**

### **Attachments**

1. Attachment 1 - Leisure Minor Capital Works Grant Scheme 2019-2020 [9.1.1 - 2 pages]
2. Attachment 2 - Leisure Minor Capital Works Grant Scheme 2019-2020 - Grant Conditions [9.1.2 - 1 page]
3. Attachment 3 - Leisure Minor Capital Works Grant Scheme 2019 - 2020 [9.1.3 - 1 page]



## ATTACHMENT 1 – LEISURE MINOR CAPITAL WORKS GRANT SCHEME 2019-20

	Organisation Name	Project Title	Facility / Reserve Name	Total Project Cost inc GST	Total Amount Grant Requested Inc GST	Total Ex GST
1	Orana Neighbourhood House	The Garden Room	Orana Neighbourhood House	\$6,650	\$3,325	
2	Ferntree Gully Cricket Club	Storage Shed Construction	Wally Tew Reserve	\$35,000	\$10,000	
3	Guy Turner Reserve Tennis Club	Court Line Replacement	Guy Turner Reserve Tennis Club	\$8,360	\$4,180	
4	Bayswater Cricket Club	Cricket Wicket Ezicover	Marie Wallace Bayswater Oval	\$8,397	\$5,878	
5	Axess Ability	Security Roller Shutters	H V Jones Reserve, Tennis Club Rooms	\$7,958	\$3,979	
6	Rowville Cricket Club	Seebeck Net Repairs	Rowville Recreation Reserve No. 1	\$4,250	\$2,975	
7	St Johns Tecoma Cricket Club	Ceiling Fans Project	Talaskia Reserve	\$3,900	\$1,950	
8	Athletics Knox Board of Management	Shot Put Circles and adjacent concrete area replacement	Knox Park Athletic Track	\$19,690	\$9,845	
9	Bayswater Bowls Club	Kitchen Refurbishment	Bayswater Bowls club	\$20,120	\$10,000	
10	Knox City Tennis Club	Clubhouse Carpet Replacement	Knox City Tennis Club	\$6,926	\$3,085	
11	Scoresby Football and Social Club	Away Team Coach Box	Scoresby Recreation Reserve	\$2,609	\$1,305	

	Organisation Name	Project Title	Facility / Reserve Name	Total Project Cost inc GST	Total Amount Grant Requested Inc GST	Total Ex GST
12	Mountain Gate Tennis Club	Improved Access to Toilets	Mountain Gate Tennis Club	\$14,331	\$7,166	
13	Knox Environment Society	Security Camera and Pathway	Knox Environment Society Nursery	\$3,103	\$2,000	
14	Scoresby Wantirna South Tennis club	Retrofit Courts Lights with LED Lights	Scoresby Tennis Centre	\$29,964	\$10,000	
15	Knox Boronia Churches Cricket Club	Social Room Refurbishment	Miller Reserve	\$10,355	\$5,177	
16	Knox City Football Club	Heaters, Lights and Café Blinds to Terrace	RD Egan Lee Reserve	\$20,000	\$10,000	
	<b>Total</b>			<b>\$201,613</b>	<b>\$90,865</b>	<b>\$82,604</b>
	<b>Budget 2019-20</b>					<b>\$100,000</b>
	<b>Contingency</b>					<b>\$17,396</b>

**ATTACHMENT 2 – LEISURE MINIOR CAPITAL WORKS GRANT SCHEME – GRANT CONDITIONS**

<b>Organisation Name</b>	<b>Project Title</b>	<b>Condition</b>
Ferntree Gully Cricket Club	Storage Shed Construction	A condition of the grant is that, there is a registered commercial builder and a building permit is obtained including any relevant soil testing, storm water connections and certificate of titles.
Axess Ability	Security Roller Shutters	A condition of the grant is that the front door is still operational when shutters are in use to prevent someone being locked inside the building.
Mountain Gate Tennis Club	Improved access to toilets for the community and members	A condition of the grant is that, there is a registered commercial builder and a building permit is obtained including any relevant soil testing, storm water connections and certificate of titles.
Knox Environment Society	Safe Work Conditions	A condition of the grant is that security cameras must be accompanied by appropriate signage. Council officers will provide advice on the requirements of the signage.
Scoresby Wantirna South Tennis Club Inc.	Retrofit Court Lights with LED Lights	A condition of the grant is that the existing globes and fittings to be returned to Council for repurpose at another facility.
Orana Neighbourhood House	Garden Room	A condition of the grant is that there must be an opening at least 1.0m wide that does not have a blind which would allow for an exit path.

**Attachment 3 LMGCWS 2019-20 Applicants by Ward**

A breakdown of the number of applications received per Ward is set out below:

<b>Ward</b>	<b>Number</b>
Baird	1
Chandler	1
Collier	0
Dinsdale	5
Dobson	3
Friberg	2
Scott	1
Taylor	1
Tirhatuan	2

## 9.2 Casual Use of Active Reserves Policy

**SUMMARY:** Leisure Services Officer, Suranga Dissakarunaratne

**This report presents the reviewed Casual Use of Active Reserves Policy for Council consideration.**

**Following a recent review of the Policy, minor updates have been made to provide clarity to users of Active Reserves. The proposed changes to the Policy will enable:**

- **Consistency with other Council policies and programs; and includes;**
- **Minor amendments to terminology; and**
- **Amalgamate the application process of active reserves and public open space by Personal Trainers under Council's online IMS Reserves Manager Program to make the process sustainable and efficient.**

### **RECOMMENDATION**

**That Council:**

- 1. Endorse the proposed changes to the Casual Use of Active Reserves Policy at Attachment 1.**
- 2. Endorse the proposed changes to the Use of Active Reserves and Public Open Space by Personal Trainers Guidelines at Attachment 2.**

### **1. INTRODUCTION**

At its Ordinary Meeting of Council held on 22 September 2015, Council adopted the Casual Use of Active Reserves Policy, a Policy designed to provide guidelines for use of, and access to, sports fields by casual users.

This report outlines changes, which have been proposed to ensure the Policy remains current and continues to support broad access to active reserves by the community.

The proposed changes to the Policy are minor, as the current Policy has proven successful in meeting the needs of Council and the community.

### **2. DISCUSSION**

The purpose of this Policy is to provide guidelines for the use of, or access over, Council's active reserves by casual users including schools, community groups, residents and corporate groups.

With the expectation of making the process efficient and sustainable, all casual bookings including reservations for personal trainers are to be managed via Council's online Reserves Manager Program. The Use of Active Reserves and Public Open Space by Personal Trainers (guidelines) have been updated to reflect this change.

The review of the policy identified the following changes:

1. Included oversowing programs as one of the reasons a sports field usage may be restricted or withdrawn.
2. Smoke free Workplace Policy included as a relevant policy.
3. Helicopter Landings on Council Owned Property Procedure added as a relevant procedure.
4. Casual Booking definition expanded by adding Pre-Season training.
5. The list of active reserves and sports fields updated to reflect the current spaces available for casual usage.

### **3. CONSULTATION**

Consultation has occurred with internal Council departments regarding the amendments to the Policy.

Consultation has also occurred with members from Council's Recreation and Leisure Committee (RLC) in June 2019 regarding the proposed amendments to the current Policy. The feedback from the members included the following:

- Terms and conditions for sub-letting Council facilities by Seasonal Licencees were discussed and clarified.
- Compliance requirements for Personal Trainers were discussed and clarified.
- Fees and charges for Personal Trainers – Committee was of the view that Personal trainers should pay fees and charges for the usage of Council Reserves as they are commercially run activities although there was acknowledgment that activities contributed to improved health and wellbeing of participants. The revised policy does not propose fees for this activity.

### **4. ENVIRONMENTAL / AMENITY ISSUES**

The impact of environmental and amenity issues will be considered as part of the assessment of applications. The proposed conditions of hire will assist in addressing any environmental/amenity issues.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

The review of the Casual Use of Active Reserves Policy will support a future review of Council's fees and charges to incorporate appropriate fees for the various user groups. Currently schools in Knox do not pay to use Council Reserves.

## **6. SOCIAL IMPLICATIONS**

It is important that Council considers the need to have up-to-date and relevant policies that support community participation in sport and recreational activities and, therefore, positively influence the health and wellbeing of the community.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

### **Goal 1 - We value our natural and built environment**

Strategy 1.1 - Protect and enhance our natural environment

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

### **Goal 4 - We are safe and secure**

Strategy 4.1 - Encourage and support the community to take responsibility for their own safety, and the safety of others

Strategy 4.3 - Maintain and manage the safety of the natural and built environment

### **Goal 6 - We are healthy, happy and well**

Strategy 6.1 - Mitigate lifestyle risks such as smoking, risky alcohol consumption and drug use, obesity, lack of physical activity and poor nutrition

Strategy 6.2 - Support the community to enable positive physical and mental health

### **Goal 8 - We have confidence in decision making**

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

## **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Leisure Services Officer, Suranga Dissakarunaratne - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Co-Manager Youth, Leisure & Cultural Services, Peter Gore - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## **9. CONCLUSION**

The Policy has been reviewed to ensure it is current and consistent with related Council policies. It is recommended that Council approve the revised Casual Use of Active Reserves Policy shown at Attachment 1 and the Use of Active Reserves and Open Space by Personal Trainers Guidelines shown at Attachment 2.

## **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By:** Leisure Services Officer, Suranga Dissakarunaratne

**Report Authorised By:** Co-Manager Youth, Leisure & Cultural Services, Nicole Columbine

### **Attachments**

1. Attachment 1 - Policy - Casual Use Of Active Reserves [9.2.1 - 7 pages]
2. Attachment 2 - Guidelines - Use of Active Reserves and Public Open Space by Personal Trainers [9.2.2 - 5 pages]





# Casual Use of Active Reserves

Policy Number:	2012/31	Directorate:	Community Services
Approval by:	Council	Responsible Officer:	Manager – Youth, Leisure & Cultural Services
Approval Date:	<u>11 June</u> 2019	Version Number:	<u>3</u>
Review Date:	<u>11 June</u> 2022		

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## 1. Purpose

The purpose of this policy is to provide guidelines for the use of or access over Council’s active reserve or sports fields by casual users including schools, community groups, residents and corporate groups.

## 2. Context

The policy should be read in conjunction with the seasonal Licence agreement, and should provide groups with the conditions of use and also the procedure for booking via Councils Reserves Manager Program,

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A guiding principle for Council is to effectively manage the use of active reserves / sports fields whilst programming adequate maintenance to provide high quality sporting facilities across the municipality.

## 3. Scope

The policy applies to all Council-owned and managed active reserves / sports fields within the City of Knox as shown at Attachment 1.

Council may, at its sole discretion, restrict or withdraw access to any sports field for any of the following reasons:

- The sports field is unplayable due to inclement weather;
- The sports field is unsafe for match play or training;
- The sports field is required for surface repairs, oversowing programs, maintenance and/or redevelopment works;
- The sports field is required for a community event;
- The sports field is not being properly maintained or use by the user group; or
- The sports field is unavailable due to Council’s response to water restrictions and/or weather conditions.

Restrictions on sports field usage will be considered individual, not en masse, except where weather conditions are likely to affect sports fields equally.



**Inclusions**

This policy applies to all Council-owned and managed active reserves and sports fields and includes:

- Organised activities
- An active recreation/sporting activity or event;
- The assembly of any form of infrastructure on or at an active reserve;
- An activity such as a fair, festival, public event;
- An activity for commercial or promotional purposes;
- Requests for vehicle access;
- Filming or still photography; and
- Wedding ceremonies

**Exclusions**

This policy does not apply to:

- Community groups who are allocated the use of a sports field (including turf wickets) under a seasonal or annual allocation;
- Council land governed by a Lease or Licence;
- Informal or unstructured recreational use of active reserves or sports fields by individual community members;
- Consumption of alcohol, which is governed by the General Provisions Local Laws 2010;
- Signage and advertising at Council's parks and sports fields which is subject to the [Community Signage on Council Open Space Policy](#);

**Deleted:** Personal Trainers organizing fitness classes who are governed by Council's guidelines for the *Use of Public Open Space by Personal Trainers*;

**Deleted:** Council Advertising, Sponsorship and Promotional Signage on Council Land Policy

**Deleted:** Helicopter landings on Council land which is subject to the *Helicopter Landing on Council Owned and Controlled Property* procedure.

**4. References**

The following documents, themes, legislation, policies and procedures or their successor documents, relate to the policy:

**4.1 Community & Council Plan 2017-2021**

**Goal 6: ~~We are healthy, happy and well~~**

- [6.1 Mitigate lifestyle risks such as smoking, risky alcohol consumption and drug use, obesity, lack of physical activity and poor nutrition.](#)
- [6.2 Support the community to enable positive physical and mental health.](#)

**Goal 7: ~~We are inclusive, feel a sense of belonging and value our identity~~**

- [7.2 Celebrate our diverse community.](#)
- [7.3 Strengthen community connections.](#)

**Goal 8: ~~We have confidence in decision making,~~**

- [8.2 Enable the community to participate in a wide range of engagement activities.](#)

**4.2 Relevant Legislation**

- Local Government Act 1989

**4.3 Charter of Human Rights**

- This policy has been assessed against and complies with the Charter of Human Rights

**4.4 Related Council Policies**

- Sporting Reserve and Facility Development Guidelines
- [Sporting Clubs Financial Contributions Towards Reserves Development](#)
- [Smoke Free Workplace Policy](#)

**4.5 Related Council Procedures**

- Guidelines for use of Public Open Space by Personal Trainers
- [Guidelines for Managing Events at Council Facilities](#)

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- [Helicopter Landings on Council owned and controlled Property Procedure.](#)

**4.6 Related Council Plans**

- The Knox Integrated City Strategy 2017-2021
- Knox Leisure Plan 2018-2024
- Community Health and Wellbeing Strategy 2017-2021
- Community Safety Plan 2017-2021
- Open Space Plan 2012-2022

**5. Definitions**

Detail any definitions within the policy.

Council	means Knox City Council, whether constituted before or after the commencement of this Policy.
Individual(s)	means a resident(s) of the Knox Municipality.
Community Group(s)	means a legal entity who provide services, support or activities to the Knox community.
Active Reserves	means primarily Reserves where activities of a sporting nature take place – refer Attachment 1
Bond	means a security deposit or bond which may be held in case of damages to Council land
Casual Booking	means the use outside of seasonal use or use by a group, which has been granted access for a 'one-off', 'irregular' or pre-season use of Sporting Reserve Facilities
Corporate/Business Groups	means companies and organisations that operate for profit
Council Land	means land either owned by the City of Knox or managed by Council on behalf of another authority
Damage	means accidental or willful damage of structures, fixtures, plants and surfaces excluding normal wear and tear
Insurance	means Public Liability insurance
Knox school(s)	means a primary and/or secondary school within the Knox municipality
Organised Activity	means a sport or activity that is organized by an individual, club or group
Other school(s)	means a school outside of the Knox municipality
Seasonal Booking	means the licence granted to any organization to use Sporting Reserve Facilities over the duration of either a Summer or Winter Sports Season as per the dates, time and use listed in the Seasonal Licence Agreement

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**6. Council Policy**

Council has an absolute right and discretion to improve any condition to project its assets and consider the safety of the broader community when granting approval or permitting use and access over Council's active reserves and sports fields.



The following conditions are not exhaustive but are a guide to the likely conditions for use or access to Council's active reserves and sports fields. Additional conditions may be imposed on each individual request.

The following conditions apply to all requests for usage of and access to Council active reserves and sports fields as defined in the "Inclusion" section of this policy:

1. Council approval is required to gain access to Council's active reserve or sports fields. Council has the sole discretion to permit or deny access to Council land.
2. The hours an active reserve or sports field will be available are between 9.00am – 4.00pm. ~~Request for any reserve before or after the said times will be considered on a case by case basis.~~
3. A maximum of one booking per active reserve or sports field per week. Formal bookings may be restricted at seasonal changeover periods.
4. All applications ~~Completed online via Councils' IMS Reserves Manager Program (https://www.imscomply.com.au/knoxrm/) unless specifically requested in a different format.~~
5. The use of Council's active reserve and sports fields is subject to the provisions of Local Laws and any other related policy.
6. Applications to use or access Council's active reserve or sports fields must be made a minimum of 14 working days prior to the day of access. Requests may take longer to assess depending on the activity or nature of access required.
7. All applications for Council approval to use or gain access to active reserves and sports fields are subject to the following:
  - a. The applicant must follow the designated application procedure as advised by Council. The request must be made on the application form. Additional information, for example a site map, may be requested by Council.
  - b. The Co-ordinator Leisure Services and/or the Co-ordinator Active Open Space have the discretion to levy a security deposit to remove rubbish or reinstate Council land to Council's satisfaction. The value of the security deposit will be determined on each individual request and will consider the likelihood of damage as well as the likely cost to reinstate the park or sports field to Council satisfaction (minimum deposit \$300).
  - c. The applicant is responsible, at their cost, for all damage and rubbish generated on site and as a result of the activity.
  - d. If the active reserve or sports field is damaged then Council will undertake necessary works and recoup the costs through the security bond or directly from the applicant accordingly.
  - e. The individual or group requiring use or access to the active reserve or sports field is required to have Public Liability Insurance in a form approved by Council's Insurance Officer in the name of the applicant/user insuring for a minimum of \$20,000,000 against all actions, costs, claims, charges, expenses and damage whatsoever which may be brought or made or claimed against the applicant/user arising out of the use of the area. Proof of this insurance must be provided before use or access is granted.
  - f. Approval is subject to site conditions as determined by the Co-ordinator Leisure Services and/or the Co-ordinator Active Open Space. Site conditions may include but are not limited to the weather conditions and/or safety reasons.
  - g. If approval is denied or terminated at any time by the Co-ordinator Leisure Services and/or the Co-ordinator Active Open Space alternative arrangements are the responsibility of the individual or group.
  - h. No tents or marquees, temporary structures with stakes or pegs are to be used or excavations made without the prior approval of Council.
  - i. No cones are to be used to restrict access within active reserve or sports fields.

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- j. Amusement activities and vehicle access are not permitted unless approved by Council.
- k. No signage is to be displayed without prior approval ~~from Council.~~
- 8. Exclusive use is not permitted; non-participants of the activity are not to be denied access to public open space at any time.
- 9. The applicant/s must prepare and forward a Risk Assessment/ Management Plan to Council for the intended use.
- 10. The applicant/s must immediately report any hazards, issues or damage to Council through the checklist provided and not use the active reserve or sports field if unsafe.
- 11. The applicant is responsible for satisfying all legislation and regulations (eg Occupational Health and Safety, EPA noise control guidelines including the use of PA systems, working from heights policy, Disability Discrimination Act, etc).
- 12. Individuals/groups will be required to liaise directly with tenant sport club/s with respect to the use and access to pavilions and associated equipment that are used by those tenant club/s, and may be required to enter into separate arrangements for their use.
- 13. Requests to access public toilets (if available) must be made through Council's Customer Service Centre on the day of the event. The letter of approval must be provided by the user.
- 14. The Co-ordinator Leisure Services and/or the Co-ordinator Active Open Space reserves the right to restrict or terminate approval at any time particularly if the applicant has failed to comply with the direction of Council Officers or has breached Council's conditions.
- 15. In deciding whether to grant permission for usage of or access over a Council active reserve or sports field, Council will take into consideration the affect that this usage or access may have on other active reserve/sports field users and/or Council's planned maintenance activities.
- 16. The applicant must pay any usage fee or security deposit prior to accessing or using the active reserve or sports field.
- 17. A relevant temporary food permit must be obtained prior to setting up any temporary food premises in the municipality. An application must be submitted to Council's Environmental Health Department at least 14 days prior to the activity.

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#### Fees

Fees and charges for the use of active reserves/sports fields and associated facilities will be in accordance with council's Fees and Charges Schedule as determined through Council's annual budget process.

#### 7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.



Attachment 1 - List of Active Reserves/Sports Fields (as at August 2015)

Active Reserve / Sports Field	Address	Suburb	Sports	Ovals/Grounds
Batterham Park Reserve	Cnr Albert Rd & Miller Rd	The Basin	Cricket, Football	2 Ovals
Benedikt Park Reserve	Rosehill St	Scoresby	Football, Cricket	1 Oval
Carrington Park Reserve	O'Conner Rd	Knoxfield	Football, Cricket	1 Oval
Chandler Park Reserve	Chandler Rd	Boronia	Football, Cricket, Netball	1 Oval, 4 Netball courts
Colchester Reserve	Colchester Rd	Boronia	Rugby, Cricket	2 Rugby fields or 1 Oval
Dobson Park	Cnr Dorset Rd & Francis Cres	Ferntree Gully	Cricket, Football	2 Ovals
R.D. Egan Lee Reserve	Wallace Rd	Wantirna South	Soccer	3 Soccer fields
Eildon Park Reserve	Eildon Pde	Rowville	Cricket, Football	2 Ovals
Scoresby Recreation Reserve (Exner)	Cnr Stud Rd & Ferntree Gully Rd	Scoresby	Cricket, Football	1 Oval
Fairpark Reserve	Scoresby Rd	Boronia	Cricket, Football, Netball	2 Ovals, 2 Netball courts
Wally Tew Recreation Reserve	Brenock Park Drv	Ferntree Gully	Cricket, Football	2 Ovals
Gilbert Park Reserve	Gilbert Park Drv	Ferntree Gully	Baseball, Softball	8 Baseball/Softball fields
Gilmour Park Reserve	New Rd	Upper Ferntree Gully	Cricket	1 Oval
Guy Turner Reserve	Amber St	Bayswater	Soccer, Cricket	2 Soccer fields or 1 Oval
HV Jones Reserve	Kingston St	Ferntree Gully	Cricket, Soccer, Netball	2 Soccer fields or 1 Oval, 2 Netball courts
Karoo Reserve	Karoo Rd	Rowville	Cricket	1 Oval
Kings Park	Willow Rd	Upper Ferntree Gully	Athletics Cricket, Football, Baseball, Softball	3 Ovals, 6 Baseball/Softball fields
Knox Gardens Reserve	Argyle Way	Wantirna South	Cricket, Football	2 Ovals
Knox Park	Ferntree Gully Rd	Knoxfield	Fire track, Cricket, Soccer	3 Soccer fields, or 2 Ovals
Lakesfield Reserve	Lakesfield Rd	Lysterfield	Cricket, Football	1 Oval
Lewis Park Reserve	Lewis Rd	Wantirna	Cricket, Football	3 Ovals



Liberty Avenue Reserve	Liberty Ave	Rowville	Cricket, Football	1 Oval
Llewellyn Reserve	Cathies Lane	Wantirna South	Cricket	2 Ovals
Marie Wallace Bayswater Park and Bayswater Park Oval	Bayswater Rd	Bayswater	Cricket, Football	2 Ovals
Miller Park Reserve	Mountain Hwy	Boronia	Cricket, Football	1 Oval
Milpera Reserve	Milpera Cres	Wantirna	Cricket, Soccer	2 Soccer fields, 1 Oval
Park Ridge Reserve	Dandelion Drv	Rowville	Cricket, Soccer	2 Soccer fields, 1 Oval
Pickett Reserve	Commercial Rd	Ferntree Gully	Cricket, Football	1 Oval
Rowville Recreation Reserve (Seebeck)	Stud Rd	Rowville	Cricket, Football	2 Ovals
Sasses Avenue Reserve	Terama Cres	Wantirna	Cricket, Soccer, Rugby	1 Oval
Schultz Reserve	Kingloch Pde	Wantirna	Cricket, -Football	1 Oval
Stud Park Reserve	Simone Ave	Rowville	Cricket, Football	1 Oval
Talaskia Reserve	Talaskia Rd	Upper Ferntree Gully	Cricket, Football	1 Oval
Templeton Reserve	Templeton St	Wantirna	Cricket, Football	1 Oval
Tormore Reserve	Tormore Rd	Boronia	Cricket, Football	1 Oval
Walker Reserve	Tyner Rd	Wantirna South	Cricket, Football, Netball	1 Oval
Wantirna Recreation Reserve	Mountain Hwy	Wantirna	Cricket, Football	1 Oval
Windermere Reserve	Windermere Drv	Ferntree Gully	Cricket, Football	1 Oval

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 REPLY TO:¶  
 Leisure Services - Knox City Council¶  
 511 Burwood Hwy¶  
 WANTIRNA SOUTH 3152¶  
 (03) 9298 8237 (T) (03) 9298 8224 (F)

# Use of Active Reserves and Public Open Space by Personal Trainers

## 1. Introduction

Knox City Council has developed guidelines for the use of active reserves by personal trainers. The guidelines will assist with managing issues around open space accessibility, wear and tear and public liability.

Before submitting your application, please ensure that you have:

- Read these guidelines in their entirety; and
- Attached copies of the following documentation to the online outlined in Section 2 of the application form.
  - I. Public Liability Insurance
  - II. Personal Training qualifications
  - III. Registration with the peak body/organisation

## 2. Application Process

Personal Trainers are required to complete ~~the~~ an online casual booking application via Council's online IMS Reserves Manager Program (<https://www.imscomply.com.au/knoxrm/>) form located at [www.knox.vic.gov.au](http://www.knox.vic.gov.au) and submit the form to Council 7 weeks a minimum of 14 working days prior to the desired ~~tenancy period or first~~ scheduled session. If the sessions are on an ongoing basis, personal trainers are advised to apply for seasonal tenancy via Council's online IMS Reserves Manager Program a minimum of 7 weeks prior to the desired tenancy period. All casual applicants will be advised of the outcome of their application within 10~~15~~ working days, and tenancy applicants will be notified of the outcome 15 working days prior to the commencement of the tenancy period.

The permit will confirm the following:

- Activities which can be undertaken at the reserve;
- Session dates and times;
- Maximum number of participants; and
- Number of sessions allowed.

~~Personal Trainers must contact Council's Leisure Services Officer once an invoice has been paid. Failure to do so may result in the permit not being issued.~~

## 3. Permit Period

Permits are valid for a maximum of six months, with the dates varying depending on the tenancy period applied for. The two tenancy periods are outlined below:

- Winter period – 1 April to 30 September; and
- Summer period – 1 October to 31 March.

~~Mid tenancy permits will be considered on a case by case basis.~~





## 4. Fees & Charges

No fees are charged for personal trainers for using Council reserves.

## 5. Ground Access

- Sessions are restricted to active reserves and at no times can be conducted at passive reserves. A list of available reserves is located in section 8 of the guidelines;
- The number of permits issued per site will be determined by Council;
- Council reserves the right to restrict training, withdraw use for a Community event, or for repair/maintenance works;
- Exclusive use of the reserve is not permitted and non-participants are not to be excluded from public open space;
- Any damage occurred or cleaning required as a result of a training session will result in all associated costs being forwarded to the permit holder;
- Prior to all sessions, the approved user permit holder must complete a Risk Assessment Ground Safety Analysis Form. Rge Risk Assessment Ground Safety Analysis Forms will be emailed to the approved user along with the confirmation of approval. can be obtained by contacting Council's Leisure Services Officer on 9298 8356;
- The approved user permit holder is required to report to Council in writing any hazards / issues which require Councils attention;
- The approved user permit holder is to manage activities to minimise wear and tear on grassed areas, including rotating use within the booked area and /or alternating activities;
- Approved users Permit holders are to ensure that any exercise equipment does not create any hazards or obstruction to both participants and non-participants or damage the ground;
- Marquees and other equipment are not to be pegged into the ground as this may cause damage to existing irrigation systems;
- Vehicles are not to be driven onto the reserve at any time; and
- Weekly ground audits are continually taking place and if the condition of the ground deteriorates, usage of the ground will be reviewed. Should the ground become unavailable for use, the approved user permit holder will be notified and an alternate venue will be sought. It must be noted however that an alternate venue is not guaranteed.

## 6. Insurance and Safety

- The approved user permit holder must provide a copy of their Public Liability Insurance which indemnifies Knox City Council;
- The approved user permit holder must provide evidence of their peak body registration;
- Approved users Permit holders are to conduct themselves in a proper and orderly manner and be considerate of other users and residents in the area, subject to local laws pertaining to actions in public places;
- Any noise created by training activities shall not be audible from nearby residential properties and trainers are to comply with the EPA noise control guidelines (located at <http://www.epa.vic.gov.au/your-environment/noise>);
- Approved users Permit holders are required to have a first aid kit at each session and is required to keep a log book of any injuries;
- Approved users Permit holders are required to have access to a mobile phone and an emergency contact list;
- Approved users Permit holders are responsible for satisfying all occupational health and safety legislation and regulations, including sun smart practices;



- Council does not accept liability for any debts incurred by an approved user permit holder and shall not be responsible for any property owned by the approved user permit holder or any other person that may be left on the site; and
- Care should be taken with respect to other users and abutting properties when;
  - using whistles, amplified music, megaphones and generators;
  - selling merchandise;
  - using heavy equipment and/or structures; and
  - blocking off areas with structures or barricades, including witches hats.

## 7. General Conditions

- The number of participants per session will be assessed by Council, dependent on the site, however a maximum of 20 participants per session will be allowed;
- The number of sessions per week per reserve will be assessed by Council however a maximum of 10 sessions of 60 minutes per week per reserve will be allowed;
- Sessions will not commence before 6:00am and are to conclude by 8.30pm;
- Hours of operation will be assessed by Council and approved subject to the site;
- Council will collect feedback and if complaints are received will review the approval permit conditions;
- Use of advertising, including the display of 'A-Frames' is to be provided in writing and requires Council's approval, as per Council's Community Signage on Council Open Space Policy Advertising, Sponsorship and Promotional Signs on Council Land Policy;
- The area is to be left clean after each session;
- The use of portable floodlights is not permitted. Should you wish to use an active reserve which has floodlights, cooperation will need to be sought from the existing tenant sporting club; and
- Council possesses the right to terminate its agreement with a trainer without notice if the trainer has failed to comply with reasonable direction of staff or have breached the terms of the approval permit.
- In order to maintain ovals and grassed areas in optimum condition, the following list of equipment (though not exhaustive), are not allowed to be taken onto the ovals and grassed areas.
  - Tyres (any size)
  - Skipping and battle ropes
  - Bosu, medicine, wall or yoga balls
  - Kettlebells and weight training equipment
  - Parallettes
  - Agility and speed ladders

## 8. Active Reserves within Knox

Active Reserve / Sports Field	Address	Suburb	Available for PTs?
Batterham Park Reserve	Cnr Albert Rd & Miller Road	The Basin	✓
Benedikt Park Reserve	Rosehill Street	Scoresby	✓
Carrington Park Reserve	O'Conner Road	Knoxfield	✓
Chandler Park Reserve	Chandler Road	Boronia	✓
Colchester Reserve	Colchester Road	Boronia	✓
Dobson Park	Cnr Dorset Rd & Francis Cres	Ferntree Gully	✓
R.D. Egan Lee Reserve	Wallace Road	Wantirna South	✓
Eildon Park Reserve	Eildon Parade	Rowville	✓
Scoresby Recreation Reserve (Exner)	Cnr Stud Rd & Ferntree Gully Road	Scoresby	✓
Fairpark Reserve	Scoresby Road	Boronia	✓
Wally Tew Recreation Reserve	Brenock Park Drive	Ferntree Gully	✓
Gilbert Park Reserve	Gilbert Park Drive	Ferntree Gully	✓
Gilmour Park Reserve	New Road	Upper Ferntree Gully	✓
Guy Turner Reserve	Amber Street	Bayswater	✓
HV Jones Reserve	Kingston Street	Ferntree Gully	✓
Karoo Reserve	Karoo Road	Rowville	✓
Kings Park	Willow Road	Upper Ferntree Gully	✓
Knox Gardens Reserve	Argyle Way	Wantirna South	✓
Active Reserve / Sports Field	Address	Suburb	Available for PTs?
Knox Park	Ferntree Gully Road	Knoxfield	✓
Lakesfield Reserve	Lakesfield Road	Lysterfield	✓
Lewis Park Reserve	Lewis Road	Wantirna	✓
Liberty Avenue Reserve	Liberty Avenue	Rowville	✓
Llewellyn Reserve	Cathies Lane	Wantirna South	✓
Marie Wallace Bayswater Park and Bayswater Park Oval	Bayswater Road	Bayswater	✓
Miller Park Reserve	Mountain Hwy	Boronia	✓
Milpera Reserve	Milpera Cres	Wantirna	✓
Park Ridge Reserve	Dandelion Drv	Rowville	✓



Pickett Reserve	Commercial Rd	Ferntree Gully	✓
Rowville Recreation Reserve (Seebeck)	Stud Rd	Rowville	✓
Sasses Avenue Reserve	Terama Cres	Wantirna	✓
Schultz Reserve	Kingloch Pde	Wantirna	✓
Stud Park Reserve	Simone Ave	Rowville	✓
Talaskia Reserve	Talaskia Rd	Upper Ferntree Gully	✓
Templeton Reserve	Templeton St	Wantirna	✓
Tormore Reserve	Tormore Rd	Boronia	✓
Walker Reserve	Tyner Rd	Wantirna South	✓
Wantirna Recreation Reserve	Mountain Hwy	Wantirna	✓
Windermere Reserve	Windermere Drv	Ferntree Gully	✓

These guidelines will be reviewed **annually and modified or amended if and when required every 12 months.** (Last updated **June 2019**~~June 2017~~)

## 10 Corporate Services Officers' Reports for consideration

### 10.1 Contract 10504 - Provision of Banking and Bill Payment Services

**SUMMARY:** Acting Manager, Business and Financial Services, James Morris

#### **RECOMMENDATION**

**That Council:**

- 1. Award Contract 10504 for the Provision of Banking and Bill Payment Services to Commonwealth Bank of Australia for an initial contract term of 5 years with 2 possible extension(s) of 2 years to a maximum term of 9 years.**
- 2. Note the estimated contract cost for the maximum term is \$936,361 (including GST).**
- 3. Note expenditure under this contract in 2019/20 is in accordance with Council's adopted budget and expenditure in future years will be in accordance with the approved budget allocations.**
- 4. Authorise the Chief Executive Officer to execute the contract agreements with the above contractor.**
- 5. Authorise the Chief Executive Officer to negotiate and execute extensions to Contract 10504 for the Provision of Banking and Bill Payment Services with the Commonwealth Bank of Australia.**
- 6. Advises all tenderers accordingly.**

#### **1. INTRODUCTION**

Knox City Council is seeking to appoint a provider of Transaction Banking and Payment Processing Services for the period 1 July 2019 until 30 June 2024 with an option of two further 24-month periods which may be executed at the same time.

A public tender was conducted, in accordance with Council legislative requirements.

This tender does not include services relating to loan borrowings or the investment of funds.

The following organisations provided submissions that were considered against the criteria:

- Commonwealth Bank of Australia
- Westpac Institutional Bank
- National Australia Bank
- GoCardless

#### **2. DISCUSSION**

The tender was open for submissions on 13 April 2019. It was originally to close on 14 May 2019 at 2pm, however this was later revised to close on 28 May 2019 at 2pm. The date was extended to allow sufficient opportunity for any interested parties to review and prepare a submission.

An external consultant, Andrew Whitmore of Whitmore Consulting was engaged for the purpose of assisting with this evaluation and tender activity. Andrew prepared the following reports:

---

- Conformance Report
- Qualitative Reference Report
- Pricing Report
- Qualitative Assessment Report

The tender evaluation panel comprised of four members, plus Andrew Whitmore in a non-voting capacity as a technical advisor. All members of the panel signed Conflict of Interest and Confidentiality Agreements.

At the tender evaluation meeting it was unanimously agreed that the Commonwealth Bank of Australia is the preferred tenderer. The Commonwealth Bank of Australia have significant experience in Local Government banking services, and their submission best met Council's expectations as detailed in the evaluation criteria.

Commonwealth Bank of Australia have a strong footprint in the Knox Community, and were able to demonstrate a high level of support for both Council and the Knox Community. They have the largest Branch network within the Knox municipality, and have long term community ties.

Commonwealth Bank of Australia performed strongly in their community commitment. They listed in great detail the support that they offer the Knox community, and their submission was tailored towards the support it offers Knox community groups and the Knox community in general.

### **3. CONSULTATION**

Andrew Whitmore of Whitmore Consulting was engaged to assist Council with the development, management and assessment of responses to the tender.

### **4. ENVIRONMENTAL/AMENITY ISSUES**

This report does not have any environmental or amenity issues for discussion.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

The overall cost of the contract for the maximum term of nine years is \$936,361 (including GST). This is based on the initial term of five years, plus the two x two year extensions available based on satisfactory service delivery.

Expenditure under this contract in 2019/20 is in accordance with Council's adopted budget and expenditure in future years will be in accordance with the approved budget allocations.

The Commonwealth Bank of Australia were able to list in great detail the support it offers to the Knox Community, with their submission tailored towards the support it offers Knox community groups and the Knox community in general.

### **6. SOCIAL IMPLICATIONS**

There are no direct social implications arising from this report.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

### **Goal 8 - We have confidence in decision making**

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

## **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Acting Manager, Business and Financial Services, James Morris - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## **9. CONCLUSION**

The tender representing best value was submitted by Commonwealth Bank of Australia for an overall cost of \$936,361 (including GST) for the maximum nine year term.

The Commonwealth Bank of Australia have significant experience in Local Government banking services, and their submission best met Council's expectations as detailed in the evaluation criteria.

## **10. CONFIDENTIALITY**

Confidential information is contained in Attachment 1 to 5 in the confidential agenda, in accordance with Section 89(2) of the Local Government Act 1989, as the information relates to contractual matters and premature disclosure of the information could be prejudicial to the interests of Council or other persons.

**Report Prepared By: Acting Manager, Business and Financial Services, James Morris**

**Report Authorised By: Director, Corporate Services, Michael Fromberg**

### **Attachments**

Nil

## 10.2 Report on the 2019 Collier Ward By-Election

**SUMMARY: Governance Officer, Damian Watson**

**In accordance with Clause 14 of Schedule 3 of the Local Government Act ('the Act'), this report presents to Council the Victorian Electoral Commission's report on the conduct of the 2019 Collier Ward By-Election.**

### **RECOMMENDATION**

**That Council note the Victorian Electoral Commission's report on the conduct of the 2019 Collier Ward By-Election.**

### **1. INTRODUCTION**

An extraordinary vacancy occurred for the Collier Ward of Knox City Council due to the resignation of Councillor Jackson Taylor on Thursday 6 December 2018.

Councillor Taylor was elected at the Knox City Council general election held on Saturday 22 October 2016.

As the vacancy occurred in a single member ward of the Council and more than 6 months before a general election is due, section 38 of the *Local Government Act 1989 (LG Act)* requires that a by-election be held to fill the vacancy.

The by-election was conducted by the Victorian Electoral Commission (**VEC**), as the statutory election service provider to Knox City Council in accordance with clause 1 of Schedule 2 of the *Local Government Act 1989*. The election was held by attendance voting.

### **2. DISCUSSION**

In accordance with the Act, the Victorian Electoral Commission appointed Ms Leonie Taylor as the Returning Officer for the conduct of the by-election. The election office was established at 40 Birchfield Crescent, Wantirna and opened to the public on Wednesday 20 February 2019.

Nominations for the by-election opened at 9am on Thursday 21 February 2019 and in accordance with Clause 14 closed at 12 noon on Tuesday 26 February 2019. At the close of nominations 3 candidates had nominated. The draw for the position of the ballot paper took place at the election office following the close of nominations.

Early voting commenced at the Election Office from Wednesday 27 February 2019 and continued until Friday 29 March 2019. The number of early votes cast was 3,243.

The other early voting option was pre-poll postal voting. The Returning officer processed 1,086 pre-poll postal vote applications and dispatched ballot papers to an additional 219 registered general postal voters. A combined total of 1,133 postal votes were returned. This includes 86 postal votes that were received by the Returning Officer during the extended postal vote receipt period.

The results of the Collier Ward by-election were declared by the Returning Officer at 3pm on Friday, 5 April 2019 at the Civic Centre.



The participation rate for the Collier Ward by-election was 75.24%. This figure is higher than the average of 61.60% for all attendance elections held across the State at the 2016 local government elections and greater than the 74.41% at the 2016 Knox City Council, Collier Ward general election.

The Election Report details the operational aspects of the conduct of the general elections and includes a detailed analysis of voting and voter participation as well as the communications campaign. A full copy of the report is attached at Appendix A.

### **3. CONSULTATION**

No consultation has been undertaken for the purposes of this report. The Victorian Electoral Commission is required, in accordance with the provisions of the Act, to prepare a report on the conduct of the elections. This report is required to be submitted to Council for information.

### **4. ENVIRONMENTAL/AMENITY ISSUES**

There are no environmental or amenity issues associated with the presentation of this report.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

The conduct of general elections was accounted for in the 2018/19 financial year at a cost of \$137,541.45 excluding GST.

The VEC is also responsible for enforcing compulsory voting. This service will be invoiced separately in the 2019/20 financial year.

### **6. SOCIAL IMPLICATIONS**

This report supports Council's commitment to the open, fair, equitable and transparent conduct of Council elections and further enhances good governance practices.

### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

#### **Goal 8 - We have confidence in decision making**

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

### **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Governance Officer, Damian Watson - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## **9. CONCLUSION**

Overall, the 2019 Collier Ward By-Election was managed well by the Victorian Electoral Commission and it is recommended that Council note this report.

## **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By: Governance Officer, Damian Watson**

**Report Authorised By: Director, Corporate Services, Michael Fromberg**

## **Attachments**

1. 2019 Collier Ward By- Election VEC Report [**10.2.1** - 35 pages]

# **KNOX CITY COUNCIL COLLIER WARD BY-ELECTION**

**March 2019**



## **ELECTION REPORT**



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## Letter of Transmittal

26 June 2019

Tony Doyle  
Chief Executive Officer  
Knox City Council  
511 Burwood Highway  
Wantirna South VIC 3152

Dear Mr Doyle

Pursuant to clause 14 of Schedule 3 of the *Local Government Act 1989*, I submit this report on the Knox City Council, Collier Ward by-election held in March 2019.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Warwick Gatley', with a stylized flourish at the end.

Warwick Gatley AM  
Electoral Commissioner

This page has been intentionally left blank.

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## Background

An extraordinary vacancy occurred for the Collier Ward of Knox City Council due to the resignation of Councillor Jackson Taylor on Thursday 6 December 2018.

Councillor Taylor was elected at the Knox City Council general election held on Saturday 22 October 2016 by attendance voting.

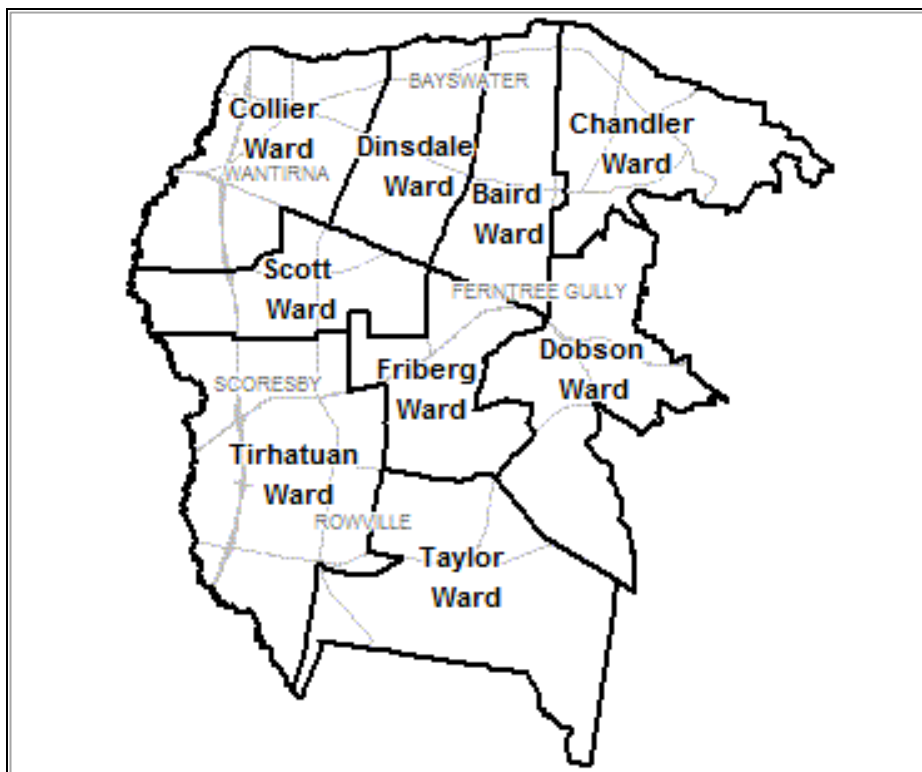
As the vacancy occurred in a single member ward of the council and more than 6 months before a general election is due, section 38 of the *Local Government Act 1989 (LG Act)* requires that a by-election be held to fill the vacancy.

The by-election was conducted by the Victorian Electoral Commission (**VEC**), as the statutory election service provider to Knox City Council in accordance with clause 1 of Schedule 2 of the LG Act.

## About Knox City Council

Knox City Council is comprised of nine single-councillor wards. The structure was last reviewed through an electoral representation review in 2015.

**Figure 1:** Map shows the electoral boundaries of the Knox City Council.



## Election dates

The key dates involved with the by-election were:

Entitlement date	Friday 1 February 2019 at 4.00 pm
Certification of the voters' roll and opening of nominations	Thursday 21 February 2019
Close of nominations	Tuesday 26 February 2019 at 12 noon
Deadline for lodging questionnaires	Wednesday 27 February 2019 at 12 noon
Postal/early voting commences	Wednesday 27 February 2019
How-to-vote card registration opens	Wednesday 27 February 2019
Mailout of <i>EasyVote</i> letter and GPV ballot packs	Friday 1 March 2019
Last day for registering HTVCs	Friday 22 March 2019 at 12 noon
Last day for applications for Postal Votes	Thursday 28 March 2019 at 12 noon
Last day for early voting	Friday 29 March 2019 at 6.00 pm
Election Day	Saturday 30 March 2019
Close of extended postal vote receipt period	Friday 5 April 2019 at 12 noon
Declaration of election result	Friday 5 April 2019 at 3.00 pm

## Voters' roll

The VEC prepared the voters' roll for the by-election under section 8(2)(c) of the *Electoral Act 2002* and in accordance with section 24 of the LG Act. The entitlement date (close of roll) for the by-election was at 4.00 pm on Friday 1 February 2019. Pursuant to section 24(6) of the LG Act, the Registrar certified the voters' roll on Thursday 21 February 2019.

The certified voters' roll for the by-election included 13,087 enrolled voters, comprising as follows:

EC's List <sup>1</sup>	CEO's List <sup>2</sup>	Total
12,177	910	13,087

<sup>1</sup> Electoral Commissioner's List - Residents enrolled on the State register of electors for an address within the Ward through section 12 of the LG Act

<sup>2</sup> Chief Executive Officer's List of council-entitled voters enrolled through entitlements under sections 13 —16 of the LG Act

## Amendments to the voters' roll

In accordance with section 24A of the LG Act, the Registrar is able to amend any error in the preparation, printing or copying of the voters' roll, or correct any misnomer or inaccurate description of any person, place or thing on the voters' roll. If the amendment relates to a CEO's List voter, the Registrar must obtain the approval of the Council's Chief Executive Officer.

After the certification of the voters' roll on Thursday 21 February 2019, the Registrar made one deletion to the roll amending the total number of enrolled voters to 13,086.

## Advertising and communications

### Public notices

The VEC published a series of statutory notices in relation to the by-election. These notices are required by the LG Act and contain critical information relevant to each point of the election timeline. Refer to **Appendix 1** for further information in relation to the statutory advertising.

### VEC website

The VEC provided information for the by-election on its website under the 'Current Elections' page. This was regularly updated with content relevant to each stage of the by-election.

The declared result of the by-election was published on the VEC website on Friday 5 April 2019.

### Media liaison

The VEC's media liaison program principally featured staged media releases aimed to highlight key milestones during the by-election timetable, and capitalise on existing general news coverage. More information on the VEC's media release schedule is available at **Appendix 2**.

### VEC VoterAlert advisories

Victorian electors are able to sign up to the VEC's free SMS or email alert service VoterAlert, to receive reminder messages pertinent to elections that affect them. Voters can subscribe to receive SMS only, email only, or both SMS and email.

During the Collier Ward by-election the VEC utilised the VoterAlert service and sent two direct messages to those people who had subscribed and were on the voters' roll for the by-election.

The messages were rolled out in the following schedule:

- Wednesday 27 February: 3,214 emails and 3,967 SMS alerting voters to the opening of early and postal voting.
- Saturday 30 March: 2,691 emails and 3,274 SMS to voters reminding voters that it was Election Day, and listing voting centres in Collier Ward.

More information on the VEC's VoterAlert advisories is available at **Appendix 3**.

### Blind and low vision services

Braille and large print ballot material was available to blind and low vision voters who had registered for these products by 5.00 pm on Wednesday 20 February 2019.

The VEC received and processed one request for a braille ballot paper.

## Interpreting services

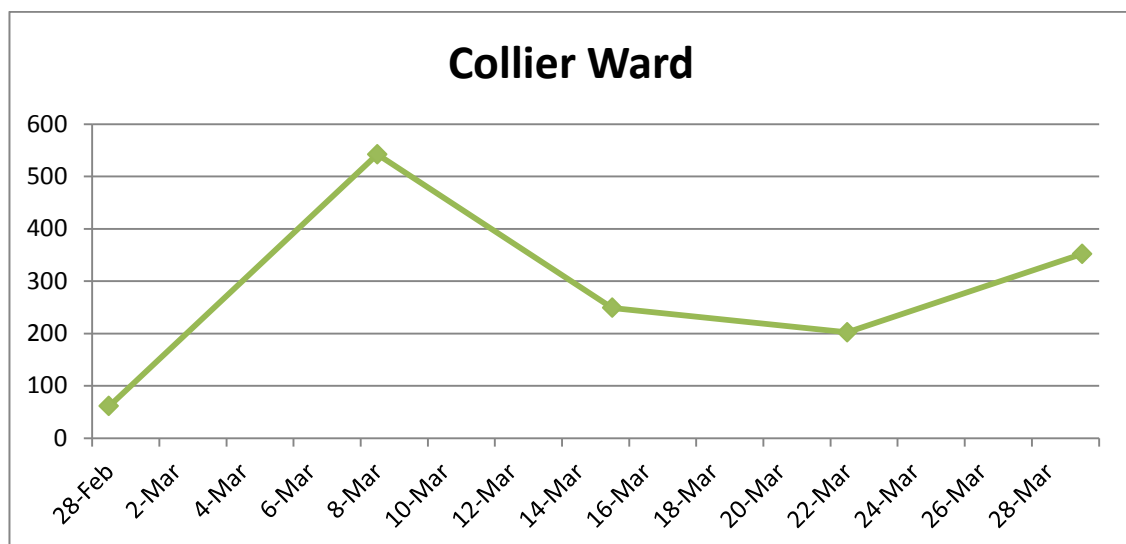
The VEC engaged the Victorian Interpreting and Language Services' Language Link to provide a telephone interpreting service for multi-language telephone enquiries. The VEC advertised direct lines for 20 languages other than English and a general line for all other languages. The VEC received no telephone interpreter assisted calls during the election

## Telephone enquiry service

The VEC and election office provided telephone assistance to members of the public with enquiries regarding the by-election. A total of 1,430 calls were received between Friday 15 February to Friday 29 March 2019.

The types of calls that are typical during an election relate to:

- voting entitlements and compulsory voting obligations
- enrolment questions
- requests for postal vote applications
- where to vote in person before election day or on election day; and
- a voter advising that he or she would be overseas or interstate.



## Election Management Team

The VEC maintains a pool of trained Senior Election Officials located across the State to fill election management roles that occur for State and local government elections. Additional election-specific training is provided to relevant senior election officials prior to each election management appointment.

In accordance with section 3 of the LG Act, the Electoral Commissioner appointed Leonie Taylor as the Returning Officer for the Knox City Council, Collier Ward by-election.

The Electoral Commissioner also appointed Stan Parsons as Deputy Returning Officer to assist Ms Taylor in the conduct of the by-election.

Both Ms Taylor and Mr Parsons have extensive experience in the conduct of State and Local Government elections.

## Election office

The Returning Officer established an election office at 40 Birchfield Crescent, Wantirna. The election office was provided by council.

The election office was open to the public from Wednesday 20 February 2019 until Friday 29 March 2019. The office hours were 9.00 am to 5.00 pm weekdays, except on public holidays. Opening hours were extended on Thursday 28 March 2019 (9.00 am to 8.00 pm) and Friday 29 March 2019 (9.00 am to 6.00 pm) to allow for voters unable to vote on Election Day to cast a vote and for last minute voting enquiries.

## Candidates

Nominations for the by-election opened at 9.00 am on Thursday 21 February 2019, and closed at 12 noon on Tuesday 26 February 2019. Nomination forms were required to be lodged by candidates in person at the election office. A \$250 nomination fee applied.

### Candidate information

Candidates were able to access the VEC's information about the process of nominating and becoming a candidate for the by-election from mid-January 2019. The VEC's candidate helper went live on Thursday 7 February 2019 enabling candidates to pre-complete their nomination form and other forms online before lodging them in person with the Returning Officer.

The Returning Officer conducted an information session for prospective candidates at the Civic Offices, Function Room 2, 511 Burwood Highway, Wantirna South at 7.00 pm on Wednesday 20 February 2019. The presentation at the session summarised critical aspects of the Candidate Handbook and the by-election timeline. Two interested persons attended the session.

## Candidates

Three nominations were lodged by candidates during the nomination period. A ballot draw to determine the order of names on the ballot paper was held at the election office at 1.00 pm on Tuesday 26 February 2019 using the VEC's computerised ballot draw application.

The candidates, in ballot paper order, were as follows:

Candidates
DUNCAN, Chris
TIMMERS-LEITCH, Marcia
WILLIAMS, Robert

### Candidate questionnaires

Candidates were able to complete and lodge their answers to a set of prescribed questions in accordance with Regulation 43. The Returning Officer accepted questionnaire submissions lodged by all candidates.

Voters could access candidates' answers to the candidate questionnaire through the VEC website, or by requesting a hardcopy from the Returning Officer.

### How-to-vote-cards

Applications for registration of how-to-vote cards were received by the Returning Officer from Wednesday 27 February 2019 to 12 noon on Friday 22 March 2019. A total of eight how-to-vote card applications were lodged and all applications were approved for registration.

Registered how-to-vote cards are the only election material permitted to be distributed within 400 metres of a voting centre during early voting or on Election Day during the hours of voting, with no campaigning allowed within six metres of the entrance to a voting centre.

The list of registered how-to-vote cards is contained at **Appendix 5**, including the particulars of the candidate, person, group or organisation that lodged the how-to-vote card. In accordance with the Regulations, voters were able to access the list of registered how-to-vote cards through the VEC website and could inspect the register of how-to-vote cards at the election office.

## Voting

### EasyVote letter

EasyVote letters were prepared in accordance with Regulation 48 of the Electoral Regulations and were mailed to 12,866 enrolled voters in Collier Ward, on Friday 1 March 2019. The letter detailed the voting options for the Collier Ward by-election, including early voting, postal voting, and voting at a voting centre on election day.

Voters were encouraged to take the EasyVote letter with them if they attended a voting centre or an early voting centre as each letter also included a unique reference code associated with the voter to assist election officials to locate the voter on the voters' roll and issue the ballot material.

A sample of the EasyVote letter is provided in **Appendix 4**.

### Postal votes

The Returning Officer accepted 1,086 applications for pre-poll postal votes from 9.00 am on Wednesday 27 February 2019 to 12 noon on Thursday 28 March 2019. In accordance with Regulation 52(1)(a) the VEC also arranged for postal votes to be dispatched to the 219 voters on the Collier Ward voters' roll who were registered as general postal voters.

The Returning Officer received 1,133 returned postal votes. This includes 86 postal votes that were received by the Returning Officer during the extended postal vote receipt period.

### Early votes

Early Voting was available at the early voting centre established at the election office from Wednesday 27 February until close of early voting at 6.00 pm on Friday 29 March 2019.

The Returning Officer issued 3,243 early votes during the early voting period.

### Election Day voting

The Returning Officer appointed four voting centres for the Collier Ward by-election, which were open from 8.00 am to 6.00 pm on Election Day, Saturday 30 March 2019.

Election officials at voting centres issued ordinary votes to voters enrolled in Collier Ward. Unenrolled votes were issued to persons that requested to vote but could not be found on the Knox City Council voters' roll (see below).

The list of appointed voting centres for the Collier Ward by-election is available at **Appendix 6**.

### **Unenrolled declaration votes**

Unenrolled declaration votes were issued to persons that believed that they were entitled to be enrolled for the election but could not be found on the Knox City Council, Collier Ward voters' roll. The person's completed ballot paper was sealed in a declaration envelope and the person was required to complete the declaration on the envelope so it could be assessed by the Returning Officer prior to admitting the ballot paper for counting.

There were 49 unenrolled declaration votes issued by election officials at voting centres and during early voting, and six unenrolled votes were admitted to the count.

## **Results**

### **Counting on Election Day**

All ballot papers for the by-election were counted manually. The conduct of the count commenced after 6.00 pm on Election Day once voting closed. Ordinary votes cast at each voting centre were counted at each voting centre. Counting of early and postal votes commenced simultaneously at the election office.

Provisional first preference results were published on the VEC website on Saturday 30 March 2019. Refer to **Appendix 8** for first preference results.

### **Counting after Election Day**

Counting to first preference continued for postal votes as they were received and admitted throughout the extended postal vote receipt period.

Unenrolled votes to be admitted to the count were counted to first preferences during the week after Election Day.

As one candidate received an absolute majority of first preference votes, once all ballot papers to be included in the count had been counted, a preference distribution was not required.

### **Declaration of results**

The Returning Officer declared Marcia Timmers-Leitch elected at 3.00 pm on Friday 5 April 2019 at the Civic Offices, Function Room 3, 511 Burwood Highway, Wantirna South.

### **Minister notified of Results**

The Minister for Local Government was advised in writing of the by-election result for Collier Ward on Tuesday 9 April 2019.

## **Election statistics**

### **Participation**

Participation is measured by the number of marks on the roll as a percentage of the total enrolment and can vary from turnout. The participation rate in the Knox City Council, Collier

Ward by-election was 75.24% which is higher than the average of 61.60% for all attendance elections held across the State at the 2016 local government elections and also higher than the 74.41% at the 2016 Knox City Council, Collier Ward general election.

Analysis of voter participation for the different enrolment categories shows that voter participation is higher for voters who are enrolled on the EC's List (79.61%) compared to voters enrolled on the CEO's List (16.72%).

Refer to **Appendix 9** for further information on participation, including a breakdown by enrolment category.

### Turnout

Voter turnout is measured by the number of formal and informal votes counted in the by-election as a percentage of voters on the roll.

The voter turnout for the Knox City Council, Collier Ward by-election was 74.98%. This was higher than the voter turnout of 73.96% for the Collier Ward at the last general election held in October 2016.

### Informality

The informal vote recorded at the Knox City Council, Collier Ward by-election was 4.26%. This was lower than the informal rate of 5.10% recorded for the Collier Ward at last general election held in October 2016.

### Complaints

At local government elections, complaints generally fall into two broad categories:

**1. The conduct of participants in the election.**

Complaints about the conduct of candidates and other participants in the election, at times alleging a breach of the LG Act or local laws.

**2. The administration of the election.**

Complaints about the conduct of the election and services to voters.

### Complaints process

The VEC operates a streamlined complaints process during elections that has been developed in consultation with local councils and enforcement agencies. The process requires complaints to be lodged, in writing, and then processed through the VEC's head office in Melbourne.

Each complaint is evaluated and an appropriate course of action is determined. Complaints alleging a breach of the LG Act, for example, are forwarded to the Local Government Inspectorate (LGI). Complaints about the VEC's services or the behaviour or actions of VEC staff and election officials are the responsibility of the VEC. In these cases, the VEC investigates the matter and determines the most appropriate response. The VEC is committed to responding to each complaint within five working days.

### Complaints received

The VEC received one written complaint during the by-election period. The complainant expressed concern regarding misleading information shown on social media.

The issue was investigated and a response was provided to the complainant stating there had been no breach of the LG Act.



## **Post-election activities**

### **Storage of election material**

All records from the by-election will be kept by the VEC safely and secretly in accordance with Regulation 117.

### **Refund of nomination fees**

Nomination fees were refunded to the three candidates on Tuesday 16 April 2019 as they all received at least four percent of the first preference vote,

### **Courts and tribunals**

There were no applications to the Victorian Civil and Administrative Tribunal for a review of decisions to register or not to register a how-to-vote card for the Knox City Council, Collier Ward by-election.

There were no applications to the Municipal Electoral Tribunal disputing the result of the Knox City Council, Collier Ward by-election.

### **Non-voter follow up**

In accordance with Division 7 of Part 3 of the LG Act, the VEC has commenced its compulsory voting enforcement program. Any voter who was required to vote at the Knox City Council Collier Ward by-election and failed to vote will be issued with an Apparent Failure-to-Vote notice. A person who does not respond to that notice, or does not provide a satisfactory response to the notice, will be issued with an Infringement Notice that will incur a penalty. Further follow-up by way of a Penalty Reminder Notice will also take place. Penalties collected on behalf of council will be reimbursed at the end of the Infringement and Penalty Reminder Notices stages.

Additionally, during the Infringement and Penalty Reminder Notices stages, non-voters may request for their matter to proceed directly to the Magistrates' Court. Any such requests will be actioned at the conclusion of the Penalty Reminder Notice stage. The VEC will also lodge the file of any outstanding non-voter infringements with Fines Victoria at the conclusion of the Penalty Reminder Notice stage.

## **Evaluating the VEC's services**

The VEC is committed to providing high quality election services to its local government clients. Through the VEC's formal feedback and debriefing program, the VEC is able to gauge its performance and seek advice for future local government election projects.

### **Feedback from Knox City Council**

Through its contact officer at Knox City Council, the VEC invited feedback on its services. Further feedback may also be provided to the Program Manager for Local Government elections by emailing [ContractManagers@vec.vic.gov.au](mailto:ContractManagers@vec.vic.gov.au).

### **Internal feedback program**

The VEC received feedback from the Returning Officer throughout the conduct of the election.

Any feedback received from council and the Returning Officer will be taken into consideration when the VEC is planning for the conduct of future elections.

## Schedule 1: Record of ballot papers

Knox City Council, Collier Ward By-election	
<b>BALLOT PAPERS PRINTED</b>	
Victorian Electoral Commission	18,500
Returning Officer	36
<b>Total</b>	<b>18,536</b>
<b>BALLOT PAPERS ISSUED</b>	
Issued to ordinary voters on election day	5,489
Issued as early votes before election day	3,243
Issued as postal votes before election day	1,086
Issued as general postal votes before election day	219
Issued to unenrolled declaration voters	49
Issued to other declaration voters	3
Not issued by the Returning Officer	8,447
<b>Total</b>	<b>18,536</b>

In accordance with Regulation 115, I certify that Schedule 1 of this report on the conduct of the Knox City Council, Collier Ward by-election is a true and correct account of the number of ballot papers issued and not used in this election.



Warwick Gately AM  
Electoral Commissioner

## Appendix 1: Public notices

### Notice of entitlement (see Appendix 1.1 for example)

*Knox Leader*

Tuesday 22 January 2019

### Notice of election (see Appendix 1.2 for example)

*Knox Leader*

Tuesday 5 February 2019

### Voting details notice (see Appendix 1.3 for example)

*Knox Leader*

Tuesday 19 March 2019

### Reminder notice (see Appendix 1.4 for example)

*Knox Leader*

Tuesday 26 March 2019

### Notice of result (see Appendix 1.5 for example)

*Knox Leader*


Tuesday 16 April 2019

## Appendix 1.1: Notice of entitlement

# Knox City Council

## Collier Ward By-Election

### Your Council, Your Vote



Knox City Council

### You must be enrolled to vote

A by-election for Collier Ward within Knox City Council will be held on Saturday 30 March 2019.  
To be able to vote, you must be enrolled by 4.00 pm on Friday 1 February 2019.

#### Am I enrolled to vote?

You are already enrolled for this by-election if:

- you will be 18 years of age or over on 30 March 2019 **AND**
- you live in Collier Ward and are on the State electoral roll for your present address **OR**
- you own a property within Collier Ward but don't live in the City of Knox.

You may also be on the roll for this by-election if you enrolled directly with Knox City Council for the October 2016 elections or if you pay rates for a residence or corporation in the City of Knox.

#### You need to enrol if:

- you are an Australian citizen aged 18 or over on Saturday 30 March 2019 **AND**
- you live in Collier Ward and you are not on the State electoral roll **OR**
- you have lived at your present residential address within Collier Ward for at least a month and have not updated your enrolment details, including any changes to your postal address.

#### How do I enrol?

Enrol online at [vec.vic.gov.au](http://vec.vic.gov.au) or pick up a form at any post office or Australian Electoral Commission office and return it to the Victorian Electoral Commission before 4.00 pm on Friday 1 February 2019.

**For enquiries in languages other than English call our interpreting service:**

- አማርኛ 9209 0190 Amharic • عربي 9209 0100 Arabic
- Bosanski 9209 0191 Bosnian • 粵語 9209 0101 Cantonese
- Hrvatski 9209 0102 Croatian • داری 9209 0193 Dari • Dinka 9209 0119 Dinka
- Ελληνικά 9209 0103 Greek • Italiano 9209 0104 Italian
- ខ្មែរ 9209 0192 Khmer • 한국어 9209 0194 Korean
- Македонски 9209 0105 Macedonian • 國語 9209 0106 Mandarin
- فارسی 9209 0195 Persian • Русский 9209 0196 Russian
- Српски 9209 0107 Serbian • Soomaali 9209 0108 Somali
- Español 9209 0109 Spanish • Türkçe 9209 0110 Turkish
- Việt-ngữ 9209 0111 Vietnamese • All other languages 9209 0112

### You may also apply to enrol if:

- you are not an Australian citizen, but you live and pay rates in Collier Ward **OR**
- you pay rates on a property you occupy in Collier Ward and have no other voting entitlement within the City of Knox, e.g. you are a shop tenant and are either named on the Council's rates records to receive the rates notice or have the written consent of the owner to vote in their place **OR**
- you are a director or company secretary of a corporation that pays rates in Collier Ward and have no other voting entitlement within the City of Knox.

If you meet the above criteria and wish to enrol, contact Knox City Council on (03) 9298 8210 for a special enrolment form.

#### How can I check my enrolment?

If you are an Australian citizen who lives in Collier Ward you can check your enrolment details online at [vec.vic.gov.au](http://vec.vic.gov.au) at any time, or call 1300 805 478.  
If you are not an Australian citizen or you are a non-resident, contact the council on (03) 9298 8210

### Enrolment closes at 4.00 pm on Friday 1 February 2019


### Register for our free SMS and email VoterAlert at [vec.vic.gov.au](http://vec.vic.gov.au)

[vec.vic.gov.au](http://vec.vic.gov.au)
 /electionsvic
 @electionsvic
Victorian Electoral Commission

Authorised by W. Gately, AM, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

## Appendix 1.2: Notice of election

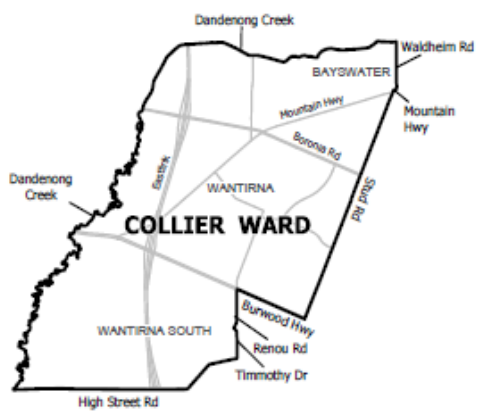
# Knox City Council Collier Ward by-election



**Knox City Council**

### Election day is Saturday 30 March 2019

Voting will take place on Saturday 30 March 2019 at locations to be advertised in the coming weeks. Alternatively, you can vote early or apply to vote by post from Wednesday 27 February. Visit [vec.vic.gov.au](http://vec.vic.gov.au) or call (03) 8619 1400 from Wednesday 20 February for details.



The Returning Officer will be available during business hours from Wednesday 20 February until 12 noon Tuesday 26 February at:

- 40 Birchfield Crescent, Wantirna

To help reduce waiting time while nominations are processed, visit [vec.vic.gov.au](http://vec.vic.gov.au) and pre-complete your nomination form using the Candidate Helper. The Candidate Helper will be available from Thursday 7 February. Print your pre-completed form, sign it and lodge it with the Returning Officer along with the \$250 nomination fee.

Call the Returning Officer from Wednesday 20 February on (03) 8619 1400 to make a nomination appointment.

#### Candidate information session

When: 7.00 pm, Wednesday 20 February  
Where: Civic Offices, Function Room 2  
511 Burwood Highway, Wantirna South

Candidate Information Kits containing nomination forms and other electoral information will be available at this session.

**Leonie Taylor**  
Returning Officer

### Nominations close 12 noon Tuesday 26 February

#### Large print and braille ballot papers

Large print or braille ballot papers are available for blind and low vision voters who register by Wednesday 20 February. To register, call (03) 8620 1122 during business hours.

#### How to nominate as a candidate

To nominate as a candidate you must complete a nomination form and lodge it, together with the \$250 nomination fee, in person with the Returning Officer.

**For enquiries in languages other than English call our interpreting service:**


- **አማርኛ** 9209 0190 Amharic • **عربي** 9209 0100 Arabic • **Bosanski** 9209 0191 Bosnian
- **粵語** 9209 0101 Cantonese • **Hrvatski** 9209 0102 Croatian • **دري** 9209 0193 Dari
- **Dinka** 9209 0119 Dinka • **Ελληνικά** 9209 0103 Greek • **Italiano** 9209 0104 Italian • **ខ្មែរ** 9209 0192 Khmer
- **한국어** 9209 0194 Korean • **Македонски** 9209 0105 Macedonian • **普通话** 9209 0106 Mandarin
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- **Việt-ngữ** 9209 0111 Vietnamese • All other non-English languages 9209 0112

[vec.vic.gov.au](http://vec.vic.gov.au)
 /electionsvic
 (03) 8619 1400
Victorian Electoral Commission

Authorised by W. Gately, AM, Electoral Commissioner, 330 Collins Street, Melbourne, Victoria.

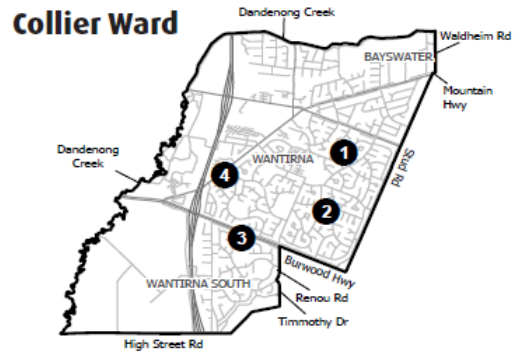
## Appendix 1.3: Voting details

### Knox City Council Collier Ward by-election



#### Where to vote on election day

Voting centres are open from 8.00 am to 6.00 pm on election day, Saturday 30 March.



1. St Luke's Primary School  
25 Stokes Road, Wantirna
2. Templeton Primary School  
1 Crestdale Road, Wantirna
3. The Knox School  
220 Burwood Highway, Wantirna South
4. Wantirna Primary School  
120 Mountain Highway, Wantirna

Visit [vec.vic.gov.au](http://vec.vic.gov.au) for information about voting centre accessibility.

#### Voting before election day

**In person**  
Early voting is open at:

40 Birchfield Crescent, Wantirna

- o 9.00 am to 5.00 pm weekdays until Wednesday 27 March
- o 9.00 am to 8.00 pm Thursday 28 March
- o 9.00 am to 6.00 pm Friday 29 March

**By post**  
Complete a postal vote application online at [vec.vic.gov.au](http://vec.vic.gov.au) or call (03) 8619 1400 to request a paper form.  
Please ensure your postal vote application is submitted as soon as possible. Applications cannot be processed after 12 noon Thursday 28 March.  
Completed ballot material can be returned using the reply-paid envelope provided. Your completed ballot material must be in the mail or hand-delivered to any of the voting centres listed above by 6.00 pm Saturday 30 March.

**EasyVote Letter**  
An EasyVote letter was mailed to every enrolled voter on Friday 1 March. It includes your enrolment details and where to vote.  
Take this EasyVote letter with you when you vote. You can vote without it, but it may take longer.

**Candidates**  
Candidates who have nominated to stand for election are listed at [vec.vic.gov.au](http://vec.vic.gov.au). Responses to the candidate questionnaire, where provided, will also be available at [vec.vic.gov.au](http://vec.vic.gov.au).  
Any how-to-vote cards that have been registered can be viewed at 40 Birchfield Crescent, Wantirna during office hours.

**How to vote correctly**  
You must complete your ballot paper correctly for your vote to count. Put the number **1** in the box next to the candidate you most want to see elected, then number **ALL** the other boxes in order of your preference. You must number **EVERY BOX** and only use each number once.

**Voting is compulsory**  
Voting is compulsory for voters who were on the State roll at 4.00 pm on Friday 1 February 2019.

*Enrolled residents may be fined if they do not vote — this includes homeowners and tenants.*  
You are encouraged to vote (but won't be fined if you don't) if:

- you are aged 70 years or over **OR**
- you live outside the Collier Ward **OR**
- you applied directly with Council to be on the roll.


**Leonie Taylor**  
**Returning Officer**  
Election office location and hours:

40 Birchfield Crescent, Wantirna

- o 9.00 am to 5.00 pm weekdays until Wednesday 27 March
- o 9.00 am to 8.00 pm Thursday 28 March
- o 9.00 am to 6.00 pm Friday 29 March

Tel: (03) 8619 1400 for general enquiries

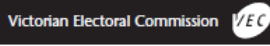
**Voting closes 6.00 pm Saturday 30 March**

**Get reminders to vote**  
[vec.vic.gov.au/voteralert](http://vec.vic.gov.au/voteralert) 

For enquiries in languages other than English call our interpreting service:

• ۰۳۳۰۲۲ 9209 0190 Amharic • ۰۳۳۰۲۲ 9209 0100 Arabic • ۰۳۳۰۲۲ 9209 0191 Bosnian • ۰۳۳۰۲۲ 9209 0101 Cantonese • ۰۳۳۰۲۲ 9209 0102 Croatian • ۰۳۳۰۲۲ 9209 0193 Dari • ۰۳۳۰۲۲ 9209 0119 Dinka  
 • ۰۳۳۰۲۲ 9209 0103 Greek • ۰۳۳۰۲۲ 9209 0104 Italian • ۰۳۳۰۲۲ 9209 0192 Kimer • ۰۳۳۰۲۲ 9209 0194 Korean • ۰۳۳۰۲۲ 9209 0105 Macedonian • ۰۳۳۰۲۲ 9209 0195 Mandarin • ۰۳۳۰۲۲ 9209 0195 Persian  
 • ۰۳۳۰۲۲ 9209 0196 Russian • ۰۳۳۰۲۲ 9209 0107 Serbian • ۰۳۳۰۲۲ 9209 0108 Somali • ۰۳۳۰۲۲ 9209 0109 Spanish • ۰۳۳۰۲۲ 9209 0110 Turkish • ۰۳۳۰۲۲ 9209 0111 Vietnamese  
 • All other non-English languages 9209 0112

[vec.vic.gov.au](http://vec.vic.gov.au)
[/electionsvic](https://www.facebook.com/electionsvic)
[@electionsvic](https://twitter.com/electionsvic)
(03) 8619 1400




Authorised by W. Galaty, AM, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

## Appendix 1.4: Reminder notice

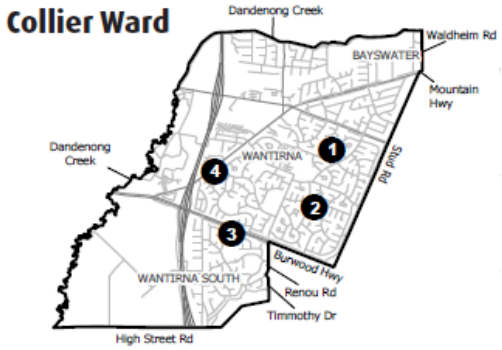
# Knox City Council

## Collier Ward by-election



### Where to vote on election day

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2. Templeton Primary School  
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4. Wantirna Primary School  
120 Mountain Highway, Wantirna

Visit [vec.vic.gov.au](http://vec.vic.gov.au) for information about voting centre accessibility.

### Voting before election day

#### In person

Early voting is open at:

- 40 Birchfield Crescent, Wantirna
  - o 9.00 am to 5.00 pm weekdays until Wednesday 27 March
  - o 9.00 am to 8.00 pm Thursday 28 March
  - o 9.00 am to 6.00 pm Friday 29 March

#### By post

Complete a postal vote application online at [vec.vic.gov.au](http://vec.vic.gov.au) or call (03) 8619 1400 to request a paper form.

Please ensure your postal vote application is submitted as soon as possible. Applications cannot be processed after 12 noon Thursday 28 March.

Completed ballot material can be returned using the reply-paid envelope provided. Your completed ballot material must be in the mail or hand-delivered to any of the voting centres listed above by 6.00 pm Saturday 30 March.

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*Enrolled residents may be fined if they do not vote — this includes homeowners and tenants.*

You are encouraged to vote (but won't be fined if you don't) if:

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- you live outside the Collier Ward **OR**
- you applied directly with Council to be on the roll.

#### Leonie Taylor

##### Returning Officer

Election office location and hours:


40 Birchfield Crescent, Wantirna

- o 9.00 am to 5.00 pm weekdays until Wednesday 27 March
- o 9.00 am to 8.00 pm Thursday 28 March
- o 9.00 am to 6.00 pm Friday 29 March

Tel: (03) 8619 1400 for general enquiries





**Voting closes 6.00 pm Saturday 30 March**

**Get reminders to vote**

[vec.vic.gov.au/voteralert](http://vec.vic.gov.au/voteralert) 



For enquiries in languages other than English call our interpreting service:

• Arabic 9209 0190 Arabic • Bosanski 9209 0100 Arabic • Bosanski 9209 0191 Bosnian • 普通话 9209 0101 Cantonese • Hrvatski 9209 0102 Croatian • Dinka 9209 0119 Dinka  
 • Ελληνικά 9209 0103 Greek • বাংলা 9209 0104 Bangla • हिन्दी 9209 0162 Hindi • 한국어 9209 0194 Korean • Македонски 9209 0105 Macedonian • 普通话 9209 0106 Mandarin • Persian 9209 0196 Persian  
 • Русский 9209 0198 Russian • Српски 9209 0107 Serbian • Somali 9209 0108 Somali • Español 9209 0109 Spanish • Türkçe 9209 0110 Turkish • Tiếng Việt 9209 0111 Vietnamese  
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[vec.vic.gov.au](http://vec.vic.gov.au)
 /electionsvic
 @electionsvic
 (03) 8619 1400
Victorian Electoral Commission


Authorised by W. Cahill, AM, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.

## Appendix 1.5: Notice of result

<b><i>Knox City Council</i></b> <b>Collier Ward by-election</b>	 <i>Knox City Council</i>
<p>DECLARATION OF RESULTS</p> <p>The following candidate was elected at the Collier Ward, Knox City Council by-election that was held on Saturday 30 March 2019:</p> <p><b>TIMMERS-LEITCH, Marcia</b></p> <p><b>Leonie Taylor</b> <b>Returning Officer</b></p> <p>The Victorian Electoral Commission conducted this by-election on behalf of Knox City Council.</p>	
<p>Victorian Electoral Commission </p>	
<p><small>Authorised by W. Gately, AM, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.</small></p>	



## Appendix 2: Schedule of media releases and advisories

Knox City Council, Collier ward By-election - specific media releases and advisories	
Knox City Council by-election set for 30 March	Wednesday 23 January 2019
Call for candidates for upcoming Knox City Council by-election	Wednesday 20 February 2019
Candidates announced for Knox City Council by-election	Tuesday 26 February 2019
Early voting opens for Knox City Council by-election	Wednesday 27 February 2019
Election day approaching for Knox City Council by-election	Thursday 21 March 2019
New councillor for Knox City Council	Friday 5 April 2019

## Appendix 3: VoterAlert advisories

### Appendix 3.1: SMS alters

Wed, 27 Feb, 9:01 am

Knox City Council, Collier Ward attendance by-election is on 30 March. As you are enrolled, voting is compulsory. Early and postal voting is open. Information on voting options, location and candidates: <https://vec.vic.gov.au/knox>

Unsubscribe <https://optout.alert.vec.vic.gov.au/unsub/rfcqw905js92>

Sat, 30 Mar, 8:03 am


It's election day for the Knox City Council, Collier Ward by-election. You are enrolled to vote and voting is compulsory. Voting closes 6pm. Find voting centre locations: <https://vec.vic.gov.au/knox>

Unsubscribe <https://optout.alert.vec.vic.gov.au/unsub/ybhl0jn07g99>

## Appendix 3.2: Email alerts

Wed, 27 Feb, 9:01 am

[View this email in your browser](#)




VoterAlert
Victorian Electoral Commission 

### Knox City Council by-election - Saturday 30 March 2019

Hi Simone,

An attendance by-election is being held for Collier Ward in Knox City Council and you are enrolled to vote.


**Voting options**





- 
 Early voting - Open until 6.00 pm Friday 29 March 2019  
**40 Birchfield Crescent, Wantirna**  
[Find opening hours](#)
- 
 Postal voting - Applications are open until 12 noon on  
**Thursday 28 March**  
[Apply for a postal vote](#)
- 
 Election day - **Saturday 30 March 2019 8.00 am - 6.00 pm**

Find out more

**Do I have to vote?**

Voting in this election is **compulsory**, unless you are 70 years of age or older.  
 Don't risk a fine!

Authorised by W. Gately, AM, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria.



Our mailing address is:  
 Level 11, 530 Collins Street, Melbourne VIC 3000

This message was sent to you by the Victorian Electoral Commission because  
 your contact details are listed on the Victorian electoral roll.

[Privacy](#) | [Unsubscribe](#)

Sat, 30 Mar, 8:03 am

[View this email in your browser](#)

**VoterAlert** Victorian Electoral Commission 

### Knox City Council by-election - Saturday 30 March 2019

Hi Lucas,

A by-election is being held **today** for Collier Ward in Knox City Council and you are enrolled to vote.

**You can vote at any voting centre in Collier Ward between 8.00 am and 6.00 pm.**

**Where to vote**

**The Knox School**  
[220 Burwood Highway, Wantirna South](#)

**Templeton Primary School**  
[1 Crestdale Road, Wantirna](#)

**Wantirna Primary School**  
[120 Mountain Highway, Wantirna](#)


**St Luke's Primary School**  
[25 Stokes Road, Wantirna](#)





[Find out more](#)

**Do I have to vote?**

Voting in this election is **compulsory**, unless you are 70 years of age or older.  
Don't risk a fine!

Please disregard this email if you have already voted.

Authorised by W. Gately, AM, Electoral Commissioner, 530 Collins Street, Melbourne, Victoria. 

Our mailing address is:  
Level 11, 530 Collins Street, Melbourne VIC 3000

This message was sent to you by the Victorian Electoral Commission because your contact details are listed on the Victorian electoral roll.

[Privacy](#) | [Unsubscribe](#)

## Appendix 4: EasyVote letter



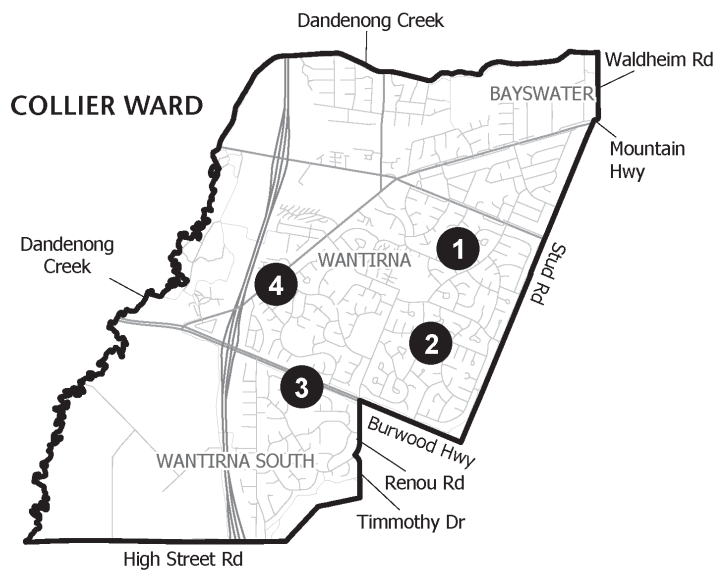
You are enrolled in  
**COLLIER WARD**  
 for the Knox City Council by-election  
 on Saturday 30 March 2019

Victorian Electoral Commission **VEC**

**You are enrolled to vote in Collier Ward for the Knox City Council by-election**

**Election day is Saturday 30 March 2019.**

**Bring this EasyVote letter with you on election day to make voting faster and easier.**



### Voting before election day

Early voting is now available at:

- Knox City Council Election Office  
 Early Voting Centre, 40 Birchfield Crescent, Wantirna

#### Early voting hours

- 9.00 am to 5.00 pm  
 Monday to Friday
- 9.00 am to 8.00 pm on  
 Thursday 28 March
- 9.00 am to 6.00 pm on  
 Friday 29 March

#### By post

Complete a postal vote application online at [vec.vic.gov.au](http://vec.vic.gov.au) or call (03) 8619 1400. Complete and return the application immediately so that your ballot paper can be mailed to you. Your completed postal vote must be in the mail or hand-delivered to a voting centre by 6.00 pm on election day.

### Voting on election day

Saturday 30 March 2019 8.00 am to 6.00 pm

- |  |   |
|--|---|
| <p>1 St Luke's Primary School,<br/>             25 Stokes Road, Wantirna</p> | <p>3 The Knox School, 220 Burwood<br/>             Highway, Wantirna South</p>    |
| <p>2 Templeton Primary School,<br/>             Crestdale Road, Wantirna</p> | <p>4 Wantirna Primary School,<br/>             120 Mountain Highway, Wantirna</p> |

Visit [vec.vic.gov.au](http://vec.vic.gov.au) for more detailed information about voting centre accessibility.

## Voting is compulsory for voters on the State roll for this election

### Do I have to vote?

Voting is **compulsory** for voters who were on the State roll for this by-election on Friday 1 February 2019.

You are encouraged to vote (but won't be fined if you don't) if:

- you are aged 70 years or over **OR**
- you live outside the council area **OR**
- you applied to Council to be on the roll.

### How do I vote?



1. Read the directions on your ballot paper.
2. Place the number 1 in the box next to your preferred candidate, then number the remaining boxes in the order of your choice.
3. Number every box to make your vote count. You must not use any number more than once.

### Information in other languages

For enquiries in languages other than English call our interpreting service:

- ብሔርቲ 9209 0190 Amharic • عربي 9209 0100 Arabic
- Bosanski 9209 0191 Bosnian • 粵語 9209 0101 Cantonese
- Hrvatski 9209 0102 Croatian • داري 9209 0193 Dari • Dinka 9209 0119 Dinka
- Ελληνικά 9209 0103 Greek • Italiano 9209 0104 Italian
- ខ្មែរ 9209 0192 Khmer • 한국어 9209 0194 Korean
- Македонски 9209 0105 Macedonian • 國語 9209 0106 Mandarin
- فارسی 9209 0195 Persian • Русский 9209 0196 Russian
- Српски 9209 0107 Serbian • Soomaali 9209 0108 Somali
- Español 9209 0109 Spanish • Türkçe 9209 0110 Turkish
- Việt-ngữ 9209 0111 Vietnamese • All other non-English languages 9209 0112

### Who are my candidates?



One candidate will be elected to represent Collier Ward.

A list of candidates is available at [vec.vic.gov.au](http://vec.vic.gov.au). Responses to the candidate questionnaire, where provided, are also available.

Registered how-to-vote cards can be viewed at Knox City Council Election Office, 40 Birchfield Crescent, Wantirna.

### VoterAlert



VoterAlert is the VEC's free message service.

You can choose to receive SMS, email, or both SMS and email.

If you are enrolled for this by-election we will send you reminders to vote.

Visit [vec.vic.gov.au/voteralert](http://vec.vic.gov.au/voteralert) to opt in now.

## Keep this letter and bring it with you to make voting faster

### Need more information?

Call (03) 8619 1400 or visit [vec.vic.gov.au](http://vec.vic.gov.au)

If you are deaf or have a hearing or speech impairment phone the National Relay Service 133 677 and ask for 03 8620 1100.

For speech-to-speech relay phone 1300 555 727 and ask for 03 8620 1100.



Victorian Electoral Commission

This election is being conducted by the Victorian Electoral Commission.



**Appendix 5: List of registered how-to-vote cards**

<b>Knox City Council, Collier ward by-election</b>	
<b>Applicant</b>	<b>Submitted on behalf of</b>
Duncan, Chris	Duncan, Chris
Duncan, Chris	Duncan, Chris
Duncan, Chris	Duncan, Chris
Duncan, Chris	Duncan, Chris
Timmers-Leitch, Marcia	Timmers-Leitch, Marcia
Timmers-Leitch, Marcia	Timmers-Leitch, Marcia
Williams, Robert	Williams, Robert
Williams, Robert	Williams, Robert

## **Appendix 6: List of appointed voting centres**

### **Knox City Council, Collier ward by-election**

- St Luke's Primary School, 25 Stokes Road, Wantirna
- Templeton Primary School, 1 Crestdale Road, Wantirna
- The Knox School, 220 Burwood Highway, Wantirna South
- Wantirna Primary School, 120 Mountain Highway, Wantirna



## Appendix 7: Ballot material


**Ballot Paper**  
**Knox City Council**  
**Collier Ward**  
*Election of 1 Councillor*

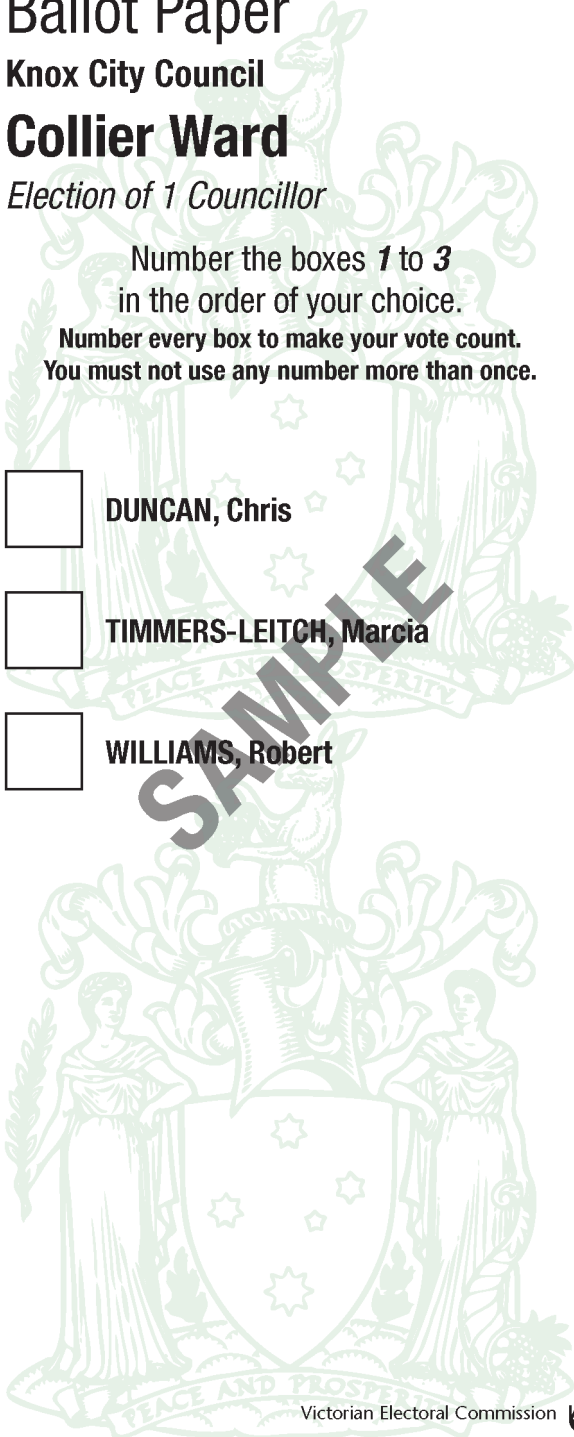
Number the boxes **1 to 3**  
in the order of your choice.  
Number every box to make your vote count.  
You must not use any number more than once.

**DUNCAN, Chris**

**TIMMERS-LEITCH, Marcia**

**WILLIAMS, Robert**

Victorian Electoral Commission 



## Appendix 8: First preference votes report

### Knox City Council, Collier Ward By-election

<b>Enrolment:</b>	13,087
<b>Formal votes:</b>	9,394
<b>Informal votes:</b>	418 (4.26% of the total votes)
<b>Total votes counted:</b>	9,812 (74.98% of the total enrolment)

Candidate	First preference votes	Percentage
DUNCAN, Chris	1,699	18.09%
TIMMERS-LEITCH, Marcia	4,983	53.04%
WILLIAMS, Robert	2,712	28.87%

## Appendix 9: Election participation statistics

Note: Participation is measured by the number of marks on the roll as a percentage of total enrolment and can vary from turnout (total ballot papers counted as a percentage of total enrolment).

<b>Knox City Council, Collier Ward by-election</b>			
<b>Enrolment category</b>	<b>Participation as a percentage of voters enrolled in each category 2019 Collier Ward</b>	<b>Comparator for 2016 Collier Ward Election</b>	<b>Statewide attendance election comparator for 2016 LG elections</b>
Voters enrolled through section 12 of the LG Act	79.61%	78.28%	70.14%
<ul style="list-style-type: none"> <li>aged 18 to 69 years old on election day</li> </ul>	83.53%	82.47%	72.85%
<ul style="list-style-type: none"> <li>aged 70 years and over on election day</li> </ul>	58.92%	53.24%	53.05%
Voters enrolled through sections 13 – 16 of the LG Act	16.72%	15.96%	13.53%
<b>Council total</b>	<b>75.24%</b>	<b>74.41%</b>	<b>61.60%</b>

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Victorian Electoral Commission

Level 11, 530 Collins Street Melbourne Victoria 3000

Ph: 03 8620 1100 | Fax: 03 9629 8632

[vec.vic.gov.au](http://vec.vic.gov.au)

2019

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## 10.3 Minor Grants Program Applications 2019-20

**SUMMARY: Coordinator Community Partnerships, Saskia Weerheim**

This report summarises the recommended grants from the Minor Grants Program. All applications have been assessed against the criteria as set out in the Minor Grants Program Policy.

Applications under the Minor Grants Policy are limited to a maximum of \$3,000, which replaces the previous maximum limit of \$1,500 due to the commencement of the new financial year.

### RECOMMENDATION

That Council:

1. Approve the 13 recommended Minor Grants Program applications for a total of \$30,116.65 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
ISOMER	Funding to purchase raised garden beds.	\$3,000.00	\$3,000.00
Scoresby Magpies Junior Football Club	Funding to stage the club's Under 17's Presentation Gala Event.	\$3,000.00	\$3,000.00
PLEDGE (People Linking to Embrace and Develop Gender Equality)	Funding to stage the 2019 Local Champions Gender Equality Award.	\$2,406.00	\$2,406.00
EACH	Funding to provide posters to promote eye testing for Indigenous children in Knox.	\$1,491.00	\$1,491.00
Ferntree Gully Arts Society	Funding for furniture to form part of a commemorative sculpture garden.	\$866.00	\$866.00
Templeton Orchards Pre-School	Funding for outdoor hollow pine blocks.	\$2,419.95	\$2,419.95
Bayswater CFA	Funding to purchase a heater for the station.	\$1,453.70	\$1,453.70
Knox Community Gardens Society	Funding for a television in the clubrooms for education purposes.	\$3,000.00	\$3,000.00
FW Kerr Preschool	Funding to purchase new children's chairs.	\$1,750.00	\$1,750.00
The Basin Community House	Funding to purchase a defibrillator.	\$2,945.00	\$2,945.00

<b>Bayswater South Primary School 50<sup>th</sup> Celebration Committee</b>	<b>Bayswater South Primary School 50<sup>th</sup> Year</b>	<b>\$3000.00</b>	<b>\$3,000.00</b>
<b>Knoxfield 3 Year Old Group Inc</b>	<b>Funding for an enclosure for outdoor space.</b>	<b>\$1,790.00</b>	<b>\$1,790.00</b>
<b>Knox Football and Netball Club</b>	<b>Funding to purchase a defibrillator.</b>	<b>\$2,995.00</b>	<b>\$2,995.00</b>
<b>TOTAL</b>		<b>\$30,116.65</b>	<b>\$30,116.65</b>

**2. Refuse one Minor Grants Program application for a total of \$3,000.00 as detailed below:**

<b>Applicant Name</b>	<b>Project Title</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
<b>Our Lady of Lourdes Out of School Hours Care</b>	<b>Funding for new payment system and other resources.</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>
<b>TOTAL</b>		<b>\$3,000.00</b>	<b>\$3,000.00</b>

**3. Note that inclusive of the above grants, a total of \$52,408.00 has been awarded under the Minor Grants Program in 2019-20 in support of a variety of community based organisations and their programs.**

**1. INTRODUCTION**

At the Strategic Planning Committee meeting held on 10 July 2017, the Committee endorsed the Minor Grants Program Policy (the Policy), effective from 25 July 2017.

Minor Grants applications must be for the purpose of meeting requests for small, incidental funding requests from eligible organisations within Knox and not exceed \$3,000.

Under the Minor Grants Program Policy an eligible organisation must:

- Provide services, projects and programs that directly benefit residents of the City of Knox;
- Be a not-for-profit legal entity that provides services, support or activities to the Knox community. This expressly excludes educational institutions and State and Federal government departments and agencies; but does not exclude related not for profit organisations, including school councils/auxiliaries/parent groups who otherwise qualify under the Policy;
- Be incorporated or be auspiced by an incorporated body (for grants over \$500 only);
- Have an Australian Business Number or complete a Statement by Supplier form;
- Have a Committee of Management or similar governing body that accepts responsibility for the administration of the Grant (for grants over \$500 only);
- Hold adequate public liability insurance appropriate to the activity outlined in the application;
- Be able to supply permits and plans appropriate to the funded activity where requested by Council; and

- Have provided evidence to Council's satisfaction of the expenditure of any previous grant provided by Council.

## **2. DISCUSSION**

This report presents to Council recommended grant applications in accordance with the Policy.

Council established the Minor Grants Program to ensure that funding could be provided to community groups who request ad hoc, incidental, community based, one-off grants.

The Policy sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 1989.

In accordance with the Policy, applications for funding have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

All recipients of Minor Grants must provide proof of expenditure or purchase. In addition, Minor Grants over \$1,000 must meet all funding agreement requirements.

This report outlines the grant applications received since the 22 July 2019 Ordinary Council meeting. It recommends 12 grants for Council's approval and recommends one application for refusal.

### *2.1 Not Recommended Applications*

The application submitted by Our Lady of Lourdes Out of School Hours Care does not comply with sections 6.11 and 6.14 the Minor Grants Program Policy. These Sections state that a group must be incorporated or auspiced by an incorporated body (s 6.11) and that an applicant must hold adequate public liability insurance appropriate to the activity outlined in the application (s 6.14). We note that Council's Community Partnership Team is assisting this group with governance issues.

Applications under the Minor Grants Policy are limited to a maximum of \$3,000, which replaces the previous maximum limit of \$1,500 due to the commencement of the new financial year.

## **3. CONSULTATION**

Consultation has been undertaken with relevant organisations in relation to their grant applications detailed in this report to seek clarity regarding their applications prior to Council's consideration. The Policy specifies assessment can occur by the Chief Executive Officer, or delegate, and make recommendation for Council's determination.

## **4. ENVIRONMENTAL/AMENITY ISSUES**

There are no environmental or amenity issues associated with this report.

## **5. FINANCIAL & ECONOMIC IMPLICATIONS**

The approval of minor grants is managed within Council's adopted budget. The 2019/20 budget provides \$148,500.00 for the Minor Grants Program. Recommended applications for the July/August period total \$30,116.65. If approved the remaining minor grants budget for 2019/20 would total \$96,092.00.



## **6. SOCIAL IMPLICATIONS**

The Minor Grants program allows Council the flexibility to respond to requests from community groups within Knox at a municipal level. These grants provide applicants the opportunity to participate in and support a variety of community based programs.

## **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

### **Goal 6 - We are healthy, happy and well**

Strategy 6.2 - Support the community to enable positive physical and mental health

### **Goal 7 - We are inclusive, feel a sense of belonging and value our identity**

Strategy 7.3 - Strengthen community connections

### **Goal 8 - We have confidence in decision making**

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

## **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Coordinator Community Partnerships, Saskia Weerheim - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Manager Community Wellbeing, Kathy Parton - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

## **9. CONCLUSION**

This report contains the recommendation for funding through the Minor Grants program.

## **10. CONFIDENTIALITY**

A confidential attachment has been circulated under a separate cover.

**Report Prepared By: Coordinator Community Partnerships, Saskia Weerheim**

**Report Authorised By: Manager Community Wellbeing, Kathy Parton**

### **Attachments**

A confidential attachment has been circulated under a separate cover.

## 10.4 Councillor Child Safe Policy & Procedure

### **SUMMARY: Child Safe Lead, Trish Cooper**

**All children have a right to feel and be safe, to have a say about decisions that affect them and to be recognised as citizens of Knox.**

**The Victorian Child Safe Standards establish a legal requirement for all Council people to be responsible for the safety and participation of children. The Councillor Child Safe Policy and Procedure commit Councillors to these Standards and confirm their civil leadership.**

### **RECOMMENDATION**

**That Council:**

- 1. Adopt the Councillor Child Safe Policy (Attachment 1 to the report).**
- 2. Adopt the Councillor Child Safe Procedure (Attachment 2 to the report).**

### **1. INTRODUCTION**

To protect children from institutional abuse, all organisations that interact with children, including Councils, are legally and morally bound to either state or national standards, established for the safety of children and to promote their participation.

The development of a Councillor-specific Child Safe Policy and Procedure supports Council to publicly demonstrate its commitment to child safety as a whole and more specifically, four of the seven Victorian Government Child Safe Standards:

Child Safe Standard 1: Strategies to embed an organisational culture of child safety

Child Safe Standard 2: A Child Safe Policy

Child Safe Standard 5: Processes for responding to and reporting suspected child abuse

Child Safe Standard 7: Strategies to promote the participation and empowerment of children.

### **2. DISCUSSION**

The Councillor Child Safe Policy and Procedure provide direction for Councillors to meet their obligations under the Child Safe Standards. These documents take into consideration the unique position of Councillors and other obligations, requirements and rights (such as the Local Government Act) that apply to Councillors.

### **3. CONSULTATION**

The proposed policy and procedure were developed by Council's Child Safe Lead with input from Councillors, Executive Management Team, Officers from Governance, as well as Council's nominated Child Safe Officers, to ensure the proposed documents are reflective of the intent of the Child Safe Standards and to provide internal consistency, to the extent possible, with the existing employee Child Safe policy and procedure.

#### **4. ENVIRONMENTAL/AMENITY ISSUES**

Nil identified.

#### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

Nil identified.

#### **6. SOCIAL IMPLICATIONS**

The adoption of a Councillor Child Safety policy and procedure is a demonstration of civic and political leadership and has the potential for positive social impact on the wellbeing of the Knox community and may serve to further increase public confidence in Council's commitment to children and young people's safety, participation and empowerment.

#### **7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021**

##### **Goal 4 - We are safe and secure**

Strategy 4.4 - Protect and promote public health, safety and amenity

##### **Goal 6 - We are healthy, happy and well**

Strategy 6.2 - Support the community to enable positive physical and mental health

##### **Goal 7 - We are inclusive, feel a sense of belonging and value our identity**

Strategy 7.3 - Strengthen community connections

#### **8. CONFLICT OF INTEREST**

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Child Safe Lead, Trish Cooper - In providing this advice as the Author, I have no disclosable interests in this report.

Manager, People and Culture, Sam Stanton - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Officer Responsible – Director Corporate Services, Michael Fromberg - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Officer Responsible – Acting Chief Executive Officer, Ian Bell - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

#### **9. CONCLUSION**

The Councillor Child Safe Policy and Procedures support Council's commitment to child safety and are recommended to Council for adoption.

#### **10. CONFIDENTIALITY**

There are no items of a confidential nature in this report.

**Report Prepared By: Trish Cooper, Child Safe Lead**  
**Report Authorised By: Chief Executive Officer, Tony Doyle**

**Attachments**

1. Attachment 1 - Councillor Child Safe Policy FINAL [**10.4.1** - 9 pages]
2. Attachment 2 - Councillor Child Safe Procedure [**10.4.2** - 3 pages]

# Councillor Child Safe Policy

Policy Number:	Governance	Directorate:	Office of the Chief Executive Officer
Approval by:	Council	Responsible Officer:	Manager People & Culture
Approval Date:		Version Number:	1
Review Date:	3 Years from Meeting Date		

## 1. Purpose

This policy formalises Knox City Council's commitment to:

- Being a child safe organisation
- Zero tolerance of child abuse
- Preventing and reporting of child abuse
- Promoting the cultural safety, participation and empowerment of Aboriginal/Torres Strait Islander children and young people
- Promoting the cultural safety, participation and empowerment of children and young people from culturally and/or linguistically diverse backgrounds
- Ensuring that children and young people with a disability are safe and can participate equally.

## 2. Context

The Victorian Government initiated an inquiry into the handling of child abuse allegations within religious and other non-government organisations. The Betrayal of Trust Report, which detailed the inquiry findings, was tabled in Parliament in 2013.

The Betrayal of Trust Report made a range of recommendations, including the need to better protect children from abuse when they access services provided by organisations. The Child Safe Standards and the Reportable Conduct Scheme are part of the Victorian Government's commitment to implementing these recommendations.

The Child Safe Standards and Reportable Conduct Scheme create distinct sets of responsibilities for organisations, and are designed to complement each other and strengthen the capacity of organisations to prevent and respond effectively to allegations of child abuse. Knox City Council has a legal obligation to comply with the Child Safe Standards and Reportable Conduct Scheme and has appointed Child Safe Officers to support this obligation.

In addition, three criminal offences have also been introduced in Victoria to protect children and young people from child abuse particularly sexual abuse:

### **Failure to disclose:**

All adults, not just those working with children and young people, have a legal duty to report information about alleged child sexual abuse to Victoria Police.



#### **Failure to Protect:**

Any person who:

- By reason of the position they occupy within Council, has the power or responsibility to reduce or remove a substantial risk that a child will become the victim of a sexual offence committed by an adult who is associated with Council; and
- Knows there is a substantial risk,

must not negligently fail to reduce or remove that risk.

#### **Grooming offence:**

Making it illegal to undertake predatory conduct, including verbal or online communication, with the intent of committing child sexual abuse. Communication includes directly with a child or children, or their parents, to create the opportunity to abuse a child.

### 3. Scope

The Victorian Child Safe Standards, the Reportable Conduct Scheme and the relevant legislation outlined below, apply to Knox City Council. This Policy applies to all Councillors and guides Councillors on how to behave with and in support of children and young people who interact with Council business.

### 4. References

#### **4.1 Community & Council Plan 2017-2021**

- We are safe and secure
- We are healthy, happy and well
- We are inclusive, feel a sense of belonging and value our identity
- We have confidence in decision making

#### **4.2 Relevant Legislation**

- Child Wellbeing and Safety Amendment (Child Safety Standards) Act 2015
- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Working with Children Act 2005
- Crimes Act 1958 (VIC) (s 327)
- Family Violence Protection Act 2008
- Equal Opportunity Act 2010
- Privacy and Data Protection Act 2014
- Privacy Act 1988

#### **4.3 Charter of Human Rights**

- This policy has been assessed against and complies with the charter of Human Rights.

#### **4.4 Related Council Policies and Procedures**

- Councillor Code of Conduct
- Councillor Child Safe Procedure

## 5. Definitions

### Aboriginal/Torres Strait Islander Child

A person under the age of 18 who:

- is of Aboriginal or Torres Strait Islander descent
- identifies as being of Aboriginal or Torres Strait Islander origin, and
- is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander Community

### Adult

Any person aged 18 years of age and above

### Child/Young Person

Any person aged below 18 years of age

### Child Abuse

Types of child abuse can include:

- **Physical violence:**
  - **Actual violence** – a child suffers or is likely to suffer harm or an injury from physical force against, with, or in their presence and the action was either intentional or reckless
  - **Apprehended physical violence** – a child thinks that physical force is about to be used against them or another person, as a result of action by a Councillor, staff or volunteer
- **Sexual abuse** – a child is exposed to or suffers from sexual behavior to them, or in their presence, or they are exposed, by an adult, to sexually explicit material
- **Emotional abuse** – a child is severely or repeatedly rejected, isolated, humiliated or threatened, or through witnessing violence by others
- **Neglect** – occurs where there is a significant, deliberate or reckless failure to meet the basic needs of a child in circumstances where the adult understood the needs of the child, or could have understood those needs and had the opportunity to meet those needs but failed to do so. This includes supervisory, physical, educational and emotional neglect.
- **Family violence** – is any violent or threatening behaviour including physical, verbal, emotional, psychological, sexual, financial or social abuse that occurs in any current or previous family, domestic or intimate relationship
- **Grooming** – targets communication, including online communication, with a child or their parents, with the intent of committing child sexual abuse. Grooming does not necessarily involve sexual activity or discussion. It is the establishment of a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time. It is illegal to groom a child under 16 years of age and a significant breach of this policy to groom or sexually harass any child.
- **Racial, cultural and religious abuse** – is behaviour that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be direct or in direct by demonstrating a lack of cultural respect and awareness or failing to provide positive images about another culture

### Children from culturally and/or linguistically diverse backgrounds

A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis..

<b>Child Safe Standards</b>	<p>The Child Safe Standards are a central feature of the Victorian Government’s response to the Betrayal of Trust Inquiry and aim to improve the way organisations that provide services for children and young people prevent and respond to child abuse that may occur within their organisations. The Standards include:</p>
	<ol style="list-style-type: none"> <li>1. Strategies to embed an organisational culture of child safety, including through effective leadership arrangements</li> <li>2. A Child Safe Policy or Statement of Commitment to Child Safety</li> <li>3. A Code of Conduct that establishes clear expectations for appropriate behaviour with children and young people</li> <li>4. Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel</li> <li>5. Processes for responding to and reporting suspected child abuse</li> <li>6. Strategies to identify and reduce or remove risks of child abuse</li> <li>7. Strategies to promote the participation and empowerment of children and young people</li> </ol>
<b>Child Safety</b>	<p>In the context of the child safe standards, child safety means measures to protect children and young people from abuse or neglect, or the threat of abuse or neglect.</p>
<b>Children with a Disability</b>	<p>A disability can be any physical, sensory, neurological disability, acquired brain injury, intellectual disability, or developmental delay that affects a child or young person’s ability to undertake everyday activities. A disability can occur at any time in life. Children and young people can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.</p>
<b>Council</b>	<p>Knox City Council, whether constituted before or after the commencement of this Policy.</p>
<b>Councillor</b>	<p>An elected member of Knox City Council</p>
<b>Indicators of Abuse</b>	<p><b>Physical Abuse</b></p> <ul style="list-style-type: none"> <li>• Physical Signs – unexplained bruises, cuts, burns, broken or fractured bones, tenderness or reduced movement of a part of the body</li> <li>• Behavioural Signs – showing wariness or distrust of adults, wearing long-sleeved clothes on hot days (to hide injury), fear of specific people, change in behavior (eg a quiet child becoming aggressive, or the opposite) reduced academic performance, a younger child losing bladder control, loss of appetite, withdrawing from other children, or from activities.</li> </ul> <p><b>Sexual Abuse</b></p> <ul style="list-style-type: none"> <li>• Physical Signs – presence of sexually transmitted diseases, pregnancy, vaginal or anal bleeding, soreness or discharge, excessive or sudden increase in bed wetting or soiling</li> <li>• Behavioural Signs – displaying sexualised behaviour or knowledge that is unusual for the child’s age, difficulty sleeping, nightmares, being withdrawn, clinginess, complaining of headaches or stomach pains, fear of specific people, showing wariness or distrust of adults, displaying aggressive behaviour.</li> </ul> <p><b>Emotional Abuse</b></p> <ul style="list-style-type: none"> <li>• Physical Signs – delays in emotional, mental or even physical development</li> <li>• Behavioural Signs – low self-esteem, high anxiety, aggressive or demanding behaviour, being withdrawn, passive or tearful, self-harming</li> </ul>



### **Neglect**

- Physical Signs – frequent hunger, malnutrition, poor hygiene, inappropriate clothing
- Behavioural Signs – stealing food, rushing eating or eating excessive available food, not wanting to leave service or staying outside of activity/service hours, aggressive behaviour, misusing alcohol or drugs, academic issues

### **Family Violence**

- Physical Signs – speech disorders, delays in physical development, bruises, cuts, welts, internal injuries
- Behavioural Signs – aggressive language and behaviour, nervous and withdrawn, adjustment problems, passive and compliant behaviour, low tolerance and frustration, wariness or distrust of adults, demonstrated fear of parents/carers or of going home, anxiety and/or depression

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### **Position/Person of Authority**

Is dependent on the degree of supervision, power or responsibility to remove or reduce substantial risk posed by an adult associated with Council. A position of authority can include Councillors, Executive Management, Managers, staff, volunteers and contractors

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### **Reasonable Belief**

A reasonable belief is not the same as having proof. The test for whether a belief is reasonable is whether a reasonable person in the same position would have formed the belief on the same grounds. This may include but not limited by:

- A child or young person stating they have been abused or assaulted
- A child or young person stating they know someone who they believe has been abused, or neglected
- Someone who knows a child or young person stating that they believe the child or young person has been abused or significantly neglected;
- A Councillor, staff or volunteer who observes behavior towards a child that could have caused harm to the child;
- Professional observations of a child or young person's behaviour or development leading a professional to form a belief that the child or young person has been abused, neglected or in fear of abuse
- Signs of abuse leading to a belief that the child or young person has been sexually, physically or emotionally abused

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### **Substantial Risk**

In the context of this policy, a "substantial risk" relates to the likelihood that a child or young person will become a victim of physical, emotional or sexual abuse, or neglect by a person associated with Council.

A risk will be a substantial risk if a person forms the reasonable belief there is a significant likelihood or probability that a child or young person will be abused or neglected.

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## 6. Council Policy

### 6.1 Knox City Council's Statement of Commitment

Children and young people are vital and active participants in our community and Knox City Council is committed to protecting the physical, emotional, cultural and social wellbeing of all children and young people.

Council has zero tolerance of child abuse and is committed to the prevention, investigation and reporting of all allegations of child abuse. Knox City Council recognises that our children and young people's safety is a whole of community responsibility and is everyone's business.

Our commitment to providing a safe environment for children and young people includes policies and systems to protect children and young people and the ongoing education of all Councillors, employees, contractors and volunteers on child safety.

Knox City Council is committed to recognising children as equal citizens of our community, to facilitate their voice and respect their contribution.

### 6.2 Our Children

This policy is intended to keep safe and empower children and young people who are vital and active participants in Council. Council involves children and young people when making decisions, especially about matters that directly affect them. Council listens to the views of children and young people and respects their voices and contributions. Council promotes diversity and tolerance of children and young people, ensuring safety, access and equity of outcomes.

### 6.3 Our People

- 6.3.1 To ensure Councillors are subject to a screening process to support and interact with children in their role, this Policy sets a requirement for Councillors to obtain and maintain a Working with Children Check.
- 6.3.2 This Policy commits Councillors to standards of behaviour with children and young people in our community.
- 6.3.3 Councillors are responsible for supporting the safety, participation, wellbeing and empowerment of children and young people. Following are the behavioural requirements when engaging with children and young people:
- Adherence to the Councillor Child Safe Policy and Councillors Child Safe Procedure at all times as well as the Councillor Code of Conduct
  - Take all reasonable steps to protect children and young people from child abuse
  - Treat all children and young people with respect and in the context of their age and development
  - Listen and respond to the views and concerns of children and young people, particularly if they are disclosing child abuse or are concerned with their own safety or that of another
  - Promote the cultural safety, participation and empowerment of Aboriginal children and young people
  - Promote the cultural safety, participation and empowerment of children and young people with culturally and/or linguistically diverse backgrounds
  - Promote the safety, participation and empowerment of children and young people with a disability

- Ensure as far as practicable that a Councillor, Council staff or volunteer is not left alone with a child or young person.
- Report any child safety concerns or allegations of abuse or neglect to the Chief Executive Officer. If it is reasonably believed that a child or young person is in imminent risk of abuse or neglect this should be reported to police immediately.
- Encourage children and young people to engage in and contribute to all relevant organisational activities where possible, especially on issues that are important to them as citizens and members of our community.

#### 6.3.5 Inappropriate behaviour is identified as:

- Developing any 'special' relationship with a child or young person that could be viewed as favoritism and/or grooming
- Exhibiting behaviours with children which may be construed as unnecessarily physical
- Putting children and young people at risk of child abuse
- Doing things of a personal nature that a child or young person can do for themselves, e.g. toileting or changing clothes
- Engaging in open discussions of a mature or adult nature in the presence of children and young people
- Using inappropriate language in the presence of children and young people
- Expressing personal views on culture, race or sexuality in the presence of children and young people
- Discriminating against any child or young person, including because of culture, race, ethnicity or disability
- Forming relationships or having contact with a child, young person or their family outside of the role of a Councillor where the relationship was established as a result of the Councillor's role. Having any online contact with a child, young person or their family unless necessary for the purpose of conducting Council business
- Ignoring or disregarding any suspected or disclosed child abuse or neglect
- Taking photos or videos of a child without permission of the child and their primary carer
- Storing or using photos or videos of a child without their permission
- Using social media inappropriately, resulting in risk to the child or young person.

## 6.4 Training

- 6.4.1 Training and education are important to ensure that Councillors understand the legislative framework for child safety and understand that the wellbeing and safety of children and young people is everyone's responsibility.
- 6.4.2 Councillors will be provided with training and education to ensure they understand:
- Council's commitment to child safety
  - Appropriate and safe behaviour with, and around children and young people
  - How to identify, assess and minimise risks of child abuse or neglect

- How to report concerns or allegations of child abuse or inappropriate behaviour towards a child.

## 6.5 Reporting Allegations, Concerns and Complaints

- 6.5.1 Council takes all allegations, concerns and complaints in relation to child abuse for any child or young person under the age of 18 years seriously and has procedures in place to investigate thoroughly and quickly.
- 6.5.2 Councillors have a responsibility to report an allegation of child abuse if they have a reasonable belief that an incident has occurred or is at risk of occurring.
- 6.5.3 Allegations of inappropriate Councillor conduct will be reported to the appropriate authority, including Child Protection, Victoria Police or the Commission for Children and Young People, depending on the severity and urgency of the matter. This may also include the Local Government Investigations and Compliance Inspectorate.
- 6.5.4 When reporting an allegation the Councillor Child Safe Procedure must be followed.

## 6.6 Fair Procedures

The safety and wellbeing of children and young people is Council's primary concern. Council will ensure natural justice and a fair process for Councillors, staff and volunteers. The decisions Council makes when investigating and assessing allegations will always be thorough, transparent and based on evidence. Any investigation will be undertaken in accordance with Councillor Child Safe Procedures and any legislative requirements.

## 6.7 Roles and Responsibilities

### 6.7.1 Councillors must:

- Be aware of and understand their obligations under the relevant legislation, Councillor Code of Conduct and Council's policies and procedures in relation to child safety and wellbeing
- Provide an environment where children and young people feel safe, empowered and can participate
- Participate in training/education in relation to identifying, preventing and reporting child abuse
- Report, to the police, concerns about a child being at risk of significant and immediate harm
- Report all concerns and reasonable beliefs in relation to a child or young person being abused or at risk of being abused to the Chief Executive Officer or the Manager People and Culture. Councillors are required to report child abuse whether it has or is, suspected to have taken place in the home, community or a Council service.

## 6.8 Empowering Children

- 6.8.1 Council policies and procedures relating to children and young people will promote participation and empowerment of children and young people.
- 6.8.2 Council programs will build in strategies to promote participation and empowerment of children and young people as well as raising awareness in the organisation and community about children's and young people's views and rights.



## 6.9 Support

Council recognises that situations and discussions relating to child abuse can be confronting and challenging. Councillors are encouraged to access the Employee Assistance Program (EAP). Other information on relevant support services will be provided on request.

## Privacy

- 6.9.1 The collection of any information in relation to this Policy will be in line with Council's Information Privacy and Data Protection Policy.
- 6.9.2 Personal information collected in relation to this Policy will respect the privacy of the individuals involved whether they be Councillors, staff, volunteers, contractors, agency workers, parents, children or young people.

However, where Councillors are required to make a report, the law requires personal information to be included in the report provided to the relevant agencies, e.g. DHHS Child Protection, Commission for Children and Young People or the Police.

It is important therefore that where there is a child safety concern, Councillors do not promise a child, young person or other affected person that their report will be kept secret or not be disclosed.

- 6.9.3 Where Councillors inappropriately disclose confidential information it may result in further action under the Councillor Code of Conduct.

## 7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

# Councillor Child Safe Procedure

Policy Number:	Issued by Governance	Directorate:	Office of the Chief Executive Officer
Approval by:	Council	Responsible Officer:	Manager People & Culture
Approval Date:		Version Number:	1
Review Date:	3 years from approval		

## 1. Purpose

This procedure formalizes the procedure to be followed when applying the Councillor Child Safe Policy.

## 2. Context

The Victorian Child Safe Standards and Reportable Conduct Scheme create distinct sets of legal responsibilities for Knox City Council to prevent and respond effectively to allegations of child abuse.

3 pieces of legislation, Failure to Disclose, Failure to Protect and Grooming Offence also place legal responsibility on individuals to report concerns of abuse of a child.

## 3. Scope

The Councillor Child Safe Policy and Procedure apply to all Councillors and guides Councillors on how to behave with and in support of children and young people when conducting Council business.

## 4. References

### 4.1 Community & Council Plan 2017-2021

- We are safe and secure
- We are healthy, happy and well
- We are inclusive, feel a sense of belonging and value our identity
- We have confidence in decision making

### 4.2 Relevant Legislation

- Child Wellbeing and Safety Amendment (Child Safety Standards) Act 2015
- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Working with Children Act 2005
- Crimes Act 1958 (VIC) (s 327)
- Family Violence Protection Act 2008
- Equal Opportunity Act 2010
- Privacy and Data Protection Act 2014
- Privacy Act 1988

#### 4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

#### 4.4 Related Council Policies

- Councillor Code of Conduct

## 5. Definitions

In this procedure the definitions as set out in the Councillor Child Safe Policy applies.

## 6. Procedure

### 6.1 Councillor Conduct

The Councillor Code of Conduct applies to Councillors in all their interactions and representations of children and youth. It is also recommended that all elected Councillors obtain and maintain a Working with Children Check.

### 6.2 Reporting a Concern of child safety

6.2.1. Where a Councillor has become aware that a child/young person is at risk and they believe that the child is in immediate danger then they should contact the police on 000. Once the child is safe, or if they are not in immediate danger, the Councillor must report their concern to the Chief Executive Officer or the Manager of People and Culture as soon as possible.

6.2.2 Where a Councillor has been informed by a member of the community, or formed a reasonable belief from what they have observed, that the conduct of a:

- Council staff member, contractor or volunteer is unsafe for a child, or
- Councillor is unsafe for a child,

then the Councillor must report the concern to the Chief Executive Officer as soon as possible.

### 6.3 Responding to a Complaint made against a Councillor regarding the safety of a child

6.3.1 When a complaint is received about a Councillor's conduct towards a child the complaint shall be directed to the Chief Executive Officer, and the Chief Executive Officer will notify the Mayor of the complaint and advise:

- whether they have established a reasonable belief that the allegation(s), if substantiated, would amount to a breach of relevant legislation, the Councillor Code of Conduct or Council's policies or procedures
- if the alleged offence involves suspected criminal behaviour, the allegations must be reported to Victoria Police, under the Crime Act 1958
- If a reasonable belief has been formed the CEO must report the allegations to the Commission for Children and Young People (CCYP), under the Reportable Conduct Scheme with 3 business days of becoming aware of the allegation(s)
- whether they have formed a reasonable belief that the allegation(s) appears to be frivolous, vexatious or politically motivated
- The Councillor be encouraged to access the Employee Assistance Program as support during the process.

6.3.2 Where 6.3.1 A-C applies, a letter of allegation will be provided to the affected Councillor by the Mayor with the expectation that the Councillor takes a leave of absence on a 'without admission basis', or an agreed restriction of duties, pending an investigation.



- 6.3.3 A formal investigation will be conducted into the allegations with findings reported to the CEO.
- 6.3.4 Following conclusion of the investigation, the CEO may:
- a. refer the findings to the Chief Municipal Inspector or other appropriate authority for further investigation; and/or
  - b. refer the findings to the Mayor who will invoke Phase 3 of the internal resolution procedure under the Councillor Code of Conduct to appoint an arbiter to consider the findings of the investigation;
  - c. The CEO will advise CCYP of the investigation outcomes in accordance with the Reportable Conduct Scheme requirements.
- 6.3.5 In any instance where the Mayor is the subject of the complaint, the role of the Mayor in sections 6.3.1-6.3.4 above shall be fulfilled by the Deputy Mayor, or another Councillor as appropriate in the discretion of the Chief Executive Officer.

## 7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this procedure. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.



## 11 Items for Information

### 11.1 ICT Capital Works Program

#### **SUMMARY: PA to Manager Information Technology, Rachel Culpitt**

**The ICT Works Report shows projects on Council's ICT Capital Works Program and indicates the status of each project as at 15 August 2019.**

#### **RECOMMENDATION**

**That Council receive and note the ICT Capital Works Report, as at 15 August 2019.**

#### **1. INTRODUCTION**

This report summarises Council's ICT Capital Works Program for the 2019/2020 financial year. The aim of this report is to provide a regular and succinct status summary of each project over the last month. The Capital Works Report, as of 15 August 2019 is attached.

Highlights of the Works Report as at 15 August 2019 Include:

#### **1242 - Website Channel Transformation**

Following the completion of an RFQ with selected digital agencies, quotes for requirements have reached budget thresholds, and the project is obligated to open the requirements up to open tender. 14 August Steering Committee approved a change request to re-baseline timelines to achieve this.

#### **812 - Asset Management System**

Project is tracking to plan. Request for Tender closed, currently evaluating Vendor Responses for shortlisting.

#### **1036 – HR System Enhancement**

The project kick-off and Scoping Workshop has occurred with PageUp and requirements gathering and configuration is underway for Recruitment, On-boarding and Learning modules. The contract has been signed with TimeTarget and the kick off meeting is scheduled for 15th August. The project is on track and within budget.

#### **1034 - Business Intelligence**

Project tracking to plan. Proof of Concept (PoC) completed delivering 6 Sprints and 15 Use Cases. Business case development and preparation for the implementation model for Business Intelligence post learnings from the PoC is underway. The Recommendation report from the vendor will assist to identify benefits realisation.

### **1031 – ICT Spatial Capability**

Following discussions with Tech One, project has decided that sufficient support is available to upgrade rather than replace Intramaps. Installation of a new version (v9.6) is in progress and targeting September completion.

**Report Prepared By: PA to Manager Information Technology, Rachel Culpitt**

**Report Authorised By: Director Corporate Services, Michael Fromberg**

### **Attachments**

1. ICT Status Report #9 [11.1.1 - 2 pages]

## Knox City Council Project Status Report

15-Aug-2019

Project Number	Project Name
789	<b>Facilities Booking Review/Upgrade (ICT Roadmap #)</b>
All Wards	Project on track. RFQ Vendor demonstrations completed last week, further project team assessment occurring this week.
812	<b>Asset Management System (ICT Roadmap #67,68,69,70,32)</b>
All Wards	Project is tracking to plan. Request for Tender closed, currently evaluating Vendor Responses for shortlisting
827	<b>Intranet Redevelopment eRIK (ICT Roadmap #)</b>
All Wards	Awaiting scheduling. Project is dependant on selection of Website development platform and is likely to be undertaken 2019/2020
977	<b>Pathway Program (ICT Roadmap #59,60,61,62,75,76,77,78,79,80,81,82)</b>
All Wards	<p>Projects implemented June &amp; July 2019:</p> <ul style="list-style-type: none"> <li>Attorney General Reporting,</li> <li>Road Opening Permits,</li> <li>Online Shopping Cart,</li> <li>Online Receipt Request,</li> <li>Internal Building Maintenance requests online,</li> <li>Animal Registration incentive.</li> </ul> <p>In progress:</p> <ul style="list-style-type: none"> <li>Permits to Burn,</li> <li>Building Information Certificates,</li> <li>Rates automated Direct Debit letters.</li> </ul> <p>Late with Low Impact:</p> <ul style="list-style-type: none"> <li>New Bin Service request,</li> <li>Building Information Certificates online</li> <li>Building Further Information requests online</li> </ul>
1031	<b>Spatial Capability (ICT Roadmap #31,32,34,35,36,37)</b>
All Wards	Following discussions with Tech One, Project has decided that sufficient support is available to upgrade rather than replace Intramaps. Installation of a new version (v9.6) is in progress and targeting September completion.
1034	<b>Business Intelligence (ICT Roadmap #14,16,17,18,19)</b>
All Wards	Project tracking to Plan. Proof of Concept (PoC) completed delivering 6 Sprints and 15 Use Cases. Business case development and preparation for the implementation model for Business Intelligence post learnings from the PoC is underway. The Recommendation report from the vendor will assist will assist to identify benefits realisation.
1036	<b>HR System Enhancement (ICT Roadmap #84,85,86,98)</b>
All Wards	The project kickoff and Scoping Workshop has occurred with PageUp and requirements gathering and configuration is underway for Recruitment, Onboarding and Learning modules. The contract has been signed with TimeTarget and the kick off meeting is scheduled for 15th August. The project is on track and within budget.

## Knox City Council Project Status Report

15-Aug-2019

<b>Project Number</b>	<b>Project Name</b>
<b>1037</b>	<b>Key Project Initiation Documentation (ICT Roadmap #)</b>
All Wards	Project awaiting scheduling
<b>1242</b>	<b>Website Channel Transformation (ICT Roadmap #3,4,5)</b>
All Wards	Delays to project due to tender process. Waiting for re-baselined project timeline to be endorsed by ICT Steering Committee - 14 August.
<b>1245</b>	<b>Governance System (ICT Roadmap #46,47,48)</b>
All Wards	Project awaiting scheduling
<b>1250</b>	<b>Storage System - DR (ICT Roadmap #21)</b>
All Wards	Project Completed
<b>1254</b>	<b>Cloud Solutions (ICT Roadmap #)</b>
All Wards	Project awaiting scheduling
<b>1255</b>	<b>Server Infrastructure Upgrade (ICT Roadmap #)</b>
All Wards	Project awaiting scheduling
<b>1257</b>	<b>Project Management Office - Major (ICT Roadmap #)</b>
All Wards	Project awaiting scheduling
<b>1364</b>	<b>Project Management Office - Not Major</b>
All Wards	

## 11.2 Assemblies of Councillors

**SUMMARY: Manager, Governance and Strategy, Phil McQue**

**This report provides details of Assembly of Councillors for the period 11 June 2019 to 30 July 2019, as required under section 80A(2) of the Local Government Act.**

### **RECOMMENDATION**

**That Council:**

- 1. Note the written record of Assemblies of Councillors as attached to this report.**
- 2. Incorporate the records of the Assemblies into the minutes of the meeting.**

### **1. INTRODUCTION**

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an Ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

**Report Prepared By: Manager, Governance and Strategy, Phil McQue**

**Report Authorised By: Director, Corporate Services, Michael Fromberg**

### **Attachments**

- 1. Assemblies of Councillors [11.2.1 - 11 pages]**



## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 11/6/2019

**Name of Committee or Group (if applicable):** Issues Briefing

**Time Meeting Commenced:** 7.15pm

#### Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr Tony Holland

Cr Peter Lockwood, Deputy Mayor

Cr Lisa Cooper

Cr John Mortimore

Cr Darren Pearce

Cr Marcia Timmers-Leitch

#### Name of Members of Council Staff Attending:

Tony Doyle

Phil McQue

Ian Bell

Andrew Dowling

Tanya Clark

Robin Cassidy (Item 1)

Michael Fromberg

Joel McCreanor (Item 1)

Matt Kelleher

#### Matters Considered:

1. Draft Road Asset Management Plan

#### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Joanne Ellis

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

**Date of Assembly:** 18/6/2019

**Name of Committee or Group (if applicable):** Youth Advisory Committee

**Time Meeting Commenced:** 6.30pm

**Name of Councillors Attending:**

Cr Marcia Timmers-Leitch

**Name of Members of Council Staff Attending:**

Kelly Bartholomeusz

Tony Justice

Daniel Clark

**Matters Considered:**

1. Knox Skate and BMX Park Redevelopment

**Any conflict of interest disclosures made by a Councillor attending: \* Nil**

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Kelly Bartholomeusz

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 20/6/2019

**Name of Committee or Group (if applicable):** Early Years Advisory Committee

**Time Meeting Commenced:** 6.30pm

**Name of Councillors Attending:**

Cr Lisa Cooper

**Name of Members of Council Staff Attending:**

Janine Brown

Angela Morcos

Robyn Renkema

Jennifer Richardson

**Matters Considered:**

1. Confirmation of Revised Terms of Reference (Purpose and Objectives sections only)
2. Thank outgoing members
3. Understanding and meeting the needs of families facing multiple challenges: The role of early childhood and family services

**Any conflict of interest disclosures made by a Councillor attending: \***

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Jennifer Richardson

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.





## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 25/6/2019

**Name of Committee or Group (if applicable):** Knox Multicultural Advisory Committee

**Time Meeting Commenced:** 6.00pm

#### Name of Councillors Attending:

Cr Peter Lockwood (Deputy Mayor)

Cr Marcia Timmers-Leitch

#### Name of Members of Council Staff Attending:

Joan Pepi

Merran Graff

#### Matters Considered:

1. Refugees in the Eastern Region with a specific focus on Knox
2. Campfire Conversations Project – Welcoming Cities Australia offer to host this in Knox in October
3. Restructure at Eastern Region Vic Police impact on the Multicultural Liaison Office role which will not be filled beyond June 2019

#### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Joan Pepi

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 26/6/2019

**Name of Committee or Group (if applicable):** Knox Arts & Culture Committee

**Time Meeting Commenced:** 6.30pm

#### Name of Councillors Attending:

Cr Peter Lockwood, Deputy Mayor

Cr John Mortimore

Cr Marcia Timmers-Leitch

#### Name of Members of Council Staff Attending:

Elissa Pachacz

Jo Herbig

Ellen Ramsay

#### Matters Considered:

1. Introductions
2. Our Story, Our Purpose (2018 members)
3. Overview Arts & Culture Services in Knox
4. Workshop: Our Top Priorities for 2019-20

#### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Elissa Pachacz

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 3/7/2019

**Name of Committee or Group (if applicable):** ICT Governance Committee

**Time Meeting Commenced:** 5.30pm

#### Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr Darren Pearce

#### Name of Members of Council Staff Attending:

Tony Doyle

Ian Bell

Phil McQue

Paul Barrett

Shona Richards

Andrew Dowling

#### Matters Considered:

1. ICT Program Update
2. Volunteer Database – Data Sovereignty
3. Business Intelligence Proof of Concept Outcomes (presentation only)

#### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Rachel Culpitt

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 8/7/2019

**Name of Committee or Group (if applicable):** Issues Briefing

**Time Meeting Commenced:** 7.24pm

#### Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr Adam Gill

Cr Peter Lockwood, Deputy Mayor

Cr Tony Holland

Cr John Mortimore

Cr Marcia Timmers-Leitch

#### Name of Members of Council Staff Attending:

Tony Doyle

Andrew Dowling

Ian Bell

Janet Simmonds (Item 1)

Judy Chalkley

John Rashed (Item 2)

Steve Dickson

Sam Stanton (Item 2)

Phil McQue

#### Matters Considered:

1. Final Review of General Provision Local Law 2010
2. Draft Councillor Child Safe Policy and Procedure
3. Councillor Workshop on the Local Government Bill 2019
4. Management of Mowing Contracts

#### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Joanne Ellis

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 10/7/2019

**Name of Committee or Group (if applicable):** CEO's Performance Evaluation Committee

**Time Meeting Commenced:** 5.00pm

### Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr John Mortimore

Cr Darren Pearce

### Name of Members of Council Staff Attending:

Tony Doyle

### Matters Considered:

1. Confirmation of Previous Minutes - 1 April 2019
2. 2018/2019 CEO Key Performance Indicators to end June 2019
3. Draft 2020/2021 CEO Key Performance Indicators
4. CEO Annual Remuneration Review

### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Robyn Sommers

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 15/7/2019

**Name of Committee or Group (if applicable):** Issues Briefing

**Time Meeting Commenced:** 6.30pm

### Name of Councillors Attending:

Cr Jake Keogh, Mayor

Cr Tony Holland

Cr Peter Lockwood, Deputy Mayor

Cr Lisa Cooper

Cr John Mortimore

Cr Darren Pearce

Cr Marcia Timmers-Leitch

Cr Nicole Seymour

Cr Adam Gill

### Name of Members of Council Staff Attending:

Ian Bell

Damian Watson

John Rashed (Item 3)

Sam Stanton (Item 3)

### Matters Considered:

1. CEO Performance Evaluation
2. SKM Recycling
3. Childsafe Training for Councillors

### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Joanne Ellis

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 17/7/2019

**Name of Committee or Group (if applicable):** Environment Advisory Committee

**Time Meeting Commenced:** 6.30pm

**Name of Councillors Attending:**

Cr John Mortimore

**Name of Members of Council Staff Attending:**

Matt Kelleher

Lou Zarro

Sam Sampanthar

Nadine Gaskell

**Matters Considered:**

1. Biodiversity Protection and Service Overview
2. Proposed Development at Former DEPI Site
3. Emerging Issues
4. Enforcement of Tree Protection Permit
5. Wantirna Health Precinct

**Any conflict of interest disclosures made by a Councillor attending: Nil**

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Sam Sampanthar

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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## Record of Assembly of Councillors

(Section 80A Local Government Act)

### Complete this Section

**Date of Assembly:** 30/7/2019

**Name of Committee or Group (if applicable):** Knox Regional Sports Park Working Group

**Time Meeting Commenced:** 9.30am

#### Name of Councillors Attending:

Cr Marcia Timmers-Leitch

Cr Adam Gill

Cr Lisa Cooper

#### Name of Members of Council Staff Attending:

Peter Gore

Bronwyn Commandeur

Monica Micheli

Jane Wright

#### Matters Considered:

1. KRSP Masterplan
2. Updates (Basketball Victoria, KBI, VARMS, FV)
3. Operational matters:
  - Knox Regional Sports Working Group - Terms of Reference
  - Signage - short term options

#### Any conflict of interest disclosures made by a Councillor attending: Nil

Name	Disclosure (refer front of form)	Relevant Matter	Left Assembly **

**Name of Person Completing Record:** Bronwyn Commandeur

\* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

\*\* Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



## 12 Motions for Which Notice has Previously Been Given

## 13 Supplementary Items

### 13.1 Unaudited 2018-19 Annual Financial Statements and Performance Statement

This item will be distributed separately on Friday 23 August 2019.

14 Urgent Business

14.1 Urgent Business

14.2 Call Up Items

15 Questions Without Notice

## 16 Confidential Items

### 16.1 390 Burwood Highway, Wantirna South

This document has been circulated under separate cover

### 16.2 Chief Executive Officer – Key Performance Indicators 2018-19 and 2019-20

This document has been circulated to Councillors under separate cover

### 16.3 CEO Remuneration Review

This document has been circulated to Councillors under separate cover