AGENDA

Ordinary Meeting of Council

To be held via Zoom

On

Monday 24 August 2020 at 7:00 pm

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Chief Executive Officer

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5 Reports by Councillors

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5.2 Ward Issues

6 City Development, Finance and Governance Officers' Reports for consideration

6.1 Report of Planning Applications Decided Under Delegation - 1 July to 31 July 2020

SUMMARY: Manager, City Planning & Building, Paul Dickie

Details of planning applications considered under delegation are referred for information. It is recommended that the items be noted.

RECOMMENDATION

That the planning applications decided under delegation reports (between 1 July to 31 July 2020) be noted

1. REPORT

Details of planning applications decided under delegation from 1 July to 31 July 2020 are attached. The applications are summarsied as follows:

Application Type		**No.**
Building & Works:	Residential	7
	Other	5
Subdivision		16
Units		8
Tree Removal / Pruning		15
Single Dwelling		5
Change of Use		3
Child Care Centre		2
Create Sewerage Easement		1
Removal of Easement		1
TOTAL		**63**

2. CONFIDENTIALITY

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

Report Prepared By: **Manager, City Planning & Building, Paul Dickie**

Report Authorised By: **Director, City Development – Interim Finance and Governance, Matt Kelleher**

Attachments

Nil

Knox City Council

Planning Applications Decided

1 July 2020 and 31 July 2020

Ward	No/ Type	Address	Description	Decision
Baird	2020/9076	41 Herbert Street BORONIA VIC 3155	Mitigation pruning of one (1) Corymbia citriodora.	6/07/2020 Approved
Baird	2020/9089	3 Norwich Street BORONIA VIC 3155	Removal of one (1) Corymbia maculata	29/07/2020 Approved
Baird	2020/9085	5/21 Jersey Road BAYSWATER VIC 3153	The construction of a 125m^2 mezzanine floor for additional storage within the existing warehouse building and reduction in car parking	22/07/2020 Approved
Chandler	2020/6276	3/15 McDonald Crescent BORONIA VIC 3155	The removal of two (2) dead Eucalyptus sp. and one Callistemon sp.and the pruning of one (1) Eucalyptus radiata (Narrow leaved Peppermint) and one (1) Eucalyptus cephalocarpa (Silver leaved Stringybark).	3/07/2020 Approved
Chandler	2020/6273	59 Arcadia Avenue THE BASIN VIC 3154	Removal of one (1) Eucalyptus sp and remedial prune one (1) Quercus canariensis	8/07/2020 Approved
Chandler	2020/6295	31 Southey Road BORONIA VIC 3155	The development of a single dwelling	7/07/2020 Approved
Chandler	2020/9073	17 Landscape Drive BORONIA VIC 3155	To construct a front fence and rebuild a rotting retaining wall.	15/07/2020 Approved
Chandler	2020/6291	402 Dorset Road BORONIA VIC 3155	Development of one dwelling and Creation of Access to a Road Zone Category 1	16/07/2020 Approved
Chandler	2019/7366	35 Moroney Street BORONIA VIC 3155	Development of the land for two (2) dwellings	16/07/2020 Approved
Chandler	2020/6359	1348 Mountain Highway THE BASIN VIC 3154	Removal of one (1) Acacia melanoxylon	24/07/2020 Approved
Chandler	2020/9094	15 Milleara Street THE BASIN VIC 3154	Construction of a garage	29/07/2020 Approved

Ward	No/ Type	Address	Description	Decision
Chandler	2020/6325	13 Vaughan Road FERNTREE GULLY VIC 3156	Removal of removal of four (4) Eucalyptus obliqua (Messmate), six (6) Acacia melanoxylon (Blackwood) and two (2) Callistemon species (Bottlebrush).	23/07/2020 Approved
Chandler	2020/9092	3 Rustic Drive BORONIA VIC 3155	Pruning of one (1) Acer palmatum	29/07/2020 Approved
Chandler	2020/9095	24 Casuarina Avenue BORONIA VIC 3155	Removal of one (1) Corymbia ficifolia	27/07/2020 Approved
Chandler	2020/6233	19 Timewell Crescent BORONIA VIC 3155	Single storey extension to dwelling	29/07/2020 Approved
Chandler	2020/6232	1/14 Elsie Street BORONIA VIC 3155	Development of a single dwelling and associated vegetation removal.	27/07/2020 Approved
Chandler	2020/6300	39 Chandler Road BORONIA VIC 3155	Eight (8) Lot Subdivision (Approved Development Site)	23/07/2020 Approved
Chandler	2020/6032	5 & 5A Marie Street BORONIA VIC 3155	Create sewerage easement.	28/07/2020 Approved
Collier	2020/6311	220 Burwood Highway WANTIRNA SOUTH VIC 3152	Buildings and works (Extension to existing school building)	2/07/2020 Approved
Collier	2019/7207	98 Stud Road WANTIRNA VIC 3152	Development of the land for two (2) double storey dwellings, two (2) lot subdivision and removal of easement	3/07/2020 Approved
Collier	2020/6065	71 Alderford Drive WANTIRNA VIC 3152	Two (2) Lot Subdivision (Approved unit site)	23/07/2020 Approved
Collier	2020/6223	2 Cassia Court WANTIRNA VIC 3152	Development of the land for one (1) double storey and two (2) single storey dwellings	20/07/2020 Notice of Decision
Collier	2020/6149	43 Bellbird Drive WANTIRNA VIC 3152	Development of two (2) dwellings, two (2) lot subdivision and removal of easements	31/07/2020 Approved
Dinsdale	2020/6334	31 Arbroath Road WANTIRNA SOUTH VIC 3152	Two lot Subdivision - Approved Unit Development	10/07/2020 Approved

Ward	No/ Type	Address	Description	Decision
Dinsdale	2019/7447	49 Tate Avenue WANTIRNA SOUTH VIC 3152	Development of the land for three dwellings and three lot subdivision	14/07/2020 Notice of Decision
Dinsdale	2020/6342	58 Ireland Avenue WANTIRNA SOUTH VIC 3152	Two lot Subdivision - Approved Unit Development	10/07/2020 Approved
Dinsdale	2020/9087	28 Bona Vista Road BAYSWATER VIC 3153	2 Lot Subdivision (Approved Development Site)	16/07/2020 Approved
Dinsdale	2020/6187	Knox Ozone Sh 13095/509 Burwood Highway WANTIRNA SOUTH VIC 3152	Change of Use (Place of Assembly - Amusement Parlour and Indoor Bowling Facility), Buildings and Works, Business Identification Signage (Internally Illuminated and Non-Illuminated) and Waiver of bicycle facilities and car parking spaces	24/07/2020 Approved
Dinsdale	2020/6159	Knox Ozone Sh 3025/509 Burwood Highway WANTIRNA SOUTH VIC 3152	Change of Use (restricted recreation facility) and associated business identification signage	29/07/2020 Approved
Dinsdale	2020/6378	62 Scoresby Road BAYSWATER VIC 3153	Two (2) lot subdivision (Approved Development Site)	24/07/2020 Approved
Dinsdale	2020/6207	151 Stud Road WANTIRNA SOUTH VIC 3152	7 lot subdivision (Approved Unit Site)	31/07/2020 Approved
Dobson	2020/6123	11A Trafalgar Street FERNTREE GULLY VIC 3156	Construction of a Single dwelling within a Significant Landscape Overlay	6/07/2020 Approved
Dobson	2020/6199	1168 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Seven (7) lot subdivision consisting of six (6) dwellings and one (1) shop) (Approved Development Site)	16/07/2020 Approved
Dobson	2019/7143	959 Burwood Highway FERNTREE GULLY VIC 3156	The use and development of the land for the purpose of a childcare centre and removal of vegetation	16/07/2020 Notice of Decision
Dobson	2020/6339	1-7/13 The Glen FERNTREE GULLY VIC 3156	Removal of four (4) Hesperocyparis lusitanica	16/07/2020 Approved
Dobson	2020/6322	13 Margot Street FERNTREE GULLY VIC 3156	Remove two (2) Cupressus leylandii	20/07/2020 Approved

Ward	No/ Type	Address	Description	Decision
Dobson	2020/6312	22 Station Street FERNTREE GULLY VIC 3156	Removal of one (1) Liquidambar styraciflua	20/07/2020 Approved
Dobson	2020/6328	15 The Avenue FERNTREE GULLY VIC 3156	Internal and external buildings and works to an existing Community Education facility.	29/07/2020 Approved
Dobson	2020/6235	1812 Theatre Site 1-3 Rose Street UPPER FERNTREE GULLY VIC 3156	Building and works to extend existing facade and awning	17/07/2020 Approved
Dobson	2020/6373	1 Edward Street UPPER FERNTREE GULLY VIC 3156	Removal of one (1) Liquidambar styraciflua	24/07/2020 Approved
Dobson	2020/9091	81A Forest Road FERNTREE GULLY VIC 3156	Front Fence	22/07/2020 Approved
Dobson	2020/6018	147 Napoleon Road LYSTERFIELD VIC 3156	The construction of twelve (12) dwellings and alteration of access to a road in a Road Zone Category 1	21/07/2020 Notice of Decision
Dobson	2020/6045	4 Montalto Rise LYSTERFIELD VIC 3156	Use and Development of a Single Dwelling on a Lot and permission to build outside the building envelope	17/07/2020 Approved
Dobson	2020/6355	21 Old Belgrave Road UPPER FERNTREE GULLY VIC 3156	Removal of one (1) dead Eucalyptus sp	24/07/2020 Approved
Dobson	2020/6214	14 Quarry Road UPPER FERNTREE GULLY VIC 3156	Building and works - Extension to existing dwelling, carport, retaining wall and associated excavations	29/07/2020 Approved
Dobson	2020/6335	7 Yandra Court FERNTREE GULLY VIC 3156	Building and works - extend the dwelling	29/07/2020 Approved
Dobson	2020/6222	12 Hansen Road BORONIA VIC 3155	Buildings and works - dwelling addition including new garage, deck, retaining walls and excavation of the land	31/07/2020 Approved
Friberg	2020/6193	13 Coromandel Crescent South KNOXFIELD VIC 3180	Three Lot Subdivision (Approved Unit Site)	2/07/2020 Approved

Ward	No/ Type	Address	Description	Decision
Friberg	2020/9097	58 Mountain Gate Drive FERNTREE GULLY VIC 3156	Two lot subdivision (Approved Unit Site)	27/07/2020 Approved
Friberg	2020/6197	47 Renwick Road FERNTREE GULLY VIC 3156	Use and development as a Child care centre	17/07/2020 Notice of Decision
Friberg	2020/9088	40 Silverton Drive FERNTREE GULLY VIC 3156	2 lot subdivision (Approved Development Site)	17/07/2020 Approved
Friberg	2020/9098	1 Sheraton Crescent FERNTREE GULLY VIC 3156	Two Lot Subdivision (Approved Development Site)	29/07/2020 Approved
Scott	2020/6186	107 Kathryn Road KNOXFIELD VIC 3180	Six lot subdivision (Approved Unit Site)	2/07/2020 Approved
Scott	2020/6282	109 Kathryn Road KNOXFIELD VIC 3180	Removal of one (1) Corymbia citriodora and the habitiat pruning of one (1) Eucalyptus botryoides	7/07/2020 Approved
Scott	2020/6206	78 David Street North KNOXFIELD VIC 3180	Four (4) Lot Subdivision (Approved Unit Site)	31/07/2020 Approved
Scott	2020/6143	4 Cherrytree Rise KNOXFIELD VIC 3180	Development of two (2) double storey dwellings and two (2) lot subdivision	31/07/2020 Approved
Taylor	2020/6249	500 Kelletts Road LYSTERFIELD VIC 3156	Two Lot Subdivision (Existing Buildings)	31/07/2020 Approved
Tirhatuan	2019/7443	5 Gilbert Court SCORESBY VIC 3179	Development of the land for the construction of three (3) dwellings (two double storey and one single)	1/07/2020 Notice of Decision
Tirhatuan	2020/6308	1/28 Enterprise Drive ROWVILLE VIC 3178	Buildings and works to construct a mezzanine.	2/07/2020 Approved
Tirhatuan	2020/6370	5 Helena Court ROWVILLE VIC 3178	Two (2) Lot Subdivision (Approved Unit Site)	16/07/2020 Approved
Tirhatuan	2020/6267	11 Rosehill Street SCORESBY VIC 3179	Removal of easement	17/07/2020 Approved
Tirhatuan	2020/6353	22 Mindara Avenue ROWVILLE VIC 3178	Mitigation and maintenance pruning of one (1) Eucalyptus nicholii	29/07/2020 Approved

Ward	No/ Type	Address	Description	Decision
Tirhatuan	2020/6087	958 Stud Road ROWVILLE VIC 3178	Change of use of the existing building for the purposes of a food and drink premise, a medical centre, pharmacy and gymnasium, buildings and works, and alterations to the access of a category 1 road	23/07/2020 Notice of Decision

6.2 2 The Mall, Wantirna

SUMMARY: Planner, Darcy Canter

This report considers Planning Application P/2020/6260 for a liquor license (packaged liquor for consumption off-premises) associated with a proposed bottle shop at 2 The Mall, Wantirna.

RECOMMENDATION (SUMMARY)

That Council issue a Planning Permit for a liquor license (packaged liquor for consumption off-premises) at 2 The Mall, Wantirna, subject to conditions detailed in the full recommendation in section 10 below.

1. INTRODUCTION

Planning application P/2020/6260 has been lodged with Council for a liquor license for packaged liquor for consumption off-premises associated with a proposed bottle shop operating 10am-10pm seven days a week at 2 The Mall, Wantirna.

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

2. DISCUSSION

It is considered that the liquor licence associated with a bottle shop at 2 The Mall, Wantirna strikes an appropriate balance between providing a use that is appropriate given the site's context, compliments the surrounding commercial uses and will not unreasonably detract from the amenity of the surrounding area.

The proposed development is considered to be consistent with the State and Local policy directions for Economic Development, Business, Licensed Premises and Community Development.

The proposal is considered compliant with the decision guidelines for Licensed Premises - Clause 52.27 - which consider: the impact of the sale or consumption of liquor permitted by the liquor license on the amenity of the surrounding area, the impact of the hours of operation on the amenity of the surrounding area, the impact of the number of patrons on the amenity of the surrounding area and the cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

3 CONSULTATION

The application was advertised by way of one (1) sign and notices were sent to adjoining property owners and occupiers. No objections were received.

The application was referred to Council's Community Services Department. No objection was raised and no conditions were requested.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no significant environmental impacts or amenity issues associated with the proposed liquor licence. A thorough assessment of the application against environmental and amenity considerations can be found at Section 4 of the Officer's Report at Appendix A.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with the proposed liquor licence for Council.

6. SOCIAL IMPLICATIONS

There are no significant social implications associated with the proposed liquor license. A thorough assessment of the application against all relevant considerations of the Knox Planning Scheme can be found at Section 4 of the Officer's Report at Appendix A.

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

Goal 4 - We are safe and secure

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

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

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

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 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

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 - Planner, Darcy Canter - In providing this advice as the Author, I have no disclosable interests in this report.
Officer Responsible – Director, City Development - Interim Finance and Governance, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The proposal will strike and appropriate balance between the provision of a new packaged liquor use, and the amenity of the nearby residential area and surrounding commercial uses. The use is unlikely to contribute to an increase in community harm caused by alcohol consumption and is not expected to detract from the amenity of the surrounding area. It is therefore recommended that Council support the application and issue a planning permit subject to conditions.

10. RECOMMENDATION

That Council issue a Planning Permit for a liquor license (packaged liquor for consumption off-premises) associated with a proposed bottle shop at 2 The Mall, Wantirna subject to the following conditions:

PROPOSED CONDITIONS

1. **The sale of packaged liquor must only occur within the following hours:**

   1.1 Monday to Sunday 10am to 10pm

   1.2 ANZAC Day and Good Friday 12 noon to 10pm

2. **Liquor may only be sold within the area bound by the endorsed red line plan.**

3. **The use as shown on the endorsed plan must not be altered without the written consent of the Responsible Authority.**

4. **Once the use is started it must be continued to the satisfaction of the Responsible Authority.**

Amenity

5. **The emission of noise or any other emission to the environment derived from activities within the premises must comply with the standards contained in the relevant State Environment Protection Policy or polices, to the satisfaction of the Responsible Authority.**

6. **The premises must be managed so that the amenity of the area is not detrimentally affected through the:**

   6.1 Transport of materials, good or commodities to or from the land;

   6.2 Appearance of any building, works or materials;

   6.3 Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and

   6.4 Presence of vermin.

   To the satisfaction of the Responsible Authority.

Permit Expiry

7. **This permit will expire if one of the following circumstances applies:**

   7.1 The use is not started within two years of the date of this permit.

   7.2 The use is discontinued for a period of two years.

   Pursuant to Section 69 of the Planning & Environment Act 1987, the Responsible Authority may extend:

   - **The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.**
   - **The completion date referred to if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired**

NOTES

Waste and Odour

- **There are to be suitable and sufficient areas of storage and receptacles for the collection of all waste generated and stored.**
- **There are to be suitable and sufficient capacity for cleaning the area and equipment dedicated to the storage of all waste generated.**
- **There are to be suitable and sufficient frequency of collection of all waste generated and stored.**

Noise

- **Noise generated as the result of the fit out of the premises must comply with section 2 of the Noise Control Guidelines (EPA Publication 1254).**
- **Rubbish collection times must comply with section 6 of the Noise Control Guidelines (EPA Publication 1254).**
- **Deliveries to the premises must comply with section 9 of the Noise Control Guidelines (EPA Publication 1254).**
- **Any noise emissions from the premises must comply with State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) N – 1 (SEPP N – 1).**

11. CONFIDENTIALITY

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

Report Prepared By: **Planner, Darcy Canter**

Report Authorised By: **Director, City Development - Interim Finance and Governance, Matt Kelleher**

Attachments

1. Attachment 1 2 The Mall Wantirna [**6.2.1** - 5 pages]
2. Attachment 2 - 2 The Mall Wantirna - updated [**6.2.2** - 3 pages]

Attachment 1

Planning Application P/2020/6260 is for a liquor license (packaged liquor for consumption off-premises) at 2 The Mall, Wantirna.

1. Summary:

Subject Site:	2 The Mall, Wantirna
Proposed Development:	Liquor License (Packaged Liquor for consumption off-premises)
Existing Land Use:	Dry-cleaning business
Site Area:	132sqm
Planning Scheme Controls:	Commercial 1 Zone
Application Received:	21 May 2020
Number of Objections:	Nil
PCC Meeting:	N/A
Ward:	Collier

2. Purpose

The purpose of this report is to provide Councillors with the Council Planning Officer's assessment of Planning Permit Application P/2020/6260 to assist in making a decision on the application. It should be read in conjunction with the other appendices.

2.1 Subject Site and Surrounds

The location of the subject site and surrounds is shown in Attachment 2.

- The subject site is an existing shop located towards the western end of The Mall commercial strip and fronts the council car parking area. The site is known as 2 The Mall, Wantirna.
- The site contains a 132sqm floor area building. There is one on-site car space, accessed from the rear lane. There is no existing liquor license applying to the site.
- The surrounding area contains a mix of land uses, with commercial (smaller retail or office uses) and health services nearest to the site, and residential uses (mainly traditional houses in residential areas) further away. The nearest residential property to the site is located approximately 90m to the south of the subject site, on the south side of Boronia Road.
- No vegetation exists on the site.

2.2 The Proposal

The proposal seeks permission for a liquor licence in association with a bottle shop. Refer to attached plans at Attachment 2. Details of the proposal are as follows:

- The liquor licence will apply to the footprint of the building.
- The sale of liquor will occur from: 10am-10pm, Monday-Sunday, i.e. seven days per week (except for a 12noon opening on Good Friday and Anzac Day).

- The existing on-site car space will be retained and no alterations to the building are proposed.

3. Consultation

3.1 Advertising

The application was advertised by way of one (1) sign on the site and notices were sent to adjoining property owners and occupiers. No objections were received.

3.2 Planning Consultative Committee Meeting

No Planning Consultative Committee Meeting was required in this instance.

3.3 Referrals

The application was referred to an internal department for advice. The following is a summary of relevant advice:

Community Services: Council's Community Services team have reviewed the proposal and have no objection to the liquor licence and have not requested any conditions.

4. Discussion

This section considers the proposed development in light of the provisions of the Knox Planning Scheme including State and Local Planning Policies, any other relevant policies and objectives.

4.1 Zoning and Overlays

4.1.1 Zone

The site is located within the Commercial Zone – Schedule 1. A Bottle Shop fits within the broader definition of a "shop" and a planning permit is not required for the use of a "shop" (other than Adult sex bookshop).

A planning permit for a liquor licence is required under Clause 52.27 (Licensed Premises) of the Knox Planning Scheme. Refer to Section 4.3 for assessment against this provision.

The purpose of the Commercial 1 Zone is;

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

A response to the relevant Decision Guidelines of the Commercial 1 Zone is provided below.

- *The proposal is consistent with the Planning Policy Framework and the Municipal Strategic Statement enabling a new business to be establishing within an existing commercial area assisting to create a vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *The subject site is sufficiently setback from residential properties and will not result in an increase in detriment to surrounding commercial or residential properties either by noise or traffic impacts.*

4.1.2 Overlays

The site is not affected by any overlays.

4.2 Policy Consideration: State and Local Planning Policy Framework

State and local policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development. The key themes for the assessment of the application include Economic Development, Business, Licensed Premises and Community Development.

4.2.1 Economic Development

Clause 17 Economic Development: Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity. Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

Clause 17.02 Business: To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Municipal Strategic Statement: Council's MSS encourages development/use to occur with the necessary consideration to such matters as creating economic growth and employment opportunities, encouraging uses to operate in the appropriate zones, and maintaining a strong and sustainable local economy.

Clause 21.07 Economic Development: The policy aims to maintain a strong and sustainable local economy and strengthening local employment opportunities. Support the development of local businesses with a focus on Knox's propulsive industry sectors, including advanced and high value manufacturing, health care, construction, wholesale trade and professional services.

Specifically, the subject site is located within the Wantirna Mall Neighbourhood Activity Centre, which aims to provide convenience retail and commercial activities, along with a variety of cafes and restaurants to serve the needs of the local community. The key strategic direction for this specific precinct is to support a broad range of retail activities, cafes, restaurants and community facilities to service the local area. It is also strategic direction to support land use and development within neighbourhood activity centres to be consistent with any relevant local policy, zone, overlay and particular provisions.

- *The proposed development is consistent with the state and local policy direction for economic development as the proposal represents a business that will service the local community, is likely to provide local employment and generate economic activity in the existing activity centre.*

4.2.2 Community Services

Clause 21.08-7 Licensed Premises – Licensed premises bring important economic, social and cultural benefits to Knox, contributing towards the vitality and image of activity centres and providing entertainment and leisure opportunities for residents, workers and visitors. However, these types of premises also have the potential for detrimental amenity and public safety impacts if not located and managed appropriately.

Specifically, this policy identifies that potential issues associated with licensed premises are:

- Adverse amenity impacts on sensitive uses from occurrences of increased noise and disturbance.
- Social harm to a community relating to real or perceived threats to safety from anti-social behaviour.
- Potential social harm impacts arising from the cumulative impact of packaged liquor outlets.

The objective of the policy is to minimise adverse social and amenity impacts from licensed premises through considering potential adverse social and amenity impacts arising from licensed premises and by discouraging the concentration of late trading licensed venues, including packaged liquor outlets, where residential amenity is a consideration.

- *The proposal for a liquor licence associated with bottle shop is consistent with the state and local policy direction for licensed premises.*
- *The addition of one additional bottle shop into the Wantirna Mall activity centre is unlikely to result in increased social harm arising from the cumulative impact of packaged liquor outlets, with there being only one existing packaged liquor outlet in the activity centre. It is also noted that Council's Community Services team has raised no objection to the proposal.*

  Additional discussion regarding cumulative impact is included below in Section 4.3.

- *The proposed hours of operation, being 10am-10pm fall within the ordinary licensed hours for the sale of packaged liquor under the Liquor Control Reform Act (1998) and is therefore not classified as a late trading licensed venue.*
- *The subject site is not adjacent to residential properties, with the nearest residential property located over 90 metres away and separated from the site by Boronia Road and a service station.*

4.3 Particular Provisions

Clause 52.05 Signs: To regulate the development of land for signs and associated structures; to ensure signs are compatible with the amenity and visual appearance of an area.

- *A permit is not required under Clause 52.05.*

Clause 52.06 Car Parking: Prior to a new use commencing or a new building being occupied the car parking spaces required under Clause 52.06-5 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the responsible authority.

- *A permit is not required under Clause 52.06*

Clause 52.27 – Licensed Premises: A planning permit is required to use land to sell or consume liquor if a licence is required under the *Liquor Control Reform Act 1998*.

The purpose of this particular provision is to ensure that licensed premises are situated in appropriate locations and to ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

A response to the relevant Decision Guidelines of Clause 52.27 – Licensed Premises is provided below.

- *As discussed in Section 4.2.2 above the proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework.*
- *The sale of packaged liquor from the subject site is unlikely to negatively impact the amenity of the surrounding area. The subject site is located within a neighbourhood activity centre where it is reasonable to find a mix of retail premises that cater for people's shopping needs, including a small number of packaged liquor stores.*

- *The proposed hours of operation, being 10am-10pm are within the ordinary licensed hours for the sale of packaged liquor under the Liquor Control Reform Act (1998). These hours are consistent with existing businesses within the Wantirna Mall activity centre, including an existing bottle shop and are appropriate to the amenity of the surrounding area.*
- *The cumulative impact of licensed premises can result in both negative and positive outcomes for an area, with the negative outcomes including crime, a loss of amenity and anti-social behaviour. The positive outcomes can include the creation of local identity, enhanced vitality, economic benefits and an increase in consumer choice.*

  According to the Victorian Commission for Gambling and Liquor Regulation website there are six existing licensed premises located with the Wantirna Mall activity centre, this includes one for a Package Liquor Licence and five associated with food and drink premises.

  The addition of one additional bottle shop in Wantirna Mall is unlikely to result in a negative cumulative impact and may have a slight positive impact by way of economic benefits and increased consumer choice.

4.4 General Decision Guidelines

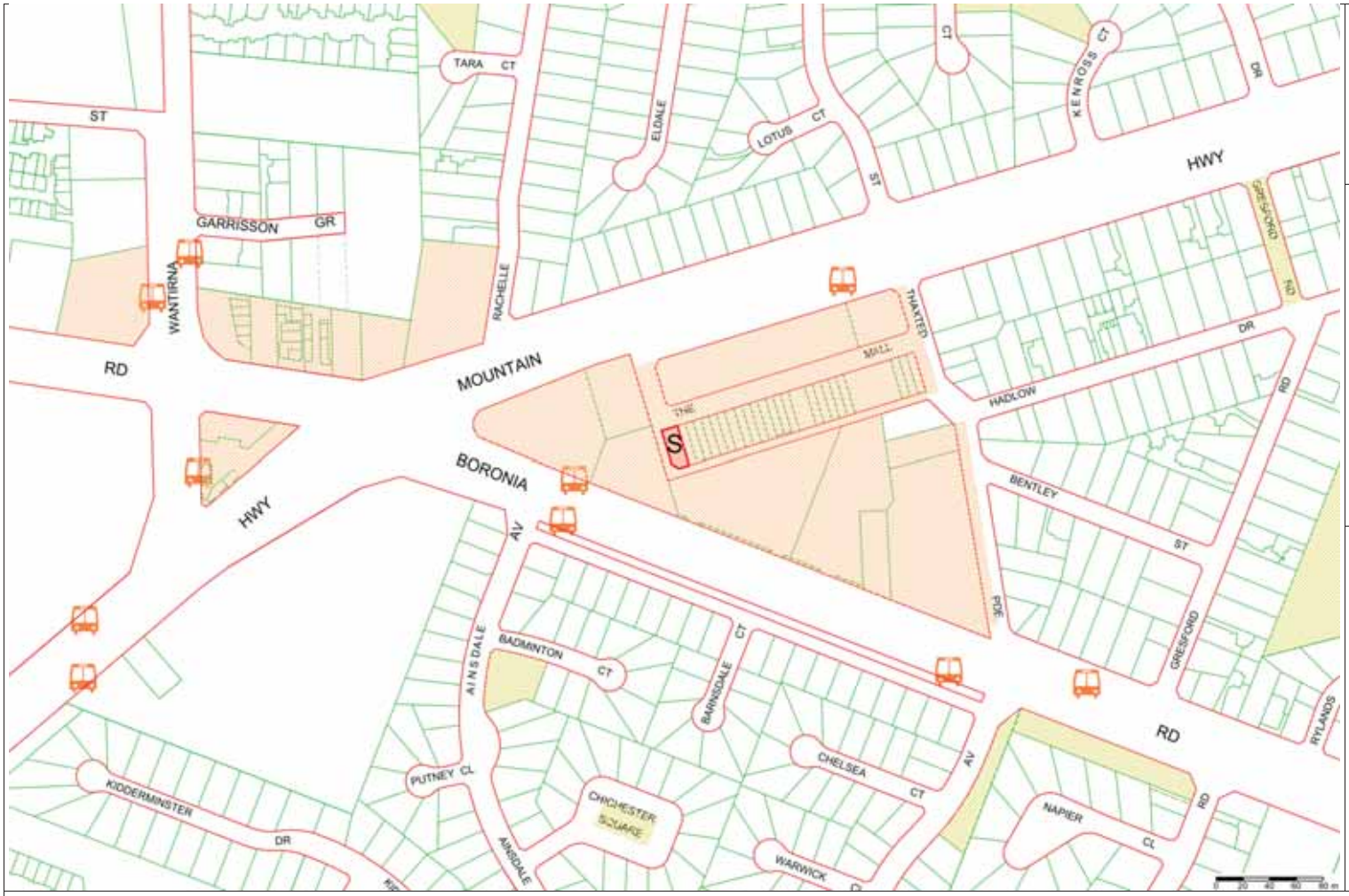
Clause 65 of the Knox Planning Scheme and Section 60 of the Planning and Environment Act 1987 set out decision guidelines/matters which the responsible authority must consider when deciding any planning application.

- The decision guidelines of Clause 65 of the Knox Planning Scheme and Section 60 of the Planning and Environment Act (1987) have been appropriately considered.

5. Conclusion

Clause 10.04 of the Knox Planning Scheme requires Council to balance relative policy objectives when making decisions to ensure resulting development is sustainable and achieves a net community gain. In this context, the proposal is considered appropriate given the following:

- The proposal is consistent with the Planning Policy Framework and Local Planning Policy Framework with regard to Economic Development and Community Development.
- The proposal is consistent with the purpose and decision guidelines of the Commercial 1 Zone.
- The proposal is consistent with Clause 52.27 (Licensed Premises).



Knox City Council

ATTACHMENT 2

Property

Address	2 The Mall, WANTIRNA
Application Number	P/2020/6260
Description	Liquor License (Packaged Liquor for consumption off-premises)
Wardname	Collier

LEGEND:

Title Boundary
Road Boundaries
City Boundary
Bus Route
Reserves
Commercial Areas
Tertiary Schools
Primary Schools
Secondary Schools
P-12 School
Bus Stops
Objector
Unit Development
Subject Property
Petition

Scale: **1:3000**

DISCLAIMER:

Roads and Title Boundaries - State of Victoria, Knox City Council
Planning Scheme Information - DPCD, Knox City Council
Aerial Photography - AAM (Flown January 2013 – unless otherwise stated)
Melbourne Water Drainage Information - Melbourne Water

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4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.

Knox City Council

ATTACHMENT 2

Property

Address	2 The Mall, WANTIRNA
Application Number	P/2020/6260
Description	Liquor License (Packaged Liquor for consumption off-premises)
Wardname	Collier

LEGEND:

Title Boundary
Road Boundaries
City Boundary
Bus Route
Reserves
Commercial Areas
Tertiary Schools
Primary Schools
Secondary Schools
P-12 School
Bus Stops
Objector
Unit Development
Subject Property
Petition

Scale: **1:3000**

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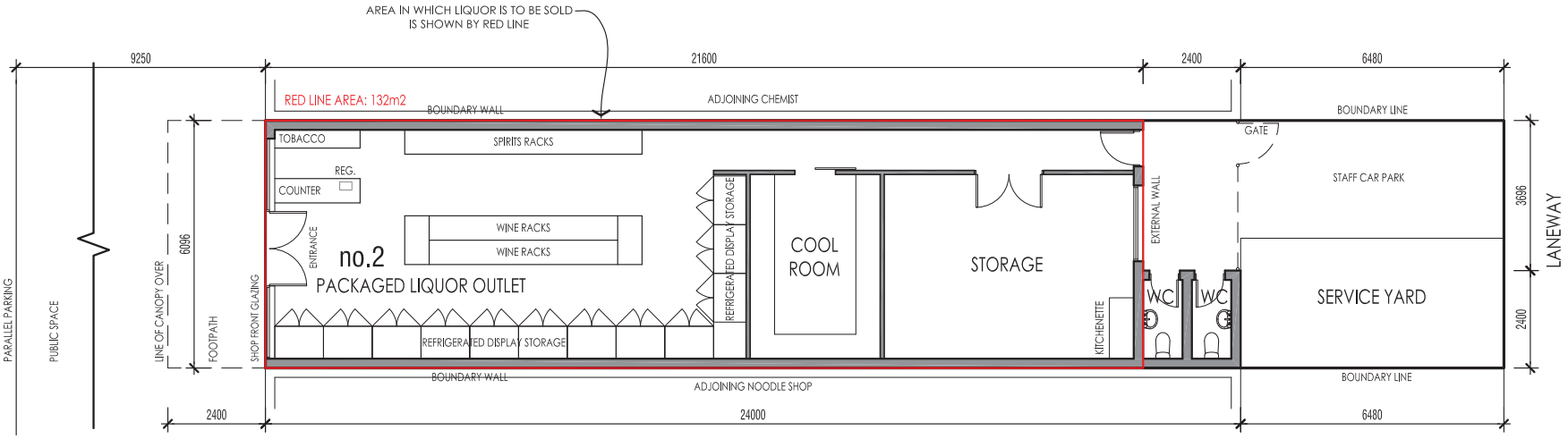
Sheet 2 of 2



PREMISES FLOOR PLAN
SCALE: 1:100

LIQUOR CONSULTANCY services
Victoria's only full service liquor licensing business
PH: (FREECALL) 1800 LIQCON (1800 547266)
PO BOX 4101 CROYDON HILLS, VIC 3136 WWW.LIQCON.COM.AU

TITLE:
PLANNING / LIQUOR LICENCE APPLICATION
0 1 2 3 4 5M
2 1

OWNER/CLIENT:
WANTIRNA DRY CLEANERS
PREMISES ADDRESS:
2 THE MALL
WANTIRNA VIC 3152

DATE:
MAY. 2020
SCALE:
1:100@A3
REVISION:
-

6.3 Audit Review of Planning Applications involving Watsons and Woodman

SUMMARY: Manager City Planning and Building, Paul Dickie

Audit Review of Planning Applications involving Watsons Pty Ltd, in response to investigations of corrupt conduct at the City of Casey by the Independent Broad-based Anti-Corruption Commission (IBAC).

RECOMMENDATION

That Council:

1. **Note that a search of Council's Planning Permit and Amendment Records, identified two applications lodged by parties named in the Independent Broad-based Anti-Corruption Commission Public Hearings as part of Operation Sandon – were lodged at Knox City Council for a period extending back 15 years; and**
2. **Note that the results of the Audit of Planning Applications: P/2012/6199 - 3 James Street, Bayswater and; P/2015/6021 - 6 Rangeview Road, Boronia (both lodged by Watsons Pty Ltd) do not suggest that Watsons Pty Ltd had any special influence over the actions of officers, including as part of the decisions to approve the permit applications and/or to subsequently endorse plans.**

1. INTRODUCTION

In November 2019, the Independent Broad-based Anti-Corruption Commission (IBAC) commenced public hearings as part of Operation Sandon, examining corrupt conduct at the City of Casey.

In response to this investigation, Council proactively undertook an audit of all planning permit applications extending back 15 years, to understand if any of the parties named during the public IBAC hearings have had involvement in planning applications at Knox City Council.

The results of this Audit were reported to Knox City Council's Audit Committee at its March 2020 meeting, with a further update provided at the June 2020 Audit Committee Meeting. The Audit Committee requested that the matter be reported to Council for noting.

2. DISCUSSION

The Audit Committee, at its March 2020 Meeting, considered an update on Council's actions in response to IBACs commencement of public hearings as part of Operation Sandon, examining corrupt conduct at the City of Casey.

Following the IBACs commencement of public hearings as part of Operation Sandon, examining corrupt conduct at the City of Casey, Council proactively undertook an audit of all planning permit and amendment applications extending back 15 years, to understand if any of the parties named during the public IBAC hearings have had involvement in planning applications at Knox City Council.

This search looked for applications involving Watsons Pty Ltd (Watsons), John Woodman, Megan Schultz, Heath Woodman, Michael Goldthorp, Jon Atchison, Wolfdene Pty Ltd, Lorraine Wreford or Phil Staindl.

Two applications were identified that were lodged by Watsons Pty Ltd, including:

- Application no. P/2012/6199: seeking permission to develop the land at 3 James Street, Bayswater (James Street Application); and
- Application no. P/2015/6021: seeking permission to develop, subdivide and remove native vegetation from the land at 6 Rangeview Road, Boronia (Rangeview Road Application).

Council engaged planning lawyers 'Planology' to review these two files to assess:

- Whether Council followed proper process when considering and determining the James Street Application and the Rangeview Road Application; and
- Whether Council's decisions were reasonable having regard to the relevant planning controls and policies of the Knox Planning Scheme.

In the opinion of Planology, the documents on Council's file do not suggest that Council gave any favourable consideration to the Permit Applicant nor do they suggest that Watsons had any special influence over the actions of officers, including on the decisions to approve the permit applications and/or to subsequently endorse plans. The Audit advice is provided to Council as a confidential attachment to this report.

In summary, the Audits found:

- That Council's processing of the James Street Application was rigorous and methodical. While the assessment of the Rangeview Road Application, with the benefit of hindsight, lacked precision and omitted reference to certain permit triggers, Planology are satisfied that Council adhered to proper processes in the processing of both applications.
- Whilst it is difficult for Planology to form a view about the merits of the proposals, particularly having regard to the period of time that has elapsed since the James Street and Rangeview Road Applications were submitted. However, having examined the planning controls applying to the sites at the time, they found nothing to suggest that the grant of the James Street Permit or the Rangeview Road Permit were unreasonable.
- In Planology's opinion, the documents on Council's files do not suggest that Council gave any favourable consideration to the Permit Applicant nor do they suggest that Watsons had any special influence over the actions of officers, including on the decisions to approve the permit applications and/or to subsequently endorse plans.

An update was provided to the June 2020 Audit Committee Meeting as it was noted that further individual and business names have been released in media reports of the IBAC public hearings and an additional search of Council's planning permit and amendment records was undertaken as a priority. In addition to the names listed above officers searched for applications lodged by Glenn Patterson, Andrew Wyatt & Blueways. No applications were lodged under those names.

3. CONSULTATION

The results of this Audit were reported to Knox City Council's Audit Committee at its March 2020 and June 2020 meetings.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues arising from this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications arising from this report.

6. SOCIAL IMPLICATIONS

There are no social implications arising from this report.

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

Goal 1 - We value our natural and built environment

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

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 – Manager City Planning and Building, Paul Dickie - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

The results of the proactive independent audit of Planning Applications: P/2012/6199 3 James Street, Bayswater and; P/2015/6021 6 Rangeview Road, Boronia do not suggest that Watsons Pty Ltd had any special influence over the actions of officers, including on the decisions to approve the permit applications and/or to subsequently endorse plans.

10. CONFIDENTIALITY

Attachment 1 is included in the confidential agenda, having been declared confidential information pursuant to Section 77(2)(c) of the Local Government Act 1989, as the information relates to:

- legal privileged information, being confidential communication between Council and its lawyer created for the dominant purpose of the lawyer providing legal advice to Council.

Report Prepared By:	**Manager City Planning and Building, Paul Dickie**
Report Authorised By:	**Director, City Development, Interim Finance and Governance, Matt Kelleher**

Attachments

Confidential Attachment 1 is circulated under separate cover

6.4 Consultation Report - Knox Green Areas & Rural Strategy (GARS)

SUMMARY: Senior Strategic Planner, Nasrin Dehghani

The Community Consultation Report (Report) provided in Attachment 1 summarises key findings from the Stage 3 Visioning consultation for the Knox Green Areas and Rural Strategy (GARS). The consultation was undertaken in March-April 2020 and sought preliminary public and stakeholder feedback on the identified issues and opportunities for the GARS and a draft future vision for each precinct within the study area. The findings will inform the next stage of the project, which is to develop the draft GARS.

RECOMMENDATION

That Council notes:

1. **the Community Consultation Report for the Knox Green Areas and Rural Strategy (GARS) as provided in Attachment 1 which will be made publicly available on Council's website; and**
2. **the consultation findings will inform the preparation of the draft GARS.**

1. INTRODUCTION

The GARS project represents a strategic planning review of five precincts within Knox that are of environmental, recreational, agricultural, rural living and landscape value to the Knox community. The study area consists of the following five precincts:

Precinct 1:	The Basin Rural Landscape Precinct
Precinct 2a:	Lysterfield Valley and Hills
Precinct 2b:	Lysterfield Quarries and Surrounds
Precinct 3:	Dandenong Creek Valley Precinct
Precinct 4:	Healesville Freeway Reservation and Surrounds

At Issues Briefing on 10 February 2020, Councilors were briefed on the project and the intention to consult with the community early in the process prior to developing the draft GARS. The purpose of the "visioning" stage of consultation was to seek feedback on the issues and opportunities presenting for each precinct and to develop a preliminary understanding of community sentiment towards other key opportunities identified for each precinct.

Findings from the consultation are intended to inform the direction of the project and the development of a vision, including strategic directions for each precinct, as part of the development of the draft GARS.

Stakeholder and public consultation were subsequently undertaken between 11 March and 22 April 2020. A summary of key findings from the consultation are provided in the Community Consultation Report provided in Attachment 1.

2. DISCUSSION

The purpose of the consultation was to seek feedback on the draft recommendations based on the project's technical findings, establish issues of priority to the community and capture local knowledge. The consultation sought to develop a preliminary understanding of public and stakeholder sentiment towards key opportunities identified for each precinct and provided an opportunity for the community to raise additional matters that could be investigated as part of this project.

To enable this, community feedback was sought on the following:

- Draft vision statements for each precinct; and
- Draft issues and opportunities identified for each precinct.

The GARS Consultation Report (Attachment 1) summarises the consultation findings. The report provides the information in an objective manner and does not provide any assessment, recommendations or strategic directions at this stage. The findings are to inform the next stage of the project which will formulate a vision, objectives and detailed strategies for each precinct. The draft GARS, once developed, will be presented to Council prior to a further round of public consultation.

Below are some of the broad themes drawn from the consultation:

- The overall direction and approach to the project is generally supported by the stakeholders and the community. The draft vision and opportunities for each precinct received beneficial feedback on how they can be improved or refined.
- The need to protect these precincts from future development and change was a key matter raised in a number of comments.
- Ecological protection and enhancement was another important issue with substantial feedback focusing on the protection of vegetation, biodiversity and waterways.
- The feedback suggests there is a need to better clarify priorities where there are competing objectives (e.g. vegetation protection vs bushfire risks or agriculture vs biodiversity).
- Walking and cycling safety, connectivity and ease of movement is a key issue for the local community.
- While there is a general negative sentiment towards high-impact, large-scale tourism or intensification of recreational uses, some level of support exists for more parkland, low-key recreation, small scale business or art/community uses in the right locations where they do not detract from the environmental or scenic qualities of these precincts.
- Additional information was received from the community regarding current recreational uses, land management practices, landowner intentions, local economy and maintenance issues.

3. CONSULTATION

Public consultation commenced on 11 March 2020 and was initially planned to close on 8 April. In consideration of restrictions caused by the COVID- 19 pandemic, the consultation period was extended to 22 April.

The Knox Civic Centre became unavailable for public access from 19 March 2020 and face-to-face public queries and meetings were not possible since then. During this time, greater focus was placed on the online platform and social media campaign to mitigate any impacts.

The consultation involved the following methods:

- Letters and hard copy brochures were mailed to 409 owners/occupiers within the study area.
- The consultation webpages were set up including an interactive map and an online survey for each of the five precincts.
- Ads were placed in Knox publications, digital screens and social media platforms.
- The project technical reports were made available online.
- Email correspondence was sent to key stakeholders, State Government authorities and neighbouring Local Government authorities.
- The material was presented at a meeting of the Knox Environment Advisory Committee (EAC) (before the pandemic) and email notifications were sent to the Youth Advisory Committee (YAC) and the Recreation and Leisure Committee (RLC).
- Consultation brochures were made available at the Knox Civic Centre and community centres in Knox. However, these venues were closed from 19 March 2020 due to COVID-19 restrictions. The consultation material was only available through the online platforms thereafter.

The consultation website was visited 16,146 times by 834 users during the consultation period. A total of 188 online surveys were completed during this period. Officers also received 19 detailed written submissions via email or mail. This data demonstrates a high level of community interest in the project.

Further information on the consultation methodology and statistics are provided in the GARS Community Consultation Report (Attachment 1).

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental/amenity risks arising from the proposed consultation.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The project, including the public consultation, is funded from the allocated operational GARS project budget in City Futures.

6. SOCIAL IMPLICATIONS

Presenting the findings of the consultation and making it publicly available has positive social outcomes in terms of public engagement, transparency, community knowledge sharing, and enabling participation in decision making. Owners/occupiers within the Study Area as well as the broader community have an interest in the project and can benefit from the information becoming available to them.

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 3 - We can move around easily
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 4.4 - 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 7.1 - Protect and preserve our local cultural heritage
Goal 8 - We have confidence in decision making
Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations
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 Strategic Planner, Nasrin Dehghani - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

It is recommended that Council notes the Community Consultation Report provided in Attachment 1, which will be made available to the community and will inform the preparation of the draft GARS.

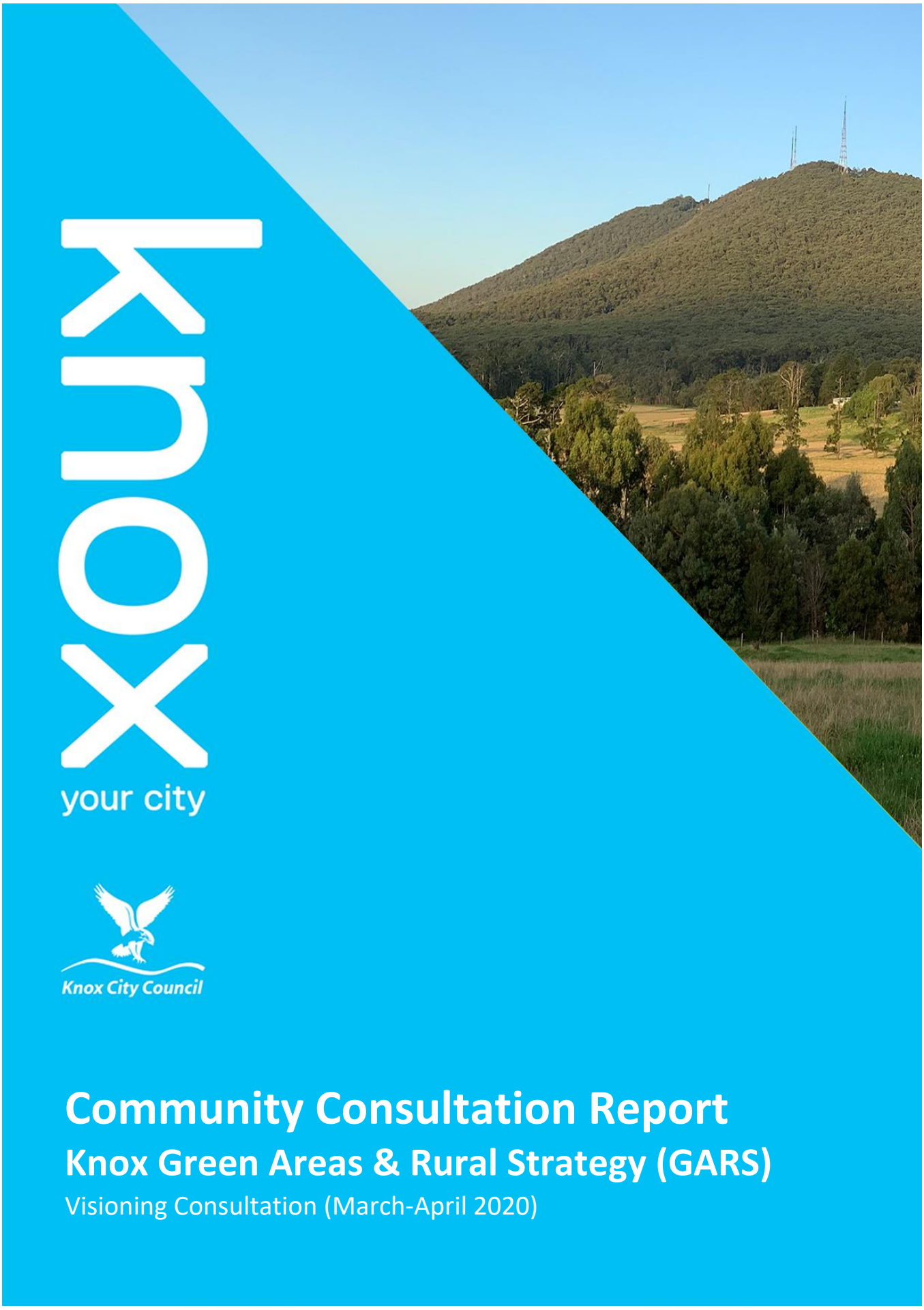
10. CONFIDENTIALITY

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

Report Prepared By:	**Senior Strategic Planner, Nasrin Dehghani**
Report Authorised By:	**Director, City Development – Interim Finance and Governance, Matt Kelleher**

Attachments

1. Community Consultation Report - Green Areas and Rural Strategy (GARS) [**6.4.1** - 62 pages]



Community Consultation Report

Knox Green Areas & Rural Strategy (GARS)

Visioning Consultation (March-April 2020)

Document Register					
Rev	**Purpose**	**Prepared By**	**Reviewed By**	**Date of Issue**	**Changes**
1	Draft for internal review	Nasrin Dehghani (Senior Strategic Planner)	Madeleine Cheah (Coordinator City Strategy & Planning); Anthony Petherbridge (Manager City Futures)	23 July 2020	Minor changes
2	Final report	Nasrin Dehghani (Senior Strategic Planner)	The Executive Management Team (EMT)	12 Aug 2020	-

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Introduction

The Knox Green Areas and Rural strategy (GARS) project is a strategic review of five precincts within the Knox City Council (KCC) municipal boundaries. These precincts have high environmental and landscape significance within Knox and contain land predominantly used for rural, conservation, resources, open space, recreation and other public purposes.

This Community Consultation Report presents key findings from preliminary consultation undertaken for GARS. The findings are intended to inform the next stage of the project, to develop draft objectives and strategies for the study area. The five precincts are indicated on the map below.

Precinct 4
Healesville Freeway Reservation and Surrounds

The precinct contains a corridor of land reserved for a possible extension of the Healesville Freeway. Dandenong Creek and its riparian vegetation line the northern edge of this precinct and connect with significant native bushland.

Precinct 1
The Basin Rural Landscape

Known for its beautiful natural landscapes and high ecological integrity, The Basin Rural Landscape Precinct is located on the edge of the metropolitan urban growth boundary, and nestled in the foothills of Dandenong Ranges National Park.

Precinct 3
Dandenong Creek Valley Precinct

The Dandenong Creek Valley is a consolidated open space and biodiversity corridor lying between the Dandenong Creek and EastLink.

Precinct 2a
Lysterfield Valley and Hills

Forming a south-eastern gateway to Knox, the Lysterfield Valley and Hills precinct is a highly valued landscape of open pastoral character providing for agriculture and rural living

Precinct 2b
Lysterfield Quarries and Surrounds

The precinct covers popular recreational and tourism destinations in Lysterfield Park and Churchill National Park and is home to a variety of wildlife species. The precinct also contains hard rock quarries that support the construction industry across Victoria.

In keeping with the City's commitment to engaging with the community, it was considered important that community consultation takes place at an early stage to guide the direction of the strategy. Therefore, Stage 3 - Visioning of the project (see diagram below) was dedicated to preliminary community and stakeholder consultation.

Overview of the consultation process

The purpose of the visioning consultation was to seek feedback on the findings of technical assessment of the study area, to establish what issues are of a higher priority to the community. The consultation sought to develop a preliminary understanding of the public and stakeholder sentiment towards key opportunities identified for each precinct. The consultation also provided an opportunity for the community to raise additional matters that could be looked at as part of this project. Findings from this consultation are intended to inform the direction of the project, a vision for each precinct and detailed strategies to be developed.

To enable this, community feedback was sought on the following:

- Draft vision statements for each precinct; and
- Draft issues and opportunities for each precinct.

To cater for different types of users, the issues and opportunities were presented in two ways. The full set of issues and opportunities were made available through the full Draft Issues and Opportunities Report, which is available at http://www.knox.vic.gov.au/files/Planning/GARS_Stage_2_Draft_Issues_Opportunities_Report.pdf. In addition, a selection of key recommendations was presented in the form of online surveys and hard copy/online brochures for those who preferred a shorter summary. The consultation brochure is available at http://www.knox.vic.gov.au/files/Planning/D20-95049__GARS_Visioning_Brochure_Web_-_extended_date.pdf

Formal public consultation commenced on 11 March 2020 and was initially planned to close on 8 April. However, the consultation was affected by the restrictions related to the COVID-19 pandemic. The Knox Civic Centre became unavailable for public access from 19 March 2020 and face-to-face public queries and meetings were not possible since then. During this time, greater focus was placed on the online platform and social media campaign to mitigate any impacts. The consultation period was also extended to 22 April in consideration of potential impacts.

The consultation involved the following methods:

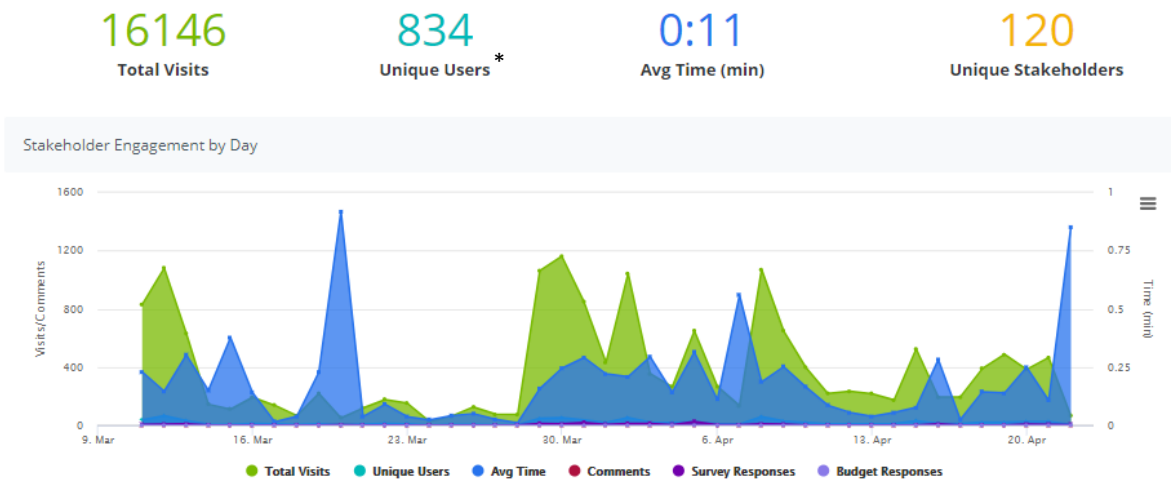
- Letters and brochures were mailed to 409 owners/occupiers within the study area.
- The consultation webpages were set up including an interactive map and an online survey for each of the five precincts.
- Ads were placed in Knox publications, digital screens and social media platforms.
- The project technical reports were made available online.
- Email correspondence was sent to key stakeholders, State Government authorities and neighbouring Local Government authorities.

- The material was presented at a meeting of the Knox Environment Advisory Committee (EAC) (before the pandemic) and email notifications were sent to the Youth Advisory Committee (YAC) and the Recreation and Leisure Committee (RLC).
- Consultation brochures were made available at the Knox Civic Centre and community centres in Knox. However, these places were closed from 19 March 2020 due to COVID-19 restrictions. The consultation material were only available through the online platforms thereafter.

Consultation Statistics

Online Engagement Statistics

The consultation webpage was visited 16,146 times by 834 unique users over the 6 week period.



* A Unique User is someone who visited the website one or more times during the consultation period, and who can be recognised by the IP address of their computer.

A total of 188 online surveys were completed during this period. Amongst the five precincts, Precinct 1 received the highest level of engagement (55 surveys completed), followed by Precinct 3 (47 surveys completed).

Table 1. Online Survey Statistics

Precinct	Number of Online Surveys Completed
1. The Basin Rural Landscape	55
2a. Lysterfield Valley and Hills	37
2b. Lysterfield Quarries and Surrounds	28
3. Dandenong Creek Valley	47
4. Healesville Freeway Reservation and Surrounds	21
Total	**188**

Written Submissions

A total of 19 written submissions were also received via email/letter. Three of the submissions were received after the closing of consultation. Out of the 19 submissions received, five submissions were from public authorities (state or local government) and 14 from private submitters across a variety of categories (property owners, residents, business operators, user groups, community groups, etc.).

Method of Analysis

This report organises the consultation outcomes by precinct. The report section for each precinct presents key statistics from the surveys, feedback on the draft vision; feedback on the issues/opportunities, and a summary table of the written submissions received via letter or email.

The online surveys asked the respondents to rate the opportunities identified for each precinct based on their level of importance. For the purpose of summary analysis for each precinct, where an opportunity was rated “Very Important” or “Important” by the user, as opposed to “Some Importance” or “Not Important”, it has been defined as “active support” for the opportunity. Individual survey ratings are also included in each section in the form of pie charts.

The surveys also included open-ended questions that enabled the respondents to provide other comments and raise additional issues and opportunities for each precinct (20 open-ended questions across the five surveys). A large number of comments were received though these open-ended questions (198 total) with comments expressed across a wide range of issues. To enable meaningful analysis, it was necessary to categorise the comments and extract common issues. These issues are presented in the form of bullet points, word clouds and bubble diagrams across this report. Selected quotes are also provided in the bubble diagrams to better clarify the matters raised.

With regard to the written submissions (letter/email), comments from private submitters were location-specific and therefore have been included under the relevant precinct. A Unique Identified (UI) has been assigned to each submission to protect the privacy of respondents. Submissions received from the public authorities generally related to more than one precinct and are summarised in Appendix 1.

Summary of Consultation Findings

Overall, the consultation provided valuable community and stakeholder input to guide the future direction of the project. A strong message from the consultation was that conservation and protection of the various values and conditions of the five precincts should be a clear priority.

Biodiversity, water quality, vegetation canopy, open space, passive recreation and rural character were some of the qualities highly valued by the community. A common concern raised was the perception that these areas may be developed in the future, or may be are at a risk of degradation due to nearby development or incremental changes that detract from the above qualities.

The unique environmental role of the precincts, as connected green corridors, was a key matter highlighted in the feedback. The precincts are highly valued by the community for their significant vegetation, rich biodiversity, healthy waterways and the unique opportunity in these locations for enhancing wildlife habitat and connectivity. Weed and pest management was raised as an important issue that requires attention and action. The important role of these precincts in light of current environmental challenges such as Climate Change and the extinction of species was also highlighted as a matter that the strategy needs to look into.

In terms of the proposed draft visions for the five precincts, the common feedback received was to strengthen the conservation focus and to prioritise environmental protection to prevent conflicting priorities or lack of clarity in future directions. There was a strong message that land uses such as agriculture, recreation, tourism and rural living should not be at the expense of the environmental values within these precincts.

The community also highly valued the recreational role of the precincts in providing open space, parkland, nature-based recreation, wildlife interaction, horse agistment and bird watching. The existing rural pastoral character and the ability to view farm animals in proximity to the urban area was also an aspect celebrated by the local residents.

Substantial feedback was also received on specific issues and opportunities for each precinct. Improving accessibility, in particular walking and cycling, as well as connectivity and safety within these precincts were some of the most supported topics. Feedback was provided on individual walking/cycling routes with suggestions made for additional connections, segregated shared paths, linkages to existing trails and new pedestrian crossings.

Amongst the proposed economic opportunities, agriculture and food production received considerable support, subject to environmental protection. Other opportunities such as tourism and recreation received mixed feedback. While there was a general negative sentiment towards large scale, high impact tourism activities, considerable support was provided for small-scale, low impact economic activities that do not detract from the environmental or scenic qualities of the study area.

More detailed consultation outcomes are discussed under the following sections for each of the five precincts.

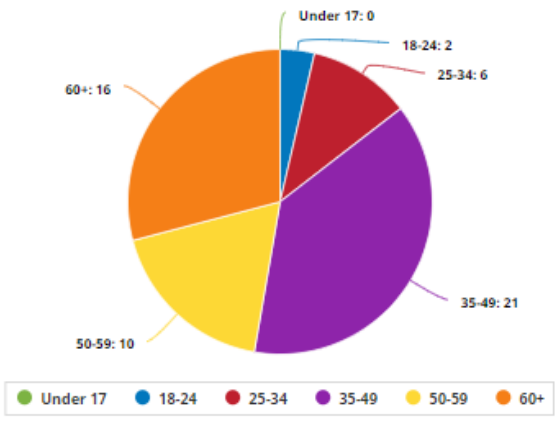
Precinct 1 - The Basin Rural Landscape

A total of 55 respondents completed the online survey for Precinct 1. Survey respondents were asked to rate the draft vision and key opportunities for this precinct. Open-ended fields were also included allowing for additional comments. A total of 43 comments were received through the open-ended fields for Precinct 1.

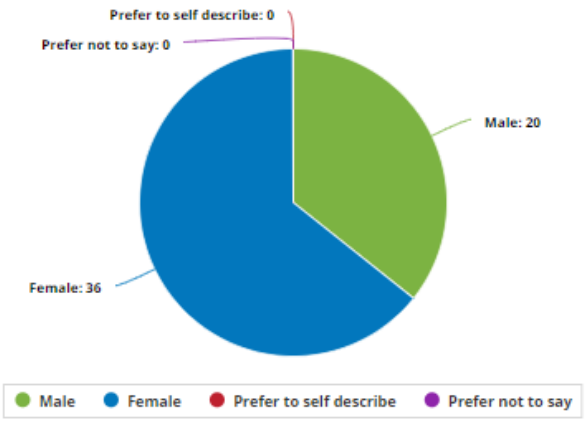
Two submissions were also received via email which made specific comments regarding Precinct 1.

Survey Respondents - Demographics

The largest group (40%) of survey respondents were within the 35-49 years age group followed by the 60+ years age bracket as the second dominant group. The majority of survey respondents identified as female.



Age Group



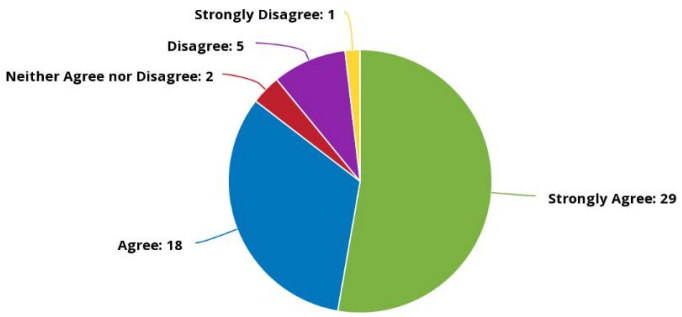
Gender

Draft Vision – Precinct 1

The Draft Vision received a high level of support with 85% of respondents indicating that they "agree" or "strongly agree" with the Draft Vision. The respondents also provided a total of 22 comments on the Draft Vision. Key points raised in the comments are outlined below.

Draft Vision for Precinct 1

"The precinct will support healthy ecosystems including waterways, wildlife habitat and highly valued landscapes, while allowing for sustainable agriculture, rural living, tourism, recreation and community uses that are sited and designed to support these values."



Comments on Draft Vision:

- **Prioritising environmental conservation**
  There was overwhelming support for the focus of the vision to be on ecological protection. A number of respondents asked for strengthening this focus to prevent a clash of priorities and ensure environmental values are not compromised by land uses such as agriculture or tourism.
- **Protecting from development**
  A considerable number of comments raised concerns about the possibility of future development or change. Comments were also made regarding how the vision needs to emphasise the protection of floodplains in The Basin to manage stormwater and support the waterways.

- **Concerns about tourism/economic opportunities**
  Some comments raised concerns about a potential increase to the number of visitors to the area and traffic on the roads.
- **Protecting natural and rural landscapes**
  Protecting the current natural landscape and the green/rural character was considered very important to many of the respondents.
- **Ecological enhancement**
  There were suggestions for targeting "enhancement" in lieu of "protection" of ecological values.
- **Bushfire risk**
  Concerns were raised that revegetation in wrong areas might increase bushfire risk.

Issues and Opportunities – Precinct 1

Summary of comments from each theme:

Landscape and Character

Overall, the respondents were highly supportive of the proposed landscape opportunities for precinct 1. Protecting **long range views** received the highest level of active support* within this theme (96%), followed by the protection of the **Dobsons Creek landscape** (Map 1 – Opportunity 1) (94%) and improvements to the **Basin Triangle** (Map 1 – Opportunity 3) (93%).

A few comments provided under this theme described this precinct as a very "**unique"** area, and highlighted the significance of its **rural character** which is defined by its green, low intensity, scenic qualities with opportunities for sighting of grazing animals. There was a strong message in the comments that this area needs significant **protection from future development and change** including incremental changes.

Ecology

While there was broad support for all the proposed opportunities in this theme, the highest level of active support was provided for overall **ecological protection** (94%) and improving the **wildlife corridors** (Map 1 – Opportunity 5) (93%).

A number of comments within this section raised concerns about incremental loss of trees and the need to give precedence to **tree protection over bushfire management**. In addition, the need for adequate **pest and weed management** and **protection from future development** were considered important issues for this precinct.

Comments were also made suggesting that the strategy should also include the discussion of **Climate Change** and the **extinction** of species.

Land Use and Access

Within this theme, protecting **residential amenity** and **agriculture** within Dobsons Creek valley (Map 1 – opportunity 11) received the highest level of active support (87% and 85% respectively).

The proposed improvements to **walking and cycling** infrastructure received substantial interest and the most number of open-ended comments. Multiple respondents mentioned the existing safety concerns along **Liverpool Road** (Map 1 – Opportunity 12) and the need for an adequate segregated shared path. Similarly, there were concerns regarding movement safety along **Sheffield Road/Doongalla Road** (Map 1 – Opportunity 12) due to a mix

* "Active support" means where an opportunity is rated "Very Important" or "Important" by the user.

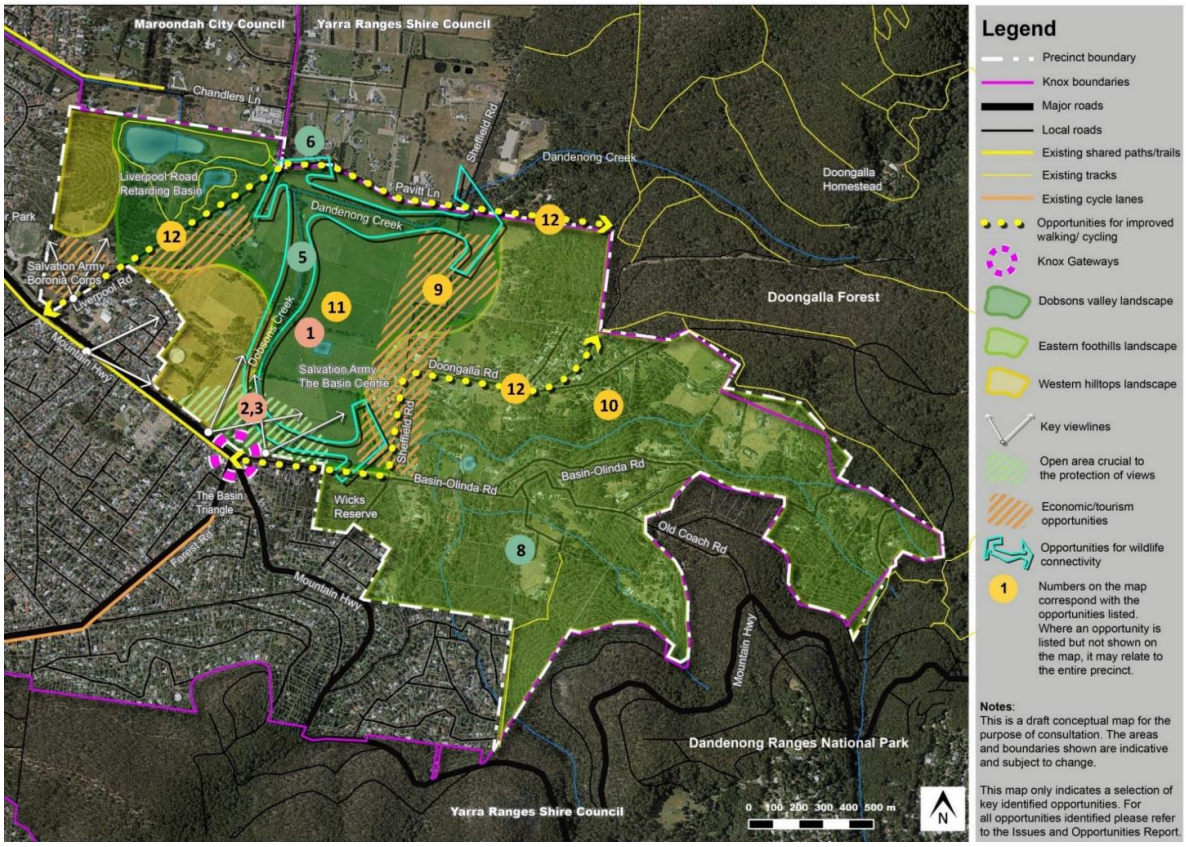
of pedestrian, bicycle, horse riders and vehicular traffic. Such improvements are considered by the community to be urgently needed.

There were also specific suggestions for **additional track/trail linkages** connecting to the tracks to the south of the precinct and to the Dandenong Creek Trail to the north-west. A few comments also suggested a **pedestrian crossing** at the intersection of Liverpool Road and Mountain Highway to address current pedestrian safety issues near The Basin Primary School. A few respondents highlighted that these improvemnets should not be at the expense of native vegetation.

The respondents were divided on the issue of **economic opportunities** for this precinct. A few respondents indicated strong negative sentiment towards the identified **tourism/economic opportunities**. The majority of concerns relate to additional traffic and visitors, loss of amenity due to new development and changes to the existing landscape and character. A number of respondents mentioned they would support tourism as long as it is low scale and limited to passive recreation or **small-scale uses such as a café/art/tourist centre**. Overall, 57% of the survey respondents believed that tourism and economic opportunities are important or very important in this precinct, if located in appropriate locations sensitive to the environment and landscape.

The existing activity centre at **The Basin Triangle** (although outside the study area) was also raised as having potential for revitalisation and enhancement.

The following map illustrates the key opportunities identified for Precinct 1 and should be read in conjunction with the survey results that follow.



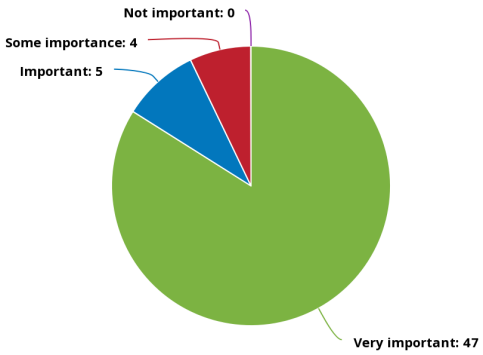
Map 1 – Advertised Draft Opportunities for Precinct 1

Precinct 1

Survey Results - Landscape and Character

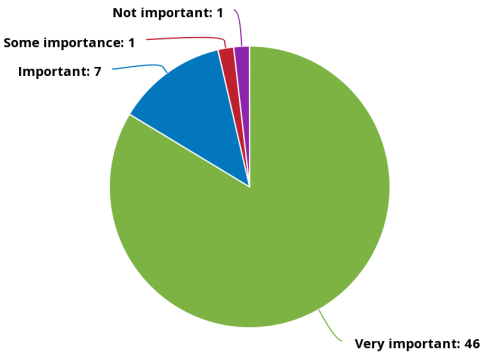
1 Dobsons Creek Valley Landscape

A key valued landscape within this precinct is the open pastoral character of the Dobsons Creek valley, with the backdrop of densely vegetated foothills of Doongalla Forest to the east and Sugarloaf Hill to the west. There are opportunities to better define and protect these natural and rural landscape values within the planning framework.



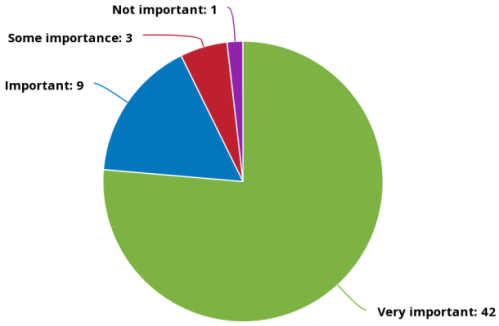
2 Protection of long range views

The distinct character of this precinct is largely due to significant long range views from Basin-Olinda Road and Mountain Highway towards the Dobsons Creek valley and Mount Corhanwarrabul. It would be important for any future development not to disrupt these views and to respond to these landscape elements.

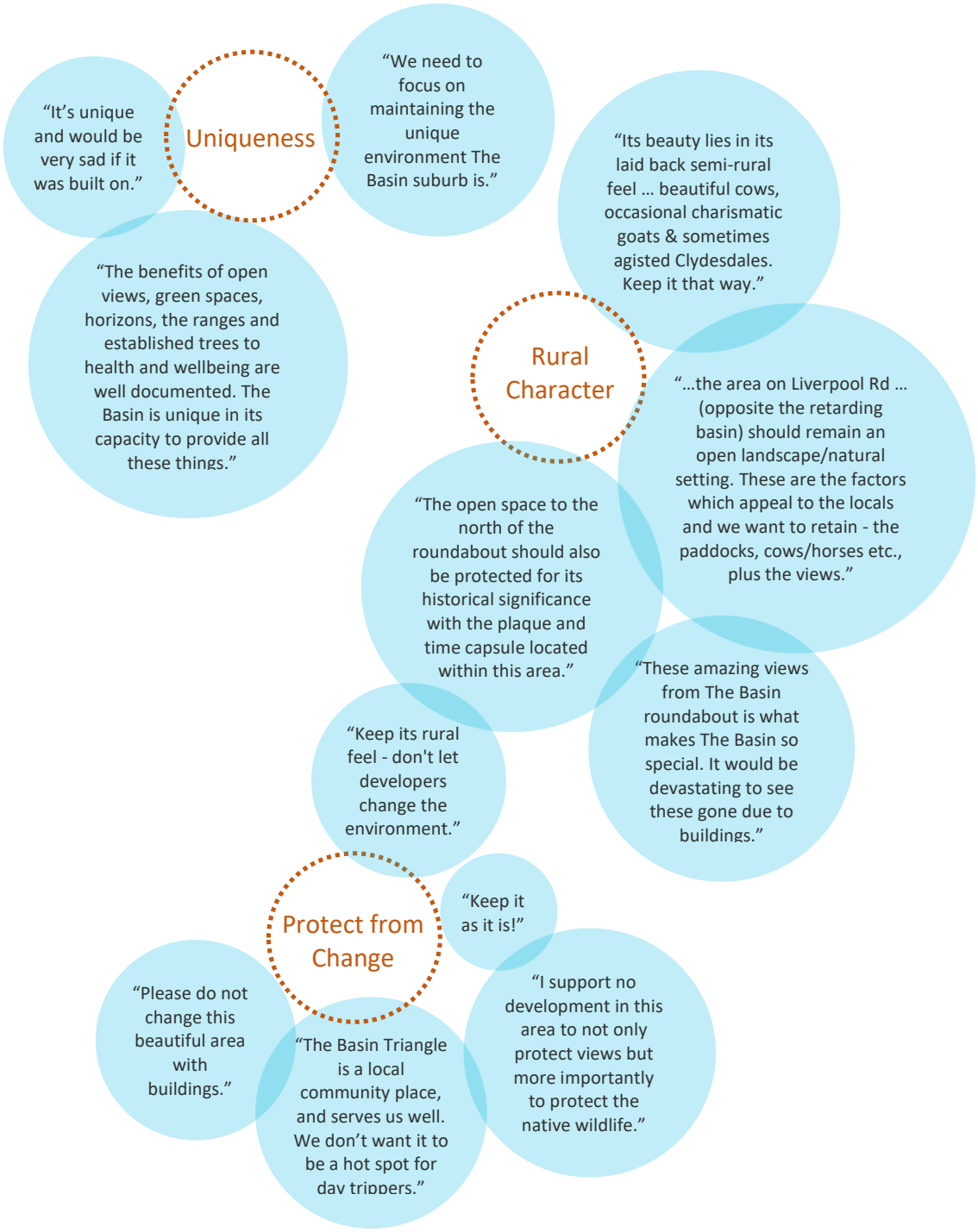


3 The Basin Triangle

The Basin Triangle has the potential to be improved as a Gateway to Knox. This area benefits from open views to the surrounding landscape. The openness and lack of redevelopment in the area to the north of the roundabout will be crucial in maintaining key views.



Selected Quotes (By Common Issue)

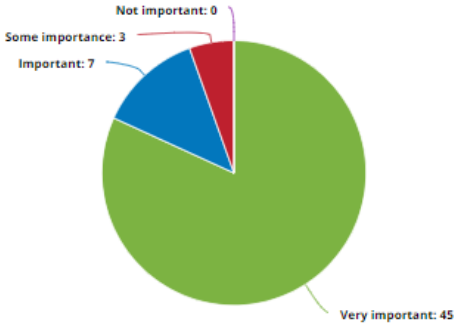


Precinct 1

Survey Results - Ecology

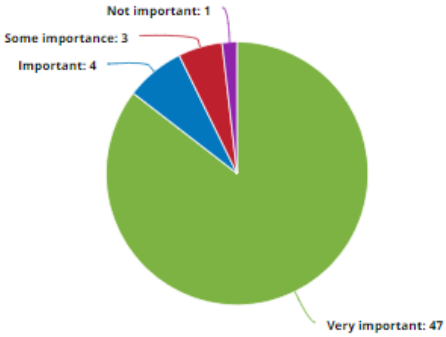
4 Overall ecological protection

The precinct's high ecological values need to be protected, including its native vegetation, Dandenong Creek and Dobsons Creek.



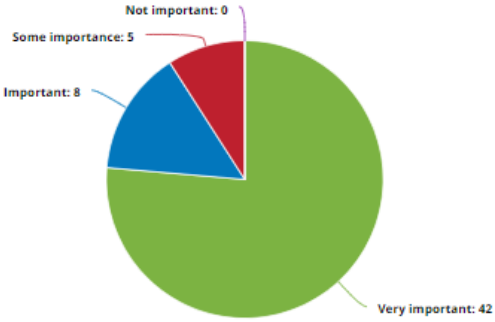
5 Wildlife corridors

There are opportunities to enhance Dandenong Creek and Dobsons Creek as key wildlife corridors by limiting development, supporting revegetation and restoration within 200m of the creeks.



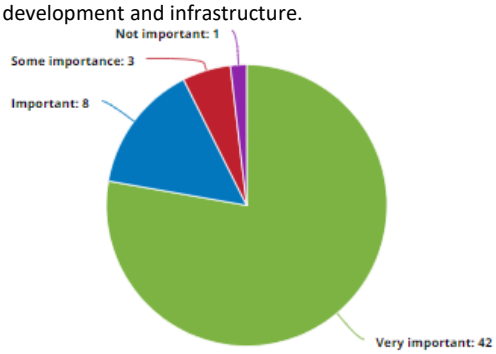
6 Barriers to wildlife movement

Actions have been identified to minimise the barrier effect of Liverpool Road and Dobson Lane for wildlife connectivity along Dandenong Creek.



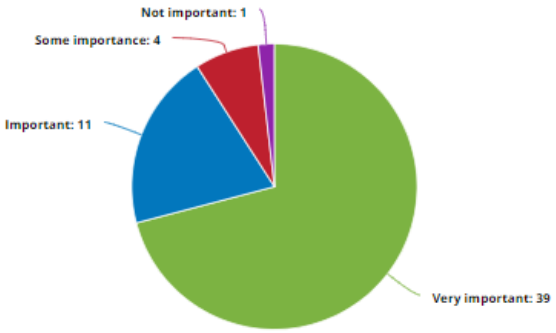
7 Water sensitive urban design

Dobsons Creek is one of the highest value catchments in Knox. There are opportunities to encourage water sensitive design approaches to development and infrastructure.



8 Bushfire risk mitigation

It is essential to ensure any new development addresses bushfire risks, while protecting the significant vegetation in this precinct.



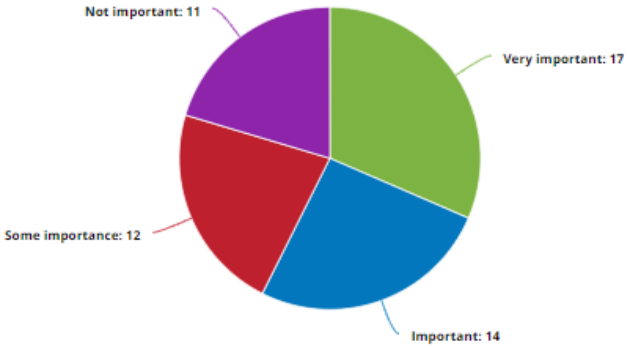
Selected Quotes (By Common Issue)

Precinct 1

Survey Results - Land Use and Access

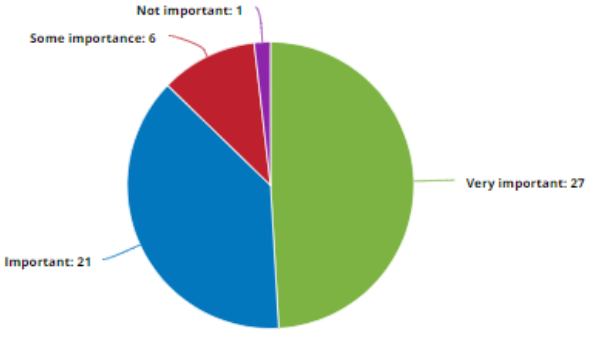
9 Tourism and economic opportunities

The precinct offers opportunities for tourism and other economic activities that support and enhance its environmental and landscape values, in locations that do not compromise the environmental and landscape values.



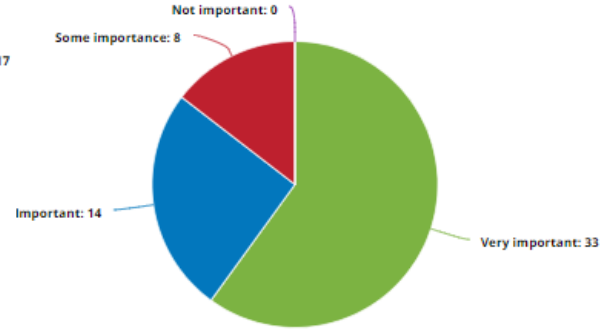
10 Residential amenity

Maintaining the amenity of the residential properties will be important when considering non-residential uses.



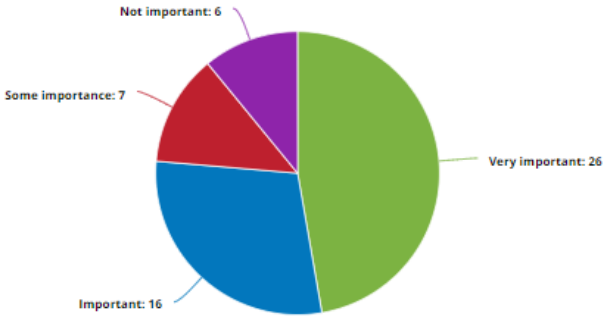
11 Agriculture

The Dobsons Creek valley contains quality agricultural land while serving a key flood storage and retention function. Protecting these qualities are important.



12 Walking and cycling connectivity

Walking and cycling connectivity could be improved within and through the precinct. There are opportunities to improve access for residential areas in The Basin to existing recreational opportunities in Doongalla Forest, through possible improvements along Liverpool Road and Sheffield Road/Doongalla Road.



Selected Quotes (By Common Issue)

Written Submissions - Precinct 1

Two email submissions were received that included comments specific to Precinct 1. The table below provides a summary of key points raised. The submissions will be considered when developing draft strategies for Precinct 1.

Table 2. Precinct 1 Written Submissions

Unique Identifier	Submitter Category	Submission Summary
S1.1.	Landowner; Resident	a) Doongalla Road: ○ Provide a multi-user path from Sheffield Road to Simpsons Road to address safety issues due to the mix of pedestrians, bike riders and horse riders ○ Need for signs regarding cleaning up after dogs and horse manure catcher ○ Lack of roadside vegetation maintenance b) Liverpool Road: ○ Multi user path is needed ○ Traffic speed to be reduced to 70kph ○ Path linkage to the school and Dobsons Lane c) Liverpool Road Retarding Basin - More trails and dog-friendly on-lead areas d) Protect from overdevelopment; retain the semi-rural feel; support nature based tourism but prevent other commercial uses; appreciate the sight of rural animals e) Concerns regarding the dilapidated state of The Basin Triangle
S1.2.	Local resident	a) Correction to a survey response (double negatives) b) General feedback on the user experience of the online surveys

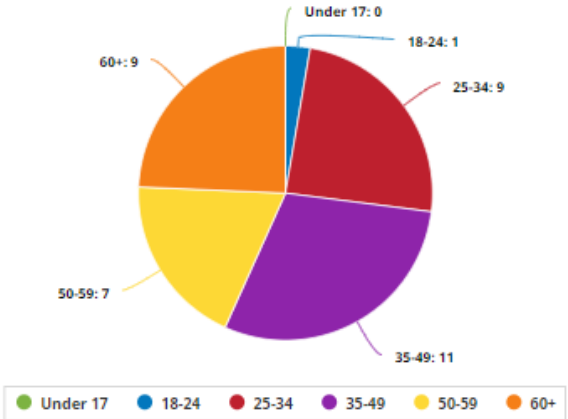
Precinct 2a - Lysterfield Valley and Hills

A total of 37 respondents completed the online survey for Precinct 2a. Survey respondents were asked to rate the draft vision and key opportunities for this precinct. Open-ended fields were also included allowing for additional comments. A total of 28 comments were received through the open-ended fields for Precinct 2a.

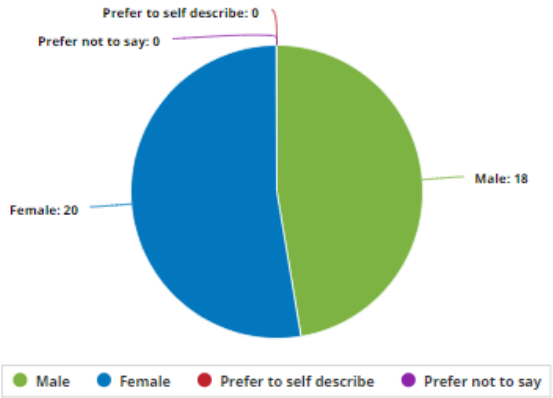
Three submissions were also received via email/letter, which made specific comments regarding Precinct 2a.

Survey Respondents - Demographics

The largest group (29%) of survey respondents were within the 35-49 years age group followed by the 25-34 and 60+ years age brackets as the second and third dominant groups. The majority of survey respondents identified as female.



Age Group



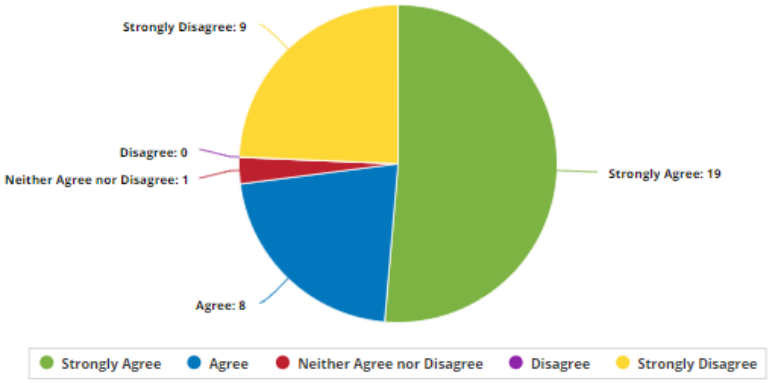
Gender

Draft Vision – Precinct 2a

The Draft Vision received a high level of support with 73% of respondents indicating that they "agree" or "strongly agree" with the Draft Vision. The respondents also provided a total of 8 comments on the Draft Vision. Key points raised in the comments are outlined below.

Draft Vision for Precinct 2a

The precinct is a distinct landscape of natural and pastoral character which supports agriculture, rural industries and lifestyle living, while contributing to flood management, water quality and wildlife connectivity.



Comments on Draft Vision:

- **Prioritising environmental conservation**
  A number of respondents suggested moving the reference to biodiversity/wildlife connectivity earlier in the vision statement to give it a higher priority over other matters.

- **Green buffer role**
  Some respondents suggested acknowledging the role of this area as part of the green fringe backdrop of Knox providing a buffer between the urban landscape and the hills.

- **Future development**
  The majority of respondents stated that protecting this area from further development should be a priority, to enable the future generations to enjoy the area as it is today, with its rolling hills and rich agricultural opportunities in the creek valley. However, a number of respondents believed there should be development and growth permitted to allow people to enjoy living there.

- **General support**
  Most respondents indicated general support for the vision subject to minor changes. Some comments were made about the broadness of the vision. However, it is noted that vision statements are supposed to be high-level and broad. It will be the role of strategies (which will be developed) to support the vision with more detail, and guide future actions.

Issues and Opportunities - Precinct 2a

Summary of comments from each theme:

Landscape & Character

According to the online survey results, maintaining the exiting **20ha subdivision size** limit in the Green Wedge 1 Zone (GWZ1) (Map 2a – Opportunity 3) is the highest priority in this precinct to protect the precinct's "Landscape & Character" values, receiving active support* from 90% of the respondents.

The majority of comments in this section asked for the protection of this precinct from **development and subdivision**. However, written submissions were received from eight landowners (land to the north of Wellington Road and south of the Lysterfield ridgeline), which disagree with this statement and suggest that this area should be considered for rezoning to allow for smaller residential subdivision (Refer to Table 3).

Ecology

Amongst the opportunities identified under the "Ecology" theme, enhancing the riparian corridor of **Monbulk Creek** (Map 2a – Opportunity 4) received the highest level of active support (93% of respondents), followed by reducing the **barrier effect of roads** for wildlife movement (91%).

Comments within this section drew attention to **platypus habitat** in Monbulk Creek, the need for **wildlife crossings** and planting **native trees** as part of land management practices. Some comments also raised concerns about **Dorset Road extension** (Map 2a – Opportunity 5) as they believed it would dominate the landscape and have a negative impact on biodiversity.

Comments were also made suggesting that the strategy should include the discussion of **Climate Change** and the **extinction of species**.

Land Use and Access

Under the theme "Land Use and Access", supporting **agriculture** and improving **access to Lysterfield Park** (Map 2a – Opportunity 12) received the highest level of active support (80% and 73% respectively).

Key issues raised by the comments in this section included the need for improved **bicycle connectivity** from Knox to Lysterfield Park, **protection of this area from development**, and protection of **wildlife habitat and connectivity**. The proposed improvements to walking and cycling infrastructure received general support with some respondents making suggestions for additional routes.

Regarding comments on **access to Lysterfield Park**, as this matter relates to both precincts 2a and 2b, the discussion has been consolidated under Precinct 2b.

The following map illustrates the key opportunities identified for Precinct 2a and should be read in conjunction with the survey results that follow.

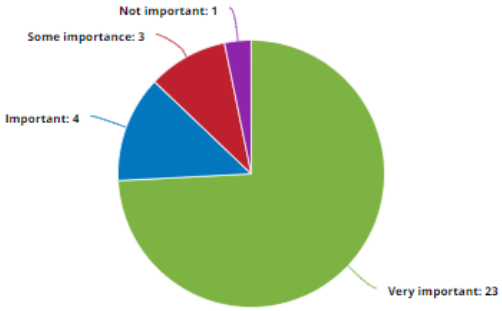
* "Active support" means where an opportunity is rated "Very Important" or "Important" by the user.

Map 2a – Advertised Draft Opportunities for Precinct 2a

Precinct 2a
Survey Results - Landscape and Character

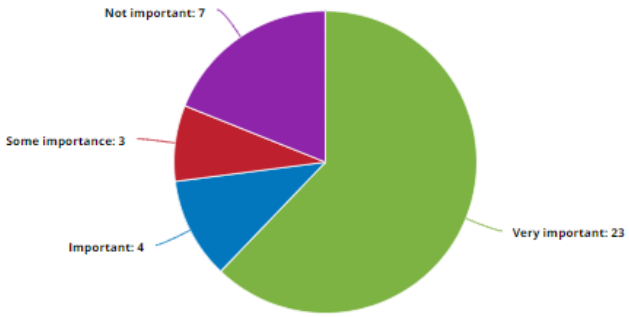
1 Better defining Lysterfield Valley character

The Lysterfield Valley with its open character and distinct topography is a significant landscape which is highly visible and valued in Knox. While this landscape is already protected by planning controls, there are opportunities to better define and protect various features that form this landscape.



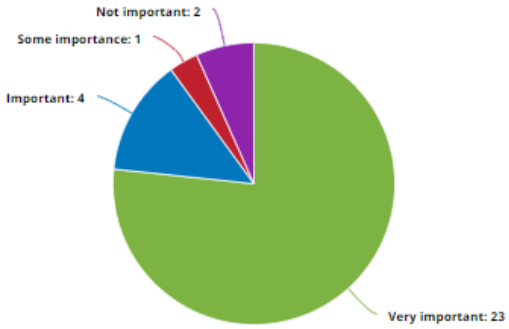
2 Protection of key views

There are opportunities to further define and protect view lines from key vantage points including those from Napoleon Road and Wellington Road. These areas are to be protected from intense development that would obstruct view lines and/or dominate the landscape.



3 Subdivision size

The 20ha minimum subdivision size which currently applies within the Green Wedge 1 zone is important to be maintained as it is a key contributor to the protection of topography and open character.



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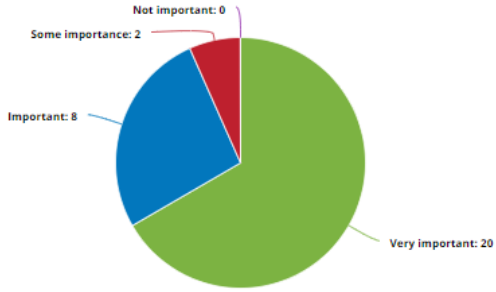
Precinct 2a
Survey Results - Ecology

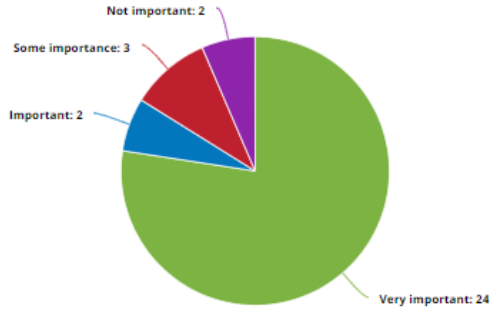
4 Monbulk Creek

There are opportunities to enhance the riparian corridor of Monbulk Creek and strengthen wildlife habitat and connectivity within 200m of the creek.



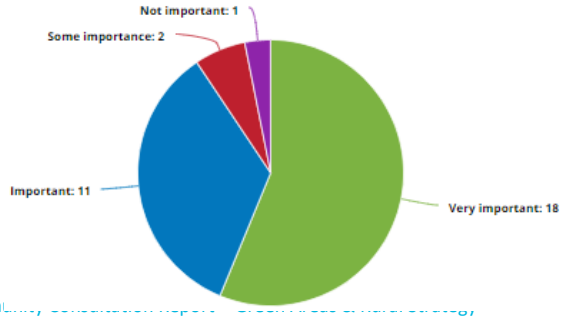
5 Future Dorset Road extension

Should the proposed Dorset Road Extension be progressed by the State Government, there are opportunities for the road to be designed as a water sensitive, multi-modal road/pedestrian and nature conservation corridor that supports both wildlife and human connectivity.



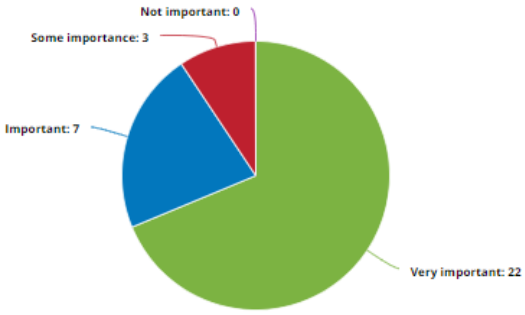
6 Barriers to wildlife movement

There are opportunities to reduce the wildlife barrier effect of roads intersecting with Monbulk Creek.



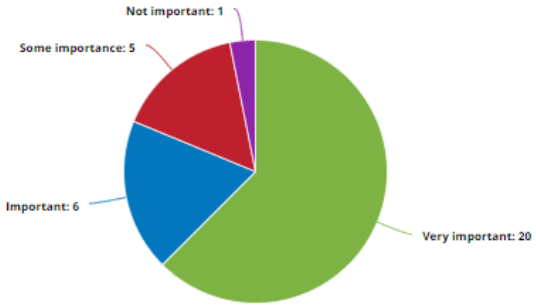
7 ESO Overlay

The existing Environmental Significance Overlay (ESO) over Monbulk Creek needs to be reviewed to ensure it adequately protects the creek and riparian vegetation.



8 Land management

Planning controls are in place to protect pockets of native vegetation within the precinct. There are also opportunities to encourage land management practices to better protect habitat values on grazing land.

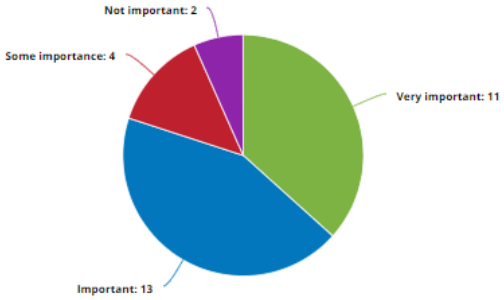


Precinct 2a

Survey Results - Land Use and Access

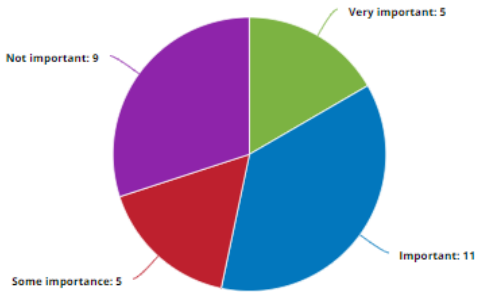
9 Agriculture

Quality agricultural land exists within the floodplains of Monbulk Creek.



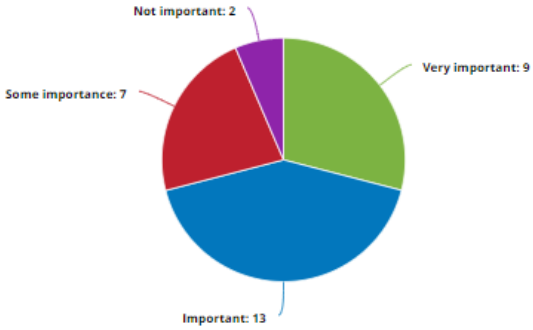
10 Tourism/agri-tourism

There are opportunities for tourism, agri-tourism and restaurant/café uses that are accompanied by agriculture or natural systems and complement the landscape and character values of this precinct.



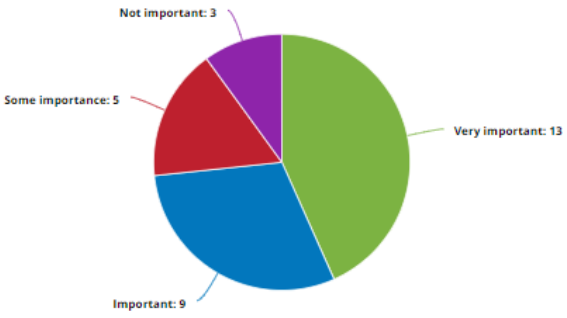
11 Zoning regime

The current zoning regime is considered adequate and has the potential to enable the identified land use opportunities.



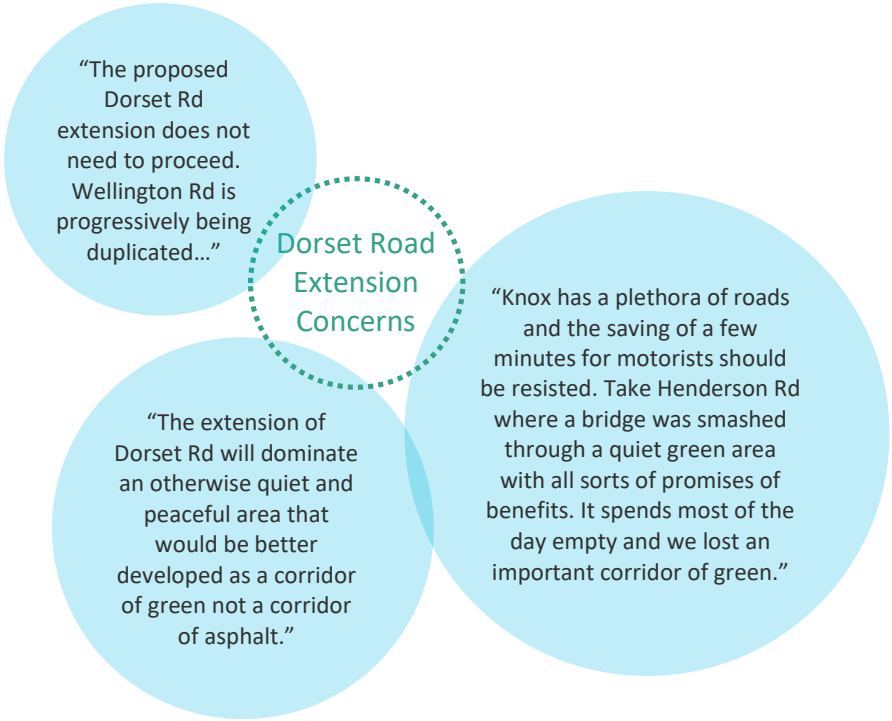
12 Access to Lysterfield Park

There are opportunities to improve access for Knox residents to Lysterfield National Park including shared path connectivity to the mountain bike tracks as well as a new formalised entry point with car parking from either Cornish Road or Powells Road.



Selected Quotes (By Common Issue)

Wildlife Habitat & Connectivity
"Planting indigenous trees is important."
"We need a kangaroo bridge or tunnel along Wellington Rd. There are a lot of wildlife deaths on that section of the road."
"Extending pockets of native vegetation to provide wildlife corridors as well as shade for the farm animals."
"The use of wildlife crossings either over the road or under the road: even a thick rope from tree to tree on either side of the road will work."
"I'm hoping the Knox GARS can lead to improved conservation and restoration of platypus numbers and their habitat in Monbulk creek and other Knox waterways..."


Dorset Road Extension Concerns
"The proposed Dorset Rd extension does not need to proceed. Wellington Rd is progressively being duplicated..."
"Knox has a plethora of roads and the saving of a few minutes for motorists should be resisted. Take Henderson Rd where a bridge was smashed through a quiet green area with all sorts of promises of benefits. It spends most of the day empty and we lost an important corridor of green."
"The extension of Dorset Rd will dominate an otherwise quiet and peaceful area that would be better developed as a corridor of green not a corridor of asphalt."

Written Submissions - Precinct 2a

Three email submissions were received that made comments specific to Precinct 2a. The table below provides a summary of key points raised. The submissions will be considered when developing draft strategies for Precinct 2a.

Table 3. Precinct 2a Written Submissions

Unique Identifier	Submitter Category	Submission Summary
S2a.1.	Developer (on behalf of seven landowners)	a) The submission relates to an area comprising multiple rural land parcels to the north of Wellington Road and south of Lysterfield ridgeline which is currently zoned GWZ1 (20ha min lot size). The submission seeks rezoning of this area to enable residential subdivision of 1,350m^2 to 4,000m^2 lots. The submission objects to a number of GARS findings / recommendations which may prevent this, including those pertaining to: • Landscape and character protection • Maintaining the current zoning and subdivision controls • Viability of the current grazing/agistment economy • Strengthening wildlife habitat • Viability of tourism, restaurant, café uses b) Opposes the proposed Dorset Road extension c) Supports the protection of Monbulk Creek floodplains d) Supports improved access to Lysterfield Park
S2a.2.	Consultant (on behalf of landowner)	The submission suggests that the rural property they own is appropriate for rezoning from GWZ1 (20ha min lot size) to create smaller residential lots similar to the existing RCZ2 zone to the west where a 0.5ha subdivision size applies. The submission: • Objects to multiple GARS recommendations/statements that might prevent such rezoning, incl. those pertaining to landscape character, maintaining the current zoning regime and protecting the current minimum 20ha subdivision size. • Suggests to remove Precinct 2a from the study area as the precinct vision is not in line with the landowner's vision.
S2a.3.	Landowner; Resident	Moved to Precinct 2b submissions to enable consideration alongside other relevant comments.

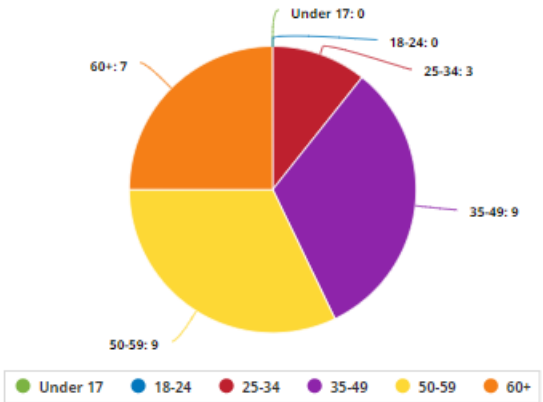
Precinct 2b
Lysterfield Quarries & Surrounds

A total of 28 respondents completed the online survey for Precinct 2b. Survey respondents were asked to rate the draft vision and key opportunities for this precinct. Open-ended fields were also included allowing for additional comments. A total of 31 comments were received through the open-ended fields for Precinct 2b.

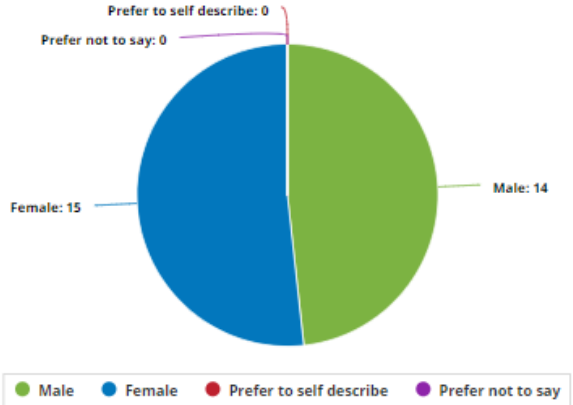
Two submissions were also received via email/letter, which made specific comments regarding Precinct 2b.

Survey Respondents - Demographics

The largest group of survey respondents were within the 35-49 years age group (32%) and the 50-59 years age group (32%). The majority of survey respondents identified as female.



Age Group



Gender

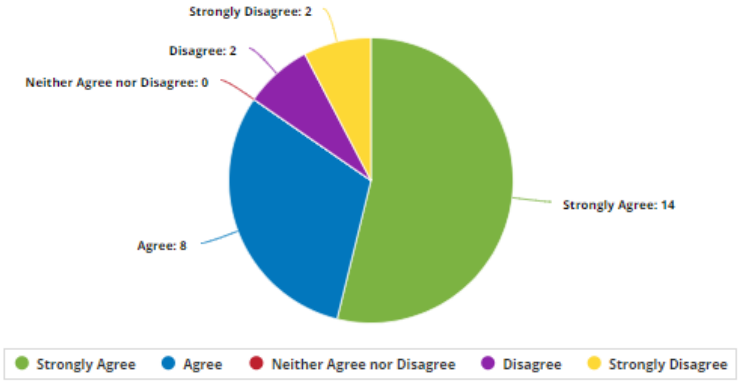
Draft Vision – Precinct 2b

The Draft Vision received a high level of support with 85% of respondents indicating that they "agree" or "strongly agree" with the Draft Vision.

The respondents also provided a total of 10 comments on the Draft Vision. Key points raised in the comments are outlined below.

Draft Vision for Precinct 2b

"The precinct will protect significant vegetation and wildlife habitat, provide high quality recreation and tourism opportunities and support the economic values of the existing extractive industries."



Comments on Draft Vision:

- **Prioritising environmental conservation**
  Protecting vegetation and wildlife in this precinct was considered an important priority for many respondents.

- **Extractive industries**
  A number of comments indicated opposition to the operation of the two quarries in this precinct, in terms of their scenic, environmental and amenity impacts. In this respect, it is noted that the quarries' lifetime and operation is regulated by the Victorian Government and exempted from planning approvals from the Knox City Council.

- **Tourism**
  A number of comments raised concerns about the notion of tourism, in particular as it may be interpreted as significant or intense tourism uses.

Issues and Opportunities - Precinct 2b

Summary of comments from each theme:

Landscape & Character

Significant support was shown for the priorities identified under the "Landscape & Character" theme. The highest level of active support* was provided for the protection of the **native bushland character** across the precinct and the protection of **views from vintage points** (100% both). Comments in this section predominantly raised concerns regarding the **quarries,** their impact on the views/traffic and the importance of **rehabilitation** following their closure.

Ecology

Under the "Ecology" theme, all of the respondents found **wildlife habitat and connectivity** to be very important or important. The second most important matter was the protection of the northern part of this precinct as a low intensity **rural buffer** (orange hatched area on Map 2b) actively supported by 96% of the respondents. However, a submission by one of the two quarry operators advises of their vision for urban development in the western part of this buffer area following the completion of quarry operations as part of future rehabilitation.

The most common theme of the open-ended comments under the "Ecology" theme was **protection from change**, with the respondents being concerned about the possibility of **future development**, **expansion of the quarries** and the **loss of flora and fauna**. Comments were also made regarding how the strategy should include the discussion of **Climate Change** and the **extinction** of species.

Land Use and Access

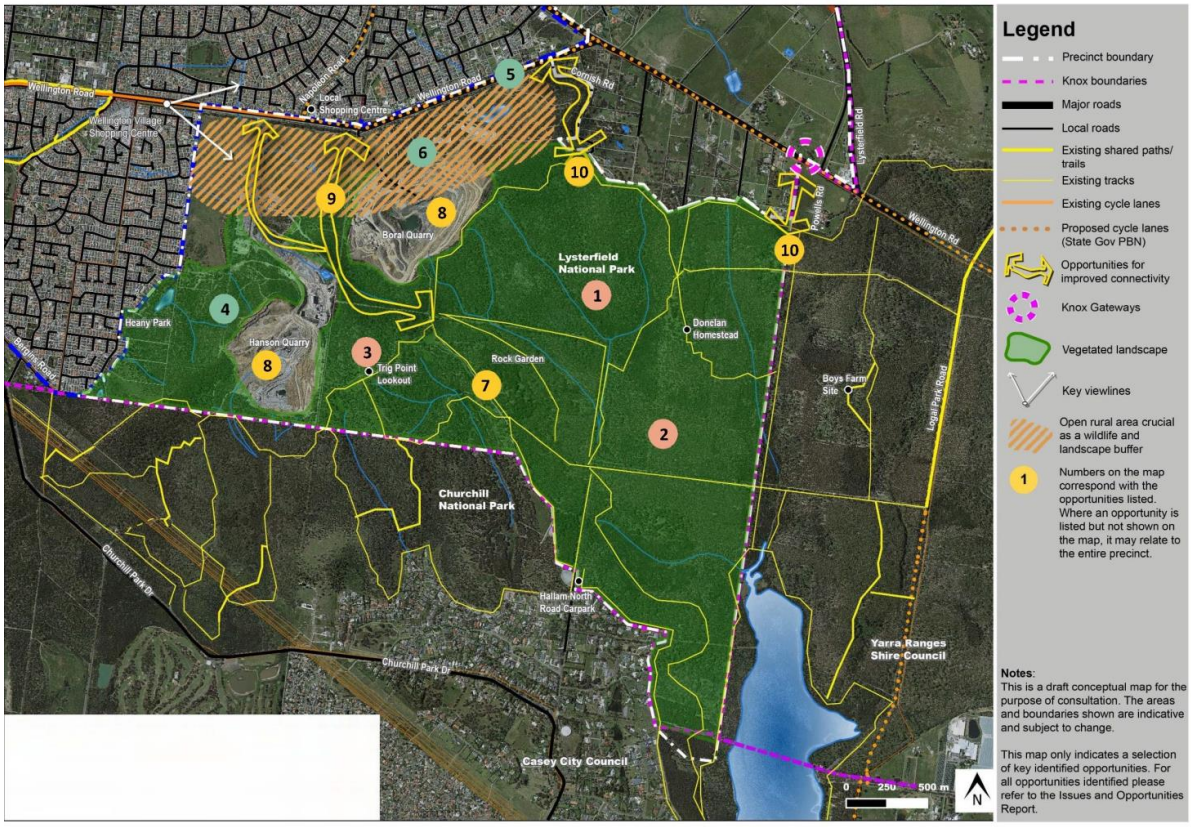
Under the theme "Land Use and Access", the highest importance rating was given to **recreational opportunities** (85% active support) followed by improved **shared path connectivity** to the national parks (Map 2b – Opportunity 9) (82% active support).

The proposed improved **access to Lysterfield Park** and possible car parking (Map 2b - Opportunity 10) received a mix of responses. While the majority of respondents showed overall support for such formalised access, a number of respondents raised concerns about additional traffic and visitors and their potential impact on environmental integrity of this precinct. With regard to the two access route options (Cornish Road and Powells Road), preference was shown for the Cornish Road option over Powells Road. Comments by local residents on these two roads suggest that Powells Road has limited capacity due to its narrow road reservation and traffic generated by existing uses. Cornish Road, on the other hand, is believed to be a more suitable option subject to substantial upgrades. This route is already used as an entry to Lysterfield Park with current issues regarding traffic and cyclist safety, drainage issues and environmental degradation.

The **economic role of the quarries** (Map 2b – Opportunity 8) received the least level of support amongst all opportunities (31% active support). The comments showed general negative sentiment towards to the current use and future expansion of quarry operations.

The following map illustrates the key opportunities identified for Precinct 2b and should be read in conjunction with the survey results that follow.

* "Active support" means where an opportunity is rated "Very Important" or "Important" by the user.

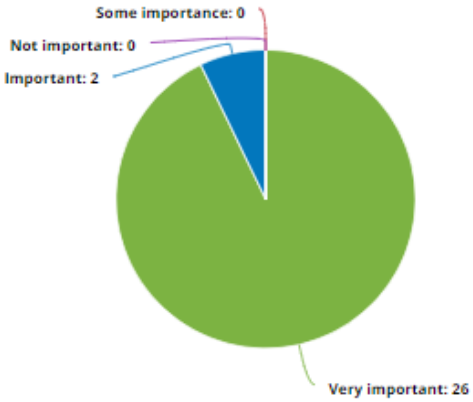


Map 2b – Advertised Draft Opportunities for Precinct 2b

Precinct 2b
Survey Results - Landscape and Character

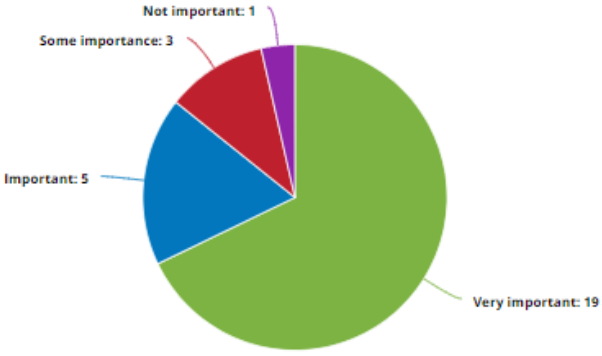
1 **Native bushland character**

The parts of Lysterfield National Park and Churchill National Park within Precinct 2b have significant landscape values due to their native bushland condition and natural integrity.



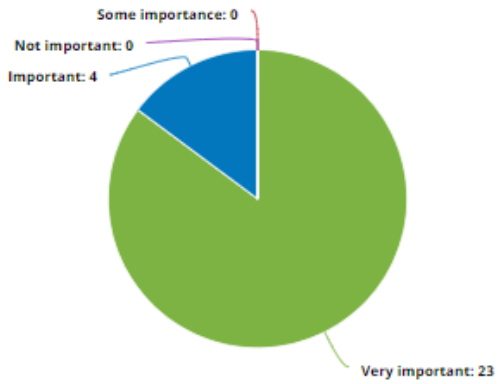
2 **Heritage**

Lysterfield Park is currently heritage listed and is identified as an area of Aboriginal cultural heritage sensitivity. There are individual sites within the national park which are worthy of further heritage investigation.



3 **Views from vintage points**

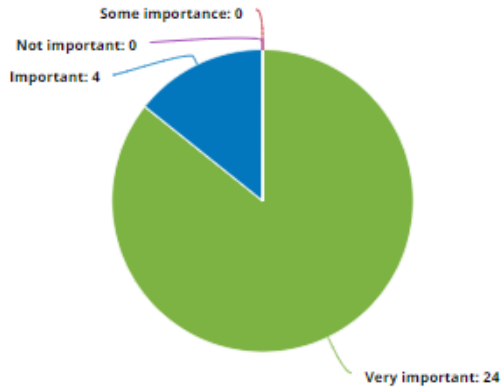
High points within Lysterfied Park including Trig Point Lookout present scenic panoramic views to Melbourne. Any future changes to the quarries (including post their operational life) will need to consider the impact on these views.



Precinct 2a
Survey Results - Ecology

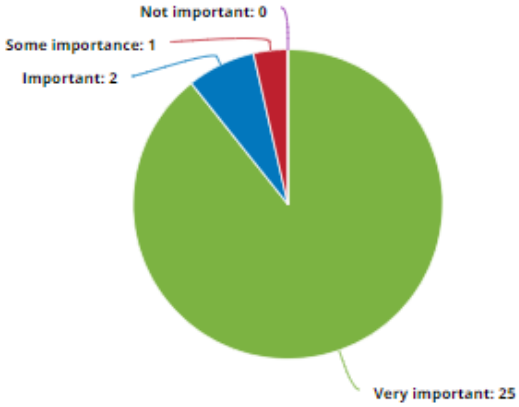
4 Wildlife habitat and connectivity

Lysterfield National Park and Churchill Park are home to a variety of native vegetation and wildlife. There are opportunities for vegetation/revegetation, with the objective of maintaining and strengthening wildlife connectivity and linkages to these important bushland areas.



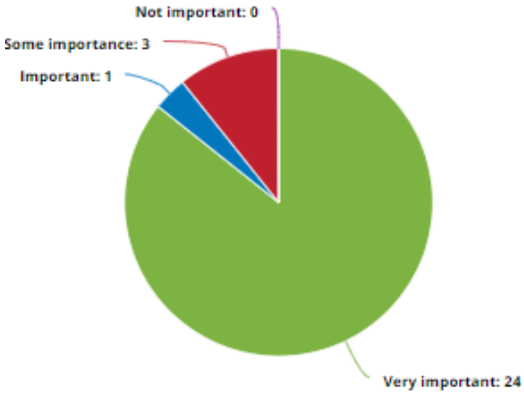
6 Rural buffer

The northern area within Precinct 2b plays a key role as a low intensity rural buffer between the Rowville residential areas and the sensitive wildlife habitat in the national parks.



5 Urban Growth Boundary

Maintaining the current Urban Growth Boundary at Wellington Road will be crucial to the protection of environmental and habitat values within the precinct.

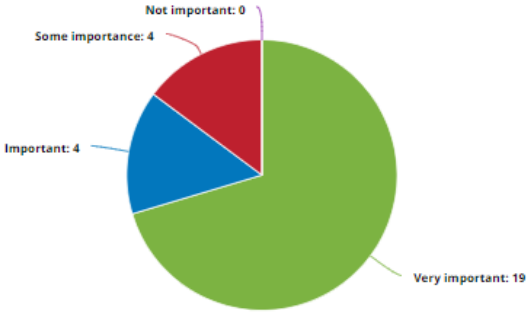


Precinct 2a

Survey Results - Land Use and Access

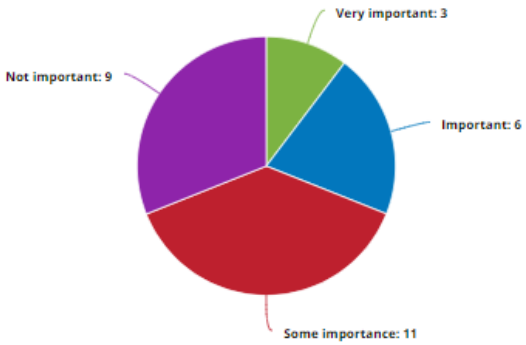
7 Recreational opportunities

Lysterfield Park provides great opportunties for recreation and connection with nature in proximity to the urban area. The mountain bike tracks in Lysterfield Park are highly popular and were used for the 2006 Commonwealth Games.



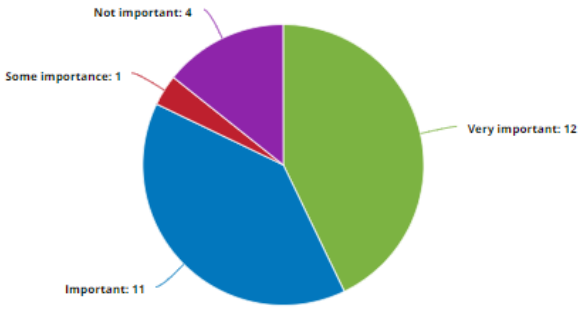
8 Quarries

The two quarries (Boral and Hanson) provide significant resources of hard rock in Victoria and have an important economic role within metropolitan Melbourne as well as the broader region. The quarries are likely to continue operation for another 20-30 years.



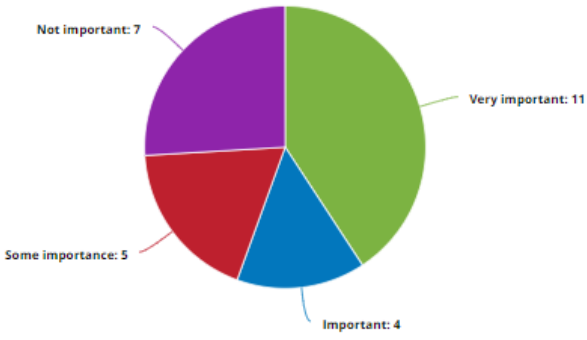
9 Improved shared path conenctivity to national parks

There are opportunities to improve access to the national parks for Knox residents. This could be in the form of improved shared path connectivity at possible locations shown on the map.



10 New Lysterfield Park entry point and car parking

There are opportunities for a new formalised entry point with car parking from either Cornish Road or Powells Road, to provide easier access to the national park from within Knox.



Selected Quotes (by Common Issues)

Protect from Change
"It is absolutely essential that the Urban Growth Boundary remains in place."
"These areas must be maintained and strengthened. No watering down of these zones should be permitted."
"Keep it simple and preserve the area, no big tourist attractions."
"We don't want another 1000 steps. We don't want herds of people."
Quarries (Concerns)
"I think they create an unacceptable level of traffic, noise and dirt which has increased massively. I don't support this."
"...ensure the open, bush nature of this area is maintained and enhanced and that when the quarries finally close they undertake proper and expansive rehabilitation programs."
"The site lines are already impacted by the quarries. Despite them providing essential materials for infrastructure building they are destroying a lot of vegetation and habitat."
"Access is great idea but protecting the area from further quarry expansion would be more sensible."
"I loathe to have the number of quarry trucks enter and exit Wellington Rd."
"This buffer is being eroded by the natural progression of, and by the potential expansion of the quarry businesses in this zone."
"A balance needs to be found in this precinct between the economic role of the businesses, ie the quarries, and the natural environment. Some buffers need to be established to minimise the visual impact of the
"I shudder to think the quarries have that much life expectancy. The amount of noise, dust, vibration that come from the quarries from early hours of the morning to late at night not to mention the excessive amounts of trucks barrelling up and down Wellington Rd is ridiculous."

Written Submissions - Precinct 2b

One email submission was received that made comments specific to Precinct 2b. One email submission regarding Precinct 2a has also been included to enable the consideration of the issue (access to Lysterfield Park) alongside other relevant comments. The table below provides a summary of key points raised. The submissions will be considered when developing draft strategies for Precinct 2b.

Table 4. Precinct 2b Written Submissions

Unique Identifier	Submitter Category	Submission Summary
S2b.1.	Owner/operator (quarry)	The submission requests that GARS takes into account the proposed draft Progressive Rehabilitation Plan for the Hanson Quarry and do not rule out the intended outcomes such as the establishment of a lake in the quarry pit and urban development in the north-western part of this parcel of land. The submission acknowledges that such development would be outside the UGB but requests that the existing DDO3 remains to guide future residential development.
S2a.3 (Moved from Precinct 2a)	Landowner and resident	a) Strongly supports the proposed access to Lysterfield Park via Cornish Road, subject to upgrades to address current issues incl. traffic and cyclist safety, drainage and environmental issues. The submission suggests that this route should be the preferred access point as it: • is heavily used for access to Lysterfield Lake Park; • has good connectivity to the tracks via an access gate; • is close to urban development; • has ample road reserve; and • serves as fire and emergency access. b) Suggests the other option (Powell Road) is unsuitable as it has poorer connectivity, is less safe due to kennels traffic and does not have sufficient road reserve. c) Separated bike paths should be extended along Kelletts Road, Wellington Road and Cornish Roads to connect with Lysterfield Park. Given the high traffic volumes on Wellington Road "off-road" paths would be a far safer option than "on-road". A signaled pedestrian/cyclist crossing is suggested on Wellington Road. d) Council's weed management is suggested be extended to private rural properties.

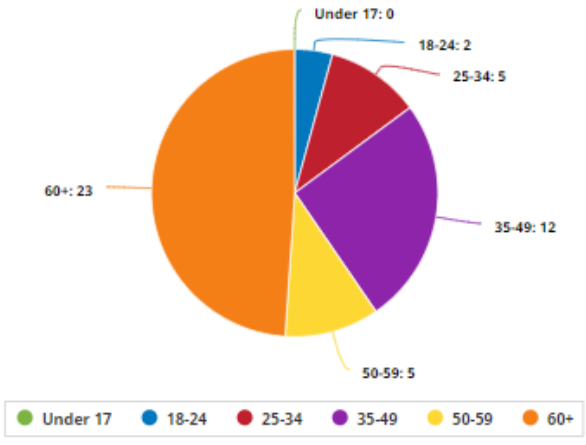
Precinct 3 – Dandenong Creek Valley

A total of 47 respondents completed the online survey for Precinct 3. Survey respondents were asked to rate the draft vision and key opportunities for this precinct. Open-ended fields were also included allowing for additional comments. A total of 59 comments were received through the open ended fields for Precinct 3.

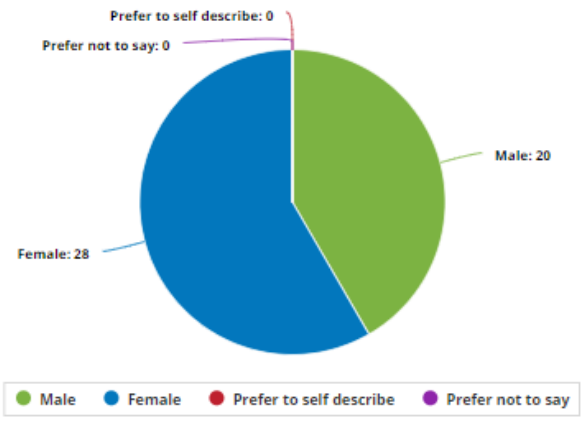
Seven submissions were also received via email/letter, which made specific comments regarding Precinct 3.

Survey Respondents - Demographics

The largest group (49%) of survey respondents were within the 60+ years age group followed by the 35-49 years age bracket as the second dominant group (25%). The majority of survey respondents identified as female.



Age Group



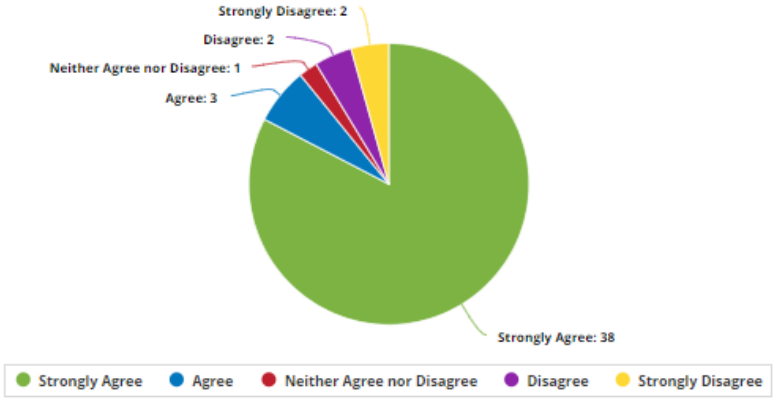
Gender

Draft Vision – Precinct 3

The Draft Vision received a high level of support with 89% of respondents indicating that they "agree" or "strongly agree" with the Draft Vision. The respondents also provided a total of 9 comments on the Draft Vision. Key points raised in the comments are outlined below.

Draft Vision for Precinct 3

"The precinct will act as a consolidated "green lungs" corridor within the Eastern Metropolitan region providing considerable recreational, nature conservation, flood mitigation, urban agriculture and parkland opportunities."



Comments on Draft Vision:

- **The importance of waterways and wildlife corridors**
  A number of comments emphasised the importance of the waterways and the associated riparian corridors. The role of this precinct in wildlife movement and connectivity was another matter raised as important. There are opportunities for the vision to reference these important roles of this precinct.

- **Development pressures**
  A few comments raised concerns about the future potential development at Jenkins Orchard and the Boral Redevelopment Site and how they would interact with and affect the function of this precinct as a green lungs corridor.

- **Horse agistment**
  A number of comments mentioned the importance of maintaining the current horse agistment in this precinct which is viewed as a rare recreational opportunity for the community.

Issues and Opportunities – Precinct 3

Summary of comments from each theme:

Landscape & Character

The opportunities under this theme received general support from the majority of respondents. The highest level of active support* was provided for the protection of **Dandenong Creek** (Map 3 – Opportunity 1) as an integrated landscape element (91%) and the importance of mitigation of the visual impact of the **high voltage power lines** (Map 3 – Opportunity 2) (87%).

The importance of retaining the horticulture activities to support **local food production** was an issue frequently raised in the comments. However, submissions by local property owners suggest that the existing markets on High Street Road do not produce their products onsite but rather procure them from across Australia or even overseas. **Protection of the rural character** and **enhancing the natural environment** were also common matters highlighted in the comments.

Ecology

The ecological recommendations were generally rated very important in this precinct. Introducing a **200m biodiversity corridor** along Dandenong Creek received the highest level of active support from the survey respondents (100%), followed by **reducing the barrier effect** of roads for wildlife movement (98%).

The comments made under this theme highlighted the importance of **wildlife habitat and connectivity**, with examples of bird sightings provided. **Land management and weed control** was also considered an important issue in this precinct that requires additional action. A number of respondents also raised the community benefits of the opportunities offered in this precinct for **passive recreation and connection with nature,** in particular for the younger generation.

Land Use and Access

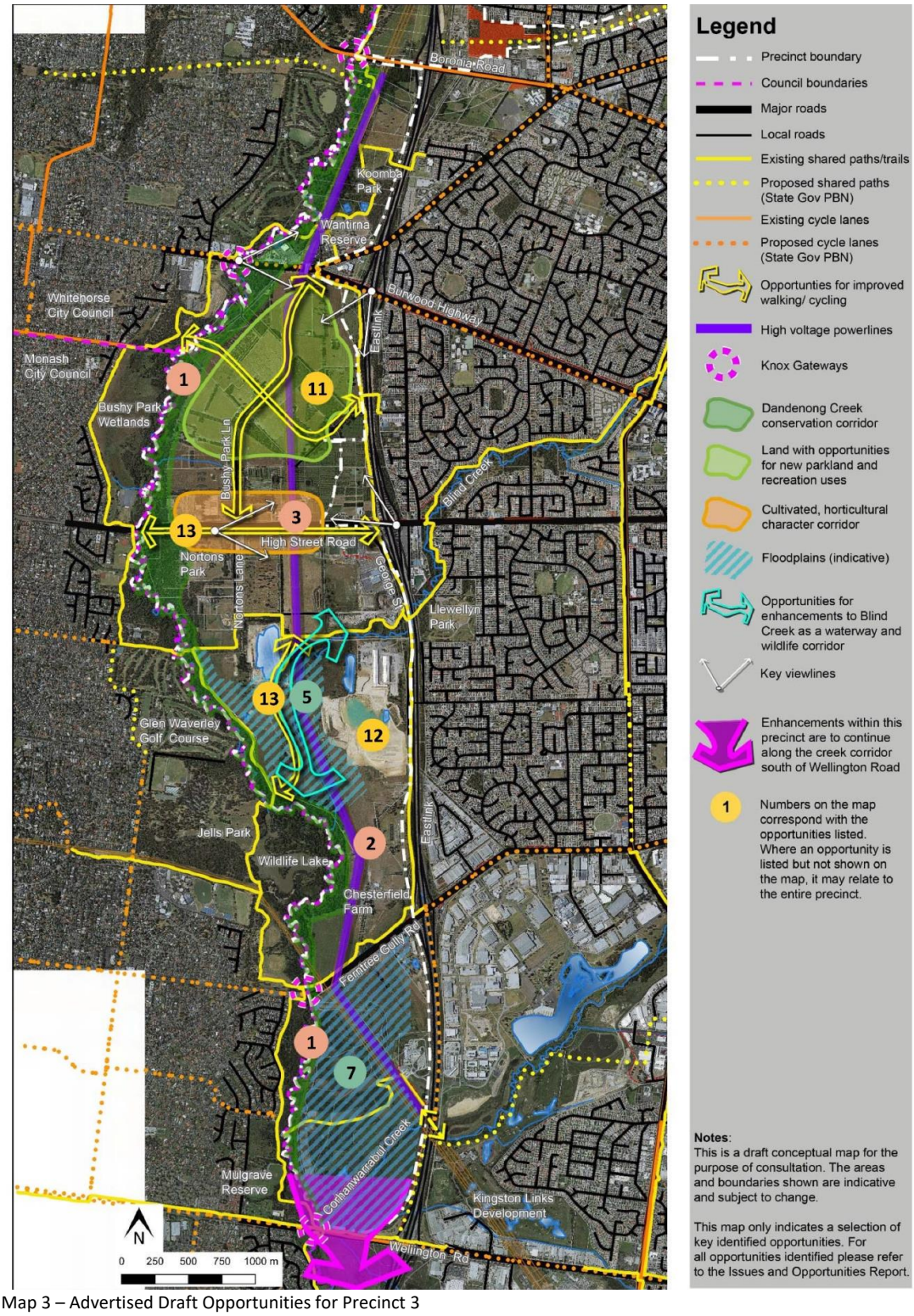
The **Boral Redevelopment Site** (Map 3 – Opportunity 12) received mixed comments including concerns about any future residential development. It should be noted that the broad vision to have residential development at this site is already incorporated in the Knox Planning Scheme and is not a proposal put forward by GARS. With regard to this site, GARS looks at opportunities to enhance the environmental and landscape values of this area for the future development.

Shared path connectivity received a high level of support within this precinct, with linkages along High Street Road and Blind Creek considered a priority (Map 3 – Opportunity 13). There were also suggestions for additional linkages. It was suggested that the proposed linkage along Eastlink south of Ferntree Gully Road (which is part of the existing State Government Principal Bicycle Network (PBN) needs to be off-road rather than on-road. A separated shared path along this route was considered necessary to complete the corridor in a safe manner.

The respondents were divided on the proposed **land use review** of the area surrounding Bushy Park Lane and Axford Road (Map 3 – Opportunity 11). A considerable number of survey respondents indicated their support for enhancing this area with recreational/parkland opportunities and improving accessibility by the general public. However, the respondents who currently use the **existing horse agistment** in this area highlighted the community values of this use and have requested it to be retained. In addition, some respondents noted that they valued the sight of **grazed cattle** and its contribution to the rural feel and character of this corridor, especially where visible from the cycle trails. There were also mixed reactions to the idea of **improving access** to and through this area by sealing of the roads or creating shared paths. While some respondents strongly supported this idea, others had concerns that easier human access and presence may have a negative impact on the environmental values and biodiversity within this area. With regard to this matter, it is also noted that officer-level advice from Parks Victoria indicated that they have no immediate plans for a planning review of this area.

* "Active support" means where an opportunity is rated "Very Important" or "Important" by the respondent.

The following map illustrates the key opportunities identified for Precinct 3 and should be read in conjunction with the survey results that follow.

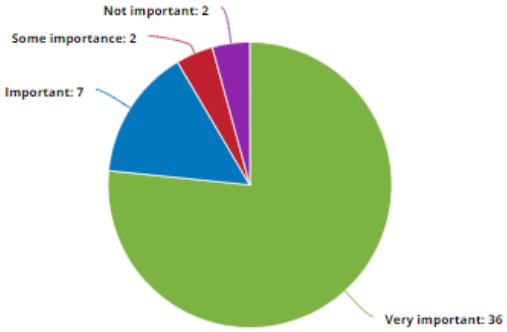


Map 3 – Advertised Draft Opportunities for Precinct 3

Precinct 3
Survey Results - Landscape and Character

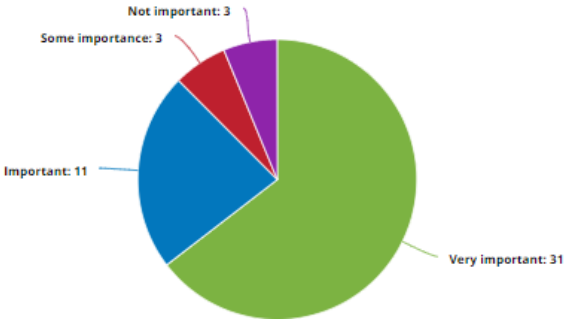
1 **Dandenong Creek**

Running along the western boundary of this precinct, the Dandenong Creek riparian corridor is a key integrated landscape element that defines this precinct as a single unit. This corridor also represents an area of Aboriginal cultural sensitivity.



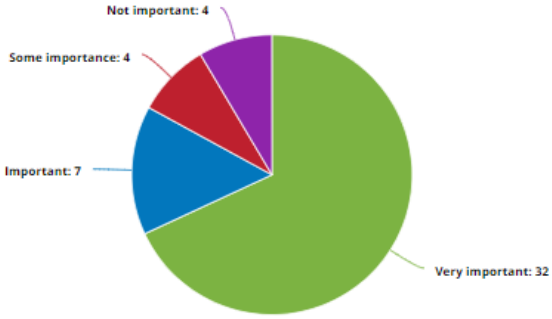
2 **Power lines**

The high voltage power lines that run north-south through this precinct have considerable visual impact. Vegetation plays an important role in mitigating/reducing the visual dominance of these power lines and is an important factor that needs to be maintained.

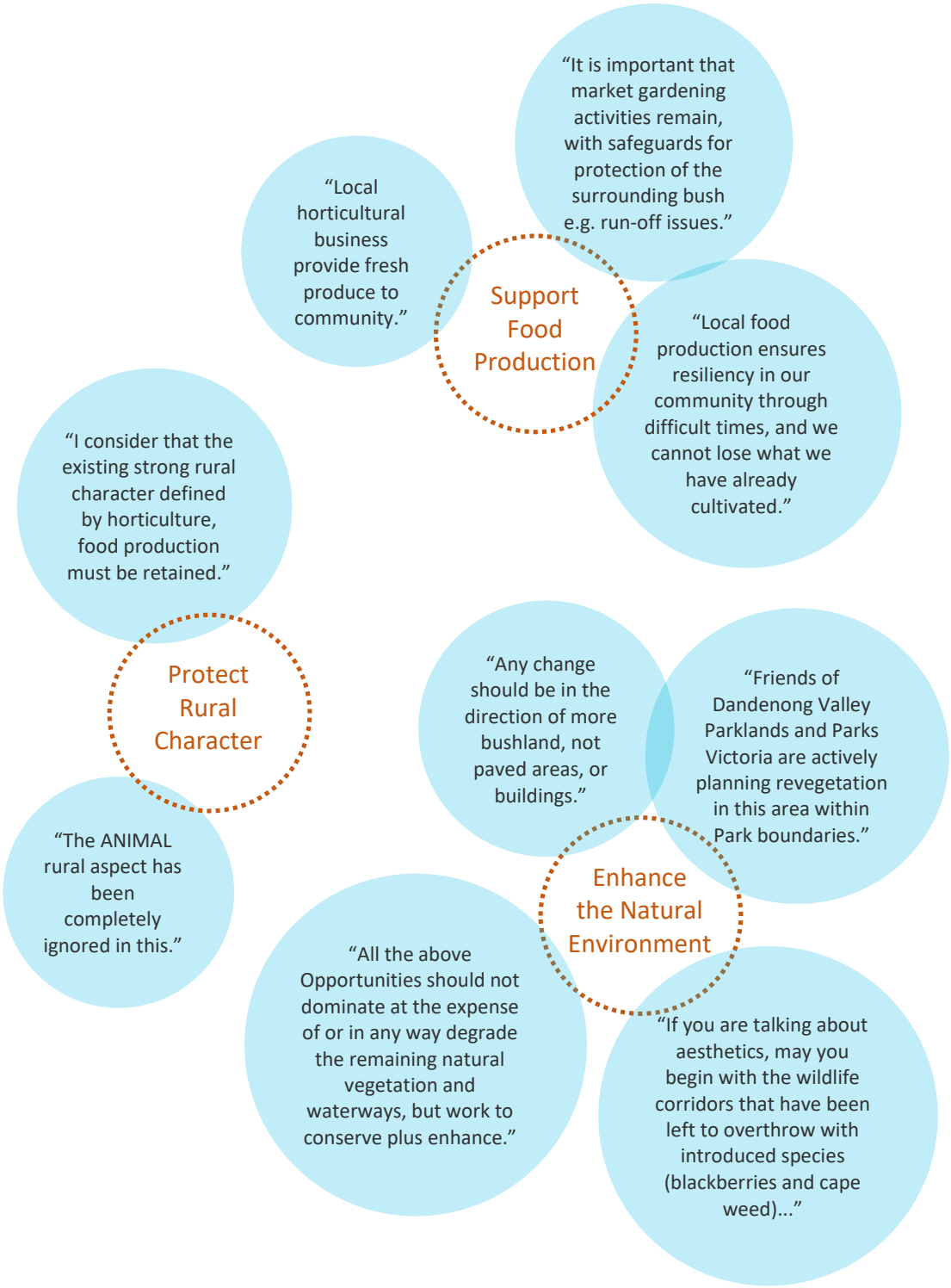


3 **High Street Road**

High Street Road is an entry corridor to Knox with a strong rural character defined by horticulture, food production and market uses. Any future changes need to reflect this rural character and where possible provide improvements to the amenity and aesthetics of this character corridor.



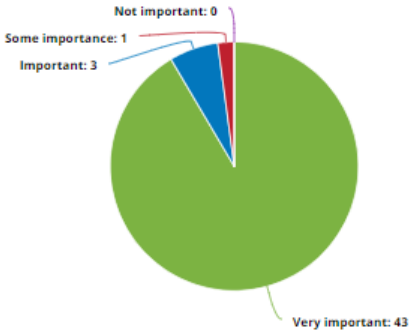
Selected Quotes (By Common Issue)



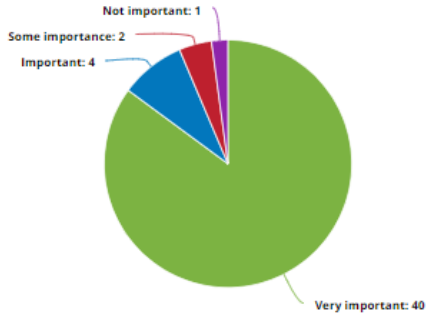
knox your city

Precinct 3
Survey Results - Ecology

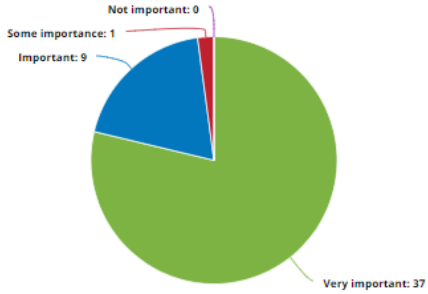
4 **Dandenong Creek 200m buffer**
Protecting the 200m buffer of Dandenong Creek from intense development and revegetation within this corridor will have significant positive biodiversity impacts.



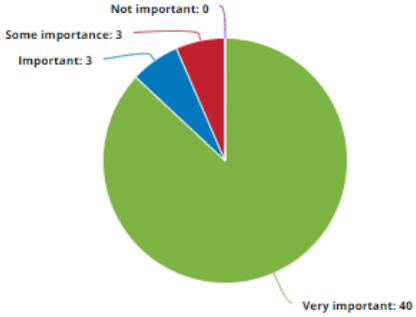
5 **Blind Creek**
There are opportunities to re-establish and re-vegetate Blind Creek as a natural waterway and wildlife corridor between Dandenong Creek and the area to the south of Knox Waste Transfer Station.



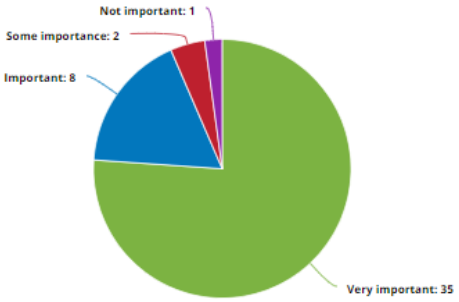
6 **Barriers to wildlife movement**
Multiple road intersections with Dandenong Creek act as barriers to wildlife movement. Place-specific actions have been identified to minimise the barrier effect of these roads.



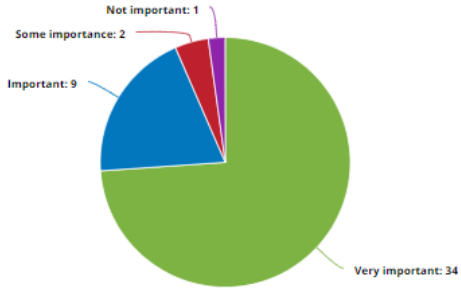
7 **Flood management and water quality**
Wetlands assist with flood management while providing habitat for aquatic species. Ongoing collaboration between Knox Council and Melbourne Water will be required to monitor conditions and identify opportunities for improvements.



8 **Water sensitive and ecologically sustainable design**
There are opportunities to encourage water sensitive and ecologically sustainable design approaches to development and infrastructure within this precinct.



9 **Dandenong Creek revegetation and naturalisation**
There are a couple of spots along the creek corridor with opportunities for revegetation and re-establishment of the creek as part of future development.

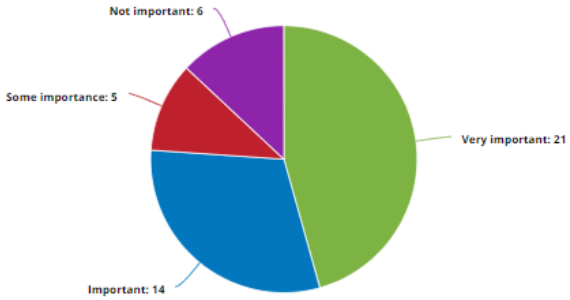


Selected Quotes (By Common Issue)

Precinct 3
Survey results - Land Use and Access

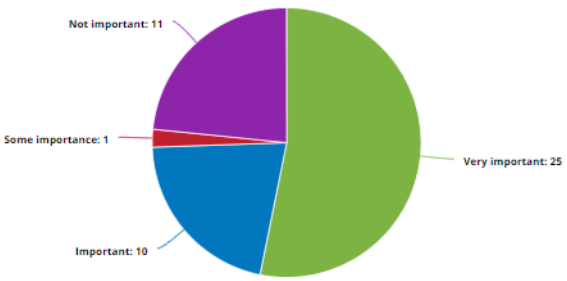
10 **Economic role**

Rural economic activities within this precinct, including existing horticulture and food production/sale in the vicinity of High Street Road, are of high value to the surrounding urban catchment and need to be protected.



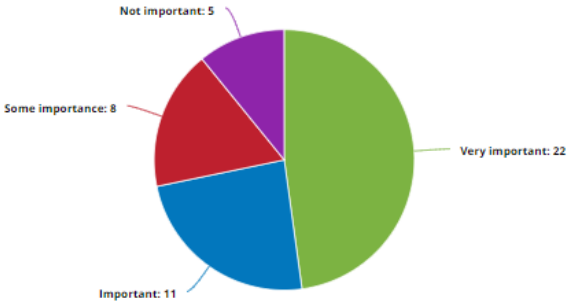
11 **Land Use Review (Bushy Park Lane)**

A large area between High Street Road and Burwood Highway is zoned Public Park and Recreation, however, has poor access and is used for grazing/horse agistment. This area presents great opportunities for well-designed parklands or other active and passive recreation uses to meet the needs of a growing population. Vehicular and shared path connectivity is also recommended through this area.



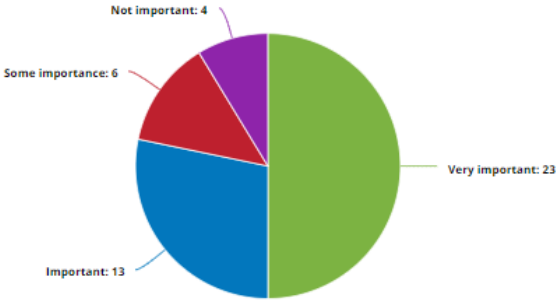
12 **Boral redevelopment site**

The Boral Quarry site has been identified as a strategic site for future residential and employment uses subject to appropriate approvals. There are opportunities to locate the built up area closer to EastLink and provide for nature conservation and passive recreation uses to the west in proximity to the Dandenong Creek corridor.



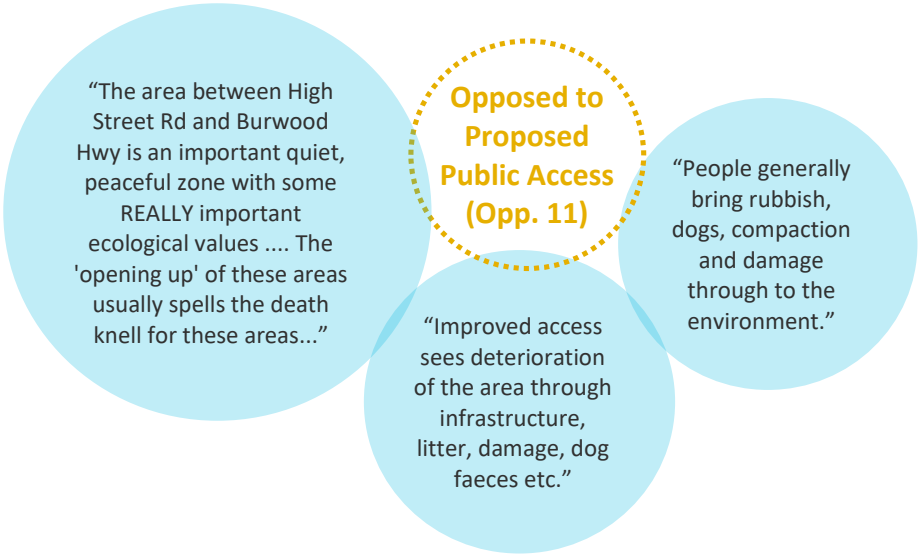
13 **Shared path connectivity**

Opportunities exist for shared path connectivity along High Street Road and along the future re-aligned Blind Creek. The proposed shared paths and cycle lanes by the State Government's Principal Bicycle Network (PBN) are also supported.



Selected Quotes (By Common Issue)

"My daughter is one of those who agists her horse in this area. It is indeed a beautiful area that the agistees put a lot of effort into maintaining and preserving..."
"Passing horses along Dandenong Ck bike trail is fantastic so it would be awful if the plans to enhance that area for recreation removed this aspect in Knox."
"... please do not take our agistment away from bushy park lane. This has major impact on our lives, and we maintain the area and preserve the spaces."
Retain Agistment & Grazing (Item 11)
"The land for animal grazing is very important for the continuation of a unique opportunity in Knox. It is the closest suburb to the CBD that facilitates the ownership and maintenance of horses and livestock."
"Whilst areas used for grazing may have poor access I don't see removal of grazing important until decent plans are available for better use of these areas for parkland."
"It is primarily local women who use this area for their own health and fitness, riding these horses targeting better physical activity within the community. These women are from all ages who interact socially."


"The area between High Street Rd and Burwood Hwy is an important quiet, peaceful zone with some REALLY important ecological values .... The 'opening up' of these areas usually spells the death knell for these areas..."
Opposed to Proposed Public Access (Opp. 11)
"People generally bring rubbish, dogs, compaction and damage through to the environment."
"Improved access sees deterioration of the area through infrastructure, litter, damage, dog faeces etc."

Written Submissions - Precinct 3

Seven email submissions were received that made comments specific to Precinct 3. The table below provides a summary of key points raised. The submissions will be considered when developing draft strategies for Precinct 3.

Table 5. Precinct 3 Written Submissions

Unique Identifier	Submitter Category	Submission Summary
S3.1.	Not Provided	• Objects to Jenkins Orchard development (outside study area). • No new development or infrastructure. • Opposed to cyclists.
S3.2.	Surrounding Resident; User; Community Group Member	• Biolink Corridors: Provides details on birdlife and sightings of species. • Blind Creek south of the Transfer Station: Provides history and supports restoring the creek as part of Boral redevelopment; better management of rubbish blown from the Transfer Station. • Remnant woodland biodiversity values along Axford Road. • Cycle paths: High traffic on Eastlink Trail and worn gravel at some spots; concerned about the proposed "on-road cycle path" on Eastlink – off-road connection more appropriate; Suggests other bike linkages. • Supports improving access and public use of the Bushy Park equestrian area.
S3.3.	Property owner; Business Operator	• Suggests to allow for residential development to the east of Bushy Park Lane and Pumps Lane, linking with Jenkins Orchard. • Other than the vineyard, there is no food production east of Bushy Park Lane. Agriculture and horticulture is impossible due to bird population. The two existing produce outlets do not produce any of their fruit/vegetable on site. • Believes there is no agri-tourism, education and cultural activities.

S3.4.	Property Owner; Resident	• Supports the green belt vision to preserve the rural and natural values.
		• Raises comments with regard to the Boral Redevelopment Site:
		  ○ The need to protect Blind Creek and its wetlands.
		  ○ The need to consider floodplains.
		  ○ Areas of Aboriginal Cultural Heritage Sensitivity.
		  ○ The presence of native plants and grasses along Norton's Lane. The submitter is concerned that future residential access would be through this road.
		  ○ Displeased that trees on the Boral quarry land were previously removed.
		  ○ Concerned that development in proximity to Shepherds Bush would impact this sensitive habitat.

S3.5.	Property owner; Business Operator	• Makes comments with regard to the Boral Redevelopment Site:
		  ○ Removal of trees has resulted in the loss of wind breakers, birdlife and the increase in weeds.
		  ○ Requests clarification regarding the future of the grazing area adjacent St Paul's Missionary College.
		  ○ Welcomes planting of trees along the Blind Creek Trail.
		  ○ Concerned about the lack of infrastructure to support this development.
		• Supports the draft vision statement for Precinct 3.

S3.6.	Business Operator	The submission generally seeks the continuation of the existing horse agistment on paddocks surrounding Bushy Parks Lane (land leased out by Parks Victoria). • Provides more information on land/environmental management activities undertaken by the agistment operators and their capital works program.

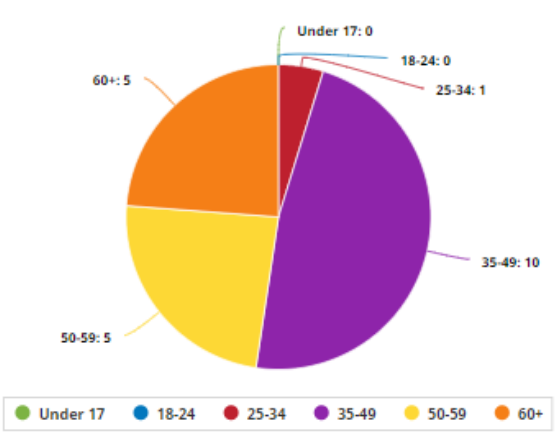
		• Requests that the report acknowledges the contribution of the current operators to environmental management and stewardship of this area. • Seeks clarification on the proposed rezoning of 115-123 Axford Road to PCRZ. • Supports revegetation and environmental protection. • Requests that the historical value of this area is considered and reflected. • Disagrees with the discussion regarding poor maintenance of agistment land. • Requests that the maintenance of grazing land be seen as a separate issue to the maintenance of agistment land. • Supports maintaining the rural character and believes that agistment is a key contributor. • Objects to sealing of the roads due to concerns about stormwater run-off and noise impacts on wildlife. • Objects to the proposed comprehensive planning review for the area between High St Road and Burwood Highway (Map 3 - Opportunity 11). • Highlights the positive contribution of horse-riding to the community and local economy.
S3.7.	Developer (on behalf of landowner)	Provides detailed comments on discussions within the Issues and Opportunities Report, with the following key comments: • Requests alignment with the developer's draft vision for the Boral Redevelopment site [not formally submitted to Council at the time of submission] and provides background information. • With regard to Blind Creek, requests that all reference to "realignment" is removed. Suggests that enhancement of the creek corridor be targeted instead incl. the introduction of ponds and riffles, wetlands, landscaping and planting. • Objects to the proposed 200m Dandenong Creek biodiversity corridor and suggests replacing it with Melbourne Water's 50m buffer and DELWP's preferred 100m buffer. • Requests the removal of existing quarry water bodies from the maps as they will not be retained. • Questions the characterisation of High Street Road as a rural corridor due to future changes.
SG6	Not provided	Proposes that a disc golf course is built in one of the 5 precincts.

Precinct 4
Healesville Fwy Reservation & Surrounds

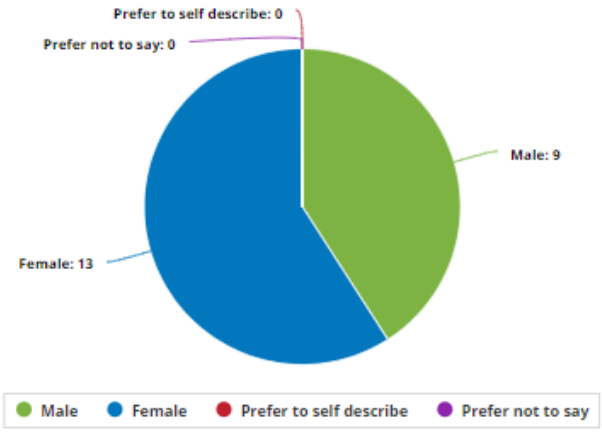
A total of 21 respondents completed the online survey for Precinct 4. Survey respondents were asked to rate the draft vision and key opportunities for this precinct. Open-ended fields were also included allowing for additional comments. A total of 15 comments were received through the open ended fields for Precinct 4.

Survey Respondents - Demographics

The largest group (48%) of survey respondents were within the 35-49 years age group followed by the 50-59 and 60+ years age brackets (24% each). The majority of survey respondents identified as female.



Age Group



Gender

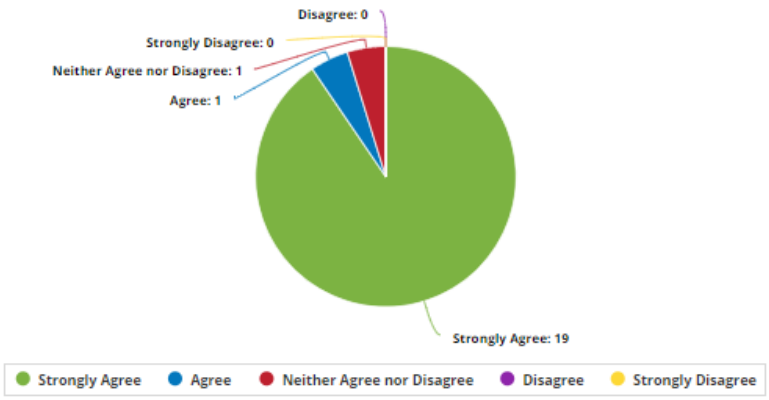
Draft Vision – Precinct 4

The Draft Vision received a high level of support with 90% of respondents indicating that they "strongly agree" with the Draft Vision.

The respondents also provided a total of 3 comments on the Draft Vision. Key points raised in the comments are outlined below.

Draft Vision for Precinct 4

"The need for the freeway extension is to be reviewed by VicRoads in the context of the broader traffic network. Should the road not be required, the precinct offers opportunities for an integrated open space/parkland corridor which protects native vegetation."



Comments on Draft Vision:

- **Open space/parkland opportunities**
  Two comments supported the creation of new parkland (recreational & environmental) as it provides a unique opportunity to provide a linkage between Dandenong Creek, Bateman St Bushland and surrounding park/habitat sites.

- **Biodiversity and conservation buffer**
  One comment suggested that the vision should make a direct reference to "Biodiversity" as an important priority for this precinct.

Issues and Opportunities – Precinct 4

Summary of comments from each theme:

Landscape & Character

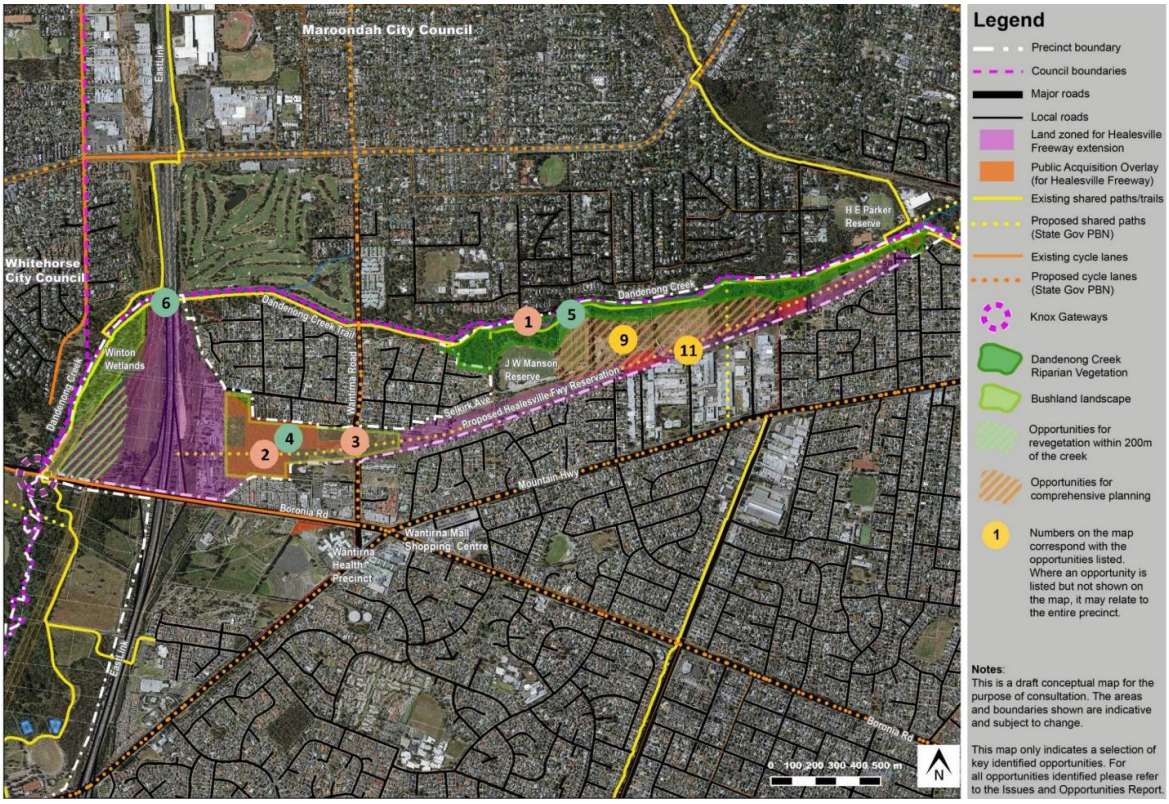
The **Dandenong Creek corridor** (Map 4 – Opportunity 1) and **Bateman St Bushland** (Map 4 – Opportunity 2) were considered the most important landscape features in this precinct with 100% of the respondents actively supporting* their protection. Views from the **Wantirna Road cutting** (Map 4 – Opportunity 3) were also considered an important element in this precinct by the majority of respondents (95% active support).

Ecology

Environmental enhancements within 200m of the **Dandenong Creek corridor** were highlighted as a key priority in this precinct with 100% of the respondents actively supporting them. Protection of **Bateman St Bushland** (Map 4 – Opportunity 4) was also considered highly important in this precinct, with 95% of the respondents actively supporting its protection due to environmental and biodiversity values. **Water sensitive design** approaches were also actively supported by all respondents with some comments suggesting that such an approach should be given a greater policy mandate in the strategy.

Land Use and Access

The feedback was more complex under this theme. Regarding the area identified with opportunities for **comprehensive planning** (Map 4 – Opportunity 9), general support was expressed for additional open space and passive recreation uses, however, other uses such as café/restaurant or agriculture received less support. When asked whether the existing **uncertainty about the future** of the road reserve has resulted in poor/short term use of the area, 65% of the respondents believed this is an important or very important issue in this precinct. The following map illustrates the key opportunities identified for Precinct 4 and should be read in conjunction with the survey results that follow.



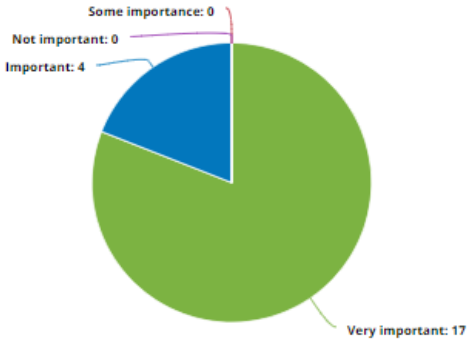
Map 4 – Advertised Draft Opportunities for Precinct 4

* "Active support" means where an opportunity is rated "Very Important" or "Important" by the respondent.

Precinct 4
Survey results - Landscape and Character

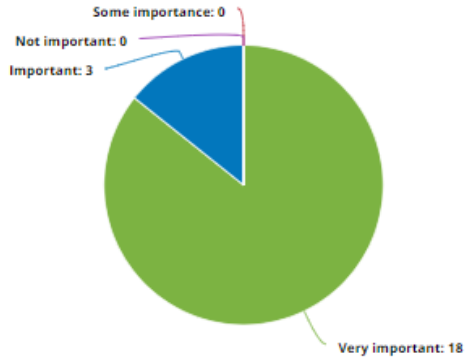
1 Dandenong Creek corridor

Dandenong Creek and its riparian vegetation line the northern edge of the precinct and provide a distinct local character. The openness of the floodplains to the south has enabled this natural green corridor to be visible from the surrounding area.



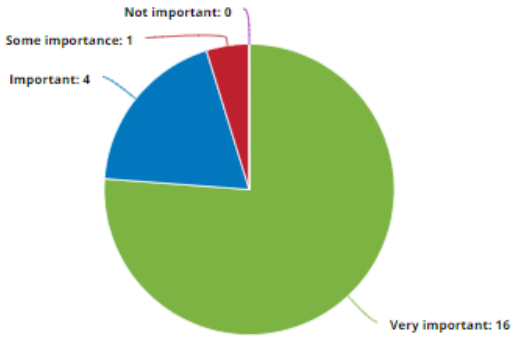
2 Bateman Street Bushland

The Bateman Street Bushland is a highly valued local landscape setting, comprising intact and significant native vegetation.



3 Wantirna Road cutting

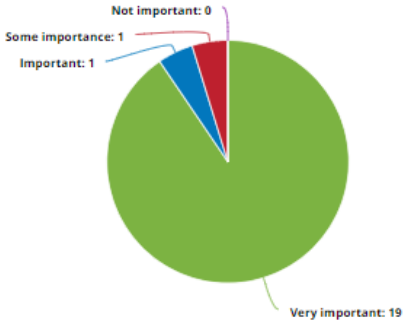
The Wantirna Road cutting provides views to an elevated slope of scattered vegetation which contribute to its experience as a natural and leafy place within the urban setting.



Precinct 4
Survey Results - Ecology

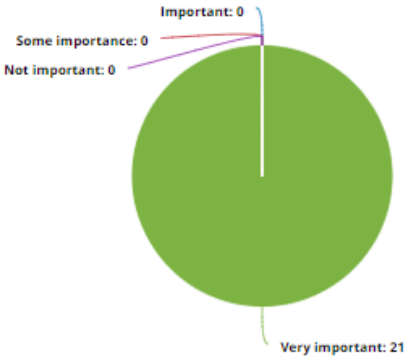
4 Bateman Street Bushland

The Bateman Street Bushland has high ecological values due to endangered vegetation types, however, is located on the Freeway reservation corridor. Should the freeway not be required, this bushland is recommended for rezoning for conservation purposes. Should the freeway be required, an underpass design is recommended to be investigated by VicRoads to protect this bushland.



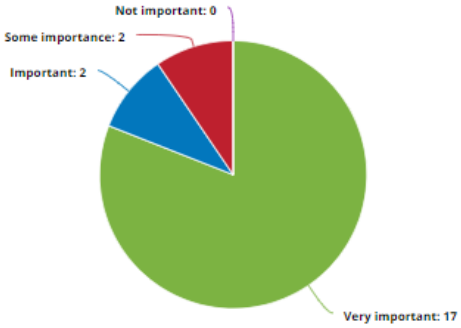
5 Dandenong Creek 200m buffer

Dandenong Creek and its riparian vegetation have high biodiversity values. Previous revegetation, wetland building and habitat restoration by local Councils and community groups have greatly added to these values. There are opportunities to protect these values and support further enhancements within 200m of the creek.



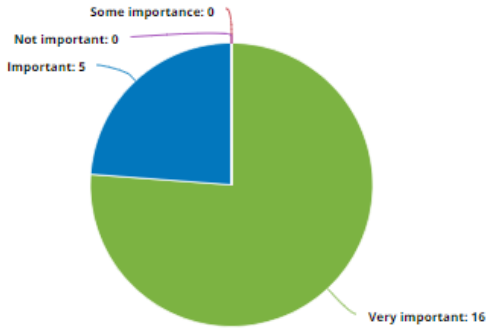
6 Barriers to wildlife movement

Actions have been identified to minimise the barrier effect of EastLink over the Dandenong Creek.



7 Water sensitive design

There are opportunities to encourage water sensitive design approaches to development and infrastructure design.

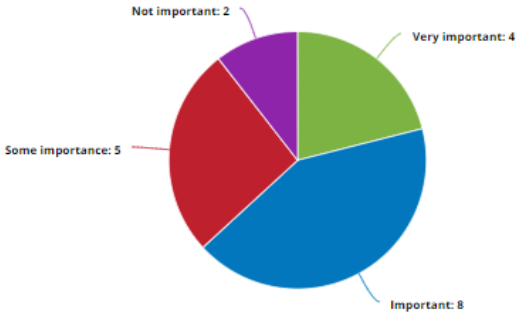


Precinct 4

Survey Results - Land Use and Access

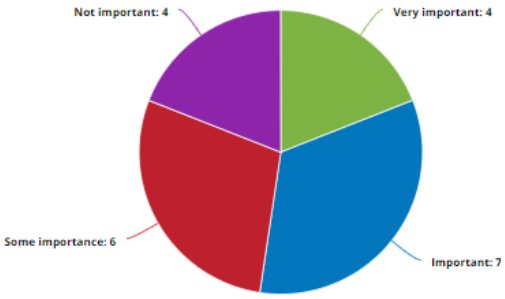
8 Need for future certainty

Constraints such as flooding from Dandenong Creek and uncertainty about the road reservation have resulted in the current interim uses.



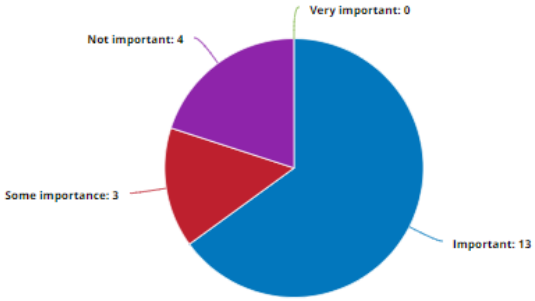
9 Comprehensive planning opportunities

The area between the creek and the reservation presents opportunities for possible consolidation of land and comprehensive planning to enable a more productive use of land, improved accessibility and enhanced land management practices. Due to its proximity to population catchments, this area has potential for open space and recreational uses, building upon the existing facilities at JW Manson Reserve, with possible complementary uses such as restaurant/cafes.



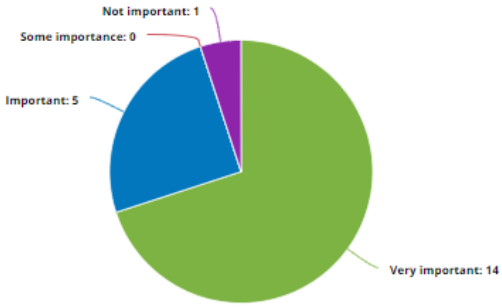
10 Agriculture

Due to good soils, opportunities exist for small scale urban agriculture.

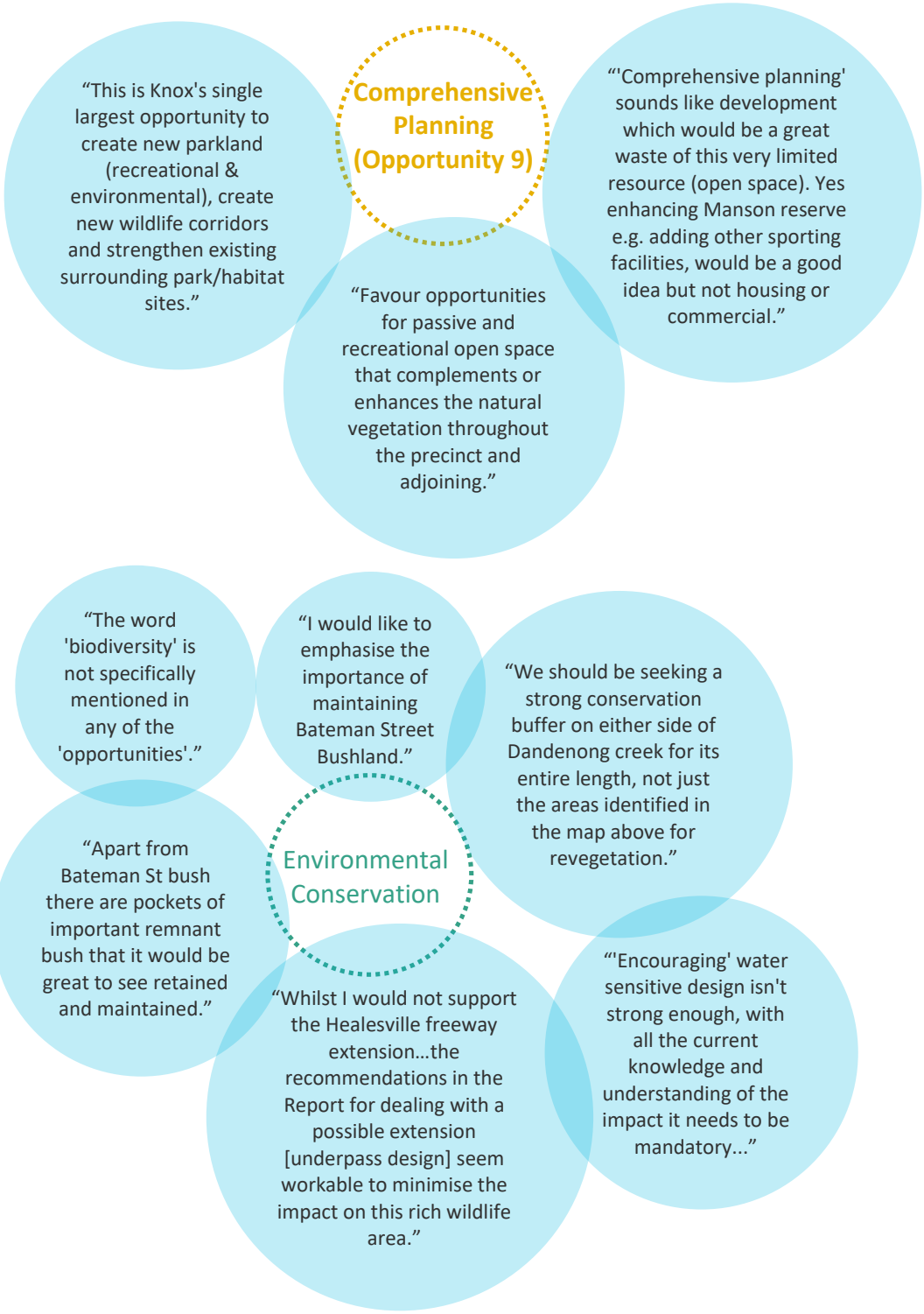


11 Amalgamation opportunities

Should the Freeway not be required, the reserved land could be amalgamated with the adjoining area to form a high quality, well accessed open space corridor.



Selected Quotes (By Common Issues)



Written Submissions - Precinct 4

No written submissions (email/letter) were received from community members that made specific comments about Precinct 4.

Appendix 1 – Public Authority Comments

Comments received from the public authorities are summarised in the table below. The majority of comments are provided on an officer-level, without-prejudice basis.

Submitter	Key comments summary
Department of Environment, Land, Water and Planning (DELWP)	• Advises of the work underway by DELWP on Protecting Green Wedge and Agricultural Land and requests that GARS considers this work once the consultation paper is released. • Advises of the upcoming Extractive Resource Areas pilot projects, however, states that this project does not directly impact Knox. • Advises the GARS research is consistent with Planning Practice Note 31 and acknowledges that a combined Green Wedge Management Plan with the relevant adjoining councils will be required. • Recommends adding information about tree canopy. • Recommends the final strategy to be complemented by an implementation/action plan. • Regarding strengthening ESO1 and ESO2 in Precinct 1, recommends assessing permits and VCAT to check their effectiveness. • Supports the option for road and no-road scenario in Precinct 4.
Melbourne Water (MW)	• Provides additional information on MW strategies and projects including the Healthy Waterways Strategy 2018-2028 and the Co-designed Catchment Program for the Dandenong Catchment Region. • Provides an update of the current state of the Draft Greenfield Corridor Guidelines and more information about the calculation of the Creeks' Core Riparian Zone and vegetated buffers. • Provides an update on the status of the MW flood model. • Recommends co-management of the Liverpool Road Retarding Basin with Council if more connectivity and higher visitation is intended.
Department of Transport (DoT)	• Supports the intent of the strategy, but states that additional discussion and consideration is required when more detail is provided. • Advises that there are no plans to remove or alter the current Healesville Freeway reservation and any proposals must not impact the proposed road alignment. • Advises generally that any proposals should not compromise the development, management and maintenance of the transport network. • Draws attention to the recently reviewed draft Strategic Cycling Corridor (SCC) Network, the Movement and Place Design Guidelines, and the Walking and Cycling Guidelines developed by DoT. Encourages the provision of separated cycling paths for SCCs rather than shared user paths where possible. • Recommends strengthening bush boulevard planting beyond the road reservation, and to not solely rely on the road reservation.
Parks Victoria (PV)	Advice is provided on an officer-level without prejudice basis. Precinct 1 • Draws attention on the PV owned properties and parts of the Dandenong Ranges National Park (DRNP) that are zoned Rural Conservation Zone (RCZ1). • Emphasises the biodiversity and landscape role of the RCZ1. • Supports enhanced pedestrian/cycle access to DRNP. Precinct 2a • Supports maintenance of zoning and lot sizes to create a buffer between the park and the more intensive urban area.

	Precinct 2b • Advises of the current PV work on an amendment to the Churchill National Park & Lysterfield Park Management Plan and suggests that GARS recommendations align with this work, in particular those pertaining to improved access to the parks. • Emphasises the role of the rural buffer and the Urban Growth Boundary (UGB). • Recommends protecting viewlines from trail vantage points within the parks. • Questions why Rowville Recreation Reserve & Waverley Golf Course are not included. Precinct 3 • Advises that Parks Victoria has no immediate plans for comprehensive planning within this precinct. Any future planning should be linked to broader strategic planning for the waterway corridor and involve all partners. • Advises of potential linkages to Plan Melbourne policies and DELWP's role in similar projects such as Cardinia Creek Parklands. • Advises of positive impacts of recent enhancement to Nortons Park. • Suggests all zoning anomalies to be combined into one strategy. Precinct 4 • Highlights the importance of continuous shared trail connections/linkages to Dandenong Creek Trail All precincts • The public health and well-being role of the parks and reserves to be better reflected. • Specific suggestions for re-wording/improvising the recommendations.
Whitehorse City Council (WCC)	Generally supports the development of GARS and its direction. The submission supports improved vegetation, riparian management, water quality and pedestrian and cyclist connectivity across both municipalities. Precinct 3 • Supports minimizing development within 200m of the Dandenong Creek but enquires about further detail on implementation options and any implications within WCC boundaries. • Supports multiple recommendations including a review of existing landscape controls and further investigation of the two Road Zone parcels near Koomba Park for possible rezoning. • Advises of WCC's Residential Corridors Built Form Study (2019) and that protecting view lines along Burwood Hwy aligns with this work. • Provides information about the current management of the WCC historical landfill site and revegetation in the Lookout Trail area in proximity to the Whitehorse Recycling and Waste Centre. Precinct 4 • Supports advocacy for long term certainty for the Healesville Freeway reservation corridor, comprehensive planning and possible future integration with the public parkland and recreational uses in Whitehorse. • Advises of the study's alignment with the Whitehorse Neighbourhood Character Study 2014. • Would like to see an improved east-west connection to provide a safe and accessible link for pedestrians and cyclists between the two municipalities. • Expresses support for multiple recommendations for this precincts.

6.5 Governance Rules

SUMMARY: Governance Officer, Kirstin Ritchie

Section 60 of the Local Government Act 2020 (LGA 2020) requires Council to adopt and apply governance rules that describe the way Council will conduct meetings and make decisions.

The proposed Governance Rules ensure good governance by incorporating the overarching governance principles as well as the other supporting principles within the LGA 2020. The Governance Rules are also required to incorporate Council's Election Period Policy.

Following adoption of the Governance Rules, Council's Meeting Procedure and Use of Common Seal Local Law 2018 will be redundant. A process will be commenced, in due course, to revoke the local law and to make a replacement local law to regulate the use of the common seal.

RECOMMENDATION

That Council:

1. **Pursuant to section 60 of the Local Government Act 2020, resolve to adopt the Governance Rules (inclusive of the Election Period Policy), as set out in Attachment 1 (subject to acceptance of the tracked changes).**
2. **Note the Governance Rules come into operation on 1 September 2020.**
3. **Write to all submitters to thank them for their input and inform them of Council's decision.**

1. INTRODUCTION

The LGA 2020 prescribes the minimum requirements for a Council's Governance Rules and states that they must address:

a) the conduct of Council meetings;
b) the conduct of meetings of delegated committees;
c) the form and availability of meeting records;
d) the election of the Mayor and the Deputy Mayor;
da) the appointment of an Acting Mayor;
e) an election period policy in accordance with section 69;
f) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;
g) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
i) any other matters prescribed by the regulations (however no such regulations have been issued).

Further, the Governance Rules must provide for Council to:

a) consider and make decisions on any matter being considered by the Council fairly and on the merits; and
b) institute decision making processes to ensure that any person who rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

The first Governance Rules (including the Election Period Policy) must be adopted by Council on or before 1 September 2020.

2. DISCUSSION

It is important to note that the Draft Governance Rules are more than a re-statement of the current Meeting Procedure and Use of Common Seal Local Law 2018. Instead, the attached Draft Governance Rules are a new standalone instrument designed to comply with requirements of the Local Government Act 2020 (LGA 2020). As such the new Rules are presented as a new document, rather than an amendment to the MPLL 2018.

The Draft Governance Rules have been prepared based on a template instrument provided by Maddocks Lawyers, with updates and amendments having regard to:

- Past custom and practice at Knox, with some provisions carried over from the MMPLL 2018 (in some instances with amendments).
- Recommendations contained in the Draft Rules published by Local Government Victoria.

The structure of the Draft Governance Rules are set out below:

- Chapter 1, Governance Framework
- Chapter 2, Meeting Procedure for Council Meetings
- Chapter 3, Meeting Procedure for Delegated Committees
- Chapter 4, Meeting Procedure for Community Asset Committees
- Chapter 5, Disclosure of Conflicts Of Interest
- Chapter 6, Miscellaneous
- Chapter 7, Election Period Policy

<u>Governance Rules – Chapters 1-6</u>

Notable features of the Governance Rules (the Rules) include:

- Chapter 1 – Delegated Committees
  - The Rules articulate a clear governance framework consistent with the new Local Government Act 2020.
- Chapter 2 – Council Meetings
  - There is no longer a distinction in the LGA 2020 between “Ordinary” and “Special” Council meetings which has necessitated greater discretion for the Chief Executive Officer with regard to meetings dates and times, and the order of business.
  - There is no longer a requirement to publish notice of meetings in a newspaper, in light of the diminishing circulation of metropolitan papers, and the demise of print versions of local Leader newspaper.
  - Comprehensive guidance is provided for notices of motion, taking into account past custom and practice, and the natural justice provisions of the overarching governance principles and supporting principles Governance set out in the Act.

  - Comprehensive provision regarding Motions and Debate, including guidance regarding the validity of motions and the Chairperson's duty to refuse certain motions.
  - Comprehensive guidance for Councillors and the Chairperson on points of order, including the procedure for raising and ruling on points of order, and an opportunity for a motion of Dissent in the Chairperson's ruling enabling the meeting, by majority vote, to for example, overrule a ruling of the Chairperson in exceptional circumstances.
  - Clear provisions for Public Question Time are provided. A change to past custom and practice has been made, with the deadline for submission of questions moving to 12pm on the day of the meeting.
  - Provisions for petitions are well articulated, with guidance regarding what constitutes a valid petition and how it will be handled at the meeting.
  - There is quite prescriptive detail regarding the content of the Minutes of meetings and how these meetings are adopted and confirmed.
  - Provisions have been included that articulate the role and duties of the Chairperson, the powers of the Mayor, and role of the Chief Executive Officer at meetings.
  - Appropriate inclusions have been made to facilitate electronic meetings where legally permissible.
- Chapter 3 – Delegated Committees
  - The Rules establish that the Meeting Procedures set out in Chapter 2 apply to Delegated Committees, but include provision to enable Council to either resolve that some or all provisions do not apply, or approve the Committee to make such a decision for itself.
  - The Rules also establish that a Delegated Committee may hear Submissions under Section 223 of the Local Government Act 1989, as this provision will remain operational for the foreseeable future.
- Chapter 4 – Asset Committees
  - There is presently no proposal to establish any Asset Committees. As such, the Rules merely indicate that the Meeting Procedure applicable to an Asset Committee shall be set out in instrument of delegation should such a committee be established.
- Chapter 5 – Conflicts Of Interest
  - Chapter 5 sets out comprehensive disclosure requirements with respect to Conflicts of Interest consistent with the current requirements of the LGA 1989.
  - Appropriate provisions are included to require declarations by staff, contractors and consultants.
  - As required by the LGA 2020, the Rules also require the maintenance of a register which is available for inspection on request.
- Chapter 6 – Miscellaneous
  - Includes provisions which require records of certain meetings of Councillors and Officers (for example Councillor Briefings) to be maintained. These provisions are largely consistent with provisions regarding Assemblies of Councillors currently set out in the Local Government Act 1989, but which ae not replicated in the LGA 2020.
  - Makes provisions for the Chief Executive Officer to designate information to be confidential, create a presumption that the definition of Confidential Information under Section 3 of the LGA 2020 will attach to the information. This is intended to assist Councillors and Officers to clearly identify information to which the confidentiality provisions of the LGA 2020 will apply.

A number of submissions in response to community consultation have been received in relation to the Chapters 1-6 of the Governance Rules. (Refer Attachment 3) The following changes to the Governance Rules have been made in response to that feedback and are shown in tracked changes at Attachment 1:

- Rule 65 under Division 12 – Behaviour, has been amended to address both public, and councillor behaviour to include at sub-rule 65.2:

  65.2 Councillors shall:

  65.2.1 extend due courtesy and respect to each-other, the community and to Council and the processes under which it operates, and must take direction from the Chairperson whenever called on to do so.

  This sub-rule is consistent with 65.1.2 which imposes similar obligations upon members of the public and consequently creates a sense of mutual obligation.

- A definition of conflict of interest has been added in the interests of clarity.

Governance Rules – Chapter 7 – Election Period Policy

Inclusion of the Election Period Policy is a requirement of the Act. Various sections have been updated to reflect the commencement and requirements of the LGA 2020 since the current policy was adopted in November 2019. These include amendments to legislative differences between the Local Government Act 1989 (LGA 1989) and the LGA 2020 including:

- A terminology change from "returning officer" have been updated to the "election manager".
- A terminology change from "Special Committees" to "Delegated Committees"
- A revised definition of "inappropriate decisions"
- Removal of the provision to apply to the Minister for an exemption to allow a major policy decision.

A number of clarifications have also been made to improve the current policy, including:

- The Scope section and clause 7.3 regarding Council and Committee meetings have been amended to better reflect that campaigning in advance of the formal election period on 22 September 2020 may trigger some provisions of the policy.
- Changes to Clause 7.2.2 to provide a framework enabling the continuation of the COVID-19 relief and recovery grant during the caretaker period. The current policy was prepared before the COVID-19 became global pandemic, and the current policy terms would prevent time critical grant programs being delivered, which would be contrary to the community's best interests.
- A Change at Clause 7.9 to reflect that "new" brochures, pamphlets, handbills, flyers, magazines and books shall not be published without consultation with Governance, which bring this item in line with other similar provisions of the same clause.
- A change has been made to cause 7.12.2 , Members of Council Advisory or other Committees to clarify that the clause is not intended to apply to sitting councillors.

The latter three changes above have been proposed by officers subsequent to the policy being circulated for community consultation. Community consultation on the Governance Rules generated very limited feedback regarding the Election Period Policy and has not prompted any

recommended changes to the policy. Feedback from consultation is provided at Attachment 3 inclusive of a response from Officers.

Changes made since the Election Period Policy was adopted in November 2019 are shown tracked in Attachment 2. Changes made following community consultation are shown in tracked changes in Attachment 1.

3. CONSULTATION

Local Government Victoria established a co-design process for a range of documents required by the LGA 2020. Further, officers have considered and participated in a range of forums conducted by Local Government Victoria, the Victorian Local Government Association, LGPro and Maddocks Lawyers.

Consultation was required as the proposed Governance Rules vary from the template rules issued by Local Government Victoria to better reflect Knox practices. The community was offered an opportunity to comment on the draft Rules from 4th to the 14th August, as part of a broader consultation that also included the Public Transparency Policy, the Audit and Risk Committee Charter and the Councillor Expenses Policy.

It is noted that the consultation opportunity was limited, however, this was due to the extremely short timeline between the passing of the LGA 2020 and 1 September deadline for the Rules to be in place.

Council's campaign included:

- A dedicated page on council's consultation webpage (knox.mysocialpinpoint.com.au/knoxcouncilgovernanceframework)
- a homepage banner on Council's main website and links on the have your say webpage.
- An article in the Knox eNewsletter
- A Facebook paid post (7,728 people reached on the original post, 4,135 on the reminder)
- A Twitter post

These activities generated 3047 total visits from 247 unique users to council's consultation webpage. This indicates return visitors – users were interested in the consultation and visited the site multiple times to view the information

Council received eight submissions by 5pm on 14 August 2020. (A further four submissions were received after 5pm on 14 August 2020). Eight submissions related to the Governance Rules and are detailed in Attachment 3.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no direct financial or economic implications arising as a consequence of this report.

Costs associated with the development of the draft rules have been accommodated with the Governance Departments' operational budget.

6. SOCIAL IMPLICATIONS

A robust and effective set of Governance Rules will contribute to, and reinforce public confidence in, the good governance of Knox City Council.

The Governance Rules, inclusive of the Election Period Policy, do intersect with rights protected under the Victorian Charter of Human Rights and Responsibilities however those intersections are considered reasonable.

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.

Co-Author - Governance Officer, Kirstin Ritchie - In providing this advice as the Author, I have no disclosable interests in this report.

Co-Author – Coordinator Governance, Andrew Dowling - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

The draft Governance Rules (including the Election Period Policy) complies with the requirements of the LGA 2020 and it is therefore recommended that it be adopted by Council.

10. CONFIDENTIALITY

Nil

Report Prepared By:	**Governance Officer, Kirstin Ritchie and Governance Coordinator, Andrew Dowling**
Report Authorised By:	**Director City Development – Interim Finance and Governance, Matt Kelleher**

Attachments

1. Attachment 1 - Draft Governance Rules [**6.5.1** - 66 pages]
2. Attachment 2 - Election Period Policy - Tracked Changes [**6.5.2** - 22 pages]
3. Attachment 3 - Consultation outcomes [**6.5.3** - 7 pages]

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of **Knox City** Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 1 September 2020.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	Election Period Policy

1. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

WORD(S)	MEANING
Act	means the *Local Government Act 2020*.
Absolute majority	means a number of votes or Councillors that is more than half of the number of Councillors.
Agenda	means the notice of a Meeting setting out the business to be transacted at the Meeting.
Amendment	means a minor alteration to a motion designed to improve the motion without altering its intent or material impact.
Chairperson	means the Chairperson of the Meeting and includes an acting, temporary or substitute Chairperson.
Chief Executive Officer	means the person appointed by a Council under section 44 of the Act to be its Chief Executive Officer of Council and includes an Acting Chief Executive Officer.
Communicate Electronically	means communication to and from councillors including an email sent to the email account that is provided by the Council or the provision of documents transmitted via a secure software application to a digital device.
Community Asset Committee	means a Community Asset Committee established under section 65 of the Act.

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Conflict of interest	Means a conflict of interest within the meaning of the Local Government Act 2020
Council	means Knox City Council.
Council Meeting or "Meeting"	means a Council meeting that complies with section 61(1).
Councillor	means a Councillor of Council.
Delegated Committee	means a Delegated Committee established under section 63 of the Act.
Deputy Mayor	means the Deputy Mayor of Council.
Director	means a member of staff occupying a second-level position in the core part of the organisational structure of Council.
Foreshadowed Motion	means an alternative, prefaced by a Councillor with a statement that in the event of a motion before the Chair being lost, a Councillor intends to move an alternative motion.
Mayor	means the Mayor of *Council.*
Minutes	means collective record of proceedings of a Council Meeting.
Notice of Motion	means a notice setting out the text of a motion which is proposed to be moved at the next relevant Meeting.
Notice of Rescission	means a *notice of motion* to rescind a resolution made by *Council*.
Officer	means a person employed on Council staff.
Point of Order	Means a formal request of the Chairperson for clarification of, or for a ruling, on a matter of procedure.
Procedural Motion	means a motion set out in Rule 42 of Chapter 2.
Recording or Broadcasting Device	means any device which is being used to: • photograph or otherwise record visual images; • to make an audio recording; • to broadcast photographs or visual images; and or • to make an audio broadcast.
Supplementary Report	means a report circulated by the Chief Executive Officer in relation to matters that have arisen since the publication of the Agenda.
The Rules	means these Governance Rules.
Written	includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and writing has a corresponding meaning.

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Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

(a) the overarching governance principles specified in section 9(2) of the *Act* and set out below;

- Council decisions are to be made and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- innovation and continuous improvement is to be pursued;
- collaboration with other Councils and Governments and statutory bodies is to be sought;
- the ongoing financial viability of the Council is to be ensured;
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- the transparency of Council decisions, actions and information is to be ensured;

and

(b) the following documents adopted or approved by *Council*:

- Community Engagement Policy
- Public Transparency Policy
- Councillor Code of Conduct
- Councillor Gift, Benefit and Hospitality Policy
- The Instruments of Delegation to any Delegated Committee
- Staff Code of Conduct.

2. Decision Making

(a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:

(i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and

(ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

(b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).

(c) Without limiting anything in paragraph (b) of this sub-Rule:

(i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must ensure any person whose rights will be directly affected by the decision has had reasonable notice and an opportunity to communicate their views and have their interests considered.;

(ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;

(iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and

(iv) if a member of Council staff intends to make a decision under delegation they must ensure:

a) The decision making process includes or included an opportunity for any person whose rights will be directly affected by the decision to communicate their views and have their interests considered; and

b) The decision making process, any notice given; views received; or interests considered are documented appropriately.

For the purposes of this section, appropriate record keeping methods include, but are not limited to:

- letters;
- delegate reports;
- detailed customer service requests;
- minutes of meetings;
- memos; and/or
- detailed officer file notes.

Chapter 2 – Meeting Procedure for Council Meetings

Part A – Introduction

1. Title

This Chapter will be known as the "Meeting Procedure Local Law".

2. Purpose of this Chapter

The purpose of this Chapter is to:

2.1 provide for the election of the Mayor and any Deputy Mayor;

2.2 provide for the appointment of any Acting Mayor; and

2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter, unless stated below words have the same meaning as specified in the Introduction.

3.2 In this Chapter, a reference to a Rule or sub-Rule is a reference to a Rule or sub-Rule in this Chapter, unless stated otherwise.

3.3 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

Before the election of the Mayor, Council must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

4. Election of the *Mayor*

4.1 The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Act.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Any nominations for the office of *Mayor* must be:

6.2.1 stated verbally in the Council Chamber; and

6.2.2 seconded by another Councillor.

6.3 Once nominations for the office of *Mayor* have been received, no further nominations may be accepted unless it is resolved to conduct a new election at a later date and time; and the following provisions will govern the election of the *Mayor:*

6.3.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;

6.3.2 if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;

6.3.3 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

6.3.4 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time:

(a) a second vote will be taken and in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

(b) if after the second vote, no candidate receives an absolute majority, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

(i) if one of the remaining candidates receives an absolute majority of the votes, that candidate is duly elected.

(ii) if none of the remaining candidates receives an absolute majority of the votes, the process commencing at sub-Rule 6.3.4(b) is repeated until one of the candidates receives an absolute majority of the votes or it is resolved to conduct a new election at a later date and time;

6.3.5 For the purposes of sub-Rule 6.3.4, where there are more than two candidates and because of an equality of votes no candidate can be declared to be a defeated candidate, a second vote may be taken. If after the second vote there is still an equality of votes and no candidate can be declared to be a defeated candidate, the defeated candidate will be determined by lot. In conducting the lot the process detailed in sub Rule 6.3.6 will be followed.

6.3.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

(a) each candidate will draw one lot;

(b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and

(c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate.

7. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for:

7.1 any office of Deputy Mayor;

7.2 Chair of a *Delegated Committee; or*

7.3 *the appointment of Councillors to positions on Council Committees and external committees where the number of candidates exceeds the number of vacant positions*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.4 *Chief Executive Officer* is a reference to the *Mayor*; and

7.5 *Mayor* is a reference to the Deputy Mayor or the Chair of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

8.1 resolving that a specified Councillor be so appointed; or

8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter,

at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Council is committed to transparency in decision making and, in accordance with the Act, Council and Delegated Committee Meetings:

- are open to the public and live streamed in accordance with Council policy; andwill only be closed to members of the public if the requirements of the Act are met.

If a meeting is closed to the public to consider confidential matters, live streaming will be terminated.
If a meeting is closed to maintain security or order, the meeting will continue to be livestreamed.

Division 1 – Notices of Meetings and Delivery of Agendas

9. Dates and Times of Meetings Fixed by *Council*

Subject to Rule 11, *Council* must, by resolution from time to time, fix the date, time and place of all *Council meetings*.

10. Changing Meeting Dates

10.1 Council by resolution, may change the date, time and place of, or cancel, any Meeting which has been fixed.

10.2 The Chief Executive Officer, may change the date, time and place of, or cancel, any Meeting which has been fixed, provided reasonable attempts are made to consult with the Mayor and Councillors, before such decision is taken.

10.3 The Chief Executive Officer, shall, following the exercise of:

10.3.1 the power in sub-rules 10.1 or 10.2, cause notice of any cancellation or change to date, time and place of, of any Meeting to be given on Council's website.

10.3.2 the power in sub-rule 10.2, cause notice of any cancellation or change to date, time and place of, of any Meeting to be given to Councillors in writing.

11. Meetings Not Fixed by *Council*

11.1 The Chief Executive Officer may by a *written* notice call a *Council Meeting* following a general election for the purposes of electing the mayor, and or such other business as considered necessary or appropriate by the Chief Executive Officer.

11.2 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting*.

11.2.1 The notice must specify the date and time of the *Council meeting* and the business to be transacted.

11.2.2 When specifying the date and time of the *Council meeting*, regard shall be had to:

a) The availability of an absolute majority of Councillors to attend the meeting;

b) The availability of relevant officers to prepare any necessary reports and advice and to attend the meeting;

c) The availability of the meeting room and associated live streaming equipment;

d) The amount of notice that is reasonable to give the community; and

e) The requirements of the Governance Framework set out in Chapter 1.

11.2.3 The Chief Executive Officer must convene the Council meeting as specified in the notice.

11.3 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Council meeting*.

12. Notice Of Meeting

12.1 Reasonable notice of each *Council meeting* must be provided to the public by:

12.1.1 maintaining a schedule of meetings on Council's website; and

12.1.2 Publishing agendas on Council's website in accordance with Rule 17.

Division 2 – Quorum

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained:

13.1 the meeting will be deemed to have lapsed;

13.2 the *Mayor* must convene another *Council meeting*, the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and

13.3 the *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor.* Notice is not required in respect of any Councillor who has been granted leave of absence pursuant to the Act and who has not requested the Chief Executive Officer, in writing, to continue to give notice of Meetings to be held during the period of leave of absence.

14. Inability To Maintain A Quorum

14.1 If during any *council meeting* a quorum is lost*:*

14.1.1 The meeting shall be deemed to have been adjourned for a period of up to 15 minutes.

14.1.2 If, within a period of 15 minutes a quorum is obtained, the meeting may proceed.

14.1.3 If after a period of 15 minutes a quorum cannot be obtained, Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

14.2 Despite the loss of a quorum in the circumstances set in this clause, the business transacted at the Meeting to that point that a quorum was lost will remain valid and be capable of being acted upon.

14.3 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

Explanatory Note: A quorum at a Council meeting is an absolute majority. Section 67 of the Act provides for alternate decision-making manners where a quorum cannot be maintained due to the number of Councillors who have a conflict of interest,

15. Adjourned Meetings

15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.

15.2 With the exception of the duration of the adjournment, no discussion is allowed on any motion for adjournment of the Meeting, but if on being put the motion is defeated, the subject then under consideration or the next on the Agenda must be discussed before any subsequent motion for adjournment is moved.

15.3 Where a meeting is adjourned to another date, or for more than 1 hour:

15.3.1 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

15.3.2 If it is impracticable for the notice given under sub-Rule 15.3 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

16.1 A *Council meeting* must not continue after 10.30pm unless a majority of Councillors present vote in favour of it continuing.

16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, sub-Rules 15.3 applies

Division 3 – Business of Meetings

17. Agenda and the Order Of Business

17.1 The agenda, and the order of business, for a Council meeting is to be determined by the Chief Executive Officer, having regard to advice provided by the Mayor, so as to facilitate and maintain open, efficient and effective processes of government.

17.2 Where practicable, the Chief Executive Officer will send or communicate electronically to every Councillor the Agenda for the Meeting not later than close of business seven (7) days prior to the day fixed for the holding of the meeting. If a public holiday falls on the day agendas are due to be sent, they will be provided to all Councillors not later than close of business six (6) days in advance.

17.3 An Agenda need not be delivered to a Councillor who has been granted leave of absence unless the Councillor has, in writing, requested the Chief Executive Officer to continue to provide Agendas for Meetings held during the period of leave.

17.4 The Chief Executive Officer with the approval of the Mayor (or Chair of Delegated Committee) may, after distribution of the Agenda prepare a supplementary report for inclusion in a Revised Agenda. A supplementary report sent to Councillors less than 1 working day before the time fixed for holding the Meeting shall be considered under Urgent Business pursuant to Rule 20.

17.5 Unless otherwise provided in these Rules, no business may be conducted at a Meeting unless it is business notice of which has been given either by inclusion in the Agenda or any report accompanying the Agenda or in a Notice of Motion or Notice of Rescission.

18. Change To Order Of Business

18.1 Once an agenda has been sent to Councillors, the order of business for that Council meeting may be altered:

18.1.1 Pursuant to sub-Rule 17.4;

18.1.2 By the Chief Executive Officer to withdraw an Officer's report; or

18.1.3 with the consent of Council.

19. Reports by Councillors

19.1 Where the order of business for a *Council Meeting* makes provision for reports by Councillors, such reports may include advice regarding:

a) meetings of any committees on which a Councillor represents Council that have been held since the last Council Meeting;

b) other meetings the Councillor has attended, or actions undertaken since the last Council Meeting;

c) any professional development activity undertaken or conference attended in association with his or her role as a Councillor; and

d) particulars of Ward issues or Council wide issues of note.

19.2 Reports by Councillors shall be made verbally, with the exception of the particulars (ie dates, times and titles) of meetings attended under sub-Rule 19.1 a), b) and c) which may be submitted as a report to the Chief Executive Officer (or their delegate) within 48 hours of the meeting for inclusion in the minutes.

20. Urgent Business

20.1 If the agenda for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

20.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda;* and

20.1.2 cannot safely or conveniently be deferred until the next *Council meeting.*

20.2 The process for raising urgent business will be as follows:

20.2.1 If a Councillor or the Chair indicates an intention to raise an item of urgent business the Chair shall state, or call upon the Councillor to state, the nature of the business and why it satisfies the requirements of sub-Rules 20.1.1 and 20.1.2.

20.2.2 The Chair will call for a motion that the item be admitted as an item of urgent business pursuant to Rule 20.

20.2.3 If the motion under sub-Rule 20.2.2 is carried, the business shall be considered in accordance with Division 4 of this Chapter.

20.2.4 If the motion under sub-Rule 20.2.2 is not carried, no further discussion may occur in relation to the item.

Division 4 – Motions and Debate

21. Councillors May Propose *Notices Of Motion*

Councillors may ensure that an issue is listed on an *agenda* by lodging a *Notice of Motion*.

22. Notice Of Motion

22.1 A *Notice of Motion* must be in writing and be lodged with or sent to the Chief Executive Officer, no later than close of business two working days prior to the meeting.

22.2 A *Notice of Motion* must call for a Council report if the *Notice of Motion* proposes any action that*:*

22.2.1 impacts the levels of Council service;

22.2.2 commits Council to expenditure greater than $5,000 that is not included in the adopted Council Budget;

22.2.3 proposes to establish, amend or extend Council policy which will impact the rights of any person who has not had the opportunity to contribute their views;

22.2.4 proposes to impact the rights of any person who has not had the opportunity to contribute their views;

22.2.5 commits Council to any contractual arrangement; or

22.2.6 concerns any litigation in respect of which Council is a party.

22.3 Where a *Notice of Motion* calls for a Council report :

22.3.1 The Councillor should discuss the *Notice of Motion* with the Chief Executive Officer or the relevant Director in advance, to determine the resource requirements; and

22.3.2 If the resource requirements exceed 3 person days or $5,000 in costs, the notice should refer the matter to the next budget deliberations for funding.

22.4 If a notice of motion is received in accordance with sub-Rules 22.1, **Error! Reference source not found.** and 22.3;

22.4.1 The *Chief Executive Officer* or their delegate may provide advice to the Councillor consistent with Rule 71 and provide the Councillor with an opportunity to amend their *Notice of Motion*.

22.4.2 If practicable, the Chief Executive Officer shall include the *Notice of Motion* in the agenda for the Council meeting, otherwise, the Chief Executive Officer must distribute a copy of the *Notice of Motion* to all Councillors and publish the *Notice of Motion* on the Council website as soon as practicable.

22.5 If a *Notice of Motion* is lodged other than in accordance with sub Rule 22.1 the *Notice of Motion*, unless withdrawn, must be included in the agenda for the following Council Meeting.

22.6 If a Councillor who has lodged a *Notice of Motion* is absent from the Meeting or fails to move the motion when called upon by the Chairperson, any other Councillor may move the motion.

22.7 If a *Notice of Motion* is not moved in accordance with sub-Rule 22.6 the *Notice of Motion* shall be deemed to have lapsed for want of a mover.

22.8 A *Notice of Motion* may be withdrawn by a request in writing lodged with the Chief Executive Officer at any time prior to the publication of the notice in an agenda or on Council's website. Otherwise, the item must be dealt with at a Meeting.

22.9 The *Chief Executive Officer* may reject any *Notice of Motion* which:

22.9.1 is vague or unclear in intention

22.9.2 it is beyond *Council's* power to pass;

22.9.1 is contrary to the requirements of the Governance Framework set out in Chapter 1 of these *Rules*, or

22.9.2 if passed would result in *Council* otherwise acting invalidly

but must:

22.9.3 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and

22.9.4 notify in *writing* the Councillor who lodged it of the rejection and reasons for the rejection.

22.10 The *Chief Executive Officer* must cause all *Notices of Motion* to be numbered, dated and entered in the Notice of Motion register in the order in which they were received.

22.11 Except by leave of *Council*, each *Notice of Motion* before any meeting must be considered in the order in which they were entered in the Notice of Motion register.

22.12 A *Notice of Motion* is not required to request the *Chief Executive Officer* to cause a matter under the Planning and Environment Act 1987 to be reported to a *Council Meeting* rather than be determined under delegation.

23. Validity of motions

Any motion which is determined by the *Chairperson* to be:

23.1 defamatory;

23.2 objectionable in language or nature;

23.3 vague or unclear in intention;

23.4 outside the powers of *Council*;

23.5 contrary to the Governance Rules; or

23.6 irrelevant to the item of business on the *agenda* and has not been admitted as urgent, or purports to be an amendment but is not,

must not be accepted by the *Chairperson.*

24. Introducing A Motion

The procedure for moving any motion is:

24.1 the mover must state the motion without speaking to it;

24.2 the motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;

24.3 if a motion is moved and seconded the *Chairperson* may ask:

"Is the motion opposed?

24.4 the *Chairperson* must call on the mover to address the meeting;

24.5 after the mover has addressed the meeting or reserved their address until later in the debate, the *Chairperson* must call on the seconder to address the meeting;

25. Debating A Motion

Once a motion has been introduced, the procedure for debate is:

25.1 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting,) the *Chairperson* must invite debate by calling on any *Councillor* who wishes to speak to the motion, and may provide an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion; and

25.2 if, after the mover has addressed the meeting, the *Chairperson* invites debate and no Councillor speaks to the motion, then the *Chairperson* must put the motion to the vote.

25.3 subject to sub-Rule 25.5 and Rule 26, a *Councillor* may only speak once on the motion..

25.4 a *Councillor* calling the attention of the Chairperson to a point of order is not regarded as speaking to the motion.

25.5 if a motion is amended in accordance with Rule 27, a *Councillor* who spoke to the motion prior to the *amendment* being carried may be permitted by the *Chairperson* to speak to the motion a second time.

26. Right Of Reply

26.1 The mover of a motion, including an *amendment*, has a right of reply to matters raised during debate.

26.2 The mover of a motion must not introduce new material when exercising any right of reply.

26.3 After the right of reply has been taken but subject to any *Councillor* exercising his or her right to ask any question concerning or arising out of the motion, the motion must immediately be put to the vote without any further discussion or debate.

27. Moving An Amendment

27.1 Subject to sub-Rule 27.2 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.

27.2 A motion to confirm a previous resolution of *Council* cannot be amended.

27.3 An *amendment* must not be directly opposite to the motion, or be substantially contrary to the motion.

27.4 If a *Councillor* proposes an *amendment* and the mover and seconder of the motion both indicate their agreement with the *amendment*, the Chairperson may accept the *amendment* without debate or vote.

27.5 If a *Councillor* proposes an *amendment* and either the mover or seconder of the motion indicate their opposition to the *amendment*, the procedure for moving the *amendment* must be as detailed in sub Rule 24 of this Chapter as if the reference to the motion is a reference to the *amendment*.

28. Who May Propose An Amendment

28.1 An *amendment* under sub-Rule 27.4 may be proposed or seconded by any *Councillor*.

28.2 An *amendment* under sub-Rule 27.5 may be proposed or seconded by any *Councillor*, except the mover or seconder of the original motion.

28.3 Any one *Councillor* cannot move more than two *amendments* in succession.

29. How Many Amendments May Be Proposed

29.1 Any number of *amendments* may be proposed to a motion but only one *amendment* may be accepted by the *Chairperson* at any one time.

29.2 No second or subsequent *amendment*, whether to the motion or an *amendment* of it, may be taken into consideration until the previous *amendment* has been dealt with.

30. An Amendment Once Carried

30.1 If the *amendment* is carried, the motion as amended then becomes the substantive motion before the meeting.

30.2 For the purposes of debate under Rule 25, the mover and seconder of the *amendment* are deemed to be the mover and seconder of the substantive motion and to have addressed the meeting, and debate commences as for a new motion.

31. Foreshadowing Motions

31.1 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

31.2 A foreshadowed motion may be prefaced with a statement that in the event of a particular motion before the *Chairperson* being resolved in a certain way, a *Councillor* intends to move an alternative or additional motion.

31.3 The *Chief Executive Officer* or person taking the minutes of the meeting is not expected to record foreshadowed motions in the *minutes* until the foreshadowed motion is formally moved.

31.4 A foreshadowed motion has no procedural standing and is merely a means to assist the flow if the Meeting. The *Chairperson* is not obliged to accept foreshadowed motions.

32. Withdrawal Of Motions

32.1 Before any motion is put to the vote, it may be withdrawn by the mover and seconder with the leave of *Council*.

33. Separation Of Motions

Where a motion contains more than one part, a *Councillor* may request the *Chairperson* to put the motion to the vote in separate parts.

34. *Chair* May Separate Motions

The *Chairperson* may decide to put any motion to the vote in several parts.

35. Priority of address

In the case of competition for the right of speak, the *Chairperson* must decide the order in which the *Councillors* concerned will be heard.

36. Motions In Writing

36.1 The *Chairperson* may require that any motion be in writing.

36.2 *Council, or the Chairperson with leave of the Council,* may adjourn the meeting while the motion is being *written* or *Council* may defer the matter until the motion has been *written*, allowing the meeting to proceed uninterrupted.

37. Repeating Motion and/or Amendment

The *Chairperson* may request the mover of the motion, or the person taking the *minutes* of the *Council meeting* to read the motion or *amendment* to the meeting before the vote is taken.

38. Debate Must Be Relevant To The Motion

38.1 Debate must always be relevant to the motion, *amendment* or business under discussion before the Chairperson, and, if not, the *Chairperson* must request the speaker to confine debate to the motion, *amendment* or business under discussion.

38.2 If after being requested to confine debate to the motion, *amendment* or business under discussion before the *Chairperson*, the speaker continues to debate irrelevant matters, the *Chairperson* may direct the speaker to be seated and not speak further in respect of the motion, *amendment* or business under discussion then before the *Chairperson*.

38.3 A speaker to whom a direction has been given under sub-Rule 38.2 must comply with that direction.

39. Speaking Times

39.1 A *Councillor* must not speak longer than the time set out below, unless granted an extension as a *procedural motion* in accordance with Rule 42:

39.1.1 the mover of a motion or an *amendment* which has been opposed: 5 minutes;

39.1.2 any other *Councillor*: 3 minutes;

39.1.3 the mover of a motion exercising a right of reply: 2 minutes; and

39.1.4 any Reports by Councillors under Rule 19: 8 minutes.

40. Addressing the Meeting

40.1 A *Councillor* may speak only when called by the *Chairperson*:

40.1.1 To speak in debate;

40.1.2 To ask or answer a question;

40.1.3 On a point of order; or

40.1.4 To make a personal explanation.

40.2 Once acknowledged by the *Chairperson* as being the next speaker on an item, the Councillor has the floor and may stand when addressing the Meeting and must not be interrupted unless called to order or time has expired.

40.3 Except for the *Chairperson*, any *Councillor* or person who addresses the Meeting must direct all remarks through the *Chairperson*.

41. Right to Ask Questions

41.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or *amendment* before the *Chairperson*.

41.2 The *Chairperson* has the right to limit questions and direct that debate be commenced or resumed.

Division 5 – Procedural Motions

42. Procedural Motions

42.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the *Chairperson*.

42.2 Procedural motions require a seconder.

42.3 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Adjournment of debate to later hour and/or date	That this matter be adjourned until ….	Any *Councillor* who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a *Chair*; (b) When another *Councillor* is speaking	Motion and *amendment* is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any *Councillor* who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a *Chairperson*; (b) When another *Councillor* is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and *amendments* not further discussed or voted on until: (a) *Council* resolves to take the question from the table at the same Meeting (b) Matter is placed on an Agenda and the *Council* resolves to take the question from the table	Debate continues unaffected	Yes
3. The closure	That the motion be now put	Any *Councillor* who has not moved or seconded the original motion or otherwise spoken to the original motion	During nominations for *Chairperson*	Motion or *amendment* in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any *Councillor* exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. Proceeding to the next business	That the Meeting proceed to the next business	A *Councillor* who has not moved, seconded or spoken to the motion or an amendment of it	(a) During the election of a *Chairperson*; (b) When another *Councillor* is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	If carried in respect to a procedural motion, its effect is to remove that motion from consideration If carried in respect to an *amendment*, its effect is to dispose of the *amendment* and debate resumes upon the substantive motion If carried in respect to a substantive item of business on the agenda, the item is not considered unless listed on a future agenda.	Debate continues unaffected	No
Extension of Speaking Time	That Cr _____ be granted an extension of time to speak.	Any *Councillor* other than the speaker requesting the extension		The speaker shall be allowed a further 2 minutes to speak but further extensions must not be permitted	The *Chairperson* must direct the speaker to be seated and not speak further in respect of the motion	No

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
Suspension of standing orders	That standing orders be suspended	Any *Councillor*		The formalities of the meeting procedure are temporarily disposed of. No motion can be accepted by the *Chairperson* or lawfully be dealt with until standing orders are resumed	The formalities of the meeting procedure remain in place	Yes
Resumption of standing orders	That standing orders be resumed	Any *Councillor*	When standing orders have not been previously suspended	The formalities of the meeting procedure are resumed	The formalities of the meeting procedure remain temporarily disposed of. No motion can be accepted by the *Chairperson* or lawfully be dealt with until standing orders are resumed	Yes

Division 6 – Rescission Motions

43. Notice of Rescission

43.1 A Councillor may propose a *Notice of Rescission* provided:

43.1.1 it has been signed and dated by at least two *Councillors*;

43.1.2 the resolution proposed to be rescinded has not been acted on; and

43.1.3 the *Notice of Rescission* is delivered to the *Chief Executive Officer* not later than the close of business on the working day following the meeting at which the decision was made setting out -

(a) the resolution to be rescinded; and

(b) the meeting and date when the resolution was carried.

It should be remembered that a Notice of Rescission is a form of Notice of Motion.

Accordingly, all provisions in this Chapter regulating Notices of Motion equally apply to Notices of Rescission.

43.2 Rescission or amendment motions are not permissible in respect of planning permit resolutions, planning scheme amendment resolutions or contract / tender acceptance resolutions.

43.3 A resolution will be deemed to have been acted on if:

43.3.1 its contents have or substance has been formally communicated to a person whose interests are materially affected by it; or

43.3.2 a statutory process has been commenced

so as to vest enforceable rights in or obligations on *Council* or any other person.

43.4 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:

43.4.1 has not been acted on; and

43.4.2 is the subject of a *Notice of Rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 43.1.3,

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that,

- *on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard at VCAT on the following Monday.*
- *immediately after that resolution is made, a Councillor lodges a Notice of Motion to rescind that resolution.*
- *the Notice of Rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).*

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the Notice of Rescission would not be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the Notice of Rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 43.4 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

43.5 The *Chief Executive Officer* must:

43.5.1 advise all *Councillors* of any Notice of Rescission delivered under this clause within 24 hours of receiving it.

43.5.2 subject to *Sub-Rule 43.4,* list any such Notice of Amendment on the *Agenda* of the next *Council Meeting*.

44. If Lost

44.1 If a motion for rescission is lost or lapses, a similar motion may not be put before *Council* for at least three months from the date it was last lost, unless:

44.1.1 *Council* resolves that the *Notice of Motion* be re-listed at a future meeting; or

44.1.2 A *Notice of Rescission* is lodged with the *Chief Executive Officer* signed by an absolute majority of *Councillors*.

45. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

46. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

47. When Not Required

47.1 A motion for rescission is not required where *Council* wishes to change policy.

Division 7 – Points of Order

48. Chairperson To Decide

48.1 The *Chairperson* must decide all *points of order* by stating the reasons, provision, rule, practice or precedent which they consider applicable to the point raised without entering into any discussion or comment.

49. Chairperson May Adjourn To Consider

49.1 The *Chairperson* may adjourn the meeting to consider a *point of order* but otherwise must rule on it as soon as it is raised.

49.2 All other questions before the meeting are suspended until the *point of order* is decided.

50. Dissent From Chairperson's Ruling

50.1 A *Councillor* may move that the meeting disagree with the *Chairperson's* ruling on a *point of order*, by moving:

"That the *Chaiperson's* ruling [setting out that ruling or part of that ruling] be dissented from".

50.2 When a motion in accordance with this Rule is moved and seconded, the *Chairperson* must leave the Chair and the Deputy Mayor (or, if there is no Deputy Mayor or the *Deputy Mayor* is not present, a temporary *Chairperson* elected by the meeting) must take the Chair.

50.3 The *Deputy Mayor* or temporary *Chairperson* must invite the mover to state the reasons for his or her dissent and the *Chairperson* may then reply.

50.4 The *Deputy Mayor* or temporary *Chairperson* must put the motion in the following form:

"That the *Chairperson's* ruling be dissented from."

50.5 If the vote is in the negative, the *Chairperson* resumes the Chair and the meeting proceeds.

50.6 If the vote is in the affirmative, the *Chairperson* must then resume the Chair, reverse or vary (as the case may be) their previous ruling and proceed.

50.7 The defeat of the *Chairperson's* ruling is in no way a motion of censure or non-confidence in the *Chairperson*, and should not be so regarded by the meeting.

A motion in accordance with this rule should be moved discerningly, with caution; and only where the Chairperson's decision has materially affected an important matter, and not in furtherance of debate.

A successful motion of dissent does not mean that the Chair's ruling was necessarily incorrect, but reflects that the will of the meeting has overruled the Chairperson's ruling.

51. Procedure For Point Of Order

A Councillor raising a *point of order* must:

51.1 state the *point of order*; and

51.2 state any section, Rule, paragraph or provision relevant to the *point of order*;

before resuming their seat.

52. Valid Points Of Order

A *point of order* may be raised in relation to:

52.1 a motion, which, under Rule 23, or a question which, under Rule 53, should not be accepted by the *Chairperson*;

52.2 a question of procedure; or

52.3 any act of disorder.

Rising to express a difference of opinion or to contradict a speaker is not a point of order.

Division 8 – Public Question Time

53. Question Time

53.1 Unless *Council* resolves to the contrary, there shall be a public question time at every *Council meeting* fixed under Rule 9 to enable members of the public to submit questions to *Council*.

53.2 Sub-Rule 53.1 does not apply during any period when a *meeting* is closed to members of the public in accordance with section 66(2) of the *Act*.

53.3 Public question time will not exceed 30 minutes in duration unless extended by a resolution of *Council*.

53.4 Questions submitted to *Council* must;

53.4.1 Be lodged in writing, in English:

a) electronically on the prescribed form available on Council's website; or

b) in hardcopy on the form prescribed by the *Chief Executive Officer and available at Council's Offices;* and

53.4.2 include the name and address of the person submitting the question, and an email address and phone number if available; and

53.4.3 Be received prior to 12 noon on the day of the *Council meeting*.

If the requirement to provide a question in writing and or in English prevents or hinders participation in public question time, assistance with submitting questions can be arranged through the Governance Department, via interpreter service if required. It is recommended assistance is sought well ahead of the Council meeting.

53.5 No person may submit more than two questions at any one meeting.

53.6 If a person has submitted two questions to a meeting, the second question:

53.6.1 may, at the discretion of the *Chairperson*, be deferred until all other persons who have asked a question have had their questions asked and answered; or

53.6.2 may not be asked if the time allotted for public question time has expired.

53.7 The *Chairperson* or a member of Council staff nominated by the *Chairperson* may read to those present at the meeting a question which has been submitted in accordance with this Rule.

53.8 If present in the Public Gallery, the *Chairperson* may offer the questioner the opportunity to make a brief introductory statement. The time allowed for such statement and question will be up to two (2) minutes.

53.9 A question may be disallowed by the *Chairperson* if the *Chairperson* determines that the question:

53.9.1 relates to a matter outside the duties, functions and powers of *Council*;

53.9.2 is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;

53.9.3 deals with a subject matter already answered;

53.9.4 is aimed at embarrassing a *Councillor* or a member of Council staff;

53.9.5 subject to sub-Rule 0, cannot be asked, or cannot be answered without disclosing confidential information as defined by Section 3 of the Act.

53.9.6 relates to any other matter which the *Chairperson* considers would prejudice *Council* or any person.

53.10 Any question which has been disallowed by the *Chairperson* must be made available to any other *Councillor* upon request.

53.11 All questions and answers must be as brief as possible, and no discussion may be allowed other than the introductory statement as provided in sub Rule 53.8 or by *Councillors* for the purposes of clarification.

53.12 Like questions may be grouped together and a single answer provided.

53.13 The *Chairperson* may nominate a *Councillor*; or the *Chief Executive* Officer or their delegate to respond to a question.

53.14 Questions received and accepted in accordance with this Rule:

53.14.1 will receive a verbal response at the meeting where possible; and or

53.14.2 where a detailed or researched response is required, may be taken on notice for a written response to be provided within 10 business days.

53.15 A *Councillor* or the *Chief Executive Officer* may advise *Council* that it is their opinion that a question, and or the answer to the question, contain confidential information in accordance section 3 of the Act, and if the question is accepted,

should be considered in a meeting closed to members of the public. The *Councillor* or *Chief Executive Officer* (as the case may be) must state briefly the reason why the reply should be so given and, if *Council* so resolves, the meeting may be closed to the public to consider the question and the response.

Division 9 – Petitions and Joint Letters

54. Petitions and Joint Letters

54.1 Unless *Council* determines to consider it as an item of urgent business, no motion may be made on any petition, joint letter, or other like application until the next *Council meeting* after that at which it has been presented, other than:

54.1.1 a motion to receive and note the petition

54.1.2 A motion to refer the matter to the *Chief Executive Officer* or a Director for consideration.

54.2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint himself or herself with the contents of that petition or joint letter, and to ascertain that:

54.2.1 it does not contain language disrespectful to *Council*.

54.2.2 It is not defamatory, indecent, abusive or objectionable in language or substance; and

54.2.3 does not relate to a matter beyond the powers of *Council*.

54.3 Every petition or joint letter presented to *Council* must be in *writing* (other than pencil), in English, in typing or printing, contain the request of the petitioners or signatories and be signed by at least 2 people.

54.4 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else, and the address of every petitioner or signatory must be clearly stated.

54.5 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.

54.6 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.

Division 10 – Voting

55. How a Motion is Determined

To determine a motion before a *meeting*, the *Chairperson* must first call for those in favour of the motion and then those opposed to the motion, must acknowledge any *Councillor* who has abstained and must then declare the result to the *meeting*.

56. Silence

Voting must take place in silence.

57. Recount

The *Chairperson* may direct that a vote be recounted to satisfy himself or herself of the result.

58. Casting Vote

If the number of votes in favour of the question is half the number of *Councillors* present at the meeting at the time the vote is taken, the *Chairperson* has a second vote; except as provided for in Section 61 of the Act.

According to Section 61 of the Act, a Councillor present at the meeting who does not vote is to be taken to have voted against the question.

59. By Show Of Hands

Voting on any matter is by show of hands.

60. Procedure For A Division

60.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a *Councillor* may call for a division.

60.2 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or *amendment*.

60.2.1 As a division is a separate and distinct vote, no *Councillor* is prevented from changing his or her original vote at the voting on the division.

60.3 When a division is called for, the *Chairperson* must:

60.3.1 first ask each *Councillor* wishing to vote in the affirmative to raise a hand and, upon such request being made, each *Councillor* wishing to vote in the affirmative must raise one of his or her hands. The *Chairperson* must then state, and the *Chief Executive Officer* or any authorised officer must record, the names of those *Councillors* voting in the affirmative;

60.3.2 then ask each *Councillor* wishing to vote in the negative to raise a hand and, upon such request being made, each *Councillor* wishing to vote in the negative must raise one of his or her hands. The *Chairperson* must then state, and the *Chief Executive Officer* or any *authorised officer* must record, the names of those *Councillors* voting in the negative;

60.3.3 if required, then ask each *Councillor* who abstained from voting to raise a hand and, upon such request being made, each *Councillor* who

abstained must raise one of his or her hands. The *Chairperson* must then state, and the *Chief Executive Officer* or any authorised officer must record, the names of those *Councillors* who abstained from voting; and

60.3.4 then declare the result of the vote.

61. No Discussion Once Declared

Once a vote on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves:

61.1 a *Councillor* requesting, before the next item of business is considered, that his or her opposition to a resolution be recorded in the minutes; or

61.2 foreshadowing a *Notice of Rescission* where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

61.3 Consideration of positive motion, where the vote on a negative motion has just been lost and the *Chief Executive Officer* advises a decision or direction of *Council* is required in order to progress a matter.

61.4 Consideration of negative motion, or an alternative motion where a vote on a positive motion has just been lost and the *Chief Executive Officer* advises a decision or direction of Council is required in order to progress a matter.

For example, Rule 61 would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a Notice of Rescission to rescind that resolution.

Equally, Rule 61 would permit discussion about a matter which would otherwise be left in limbo because a decision of Council has not been made. For instance,

1. *Assume that Council considered a motion to refuse a planning permit application and that motion was defeated.*

   Without a substitute resolution – eg that a planning permit now be granted – the planning permit application will be left in limbo. Sub-Rule 61.3 indicates in this instance, discussion about a further motion is permissible.

2. *Assume that Council considered a motion to adopt a policy and the motion was lost.*

   The reference in sub-Rule 61.4. would enable the discussion of an alternative motion for example to:
   - *adopt an amended version of the policy,*
   - *abandon the policy, or*
   - *refer the policy back to officers for additional work and presentation to a future meeting.*

   Sub-Rule 61.4. would also enable the inverse of scenario 1 above, where a motion to grant a planning permit was lost.

Division 11 – Minutes

62. Confirmation of Minutes

62.1 At every *Council meeting* that considers *minutes* of a preceding meeting(s), the *minutes* must be dealt with as follows:

62.1.1 the *Chairperson* must ask "Is there any opposition to the *minutes* of the previous meeting(s)?" and if *Councillors* express no opposition, may declare the minutes to be confirmed.

62.1.2 if a *Councillor* expresses opposition:

a) a motion can be proposed for confirmation of the *Minutes* with amendment(s); or

b) a motion may be proposed to allow any adjournment to allow time for the *Minutes* to be read after which a motion can be proposed for confirmation of the *Minutes*, with or without amendment; or

c) a motion may be proposed to defer consideration of the *minutes* until the next meeting.

62.1.3 If a *Councillor* proposes a motion to confirm the *minutes* with amendments in accordance with sub-Rule 62.1.2 the *Councillor* must:

a) state the item or items with which her or she is dissatisfied; and

b) propose a motion clearly outlining the alternative wording to amend the *Minutes*; and

c) the motion shall be considered according to Division 4 of this Chapter.

62.1.4 Following confirmation of the *minutes*, the *minutes* shall be signed (by hand or secure electronic method) by the *Chairperson* of the *meeting* at which they have been confirmed;

63. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of *minutes* is permitted except where their accuracy as a record of the proceedings of the *meeting* to which they relate is questioned in accordance with sub-Rule 62.1.2.

64. Form and Availability of Minutes

64.1 The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the *meeting* and to take the *minutes* of such *meeting*) must keep minutes of each *Council meeting*, and those *minutes* must record:

64.1.1 the date, place, time and nature of the meeting;

64.1.2 the names of the *Councillors* present and the names of any *Councillors* who apologised in advance for their non-attendance;

64.1.3 the names of the members of Directors present and their organisational titles;

64.1.4 any disclosure of a conflict of interest made by a *Councillor*, including any explanation given by the *Councillor* under Chapter 5;

64.1.5 arrivals and departures (including temporary departures) of *Councillors* during the course of the *meeting*;

64.1.6 each motion and *amendment* moved:

(a) including motions and *amendments* that lapse for the want of a seconder, and motions and amendments withdrawn by resolution or by leave of the Meeting; but

(b) not including amendments in accordance with sub-Rule 27.4

64.1.7 whether motions or *amendments* were carried or lost;

64.1.8 in respect of a division:

(a) the *Councillor* who called the division;

(b) the vote cast by each *Councillor* upon a division;

(c) whether any *Councillor* abstained from voting; and

(d) the result of the division.

64.1.9 the vote cast by any *Councillor* who has requested that his or her vote be recorded in the *minutes*;

64.1.10 a summary of any questions upon notice;

64.1.11 the failure of a quorum;

64.1.12 closure of the meeting to members of the public;

64.1.13 any adjournment of the meeting; and the reasons for any adjournment of one (1) hour or more;

64.1.14 the time at which standing orders were suspended and resumed; and

64.1.15 a summary of proceedings during public question time;

64.1.16 a summary of Reports by Councillors under Rule 19;

64.1.17 a summary of any personal statement made in accordance with Rule 77

64.1.18 Any other matter which the *Chief Executive Officer* thinks should be recorded to clarify the intention of the *Meeting* or the reading of the *minutes*.

64.2 The *Chief Executive Officer* must ensure that the minutes of any *Council meeting* are:

64.2.1 published on *Council's* website; and

64.2.2 available for inspection at *Council's* office during normal business hours.

64.3 Nothing in sub-Rule 64.2 requires *Council* or the *Chief Executive Officer* to make public any *minutes* relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour

65. ~~Public~~ Addressing The Meeting

65.1 Members of the public:

65.1.1 ~~-~~do not have a right to address *Council* and may only do so with the consent of the *Chairperson* or by prior arrangement.

65.1.2 must, if ~~Any member of the public~~ addressing *Council*, ~~must~~ extend due courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chairperson* whenever called on to do so.

65.1.3 Must not, ~~A member of the public~~ if present at a *Council meeting*, ~~must not~~ disrupt the meeting.

65.2 Councillors shall:

~~65.1.3~~65.2.1 extend due courtesy and respect to each-other, the community and to Council and the processes under which it operates, and must take direction from the Chairperson whenever called on to do so.

66. *Chairperson* May Remove

The *Chairperson* may order and cause the removal of any person, other than a *Councillor*, who disrupts any meeting or fails to comply with a direction given under sub-Rule 65.1.2.

> *It is intended that this power be exercisable by the Chairperson, without the need for any Council resolution. The Chairperson may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.*

67. *Chairperson* may adjourn disorderly meeting

If the *Chairperson* is of the opinion that disorder at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper. In that event, the provisions of sub-Rules 15.3 and 15.3.2 apply.

68. Removal from Chamber

The *Chairperson*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer or* any Authorised Officer or member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chairperson* has ordered to be removed from the gallery under Rule 66.

69. Suspensions

Council by resolution may suspend from a *Meeting*, and for the balance of the *Meeting*, any *Councillor* whose actions have disrupted the business of *Council*, and have impeded its orderly conduct.

Division 13 – Meeting Roles and Duties of Chairperson

70. Role of Mayor

70.1 Subject to Rule 72, the *Mayor* shall chair all *Council Meetings* at which they are present.

70.2 Subject to Rule 72, the *Mayor* shall chair all *Delegated Committee* Meetings at which they are present, unless:

a) *Council* resolves otherwise; or

b) The *Mayor* has appointed a *Councillor* to be the *Chairperson*.

71. Role of the Chief Executive Officer

71.1 The *Chief Executive Officer*, or their delegate, may participate in the meeting to provide support to the *Chairperson*.

71.2 The *Chief Executive Officer* or their delegate, should:

71.2.1 immediately advise, to the best of their knowledge, if a proposed resolution or action is contrary to the law;

71.2.2 advise if there are operational, financial or risk implications arising from a proposed resolution;

71.2.3 help clarify the intent of any unclear resolution to facilitate implementation; and

71.2.4 on request, assist with procedural issues that may arise.

72. Chairperson

72.1 If the *Mayor* is unable to attend or remain at a *Council Meeting* for any reason; is not present within 15 minutes of the scheduled commencement time of a *Council meeting*, or is required to declare a conflict of interest:

72.1.1 the *Deputy Mayor* will act as *Chairperson*; or if not present

72.1.2 a *Councillor* who was the immediate past *Mayor* will act as *Chairperson*; or if not present or not willing

72.1.3 a temporary *Chairperson* is to be elected.

72.2 Council may elect a temporary *Chairperson* by:

72.2.1 resolving that a specified *Councillor* be so appointed; or

72.2.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter.

73. The *Chairperson's* Duties And Discretions

In addition to the duties and discretions provided in this Chapter, the *Chairperson*:

73.1 must ensure business is not conducted at a *Meeting* unless a quorum is present.

73.2 must ensure decision making is transparent to members and observes and that that all meeting members with the right to vote have sufficient information to make good decisions;

73.3 must not accept any, question or statement which is:

73.3.1 derogatory, or defamatory of any *Councillor*, member of Council staff, or member of the community; or

73.3.2 objectionable in language or nature; and

73.4 must call to order any person who is disruptive or unruly during any meeting.

73.5 may, where an action or decision under these *Rules* is dependent upon obtaining leave of the meeting or leave of Council, take leave to have been granted if:

a) before taking the action or making the decision, the *Chairperson* indicates the action or decision that is proposed to be taken; and

b) no *Councillor* present indicates opposition to the proposed action or decision.

73.6 may address a *Meeting* upon any matter under discussion, and is not deemed to have left the Chair on such occasions. However, such address should only take place after all other *Councillors* have had the opportunity to address the *Meeting*.

The roles and duties above should be read in conjunction with the provisions of the Act, including :
Section 18 - Role of the Mayor
Section 28 Role of a Councillor
Section 46 Functions of the Chief Executive Officer

Division 14 – Suspension of Standing Orders

74. Suspension of Standing Orders

74.1 To expedite the business of a meeting, *Council* may by procedural motion, suspend standing orders.

74.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*.

74.3 No motion can be accepted by the *Chairperson* or lawfully be dealt with during any suspension of standing orders.

The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.

Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.

Division 15 – Miscellaneous

75. Meetings Conducted Remotely

If:

75.1 by law a meeting may be conducted electronically; and

75.2 *Council* decides that a meeting is to be conducted electronically,

the *Chairperson* may, with the leave of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

76. Procedure not provided in this Chapter

In all cases not specifically provided for by this Chapter, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to *Council* proceedings).

77. Personal Explanation

77.1 A *Councillor* may, at any *Council meeting* and at a time decided by the *Chairperson*, make a personal explanation for a period not exceeding 2 minutes on any statement made affecting that *Councillor*.

77.2 The *Chief Executive Officer, or an Director,* may make a personal explanation at a *Council meeting* in respect of any statement by a *Councillor* made at the *Council meeting* criticising them or any member of Council staff.

77.3 A statement under sub-Rule 77.2 must be made by the *Chief Executive Officer or* a *Director*, through the *Chairperson*, as soon as it practicable after the Councillor who made the statement has resumed his or her seat.

77.4 A personal explanation must not be debated or made for the purpose of furthering debate.

77.5 Sub-Rule 77.4 shall not prevent a *Councillor*, the *Chief Executive Officer*, or a Director, making a personal explanation in respect of a statement made in accordance with sub-Rules 77.1 or 77.2.

78. Recording and Broadcasting Proceedings

78.1 A person must not operate any recording or broadcasting device at any *Council Meeting* or *Special Committee Meeting* without first obtaining:

78.1.1 the consent of the *Mayor* or *Chairperson* (as the case may be); or

78.1.2 consent of *Council* by resolution of the meeting.

78.2 Consent granted under sub-Rule 78.1.1 or 78.1.2 may be revoked at any time during the course of a *Council Meeting* or *Delegated Committee* Meeting by the *Chairperson* or by resolution of *Council* or the *Delegated Committee*.

78.3 Nothing in sub-Rule 78.1 applies to any member of Council staff operating any device for the purpose of production of the minutes of the meeting or keeping a record of the *Council Meeting* or *Delegated Committee* Meeting.

78.4 Where a *Council Meeting* or *Delegated Committee* Meeting is to be recorded pursuant to this clause the *Chairperson* must as soon as practicable after the opening of the *meeting* advise those who are in attendance that their images and/or voices are likely to be recorded during the course of the meeting.

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

1.1 all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and

1.2 any reference in Chapter 2 to:

1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;

1.2.2 a *Councillor* is to be read as a reference to a member of the *Delegated Committee*; and

1.2.3 the *Mayor* is to be read as a reference to the *Chairperson* of the *Delegated Committee*.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee*, whether comprised solely of *Councillors* or not:

2.1 *Council* may; or

2.2 the *Delegated Committee* may, with the approval of *Council*,

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

3. Public Submissions

3.1 A *Delegated Committee* may, at such time as is allocated by it or by *Council*, hear any person wishing to be heard in respect of his or her submissions to *Council* under Section 223 of the Local Government Act 1989.

3.2 *Delegated Committee* members may, through the *Chairperson*, question any submitter in relation to his or her submission.

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.*

2. Definition

In this Chapter:

2.1 "meeting conducted under the auspices of *Council*" means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as an 'Issues Briefing' or 'Councillor Briefing' or by some other name); and

2.2 a member of a *Delegated Committee* includes a Councillor.

3. Obligations with regard to Conflict of Interest

3.1 *Councillors*, members of a *Delegated Committee* and Council staff are required to:

3.1.1 identify any conflicts of interest; and

3.1.2 disclose or declare all conflicts of interest in accordance with the Act and these Rules; and

3.1.3 exclude themselves from any decision making process in relation to a matter in which they have a conflict of interest in accordance with the Act and these *Rules*

* At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of a Conflict of Interest at a Council Meeting

A *Councillor* who has a conflict of interest in a matter being considered at a *Council meeting* at which they:

4.1 are present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or

4.2 intend to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences by written notice:

4.2.1 advising of the conflict of interest;

4.2.2 explaining the nature of the conflict of interest; and

4.2.3 detailing, if the nature of the conflict of interest involves a *Councillor's* relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The *Councillor* must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered; or

5.2 intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the Delegated Committee meeting commences a written notice:

5.2.1 advising of the conflict of interest;

5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A *Councillor* who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which he or she:

6.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered; or

6.2 intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

6.2.1 advising of the conflict of interest;

6.2.2 explaining the nature of the conflict of interest; and

6.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

6.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The *Councillor* must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

7. Disclosure at a Meeting Conducted Under the Auspices of Council

A *Councillor* who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which he or she is present must:

7.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;

7.2 absent himself or herself from any discussion of the matter; and

7.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

8. Disclosure by Members of Council Staff Preparing Reports for Meetings

8.1 A member of Council staff who, in his or her capacity as a member of Council staff, has a conflict of interest in a matter in respect of which he or she is preparing or contributing to the preparation of a Report for the consideration of a:

8.1.1 *Council meeting*;

8.1.2 *Delegated Committee* meeting;

8.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest.

8.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 8.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

8.3 If the member of Council staff referred to in sub-Rule 8.1is the *Chief Executive Officer*:

8.3.1 the written notice referred to in sub-Rule 8.1 must be given to the *Mayor*; and

8.3.2 the obligation imposed by sub-Rule 8.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

9. Disclosure by Members of Council Staff Providing advice at Meetings

9.1 A member of Council staff who, in his or her capacity as a member of Council staff, has a conflict of interest in a matter in respect of which they are providing advice at a:

9.1.1 *Council meeting*;

9.1.2 *Delegated Committee* meeting; or

9.1.3 *Community Asset Committee* meeting;

must, immediately upon becoming aware of the conflict of interest, inform the meeting of the conflict of interest and the nature of the conflict of interest.

9.2 The *Chief Executive Officer* must ensure that the minutes of the meeting referred to in sub-Rule 9.1 record the fact that a member of Council staff disclosed a conflict of interest.

10. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

10.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

10.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

11. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

11.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

11.2 If the member of Council staff referred to in sub-Rule 10.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

12. Disclosure by Contractors and Consultants

12.1 All contractors and consultants engaged by *Council* to provide advice to the decision making process will be required to disclose conflicts of interest.

12.2 A contractor or consultant who discloses a conflict of interest will not be engaged to provide advice on that matter unless;

12.2.1 the conflict is so remote or insignificant it could not be considered to influence the advice being provided; or

12.2.2 the conflict of interest relates to an individual within an organisation and the organisation can demonstrate the conflict of interest can be effectively managed; or

12.2.3 there are no other contractors or consultants reasonably available and qualified to provide the technical advice required; and

12.2.4 the conflict of interest is documented in all advice provided by that contractor or consultant.

13. Records of Conflict of Interest and Retention of Written Notices

13.1 All conflicts of interest disclosed during a *Council meeting* or *Delegated Committee* meeting will be recorded in the minutes of the meeting pursuant to Chapter 2 of these *Rules* .

13.2 The *Chief Executive Officer* will maintain a Conflict of Interest Register which will be made available for inspection upon request.

13.3 The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

13.4 The *Chief Executive Officer* is not required under sub-Rule 13.3 to include any information on a register that would meet the definition of confidential information in Section 3 of the Act.

Chapter 6 – Miscellaneous

1. Informal Meetings of Councillors

1.1 If there is a meeting of Councillors that:

1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing *Councillors*;

1.1.2 is attended by at least one member of Council staff; and

1.1.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

the *Chief Executive Officer* must ensure that a written record is kept of the meeting.

1.2 Council may request a summary of records kept under sub-Rule 1.1 be:

1.2.1 reported to the next convenient Council meeting; and

1.2.2 recorded in the minutes of that Council meeting.

2. Confidential Information

2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information is confidential information within the meaning of the *Act*, he or she may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

Chapter 7 – Election Period Policy

Policy Number:	2005/02	Directorate:	City Development - Finance & Governance
Approval by:	Council	Responsible Officer:	Coordinator Governance
Approval Date:		Version Number:	6
Review Date:	October 2023		

1. Purpose

This Election Period Policy & Procedure (Policy) ensures that the Knox City Council municipal elections are conducted in a manner that is fair, equitable, and publicly perceived as such.
This Policy further ensures that the ordinary business of Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established 'caretaker' conventions.

2. Context

Section 69(1) of the Local Government Act 2020 (the Act) requires a Council to include an election period policy in its Governance Rules. The Act states that an election period policy must prohibit any Council decision during the election period for a general election that:

- relates to the appointment or remuneration of the Chief Executive Officer; or
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during the election period.

An election period policy must also prohibit any Council decision during the election period that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election.

3. Scope

This policy will apply to Councillors, Council staff and candidates for the Knox City Council general elections held on or after Saturday, 24 October 2020.

While the focus of the policy is on the formal 32 day election period, it is acknowledged that campaigning typically starts well in advance of the formal election period and consequently may trigger some provisions of this policy.

4. Contents

5. References

4.1 Community & Council Plan 2017-2021

- Goal 8, We have confidence in decision making

4.2 Relevant Legislation

- Local Government Act 2020
- Local Government (Electoral) Regulations 2016

4.3 Charter of Human Rights

- This policy has been assessed against is considered to be compatible with the charter of Human Rights.

4.4 Related Council Policies

- Councillor Code of Conduct
- Staff Code of Conduct
- Minor Grants Program Policy
- Social Media Policy

4.5 Related Council Procedures

- Nil

6. Definitions

Candidate	A person who has: • Within 12 months of the next election period, publicly expressed an intention to run as a candidate in the election; and or • a person who has formally nominated as a candidate in the election with the Election Manager. A candidate is a "known candidate" when a person has actual knowledge of the candidate's identity and that they meet the above definition.
Council	Knox City Council, whether constituted before or after the commencement of this Policy.
Election Day	In the case of an election, the day of an election determined under section 257 or 260 of the Act. For the 2020 elections, election day is Saturday, 24 October 2020.
Election Manager	Means the Victorian Electoral Commission (VEC) or a person appointed in writing by the VEC
Electoral Matter	As defined in section 3(4) and 3(5) of the Act and detailed below: Any matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election. Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on— (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.

Election Period	The period commencing at the time that nominations close on nomination day and ending at 6.00pm on Election Day. For the 2020 elections, the election period will apply from 22 September 2020 until 6:00pm on Saturday, 24 October 2020 inclusive.
Inappropriate Decision	As defined in Section 69(2)(c), (d) and (3) of the Act and detailed below: a) decisions that the Council considers could be reasonably deferred until the next Council is in place; b) decisions that the Council considers should not be made during an election period; and c) decisions that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election.
Major Decision	As defined in Section 69(2)(a) and (b) of the Act and detailed below: a) decisions relating to the appointment or remuneration of a Chief Executive Officer, but not to the appointment of remuneration of an Acting Chief Executive Officer and b) decisions that commit Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year (approximately $1.2 million in 2020-2021)
Officer Responsible	In respect of a report to a meeting of Council or a Delegated Committee, means the member (or acting member) of the Executive Management Team responsible for authorising the report.
Staff, Council staff, or staff member	means any employee of Council whether permanent or temporary or casual, and includes contractors, and volunteers carrying out work for or on behalf of Knox City Council

7. Council Policy

1. During the election period:
   - Council will not make major decisions contrary to this policy.
   - Council will not make inappropriate decisions contrary to this policy.
   - Council will limit public consultation, public meetings and Council events in order to facilitate Council's day to-day business while avoiding any express or implied links to the election.
   - A Councillor or member of Council staff will not print, publish or distribute electoral matter contrary to the Act.
2. Council resources, events and activities must not be used at any time for election campaign purposes, or in a way that might improperly influence the result of an election.
3. Information held by Council will be equally and transparently available and accessible to all candidates.
4. Assistance and advice will be provided equally and transparently to all candidates.
5. The Chief Executive Officer shall take reasonable steps to inform affected persons of this policy.

7.1 Commencement of Election Period

No later than 30 days prior to the commencement of the election period, the Chief Executive Officer will ensure:

- all Councillors, Staff and Committee members are reminded of the forthcoming election period and the application of this policy.
- This policy is prominently displayed on Council's website for the benefit of the community and candidates (actual or potential).

7.2 Decision Making During the Election Period

Council, a Delegated Committee of Council or a person acting under delegated authority of Council must not make major decisions or inappropriate decisions during the election period for a general election.

7.2.1 Major Decisions

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. A major decision made contrary to this policy would be in contravention of section 69(2)(a) or (b) of the Act and would be invalid. Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid is entitled to compensation from the Council for that loss or damage.

7.2.2 Inappropriate Decisions

Decisions on the following matters during the election period (whether made by Council, a Delegated Committee or staff member exercising delegation), are considered inappropriate decisions for the purposes of the Act and this policy:

- ~~Allocation of community grants or other direct funding to community organisations including those under the Minor Grants Program Policy.~~
- Major planning scheme amendments
- Sale or discontinuance of roads or similar
- Changes to the strategic objectives and strategies in the Council Plan
- Acquisition or disposition of land
- Adoption or amendment of policies, protocols, strategies, master plans or frameworks
- Adoption of a revised budget
- Adoption or amendment of a Local Law
- Appointing representatives to Council committees
- Naming or re-naming of roads, reserves or features
- Noting the results of community consultation.

Allocation of community grants may also constitute an inappropriate decision, except where:

- The grants or allocations are made by officers pursuant to a delegation from Council, from an existing budget established by Council,
- The grants or allocations are made by officers in accordance with an established policy; guideline; or framework established by Council.
- Deferring the decision on the grant or allocation would be inappropriate, taking into consideration the factors set out in Clause 7.2.3, particularly where the grant relates to Council's response to, and recovery from the impacts of the COVID-19 pandemic.

Assistance in determining whether a decision is likely to be inappropriate should be sought from the Manager Governance in the first instance.

7.2.3 Officer Decisions under Delegated Authority

Before making a decision under delegated authority during the election period, officers should consider all the relevant facts and circumstances, including:

- Whether the decision is, or may be perceived as inappropriate
- Whether the decision is likely to be controversial or affect voting in the election
- The urgency of the decision (can it reasonably wait until after the election?)
- Possible financial repercussions if the decision is deferred; and
- Whether the decision requires community engagement
- Any relevant statutory obligations and timeframes
- Whether delay, or failure to make a particular decision would have a negative impact on Council, the municipality or the local community
- Whether the disadvantage of avoiding making the decision exceeds the benefit of making the decision
- The best interests of Council and the community

Officers requiring assistance in determining whether a decision is likely to be inappropriate should seek advice from the Manager Governance in the first instance.

7.3 Council and Committee Meetings

Councillors, Committee Members, staff and candidates must ensure that due propriety is observed in the conduct of Council meetings in the lead up to the elections, and be particularly vigilant during the election period.

7.3.1 Approval of Reports

All reports to Council and Delegated Committee meetings will be assessed by the Officer Responsible to ensure decisions that would be considered:

- Inappropriate decisions; and/or
- Major decisions

are deferred for consideration until after the election.

The Officer Responsible will also vet reports to avoid listing matters on an Agenda which could foreseeably influence voters' intentions at the forthcoming election.

The Officer Responsible will take into account all the relevant facts and circumstances, including:

- The urgency of the decision (i.e. if the decision could reasonably be deferred until after the election)
- Whether the decision is likely to be controversial or affect voting in the election
- Whether the decision would require the spending of unbudgeted monies
- Whether the decision represents the completion of an activity already commenced and endorsed by the incumbent Council
- Whether the decision requires community engagement
- Whether delay, or failure to make a particular decision would have a negative impact on Council, the municipality or the local community

- Whether the disadvantage of avoiding making the decision exceeds the benefit of making the decision
- Any relevant statutory obligations and timeframes
- The best interests of the community and Council

Where required, guidance should be sought from the Chief Executive Officer.

7.3.2 Election Period Statement

The following election period statement will be included in all reports submitted to Council and Delegated Committee meetings during the election period.

The recommended decision in this report has been determined by the Officer Responsible not to contravene the provisions of the Local Government Act 2020 or the Election Period Policy with respect to major decisions or inappropriate decisions.

7.3.3 Public Question Time

In the lead up to, and during the election period, the Chief Executive Officer or their nominated representative will assess all questions received to determine whether they contain electoral matter.

Where a question is deemed to contain electoral matter the Chief Executive Officer or their nominated representative shall recommend to the Chairperson that they refuse to receive the question pursuant to the Governance Rules.

If a questioner raises electoral matter during the introduction to their question, they will be requested refrain from doing so. If the questioner fails to comply with this request, they will be asked to resume their seat in the gallery and the question will not be responded to.

7.3.4 Councillor Conduct at Meetings

Councillor-candidates remain Councillors throughout the election period and are obliged to discharge their statutory decision-making role and represent the local community. When attending Council and Committee meetings during (and at times before) the election period, Councillor-candidates should:

- exercise caution so discussion and debate is limited as far as practicable to matters which are not likely to be, or be perceived as, electoral matters.
- avoid as far as practicable, raising notices of motion, urgent business or other items that which are likely to be, or be perceived as, electoral matters.

7.4 Council Resources

Councillors, Committee Members and staff must ensure that due propriety is observed in the use of all Council resources at any time, and be particularly vigilant during an election period.
Examples of Council resources include:

- Laptops, computers, iPads, and related software including internet, email accounts and Council owned social media accounts.
- Mobile phones including use for calls, data, SMS messages, photos or videos;
- Councillor business cards and name badges;
- Mayoral vehicle
- Council and Committee meetings;

- Phone lines and fax machines provided by Council;
- Council photocopiers and other printing resources including paper;
- Council publications;
- Council merchandise – eg: corporate gifts;
- Council buildings, facilities and carparks – this includes hubs, childcare centres and sporting facilities;
- Council logos, branding, or obvious adaptations thereof;
- Council stationary;
- Photographs or images paid for by Council or taken by Council staff in their official or professional capacity; and
- Staff (inclusive of time, effort and knowledge).

In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice may be sought from the Chief Executive Officer or their nominated delegate.

7.4.1 Use of Council equipment and services by Councillors

Council resources must be used exclusively for normal Council business and must not be used in connection with any election campaign or to influence voters.

Councillor-candidates must not use Council resources in connection with any activities associated with their election campaigns, regardless of any entitlement to "reasonable personal use" of Council equipment under any other policy, protocol or terms of use.

Councillor-candidates should also be mindful to manage any perceived conflicts even where a direct expense to Council is not incurred.

Example: Campaign-related phone calls or emails received on Council devices. Councillor-candidates cannot control how individuals choose to make contact with them on campaign-related matters, and might manage these perceived conflicts by:

- *Ensuring they have, and publicise an alternative phone number and email contact for their campaign*
- *Where practicable, responding to calls or emails using these alternative channels.*

7.4.2 Councillors' Entitlement to Reimbursement

Reimbursement of Councillors' out of pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties and not for expenses that could be perceived as supporting or being connected to a candidate's election campaign.

7.4.3 Council Branding and Stationery

No Council logos, publications, letterheads, or other Knox City Council branding will be used for, or linked in any way to, a candidate's election campaign.

7.4.4 Mayoral and Councillor Support

Council staff, and in particular the Personal Assistant to the Mayor and Councillors, Governance staff and Communications staff, will not undertake any tasks connected directly or indirectly with an election campaign.

7.4.5 Ward-specific publications and activities

No Ward meetings are to be held during the election period.

Ward-specific publications or Councillor profiles and articles in the media will not be arranged or published by Council during the election period.

7.4.6 Use of Council Facilities

Council facilities cannot be booked for electoral campaigning purposes by Councillors, candidates, or other persons during the election period.

7.4.7 Correspondence

Councillor-candidates remain Councillors throughout the election period and will continue to receive and respond to correspondence for their full term of office.

To avoid perceptions that the administration may be providing undue advantage to Councillor-candidates during the election period:

- Where a Councillor-candidate requests staff to prepare a response to correspondence, the Chief Executive Officer (or relevant Director or Manager as appropriate) will sign and send the response.
- The response will acknowledge the administration is responding due to limitations imposed upon councillor-candidates during the election period.
- A copy of the response will be provided to the Councillor-candidate.
- The Councillor-candidate may separately respond to the correspondence.

7.5 Access to Council Information

Sitting Councillors, including Councillor-candidates will continue to receive information that is necessary to fulfil their existing elected roles during the election period.

Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services. Information must not relate to public or election debates or to issues that may be perceived to be connected with or support a candidate's election campaign.

All election candidates are otherwise considered to have equal rights to access information relevant to their election campaigns from the Council administration, however:

- Staff will not provide responses to requests for information that express support, or may be perceived to express support for a candidate's election campaign.
- Staff will only provide information to a known candidate or prospective candidate that is generally available to the community.
- Requests for information which require the use of significant Council resources in order to provide a response will be referred to the Chief Executive Officer to determine whether a response can be provided.

There shall be complete transparency in the provision of all information and advice during the election period.

In any circumstances where the use of Council information might be construed as being related to a candidate's election campaign, advice should be sought from the Chief Executive Officer or their nominated delegate.

7.5.1 Requests for Information

During the election period, candidates requesting information from Council, either directly or indirectly, should direct their request to the Chief Executive Officer or the Manager Governance. In the interests of transparency, all candidates requesting information from Council during the election period, either directly or indirectly, are expected to identify that the request is being made by or on behalf of a candidate.

7.5.2 Information Request Register

During the election period, the Manager Governance will maintain an Information Request Register.

This Register will be a public document that records all requests for information by candidates and non-routine requests for information by Councillors, as well as the response given to those requests. The Register will not include requests for information relating to the election process as these will be referred to and managed by the Election Manager.

Any candidate may, upon request, inspect or obtain a copy of the Information Request Register. The Chief Executive Officer may also, at their discretion, periodically:

- Circulate a copy of the register to candidates; and or
- Publish the register on Council's website.

7.6 Equity and Assistance to Candidates

All candidates in an election will be treated equally by Council which means any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

The types of assistance that are available to candidates from Council will be documented and communicated to all candidates from time to time, and may include:

- Information about this and other Council policies, strategies and plans;
- Information about nominating as a candidate;
- Information about the practicalities of being a Councillor at Knox City Council.
- Information about election campaign donation returns; or
- Guidance to other sources of information relevant to the role of a Councillors, including from the Victorian Electoral Commission and the Election Manager, Local Government Victoria and local government peak bodies.

All election related enquiries to Council should be directed to the Chief Executive Officer or the Manager Governance. Where an enquiry is outside the responsibilities of Council, it shall be referred to the Election Manager.

7.7 Functions Events and Public Consultation

7.7.1 Council Organised Events and Functions

Where practicable, civic and ceremonial Council events will not be scheduled during the election period.

Civic and ceremonial events do not include routine events and programs conducted as part of Council's day-to-day functions and activities (e.g. immunisation sessions, gallery exhibitions, library programs).

Any civic or ceremonial council event held during the election period should meet one or more of the following criteria:

- It is a planned event endorsed by the current Council Plan;
- It is routinely held at the same time of year;
- It is a commemorative or anniversary event held on or near the anniversary date;
- It demonstrates a clear community benefit, or serves an educational or welfare purpose; or
- It contributes to cultural development, social awareness or sense of community identity.

The Chief Executive Officer may consider other relevant factors before approving a civic or ceremonial event, including, but not limited to:

- Whether the content of the event is likely to be controversial;
- Whether the event could reasonably be deferred until after the election;
- The implications (i.e., financial, reputation) if the event was held during the election period or deferred until after the election; or
- The best interests of the Council and the community.

7.7.2 Speeches at Council organised or sponsored events

Candidates must not give speeches or keynote addresses at Council organised or sponsored events during the election period.

Where it is considered appropriate for a speech to be made on behalf of Council, it will be given by the Chief Executive Officer, or the relevant Director.

7.7.3 External Events and Functions

Councillors are able to attend events or functions conducted by external bodies during the election period, however it is critical to determine whether a request is to attend:

- as a representative of Council; or
- as a candidate in the forthcoming election.

When attending as a representative of the Council, Councillors must be mindful that they do not use; and are not perceived as using the opportunity to promote their own, or any candidate's election campaign.

Where Councillors are invited to represent Council at an external function or event during the election period, and make a speech, Councillor-candidates may do so provided:

- The organiser is contacted in advance and briefed on the limitations imposed on Councillors during the election period.
- The organiser is requested to avoid any express or implied reference to the election or candidates in the election.
- The Councillors' speech is pre-approved by the Chief Executive Officer and does not contain any express or implied reference to the election or candidates in the election.

7.7.4 Publication of Promotion Material

In preparing any publicity material for Council events, the organiser will be mindful of the controls on electoral material as outlined in clause 7.9 of this policy.

Invitations to functions and events will be issued by the Chief Executive Officer and not in the name of the Mayor or individual councillors.

7.8 Public Consultation

No Council public consultation processes should be undertaken during the election period, unless they are approved in writing by the Chief Executive Officer.

For the purposes of this section, a public consultation process

- Is a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy;
- May be undertaken in many forms, including a direct mailout (either electronic or physical), public advertisement in the local newspaper, attendance at focus groups, completion of a survey or discussion via social media.
- Does not include consultation required under the Planning and Environment Act 1987, or section 223 of the Act.

Before approving a public consultation process to proceed during the election period, the Chief Executive Officer will consider:

- Whether the consultation process is likely to be controversial;
- Whether the consultation process is significant in the context of the election;
- Whether the consultation process could wait until after the election;
- The implications (i.e., financial, reputation) if the consultation was undertaken during the election period or deferred until after the election; and
- The best interests of council and the community.

7.9 Council Publications

The Act imposes specific limitations on Councillors and members of Council staff to ensure that they do not use Council resources in a way that is intended to, or is likely to, affect the result of an election

The Act prohibits Councillors or members of Council staff from publishing material that contains electoral matter. Section 304(2) of the Act states:

> *"A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be in behalf of, the Council."*

The above prohibition does not apply to electoral material that contains only information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

The following publications will not be published during the election time without first consulting with the Governance department:

- New ~~B~~brochures, pamphlets, handbills, flyers, magazines and books
- Reports (other than those included in an Agenda for a Council or Delegated Committee meeting)
- Advertisements and notices, except notices of meetings in newspapers
- New website material
- New social media publications

- Emails with multiple addresses, used for broad communication with the community
- Mass mail outs or identical letters sent to a large number of people by or on behalf of Council
- Media releases
- Material to publicise a function or event
- Any publication or distribution of councillors' speeches.

7.9.1 Annual Report

The 2019-20 Annual Report will be affected by the legislative restrictions on publications as the publication date of the report falls within the election period. Therefore information relating to Councillors will be restricted to what is required by the Act and relevant regulations.

During an election year, the Annual Report will not contain a foreword from the Mayor.

7.10 Media and Media Services

Council media and media services are intended to promote Council activities and services and must not be used in any way that might favour any election candidate or influence the outcome of a Council election.

During the election period Council staff are not permitted to make any public statement that could be construed as influencing the elections. This does not include statements of clarification in relation to the election process that have been approved by the Chief Executive Officer.

7.10.1 Media Advice

Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election campaign matters. In particular, the use of any Council publications that feature specific Councillors and/or individual achievements will be avoided for the duration of the election period.

7.10.2 Media Releases and Responses

All media releases and/or responses during the election period must not contain reference to, or quotes by, any candidate including existing Councillors who are deemed to be candidates, and should avoid referring to electoral matters.

All official media releases, responses or statements on behalf of Council will be issued in the name of the Chief Executive Officer during the election period.

7.10.3 Publicity Campaigns

During the election period, Council publicity campaigns, other than for the purpose of conducting the election, will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council service or function, it must be approved by the Chief Executive Officer. Council publicity during the election period will be restricted to promoting normal Council activities.

7.10.4 Website and Social Media

During the election period, information about Councillors on Council's website will be restricted to names, contact details, titles, membership to committees and other bodies to which they have been appointed by Council.

Council staff will carefully vet existing publications and online information prior to the commencement of the election period and, where practicable and appropriate (having particular regard the resources required) will temporarily withdraw any material that might otherwise constitute electoral matter or reasonably influence or be seen to influence, people's voting decisions the election.

In order to comply with Section 304(2) of the Act, during the election period Council will:

a) disable all external posts and comments to Council's social media sites; or
b) moderate external posts and comments to ensure they are free from electoral matter before they are published.

A statement outlining the election period provisions will be published on Council's websites and social media accounts prior to the election period commencing.

7.11 Misuse of Position

Section 76D of the Local Government Act 1989 prohibits current or former Councillors or members of special committees from using their position to gain access to information or resources that would otherwise not be available.

Section 76D specifies the following circumstances as a misuse of position:

- making improper use of information acquired as a result of the position he or she held or holds
- disclosing information that is confidential information within the meaning of the Local Government Act 2020
- directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E of the Local Government Act 1989
- exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform
- using public funds or resources in a manner that is improper or unauthorised
- failing to disclose a conflict of interest.

7.12 Candidacy in the election

7.12.1 Council Staff

Upon becoming a candidate in a Knox City Council election, staff must:

- Inform the Chief Executive Officer;
- Take leave from their duties at a minimum being for the duration of the election period in accordance with section 256(8)(a) of the Act (if sufficient paid leave is not accrued, unpaid leave will be available);
- Return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information that is not available to the public at a minimum being for the duration of the election period; and
- If elected, immediately resign from their employed position at Council, in to comply with the qualification requirements specified in section 34(2)(d) of the Act.

7.12.2 Members of Council Advisory or other Committees

Upon becoming a candidate, any person (other than a councillor) who is a member of one of Council's advisory or other committees is expected to:

- Comply with this policy;
- Inform the Chief Executive Officer;
- Take leave from the committee;
- Return any council equipment, documents or information which is not available to the public for the duration of their candidacy and/or the election period; and
- If elected, immediately resign from the committee.

7.13 Breach of Policy

Any breach of this policy relating to staff conduct is to be referred to the Chief Executive Officer and may be dealt with in accordance with Council Disciplinary Policy and Procedures.
Alleged breaches relating to all other matters are to be referred to the Local Government Investigations and Compliance Inspectorate.

8. 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.

Policy & Procedure

Election Period

Policy Number:	2005/02	Directorate:	~~Corporate Services~~City Development - Finance & Governance
Approval by:	Council	Responsible Officer:	Coordinator Governance
Approval Date:	~~25 November 2019~~	Version Number:	6~~5~~
Review Date:	October 2023 ~~Not later than 12 months before the next general election period~~		

1 Purpose

This Election Period Policy & Procedure (Policy) ~~has been developed to~~ ensures that the Knox City Council municipal elections are conducted in a manner that is fair, equitable, and publicly perceived as such.

This P~~p~~olicy further ensures that the ordinary business of Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established 'caretaker' conventions.

2 Context

Section 69(1) of the Local Government Act 2020 (the Act) requires a Council to include an election period policy in its Governance Rules. The Act states that an election period policy must prohibit any Council decision during the election period for a general election that:

- relates to the appointment or remuneration of the Chief Executive Officer; or
- commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the prece~~e~~eding financial year; or
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during the election period.

An election period policy must also prohibit any Council decision during the election period that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election.

~~Having an Election Period Policy is a requirement of section 93B of the Local Government Act 1989 ('the Act') which requires Council to prepare, adopt and maintain an election period policy which explains:~~

- ~~the procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;~~

- ~~the limitations placed on public consultation and the scheduling of Council events during the election period before a general election; and~~
- ~~the procedures intended to ensure that information held by Council is made equally available and accessible to candidates during the election period before a general election.~~

3 Scope

This policy will apply to Councillors, Council staff and candidates for the Knox City Council general elections held on or after ~~to be held on~~ Saturday, 24 October 2020.

While the focus of the policy is on the formal~~.~~ 32 day election period, it is acknowledged that campaigning typically starts well in advance of the formal election period and consequently may trigger some provisions of this policy.

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4.1 Community & Council Plan 2017-2021

- Goal 8, We have confidence in decision making

4.2 Relevant Legislation

- Local Government Act ~~1989~~2020
- Local Government (Electoral) Regulations 2016

4.3 Charter of Human Rights

- This policy has been assessed against is considered to be compatible with the charter of Human Rights.

4.4 Related Council Policies

- Councillor Code of Conduct
- Staff Code of Conduct
- Minor Grants Program Policy
- Social Media Policy

4.5 Related Council Procedures

- Nil

6 Definitions

Candidate	A person who has: • Within 12 months of the next election period, publicly expressed an intention to run as a candidate in the election; and or • a person who has formally nominated as a candidate in the election with the ~~returning officer~~Election Manager. A candidate is a "known candidate" when a person has actual knowledge of the candidate's identity and that they meet the above definition.
Council	Knox City Council, whether constituted before or after the commencement of this Policy.
Election Day	In the case of an election, the day of an election determined under section 257~~31~~ or 260~~38~~ of the Act. For the 2020 elections, election day is Saturday, 24 October 2020.
Election Manager	Means the Victorian ~~Electorial~~Electoral ~~Commision~~Commission (VEC) or a person appointed in writing by the VEC

Electoral Matter	As defined in section 3(~~1A~~4) and 3(~~1B~~5) of the Act and detailed below: Any matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election. Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on— (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.
Election Period	The period commencing at the time that nominations close on nomination day~~on the last day on which nominations for that election can be received~~ and ending at 6.00pm on Election Day. For the 2020 elections, the election period will apply from 22 September 2020 until 6:00pm on Saturday, 24 October 2020 inclusive.
Inappropriate Decision	As defined in Section ~~93B(5)~~69(2)(c), (d) and (3) of the Act and detailed below: a) decisions that the Council considers could be reasonably deferred until the next Council is in place; b) decisions that the Council considers should not be made during an election period; and c) decisions that would enable the use of Council resources in a way that is intended to influence, or is likely to influence, voting at the election. ~~a)~~d)~~decisions that would affect voting in an election;~~ ~~b)~~e)~~decisions that could reasonably be made after the election~~

Major ~~Policy~~ Decision	As defined in Section ~~93A(6~~69(2)(a) and (b) of the Act and detailed below: a) decisions relating to the ~~employment~~ appointment or remuneration of a Chief Executive Officer ~~under section 94~~, ~~other than a~~but not to the appointment of remuneration of an Acting Chief Executive Officer ~~decision to appoint an acting Chief Executive Officer;~~ and a) decisions that commit Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year (approximately $1.2 million in 2020-2021) ~~b) to terminate the appointment of a Chief Executive Officer under section 94;~~ ~~c) to enter into a contract the total value of which exceeds whichever is the greater of –~~ ~~i. $100,000 or such higher amount as may be fixed by Order in Council under section 186(1); or~~ ~~ii. 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;~~ ~~to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of $100,000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.~~
Officer Responsible	In respect of a report to a meeting of Council or a Delegated Committee, means the member (or acting member) of the Executive Management Team responsible for authorising the report.
~~Returning officer~~	~~As defined in Section 3(1) of the Act and detailed below:~~ ~~(a) the Electoral Commissioner; or~~ ~~(b) a person appointed in writing by the Electoral Commissioner;~~
Staff, Council staff, or staff member	means any employee of Council whether permanent or temporary or casual, and includes contractors, and volunteers carrying out work for or on behalf of Knox City Council

7 Council Policy

1. During the election period:
   - Council will not make major ~~policy~~ decisions contrary to this policy~~the Act~~.
   - Council will not make inappropriate decisions contrary to this policy~~the Act~~.
   - Council will limit public consultation, public meetings and Council events in order to facilitate Council's day to-day business while avoiding any express or implied links to the election.
   - ~~Council~~ A Councillor or member of Council staff will not print, publish or distribute electoral matter contrary to the Act.
2. Council resources, events and activities must not be used at any time for election campaign purposes, or in a way that might improperly influence the result of an election.

3. Information held by Council will be equally and transparently available and accessible to all candidates.
4. Assistance and advice ~~provided to candidates~~ will be provided equally and transparently to all candidates.
5. The Chief Executive Officer shall take reasonable steps to inform affected persons of this policy.

7.1 Commencement of Election Period

No later than 30 days prior to the commencement of the election period, the Chief Executive Officer will ensure:

- all Councillors, Staff and Committee members are reminded of the forthcoming election period and the application of this policy.
- This policy is prominently displayed on Council's website for the benefit of the community and candidates (actual or potential).

7.2 Decision Making During the Election Period

Council, a ~~special~~ Delegated C~~c~~ommittee of Council or a person acting under delegated authority of Council must not make major ~~policy~~ decisions or inappropriate decisions during the election period for a general election.

7.2.1 Major ~~Policy~~ Decisions

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. ~~Therefore, where the Council considers extraordinary circumstances do exist where a delay in decision making would result in significant detriment to the community, Council may apply in writing to the Minister for an exemption in accordance with the Act.~~ A major ~~policy~~ decision made contrary to this policy would be ~~made~~ in contravention of section 69(2)(a) or (b) of the Act and would be ~~is~~ invalid. Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid is entitled to compensation from the Council for that loss or damage.

7.2.2 Inappropriate Decisions

Decisions on the following matters during the election period (whether made by Council, or a ~~Special~~ Delegated Committee or staff member exercising delegation), are considered inappropriate decisions for the purposes of the Act and this policy:

- ~~Allocation of community grants or other direct funding to community organisations including those under the Minor Grants Program Policy.~~
- Major planning scheme amendments
- Sale or discontinuance of roads or similar ~~etc~~
- Changes to the strategic objectives and strategies in the Council Plan
- Acquisition or disposition of land
- Adoption or amendment of policies, protocols, strategies, master plans or frameworks
- Adoption of a revised budget
- Adoption or amendment of a Local Law
- Appointing representatives to Council committees
- Naming or re-naming of roads, reserves or features

- Noting the results of community consultation.

Allocation of community grants may also constitute an inappropriate decision, except where:

- The grants or allocations are made by officers pursuant to a delegation from Council, from an existing budget established by Council,
- The grants or allocations are made by delegates in accordance with an established policy; guideline; or framework established by Council.
- Deferring the decision on the grant or allocation would be inappropriate, taking into consideration to factors set out in 7.2.3, particularly where the grant relates to Council's response to, and recovery from the impacts of the COVID-19 pandemic.

Assistance in determining whether a decision is likely to be inappropriate should be sought from the Manager Governance in the first instance.

7.2.3 Officer Decisions under Delegated Authority

Before making a decision under delegated authority during the election period, officers should consider all the relevant facts and circumstances, including:

- Whether the decision is, or may be perceived as inappropriate
- Whether the decision is likely to be controversial or affect voting in the election
- The urgency of the decision (can it reasonably wait until after the election?)
- Possible financial repercussions if the decision is deferred; and
- Whether the decision requires community engagement
- Any relevant statutory obligations and timeframes
- Whether delay, or failure to make a particular decision would have a negative impact on Council, the municipality or the local community
- Whether the disadvantage of avoiding making the decision exceeds the benefit of making the decision
- The best interests of Council and the community

Officers requiring assistance in determining whether a decision is likely to be inappropriate should seek advice from the Manager Governance in the first instance.

7.3 Council and Committee Meetings

Councillors, Committee Members, staff and candidates must ensure that due propriety is observed in the conduct of Council meetings in the lead up to the elections, and be particularly vigilant during the election period.

~~The following protocols will apply for Council and Committee meetings held during the election period.~~

7.3.1 Approval of Reports ~~by Chief Executive Officer~~

All reports to Council and ~~Special~~ Delegated Committee meetings will be assessed by the Oofficer Rresponsible ~~Chief Executive Officer, in accordance with the Act and this policy,~~ to ensure decisions that would be considered:

- Inappropriate decisions ~~during the election period~~; and/or
- Major ~~policy~~ decisions

~~are scheduled for consideration prior to the commencement of the election period or~~are deferred for consideration until after the election.

The ~~Chief Executive Officer~~ Oofficer Rresponsible will also vet reports to avoid listing matters on an Agenda which could foreseeably influence voters' intentions at the forthcoming election.

The Officer Rresponsible ~~Chief Executive Officer's decision~~ will take into account all the relevant facts and circumstances, including:

- The urgency of the decision (i.e. if the decision could reasonably be deferred until after the election)
- Whether the decision is likely to be controversial or affect voting in the election
- Whether the decision would require the spending of unbudgeted monies
- Whether the decision represents the completion of an activity already commenced and endorsed by the incumbent Council
- Whether the decision requires community engagement
- Whether delay, or failure to make a particular decision would have a negative impact on Council, the municipality or the local community
- Whether the disadvantage of avoiding making the decision exceeds the benefit of making the decision
- Any relevant statutory obligations and timeframes
- The best interests of the community and Council

Where required, guidance should be sought from the Chief Executive Officer.

7.3.2 Election Period Statement

~~An~~ The following election period statement will be included in all reports submitted to Council and ~~Special~~ Delegated Committee meetings during the election period. ~~Examples of appropriate election period statements are:~~

The recommended decision in this report has been determined by the ~~Chief Executive Officer~~ ~~Responsible Officer~~ Officer Responsible not to contravene the provisions of the Local Government Act ~~1989~~ 2020 or the Election Period Policy ~~2020~~ with respect to major ~~policy~~ decisions or inappropriate decisions.

- ~~The recommended decision in this report is considered to be a major policy decision in accordance with the Local Government Act 1989 and the Election Period Policy 2020 and the Minister for Local Government has granted Council an exemption to Council for the purposes of this decision.~~

7.3.3 Public Question Time

In the lead up to, and during the election period, ~~The~~ the Chief Executive Officer or ~~his/her~~ their nominated representative will assess all questions received to determine whether they contain electoral matter.

Where a question is deemed to contain electoral matter the Chief Executive Officer or ~~his/her~~their nominated representative shall recommend to the Chairperson that ~~he or she~~they refuse to receive the question pursuant to the Governance Rules.~~Clause 62(1)(k) of the Meeting Procedure and Use of Common Seal Local Law 2018~~.

If a questioner raises electoral matter during the introduction to their question, they will be requested refrain from doing so. If the questioner fails to comply with this request, they will be asked to resume their seat in the gallery and the question will not be responded to.

7.3.4 Councillor Conduct at Meetings

Councillor-candidates remain Councillors throughout the election period and are obliged to discharge their statutory decision-making role and represent the local community.~~, notwithstanding that they may be candidates in the election.~~

When attending Council and Committee meetings during (and at times before) the election period, Councillor~~ candidatess may however, be required~~ should ~~to~~:

- exercise caution so discussion and debate is limited as far as practicable to matters which are not likely to be, or be perceived as, electoral matters.
- avoid as far as practicable, raising notices of motion, urgent business or other items that which are likely to be, or be perceived as, electoral matters.

7.4 Council Resources

Councillors, Committee Members and staff must ensure that due propriety is observed in the use of all Council resources at any time, and be particularly vigilant during an election period.

Examples of Council resources include:

- Laptops, computers, iPads, and related software including internet, email accounts and Council owned social media accounts.
- Mobile phones including use for calls, data, SMS messages, photos or videos;
- Councillor business cards and name badges;
- Mayoral vehicle
- Council and Committee meetings;
- Phone lines and fax machines provided by Council;
- Council photocopiers and other printing resources including paper;
- Council publications;
- Council merchandise – eg: corporate gifts;
- Council buildings, facilities and carparks – this includes hubs, childcare centres and sporting facilities;
- Council logos, branding, or obvious adaptations thereof;
- Council stationary;
- Photographs or images paid for by Council or taken by Council staff in their official or professional capacity; and
- Staff (inclusive of time, effort and knowledge).

In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice ~~will~~ may be sought from the Chief Executive Officer or ~~his/her~~their nominated delegate.

7.4.1 Use of Council equipment and services by Councillors

Council resources must be used exclusively for normal Council business and must not be used in connection with any election campaign or to influence voters.

Councillor-candidates must not use Council resources in connection with any activities associated with their election campaigns, regardless of any entitlement to "reasonable personal use" of Council equipment under any other policy, protocol or terms of use.

Councillor-candidates should also be mindful to manage any perceived conflicts even where a direct expense to Council is not~~n't~~ incurred.

Example: Campaign-related phone calls or emails received on Council devices.

Councillor-candidates cannot control how individuals choose to make contact with them on campaign-related matters, and might manage these perceived conflicts by:

- *Ensuring they have, and publicise an alternative phone number and email contact for their campaign*
- *Where practicable, responding to calls or emails using these alternative channels.*

7.4.2 Councillors' Entitlement to Reimbursement

Reimbursement of Councillors' out of pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties and not for expenses that could be perceived as supporting or being connected to a candidate's election campaign.

7.4.3 Council Branding and Stationery

No Council logos, publications, letterheads, or other Knox City Council branding will be used for, or linked in any way to, a candidate's election campaign.

7.4.4 Mayoral and Councillor Support

Council staff, and in particular the Personal Assistant to the Mayor and Councillors, Governance staff and Communications staff, will not undertake any tasks connected directly or indirectly with an election campaign.

7.4.5 Ward-specific publications and activities

No Ward meetings are to be held during the election period.

Ward-specific publications or Councillor profiles and articles in the media~~,~~ will not be arranged or published by Council during the election period.

7.4.6 Use of Council Facilities

Council facilities cannot be booked for electoral campaigning purposes by Councillors, candidates, or other persons during the election period.

7.4.7 Correspondence

Councillor-candidates remain Councillors throughout the election period and will continue to receive and respond to correspondence for their full term of office.

To avoid perceptions that the administration may be ~~is~~ providing undue advantage to Councillor-candidates during the election period:

- Where a Councillor-candidate requests staff to prepare a response to correspondence, the Chief Executive Officer (or relevant Director or Manager as appropriate) will ~~also~~ sign and send the response.
- The response will acknowledge the administration is responding due to limitations imposed upon councillor-candidates during the election period.
- A copy of the response will be provided to the Councillor-candidate.
- The Councillor-candidate may separately respond to the correspondence.

7.5 Access to Council Information

Sitting Councillors, including C~~c~~ouncillor-candidates will continue to receive information that is necessary to fulfil their existing elected roles during the election period.

Information and briefing material prepared by staff for Councillors during the election period ~~however~~ will relate only to factual matters or to existing Council services. Information must not relate to public or election debates or to issues that may be perceived to be connected with or support a candidate's election campaign.

All election candidates are otherwise considered to have equal rights to access information relevant to their election campaigns from the Council administration, however:

- Staff will not provide responses to requests for information that express support, or may be perceived to express support for a candidate's election campaign.
- Staff will only provide information to a known candidate or prospective candidate that is generally available to the community.
- Requests for information which require the use of significant Council resources in order to provide a response will be referred to the Chief Executive Officer to determine whether a response can be provided.

There shall be complete transparency in the provision of all information and advice during the election period.

In any circumstances where the use of Council information might be construed as being related to a candidate's election campaign, advice should be sought from the Chief Executive Officer or ~~his/her~~~~their nominated~~their nominated delegate.

7.5.1 Requests for Information

During the election period, candidates requesting information from Council, either directly or indirectly, should direct their request to the Chief Executive Officer or the Manager Governance.

In the interests of transparency, all candidates requesting information from Council during the election period, either directly or indirectly, are expected to identify that the request is being made by or on behalf of a candidate.

7.5.2 Information Request Register

During the election period, the Manager Governance will maintain an Information Request Register.

This Register will be a public document that records all requests for information by candidates and non-routine requests for information by Councillors, as well as the response given to those requests. The Register will not include requests for information relating to the election process as these will be referred to and managed by the ~~Returning Officer~~Election Manager.

Any candidate may, upon request, inspect or obtain a copy of the Information Request Register. The Chief Executive Officer may also, at ~~his or her~~their discretion, periodically:

- Circulate a copy of the register to candidates; and or
- Publish the register on Council's website.

7.6 Equity and Assistance to Candidates

All candidates in an election will be treated equally by Council which means any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

The types of assistance that are available to candidates from Council will be documented and communicated to all candidates from time to time, and may include:

- Information about this and other Council policies, strategies and plans;
- Information about nominating as a candidate;
- Information about the practicalities of being a Councillor at ~~the City of Knox~~Knox City Council.

- Information about election campaign donation returns;
- Guidance to other sources of information relevant to the role of a Councillors, including from the Victorian Electoral Commission and the ~~Returning Officer~~Election Manager, Local Government Victoria and local government peak bodies; or

All election related enquiries to Council should be directed to the Chief Executive Officer or the Manager Governance. Where an enquiry is outside the responsibilities of Council, it shall be referred to the ~~Returning Officer~~Election Manager.

7.7 Functions Events and Public Consultation

7.7.1 Council Organised Events and Functions

Where practicable, civic and ceremonial Council events will not be scheduled during the election period.

Civic and ceremonial events do not include routine events and programs conducted as part of Council's day-to-day functions and activities (e.g. immunisation sessions, gallery exhibitions, library programs).

Any civic or ceremonial council event held during the election period should meet one or more of the following criteria:

- It is a planned event endorsed by the current Council Plan;
- It is routinely held at the same time of year;
- It is a commemorative or anniversary event held on or near the anniversary date;
- It demonstrates a clear community benefit, or serves an educational or welfare purpose; or
- It contributes to cultural development, social awareness or sense of community identity.

The Chief Executive Officer ~~will also~~may consider other relevant factors before approving a civic or ceremonial event, including, but not limited to:

- Whether the content of the event is likely to be controversial;
- Whether the event could reasonably be deferred until after the election;
- The implications (i.e., financial, reputation) if the event was held during the election period or deferred until after the election; or
- The best interests of the C~~c~~ouncil and the community.

7.7.2 Speeches at Council organised or sponsored events

Candidates must not give speeches or keynote addresses at Council organised or sponsored events during the election period.

Where it is considered appropriate for a speech to be made on behalf of Council, it will be given by the Chief Executive Officer, or the relevant Director.

7.7.3 External Events and Functions

Councillors are able to attend events or functions conducted by external bodies during the election period, however it is critical to determine whether a request is to attend:

- as a representative of Council; or
- as a candidate in the forthcoming election.

When attending as a representative of the Council, Councillors must be mindful that they do not use; and are not perceived as using the opportunity to promote their own, or any candidate's election campaign.

Where Councillors are invited to represent Council at an external function or event during the election period, and make a speech, Councillor-candidates may do so provided:

- The organiser is contacted in advance and briefed on the limitations imposed on Councillors during the election period.
- The organiser is requested to avoid any express or implied reference to the election or candidates in the election.
- The Councillors' speech is pre-approved by the Chief Executive Officer and does not contain any express or implied reference to the election or candidates in the election.

7.7.4 Publication of Promotion Material

In preparing any publicity material for Council events, the organiser will be mindful of the controls on electoral material as outlined in clause ~~6.9~~ 7.9 of this policy.

Invitations to functions and events will be issued by the Chief Executive Officer and not in the name of the Mayor or individual councillors.

7.8 Public Consultation

No Council public consultation processes should be undertaken during the election period, unless they are approved in writing by the Chief Executive Officer.

For the purposes of this section, a public consultation process

- Is a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy;
- May be undertaken in many forms, including a direct mailout (either electronic or physical), public advertisement in the local newspaper, attendance at focus groups, completion of a survey or discussion via social media.
- Does not include consultation required under the Planning and Environment Act 1987, or section 223 of the Act.

Before approving a public consultation process to proceed during the election period, the Chief Executive Officer will consider:

- Whether the consultation process is likely to be controversial;
- Whether the consultation process is significant in the context of the election;
- Whether the consultation process could wait until after the election;
- The implications (i.e., financial, reputation) if the consultation was undertaken during the election period or deferred until after the election; and
- The best interests of council and the community.

7.9 Council Publications

The Act imposes specific limitations on Councillors and members of Council staff to ensure that they do not use Council resources in a way that is intended to, or is likely to, affect the result of an election. Further, The Act prohibits Councillors or members of Council staff from publishing material that contains electoral matter. Section 304(2) of the Act states:

"A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be in behalf of, the Council."

The above prohibition does not apply to electoral material that contains only information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

It is strongly recommended that The following publications will are not be published during the election time without first consulting with the Governance department:

- New Bbrochures, pamphlets, handbills, flyers, magazines and books
- Reports (other than those included in an Agenda for a Council or Special Delegated Committee meeting)
- Advertisements and notices, except notices of meetings in newspapers
- New website material
- New social media publications
- Emails with multiple addresses, used for broad communication with the community
- Mass mail outs or identical letters sent to a large number of people by or on behalf of Council
- Media releases
- Material to publicise a function or event
- Any publication or distribution of councillors' speeches.

~~The Act imposes limitations on Council publications during the election period to ensure Council does not publish material containing electoral matter that may influence, or be seen to influence, people's voting~~ he decisions. ~~Section 55D of the Act states:~~

~~"A council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer"~~

~~The above prohibition does not apply to:~~

a) documents that were published prior to the commencement of the election period; or

b) electoral material produced by, or on behalf of, the Returning Officer for the purposes of conducting the election.

Publications which require certification may include:

- Brochures, pamphlets, handbills, flyers, magazines and books
- Reports (other than those included in an Agenda for a Council or Special Committee meeting)
- Advertisements and notices, except notices of meetings in newspapers
- New website material
- New social media publications
- Emails with multiple addresses, used for broad communication with the community
- Mass mail outs or identical letters sent to a large number of people by or on behalf of Council
- Media releases
- Material to publicise a function or event
- Any publication or distribution of councillors' speeches.

~~7.9.1 Certification of Council Publications by the Chief Executive Officer~~

~~The Chief Executive Officer's certification must be in writing and cannot be delegated to another person.~~

~~All relevant publications must be certified using Form 1 (attached) and the process for the certification will be as follows:~~

~~(i) Publication authors are to check that no election material is included when preparing a publication and submit the completed publication to the Manager Governance for review~~

~~(ii) The Manager Governance is to confirm that no election material is included, and return the publication to the author (if election material is present) or submit it to the Chief Executive Officer for authorisation (if it complies with the requirements of the Act).~~

~~(iii) The Chief Executive Officer is to authorise or reject the publication and return it to the Manager Governance.~~

~~(iv) The Manager Governance will advise the publication author if the publication has been certified by the Chief Executive Officer.~~

~~(v) If certified, the publication can be distributed by the relevant department.~~

~~(vi) The Manager Governance is to maintain a register of all documents authorised under this section.~~

~~7.9.2~~7.9.1 Annual Report

The 2019-20 Annual Report will be affected by the legislative restrictions on publications as the publication date of the report falls within the election period. Therefore information relating to Councillors will be restricted to what is required by the Act and relevant regulations. ~~Local Government (Planning and Reporting) Regulations 2014. This includes the name and photographs of each Councillor as well as their membership of special delegated committees and other bodies to which they have been appointed by the Council~~. During an election year, the Annual Report will not contain a foreword from the Mayor.

7.10 Media and Media Services

Council media and media services are intended to promote Council activities and services and must not be used in any way that might favour any election candidate or influence the outcome of a Council election.

During the election period Council staff are not permitted to make any public statement that could be construed as influencing the elections. This does not include statements of clarification in relation to the election process that have been approved by the Chief Executive Officer.

7.10.1 Media Advice

Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election campaign matters. In particular, the use of any Council publications that feature specific Councillors and/or individual achievements will be avoided for the duration of the election period.

7.10.2 Media Releases and Responses

All media releases and/or responses during the election period must not contain reference to, or quotes by, any candidate including existing Councillors who are deemed to be candidates, and should avoid referring to electoral matters.

All official media releases, responses or statements on behalf of Council will be issued in the name of the Chief Executive Officer during the election period.

7.10.3 Publicity Campaigns

During the election period, Council publicity campaigns, other than for the purpose of conducting the election, will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council service or function, it must be approved by the Chief Executive Officer. Council publicity during the election period will be restricted to promoting normal Council activities.

7.10.4 Website and Social Media

During the election period, information about Councillors on Council's website, will be restricted to names, contact details, titles, membership to committees and other bodies to which they have been appointed by Council.

Council staff will carefully vet existing publications and online information prior to the commencement of the election period and, where practicable and appropriate (having particular regard the resources required) will temporarily withdraw any material that might otherwise constitute electoral matter or reasonably influence or be seen to influence, people's voting decisions the election. In order to comply with Section ~~55D~~ 304(2) of the Act, during the election period Council will:

a) disable all external posts and comments to Council's social media sites; or

b) moderate ~~and certify that~~ external posts and comments to ensure they are free from electoral matter before they are published.

A statement outlining the election period provisions will be published on Council's websites and social media accounts prior to the election period commencing.

7.11 Misuse of Position

Section 76D of the Local Government Act 1989 ~~Act~~ prohibits current or former Councillors or members of special committees from using their position to gain access to information or resources that would otherwise not be available.

Section 76D ~~The Act~~ specifies the following circumstances as a misuse of position:

- making improper use of information acquired as a result of the position he or she held or holds
- disclosing information that is confidential information within the meaning of the Local Government Act 2020 ~~section 77(2) of the Act~~
- directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E of the Local Government Act 1989
- exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform
- using public funds or resources in a manner that is improper or unauthorised
- failing to disclose a conflict of interest.

7.12 Candidacy in the election

7.12.1 Council Staff

Upon becoming a candidate in a Knox City Council election, staff must:

- Inform the Chief Executive Officer;
- Take leave from their duties ~~at least~~at a minimum being for the duration of the election period in accordance with section ~~29(3)~~256(8)(a) of the Act (if sufficient paid leave is not accrued, unpaid leave will be available);
- Return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information that is not available to the public ~~at least~~at a minimum being for the duration of the election period; and
- If elected, immediately resign from their employed position at Council, in to comply with the qualification requirements specified in section 34(2)(d)~~accordance with section 29(3)~~ of the Act.

7.12.2 Members of Council Advisory or other Committees

Upon becoming a candidate, any person (other than a councillor) who is a member of one of Council's advisory or other committees is expected to:

- Comply with this policy;
- Inform the Chief Executive Officer;
- Take leave from the committee;
- Return any council equipment, documents or information which is not available to the public for the duration of their candidacy and/or the election period; and
- If elected, immediately resign from the committee.

7.13 Breach of Policy

Any breach of this policy relating to staff conduct is to be referred to the Chief Executive Officer and may be dealt with in accordance with Council Disciplinary Policy and Procedures.

Alleged breaches relating to all other matters are to be referred to the Local Government Investigations and Compliance Inspectorate.

8 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.

1 Form 1 - Request for certification of publication during the election period

1 Author to complete

Document description (attach document)	
Intended distribution channel	

I declare that I have reviewed the material contained in the attached document and to the best of my knowledge, it does not contain any electoral matter.

Name and Title	
Signature	
Date	

2 Manager Governance & Innovation (or nominee) to complete

I declare that I have reviewed the material contained in the attached document and to the best of my knowledge, it does not contain any electoral matter.

Name and Title	
Signature	
Date	

3 Chief Executive to complete

In accordance with section 55D(1) of the Local Government Act 1989, I certify that the attached advertisement, handbill, pamphlet or notice may be printed, published or distributed during the election period on behalf of Knox City Council.

Signature	
Date	

Submissions received during public consultation and Officers' response.

Submission 1 – Responses

Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?

A: NO

Q4 - Please explain your answer

I feel it's good to have rules but must be upheld at all times and held to account during civic duties.
Division 12- Behaviour for example of this policy. It concerns me that Behaviour is mentioned, "public addressing the meeting", please see comments under each point that I have written on
65.1 Members of the public do not have a right to address Council and may only do so with the consent of the Chairperson or by prior arrangement.
I feel there needs to be further accessibility and information on social media to educate and inform residents of proper processes to be heard at a council meeting and "how to" to gain consent rather then just "do not have a right".
"65.2 Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so."
This point concerns me as it displays an expectation of residents and not mutual. I have attended meetings where a Councillor has referred to residents as trolls and keyboard warriors and not even called to order for being disrespectful to residents of Knox during a council meeting. The Councillor was not addressed and this was disappointing particularly when it was said at over 2 ordinary meetings. I feel it is important that if council expect it from residents at council meetings that it is mutually expected. Courtesy and respect also for those taking an active interest at meetings and out in the public and not named called for having an opinion whether at a meeting in person or on social media.
65.3 A member of the public present at a Council meeting must not disrupt the meeting.
What does council mean disrupt exactly, I feel this is left open to interpretation and further clarification is required with detail.
I feel when Councillors behave poorly, that this behaviour be addressed, I have witnessed some appalling behaviour over the years and I find this unacceptable. For example, yelling at other councillors, cutting councillors off when they are trying to speak and portrayed attitudes when information is presented by the elected official.
The wording in "78. Recording and Broadcasting Proceedings", concerns me that live streaming has not been mentioned and no guarantees that all SPC and Ordinary meetings will be live streamed for improved transparency and community engagement in this new policy. Personally, I feel, this will allow for any mayor to say no to live streaming in the future.
Chapter 6 -"Informal Meetings of Councillors", page 50. Wondering why there isn't a record of meetings and its minutes when councillors meet with focus groups for example? For example Millers Homestead had a focus group between residents and councillors and as a matter of transparency, the community have no idea to understand what was discussed and by who in attendance. I feel this lacks trust, transparency and accountability when discussions/meetings are had with no way of the community following up and this needs to be addressed.

Q5 - Provide any additional feedback

Please see above
I thank you for the ability to provide feedback but I don't feel like it will be taken seriously and included in the finalised document. I feel it is important that respect, accountability, transparency and honesty is mutually given. In my opinion the conduct of behaviour will improve if the rules are upheld and include respect for the ratepayer.

Officer Response to Submission 1

Regarding opportunities and rights to address council

While there are incidental opportunities for public involvement at a Council or Committee meeting, this is not their prime function, they are fundamentally "meetings of Council" or "meetings of the Committee". As such, providing a right to further participate at meetings is not recommended and no change to the Governance Rules is recommended.

While the community's opportunity to participate in the meeting forum remains limited, the community's opportunity to participate in the decision making process is clearer than ever under the Governance rules, which reflect:

- The overarching Governance Principles: including the requirement that persons whose rights will be directly affected by decision making have their views and interests considered.
- The broader governance framework – including the Community Engagement Principles and the associated Community Engagement Policy.

Regarding Rule 65 – mutual expectations

Clause 73 of the Governance Rules provides the Chairperson with discretionary powers to call any Councillor to order. This can be done by the Chairperson of their own volition, or in response to a point of order from any Councillor.

Notwithstanding, there is no positive statement regarding Councillor conduct in the Governance Rules that would create the sense of mutual expectation sought by the submitter.

Council's adopted Councillors Code of Conduct contains positive duties regarding courteous and respectful behaviour, including:

- We will treat each other and all council officers with respect, trust and dignity built upon honest mutual dealings conducted in an open and positive environment (Clause 2 – Our Commitment)
- We will engage in healthy, issues focused debate that may be robust, but is at all times courteous and respectful of proper meeting procedures (Clause 2 – Our Commitment)
- We will treat all members of the community with courtesy and demonstrate behavior that respects the office of Councillor. (Clause 5 – Community Expectations)

As such, the inclusion of a positive duty creating a sense of mutual expectations within the Governance Rules is a considered a constructive suggestion. Sub-Rule 65 under Division 12 – Behaviour has consequently been amended to reflect the expectation that Councillors extend due courtesy and respect to each-other, the community and to Council and the processes under which it operates.

Regarding Rule 65 – application of rules and procedure.

The Governance Rules are drafted in a manner which provides broad discretion to the Chairperson to control the meeting. A key advantage of this approach is that the Chairperson can apply the principle set out in the Governance rules to a range of new and changing situations.

This is a more practical and pragmatic approach, than seeking to exhaustively list the specific behaviours and actions that would constitute disorder, or disruptive behaviour.

With regard to the application and enforcement of the Governance Rules, this is a matter for the Chairperson and the meeting participants to determine. Each has power, either directly in the case of the Chairperson, or through points of order in the case of Councillors, to influence the conduct of the meeting by enforcement of the Governance Rules.

Regarding Rule 78 – live streaming.

The drafting of the Governance Rules is simply intended to provide the framework to control the recording and broadcasting of council meetings.

The decision to live stream meetings has previously been made by Council when it adopted the Live Streaming of Public Meetings Policy. Council's policy position is (subject to the remainder of the policy) that "All public meetings will be live streamed live and recorded for viewing at a later date via Council's website".

While Sub Rule 78 affords the Chairperson a discretion to revoke consent for recording and broadcasting, this discretion is not unfettered as the Governance Rules now include a procedure for dissent in the chairperson's ruling. Clause 50 of the Governance Rules would enable the meeting, by majority vote, to for example, overrule a unilateral decision by the Chairperson to suspend recording and streaming.

Regarding Chapter 6 – records of focus groups.

Focus group meetings are fundamentally a community engagement activity. As such, the community engagement policy is considered the appropriate vehicle to discuss the record keeping for such activities.

It is noted also that:

- The Local Government Act 2020 specifically requires Council's Community Engagement Policy to specify a process for informing the municipal community of the outcome of the community engagement.

It would not be appropriate to prescribe a requirement to disclose the attendees at community engagement activities. Whether it is appropriate to disclose this information should be considered at the design stage of the engagement and take into account the various participants' expectations of, and rights to privacy.

Submission 2 – Responses

Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?

A: No

Q4 - Please explain your answer

Not necessarily would be my answer, because from our perspective as community members it seems to do little more than document and reinforce current proceedings. It does not evidence any attempt to address the mood of the room, the culture, the attitudes towards the community seeks to serve. 'Governance' (and I have no diea where this is coming from - whether Councillors, CEO or even other tiers of government but I doubt it is the latter as a very different culture exists within the Shire of Yarra Ranges Councillors for eg.) appears to have been reduced to policies and procedures, to order and control. There is very little capacity to encourage trust, mutual respect and sensitivity towards the many people of the community who do not fit neatly in the current Council culture.

Q5 - Provide any additional feedback

This is very evident in the provisions for PQT for example, and similarly the 'us and them' approach to 'known candidates' in the Election Period Policy. Whether these have been documented according to the proceedings executives and Councillors would like to see, or whether this has changed I am unsure. But having watched these proceedings from the gallery a number of times with various members of the public I see a massive chasm between residents and their elected representatives. The necessary prescriptors for governance of meetings serve to widen this gap and should be imbedded in that culture of mutual respect and understanding mentioned above.
A final note, on Conflicts of Interest - this term is not included in the definitions and not clearly defined in the policy.

Officer Response to Submission 2

The feedback provided does not provide actionable suggestions, such as proposed amendments that would address the submitter's concerns.

The concerns raised focus primarily on whether and how the Governance Rules are applied, rather than the drafting of the rules themselves.

Submission 3 – Responses

Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?

A: No

Q4 - Please explain your answer

Q5 - Provide any additional feedback

Why has question time been changed to 12 mid-day to submit questions in?

Officer Response to Submission 3

The historic practice of allowing submission of questions up until the commencement of public question during the meeting can place a considerable burden upon Councillors and officers to prepare responses to often detailed questions both at very short notice; and at a time when they have competing demands for their attention. Receiving questions immediately prior to during the meeting also at times results in staff who are not otherwise attending the meeting, being contacted after hours and without notice advice in order to enable an response to be provided.

The new 12pm deadline on the day of the meeting:

- Affords Councillors or officers (as appropriate) additional opportunity to consider the questions received and to prepare and provide meaningful and considered responses at the meeting, which is the fundamental purpose of public question time.
- Recognises the workloads faced by officers and councillors on a meeting day, and particularly immediately preceding and during the meeting; and provides a more reasonable opportunity to manage and prioritise that workload.
- Ensures the community retains a reasonable opportunity to submit questions to Council up to and including the day of the meeting.

Submission 4 – Responses

Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?

A: No

Q4 - Please explain your answer

Vexed question. I have never witnessed the conduct of Council, so how could I answer this? Hope so, but don't know.

Q5 - Provide any additional feedback

What terms and conditions do I agree to?

Officer Response to Submission 4

The feedback provided does not provide actionable suggestions, such as proposed amendments that would improve the Governance Rules.

Submission 5 – Responses

Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?

A: NO

Q4 - Please explain your answer

There are Councillors who cannot help themselves and behave badly. Leadership training should be compulsory for councillors

Q5 - Provide any additional feedback

I am going anon because when you identify yourself certain councillors use it against you

Officer Response to Submission 5 A range of training and professional development is provided and available to Councillors during their induction and throughout their term in accordance with the Councillor Expenses and Support Policy. The Local Government Act 2020 also makes induction training mandatory for all elected councillors and that induction training must include any matters prescribed by the Victorian Government.
Submission 6 – Responses **Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?** **A: No** **Q4 - Please explain your answer** You can't read the post **Q5 - Provide any additional feedback** The font colour and size is not right how can I expect anything else to be right
Officer Response to Submission 6 The Governance Rules presented for Council consideration have been reviewed for consistency and appropriateness of formatting and text color.
Submission 7 – Responses **Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?** **A: No** **Q4 - Please explain your answer** Difficult to know where the changes have been made as no reference to previous document or changes. Disappointed their is no transparency of changes. relation to question time 53.3.4. No mention of being about to write a question before the meeting in person in the document that I could see.. ALL opportunities should be given to the public to ask questions. I am disappointed if current opportunities to ask questions are removed." **Q5 - Provide any additional feedback**
Officer Response to Submission 7 The Governance Rules are more than an iterative revision of the Meeting Procedure and Use of Council Seal Local Law 2018 and consequently it was not practical to present the rules to the community as a "tracked changes version". With regard to public question time specifically, the opportunity to ask questions at Council meetings has been retained. The deadline for submission of questions has been brought forward to 12pm and the rationale for this change is explained in the response to Submission 3 above.

Submission 8 – Responses

Q3 - After reviewing the proposed Governance Rules, do you believe the conduct of Council meetings will be improved?

A: No

Q4 - Please explain your answer

I believe the Governance Rules are already being adhered to so Council meetings will continue as they have been.

Q5 - Provide any additional feedback

Officer Response to Submission 8

The feedback provided does not provide actionable suggestions, such as proposed amendments that would improve the Governance Rules or the conduct of meetings.

6.6 Public Transparency Policy

SUMMARY: Manager Governance, Phil McQue

The *Local Government Act 2020* (the Act) requires each Council to adopt a Public Transparency Policy (PTP) by 1 September 2020.

The purpose of the draft PTP presented to Council for consideration is to give effect to the Public Transparency Principles set out in the Act and formalise Council's support for transparency in its decision making process, specifying which information will be made available, categories of information that will be made unavailable, and describe the ways this information will be provided.

RECOMMENDATION

That Council resolve:

1. **Pursuant to section 57 of the Local Government Act 2020 adopt the Public Transparency Policy as set out in Attachment 1; and**
2. **To write to the submitter to thank them for their input and inform them of Council's decision.**

1. INTRODUCTION

Sections 57 and 58 of the Act sets out the expectations of Council for the provision of information to the community, with a requirement that Council develop a PTP that incorporates the Public Transparency Principles prescribed in the Act as follows:

- *Council decision making processes must be transparent, except when Council is dealing with information that is confidential by virtue of the Act or any other Act.*
- *Council Information must be publicly available, unless:*
  - *the information is confidential by virtue of the Act or any other Act; or*
  - *public availability of the information would be contrary to the public interest.*
- *Council Information must be understandable and accessible to members of the Municipal District.*
- *Public awareness of the availability of Council Information must be facilitated.*

2. DISCUSSION

The draft PTP has been developed based on advice from Maddocks, Local Government Victoria, and a best practice desktop review of metropolitan Melbourne councils.

The PTP outlines the following:

- Council's decision making process;
- What information will generally be made available to the public;
- Specific documents and information that will be made available on Council's website;
- Accessibility of Council information to the public;
- Categories of information that will not be made available to the public;
- Public awareness on the availability of Council information;

- Responsibility and application for this Policy; and
- Dissatisfaction with the application of this Policy.

3. CONSULTATION

Local Government Victoria established a co-design process for a range of documents required by the LGA 2020. Further, officers have considered and participated in a range of forums conducted by Local Government Victoria, the Victorian Local Government Association, LGPro and Maddocks Lawyers.

The community was offered an opportunity to comment on the draft Public Transparency Policy from 4th to the 14th August, as part of a broader consultation that also included the Audit and Risk Committee Charter, the Councillor Expenses and Support Policy and the Governance Rules.

It is noted that the consultation opportunity was limited, however, this was due to the extremely short timeline between the passing of the LGA 2020 and 1 September deadline for the Rules to be in place.

Council's campaign included:

- A dedicated page on council's consultation webpage (knox.mysocialpinpoint.com.au/knoxcouncilgovernanceframework)
- a homepage banner on Council's main website and links on the have your say webpage.
- An article in the Knox eNewsletter
- A Facebook paid post (7,728 people reached on the original post, 4,135 on the reminder)
- A Twitter post

These activities generated 3047 total visits from 247 unique users to council's consultation webpage.

Council received eight submissions by the deadline of 5pm on 14 August 2020 and a further four submissions were received after the deadline before the consultation page was closed. One of the twelve (12) submissions related to the Public Transparency Policy.

The submission was along the following themes:

<u>Querying Accessibility of Information</u>

The PTP provides that Council will, to the extent possible, facilitate access to Council Information, endeavouring to make requests for Council Information accessible in various formats, including electronically, hard copy, website, by inspection, or by specific request and arrangement. Council will also endeavour to convert Council Information to different accessible formats where necessary for members of the Community.

<u>Querying Council and Councillors Social Media Channels</u>

It was requested that Council review its Social Media Policy in respect to its 'blocking process' and that Councillor social media pages should be co-managed by Council to ensure transparency, regulation and compliance with the Councillor Code of Conduct. The PTP relates to the public transparency of Council information and therefore these comments are not considered relevant to this policy.

<u>Querying Councillors use of Information</u>

It was queried how information provided to Councillors would be managed in relation to privacy and to ensure it was not used for personal gain. It was also requested that affected residents be

notified by the Chief Executive Officer before information is provided to a Councillor. It was also queried if a resident would be informed of any inappropriate access or usage of information by a Councillor. Councillors are bound by the Code of Conduct, PTP and the Act in relation to use of information, inclusive of confidentiality provisions and requirements. The PTP is also subject to the Freedom of Information Act 1982 in relation to the provision of information.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil.

6. SOCIAL IMPLICATIONS

The PTP will provide greater clarity, transparency, awareness, community confidence and trust in Council's decision making process by providing information in a more easily accessible, impartial and timely manner.

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

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 - Manager Governance, Phil McQue - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

It is recommended that Council adopt the PTP, specifying which information will be made available, categories of information that will be made unavailable, and describe the ways this information will be provided.

10. CONFIDENTIALITY

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

Report Prepared By:	**Manager Governance, Phil McQue**
Report Authorised By:	**Director, City Development - Interim Finance and Governance, Matt Kelleher**

Attachments

1. Attachment 1 - Public Transparency Policy [**6.6.1** - 14 pages]
2. Attachment 2 - Survey Responses [**6.6.2** - 1 page]

Policy

Public Transparency Policy

Policy Number:	TBA 2020/06	Directorate:	City Development – Finance and Governance
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	TBA 23 August 2020	Version Number:	1
Review Date:	TBA 23 August 2023		

1. Purpose

This purpose of this Policy is to:

1.1 give effect to the Public Transparency Principles set out in the *Local Government Act 2020 (the Act)* and formalise Council's support for transparency in its decision making processes;

1.2 describe the ways in which Council Information will be made publicly available in a easily accessible, impartial and timely manner;

1.3 specify which Council Information will be made publicly available;

1.4 describe the categories of Council Information that may be made unavailable to the public;

1.5 provide greater transparency, clarity and awareness in Council's decision making process; and

1.6 increase community confidence and trust in Council's decision making process.

This Policy is adopted under section 57 of the Act and gives effect to the Public Transparency Principles outlined in section 58 of the Act.

2. Context

2.1 Knox Council is committed to democratic and transparent governance in its decision making, including by facilitating access to all relevant information needed to collaborate, cooperate and make decisions effectively.

2.2 Knox City Council will champion the Public Transparency Principles through its leadership and decision making in a proactive manner, in accordance with the Act and Council's Governance Rules.

3. Scope

This Policy applies to Councillors, Officers, Contractors and Volunteers.

3.1 Officers are responsible for giving effect to Public Transparency Principles.

3.2 Senior Officers are to champion behaviors which foster transparency and drive Public Transparency Principles through policy, process and leadership.

3.3 Senior Officers are to develop and implement processes to embed relevant principles of public transparency through good governance and community engagement in their areas of responsibility.

3.4 All Officers are to assist in facilitating access to Council Information in line with Councils objectives under relevant legislation and this Policy.

3.5 Contractors must respond to requests for information and facilitate provision of information in accordance with their own policies and procedures, and generally in alignment with this Policy.

3.6 Volunteers must respond to requests for information and facilitate provision of information in accordance with this Policy.

4. References

4.1 Community & Council Plan 2017-2021

- Strategy 8.1 Build, strengthen and promote good governance practices across government and community organisations
- Strategy 8.2 Enable the community to participate in a wide range of engagement activities

4.2 Relevant Legislation

- Local Government Act 2020
- Freedom of Information Act 1982
- Charter of Human Rights and Responsibilities Act 2006
- Privacy and Data Protection Act 2014
- Equal Opportunity Act 2010

4.3 Related Council Policies and Procedures

- Governance Rules
- Councillor Code of Conduct

4.4 Charter of Human Rights

This Policy has been assessed against the *Charter of Human Rights and Responsibilities Act 2006* as being consistent with that Act and in particular, as promoting the rights of members of the Community, particularly

4.4.1 not to have their privacy interfered with (section 13); and

4.4.2 take part in public life (section 18), by having the opportunity to:

a) participate in the conduct of Council's affairs; and

b) have access to Council and Council Information.

5. Definitions

The following words and phrases apply in the Policy

"Act"	means the *Local Government Act 2020 (the Act).*
"Chief Executive Officer"	includes an Acting Chief Executive Officer.
"Closed Meeting"	means a meeting that is closed to the public.
'Community"	means the residents and ratepayers of, and visitors to, the Municipal District and may, depending on the context, refer to all of those people or to particular subsets of those people.
"Confidential Information"	means confidential information as defined in section 3(1) of the Act.
"Council"	means Knox City Council, whether constituted before or after the commencement of this Policy.
"Council Information"	means all documents and other information held by Council.
Council Offices"	means the Council offices located at 511 Burwood Highway, Wantirna South.
"Council Website"	means Council's website at knox.vic.gov.au.
"Governance Rules"	means the governance rules adopted by Knox Council under section 60 of the Act, as amended from time to time.
"Health Information"	means health information as detailed in section 3(1) of the *Health Records Act 2001.*
"Individual(s)"	means a resident(s) of the Knox Municipality.
"Meeting"	means a meeting of Council or a Delegated Committee.
"District"	Means the municipal district of Council.

"Officer"	Means a member of Council staff, including the Chief Executive Officer.
"Personal Information"	means personal information as defined in section 3(1) of the *Privacy and Data Protection Act 2014*.
"Public Transparency Principles"	means the Public Transparency Principles set out in section 58 of the Act and reproduced in Part 6 of this Policy
"Requestor"	means a person making are request to access Council Information under and in accordance with this Policy

Council Policy

6. Public Transparency Principles

6.1 The Public Transparency Principles prescribed in section 58 of the Act are as follows:

6.1.1 Council decision making processes must be transparent, except when Council is dealing with information that is confidential by virtue of the Act or any other Act.

6.1.2 Council Information must be publicly available, unless:

a) the information is confidential by virtue of the Act or any other Act; or

b) public availability of the information would be contrary to the public interest.

6.1.3 Council Information must be understandable and accessible to members of the District.

6.1.4 Public awareness of the availability of Council Information must be facilitated.

6.2 Council will give effect to and implement the Public Transparency Principles in accordance with this Policy and the Act.

7. Council Decision Making Processes

7.1 Council will ensure that its decision making processes are transparent and open so that the Community is provided with an opportunity for meaningful engagement with Council and its decision making processes.

7.2 Without limiting the generality of clause 7.1, Council's decision making processes will:

7.2.1 be conducted in accordance with the Act and the Governance Rules;

7.2.2 unless considering Confidential Information, be conducted in a forum that is open to, and accessible by, the Community; and

7.2.3 be informed by the:

a) views of those members of the Community whose rights and interests will be directly affected by the decision; and

b) responses, if any, to any process of community engagement conducted by Council in respect of the decision, whether in accordance with its Community Engagement Policy or otherwise.

7.3 Further details of Council's decision making process can be found in the Governance Rules.

8. Availability of Council Information

8.1 All Council Information will be made available to the public, unless the:

8.1.1 Council Information is classed as Confidential Information; or

8.1.2 release of the Council Information is assessed by the Chief Executive Officer or nominee as being contrary to the public interest.

8.2 A list of the categories of Council Information which will generally, subject to this Policy, be made available either on the Council Website and at the Council Offices.

For the purposes of clause 8.1 of this Policy, the following Council Information will generally, and subject to this Policy, be made available either on the Council Website or on request by a member of the Community.

Documents include:

- Plans and Reports adopted by Council, including but not limited to the Council Plan, Workforce Plan, Financial Plan, Asset Plan, Revenue and Rating Plan, Emergency Management Plan, Road Management Plan;
- Councillor Code of Conduct;
- Council Policies;
- Adopted Budgets;
- Annual Reports;
- Local Laws;
- Project and Service Plans;
- Service Agreements and Contracts;
- Leases and Licences; and
- relevant technical reports and / or research that inform Council's decision-making.

Process information such as:

- application processes for approvals, permits, grants, access to Council services;
- decision-making processes;
- Guidelines and Manuals;
- Community Engagement Processes; and
- Complaints Handling Processes.

The following Council Information will be available on Council's website:

- Council Meeting Agendas and Minutes;
- Audit and Risk Committee Charter;
- Terms of Reference for Delegated Committees;
- Delegated Committee's Meeting Agendas and Minutes;
- Terms of Reference for Advisory Committees;
- Advisory Committee Meeting Agendas and Minutes
- Gift, Benefits and Hospitality Registers for Councillors and Council Staff;
- Travel Registers for Councillors and Council Staff;
- Registers of Conflicts of Interest disclosed by Councillors and Council Staff;
- Registers of Leases entered into by Council;
- Register of Donations and Grants by Council;
- Register of Delegations;
- Register of Authorised Officers;
- Register of Election Campaign Donations;
- Summary of Personal Interests under section 135(1) of the Act; and
- any other Registers or Records as required by the Act or any other Act.

8.3 Under various other Acts administered by Council, the following information will be made available upon request:

- Register of Planning Permits
- Register of Planning Applications on Advertising
- Copy of Planning Permits and Endorsed Plans (by application, charges will apply)
- Register of Building Permits, Occupancy Permits and Temporary Approvals
- Copies of Building Permits, plans and documentation (by application, charges will apply)
- Register of Animal Registrations
- Copy of the final Delegates Report prepared for a finalised planning permit application
- Register of Public Roads.

9. Publications and Social Media

9.1 Council publishes a range of newsletters, reports and handbooks for residents, businesses and visitors to the Municipal District. These publications are available on the Council Website, at the Council Offices or on request to Council.

9.2 Council will use its social media channels to publish and promote Council Information, such as Council Meetings and community consultation, to encourage community engagement and transparency.

10. Accessibility of Council Information

10.1 Council Information will be made available on the Council Website, at the Council Offices and / or upon request to Officers or Council's Freedom of Information Officer.

10.2 Council will to the extent possible, facilitate access to Council Information by:

10.2.1 making Council Information available in accordance with this Policy;

10.2.2 endeavouring to make requests for Council Information accessible in various formats, including electronically, hard copy, website, by inspection, or by specific request and arrangement;

10.2.3 endeavouring to convert Council Information to different accessible formats where necessary for members of the Community for whom:

a) English is their second language; or

b) disability requires an alternative means of access to be provided.

10.3 Where a request is made for access to Council Information that is not on the Council Website or otherwise available at the Council Offices, the Chief Executive Officer or nominee will:

10.3.1 review the request;

10.3.2 assess whether the Council Information requested is Confidential Information, or its release would be contrary to the public interest; and

10.3.3 notify the Requestor of the outcome of that assessment.

10.4 If the Council Information requested is assessed under clause 10.2 not being Confidential Information, or its release is assessed as not being contrary to the public interest, the Council Information will be provided to the Requestor.

10.5 The Council Information will be provided to the Requestor by email unless the:

10.5.1 Requestor seeks access in a different form, including by reference to the matters stated in clause 10.2.3 in which case the Council Information will be provided in that form, unless it is impracticable to do so; or

10.5.2 Chief Executive Officer or nominee, having regard to the nature of the Council Information requested, determines that the Council Information should be provided in a different form, such as by inspection.

10.6 Council will provide such support to the Requestor as it considers reasonable to ensure that the Council Information provided is understood by them.

10.7 If, under clause 10.2 the Council Information requested is assessed as being Confidential Information, or its release is assessed as being contrary to the public interest, the Requestor will be advised:

10.7.1 that the request has been denied;

10.7.2 of the reasons for the request being denied; and

10.7.3 of alternative mechanisms by which they may seek access to the Council Information, such as making a request made under the *Freedom of Information Act 1982*).

10.8 Council publishes a statement under the Freedom of Information Act 1982, available on Council's website.

10.9 Any request for access to Council Information by way of an alternative mechanism under clause 10.2.3 will be assessed according to the process applicable to it.

10.10 Where:

10.10.1 Council Information requested is assessed under clause 10.2 as being Confidential Information, or its release is assessed as being contrary to the public interest; but

10.10.2 It is practicable for that Council Information to be provided with deletions so that it is suitable for release to the Requestor; and

10.10.3 the Chief Executive Officer or nominee believes that the Requestor would want the Council Information in that format,

the Council Information will be provided in that format.

11. Council Information that is Not Available

Some Council information may not be made publicly available. This will occur if the information is Confidential Information, or its release would be contrary to the public interest.

11.1 Confidential Information

11.1.1 What constitutes Confidential Information is set out in section 3(1) of the Act and includes information within the following categories:

Type	Description
Council business information	Information that would prejudice Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that, if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
Confidential meeting information	Records of Council and Delegated Committee meetings that are closed to the public to consider confidential information.

Type	Description
Internal arbitration information	Information provided to, or produced by, an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons.
Councillor Conduct Panel Information	Information: • provided to, or produced by, a Principal Councillor Conduct Registrar, for the purposes of an application to form a Councillor Conduct Panel; or • provided to, or produced by, a Councillor Conduct Panel for the purposes of conducting a hearing, other than a decision or reasons for a decision; or • comprising any part of a statement of reasons or other document under the control of a Councillor Conduct Panel that the Councillor Conduct Panel determines contains confidential information.
Confidential information under the 1989 Act	Information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

11.1.2 In the interests of transparency, Council may, by resolution, determine to release information to the public even though it is Confidential Information.

11.1.3 A decision under clause 11.1.2 will generally only be made if Council, on the advice of the Chief Executive Officer, is satisfied that releasing the Confidential Information would not:

a) be inconsistent with any legal or contractual obligation;

b) cause disadvantage or harm to any person, including Council; and

c) otherwise be contrary to the public interest.

11.2 Contrary to the Public Interest

11.2.1 Council Information will not be made publicly available if doing so would be contrary to the public interest.

11.2.2 When assessing whether making certain Council Information publicly available would be contrary to the public interest, the Chief Executive Officer or nominee will have regard to, among other things:

a) the sensitivity of the Council Information;

b) if harm to the community, being individuals or members of the public, is likely to be created by releasing Council Information; potential harm to Council will only be a factor if it

could involve a loss of public funds or it prevents Council from performing its statutory functions;

c) whether the Council Information comprises an internal working document, a draft document, or otherwise is no longer a current document; whose release may mislead the public; and

d) any adverse effect that releasing the Council Information would have on the effectiveness of Council's decision-making processes.

11.2.3 Without limiting clause 11.2.2, factors that might lead to a decision that the release of Council Information is contrary to the public interest might include whether release would be likely to:

a) disclose Personal Information or Health Information;

b) disclose information or opinions of a preliminary nature such that they might:

(i) mislead the Community with respect to Council's position on a matter; or

(ii) have a substantial adverse effect on the economy of the Municipal District;

c) prejudice discussions or negotiations between Council and any other party, in relation to a contract, legal proceedings or any other matter;

d) impair or otherwise impact on:

(i) Council's ability to obtain information in future that is similar in nature to the Council Information;

(ii) negotiations with respect to employment arrangements for Officers; or

(iii) defence, prosecution and settlement of legal proceedings; or

e) impact on the reasonable allocation of Council's resources, including in responding to requests for Council Information that are assessed by the Chief Executive Officer as being frivolous, vexatious or repetitious in nature.

12. Public Awareness of Availability of Council Information

Council will ensure public awareness of this Policy and the availability of Council Information by:

12.1 publishing this Policy on the Council Website;

12.2 where appropriate promoting awareness of access through various Council social media channels;

12.3 making this Policy available for public inspection at Council's offices;

12.4 converting this Policy to such accessible formats, having regard to clause 10.2.3 as the Chief Executive Officer or nominee determines; and

12.5 ensuring that all Officers:

12.5.1 are aware of this Policy and its effect; and

12.5.1 direct members of the Community to this Policy when access to Council Information is sought.

13. Access to information by Councillors

13.1 Councillors may request access to Council information by providing a written request to the Chief Executive Officer, relevant Director, relevant Manager or the Manager Governance.

13.2 When making a request for information, Councillors should draft their request carefully and precisely detail the information, or the nature of the information sought. It is expected that Councillors will act reasonably in making a request for information.

13.3 Councillors have a right to access Council information that is reasonably necessary for exercising their functions as prescribed under section 28 of the Act, being

(a) to participate in the decision making of the Council; and
(b) to represent the interests of the municipal community in that decision making; and
(c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

13.4 When dealing with a request by a Councillor for information, the Chief Executive Officer must act reasonably. The Chief Executive Officer shall have discretion in the format that the requested information is provided to the Councillor. If a request is to be reasonably denied, reasons for the refusal must be identified and provided to that Councillor.

13.5 Any information that is provided to a particular Councillor in the pursuit of their civic duties should also be made available to any other Councillor who requests it.

13.6 Councillors are unable to use information provided for any purposes that are unrelated to their functions and duties as a Councillor, or which may cause detriment to Council.

13.7 Councillors may also apply for information in a documentary form by making a formal request under the *Freedom of Information Act 1982*.

14. Copyright

14.1 The intellectual property of some Council Information available for public access belongs to third parties and is the subject of copyright. Access to this information is provided to members of the public in accordance with relevant legislation. Copyright laws will apply to

this information and Requestors are advised to seek the consent of the copyright owner before considering reproducing the information in any way.

15. Responsibility for this Policy

15.1 The Chief Executive Officer is responsible for the application and operation of this Policy.

15.2 The Chief Executive Officer may, from time to time, authorise another Officer or Officers, known as a nominee under this Policy, to fulfil any of the Chief Executive Officer's functions and duties under this Policy.

15.3 Where another Officer is or other Officers are authorised under this Policy, any reference in this Policy to the Chief Executive Officer is to be read as a reference to that Officer or those Officers.

16. Dissatisfaction with the Application of this Policy

16.1 If a Requestor is dissatisfied with Council's application of, or believes that Council has acted inconsistently with, this Policy, they can report their dissatisfaction to Council's Manager Governance by:

email to knoxcc@knox.vic.gov.au or phone 03 9298 8000

16.2 If the Requestor believes that the matter remains unresolved, it can be reported to the Victorian Ombudsman by:

making a complaint online at https://www.ombudsman.vic.gov.au/complaints or phone 03 9613 6222.

17. Application of this Policy

17.1 This Policy applies to all Council Information, except Council Information which is made available, or is otherwise accessible, under another Act.

17.2 Without limiting the generality of clause 17.1, this Policy does not apply to Council Information which is:

a) required to be made available under the *Planning and Environment Act 1987*; or

b) required to be made available under the *Building Act 1993*; or

c) otherwise required to be made available on payment of a fee or charge.

18. Monitoring, Evaluation and Review

18.1 Council will review this Policy every three years to ensure that it continues to reflect the expectations of the Community with respect to the availability and accessibility of Council Information.

18.2 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.

Survey Name		RESPONSES
Public Transparency Policy		**Q3 - After reviewing the proposed Public Transparency Policy, do you believe it will improve the level of transparency of Council's decision-making for community members?** A: Yes **Q4 - Please explain your answer** I sure hope it does!! How does the council propose to deliver improved transparency and accessibility of information to Knox City council residents ? How easy will council make the information accessible, will it be all online or will residents have to go into council to view information? Social media- I hope council review their policy about stop blocking residents who ask questions while engaging in a meaningful and respectful way while having their questions replied to in a detailed manner. In relation to 9. Publications and social media-I feel councillors social media pages co-managed by KCC to ensure transparency and compliance with Councillor codes of conduct. Currently there is no form of regulation with their pages and this needs to be addressed and moderated for an improved community engagement, transparency and decision making for community members. Consider residents viewpoints and explore further to improve community engagement and outcomes. In relation to"Access to information by councillors "- page 12. I feel further clarification is required. Will this information be used appropriately and how will be monitored to ensure privacy etc will be met and not for personal gain? Will residents be notified of any personal information being accessed by a councillor and will permission be accessed by the resident before CEO approval is given for information provided? Will residents be informed if found their information has been accessed inappropriately for example? **Q5 - Provide any additional feedback** See above comment

6.7 Audit and Risk Committee and Charter 2020

SUMMARY: Manager Governance, Phil McQue

The *Local Government Act 2020* (the Act) requires Council to adopt an Audit and Risk Committee (Committee) Charter with prescribed matters and appoint members to the new Committee.

This report recommends to Council a draft Charter and the proposed membership for the Committee.

RECOMMENDATION

That Council resolve:

1. **To dissolve the Audit Committee established by Council under section 139 of the Local Government Act 1989.**
2. **To establish an Audit and Risk Committee pursuant to section 53 of the Local Government Act 2020, comprising two Councillor members and three independent members;**
3. **Adopt the Audit and Risk Committee Charter 2020 as set out in Attachment 1;**
4. **Appoint Ms Lisa Tripodi and Mr Homi Burjorjee to the Committee as Independent Members, concluding 31 May 2023 and 30 June 2022 respectively;**
5. **Note that an Expression of Interest is currently underway for the third Independent Member, with an appointment report to be submitted to Council in November 2020;**
6. **Note that two Councillor Members will be appointed to the Committee following the 2020 Council Election; and**
7. **To write to the submitter to thank them for their input and inform them of Council's decision.**

1. INTRODUCTION

The Act requires Council to adopt an Audit and Risk Committee Charter with prescribed matters and appoint members to the new Committee by 1 September 2020.

The Charter must specify the functions and responsibilities of the Committee and must include the following functions as required under section 54 of the Local Government Act 2020:

- Monitor the compliance of council policies and procedures with the overarching governance principles and the Act and any regulations and Ministerial directions.
- Monitor council financial and performance reporting.
- Monitor and provide advice on risk management and fraud prevention systems and controls.
- Oversee internal and external audit functions.

Section 54 of the Act also describes the work a Committee must undertake and administrative instructions.

While section 139 of the previous Act (1989) has already been repealed, the 2020 Act specifically allows for the continued operation of an Audit Committee established under that section (prior to the repeal) may continue to operate until the new committee is established.

2. DISCUSSION

The draft Charter has been developed based on advice from Maddocks, Local Government Victoria, a desktop review of metropolitan council Charters and Knox Council's former Audit Committee Terms of Reference.

The Charter outlines the following:

- Introduction
- Purpose of Committee and Charter
- Committee Authority
- Committee Duties and Responsibilities
- Financial Reporting
- External Audit
- Internal Audit
- Internal Controls
- Risk Management
- Ethical Behaviour
- Committee Governance

The Act requires that Audit and Risk Committees now comprise a majority of independent members. Knox's current Audit Committee presently comprises an equal number of Councillors (three) and independent members (three).

It is recommended that Council establish a new Committee comprising five members, being three independent members and two Councillors.

Existing independent members, Ms Lisa Tripodi and Mr Homi Burjorjee, have both expressed an interest in being members on the new Committee, whilst Dr John Purcell resigned in July 2020 for personal reasons.

It is recommended that Council appoint Ms Lisa Tripodi and Mr Homi Burjorjee to the Committee as Independent Members, with their terms to conclude as presently planned, being 31 May 2023 and 30 June 2022 respectively

It is proposed that Council will appoint the two Councillor members to the Committee following the October 2020 General Election.

3. CONSULTATION

The draft Charter was provided to the independent members of the Audit Committee for review and was the subject of a confidential Councillor Issues Briefing in August 2020.

Officers have considered and participated in a range of forums conducted by Local Government Victoria, the Victorian Local Government Association, LGPro and Maddocks Lawyers.

The community was offered an opportunity to comment on the draft Councillor Expenses and Support Policy from 4th to the 14th August, as part of a broader consultation that also included the Public Transparency Policy, the Councillor Suport and Expenses Policy and the Governance Rules.

It is noted that the consultation opportunity was limited, however, this was due to the extremely short timeline between the passing of the LGA 2020 and 1 September deadline for the Policy to be in place.

Council's campaign included:

- A dedicated page on council's consultation webpage (knox.mysocialpinpoint.com.au/knoxcouncilgovernanceframework)
- a homepage banner on Council's main website and links on the have your say webpage.
- An article in the Knox eNewsletter
- A Facebook paid post (7,728 people reached on the original post, 4,135 on the reminder)
- A Twitter post

These activities generated 3047 total visits from 247 unique users to council's consultation webpage.

Council received eight submissions by the deadline of 5pm on 14 August 2020 and a further four submissions were received after the deadline before the consultation page was closed. One of the twelve (12) submissions related to the Audit and Risk Committee Charter.

The submission requested that residents be considered as potential Committee members and that reports such as external audit reports be made available to the public. Members of the community are encouraged to submit expressions of interest for membership of the Committee when the opportunity arises, and will be required to address the selection criteria in their application, with all applications assessed on their merit. The Audit Committee agenda and meetings are deemed confidential as provided in the draft Charter.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil.

6. SOCIAL IMPLICATIONS

Nil.

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 - Manager Governance, Phil McQue - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

It is recommended that Council adopt the new Audit and Risk Committee Charter, specifying the governance arrangements, purpose, authority, scope and responsibilities of the new Committee.

10. CONFIDENTIALITY

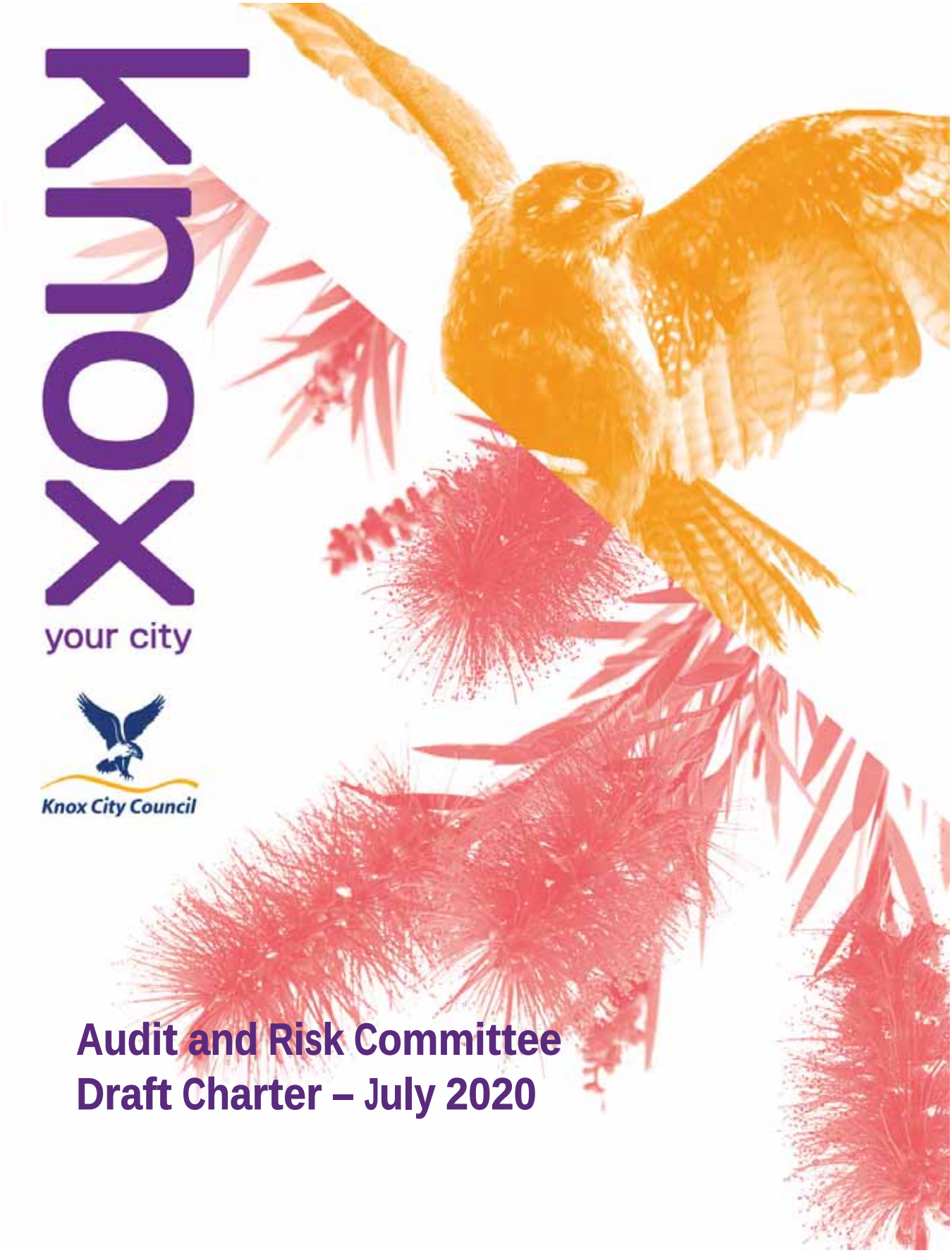
There are no items of a confidential nature in this report.

Report Prepared By: **Manager Governance, Phil McQue**

Report Authorised By: **Director, City Development - Interim Finance and Governance, Matt Kelleher**

Attachments

1. Attachment 1 - Draft Audit and Risk Committee Charter 2020 [**6.7.1** - 11 pages]



Audit and Risk Committee Draft Charter – July 2020

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1. Introduction

Knox City Council is committed to good governance, public transparency and accountability to the Knox community. The Audit and Risk Committee is established to strengthen Council's governance, risk management, financial management; and to drive continuous improvement.

Knox Council's Audit and Risk Committee (the Committee) is an independent Advisory Committee, established under section 53 of the *Local Government Act 2020* (the Act).

The Committee provides an autonomous link between Council, Management and its external and internal auditors and assists in providing independent advice, assurance and recommendations to Knox Council on matters relevant to the Committee's Charter.

2. Purpose of the Committee and Charter

This Charter has been developed in accordance with section 54 of the Act and sets out the Committee's objective, governance arrangements and duties and responsibilities.

The Committee's role is to support Council in discharging its oversight and accountability responsibilities related to:

- Compliance with Council's policies, procedures and governance principles;
- Overarching governance principles;
- Effectiveness of Council's system of internal controls, including fraud and corruption prevention;
- Council's risk management framework;
- Financial and performance reporting;
- Internal audit and external audit functions;
- Statutory and legislative compliance; and
- Liaison between Council, Management and the external and internal auditors.

The Committee will engage with Management in a constructive and professional manner in discharging its responsibilities and formulating its advice to the Council.

The Committee will advise Council on how best to fulfil its responsibilities and facilitate decision making by providing a formal forum for communication and liaison between the Council members and Management, internal auditors and external auditors.

3. Committee Authority

The Committee is directly responsible to Council for discharging its responsibilities as set out in this Charter and its Annual Work Plan.

The Committee has the authority to:

- Establish and regularly review its Annual Work Plan to enable it to discharge its responsibilities effectively, pursuant to the requirements of this Charter;
- Approve internal and external audit plans;
- Endorse documents, policies and reports that must be approved by Council, including annual financial reports, annual performance statements, new or revised policies and other documents that assist in maintaining a strong internal control environment;
- Provide advice and make recommendations to Council on matters within its areas of responsibility as prescribed in the Act;
- Retain counsel of relevant independent experts where it considers that is necessary in order to execute its responsibilities, subject to prior agreement with the Chief Executive Officer;
- Seek any relevant information it requires from Council, Council Officers (who are expected to cooperate with the Committee's requests) and external parties;
- Meet with Council Officers, internal and external auditors and other parties as required to discharge its responsibilities; and
- Meet annually with the External Auditors and the Internal Auditors respectively without Management present.

The Committee has no executive authority, no delegated financial responsibilities and no delegated authority from Council, unless specifically provided by Council from time to time. Any such authority shall be temporary and may only relate to specific matters as resolved and directed by Council.

The Committee will through the Chief Executive Officer have access to appropriate support to enable it to discharge its responsibilities effectively.

4. Committee Duties and Responsibilities

The Committee will discharge the following duties and responsibilities:

4.1 Financial and Performance Reporting

- Review Council's annual financial report and annual performance statement prior to their approval focusing on:
  - whether they are complete and consistent with information known to Committee members;
  - the reporting requirement of Accounting Policies and Approved Accounting Standards and Treatments;
  - the assumptions used and process applied in making significant accounting estimates;
  - compliance with accounting standards and other reporting requirements of financial and non-financial information;
  - significant changes to the content of the reports, the operating results, financial position and performance indicators in comparison to the previous year; and
  - adequate disclosure of Council's financial performance and position.

- Review and recommend the adoption of the annual financial report and annual performance statement to Council and review any significant changes and the reasons for the changes that may arise subsequent to any such recommendation;
- At least annually review significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, audit adjustments, performance variations, legal risk or contractual exposures, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the audit thereof;
- At least annually review changes to the Local Government Performance Reporting Framework and understand the impact of those changes on Council's performance indicators;
- Review with Management and the external auditors the results of the audit, including any difficulties encountered by the auditors and how they were resolved; and
- Review the appropriateness of the format and content of periodic management financial reports and performance statements to Council as required.

4.2 Internal Control Environment

- Review the adequacy and effectiveness of key policies, procedures, systems and controls on a regular basis;
- Review the systems and processes implemented by Council for monitoring compliance with relevant legislation and regulations and the results of Management's response to any instances of non-compliance;
- Receive reports on local government performance audits undertaken by Victorian Auditor-General's Office (VAGO), Independent Broad-based Anti-Corruption Commission (IBAC), Local Government Inspectorate, Victorian Ombudsman and other relevant integrity bodies to consider relevant findings and recommendations for action where appropriate;
- Consider whether systems and controls are reviewed regularly and updated where required, including testing compliance;
- Consider significant changes to systems and controls to assess whether those changes significantly impact Council's risk profile;
- Review and assess whether the control environment is consistent with Council's Governance Principles; and
- Obtain briefings on any significant compliance matters.

4.3 External Audit

- Annually review and approve the external audit scope and plan proposed by the external auditor;
- Be briefed annually by the external auditor on the audit scope and strategy at the commencement of each year's audit process;
- Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope of work or access to information;

- Ensure that significant findings and recommendations made by the external auditor, and Management's responses are received, appropriate and are acted upon in a timely manner;
- Review the effectiveness of the external audit function and ensure that VAGO is aware of the Committee's views;
- Consider the findings and recommendations of any relevant performance audits undertaken by VAGO and monitor Council's responses to them; and
- Meet with the external auditor at least annually without Management in attendance.

4.4 Internal Audit

- Review the internal audit charter regularly to determine that it provides an appropriate functional and organisational framework to enable Council's internal audit function to operate effectively and without limitations;
- Review and approve the three year strategic internal audit plan with a focus on:
  - Internal controls over significant areas of risk, including non-financial management system controls;
  - Internal controls over revenue, expenditure, assets and liabilities processes;
  - Efficiency, effectiveness and economy of significant Council programs;
  - Compliance with regulations, policies, best practice guidelines; and
  - Contractual arrangement.
- Review progress on delivery of the annual internal audit plan;
- Review and approve proposed scopes for each review in the annual internal audit plan;
- Review reports on internal audit reviews, including recommendations for improvement arising from those reviews;
- Meet with the leader of the internal audit function at least annually without Management in attendance;
- Monitor action by Management on internal audit findings and recommendations;
- Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations on its work;
- Review the appropriateness of special internal audit investigations and assignments undertaken by the internal auditor at the request of Council or the Chief Executive Officer;
- Facilitate liaison between the internal and external auditors to promote compatibility, to the extent appropriate, between their audit programs;
- Review the performance of the internal auditor, including adhering to appropriate professional and quality standards; and where performance is not considered satisfactory, report to Council and make a recommendation on the termination of the internal audit contractor and to subsequently undertake a process for the appointment of a new internal auditor contractor; and
- Ensure that the Committee is aware of and appropriately represented with regard to any proposed changes to the appointment of the internal audit service provider, including being appropriately briefed on the need for any proposed change.

4.5 Risk Management

- Review annually the effectiveness of Council's risk management framework, ensuring it has the appropriate risk management processes and adequate management information systems in place;
- Review Council's risk appetite statement and the degree of alignment with Council's risk profile;
- Review Council's risk profile and the changes occurring in the profile from meeting to meeting;
- Review Council's treatment plans for significant risks, including the timeliness of mitigating actions and progress against those plans;
- Review the insurance program;
- Review the effectiveness of business continuity and disaster recovery plans; and
- Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

4.6 Ethical Behaviour, Fraud and Corruption

- Review and monitor Council's Fraud and Corruption Control Framework, including fraud preventative systems and controls, policies and awareness programs biannually;
- Receive reports from Management about actual or suspected instances of fraud or corruption, serious misconduct, or breaches of ethical standards including analysis of the underlying control failures and action taken to address each event;
- Review reports by Management about the actions taken by Council to report such matters to the appropriate integrity bodies; and
- Review findings and examinations by regulatory or independent agencies or internal or external audit, confirming that Management have taken actions as a result of the findings.

5. Committee Governance

5.1 Membership

The Committee will consist of a majority of members who are not Councillors, comprising five members appointed by Council as follows:

- Three (3) Independent Members; and
- Two (2) Councillors.

Council employees are not able to be members of the Committee.

Where the Mayor is not otherwise appointed to the Committee, they will serve as an ex-officio member of the Committee with no voting entitlement.

Any Councillor, not appointed to the Committee, may attend a Committee meeting, however will have no voting entitlement.

5.2 Independent Members

Independent members will be appointed for three year terms.

At the conclusion of their first term, independent members may be reappointed for one additional three-year term subject to satisfactory performance, to a maximum of six years' service in total.

Independent member's terms of appointment should be arranged so that there is an orderly rotation of membership and avoidance of more than one independent member retiring at the same time in order to minimise the loss of knowledge and continuity.

Where an independent member has not been in attendance for two consecutive meetings, without submitting an apology or having been granted a leave of absence, a casual vacancy will be created and their membership revoked.

In the event of an independent member resigning or retiring before the expiry of their term, the vacancy will be filled by at the discretion of the Council for remainder of the term.

Independent members must collectively have expertise in financial management and reporting and risk management and also experience in public sector management.

New independent members' vacancies will be publicly advertised in appropriate places such as statewide and local newspapers, Council's website, Australian Institute of Company Directors, Governance Institute of Australia and other appropriate channels.

A 'Recruitment and Selection Panel', comprising the Chief Executive Officer, Mayor, Councillors and the Chairperson, will be established to recommend the preferred appointment to Council for consideration.

The Recruitment and Selection Panel shall assess applications for membership against appropriate criteria. The criteria shall fall within the areas of:

- level and breadth of senior business, management, finance and accounting and/or audit experience and qualifications;
- level of familiarity with Government operations, including financial reporting, auditing requirements, risk management, business ethics and corporate governance; and
- previous Audit and/or Risk Committee experience.

Independent members should have the ability to provide Councillors, the Chief Executive Officer and Management with well-rounded and professional advice concerning the adequacy of Council's administrative, operational, financial and accounting systems and controls, performance reporting regimes, and risk management processes.

Remuneration will be paid to independent members as approved by Council from time to time, with annual increases limited to increases in the Consumer Price Index (CPI All Group Melbourne) adjusted annually on July 1.

Independent members are covered by Council's LMI policy in that capacity within the scope of their duties for and on behalf of Council, subject to the policy terms and conditions.

5.3 Councillor Members

Councillor members will be appointed to the Committee by Council annually at the Statutory Meeting.

Should an appointed Councillor member not be able to attend a Committee meeting, Council can appoint an alternate member to act in such circumstances, either on a meeting by meeting basis or for the entire year.

5.4 Committee Member Regulatory Obligations

Committee members must be fully aware of their obligations and responsibilities under section 53 of the Act. These obligations relate to misuse of position as a member of the Committee (section 123), confidential information (section 125) and conflict of interest (sections 126 to 131).

5.5 Chairperson

The Chairperson of the Committee must be an independent member.

The Committee will appoint the Chairperson of the Committee.

If the Chairperson is unable to attend a meeting, the members in attendance at the meeting will appoint a temporary Chairperson for that meeting from among the attending members.

5.6 Meetings

The Committee will meet at least quarterly, with the authority to convene additional meetings, as and when required.

A schedule of meetings will be developed annually and adopted by the Committee.

A quorum shall comprise at least one Councillor member and two independent members.

All Committee members are requested to attend each meeting in person, although members can attend through electronic means and will be included as part of the quorum.

Committee meetings are not open to the public and all meeting agendas, minutes and proceedings are deemed confidential.

All members will have one vote. The Chairperson shall be have a casting vote on the occasion where there is an equal tally of votes on a matter.

The Committee will invite members of Council's Management team, the internal and external auditors and other staff as appropriate to attend meetings.

The Chief Executive Officer, Director City Development – Interim Finance and Governance, Manager Governance and Manager Business and Financial Services will attend all meetings.

The Committee and External and Internal Auditors will meet without Management at least once per annum to discuss issues of relevant interest.

Committee members and the internal auditor and external auditor can request the Chairperson to convene additional meetings if they feel that is justified to address unexpected matters that may have arisen.

Meeting agendas and appropriate briefing materials will be provided to members at least one week before each meeting.

Minutes will be taken at each meeting, documenting attendance, formal decisions and actions arising.

Minutes will be circulated to the Chairperson for approval within one week of the meeting occurring and also presented for formal endorsement at the next meeting of the Committee.

The Chairperson will sign the minutes following the confirmation of the minutes at a subsequent meeting.

The Manager Governance will ensure administrative support is provided to the Committee.

5.7 Disclosures to Committee

The Committee will ascertain at each meeting whether the work of the Internal Auditor has been obstructed in any way. Where the Internal Auditor's response is that the work has been obstructed, the Chairperson will ascertain from the Chief Executive Officer what action will be taken to remedy the issue. Where it is alleged that the Chief Executive Officer has obstructed the Internal Auditor's work, the Chairperson will consult with the Mayor to ascertain what resolution can be reached.

If it is considered that the obstruction is substantiated, and is of an ongoing nature that creates a risk to effective internal audit practices, the Chairperson will consult with the Chief Executive Officer and the Mayor to seek a resolution.

Where the matter cannot be resolved through this process the matter will be referred to Council for appropriate attention.

In order to ascertain whether there are any issues that the Committee should be aware of, the Chief Executive Officer or their representative attending each meeting should be questioned as to whether there are any breaches of legislation or practices that should be brought to the Committee's attention.

Where issues are disclosed and substantiated, the Committee members will seek from the Chief Executive Officer an explanation as to what appropriate actions are to be taken to remedy same.

Where the Chief Executive Officer is alleged to have caused the breach of legislation or practices and a satisfactory resolution is not arrived at, the Chairperson will consult with the Mayor and the Chief Executive Officer in an attempt to resolve the issue. Where no satisfactory resolution can be reached through this process, the matter will be referred to Council for appropriate attention.

5.8 Planning and Reporting

The Chairperson will prepare a bi-annual report to Council through the Chief Executive Officer on the Committee's activities, findings, recommendations and functions.

The Chairperson will be invited to address Council at least once per annum on the activities and performance of the Committee.

The second of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such report indicating how the Committee has discharged its responsibilities as set out in this Charter for the previous year.

5.9 Performance Evaluation

The Committee shall undertake a process to evaluate its performance annually in June/July each year and report the outcomes of the evaluation process to Council through the Chief Executive Officer, including recommendations for any opportunities for improvement.

The evaluation will include feedback from both Committee members and Management who have regular interactions with the Committee.

Results of the evaluation will be included in the Chairperson's Annual Report to the Council once each year.

5.10 Review of Charter

The Committee shall review and assess the adequacy of this Charter every two years or earlier if necessary and submit requests to Council through the Chief Executive Officer for revisions and improvements for approval.

6.8 Councillor Expenses and Support Policy

SUMMARY: Governance Officer, Kirstin Ritchie

Section 41 of the Local Government Act 2020 (Act 2020) states that Council must adopt and maintain an expenses policy, with the policy to be adopted by a formal resolution of Council no later than 1 September 2020.

The present Councillor Support Policy has been reviewed, with only minor amendments proposed to meet the requirements of the Act 2020.

RECOMMENDATION

That Council:

1. **Under section 41 of the Local Government Act 2020, adopt the Councillor Expenses and Support Policy, provided as Attachment 1.**
2. **Request that all persons who made a submission be advised of Council's decision.**

1. INTRODUCTION

The current Councillor Support Policy was adopted on 30 March 2020 under section 75B of the Local Government Act 1989. This specific section was repealed on 1 May 2020 as part of the Stage 2 implementation of the new Local Government Act 2020 (the 2020 Act). A transitional provision within the 2020 Act permitted the policy adopted by the Council under section 75B to remain in force until the new policy has been adopted.

Section 41 of the 2020 Act states that Council must adopt, by resolution, the first expenses policy under this section by 1 September 2020.

2. DISCUSSION

Pursuant to section 41 of the 2020 Act a policy adopted by Council under this section must:

- specify procedures to be followed in applying for reimbursement and in reimbursing expenses;
- comply with the requirements prescribed by the regulations;
- provide for the reimbursement of child care costs where the provision of child care is reasonably required for a Councillor or member of a delegated committee to perform their role; and
- have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012.

Local Government Victoria has advised there are no regulations at present and no present plans of the Minister to create them.

The current Councillor Support Policy complies with the majority of the requirements prescribed above. Minor administrative changes must be made however to ensure references and terms align with the new legislation.

Further, it is recommended that additional information be included pertaining to the reimbursement of expenses for carers within the meaning of section 4 of the Carers Recognition Act 2012 to ensure compliance with section 41 of the 2020 Act.

As required by section 40 of the 2020 Act, the policy applies to both Councillors and members of delegated committees and provides a framework for the reimbursement of out of pocket expenses where the Council is satisfied:

- the claim is for bona fide expenses;
- the expenses have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- the expenses are reasonably necessary for the Councillor or delegated committee member to perform that role.

In accordance with section 40(2) of the 2020 Act, the policy stipulates that any expenses be reported to the Audit and Risk Committee. This requirement has been addressed in section 6.16 of the policy which requires a quarterly report to be presented to the Audit and Risk Committee including:

- expenses incurred by on behalf of Councillors and delegated committee members during the quarter;
- reimbursement claims made by Councillors and delegated committee members during the quarter; and
- reimbursements made by Councillors and delegated committee members during the quarter.

As the process for setting Councillor allowances is prescribed in section 39 of the 2020 Act, the provisions relating to Mayoral and Councillor allowances have been removed from the policy.

3. CONSULTATION

Local Government Victoria established a co-design process for a range of documents required by the LGA 2020. Further, officers have considered and participated in a range of forums conducted by Local Government Victoria, the Victorian Local Government Association, LGPro and Maddocks Lawyers.

The community was offered an opportunity to comment on the draft Councillor Expenses and Support Policy from 4th to the 14th August, as part of a broader consultation that also included the Public Transparency Policy, the Audit and Risk Committee Charter and the Governance Rules.

It is noted that the consultation opportunity was limited, however, this was due to the extremely short timeline between the passing of the LGA 2020 and 1 September deadline for the Policy to be in place.

Council's campaign included:

- A dedicated page on council's consultation webpage (knox.mysocialpinpoint.com.au/knoxcouncilgovernanceframework)
- a homepage banner on Council's main website and links on the have your say webpage.
- An article in the Knox eNewsletter
- A Facebook paid post (7,728 people reached on the original post, 4,135 on the reminder)
- A Twitter post

These activities generated 3047 total visits from 247 unique users to Council's consultation webpage.

Council received eight submissions by the deadline of 5pm on 14 August 2020 and a further four submissions were received after the deadline before the consultation page was closed. Two of the twelve (12) submissions related to the Councillor Expenses and Support Policy. A table of the two submissions and the officer's responses are included in Attachment 2.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil

5. FINANCIAL & ECONOMIC IMPLICATIONS

Changes to the Councillor Expenses and Support Policy are not anticipated to have significant financial implications as the revised policy merely clarifies existing entitlements.

6. SOCIAL IMPLICATIONS

Nil

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, Kirstin Ritchie - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

The revised Councillor Expenses and Support Policy is considered to meet or exceed the minimum requirements of the 2020 Act and should therefore be adopted by Council.

10. CONFIDENTIALITY

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

Report Prepared By:	**Governance Officer, Kirstin Ritchie**
Report Authorised By:	**Director, City Development – Interim Finance and Governance, Matt Kelleher**

Attachments

1. Policy DRAFT Councillor Expenses and Support V4 [**6.8.1** - 25 pages]
2. Councillor Expenses Submission Response Table [**6.8.2** - 3 pages]

Policy & Procedure

Councillor Expenses and Support

Policy Number:	2003/21	Directorate:	~~Corporate Development~~City Development – Finance & Governance
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	~~30 March 2020~~August 2020	Version Number:	3
Review Date:	~~By 1 September~~August 2023~~0~~		

1. Purpose

This document assists Councillors, members of Delegated Committees, Council staff and the community to understand the entitlements of the Mayor, ~~and~~ Councillors and ~~memebers~~members of Delegated Committees by outlining:

- ~~Councillors'~~ entitlements for reimbursement of reasonable bona fide out-of- pocket expenses incurred while performing the duties of a Councillor or a member of a delegated committee.
- ~~Councillors'~~ entitlements to have reasonable bona fide expenses associated with performing the duties of a Councillor or a member of a delegated committee paid on their behalf.
- Councillors' entitlements to professional development support and resources.
- The facilities, resources and support considered necessary and appropriate for Councillors to perform their duties in accordance with the requirements of the Local Government Act ~~1989~~ 2020 (the Act).

This document also sets out:

- The process and standards for claiming expenses.
- The process and standards for reporting and accountability.

2. Context

Part ~~4~~2, Division ~~1~~ 6 of the Act provides for the payment of allowances; the reimbursement of expenses; and the provision of resources and facilities to the Mayor, ~~and~~ Councillors and members of delegated committees for the purpose of supporting them perform their duties.

Councillors and members of delegated committees are entitled, under section 40 of the Act, to reimbursement of expenses reasonably incurred in the performance of their duties.

This policy ensures that the reimbursement of these expenses is in accordance with the Act and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the council.

~~The Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources, April 2008 details the minimum toolkit of support that must be provided to all Mayors and Councillors. Reference has also been had to the Victorian Government's Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors November 2008.~~

Section ~~75B~~ 41 of the Act requires Council to adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.~~adopt and maintain a policy in relation to the reimbursement of expenses for Councillors.~~

3. Scope

This Policy applies to the Knox City Council Mayor, ~~and~~ Councillors and ~~a~~ delegated committee members and specifically addresses a broad range of expenses including:

- Transport and travel;
- Information and Communications Technology
- Conference, seminars, training and professional development;
- Meals and refreshments; and
- Carer Support

This policy is not intended to prescribe for every possible situation that may arise. Any situation that is not adequately covered by this policy will be determined in accordance with section 6.14 or referred to Council for determination by resolution.

Any cost or expense (or portion thereof) which should reasonably be borne by another entity, or for which another entity is reasonably liable, is outside the scope of this policy and shall not be paid or reimbursed by Council.

The payment of allowances for the Mayor, Deputy Mayor and Councillors is outside of the scope of this policy and will be determined according to the requirements of section 39 of the Act.

4. References

4.1 Knox Community and Council Plan

- Goal 8 - We have confidence in decision making
- Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

4.2 Relevant Legislation

- Local Government Act ~~1989~~ 2020
- *Carers Recognition Act 2012*

4.3 Charter of Human Rights

- This policy is not inconsistent with the Charter of Human Rights.

4.4 Related Council Policies

- Governance rules

- Public transparency policy
- Governance framework
- Email, Internet & Web Browsing Policy
- Information Management Security Policy
- Password Policy 2018

4.5 Related Council Procedures

- Nil

5. Definitions

the Act	Means the *Local Government Act ~~1989~~ 2020* as amended.
Bona fide	Means honest; genuine; actual; authentic; acting without the intention of defrauding.
Carer	Mean a carer as defined under section 4 of the Carers Recognition Act 2012.
Civic function	A ceremonial or celebratory Council event (including reception or ball).
Council	Means Knox City Council, being a body corporate constituted as a municipal Council under the *Local Government Act ~~1989~~2020*.
Delegated Committee	Means a Delegated Committee established under section 63 of the Act.

Duties as a Councillor	Means duties performed by a Councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or Council policies. Such duties include, but not are not limited to, attendance at: • ~~Ordinary and Special~~ Council Meetings, ~~Special~~ Delegated Committee Meetings, or other committee meetings; • Briefing sessions, workshops, or other meetings with Council staff; • Training sessions, professional development opportunities and conferences (as an attendee and / or speaker) which: – Are consistent with Council's objectives; – Will cover or present material with application / importance / relevance to current or future issues faced by the Council; and – Are within the General, or Councillor's annual budget allocations. • Conferences or other meetings as Council's nominated representative or delegate. • Civic or ceremonial functions convened or scheduled by the Council, Mayor or Chief Executive Officer; • Meetings with individual community members, organisations and community groups; • Other meetings, inspections or events attended by a Councillor in an official capacity relevant to their duties.
Duties as a Delegated Committee Member	Means duties performed by a member of a Delegated Committee who is not a Councillor, that is necessary or appropriate for the purposes of achieving the objectives of the Committee having regard to any relevant Act, regulations, Ministerial guidelines Instrument of Delegation or Council policy.
Expenses	Means expenses • initially incurred by a Mayor, ~~or~~ Councillor or member of a delegated committee for which a claim is subsequently made for reimbursement; and • expenses incurred by Council for or on behalf of a Mayor, ~~or~~ Councillor or member of a delegated committee;

Fair and reasonable **(in relation to expenses, support and resources)**	Means: • An amount, level or type that is consistent with what a reasonable person would pay or accept, if they were not a Councillor or member of a delegated committee, in the same or similar circumstances for the same or similar item. • An amount that represents value for money and minimises waste or extravagance
Material cost	• Means a cost greater than 10% of the: • total once-off expense incurred; or • monthly expense incurred.
Professional development	Means the process of improving and increasing the capabilities, knowledge, mindset or skillset of councillors through access to education and training opportunities, whether through outside organisations or in the workplace.
Reasonable personal use	Means personal use that: • is infrequent and brief, and/or does not have a cost to Council, or a material cost to Council in the context of the expense in question. • does not interfere with the operation of Council. • does not unreasonably interfere with another councillor's use of Council's resources and facilities. • does not compromise the security of the Council's systems or assets. • does not impact on Council's electronic storage capacity. • does not decrease Council's network performance, or consume bandwidth or data in a manner that could interfere with the service provided to others (e.g. large email attachments can decrease system performance and potentially cause system outages; streaming content can consume large amounts of bandwidth on Council's network, or data from Council's mobile plan). • corresponds to Council's procedures for email maintenance and archiving documents. • is not an unacceptable use, as defined.

Term of office	In accordance with Section 2968(2) of the Local Government Act 20201989, the term of office of a Councillor elected at a general election commences on the day that the Councillor takes the Oath or affirmation of Office and expires at 6.00am on the day appointed for the next general election. In terms of this policy, the term of office for any Councillor elected as a result of an extraordinary vacancy expires at 6.00am on the day appointed for the next general election.
Tools of trade	Includes the following items of information and communications technology equipment provided to conduct business as a Councillor: • Laptop and or Tablet Computer • Printer/Copier/Facsimile/Scanner • Mobile Communication Device (eg Smartphone)
Unacceptable use	Means use: • To create or exchange messages that are offensive, harassing, obscene or threatening. • To visit web sites containing objectionable (including pornographic) or criminal material. • To store publish or transmit material that is offensive, obscene, abusive, defamatory or unlawful • That exchanges any confidential or sensitive information contrary to law • That infringes intellectual property laws • That transmits files or viruses that cause a negative impact on Council's computer system • Of software that is unauthorised. • That is for electioneering purposes or any other purpose prohibited by law.

6. Council Policy

6.1. Policy Principles

The following principles represent the foundation of Council's Policy on payment or the reimbursement of expenses for the Mayor, Councillors and a delegated committee members. The following principles also represent the foundation of Council's Policy on the and provision of resources and facilities to support the Mayor and Councillors:

- Public resources will be used prudently and solely in the public interest, in accordance with the Councillor Conduct principles as prescribed in the Act.
- Public resources will be allocated in a fair and equitable manner taking into account individual needs and circumstances, to facilitate the full participation of all Councillors.

- The ~~payment of Councillor allowances, the~~ provision~~s~~ of support and resources, and the reimbursement of expenses must be accountable and transparent to the community.
- Expenses must be:
  - Fair, reasonable and bona fide;
  - actually incurred in the performance and discharge of a Councillor~~'s~~ or delegated committee member's duties;
  - adequately substantiated; and
  - in accordance with statutory requirements and community expectations.
- Support and resources provided must be;
  - fair and reasonable;
  - reasonably necessary to meet the legitimate needs of Councillors when performing their duties; and
  - in accordance with statutory requirements and community expectations.
- Councillors must reimburse Council for any costs incurred which relate to personal use which is not specifically authorised in this Policy.
- Council will provide reasonable additional support, facilities and/ or equipment for any Councillor with a disability to enable them to perform their duties.

6.2. Transport and travel

6.2.1. General Provisions

The following general provisions shall apply when determining any expenses to be met or reimbursed by Council:

- Interstate or overseas travel expenses must be applied for, and approved, in advance of the travel occurring.
- Expenses will only be met or reimbursed by Council where undertaking the duties of a Councillor is the primary and predominate purpose of travel.
- Travel shall be by the most practical mode and route possible, and be reasonable in the circumstances taking into account factors such as duration and total cost of travel.
- Costs should be minimised by sharing travel arrangements where reasonable and practicable.
- The amount paid or reimbursed by Council for air travel shall not exceed the cost of economy class air travel to the relevant destination.
- Where private travel is undertaken in conjunction with travel related to the duties of a Councillor:
  - All costs incurred for private purposes must be clearly delineated and documented pre-departure.
  - Council will not directly pay for or reimburse any costs related to private travel.
- The quantum of expenses met or reimbursed by Council will generally be on the basis of the actual cost incurred and the form of transport used. However, Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account for example, the alternative models of travel available.

- Council will not reimburse expenses for travel to ~~Ordinary and Special~~ Council and or Delegated Committee meetings, meetings of Council committees, formal briefing sessions and civic and ceremonial functions.

6.2.2. Mayoral Vehicle

A fully maintained motor vehicle will be made available to the Mayor for the duration of their term, including for reasonable personal use.

The make and model of vehicle will be determined in accordance with Council Policy or at the discretion of the Chief Executive Officer.

Reserved parking will be provided for the Mayoral Vehicle at the Civic Centre.

6.2.3. Private Vehicle Use

Councillors and members of a delegated committee using their own private vehicles to carry out their duties as a Councillor or a delegated committee member may be reimbursed travel expenses. Reimbursement shall be on a per-kilometre basis at the rate prescribed for deductions for work-related car expenses by the Australian Taxation Office (ATO) using the cents per kilometre method.

Where a Councillor or delegated committee member uses a car for interstate travel in accordance with this policy, the amount paid or reimbursed by Council to undertake the interstate travel (inclusive of tolls, car parking and additional accommodation costs) shall not exceed the cost of economy class air travel and transfers to the relevant destination.

Parking will be provided for Councillors' private vehicles at the Civic Centre.

6.2.4. Council Vehicle Use

In exceptional circumstances, where practicable and by prior arrangement through the Chief Executive Officer, a Council pool vehicle may be made available for use by a Councillor where use of a private vehicle or other means of transport is not available or convenient.

All use of Council pool vehicles must be reasonably necessary to discharge the duties of a Councillor and pool vehicles may not be used for personal use.

Council does not have an allocated pool vehicle for use by Councillors and availability of vehicles is subject to operational demands upon the fleet.

Any Councillor use of Council pool vehicles is subject to relevant Council policies and procedures.

6.2.5. Tolls and Car Parking Costs

Councillors and ~~a~~ delegated committee members may be reimbursed for the cost of:

- Car parking for the reasonable duration required to perform their duties ~~as a Councillor~~.
- Fees for use of toll roads (EastLink and CityLink) incurred in attending to their duties ~~as a Councillor~~.

The most value for money parking options should be sought. Where premium, valet or personalised parking services are used, the amount paid or reimbursed by Council shall not exceed the cost of standard parking facilities available in reasonable proximity.

6.2.6. Public Transport

Councillors and a delegated committee members may be reimbursed for the cost of using public transport incurred in attending to their duties as a Councillor.

6.2.7. Taxi Costs (including ride share and other fare based services)

Where it is not practicable or cost effective to use public transport, a Council or private motor vehicle, Councillors and a delegated committee members may be reimbursed for taxi costs incurred in attending to their duties as a Councillor.

Where a Councillor or a delegated committee member uses a ride share service or other service providing a vehicle and driver, the amount paid or reimbursed by Council shall not exceed the cost of an equivalent taxi service.

Councillors may request a "Cab-Charge" voucher from Council for the payment of taxi services.

6.2.8. Overseas Travel

Overseas travel expenses will only be incurred or reimbursed in accordance with a specific Council resolution made prior to the travel being undertaken.

Expenses relating to overseas travel, accommodation, meals and reasonable entertainment will be met or reimbursed by Council in accordance with the resolution.

6.2.9. Exclusions

Council will not directly pay for, or reimburse, the costs of any infringements incurred, including:

- For road, traffic or parking offences.
- For public transport offences.

6.2.10. Travel Expenses not covered by the foregoing.

Where travel expenses are proposed to be incurred outside this section or there is doubt as to the application of this section to expenses incurred, then the provisions of section 6.14 of this Policy can be applied.

6.3. Information and Communications Technology (ICT)

6.3.1. Selection and Provision of Councillors' ICT Equipment

The following tools of trade will be made available to each Councillor to assist them perform their duties as a Councillor:

- one mobile telephone: Wi-Fi and mobile data (ie 3G, 4G, or 5G) enabled with a voice mail or voice to text service.
- one mobile tablet or laptop computer: Wi-Fi and mobile data (ie 3G, 4G, or 5G) enabled.
- one multi-function copier/printer/scanner.

The capital costs of Councillors' tools of trade are not an expense for the purposes of this policy.

Council will directly pay for the expenses associated with providing a mobile data plan for tools of trade through plans established periodically according to Council's usual procurement processes.

The make, model, and functionality of Councillors' tools of trade will be subject to consultation with Councillors, but will otherwise:

- Be selected in accordance with Council's ICT strategy and the usual standards and processes applied across Council for its business activities;
- Not exceed, nor be less than, the standard or specifications of equipment available to Directors and the Chief Executive Officer;
- Be consistent across the Councillor group to enable more efficient training, support and asset management;
- Be reviewed at the commencement of each electoral term; and
- Be upgraded at the end of their useful life or otherwise in accordance with Council's ICT strategy and the usual standards and processes applied across Council for its business activities.

Where a reasonable mobile data (ie 3G, 4G, 5G) connection cannot be accessed at a Councillor's normal place of residence, expenses for an alternative solution can be considered in accordance with section 6.14 of this Policy.

6.3.2. Selection and Installation of ICT Software

Councillors' tools of trade will be equipped with a range of approved software. Software selected will be subject to consultation with Councillors, but will otherwise be selected and upgraded in accordance with Council's ICT strategy and the usual standards, processes and security safeguards applied across Council's network.

The installation of additional software on Councillor tools of trade is subject to consultation with the IT Department.

Councillors must not load pirated, suspect or illegal software or content onto any Council provided device. Council has the right to audit a tool of trade, including applications and information, to ensure compliance with the law and this policy. The Chief Executive Officer has the authority to delete any inappropriate information or unauthorised software from a Council provided tool of trade.

The cost of approved software selected and made available to all Councillors is not considered an expense for the purposes of this policy.

6.3.3. Use of ICT Equipment

Councillors must maintain the integrity and the configuration of the tools of trade provided, protect and generally ensure the safe custody and operation of such equipment and the information they contain.

Councillors' tools of trade are to be used for their duties as a Councillor, however reasonable personal use (as defined) of Councillors' tools of trade is permissible. Councillors' tools of trade must not be used to conduct personal business or other unacceptable uses.

Councillors should take all reasonable steps to ensure that Council provided tools of trade are not used in breach of this policy by third parties.

Councillors will be provided an opportunity to review the costs associated with their tools of trade at regular intervals, in order to identify and reimburse Council for private usage which is beyond reasonable personal use.

6.3.4. International Roaming

Councillors travelling overseas travel in accordance with section 6.2.8 may have international roaming provisioned on their tools of trade for the duration of the trip in accordance with Council's resolution.

International use of tools of trade in all other circumstances requires approval of the Chief Executive Officer prior to departure and the quantum of expense to be met or reimbursed by Council shall be limited to $100 per Councillor per 4 week period.

6.3.5. User Accounts and Data

Councillors will be provided a user account enabling access to:

- Their tools of trade and any associated local, network, or cloud based storage.
- An email account on Council's @Knox.vic.gov.au domain.
- Software provided in accordance with section 6.3.2.
- Other data and resources relevant to their duties as a Councillors.

Councillors' use of the accounts and data provided via their tools of trade (or any other method) are subject to the various codes, policies and procedures set out Section 4.

Council will typically provide personalised user accounts and avoid generic (ie ward based) accounts to ensure the privacy and confidentiality of Councillors' data following the end of a Councillor's term of office.

6.3.6. Damage, Loss or Theft of Equipment

Any damage sustained to Councillors' tools of trade will be repaired at Council's expense. Device covers are highly recommended and may be supplied by Council.

Where a mobile device is damaged, lost or stolen a Councillor must:

- report the damage, loss or theft to the Manager Information Management as soon as practicable; and
- where requested, provide a Statutory Declaration including the details of the device and the circumstances of the damage, loss or theft.

All stolen or lost tools of trade will be subject to a remote wipe by Council.

6.3.7. Return of Councillor Equipment

All Councillor equipment must be returned to Council:

- upon request; and or
- at the conclusion of a Councillors' term of office.

Council staff will take appropriate steps to remove / destroy any data stored on Councillor equipment that is returned, before it is disposed of or re-deployed.

6.3.8. Disposal of Redundant Councillor Equipment

Councillors will be provided with an opportunity to purchase (at market value) the tools of trade that have been provided to, and used by them, if they are determined by the Director Corporate Services to be redundant or additional to Council's needs.

Any equipment purchased must be returned to Council beforehand, to enable corporate software and personal information to be removed, in accordance with section 6.3.7.

Tools of trade are not considered redundant or surplus to Council's needs if they:

- are of a type and specification still being procured or deployed for use by Council; and/or
- are of a type and specification that are appropriate to retain for redeployment to other Councillors or staff members, Council programs or activities.

Equipment that remains relevant and useful to Council's needs will not be made available to Councillors for purchase.

The market value of any tools of trade to be sold in accordance with this section will be determined by the Director Corporate Services; having regard to contemporary market rates for the sale or trade-in value of such equipment. Records of how the market value(s) was determined will be maintained by the Director Corporate Services.

Once notified of the opportunity to purchase the equipment and the market value, a Councillor must inform Council of their intent to purchase or not within 7 days.

Any equipment not purchased must be returned to Council promptly in accordance with a notification from the Director Corporate Services.

6.4. Conferences, Seminars, Training and Professional Development

6.4.1. General Provisions

Council recognises the need for Councillors to attend training and professional development activities in order to be kept informed on relevant local government matters and to assist them performing their roles as Councillors.

Prior approval to attend the training and development activity must have been obtained from either the Chief Executive Officer or resolution of Council for expenses to be paid or reimbursed to Councillors.

The expenses paid or reimbursed to Councillors may include:

- registration fees.
- accommodation costs other than in the metropolitan area.
- reasonable cost of meals and refreshments.

Where appropriate, Councillors will present a verbal report of their learnings at the next practicable Council meeting, following attendance at a conference, seminar, training or professional development held either interstate or overseas.

Conferences, training or professional development conducted or delivered by Council staff are not considered expenses for the purposes of this policy, (including the cost of ancillary meals and refreshments including in accordance with Section 0).

A delegated committee member may have training and professional development expenses paid or reimbursed by Council in accordance with a specific Council resolution made prior to the training or activity being undertaken.

Expenses relating to registration fees, accommodation and meals will be met or reimbursed by Council in accordance with the resolution.

6.4.2. Accommodation and Meals at Conferences, Seminars, Training and Professional Development

Where it is understood that a Councillor training and development activity involves related costs, such as accommodation or meals, these should be identified prior to registration.

If not included in the cost of the registration, the cost of meals and beverages (within reasonable limits) for the duration of the training and development activity may be reimbursed to Councillors and ~~a~~ delegated committee members.

Appropriate accommodation, as selected by the Chief Executive Officer or delegate, for the duration of the training and development activity may be paid by Council. Accommodation expenses within the metropolitan Melbourne area will not be paid or reimbursed to Councillors or ~~a~~ delegated committee members.

Accommodation and meal expenses should be consistent with Table 3 in the annual determinations of the Australian Taxation Office regarding reasonable accommodation and meal expenses (See for example Taxation Determination~~s~~ TD 2020/05~~2019/11~~ included at Appendix 1, or subsequent determinations as circulated to Councillors from time to time.)

6.4.3. Councillor Induction and sector training

A mandatory induction program will be conducted for all Councillors at the commencement of each electoral term. Periodically throughout the Councillors' terms of office, Councillors will also have access to program of training and professional development opportunities including:

- Meeting procedures
- Chairing of meetings
- Media training
- Governance training (for example, Australian Institute of Company Directors course)
- Financial training
- Information Technology usage
- Team Building and interpersonal skills
- MAV/VLGA Councillor Development Programs
- Cranlana Colloquium

Additional training and professional activities outside of the above program must be funded separately as an expense from individual Councillor training and development budgets.

Subject to consideration and approval of the annual Council budget, an allocation of $5,000 will be made in respect of each Councillor and $10,000 for the Mayor for that financial year. Allocations are not cumulative as between financial years.

6.5.Representing Council

Where Council receives an official invitation seeking Council representation at an event, Councillors shall be entitled to have paid by Council, or reimbursed, reasonable bona fide costs associated with representing Council at the event if Council, or the Chief Executive Officer in consultation with the Mayor, have determined that official representation is considered necessary or appropriate to support the business or representational needs of Council.

6.5.1. Attendance at Fundraising and Charitable Events

Council will directly pay for or reimburse the cost of ticketed events for Councillors invited, in their role as a Councillor, by written invitation to attend Fundraising or Charitable Events:

a) Conducted by a neighbouring municipality, or municipality in the Municipal Association of Victoria's Metropolitan East Region; or
b) Where prior approval has been given by Council, or the Chief Executive Officer in consultation with the Mayor (or in the case of Mayoral expenses, the Deputy Mayor), and the event benefits the Knox Community.

6.5.2. Appointments to External Organisations

Each year, and from time to time, Council resolves to appoint Councillors to represent it on a number of external organisations.

For these organisations the nominated Councillors or their substitute are to be Council representatives at regular meetings of these organisations and any special events, with partners where appropriate.

Councillors are entitled to have paid by Council, or reimbursed, reasonable bona fide costs associated with representing Council on such organisations subject to expenditure in excess of $500 per annum per delegate (including substitute nominees) per organisation being approved in advance by Council.

6.6. Attendance by a Councillor's Spouse or Partner

6.6.1. Attendance at Functions of Victorian Councils

Where there is a mutual expectation of partners attending, Council will directly pay for or reimburse the reasonable costs of a Councillor's spouse or partner attending functions:

a) held by Knox City Council; or

b) held by other Victorian municipalities

A mutual expectation of partners attending would arise for example where:

- A spouse / partner is specified on the invitation; and
- The event is a dance, ball, or gala, to which a partner would typically be invited; or
- The event is of a nature where other attendees will be accompanied by partners.

6.6.2. Attendance at other seminars, conferences or civic functions

Attendance at any seminar, conference or civic function by a councillor's spouse / partner shall be at the expense of the councillor except where:

a) Prior approval has been given by Council or the Chief Executive Officer in consultation with the Mayor (or in the case of Mayoral expenses, the Deputy Mayor); and

b) Attendance by a councillor's spouse / partner is considered to be necessary or appropriate to support the business or representational needs of Council; and

c) Sufficient provision exists in the approved annual budget for conferences and seminars.

6.7. Meals and Refreshment

6.7.1. General Provisions

Council will provide reasonable meals (typically either a buffet style meal or plated meal) during evenings of Council meetings, Delegated Committee meetings~~, Special Committee~~, Issues Briefings and other key meetings as determined by the Chief Executive Officer in consultation with the Mayor.

Reasonable meals may also be provided when other Council events or meetings are held at times that immediately follow or extend through normal meal times.

Council will provide reasonable refreshments for Councillors' in their office and meeting space.

6.7.2. Alcohol

The Chief Executive Officer may approve the provision of alcoholic beverages at Council events, or reimbursement of expenses for alcoholic beverages at other events, having regard to:

- Community expectations and the policy principles set out in section 6.1
- The impact alcohol can have on the safe, competent and professional performance of the duties of a Councillor.

6.8.Carer Support

Council will directly pay for, or reimburse fair and reasonable childcare / family care expenses incurred by Councillors whilst discharging their duties as a councillor. The total expense paid for, or reimbursed, by Council must exclude any applicable rebates or subsidies.

Council will directly pay for, or reimburse fair and reasonable childcare / family care expenses incurred by a delegated committee member whilst discharging their duties as a member of a delegated committee. The total expense paid for, or reimbursed, by Council must exclude any applicable rebates or subsidies.

Family care relates to care provided to any immediate family member who is either a child or a sick, elderly, or disabled person. A child is defined as a person up to, but not including, 16 years of age.

Council may also make reasonable adjustments, and directly pay for or reimburse fair and reasonable additional expenses incurred by a Councillor who is breastfeeding.

Eligible care does not include care performed by a direct relative ~~(~~spouse, domestic partner, son, daughter, mother, father, brother or sister of the Councillor or their spouse or partner).

Council will provide reimbursement of costs where the provision of carer services is reasonably required when a councillor or delegated committee member who is a carer incurs reasonable expenses in the performance of their duties.

Each claim must be substantiated by a receipt from the caregiver showing the dates and times care was provided and a written statement identifying the duty performed by the Councillor.

6.9. Professional Memberships

Council will directly pay for, or reimburse the cost of the following memberships:

- Australian Institute of Company Directors
- The Victorian Local Government Association
- The Australian Local Government Women's Association

Other memberships, which are considered demonstrably beneficial to Council or the performance of the duties of a Councillor, may be considered in accordance with section 6.14 of this Policy.

6.10. Subscriptions

Council will directly pay for, or reimburse the cost of the following subscriptions:

- The Age newspaper
- The Herald Sun newspaper.

Other subscriptions may be considered in accordance with section 6.14 of this Policy.

6.11. Miscellaneous Support and Expenses

All Councillors will be provided with:

- Standard stationery and office consumables held or obtained generally for the organisations requirements.
- Personalised business cards.
- Names badges, including for a spouse or partner.
- A page on Council's website including, but not limited to, a photo, contact details, term dates and committees. Additional information may be included at the request of individual Councillors, subject to approval by the Chief Executive Officer.
- Any safety equipment required for a Councillor's duties. This equipment is to be returned to the organisation promptly upon the completion of the activity/duty for which the articles were required.
- Council business papers, personal mail and other Council information will be couriered to Councillors' place of residence weekly or as required.

The Chief Executive officer shall also provide an appropriate level of secretarial/administrative support for the Mayor and Councillors.

6.11.1. Donations and/or sponsorship

Donations and/or sponsorship made by a Councillor will be made on their own behalf and not on behalf of Council, except in accordance with a prior resolution of Council.

Councillor donations and/or sponsorship not in accordance with a prior resolution of Council will not be reimbursed by Council.

6.11.2. Insurance Policies

Councillors and delegated committee members are covered under the following Council insurance policies while discharging, in good faith, the duties of civic office including attendance at meetings of external bodies as Council representatives:

- Public Liability Insurance;
- Professional indemnity Insurance;
- Councillors and Officers liability Insurance;
- Personal Accident (accompanying partners are also covered) Insurance;
- Travel Insurance; and
- Work Cover (as a deemed employee).

The insurance does not cover criminal or willful acts

The Council will pay the insurance policy excess in respect of any claim made against a Councillor or member of a delegated committee arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

6.11.3. Legal Expenses

Other than by specific Council resolution, any legal expenses incurred by a Councillor shall be the responsibility of that Councillor.

6.11.4. People Assist Program

Council provides a People Assist Program to staff which is also available for use by Councillors. The program provides professional and confidential support services for personal or work related issues for Councillors and their immediate family at no cost.

Councillors can access the People Assist Program for up to four free hours, per issue.

6.12. Office and Meeting Space

At the Civic Centre there shall be provided:

- A Mayoral Office
- A separate, shared office space provided for use by Councillors
- A Councillors' Room.

All spaces will be determined by the Chief Executive (in consultation with Councillors) and suitably equipped for computer use, photocopying, reading, research and meetings.

Councillors will be provided with 24 hour security access to the Councillors' Room and shared office space. The Mayor shall have 24 hour security access to the Mayoral Office.

Subject to availability, other Council meeting/function rooms owned and controlled by Council may be booked by Councillors for use free of charge for meetings and other functions, provided the Councillor is in attendance and the use is necessary or appropriate for performing the duties of a Councillor or the conduct of Council business.

6.13. Ward Meetings

An annual budget provision will be made (and reviewed annually as part of the Council budget process) for the reasonable costs associated with holding one Ward Meeting per calendar year.

6.13.1. General Provisions

Ward Meetings are conducted as an informal feedback session for the benefit of Councillors. It is not intended that detailed information be provided by staff on the progress of projects or upcoming projects.

Ward meetings are held at the discretion of individual Councillors who are responsible for setting the agenda, preparing relevant content and conducting their Ward meetings.

Councillors are requested to indicate their intention to hold Ward Meetings at the commencement of each calendar year.

Ward meetings may be held at the Civic Offices, or at a convenient location within the Ward as selected by the Councillor.

Refreshments provided shall be limited to tea, coffee and biscuits.

Ward meetings will not be held during an election period.

6.13.2. Staff Attendance

Council staff typically do not participate in Ward Meetings.

At the request of the Ward Councillor, a staff member may attend to act as a note taker.

Councillors may request the attendance of a specific Council Officer to discuss a specific item. The Chief Executive Officer is responsible for determining the attendance and role of Council officers at Ward Meetings.

6.13.3. Advertising

Advertising will be conducted via Council's website and social media channels, and signage at Council's Civic Centre and local libraries.

Additional advertising may be considered in accordance with section 6.14 of this Policy.

6.14. Other Expenditure Not Specified

Where any expense sought to be paid for, or reimbursed to, a Councillor is not covered by this Policy or exceeds the budgetary limits in section 6.4.3 the following process shall apply:

- The Councillor shall make application prior to incurring any expense.
- For expenses $300 or less and generally within the terms of section 75 of the Act and in compliance with this Policy:
  - The Chief Executive Officer shall confer on the matter with the Mayor (or in the case of Mayoral expenses, the Deputy Mayor).
  - The Chief Executive Officer may then determine the matter and inform the Councillor, providing reasons for their decision.
- For expenses greater than $300 the matter will be referred to Council for consideration and determination.

Where there is any uncertainty or disagreement as to an entitlement; or where there is any failure to comply with this Policy, the following process shall apply.

- The Chief Executive Officer shall confer on the matter with the Mayor (or in the case of Mayoral expenses, the Deputy Mayor).
- The Chief Executive Officer may then determine the matter, or a proposed course of action to resolve the disagreement / uncertainty or the non-compliance, and inform the Councillor, providing reasons for their decision.
- If the Chief Executive Officer and Mayor have been party to the decision which is the subject of the uncertainty / disagreement:
  - The Chief Executive Officer shall refer the matter to the Director Corporate Services for independent review.
  - The Director Corporate Services shall confer with the Manager Governance and determine the matter, or agree a proposed course of action to resolve the disagreement / uncertainty or the non-compliance.
- The Director Corporate Services will inform the affected Councillor of the proposed course of action to resolve the disagreement / uncertainty or the non-compliance. If the matter remains unresolved it will be referred to Council for consideration.

~~6.15. Mayoral and Councillor Allowances~~

~~Council shall review and set Mayoral and Councillors allowances in accordance with the Act, as part of the Budget process.~~

~~Council will adjust the allowances in accordance with any adjustment factor Gazetted by the Minister for Local Government each year, as required under the Act.~~

~~Any personal taxation implications from the receipt of allowances are the responsibility of individual Councillors.~~

~~6.16.~~6.15. Claims and records

~~6.16.1.~~6.15.1. Form of claims

All claims must be made on the form provided and be complete as to all specified detail.

Councillors and delegated committee members may also be periodically requested to certify details of expenses incurred on their behalf.

The following substantiation rules apply to all expense claims.

- A claim for reimbursement must be supported by written evidence, being a receipt, tax invoice or similar document that sets out the relevant particulars. This means a document from the supplier of the goods or services the expense is for, setting out:
  - the name or business name of the supplier; and
  - the amount of the expense, expressed in the currency in which it was incurred; and detailing any GST paid, and
  - the nature of the goods or services; and
  - the date the expense was incurred; and
  - the date the document was made.
- Where this documentation is not available a statutory declaration must be submitted to support the claim.

Incomplete claims or claims which are outside this Policy will be initially referred to the claimant Councillor for further advice.

Claims which are not in accordance with this Policy will be considered under section 6.14.

~~6.16.2.~~6.15.2. Timeframe for submission of claims

Councillors and delegated committee members are required to submit claims in a timely manner to ensure transparency and timely accountability.

Claims for reimbursement of expenses in the September, December and March quarters must be submitted by the close of business of the following month.

Claims for reimbursement of expenses in the June quarter must be submitted within 7 working days of the end of financial year.

Claims for reimbursement which are not in accordance with the above timeframes will not be processed unless Council resolves to accept the claim.

~~6.16.3.~~6.15.3. Assessment of claims

The Chief Executive Officer will oversee the processing of all claims by the Governance Department.

Where a claim appears incomplete or outside this Policy it will be initially referred to the claimant Councillor for further discussion. Unresolved issues will be managed in accordance with Section 6.14.

~~6.17.~~6.16. Accountability

Council is committed to accountability and transparency for reimbursement of expenses and the provision of resources and facilities to Councillors. This Policy will be posted on Council's website.

Quarterly reports of all councillor and delegated committee member expenses will be provided to council, and the council's Audit and Risk Committee.

The report will include:

- expenses incurred ~~by~~ on behalf of councillors and delegated committee members during the quarter;
- reimbursement claims made by councillors and delegated committee members during the quarter; and
- reimbursements made by councillors and delegated committee ~~memebers~~members during the quarter.

~~In accordance with the Act a copy of this Policy will be posted on Council's website.~~

In accordance ~~with section 222 of the Act~~Council Public Transparency Policy, Council maintains a public register which includes details of overseas or interstate travel (other than interstate travel by land for less than 3 days) undertaken in an official capacity by any Councillor in the previous 12 months, including—

- the name of the Councillor;
- the dates on which the travel began and ended; and
- the destination of the travel; and
- the purpose of the travel; and
- the total cost to the Council of the travel, including accommodation costs.

~~In accordance with section 131 of the Local Government Act 1989,~~ Council's annual report shall include ~~includes~~ information regarding all Mayoral and Councillor expenses (whether paid directly by Council or reimbursed to the Councillor) broken down into ~~the following~~ categories as required by the Act:

- Transport and Travel
- Communications Equipment
- Conferences, Seminars, Training and Professional Development
- Professional Memberships
- Care Support
- Other Expenses

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.

Appendix 1 Extract from Taxation Determination TD 2020/05 ~~TD 2019/11~~ - Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 2020-21 ~~2019-20~~ income year?

Table 3: Employee's annual salary – $221,551 and above				
Place	**Accomm. ($)**	**Food and drink ($)** breakfast 36.10 lunch 51.15 dinner 71.55	**Incidentals ($)**	**Daily total ($)**
Adelaide	209	as above	28.70	396.50
Brisbane	257	as above	28.70	444.50
Canberra	246	as above	28.70	433.50
Darwin	293	as above	28.70	480.50
Hobart	196	as above	28.70	383.50
Melbourne	265	as above	28.70	452.50
Perth	265	as above	28.70	452.50
Sydney	265	as above	28.70	452.50
All country centres	$195, or the relevant amount in Table 4 if higher	as above	28.70	variable

Table 3: Employee's annual salary – $225,981 and above				
Place	**Accomm. ($)**	**Food and drink ($)** breakfast 36.80 lunch 52.20 dinner 73.10	**Incidentals ($)**	**Daily total ($)**
Adelaide	209	as above	29.20	400.30
Brisbane	257	as above	29.20	448.30
Canberra	246	as above	29.20	437.30
Darwin	293	as above	29.20	484.30
Hobart	196	as above	29.20	387.30
Melbourne	265	as above	29.20	456.30
Perth	265	as above	29.20	456.30
Sydney	265	as above	29.20	456.30
All country centres	$195, or the relevant amount in Table 4 if higher	as above	29.20	variable

Claim Form – Carer Costs

Application for Payment or Reimbursement of Carer Costs

Councillor Name:		
Date(s) claimed for:		
Councillor or Delegated Committee Duties undertaken whilst carer support is provided		
Names of person or organisation providing care		
Costs	Hours	
	Hourly Rate	$
Declaration:	I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and: ☐ Is net of any rebates or subsidies; ☐ Is not for care by a direct relative (as defined); ☐ the expenses claimed are fair, reasonable, bona fide and reasonably necessary to enable me to perform my duties as a Councillor; and ☐ I have included appropriate supporting documentation in including a receipt from the caregiver.	
Signature		
Date Submitted		

Claim Form – Travel Expenses

Application for Payment or Reimbursement of Travel Expenses

Councillor Name:		
Description of Expenses claimed:		
Councillor Duties or Delegated Committee undertaken necessitating travel		
Value of expenses claimed	Travel	$
	Accommodation	$
	Attendance/ Registration	$
	Meals/Drinks	$
	Other Costs, specify	$
	Total	$
Declaration:	I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and: ☐ That undertaking the duties of a Councillor was the primary and predominate purpose of travel; ☐ the expenses claimed are fair, reasonable, bona fide; and ☐ I have included appropriate supporting documentation. I further understand that details of this travel will be disclosed publically in accordance with Section 222 of the Local Government Act.	
Signature		
Date Submitted		

Claim Form – General Expenses

Application for Payment or Reimbursement of General Expenses

Councillor Name:		
Description of Expenses claimed:		
Councillor Duties or Delegated Committee undertaken relevant to expenses incurred		
Value of expenses claimed	**Type of expenses**	**Value**
		$
		$
		$
		$
		$
	Total	**$**
Declaration:	I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and: ☐ the expenses claimed are fair, reasonable, bona fide; and ☐ I have included appropriate supporting documentation.	
Signature		
Date Submitted		

N0.	Submission	Response
1	**Q3 - - After reviewing the proposed Councillor Expenses Policy, do you believe it is fair and reasonable?** A: Yes **Q4 - Please explain your answer** In principle support this document **Q5 - Provide any additional feedback**	No response or change to policy is required as the submitter offers in principle support of the policy.
2	**Q3 - After reviewing the proposed .;Councillor Expenses Policy, do you believe it is fair and reasonable?** A: No **Q4 - Please explain your answer** I agree there needs to be a policy that is clear, precise and well explained as to what is able to be claimed. I don't feel rates should pay for Councillors food and drinks (in particular alcohol), particularly if the consumption of alcohol is consumed before and after council meetings and prior to civic duties such as meetings and public address occurring etc. I would hope this is not the case and if so, that it concerns me that alcohol maybe consumed and may impair decision making. I hope councillors can lead by example. If councillors are using "tools of the trade" supplied by Knox City Council for the purposes of doing their civic duties, that they are not using these devices to use social media (ie using their council allocated tools of the trade devices while logged into their personal and Councillor facebook pages and other social media platforms, if council do not manage their Cr Facebook pages, then I question why they can access it on council supplied devices and consider this inappropriate usage of such tools of the trade), as I find this unacceptable as their personal and Cr Facebook pages not overseen/monitored by council. I feel this should be monitored regularly by KCC and not used for private usage not related to council duties in which case their private and personal devices should be used for these purposes. In the section "overseas travels", please define and explain what "reasonable entertainment" is defined as please and provide examples of what KCC deems acceptable with council funds as "reasonable entertainment?" **Q5 - Provide any additional feedback** See above	**Meals and Alcohol** Council and Delegated Committee meetings occur after business hours; generally commencing at 7pm and do not conclude until approximately 9pm. As per Council's Meals and Beverages Policy this meets the definition of a dinner meeting where a meal may be provided. Further, the majority of Councillors attend these meetings directly from either their paid employment or family commitments. If a meal was not provided by Council it is probable that Councillors may not be able to find time to eat dinner on the night of Council or Committee meetings. It must also be noted that a requirement of the Meals and Beverages Policy is that care be taken by staff to only order the required level of food and not over cater so as not to waste Council funds. As stated in the Councillor Expenses and Support Policy alcohol may be provided to Councillors at the discretion of the Chief Executive Officer. The Chief Executive Officer must however consider the impact alcohol can have on the safe, competent and professional performance of the duties of a Councillor. If the provision of alcohol is ever perceived to hinder the decision making processes of a Councillor or Council the Chief Executive Officer has the power to cease the provision of alcohol. The Governance Rules and the Councillor Code of Conduct further defines the role of a Councillor, detail how they must behave and the required rigour of a Councillor's decision making processes. For the above reasons no change is proposed to the Councillor Expenses and Support Policy.

N0.	Submission	Response
		Tools of Trade The submitter comments relate more to the monitoring of the private Facebook pages of Councillors than to the allocation or use of Councillor "tools of trade". The Facebook pages in question are not affiliated with Council and are run solely by Councillors. The submitter themselves conceded they are "personal" pages. The monitoring of personal Facebook pages is not within the scope of the Councillor Expenses or Support policy and will not be discussed further. As for the use of Councillor "tools of trade" the Councillor Expenses and Support Policy permits reasonable personal use. The practice of permitting reasonable use is common within the sector. Infrequent and brief access to Facebook or other social media pages would fall within the policies definition of a reasonable use and is such permitted. The policy further states that Councillors must not use these tools of trade to conduct their personal business or other defined unacceptable uses. Officers are of the belief that the definition of both reasonable use and unacceptable use are robust enough to properly guide Councillors use of equipment. For the above reasons no change is proposed to the Councillor Expenses and Support Policy. **Overseas Travel** Reasonable entertainment has not been defined within the Councillor Expenses and Support policy. Officers believe it would not be possible to predict all future scenarios and as such could not adequately define this term. The limiting factor on the funding of "reasonable entertainment" is the requirement for payment to occur in accordance with a Council resolution. This means that the request for payment and the decision on approval, or refusal, would be on the agenda of a Council meeting prior to the travel

N0.	Submission	Response
		occurring. This approach ensures all payment decisions are transparent and accountable. For the above reasons no change is proposed to the Councillor Expenses and Support Policy.

6.9 Instrument of Delegation - Council to Strategic Planning Delegated Committee

SUMMARY: Governance Officer, Kirstin Ritchie

The Strategic Planning Committee (SPC) was established as a Special Committee under section 86 of the Local Government Act 1989 (the 89 Act); which permitted the SPC to be delegated any of Council's functions, duties or powers under the Act, or any other Act, subject to certain exemptions within relevant legislation.

Section 86 of the 89 Act has now been repealed as part of the Stage 2 transition of the implementation of the Local Government Act 2020 (the 2020 Act). A transitional provision within the Act permits Instruments of Delegations previously adopted under the 89 Act to continue to remain in force until 1 September 2020.

To continue the operation of the SPC after 1 September 2020 however, it is necessary to re-make the SPC as a "delegated committee" under the 2020 Act, with a new instrument of delegation.

RECOMMENDATION

That Council:

A. Dissolve the Special Committee previously established by Council under section 86 of the Local Government Act 1989 known as the "Strategic Planning Committee" and revoke the previous Instrument of Delegation to the Strategic Planning Committee sealed on 8 May 2019.

B. In the exercise of the powers conferred by section 63 of the Local Government Act 2020 (the Act), resolve that:

1. From the date of this resolution, there be established as a Delegated Committee the Strategic Planning Delegated Committee (also known as the Strategic Planning Committee).

2. The purposes of the Delegated Committee are:

2.1 to exercise Council's functions and powers and to perform Council's duties in relation to any matter within its delegation, in a decision-making forum with less procedural formality, enabling more extensive discussion and debate, particularly for, but not limited to, strategic and policy related matters; and

2.2 to receive deputations and presentations from external parties and Council staff.

3. The members of the Delegated Committee are all nine elected Councillors of Knox City Council.

4. The Chairperson of the Delegated Committee is the Mayor of Knox City Council, unless determined otherwise in accordance with the Act or the Knox City Council Governance Rules.

5. A quorum for the Delegated Committee is five (5) of the members of the Delegated Committee.

6. All members of the Delegated Committee have voting rights on the Delegated Committee.

7. There be delegated to the members of the Delegated Committee the powers, duties and functions set out in the Instrument of Delegation at Attachment 1 to the Officers' Report (the Instrument).

8. The Instrument:

8.1 comes into force immediately once the common seal of Council is affixed to the Instrument; and

8.2 remains in force until Council determines to vary or revoke it.

9. The Instrument be sealed without delay.

C. In accordance with Chapter 3 sub-Rule 2.1 of the Knox City Council Governance Rules, resolve that the following provisions of Chapter 2 of the Governance Rules do not apply to the Strategic Planning Delegated Committee:

10. Division 3 Rule 19 – Reports by Councillors

11. Division 3 sub-Rule 26.3 – Councillors may only speak once

12. Division 3 Rule 40 – Speaking Times

13. Division 8 Rule 53 – Public Question Time

14. Division 9 Rule 54 – Petitions and Joint Letters.

D. In accordance with Chapter 3, sub-Rule 2.1 of the Knox City Council Governance Rules, resolve that the Strategic Planning Delegated Committee may resolve that additional provisions of Chapter 2 the Governance Rules do not apply to the Strategic Planning Delegated Committee.

E. Resolve to adopt a revised Meeting Structures and Cycle Policy, consistent with the version presented in Attachment 3 to the Officers' report.

1. INTRODUCTION

Under the Local Government Act 2020, delegated committee's exercise the powers, duties or functions of Council that have been delegated to them in an Instrument of Delegation. A resolution of a delegated committee holds the same weight as a resolution made at an Ordinary Council meeting. Members of Delegated Committees and its meetings are also subject to the same governance rules as Council.

The sections of the 2020 Act relating to delegated committees came into effect on 1 May 2020. Section 11 permits Council, by instrument of delegation, to delegate to the members of a delegated committee any power, duty or function of a Council under this Act or any other Act other than a power, duty or function specified in the section. Section 63 details the membership, chairing and procedural requirements of a delegated committee.

It is important to note that section 11(9) permits delegations to Special Committees made under the 89 Act to remain in force until 1 September 2020. Consequently, any existing Special

Committees operating under old delegations will no longer have the power to exercise these delegations, after that date.

To continue the operation of the Strategic Planning Committee (SPC) after 1 September 2020 it is therefore necessary to re-make the SPC as a “delegated committee" under the 2020 Act, with a new instrument of delegation.

The transition to the 2020 Act also necessitates range of updates to the Meeting Structures and Cycles Policy.

2. DISCUSSION

The current SPC was established to provide a decision making forum with less procedural formality and to receive deputations and presentations from external parties and Council staff.

It is proposed to maintain this level of informality as it enables Councillors to contribute to a more extensive discussion and debate without the restrictions of formal meeting procedure.

The current Instrument of Delegation has been in place since April 2019 and is an Instrument of Delegation by exception. This means it provided the SPC with broad powers, functions and duties while specifying particular exceptions, conditions and limitations.

It is proposed that the newly established Strategic Planning Delegated Committee operate under the same style of Instrument for the following reasons:

- The membership of the new Strategic Planning Committee (the new SPC) will remain the same and include all Knox City Councillors. Consequently, meetings of the new SPC meeting will be distinguishable from a Council meeting only by the powers the Committee can legally exercise and the procedural formality of its meetings.
- It provides greater certainty on which matters may be determined by the new SPC. Rather than trying to predict and prescribe every situation in which the new SPC can act as Council’s delegate, a delegation by exception provides certainty by clearly establishing those functions, duties or powers that have not been delegated.

The proposed instrument of delegation is set out at Attachment 1 to this report. Changes made to the previous instrument are highlighted on the version of the instrument included at Attachment 2.

The current Meeting Structures and Cycles Policy was adopted in April 2019. Revisions to the Policy are set out in Attachment 3 using track changes, and are necessary to reflect the transition to the 2020 Act. The key changes are:

- Updates to reflect the change from Special Committees to Delegated Committees
- Removal of references to Special Council meetings, which are not included in the 2020 Act
- Updates to reflect the transition from the Meeting Procedure and Use of Common Seal Local Law 2018, to the Knox City Council Governance Rules.
- Removal of references to the “statutory meeting” as provisions regarding the election of the mayor are sufficiently set out in the Knox City Council Governance Rules and the 2020 Act.

3. CONSULTATION

Councillors and the Executive Management Team have been consulted in the preparation of this report.

Council subscribes to Maddocks Lawyers' Authorisations and Delegations service which provides advice and template instruments for Council's delegations which have been tailored to organisational requirements

4. ENVIRONMENTAL/AMENITY ISSUES

Nil

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil

6. SOCIAL IMPLICATIONS

Nil

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, Kirstin Ritchie - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

To enable the seamless continued operation of Council business it is recommended that the Strategic Planning Committee be re-established as a delegated committee under the 2020 Act and a new instrument of delegation be adopted.

Further, it is recommended that a revised Meeting Structures and Cycles Policy be adopted, containing amendments reflective of the changes described above, and other consequences of the transition to the 2020 Act.

10. CONFIDENTIALITY

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

Report Prepared By: **Governance Officer, Kirstin Ritchie**

Report Authorised By: **Director City Development - Interim Finance and Governance**, **Matt Kelleher**

Attachments

1. Attachment 1 - Instrument of Delegation to the SPC - August 2020 [**6.9.1** - 3 pages]
2. Attachment 2 - Instrument of Delegation to the SPC - Track Changes [**6.9.2** - 3 pages]
3. Attachment 3 - Revised Meeting Structures and Cycle Policy [**6.9.3** - 5 pages]

Delegation

Instrument of Delegation to the

Strategic Planning Committee

Knox City Council (Council) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 24 August 2020 and known as the "Strategic Planning Delegated Committee" or the "Strategic Planning Committee" (the Committee), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 24 August 2020;

2. the delegation:

   2.1 comes into force immediately upon the common seal of Council being affixed to this Instrument of Delegation; and

   2.2 remains in force until Council resolves to vary or revoke it.

3. all Councillors of the Knox City Council are members of Committee which is constituted solely of Councillors; and

3.1 All members of the Committee have voting rights on the Committee.

THE COMMON SEAL of KNOX CITY COUNCIL
was herunto affixed in the presence of:

Mayor _____

Chief Executive Officer _____

Date: _____

SCHEDULE

Powers and functions

The power to:

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act and to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. enter into contracts, or incur expenditure, for an amount which exceeds $50,000,000;
2. exercise the powers which, by force of section 11(2) of the Local Government Act 2020 (the Act), cannot be delegated, namely:
   (a) the power of delegation;
   (b) electing a Mayor or Deputy Mayor;
   (c) granting a reasonable request for leave under s 35 of the Act;
   (d) the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;
   (e) the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
   (f) the power to approve or amend the Council Plan;
   (g) the power to adopt or amend any policy that the Council is required to adopt under this Act;
   (h) the power to adopt or amend the Governance Rules;
   (i) the power to appoint the chair (other than a temporary chair of the Strategic Planning Committee) or the members to a delegated committee;
   (j) the power to make, amend or revoke a local law;
   (k) the power to approve the budget or revised budget;
   (l) the power to borrow money;
   (m) the power to declare general rates, municipal charges, service rates and charges and special rates and charges;
   (n) any power, duty or function prescribed by the regulations for the purposes of Section 11(2) of the Act.
3. adopt or amend the Annual Report;
4. determine the issue, take the action or do the act or thing if Council has previously designated it an issue, action, act or thing which must be the subject of a Resolution of a Council meeting.
5. exercise the powers which, by force of section 188 of the Planning and Environment Act 1987 cannot be delegated, namely:
   (a) the powers of a planning authority under:
   - Section 28 - Abandonment of amendment
   - Section 29 - Adoption of amendment
   - Section 125 – Injunctions

SCHEDULE

- Section 171(2)(b) - purchase, hold, lease and dispose of land;
- Section 171(2)(c) - exchange land for other land
- Section 171(2)(d) - consolidate, subdivide, re-subdivide and develop land
- Section 172 - Powers of compulsory acquisition
- Section 191 - Appointment of Committee

(b) the power of a responsible authority to authorise any officer to carry out a duty or function or to exercise a power.

Delegation

Instrument of Delegation to the

Strategic Planning Committee

Knox City Council (Council) delegates to each person who is from time to time appointed as a member of the Delegated Committee ~~the special committee~~ established by resolution of Council passed on 24 August 2020 ~~8 April 1997~~ and known as the "Strategic Planning Delegated Committee" or the "Strategic Planning Committee" ~~Special Committee"~~ (the Committee), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 24 August 2020~~26 April 2019~~;

2. the delegation:

   2.1 comes into force immediately upon the common seal of Council being affixed to this Instrument of Delegation; and

   2.2 remains in force until Council resolves to vary or revoke it.

3. all Councillors of the Knox City Council are members of Committee which is constituted solely of Councillors; and

3.1 All members of the Committee have voting rights on the Committee.

THE COMMON SEAL of KNOX CITY COUNCIL
was herunto affixed in the presence of:

Mayor _____

Chief Executive Officer _____

Date: _____

SCHEDULE

Powers and functions

The power to:

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act and to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. enter into contracts, or incur expenditure, for an amount which exceeds $50,000,000;

~~1.~~2. exercise the powers which, by force of section 11(2) of the Local Government Act 2020 (the Act)~~86 of the Act~~, cannot be delegated, namely:

(a) the power of delegation;

(b) electing a Mayor or Deputy Mayor;

(c) granting a reasonable request for leave under s 35 of the Act;

(d) the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;

(e) the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;

(f) the power to approve or amend the Council Plan;

(g) the power to adopt or amend any policy that the Council is required to adopt under this Act;

(h) the power to adopt or amend the Governance Rules;

(i) the power to appoint the chair (other than a temporary chair of the Strategic Planning Committee) or the members to a delegated committee;

(j) the power to make, amend or revoke a local law;

(k) the power to approve the budget or revised budget;

(l) the power to borrow money;

(m) the power to declare general rates, municipal charges, service rates and charges and special rates and charges;

(n) any power, duty or function prescribed by the regulations for the purposes of Section 11(2) of the Act.

~~the power to declare a rate or charge;~~

~~(c) the power to borrow money;~~

~~(d) the power to enter into contracts for an amount exceeding an amount previously determined by the Council;~~

~~(e) the power to incur any expenditure exceeding an amount previously determined by the Council; or~~

~~(f) any other prescribed power.~~

~~2. adopt or amend the Council Plan, Strategic Resource Plan, Budget or Revised Budget.~~

3. adopt or amend the Annual Report;~~, audited financial statements, report of operations or audited performance statement.~~

SCHEDULE

4. determine the issue, take the action or do the act or thing if Council has previously designated it an issue, action, act or thing which must be the subject of a Resolution of a Council meetingn ~~Ordinary Council or Special Council Meeting~~.

5. exercise the powers which, by force of section 188 of the Planning and Environment Act 1987 cannot be delegated, namely:
   (a) the powers of a planning authority under:
      – Section 28 - Abandonment of amendment
      – Section 29 - Adoption of amendment
      – Section 125 – Injunctions
      – Section 171(2)(b) - purchase, hold, lease and dispose of land;
      – Section 171(2)(c) - exchange land for other land
      – Section 171(2)(d) - consolidate, subdivide, re-subdivide and develop land
      – Section 172 - Powers of compulsory acquisition
      – Section 191 - Appointment of Committee
   (b) the power of a responsible authority to authorise any officer to carry out a duty or function or to exercise a power.

6. ~~Appoint, reappoint or dismiss a Chief Executive Officer.~~

Policy

Meeting Structures and Cycle

Policy Number:	2003/26	Directorate:	City Development – Finance and Governance~~Corporate Services~~
Approval by:	Council	Responsible Officer:	Manager Governance ~~and Strategy~~
Approval Date:	~~29 April 2019~~ 24 August 2020	Version Number:	~~5~~6
Review Date:	April 2023		

1. PURPOSE

This purpose of this policy is to document the cycle of formal decision making forums and Issues Briefing meetings attended by Councillors

2. SCOPE

This Policy relates to Council's decision-making forums:

1. ~~Ordinary~~ Council meetings,
2. Delegated Committee meetings
2. ~~Special Council meetings,~~
3. ~~Special Committee meetings~~

and to Issues Briefing meetings.

3. REFERENCES

3.1 Community & Council Plan 2017-2021

- Goal 8 — We have confidence in decision making

3.2 Relevant Legislation

- Knox City Council Governance Rules
- ~~Meeting Procedure and Use of Common Seal Local Law 2018~~
- Local Government Act ~~1989~~2020

3.3 Charter of Human Rights

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

3.4 Related Council Policies

- Nil

3.5 Related Council Procedures

- Guidelines for Preparing Council Reports

3.6 Other References

- Instrument of Delegation to the Strategic Planning Committee as amended from time to time

4. DEFINITIONS

"Council Meeting" *(Section 3 LGA)*	a Council meeting that complies with section 61(1) of the LGA.
"Delegated Committee" *(Section 3 LGA)*	a delegated committee established by a Council under section 63 of the LGA
~~"Ordinary Council Meeting"~~ ~~*(Section 83 LGA)*~~	~~a meeting at which the general business of Council may be transacted.~~
~~"Special Council Meeting"~~ ~~*(Section 84 LGA)*~~	~~a meeting called in accordance with Section 84 of the Local Government Act 1989.~~
~~Special Committee (Section 86 LGA)~~	~~A committee established under Section 86 of the Local Government Act 1989 and which has an instrument of delegation from Council~~
"Issues Briefing"	Regular, scheduled meetings for all Councillors held under the auspices of the Council and for the purposes as set out in this Policy
"EMT"	means the Executive Management Team.
"LGA" or "the Act"	Local Government Act ~~1989~~2020
~~Statutory Meeting~~	~~A Special Council Meeting held for the election of the Mayor, and which may also include (but is not limited to):~~ ~~• The election of a deputy Mayor~~ ~~• Appointment of Councillors to various Council and external Committees; and~~ ~~• Taking the Oath of Office~~ ~~(Meeting Procedure and Use of Common Seal Local Law 2018)~~

5. COUNCIL POLICY

Council will establish a schedule of meetings annually~~.~~, and additional meetings may be called from time to time by Council, a Delegated Committee, or otherwise, in accordance with Chapter 2 of the Knox City Council Governance Rules.

Until such time as Council resolves otherwise:

- the schedule shall be prepared on the basis of the following cycle:

First Monday of the month	Issues Briefing Meeting
Second Monday of the month	Strategic Planning Committee Meeting
Third Monday of the month	Issues Briefing Meeting
Fourth Monday of the month	~~Ordinary Meeting of~~ Council Meeting

with such alterations as Council considers necessary to accommodate public holidays and the other business of Council and Councillors:

- ~~the schedule shall include a Statutory Meeting as close as practicable to the one year anniversary of the previous election of the Mayor~~

The form and content of reports to the above meetings shall, subject to any resolution of Council, be determined by the Chief Executive Officer in consultation with Councillors.

5.1 ~~Ordinary~~ Council Meetings

~~Ordinary~~ Council Meetings are the pre-eminent decision-making forum of Council and can consider any matter under Council's jurisdiction, by or under any legislation or regulation.

~~Ordinary~~ Council Meetings:

a) Will consider such business as determined in accordance with:
   - the Local Government Act ~~1989~~2020; and
   - the Knox City Council Governance Rules ~~Meeting Procedure and Use of Common Seal Local Law 2018~~

b) Will be conducted in a formal meeting environment and in accordance with:
   - the Local Government Act 2020~~1989~~; and
   - the Knox City Council Governance Rules ~~Meeting Procedure and Use of Common Seal Local Law 2018~~

~~**5.2 Special Council Meetings**~~

~~Special Council Meetings have the same powers as Ordinary Council Meetings, however are convened for a specific purpose as specified in the notice calling the meeting and:~~

~~a) Will consider such business as determined in accordance with the notice calling the meeting and:~~

- ~~the Local Government Act 1989; and~~
- ~~the Meeting Procedure and Use of Common Seal Local Law 2018~~

~~b) Will be conducted in a formal meeting environment and in accordance with:~~

- ~~the Local Government Act 1989; and~~
- ~~the Meeting Procedure and Use of Common Seal Local Law 2018~~

5.3 Strategic Planning Committee Meetings

The Strategic Planning Committee is a ~~Special~~ Delegated Committee under Section 63 ~~86~~ of the Local Government Act ~~1989~~ 2020 and comprised solely of Councillors. All Knox Councillors are members of the Committee. The Committee exercises Council's powers, and performs Council's duties and functions in accordance with a formal instrument of delegation.

The Strategic Planning Committee:

a) Has been established to provide a decision-making forum:

i. With less procedural formality, enabling more extensive discussion and debate, particularly for, but not limited to, strategic and policy related matters.

ii. That receives deputations and or presentations from external parties and Council staff.

b) Will consider such business as determined in accordance with:

- the Local Government Act ~~1989~~2020; and
- the Knox City Council Governance Rules ~~Meeting Procedure and Use of Common Seal Local Law 2018~~

c) Will conducted meetings in a formal environment and in accordance with:

- the Local Government Act 2020~~1989~~; and
- the Knox City Council Governance Rules.~~Meeting Procedure and Use of Common Seal Local Law 2018, with such exclusions as determined by Council to achieve its purpose as set out in clause a) above.~~

5.4 Issues Briefing Meeting

Issues Briefing Meetings provide an informal meeting forum for Councillors, EMT and other staff to facilitate an information exchange and communication.

Issues Briefing Meetings:

a) Have no delegated authority to make decisions on Council's behalf, or direct officers in the exercise of their delegation powers, or discharge of their delegated functions and duties.

b) Are a confidential forum and all papers prepared for and considered, and the content of discussions held are to be treated as confidential.

c) Are held for the purpose of:

- Ensuring councillors are well informed and in the best possible position to debate issues effectively once matters come into a decision-making forum.
- Enabling Councillors to ask questions about information given to them; to identify information shortfalls; to explore options; and to gain a more detailed understanding of matters presented or discussed.
- Enabling officers to understand Councillors' perspectives on issues presented and receive feedback to inform decision-makers, and or reports prepared for decision-making forums.
- Receiving informal deputations or presentations from external parties in exceptional circumstances that fulfil the purposes above.

d) Will be held in an informal environment and not subject to the procedural formalities of Chapter 2 of the Knox City Council Governance Rules)~~Council's Meeting Procedure and Use of Common Seal Local Law 2018~~.

e) Are subject to the conflict of interest provisions in Chapter 5 of the Knox City Council Governance Rules~~of the Local Government Act 1989~~.

f) Will be chaired by the Mayor. Where the Mayor is unavailable or unable to chair the meeting, meetings will be chaired by the Deputy Mayor, or such other Councillor as nominated by the Mayor.

g) Will generally be expected to commence at 6.30pm and be of a maximum 2-2.5 hours duration.

6.10 Extension to Payment Assistance Policy

SUMMARY: Acting Manager Business and Financial Services, Dennis Bastas

Council's Payment Assistance Policy has been reviewed and is presented to Council for adoption.

RECOMMENDATION

That Council adopt the Payment Assistance Policy addendum COVID-19 Pandemic Payment Relief incorporating the revisions as set out in Attachment 1 to this report.

1. INTRODUCTION

The COVID-19 pandemic is adversely impacting Australia's society and economy and creating an environment of disruption and financial and social uncertainty.

It is recommended that Council approve thoughtful, flexible and timely packages of responses to the Knox community where:

1. Hardship support is needed; and
2. Community and business support is needed.

The fundamental objectives for the Knox Payment Assistance Policy addendum COVID-19 Pandemic Payment Relief (the Addendum) are framed in the context that:

- Debts owed to Council prior to and as a result of COVID-19, especially debts for Council services already provided and invoiced in arrears will be provided an extended time to pay without being charged interest of charges, such as late fees.
- Council hardship initiatives need to focus on genuine hardship and should complement but not enhance existing Federal and State Government initiatives.

The initial addendum covered the period 31 March 2020 to 30 September 2020 and required a review on or before 30 September 2020. At this time, it was noted that a further report will be presented to Council prior to then addressing whether the addendum should be extended.

On Sunday 2 August 2020, the Premier of Victoria announced stage 4 restrictions for a period of six weeks, potential in place until at least 13 September 2020.

The substantive Payment Assistance Policy is due for review February 2021.

2. DISCUSSION

At the Ordinary Council meeting on 30 March 2020, Council approved the immediate review of the *Knox Payment Assistance Policy* (the Policy) with a view to addressing emerging consequences of the COVID-19 pandemic and its impact on the livelihoods of the Knox community.

Council also resolved not to charge interest on rates from 31 March 2020 to 30 June 2020 for late payments and charges; noting that the extension of this will form part of the 2020-21 budget deliberations.
On 15 May, Council extended the period not to charge interest to 30 September 2020.

Effective 9 July 2020, the Government's state of emergency was extended to 16 August 2020. A further announcement on the 2 August 2020, saw the government declare a state of disaster and enter Stage 4 restrictions.

It is recommended to extend the term not to charge interest to 31 March 2021, for late payments and charges.

Policy updates are normally required to be considered by the Audit Committee, however given extenuating circumstances, the matter will proceede directly to Council.

A copy of the updated Addendum will be provided to Audit Committee members when adopted by Council and it will also be included in the Audit Committee August 2020 Agenda for noting.

An addendum update has been inserted to the Policy.

The purpose of the Addendum is to provide Council with a framework to make available payment assistance to individuals, businesses and other community members. The Addendum provides details of the assistance available to those currently experiencing, or at the risk of experiencing, financial hardship as a result of impacts from the COVID-19 pandemic.

The Addendum, similar to the Policy, covers all forms of debtors owed to Council, however the Addendum provides the additional assistance:

- The inclusion of a zero-payment plans for the term of the addendum.
- Less stringent requirements for interest free periods during the term of the addendum.
- Interest free periods for ALL categories of rate payers (previously not permitted for commercial and industrial rate categories).
- Payment plans that exceed a period of 12 months from the date of issue of a rates notice (for rates only).
- Council deferral of debt collection, where payment plans are in place (including zero payment plans).

3. CONSULTATION

Officers involved in the application of this Policy were consulted as part of the review.

4. ENVIRONMENTAL / AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Knox is in a strong financial position; however, Council needs to maintain a reasonable cash-flow continuity in order to deliver essential community programs and services. Monitoring of debt management since 30 March 2020, has indicated, whilst the number of hardship applications have increased, the value of debt per arrangement has decreased, due to a commitment to enter arrangements or payments plans, on average for 90 days.

2020-21 rates notices to be issued in September, will include a short message, advising rate payers of the extension of hardship period to 31 March 2021.

It is likely, that hardship arrangements will increase during the Sep to Dec 2020 quarter. Interest waived during the Sep and Dec 2020 quarters is likely to range between $300,000 - $400,000.

6. SOCIAL IMPLICATIONS

The Payment Assistance Policy update addendum COVID-19 provides support where needed for ratepayers and customers within the community.

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 & Financial Services, Dennis Bastas - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

The Payment Assistance Policy addendum COVID-19, has been updated, proposing to extend the term of the interest free period for late payment and charges to 31 March 2021.

10. CONFIDENTIALITY

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

Attachments

1. Attachment 1 - Payment Assistance Policy V7 2020 07 22 [**6.10.1** - 8 pages]

Policy

Payment Assistance Policy

Policy Number:	2007/04	Directorate:	City Development - Finance and Governance
Approval by:	Council	Responsible Officer:	Manager- Business and Financial Services
Approval Date:	TBC	Version Number:	7
Review Date:	12 February 2021 (Addendum to be reviewed on or before 01 ~~31~~ March 2021)~~December 2020)~~		

1. Purpose

The purpose of this policy is to provide Council with a framework to make available payment assistance to individuals. This Policy provides details of the assistance available to those currently experiencing, or at the risk of experiencing, financial hardship. Council is committed to assisting the community in meeting their financial obligations to Council by providing payment support, including arrangements, for property and service based debts.

The Policy includes a special addendum (addendum 1) in response to the 2020 COVID-19 pandemic; with the purpose of establishing the policy framework to provide assistance to those in the Knox community experiencing financial hardship due to the impacts of the Coronavirus pandemic.

2. Context

Part 8 Division 1 of the Local Government Act 1989 (the Act) establishes the power of Council to declare Rates and Charges. Sections 170-172 of the Act discusses the deferment and waiver provisions when considering financial hardship.

Whilst Rates and Charges are the largest source of Council's income, payment assistance may be sought for other fees and charges including the request for payment arrangements.

3. Scope

This Policy applies to balances outstanding from ratepayers and sundry debtor customers who are currently, or are at risk of, experiencing financial hardship.

4. References

Each of the following headings must be completed. Examples are provided below each heading.

4.1 Community & Council Plan 2017-2021
- Goal 8- We have confidence in decision-making

4.2 Relevant Legislation
- Local Government Act 1989 – Conflict and Interest Provisions

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

- Payment Assistance Addendum COVID-19 Pandemic Payment Relief

4.5 Related Council Procedures

- Nil

4.6 Other Guidance

- Hardship Policy Guidelines (November 2013) – Municipal Association of Victoria

5. Definitions

Detail any definitions within the policy.

Council	means Knox City Council, whether constituted before or after the commencement of this Policy.
Deferment	means the postponement of payment in completely or in part and can be for a specified period and subject to any conditions. When Rates and Charges are deferred payment is not required until the Council issues a Notice requiring payment, the property is sold, there is a change in ownership or there is a change in ratepayer. Deferred Rates and Charges remain a charge on the property.
Deferment Interest Rate	means the official 180 day bank bill rate sourced from Council's contracted banking services provider as at 1 July each year and will be the net penalty interest rate levied against overdue amounts where Rates and Charges have been deferred, rounded to 1 decimal place, plus 2.0% per annum
Waiver	means the relinquishment or the removal of the liability to pay and may include the whole or part of any Rate and Charges, interest charge, fee or other charge.

6. Council Policy

Council, in applying this policy, will ensure that wherever possible, all outstanding debts will eventually be recovered.

6.1 Rates and Charges

Rates and Charges, including interest and legal costs, are a charge on the property. Council has the power under Section 181 of the Local Government Act 1989 to sell land (the property) to recover unpaid rates and charges.

Interest and Interest Waivers

6.1.1 Unless otherwise specified in this Policy, penalty interest will be charged on overdue rates and charges in accordance with Section 172 of the Local Government Act 1989. Penalty interest is calculated at the annual fixed rate as declared by the Attorney General under Section 2 of the Penalty Interest Rate Act 1983.

6.1.2 Interest charges may be waived, in part or in full, under the following circumstances:

6.1.2.1 Administrative Waiver – interest charges may be waived in the event of an administrative issue, error or omission which caused or significantly contributed to the failure to pay rates and charges by the due date.

6.1.2.2 Waiver on Compassionate Grounds – interest charges may be waived where the ratepayer has demonstrated compassionate grounds for the late payment of rates and charges.

6.1.2.3 Waiver of Interest due to Financial Hardship – ratepayers experiencing financial hardship may apply to have interest charges waived subject to the following conditions:

a) The ratepayer must be experiencing undue financial hardship. Ratepayers who are eligible pensioners or who can prove temporary unemployment may apply for current year rates and charges to be paid within 12 months from the date of issue of the Rates Notice, interest free. Such interest free arrangements only remain in place while agreed payments are being received. Applications should be directed to the Coordinator Rates and Valuations.

b) All other ratepayers (not eligible ratepayers or unable to prove temporary unemployment) may apply in writing to the Manager Financial Services detailing the circumstances affecting the ratepayer's ability to pay current rates and charges by the due date. If approved, the waiver of interest in full or in part will not exceed a period of 12 months from the date of issue of the Rates Notices.

Payment of Rates and Charges by Arrangement

6.1.3 Any ratepayer may request to pay outstanding rates and charges by way of a payment arrangement. Payment arrangements will attract penalty interest on outstanding balances but allow ratepayers additional time to make payments. Council will not take any legal action to recover rates and charges provided conditions of the payment arrangements are honoured.

Payment arrangements generally provide support to settle current rates and charges within 12 months. Payment arrangements beyond 12 months require approval of the Coordinator Rates and Valuations.

Deferral of Rates and Charges

6.1.4 The deferral of rates and charges and/or interest is available to Residential and Retirement Village property owners only. Rates and charges will not be deferred for Commercial, Industrial, Vacant Land or Cultural and Recreational Land properties.

6.1.4.1 Residential and Retirement Village property owners may apply to have rates and charges and/or interest in full or in part, deferred. Rates and charges including interest will continue to be levied. Applications for deferral will only be considered under the following circumstances:

a) The ratepayer must be experiencing, and be able to demonstrate, undue and unavoidable hardship; and

b) The ratepayer is either an eligible pensioner or a current recipient of unemployment benefits for at least 3 consecutive months; and

c) The ratepayer is both the legal owner of, and resides in, the property; and

d) The total amount of rates and charges, including any interest, to be deferred should not exceed 10% of the capital improved value of the subject property.

6.1.4.2 Interest charged on overdue rates and charges, including any interest, that are deferred will be set at the Deferment Interest Rate rather than the penalty interest rate. The Deferment Interest Rate only applies after the approval of the deferment. Previous interest charges at the penalty interest rate remain.

6.1.4.3 Deferrals may be offered for a period of up to three (3) years, at which time the ratepayer may apply for a further deferral subject to the assessment of personal circumstances prior to the continuation of any deferral agreement.

6.1.4.4 All deferral agreements must be approved by the Manager Financial Services.

Waiver of Rates and Charges

6.1.5 Rates and charges will not generally be waived. This is to ensure that payment assistance offered to one ratepayer does not have a redistribution effect on Council's rate base.

The Local Government Act 1989 is specific in relation to the grounds for the consideration of waiving rates and charges under financial hardship. The Local Government Act 1989 will be the basis for the consideration of any application for waiver.

Applications for the waiver of rates and charges must be addressed to the Chief Executive Officer. Applications must be supported by evidence of necessitous circumstances causing or likely to cause financial hardship. The waiver of rates and charges must be approved by Council.

Termination of Payment Assistance

6.1.6 Payment assistance support is terminated in the event of the sale or transfer of ownership of the subject property afforded payment support provided in 6.1.1 through 6.1.5 inclusive.

6.2 Sundry Debtor

The principles of this Policy will apply to sundry debtors. Requests for the waiver of a fee or charge must be submitted to the Manager of the relevant service for consideration. Recommendations for the waiver of fees and charges in full or in part must be forwarded to the Manager Financial Services for approval and processing.

Requests for payment arrangements for Sundry Debtor accounts should be submitted to the Manager Financial Services. Payment arrangements will generally not exceed a period of 12 months from the date of the original invoice. Penalty interest may be charged on overdue amounts during the payment arrangement period.

6.3 All information provided in accordance with this Policy will remain confidential.

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.

Policy updated 27 April 2020.

Addendum 1 to Policy updated 22 July 2020.

Knox Payment Assistance Policy – Addendum

COVID-19 Pandemic Payment Relief

Policy Number:	2007/04	Directorate:	City Development – Finance and Governance
Approval by:	Council	Responsible Officer:	Manager- Business and Financial Services
Approval Date:	24 August 2020~~TBC~~	Version Number:	1
Review Date:	~~3~~11 March ~~December~~ 2021~~0~~		

1. Purpose

The purpose of this policy addendum is to provide Council with a framework to make available payment assistance to individuals, businesses and other community members currently experiencing, or at the risk of experiencing, financial hardship as a result of impacts from the COVID-19 pandemic

2. Context

Part 8 Division 1 of the Local Government Act 1989 (the Act) establishes the power of Council to declare Rates Council recognises that the effects of social distancing and Australia's response to Coronavirus will, and already has, led to significant impacts on the entire community including local businesses and households. Some of these impacts include people losing their jobs, people being employed for reduced hours, businesses shutting down and businesses reducing their operations.

Part 8 Division 1 of the Local Government Act 1989 (the Act) establishes the power of Council to declare Rates and Charges. Sections 170-172 of the Act discusses the deferment and waiver provisions when considering financial hardship.

Rates and charges are a critical source of revenue that Council uses to deliver services to the community. In addition, other service charges being, fees, licensing and lease income are also an important source of revenue.

Council is constantly assessing the impact of the COVID-19 and will be reviewing its approach to how it supports the community through the pandemic regularly. This policy addendum provides the framework for how Council implements these decisions with regard to payment assistance.

3. Scope

To provide direction to Council's Officers when collecting and providing for debts owed and ensure Council takes into consideration the financial hardship on debtors caused by COVID-19.

Council will provide assistance to those in financial hardship in accordance with the Local Government Act 1989, while ensuring it does not jeopardise the funding of its operations.

This policy addendum will be guided by the principles of transparency, efficiency, capacity to pay and equity by treating all debtors consistently and in a fair manner.

4. References

- Refer to the Knox Payment Assistance Policy above 2007/04.

5. Definitions

Review Date	means on or before 1 March 2021 ~~30 June 2020 and on or before 30 September 2020~~

6. Council Policy

Council, in applying this addendum policy, will ensure that wherever possible, all outstanding debts will be recovered.

6.1 Financial Hardship – Rates and other services including, fees charges, licenses, leases

Financial hardship is a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary.

This policy addendum is to address temporary financial hardship due to impacts of COVID-19.

Who can apply for hardship?

Any individual, business or community member that has or will experience a loss (or reduced income) of employment or a decrease in sales revenue because of COVID-19 can apply for a payment plan.

People must request assistance from Council **in writing**, providing full details of the circumstances preventing them from meeting their financial obligations to Council.

6.2 Payment Plans

If the individual, business or community member is unable to enter into a payment plan, Council will defer the debt accumulated during the COVID-19 pandemic and will hold interest on this debt from 31 March 2020 to ~~30 September 2020~~ 31 March 2021 to allow time for the debt to be paid without interest.

Ratepayers will have the ability to enter into zero payment plans for the period 31 March 2020 to ~~30 September 2020.~~31 March 2021.

If any debt is still outstanding at 1 April 2021 - ~~October 2020~~, Council's Payment Assistance Policy may apply.

6.3 Zero Interest

Interest will not be charged on overdue debts effective from Monday, 31 March 2020, until 31 March 2021. ~~(~~Interest already accrued and charged prior to 31 March 2020 for overdue debts will remain.~~)~~

Financial thresholds for the waiving of interest (per payment plan or arrangement) are as follows:

a) Up to $250.00 - Coordinator Rates and Valuations
b) Up to $500.00 – Manager Business and Financial Services
c) Up to $750.00 Director City Development – Interim Finance and Governance

d) Up to $1,000.00 - CEO

6.4 Debt Recovery

Council will make a reasonable attempt to contact debtors during the term of the Addendum, to reassess COVID-19 applications for financial hardship.

During the COVID-19 pandemic, Council will hold off on all legal action for the collection of debts.

7. Monitoring, Evaluation and Review

Council officers will monitor Council's cash flow position and will include this report in the monthly finance paper to Executive Management Team and Council.

In the event that the State of Emergency is extended beyond the review date, Council will reassess financial relief and this addendum updated accordingly and/or when Council's cash flow position has been compromised; whichever is the earliest event.

All personal information provided in accordance with this Policy will remain confidential.

8. Administrative Updates

Nil.

6.11 Proposed Lease of Council Property - 16 Kevin Ave Ferntree Gully

SUMMARY: Acting Senior Property Officer, Paige Kennett

This report recommends the signing of a new 3-year lease for the Council property located at 16 Kevin Avenue, Ferntree Gully.

RECOMMENDATION

That Council:

1. **Enter into a new lease between Knox City Council (Lessor) and Bellco Excavations Pty Ltd (Lessee) for 16 Kevin Ave, Ferntree Gully commencing 25 August 2020. The lease will be for a period of 3 years, with the annual rental being $13,300 plus GST and outgoings, increasing annually by 3%; and**
2. **Authorise the Chief Executive Officer to sign the lease documents required to execute the lease.**

1. INTRODUCTION

The vacant land located at 16 Kevin Avenue, Ferntree Gully is 1,000sqm and was acquired by Council in 2004. The previous tenant, Master Platinum Nissan, vacated early August 2020. The vacant land was advertised for lease by Council's managing agent, with a new lease negotiated with a new tenant, Bellco Excavations Pty Ltd.

2. DISCUSSION

The 1,000sqm property located at 16 Kevin Avenue, Ferntree Gully was acquired by Council in 2004. This vacant land is located in the area earmarked for the Dorset Road extension. The most recent tenant, Master Platinum Nissan, vacated the property early August 2020, having leased the property since 2017.

The managing agents have negotiated with a new tenant, a three-year lease with no further options, to commence 25 August 2020. This lease meets the strategic intent of this site. Specific lease terms safeguard the future access requirements of the site for the Dorset Road extension, to be undertaken by Major Road Projects Victoria.

3. CONSULTATION

Council officers have consulted internally, and with Major Road Projects Victoria for future project timelines.

As the lease is less than 10 years and the yearly market rental is less than $50,000, there is no requirement under the Local Government Act 1989 to advertise.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental/amenity issues with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed lease for 16 Kevin Avenue, Ferntree Gully is with Bellco Excavations Pty Ltd for a period of 3 years, commencing 25 August 2020. The agreed rental is $13,300 per annum (plus GST), plus outgoings, increasing annually by 3%.

The rental has been determined by agents appointed by Council in accordance with commercial rentals within this area and in accordance with the condition of the premises. This is a worthwhile opportunity for Council to receive income for vacant land in the lead up to the Dorset Road extension project.

6. SOCIAL IMPLICATIONS

There are no social implications related to 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 Senior Property Officer, Paige Kennett - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

It is recommended to enter into a lease with Bellco Excavations Pty Ltd for 3 years, no options, for an annual rental of $13,300 plus GST, plus outgoings, increasing annually by 3%, having the Chief Executive Officer sign all lease documentation.

10. CONFIDENTIALITY

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

Report Prepared By:	**Acting Senior Property Officer, Paige Kennett**
Report Authorised By:	**Director, City Development - Interim Finance and Governance, Matt Kelleher**

Attachments
Nil

6.12 Lease of Council Property - 88 Station Street, Ferntree Gully

SUMMARY: Acting Senior Property Officer, Paige Kennett

This report recommends the signing and sealing of the lease for Council property at 88 Station Street, Ferntree Gully. This property is contained within the Council property known as 88-100A Station Street, Ferntree Gully.

RECOMMENDATION

That Council:

1. **Enter into a lease between Knox City Council (Lessor) and Knoxbrooke (Lessee) for 88 Station Street, Ferntree Gully (contained within Council property 88-100A Station Street, Ferntree Gully) commencing 28 August 2020. The lease will be for a period of 1 year, with a further 1 year option, with the rental being $17,884.80 per annum (plus GST) increasing annually by 3%, plus outgoings.**
2. **Authorise the Chief Executive Officer to sign and seal all documentation pertaining to the lease of 88 Station Street, Ferntree Gully.**

1. INTRODUCTION

Agents have recently negotiated a renewed lease for the property located at 88 Station Street, Ferntree Gully to Knoxbrooke, Victorian Disability Service Providers.

2. DISCUSSION

The site at 88-100A Station Street, Ferntree Gully was acquired by Council in 2017. The site contains six shops and a car park. The shop at 88 Station Street is currently leased to Knoxbrooke. Agents acting for Council, have now negotiated a proposed new lease for these premises. This lease meets Council's strategic intentions for this site.

3. CONSULTATION

As the lease is less than 10 years and the yearly market rental is less than $50,000, there is no requirement under the Local Government Act 1989 to advertise.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed lease for 88 Station Street, Ferntree Gully is for a period of 1 year plus 1 year option, commencing 28 August 2020. The agreed rental is $17,884.80 per annum (plus GST), plus outgoings, increasing annually by 3%.

The rental has been determined by agents appointed by Council in accordance with commercial rentals within this area and in accordance with the condition of the premises.

6. SOCIAL IMPLICATIONS

There are no social implications associated with 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 Senior Property Officer, Paige Kennett - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

It is recommended to renew the lease to Knoxbrooke for the property located at 88 Station Street, Ferntree Gully, for a period of 1 year plus 1 year option, commencing 28 August 2020, having the lease signed and sealed by the Chief Executive Officer.

10. CONFIDENTIALITY

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

Report Prepared By:	**Acting Senior Property Officer, Paige Kennett**
Report Authorised By:	**Director, City Development – Interim Finance and Governance, Matt Kelleher**

Attachments

Nil

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 2019/20 Capital Works Program, as well as progress towards strategic objectives of asset renewal, sustainability initiatives, Economic and Environmentally Sustainable Development (EESD) initiatives and the Integrated Stormwater Solutions Program in 2019/20.

RECOMMENDATION

That Council receive and note the Capital Works Delivery Report for 2019/20.

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 2019/20 Capital Works Program and Council's progress in actioning a number of associated policies.

Council's Sustainable Buildings and Infrastructure Policy 2019 requires that:

- the Director – Engineering & Infrastructure demonstrate achievements in EESD as part of the annual reporting on the delivery of the Capital Works Program; and
- a report is prepared on the achievements of EESD within Council facilities and infrastructure 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 2015). 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 2019/20 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 2019/20 Capital Works Outcomes and Achievements

The 2019/20 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 $101.51M after additional out of budget funding of $991.4k from various grants, contributions and trust fund transfers becoming available after the Quarterly Budget Update and savings of $2.51M were achieved.

Out of 259 projects, 90.3% or 234 projects of the total projects were completed or committed (commenced or tendered) in 2019/20. A number of projects were in progress at year-end and carry through into the 2020/21 year. Five additional projects were included in the program during the course of the year, with an extra $116.93K unscheduled, out of budget funding.

In overall financial terms, 66.8% of the Capital Works Adjusted Budget was committed in 2019/20 and 55.3% expended. Of the $33.66M Adjusted Budget not committed or expended, $25.93M or 77% related to Major Projects.

Program delivery is being and could continue to be, adversely affected by the difficulty in recruiting suitably qualified replacements, officers on extended leave and the effects associated with working with the restrictions and dislocation caused by COVID 19.

Other factors experienced during the year included delays associated with lead times required to commence projects due to extensive 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, in particular, the late rains in June.

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	19-20
Adjusted Budget	$29.9M	$29.2M	$31.3M	$35.5M	$34.5M	$37.5M	$49.5M	$68.5M	$95.2M	$98.3M	$101.5M
Budget expended (%)	94%	81%	87%	79%	81%	82% $30.8M	63.9% $31.6M	53% $36.3M	52.5% $50.0M	58.7% $57.7M	55.3% $56.1M
Projects Committed (%)	100%	97%	93%	98%	96%	98%	98%	89%	84%	89%	90%

While falling short of the expected performance of the program (based on a $101.5M overall budget), the total expenditure of $56.1M with 90% of projects being completed, commenced or tendered within the year, is comparable with last year's record expenditure of $57.7M, considering the operating conditions.

As a result of the above issues, there has been a decrease in staff resources to support the delivery of the capital works program in some areas. This situation is being closely monitored to ensure existing staff are supported in the delivery of the program and additional resources are being sought.

In view of the burgeoning Capital Works budget, the Engineering and Infrastructure Management Team and other relevant contributors are currently pursuing ways to enhance capital works delivery, including place based project delivery, bundling of projects where possible, additional resources to support project management and resourcing sharing where appropriate to enhance Knox's learning environment. Key objectives of this process are to enhance role clarity, creation of mentoring opportunities and the sharing of resources where appropriate to advance learning and growth across the organisation. It is expected that these enhancements will also create their own challenges, including human resource management, procurement approaches including financial delegations and advances in the roll out of invoicing and processing. This will require significant collaboration across the organisation.

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 in delivering outcomes which align with community expectations.
- Current state of the construction market.
- The unpredictable impact of COVID 19.

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) 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 regarding 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 regular 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.
- 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.
- Reinforce management responsibilities to facilitate project delivery.
- Enhance capital works delivery, including place-based project delivery, bundling of projects where possible, additional resources to support project management and resourcing sharing where appropriate to enhance Knox's learning environment.

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 2019/20 totalled $30.40M, of which $27.77M or 91.4% was expended or committed. The expenditure was affected by the need to carry forward $5.75M to 2020/21 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 reconstructions of Selman Avenue, Forest Road, Windermere Drive, 1101 Burwood Highway, Burwood Highway Service Road and Sheraton Road Ferntree Gully; Barmah Drive, Wantirna; and Albert Avenue, Boronia; and Albert Street, Upper Ferntree Gully and numerous designs for future works.
- In excess of 100 streets have been treated under the 2019/20 Road Resurfacing Program to the value of $5.30M.
- Rehabilitation programs for footpaths, to the value of $3.03M.
- Shared path rehabilitation has been undertaken to the value of $630K
- 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.

The Active Open Space program included the following works:

- Finalisation of oval renewal at Milpera Reserve, Wantirna and works at Batterham Reserve, The Basin; Seebeck Reserve and Eildon Park Reserve; Rowville, Knox Regional Sports Park, Wantirna South; Knox Park, Knoxfield; Lakesfield Reserve, Lysterfield; Regional Netball Courts and Fair Park Reserve, Ferntree Gully.
- Tennis court renewals at Templeton Reserve and public courts at Flamingo Reserve.
- Internal and external repairs and painting at multiple community facilities.

There are six (6) 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	2019	1.3%	2023	Initial target achieved in 2015*. Funding has been maintained at this level to match deterioration. 2019 Road audit assisted in validating this forecast.
	Kerb & Channel		0.1%	2016	2019	0.38%	2023	Initial target achieved in 2015*. Funding now maintained at a level to match deterioration. 2019 Road audit assisted in validating this forecast.

1002 Road Surface	Road Surface	2006/07	19.9%	2021	2019	10.3%	2023	Initial target achieved in 2012*. The 2019 condition audit results and improved methodology for calculating road surface condition produced outcomes subtly different to the three previous audits. The objective to a achieve a minimum condition of 2 for Collector and Link roads and a minimum condition of 3 for all other road hierarchies by 2022, in accordance with the endorsed Road Asset Management Plan - 2019, remains achievable.
1004 Footpaths	Footpaths	2005/06	6.1%	2011	2018	0.52%	2023	Initial target achieved in 2012*. Funding now maintained at a level to match deterioration. 2019 Footpath Audit assisted in validating this forecast.
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	2018	7.9%	2022	Building Asset Management Plan – 2019 provides renewal methodologies and investment scenarios to address the gradual decline in building asset condition.
1012 Carparks	Carparks	2007	48.4%	2027	2020	0.69%	2024	Initial target achieved in 2015*. Funding now maintained at a level to match deterioration. Carpark Pavement and K&C both have 0% condition 4-5 rated assets.
1000 Bridges & Culverts	Bridges	2007	86%	2016	2020	7.14%	2022	Significant renewal maintenance allocations made in 2010-2013 significantly improving bridge condition & performance. Initial target was almost achieved in 2016. The percentage of condition 4 & 5 is representative of the small dataset.

* 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, Street trees, Open space 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 $22.34M (up from $12.40M two years ago) of which $17.19M or 76.9% was expended or committed. The expenditure percentage is impacted upon by the need to carry forward $9.69M to 2020/21 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 - Implementation phase commenced.
- Solar in Community Facilities Program - Panel installations complete.
- New footpath at Valerie Street, Boronia and preparation commenced for footpaths at Boronia Road, Bayswater, Glenfern Road, Ferntree Gully and Montana Avenue, Boronia.
- New shared path various bicycle repair stations, intersection safety improvements and wayfinder signage.
- Open-space upgrades at Stud Park Reserve, Rowville, Tormore Reserve, Boronia, Quarry Reserve, Ferntree Gully, Roman Cowling Bushland Reserve, Rumann and Benedikt Reserves, Scoresby (Exner) Reserve and Templeton Reserve, Wantirna as well as several other significant ongoing projects including Fairpark Reserve, Ferntree Gully; Talaskia Reserve, Egan Lee Reserve, Gilbert Park Reserve, Peregrine Reserve, Pickett's Reserve, Ferntree Gully and Marie Wallace Reserve.
- Drainage works - Manson Reserve Wetland Construction and ongoing Flood Mitigation Reactive Complaint Upgrades.
- New floodlighting at Ferntree Gully Bowls Club, Scoresby Reserve, Wally Tew Reserve, Ferntree Gully and Kings Park, Upper Ferntree Gully - Oval 2 Upgrades to the floodlighting at Pickett's Reserve, Ferntree Gully, and Carrington Park, Knoxfield.

Buildings and facilities New/Upgrade works included the following:

- Batterham Reserve, The Basin - Extension to existing pavilion change rooms (female change).
- Knox BMX Track - New Storage & Start Gate Structure.
- Placemakers Site Building Reconstruction.
- Billoo Park Preschool - Toilet and Storage Upgrade.
- Aimee Seebeck Hall, Amenities Upgrade.
- Orana Neighbourhood House Kitchen Upgrade

2.5 Major Projects Programs

The Major Projects Program Adjusted Budget totalled $48.58M of which $22.65M or 46.6% was expended or committed.

During 2019-20 the Major Project works included the following:

- Stamford Park - Adventure Play Precinct works commenced.
- Knox Regional Sports Park – Continued consultation.
- Henderson Road Bridge - Bridge and Valley View Drive LATM complete.
- Boronia Precinct Planning – Planning Scheme in Ministerial negotiation continuing.
- Modular Building Program - Wally Tew and Colchester Reserve pavilions complete.
- Knox Operations Centre Relocation – Staff commenced occupation.
- Fairpark Reserve - Pavilion Upgrade (incorporating U3A extension) – Design underway.
- Lewis Park, Wantirna South Masterplan – Design and consultation underway.
- Carrington Park Senior Citizen Centre - Design and consultation underway.
- Knox Regional Netball Centre Extension – Detailed design commenced.

Major Projects account for just on $30M of the $45M carry forwards. Within this $30M carry forward figure is funding required for the Knox Central Development Package projects (including library elements. Some of these funds have been carried forward over a number of years.

2.6 Environmentally Sustainable Development (ESD) Achievements

As required by Council's *Sustainable Buildings and Infrastructure Policy 2019*, a summary of ESD projects addressing the policy in the 2019/20 capital works program is provided below.

Major Initiatives (Buildings)	
• Knox Operations Centre	The New Operations Centre has been completed with the following ESD elements: • Upgraded Wall and Floor insulation, • Roof colour with lower solar absorption value, • Insulated roof panels, • High performance glazing, • LED lighting throughout with occupancy and daylight sensor controlled lighting, • Use of natural lighting including skylights, • 40kW Solar Panels, • Rainwater Tanks for toilet flushing and vehicle washing, • Staff bicycle parking, and • Electric Vehicle charging stations for fleet vehicles (1 fast charge and three overnight chargers)

Road Resurfacing Program	
• **Recycled asphalt**	A trial project using recycled asphalt containing high-density polyethylene plastic and recycled glass from kerbside recycling was used as part of a road resurfacing program. It's estimated over 3,300 plastic bottles were recycled as part of this trial.
Sustainability Initiatives Capital Works Program 19/20	
• **Energy Performance Contract**	Solar Panel installations completed as part of the Energy Performance Contract projects: • 30kW at Ferntree Gully Library and Community Arts Centre • 25kW at Knox Regional Netball Centre
• **Solar in Community Facilities Program**	Solar Installations the following sites: • 35kW at Knox Gardens Pavilion • 15kW at Murrindal Childrens Centre • 10kW at Liberty Childrens and Family Centre
• **Energy Retrofits for Community Buildings**	LED Lighting upgrades at: • Knox Civic Centre • Liberty Childrens and Family Centre • Murrindal Childrens Centre • Knoxfield Children and Family Centre • Carrington Park Senior Citizens' Centre

2.7 Integrated Stormwater Solutions Program Achievements 2019/20

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 2019/20:

- Completed full redesign package for the Retrofit of ‘old’ stormwater harvesting systems at Eildon Park, Batterham Reserve, Fairpark and Knox Gardens and the construction of these works is currently underway. This will ensure optimal stormwater is harvested for oval irrigation, without dependence on drinking (potable) water supplies (conserving water and irrigation costs).
- Completed Stage 1 drainage upgrade works at Pearl Place, Ferntree Gully as part of 1825 Ferntree Gully – flood mitigation works. While the primary driver of this project is to mitigate the impacts of flooding, there are a range of broader benefits to be gained across project stakeholders and the community such as integrated water management, improving waterway quality, urban cooling and greening.
- Community consultation process is underway for a new stormwater quality treatment wetland for Koolunga Reserve (Ferntree Gully) – 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 2020-2021.
- Completed construction of 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.
- Rehabilitation of Waterford valley lakes is completed. This work will provide benefit to the local community and local flora and fauna.
- Melbourne Water completed the construction of Blind Creek Daylighting initiative in collaboration with council, South East Water and Department of Environment, Land, Water and Planning (DELWP). A section of the creek was brought back to life in Boronia which had been hidden underground for more than 50 years improving the natural cooling mechanisms across the city.
- Completed Detailed Design plans for new stormwater treatment wetlands at Egan Lee Reserve for a new stormwater quality treatment wetland for Koolunga Reserve (Ferntree Gully) – 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 2020-2021.
- Received two grants from Melbourne Water’s Living Rivers Program – one for a stormwater quality treatment wetland at Koolunga Reserve (Ferntree Gully) and another to engage the Water Sensitive Cities Audit Officer.

3. CONSULTATION

Communication and decision making is aided by monthly progress briefings with the Executive Management Team and regular 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 new projects, Program and Delivery Coordinators will engage with the Community Engagement Lead and/or Communications Team, as appropriate, to assist with the development of engagement and communication plans, and the implement of such plans. For multi year projects, initial consultations and communications may have been developed and commenced years prior to construction phases.

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 continued use of warm season grasses conversions and the establishment of an ongoing Capital Works Program focussed on delivering sustainable outcomes for structured sports (water harvesting).

Through the introduction of Council's Sustainable Buildings and Infrastructure Policy in 2019, Council has the ability to reduce its consumption of valuable natural resources. The reduction in consumption has a longer lasting effect in that it will reduce Council's operating costs into the future, reduce carbon emissions, protect local waterways and biodiversity values, reduce the use of potable drinking water and assist in Council delivering on many of its established strategies.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Of the Revised Capital Works Program budget $101.51M, a net amount of $45.39M is proposed to be carried forward to the 2020/21 budget to enable the completion of projects committed or underway. This comprises $29.95M in Major Projects, $5.75M in Asset Renewal and $9.69M 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 $222.9M and support 597 jobs (Source: REMPLAN Knox March 2020). 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 Selman Avenue, Forest Road, Windermere Drive, 1101 Burwood Highway, Burwood Highway Service Road and Sheraton Road, Ferntree Gully; Barmah Drive, Wantirna; and Albert

Avenue, Boronia; and Albert Street, Upper Ferntree Gully promotes community health and wellbeing.

Similarly, oval renewal at Milpera Reserve, Wantirna and works at Batterham Reserve, The Basin; Seebeck Reserve and Eildon Park Reserve, Rowville; Knox Regional Sports Park, Wantirna South; Knox Park, Knoxfield; Lakesfield Reserve, Lysterfield; Regional Netball Courts and Fair Park Reserve, Ferntree Gully, facilitate Council's goal to value our natural and built environment as well as promoting 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 2019/20, Council successfully completed, committed or commenced 90.4% of capital works projects (of the total program of projects). Council performed well in the Renewal and Legal Requirements Programs where 91.4% and 100% of the adjusted revised budget was expended or committed respectively.

Improvement was experienced in the delivery of the New/Upgrade Program where 76.9% of expenditure was expended or committed, up from 55.3% last year. The New and Upgrade program has gone from $12M to $22.7M in the last two years, with the expenditure rising from less than $7M to $12.6M in that period.

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 minimal increase in staff resources over recent years to support the delivery of the expanded capital works program, more than doubling in 4 years (from $49.5M in 2015/16 to $101.5M in 2019/20). This includes the removal of the nearly $10M Information Management Program in 2018/19. A team of managers involved in Capital works delivery is currently pursuing ways to enhance capital works delivery, including place based project delivery and bundling of projects, whilst ensuring existing staff are supported in the delivery of the program and additional resources are sought where required.

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 Extension - Sanpoint Pty Ltd (LD Total) - 2505 - Maintenance of Open Spaces and Road Reserves

SUMMARY: Coordinator Active Open Space, Lara Wilson

This report considers and recommends acceptance of a variation to the schedule of rates pricing for Sanpoint Pty Ltd to enable ongoing service delivery for the Maintenance of Open Spaces and Road Reserves as part of the contract extension process.

RECOMMENDATION

That Council:

1. **Exercise its option to extend Contract 2505 – Maintenance of Open Spaces and Road Reserves with Sanpoint Pty Ltd subject to:**
   a. **A variation to the rates item Roadsides and Undeveloped Blocks as proposed by Sanpoint Pty Ltd for the term of the extension as set out in confidential Attachment**
   b. **A variation to schedule of rates item Reserves Area 1 as proposed by Sanpoint Pty Ltd for the term of the extension as set out in confidential Attachment 1.**
2. **Note expenditure under this contract in 2019/20 was within Council's adopted operational 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 a further extension to Contract No. 2505 – Maintenance of Open Spaces and Road Reserves to the maximum five-year contract term.**

1. INTRODUCTION

Contract 2505 – Maintenance of Open Spaces and Road Reserves was awarded to three parties at the Ordinary Meeting of Council on 26 August 2019. The contract had an initial term of one year with the option for two, two-year extensions. The contract commenced on 1st September 2019.

Contractors Skyline Services Pty Ltd and Shenoc Pty Ltd have had extensions to their contracts approved by the Chief Executive Officer pursuant to the resolution of Council on 26 August 2019.

Sanpoint Pty Ltd have requested a variation in the schedule of rates pricing for two of the three service items they provide.

As the variation proposed by Sanpoint Pty Ltd differs from the report to Council in August 2019, extension of the contract is considered outside the scope of the Chief Executive Officer's authorisation to extend their contract.

2. DISCUSSION

Sanpoint Pty Ltd has submitted a proposal to vary its rates as part of any extension of Contract 2505. Details and an analysis of the amended proposal are included in confidential Attachment 1.

Sanpoint Pty Ltd's revised rates remain competitive, and overall represent ongoing value to ratepayers. Consequently, officers are recommending a contract extension be granted to Sanpoint Pty Ltd.

3. CONSULTATION

Not applicable.

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

The proposed variation in rates will impact the total cost of services performed under contract 2505 in 2020/21, however officers will work closely with all contractors to ensure an appropriate level of maintenance can be achieved within the parameters of the 2020/21 budget allocations.

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 3 - We can move around easily

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 4.3 - 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, Matt Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Given that the updated schedule of rates proposed for the contract extension are at competitive market rates, and the quality of service is high, it recommended that Council accept the revised schedule of rates proposed by Sanpoint Pty Ltd and apply them with the contract extension and any further extensions granted under delegation of the CEO.

10. CONFIDENTIALITY

A separate confidential attachment has been provided given that information the confidential report consists of:

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
(b) private commercial information, being information provided by a business, commercial or financial undertaking that—
    (i) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

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

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

Attachments

Confidential Attachment 1 has been circulated under separate cover

8.3 Eastern Region Pest Animal Strategy

SUMMARY: Biodiversity Coordinator, Nadine Gaskell

At the 18 December 2017 Ordinary Council meeting, Council endorsed the recommendation to develop a Regional Pest Animal Strategy in collaboration with the Eastern Region Pest Animal Network. This approach was to ensure a strategic and coordinated approach to pest animal management across the region.

Since this time, Knox City Council has led the development of the Eastern Region Pest Animal Strategy 2020 -2030 (Attachments 1 and 2) which is now complete and is being presented to Council for endorsement.

RECOMMENDATION

That Council endorse the Eastern Region Pest Animal Strategy as per Attachments 1 and 2 to this report.

1. INTRODUCTION

Invasive species pose one of the most significant threats to Australia's ecosystems and agricultural enterprises. In Victoria, animal pest invasions have resulted in sustained declines in biodiversity, reduction in land productivity and increased market prices for the consumer. Despite pest management being regarded as a priority by many government bodies, community groups and landowners, pest animals continue to increase in range and density.

Knox City Council has a strong commitment and obligation to the protection and enhancement of its biodiversity. An important component of conserving biodiversity is understanding and managing the threats that affect particular species or ecosystems. One of the key threats to the conservation of biodiversity is pest species, primarily through predation, damage to vegetation or habitat, and competition.

In 2016, as a response to Councils' Biodiversity Service review, Knox City Council led the establishment of an Eastern Region Pest Animal Network (The Network) across Melbourne's East.

The Network consists of a mix of Local Government, statutory agencies and Victorian Government bodies. Each were concerned about pest management across the Melbourne Eastern Region. This voluntary network came together with the understanding that animal pest management is best implemented with well-coordinated action across land tenures with shared knowledge, capacity and resources.

The Network has worked together to develop The Eastern Region Pest Animal Management Strategy 2020-2030, with the main purpose to provide a clear direction that coordinates these agencies for the management of five priority pest species across eastern Melbourne.

The Network engaged Eco Logical Australia (EA) to facilitate the development of this Strategy. EA carried out the desktop research and facilitated a consultation process which included a mix of online surveys, interviews and workshops to draft the strategy with 18 government agencies, including 13 councils.

This report is seeking endorsement of the Regional Pest Animal Strategy with a commitment to work in partnership with all members of the Network towards the implementation of the *Eastern Region Pest Animal Management Strategy 2020-2030*.

2. DISCUSSION

The Strategy sets a common vision, with four (4) main goals and a set of actions including Standard Operational Procedures for each priority species.

VISION: Working together to minimise the impacts of pest animals across the region. The network will work to achieve the vision through the following goals:

The Strategy addresses current and potential animal pest problems that impact on primary industries, ecosystems and social well-being across both urban and peri urban environments in the Eastern Melbourne region.

The *Eastern Region Pest Management Strategy 2020-2030* establishes a region-wide planning framework to provide clear direction to government, community, industry and individuals for the management of five priority pest species across eastern Melbourne:

- European Fox
- Feral Cat
- European Rabbit
- Feral Deer
- Common (Indian) Myna

The Strategy enables all stakeholders to recognise and accept their roles and responsibilities and commit to long-term coordinated pest animal management. It is envisaged that each agency will tailor their own action plan to meet the long-term goals.

The Strategy itself has a lifespan of ten years. Strategy effectiveness will be monitored and assessed by the Network, according to predefined Key Performance Indicators.

3. CONSULTATION

Regular Network meetings were held with all partners including the Department of Environment Land Water and Planning (DELWP), Melbourne Water, VicRoads, Parks Victoria, Port Philip and Westernport Catchment Management Authority and Agriculture Victoria.

The 13 Local Government Agencies include:

- Knox City Council;
- Maroondah City Council;
- Boroondara Council;
- City of Casey;
- Nillumbik Shire Council;
- City of Greater Dandenong;
- Yarra Ranges Council;
- Banyule Council;
- Manningham City Council;
- Frankston City Council;
- Monash City Council;
- Cardinia Shire Council; and
- Whitehorse Council.

4. ENVIRONMENTAL/AMENITY ISSUES

Invasive species pose one of the most significant threats to Australia's ecosystems and agricultural enterprises.

Managing priority pest animals using a coordinated, collaborative, regional approach will have a greater positive impact on ecosystem/biodiversity conservation.

5. FINANCIAL & ECONOMIC IMPLICATIONS

A regional contribution of $90,000 from State Agencies and Local Government Agencies, allowed for the development of the *Eastern Region Pest Animal Strategy 2020-2030.* Knox Council's contribution to the Strategy was $5,000 plus officer time to coordinate the project.

The current Knox Council annual operational budget of $50,000, allows Knox Council to deliver local pest animal actions which align with the Eastern Region Strategy.

When working in partnership with regional partners the outcome for the financial contribution is greater.

The regional coordinated approach using consistent timing, methodology and neighbouring agencies working in partnership allows more effective time and resource management and more effective outcomes.

The Strategy will provide an opportunity to leverage external funding from State Government agencies and philanthropic organisations.

Any future actions arising from the Regional Strategy, requiring additional funding will be presented as a business case during the budget process.

6. SOCIAL IMPLICATIONS

Knox City Council's vision 2035 outlines:

"Knox has a rich natural environment and picturesque landscape, highly valued by residents and visitors alike."

Our Knox community have indicated strongly that they value the green leafy image of Knox. During the community consultation process for Vision 2020, 97% of the surveyed residents identified the natural environment as very important or important.

The value of biodiversity and green open spaces has been well demonstrated during the current social isolation restrictions, where there has been a significant increase in visitation to parks and bushland reserves for passive recreation and supporting physical and mental wellbeing.

Implementation of the Regional Pest Animal Strategy will support the conservation of these important natural ecosystems.

The Strategy will include a community engagement program, where community members are encouraged to use citizen science to record their sightings through Feral Scan.

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

Goal 1. We value our natural and built environment

1.1 Protect and enhance our natural environment.

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 Biodiversity – Nadine Gaskell - In providing this advice as the Author, I have no disclosable interests in this report.

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

9. CONCLUSION

The desired outcome of this Eastern Regional Pest Animal Strategy is to manage the priority pest animals in a coordinated, collaborative, efficient manner in order to ensure the best outcome across the region at the best scale of economy.

10. CONFIDENTIALITY

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

Report Prepared By: **Biodiversity Coordinator – Nadine Gaskell**

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

Attachments

1. Attachment 1 - Eastern Region Pest Animal Strategy 2020-2030 Volume 1 [**8.3.1** - 80 pages]
2. Attachment 2 - Eastern Region Pest Animal Strategy 2020-2030 Volume 2 [**8.3.2** - 64 pages]

Eastern Region
Pest Animal Strategy
2020-2030 Volume 1

This strategy has been collaboratively developed by the Eastern Region Pest Animal Network. The Network is comprised of representatives of individual Local Government Areas as well as public land managers and authorities including Melbourne Water, Parks Victoria, Port Phillip and Westernport Catchment Management Authority and the Department of Environment, Land, Water and Planning. The following organisations support this strategy. Participating organisations support the broad objectives of the strategy and will seek to collaborate on regional pest animal management. These organisations will tailor actions to suit their organisation and are not bound to undertake all actions in the strategy, but continue to work collaboratively with Network partners to achieve the vision of 'Working together to minimise the impacts of pest animals across the Region'.

Eastern Region Pest Animal Network

Document Tracking

Project Name	Eastern Region Pest Animal Network
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This report should be cited as 'Eco Logical Australia 2020. Eastern Region Pest Animal Strategy 2020-2030 Volume 1'. Prepared for the Eastern Region Pest Animal Network.

We acknowledge the Traditional Owners of the land in which this strategy is based upon. We pay our respects to their Elders, past and present.

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Abbreviations

A list of abbreviations used in this strategy can be found at the end of this document.

Disclaimer

This document may only be used for the purpose for which it was commissioned and in accordance with the contract between Eco Logical Australia Pty Ltd and Knox City Council (on behalf of the Network). The scope of services was defined in consultation with Knox City Council (on behalf of the Network), by time and budgetary constraints imposed by the client, and the availability of reports and other data on the subject area. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up to date information. Eco Logical Australia Pty Ltd accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any third party. Information provided is not intended to be a substitute for site specific assessment or legal advice in relation to any matter. Unauthorised use of this report in any form is prohibited.

Executive Summary

To mitigate and minimise the impact of pest species across the eastern Melbourne region, a coordinated, collaborative and consistent approach is needed to enable local pest management actions to have the greatest impact.

This is best achieved through a planning framework that delineates legislative responsibilities, current and potential pest problems and, provides an action plan to reduce the impact of pests on biodiversity, primary industry and social well-being.

The Eastern Region Pest Animal Strategy 2020-2030 has been developed in response to this need and establishes a region-wide planning framework to provide a clear vision, principles, regional goals, standards and protocols to guide Network members and support all stakeholders in effective management of priority pest species across eastern Melbourne.

The Strategy covers the following priority pest species:

- European Fox
- Feral Cat
- European Rabbit
- Feral Deer – Fallow, Red and Sambar deer
- Common (Indian) Myna

In preparing this Strategy, management principles and animal welfare were considered for pest animals and incorporated into the desired goals, objectives and strategic actions.

The vision ***Working together to minimise the impacts of pest animals across the Region*** will be achieved by all stakeholders working in a coordinated and collaborative way.

The Network will work to achieve the vision through the following goals:

Goal 1

Provide leadership and coordination for the management of priority pest animal species.

Goal 2

Increase awareness, understanding and capacity building regarding priority pest animal management.

Goal 3

Mitigate the impact of established priority pest animals on biodiversity, primary industry and social well-being.

Goal 4

Monitor, evaluate and report to inform and continuously improve priority pest animal management.

This Strategy will be used by Network members to develop Local Action Plans. Network members will use the Strategy to raise awareness of the joint responsibility required by all landholders to effectively manage pests. The Network will provide shared learning opportunities and facilitate collation of regional pest information. This requires ongoing commitment by all stakeholders to the monitoring and reporting of pest animal impacts, dispersal and extent, so that decisions can be based on appropriate and adequate information. A strategic planning framework is used to manage both emerging pest problems before they become major issues, and to manage the impacts of existing established pest animals. The Strategy has a lifespan of ten years with a review at the end of five years. Strategy effectiveness will be monitored and assessed according to predefined Key Performance Indicators.

1 Introduction

Pest animals have pronounced environmental, social and economic impacts in the Eastern Region. Pest animals' impact on people, businesses, agricultural productivity and biodiversity in the rural, peri-urban and urban parts of this region.

In response to the multi-faceted pest animal problem facing the region, the Eastern Region Pest Animal Network (the 'Network') was formed. The Network was established in 2016 to share learnings and develop a coordinated approach to pest animal management. The Network seeks to maximise return on investment and improve the regional ability to respond to pest animal incursions to protect key biodiversity, primary industry and social assets. The Network is comprised of representatives of individual Local Government Areas (LGA's) as well as public land managers and authorities including Melbourne Water, Parks Victoria, Port Phillip and Westernport Catchment

Management Authority (PPWCMA) and the Department of Environment, Land, Water and Planning (DELWP). These agencies jointly developed this Strategy.

In developing this Strategy, the Network recognises and supports the efforts of landholders, Landcare Groups, friends of groups and the broader community to control priority pest animals.

For the purposes of this Strategy, the definition of a pest animal is 'non-native (introduced) species that are, or have the potential to become, established in the wild through escape from captivity, deliberate or accidental release and accidental or illegal importation'.

This Strategy applies to eight priority pest species (Table 1). These species were selected due to their impacts on native biodiversity, risk to safety and production values and local community concerns in the Eastern Region.

Priority pests	**Declared status – CaLP Act 1994**
European Fox *(Vulpes vulpes)*	Established pest animal
Cat *(Felis catus)*	**Feral** Declared an established pest animal on specified Crown land managed by DELWP, Parks Victoria, Phillip Island Nature Park and the four Alpine Resort Management Boards. Not declared on private land. **Stray** Not declared **Domestic** Not declared
European Rabbit *(Oryctolagus cuniculus)*	Established pest animal.
Feral Deer[1] 1. Fallow *(Cervus dama)*, 2. Red *(Cervus elaphus)*; 3. Sambar *(Cervus unicolor)*	Not declared. Defined as protected wildlife under the Wildlife Act 1975.
Common (Indian) Myna *(Acridotheres tristis)*	Not declared

Table 1. Eastern Region priority pest species

These pest species are common across Melbourne's east, are increasing in extent and abundance and are having significant impacts on key assets. Effective pest management of these species involves a combination of preventing their dispersal into new areas and managing the negative impacts of those species that have become established.

This Strategy is comprised of two volumes, the first containing the strategic direction and the second containing detailed species protocols and survey results.

1 For the purposes of this Strategy, three species of deer present in the Eastern region are referred to collectively.

1.1 Purpose of the Strategy

This Strategy provides a regional framework for vertebrate pest animal management in the Eastern Region. Effective, long-term pest animal management requires cooperation from most land managers in an area. The Strategy articulates agreed pest animal management principles and overarching objectives for regional pest management. This Strategy provides regional standards and targets to guide all stakeholders in planning and implementing on ground controls. Through effective collaboration, the Network seeks to maximise return on investment and the ability to respond to pest animal incursions to protect valued regional assets.

The Strategy aims to:

- Identify how coordinated, cooperative and effective management of pest animals can be achieved across the Eastern Region.
- Address the risks and impacts of pest animals on priority biodiversity, primary industry and social assets of the Eastern Region.
- Improve management of invasive animals through effective evaluation, monitoring and reporting.
- Identify best practice pest animal management approaches in the urban, peri-urban and regional contexts.

This Strategy has a lifespan of ten years with a review of progress at five years. This Strategy is not intended as an operational document; however, it does provide operational protocols and information standards. This will enable consistent reporting on the pest problem and facilitate ongoing improvement in regional capacity to refine operational investments. The strategy supports community capability building and engagement with this shared responsibility.

Feral Cat: commons.wikimedia.org/wikipedia/commons/3/3d/Feral_cat_with_galah.jpg

1.2 Study Area

The Eastern Melbourne Region covers an area of over 5,395 square kilometres. The Region comprises diverse landscapes, multiple land tenures and a mix of peri-urban and urban municipalities from across the east and south-east of Melbourne. The study area lies within the Port Phillip and Western Port Catchment Management Area and encompasses areas outside of Melbourne's urban growth area boundary. The study area contains large areas of native vegetation managed by agencies such as Melbourne Water and Parks Victoria, farmland and residential areas, coupled with, highly urbanised areas such as Boroondara Council, located only a few kilometres from Melbourne's CBD.

Bordered by the Yarra Ranges National Park to the north east, the region's landforms and vegetation communities range from dense Mountain Ash Forest and Cool Temperate Rainforest, through Plains Grassy Woodlands and native grasslands of the Victorian Volcanic Plain to remnant native bushland located in isolated reserves in the inner city. Primary industries are diverse and include livestock grazing, vineyards, orchards, timber plantations and a range of small-scale hobby farms. The region contains significant environmental assets such as the Yarra River, Bunyip State Park, Warrandyte State Park, Yarra Ranges National Park, Kinglake National Park and Dandenong Ranges National Park, inclusive of environmentally sensitive water catchment areas and the waterways.

Factors that currently influence pest animal management within the Eastern Region include restricted resources available for pest management, diversity of private and public land managers, changes in land use (i.e. increasing urbanisation), absentee land managers and small hobby farms, urban areas and public places with limited control options. Pest management is constrained by a lack of driving leadership and co-ordination across land tenure.

Management of wild deer is particularly limited by available control options (specifically in the peri-urban context), legislative protection (leading to current complexities that govern control permits) and limited funding (hampering regional control in early invasion stages in some regional locations). There are public safety concerns around the use of firearms in built up areas. Deer shooting in the more urban areas, is not permitted unless conducted by a professional with a Populous Place Permit in accordance with local orders and current legislation.

The Eastern Region borders the Goulburn Broken and West Gippsland CMA's, as well as the City of Melbourne. There are limited inter-regional co-operative programs in place for pest species with most regions undertaking their own pest control programs.

Eastern Melbourne Region

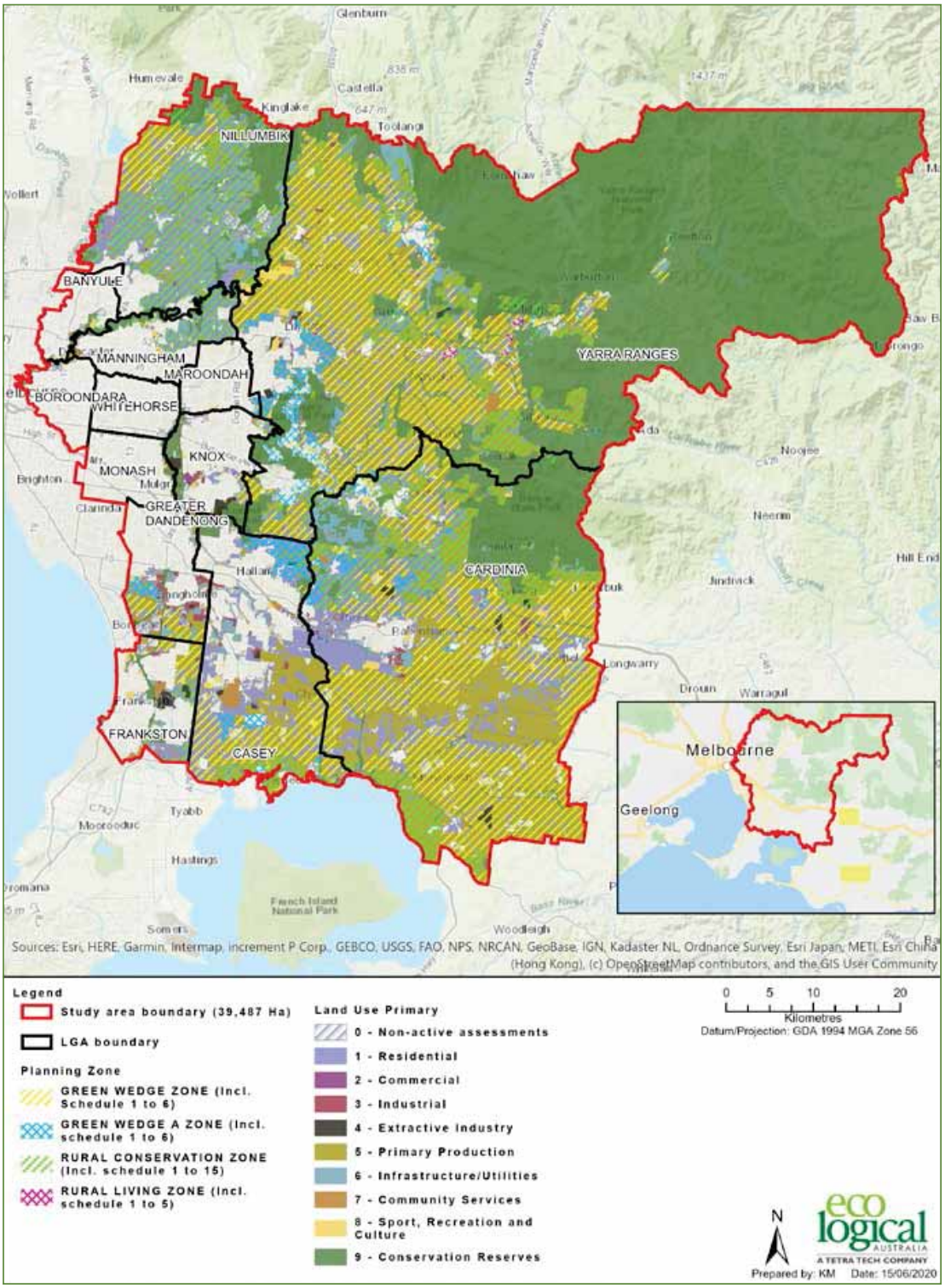


Figure 1. Study area

1.3 Network Partners

The Network has been established across Melbourne's East, demonstrating a level of collaboration and interest in making progress on this critical issue. This voluntary network of agencies understands the cumulative value in coordinated action across tenures and the exponential benefits gained from sharing knowledge, capacity and resources to tackle pest management. The current Network members are listed in Table 2.

Table 2: Eastern Region Pest Animal Network Members

Organisation	
Banyule City Council	Knox City Council (Network Coordinator)
Cardinia Shire Council	Manningham City Council
City of Boroondara	Melbourne Water
City of Casey	Nillumbik Shire Council
City of Greater Dandenong	Parks Victoria
City of Monash	Port Phillip and Westernport Catchment Management Authority
City of Whitehorse	VicRoads
DELWP	Yarra Ranges Council
Frankston City Council	

1.4 How this Strategy was Developed

This Strategy has been developed with input from members of the Network. The Network has agreed on a risk management approach to pest control. This considers both the strategic benefit to biodiversity and key assets and, the return on investment by addressing incursions early in the invasion cycle.

The evidence base for this Strategy has been collated via desktop research and stakeholder consultation with a view to leverage existing knowledge in the region. Additional records from control programs, community groups and FeralScan have contributed to the knowledge base. Councils have provided high level summary data of known extent and severity of pest species. This has been informed by community records and existing, local feral management works.

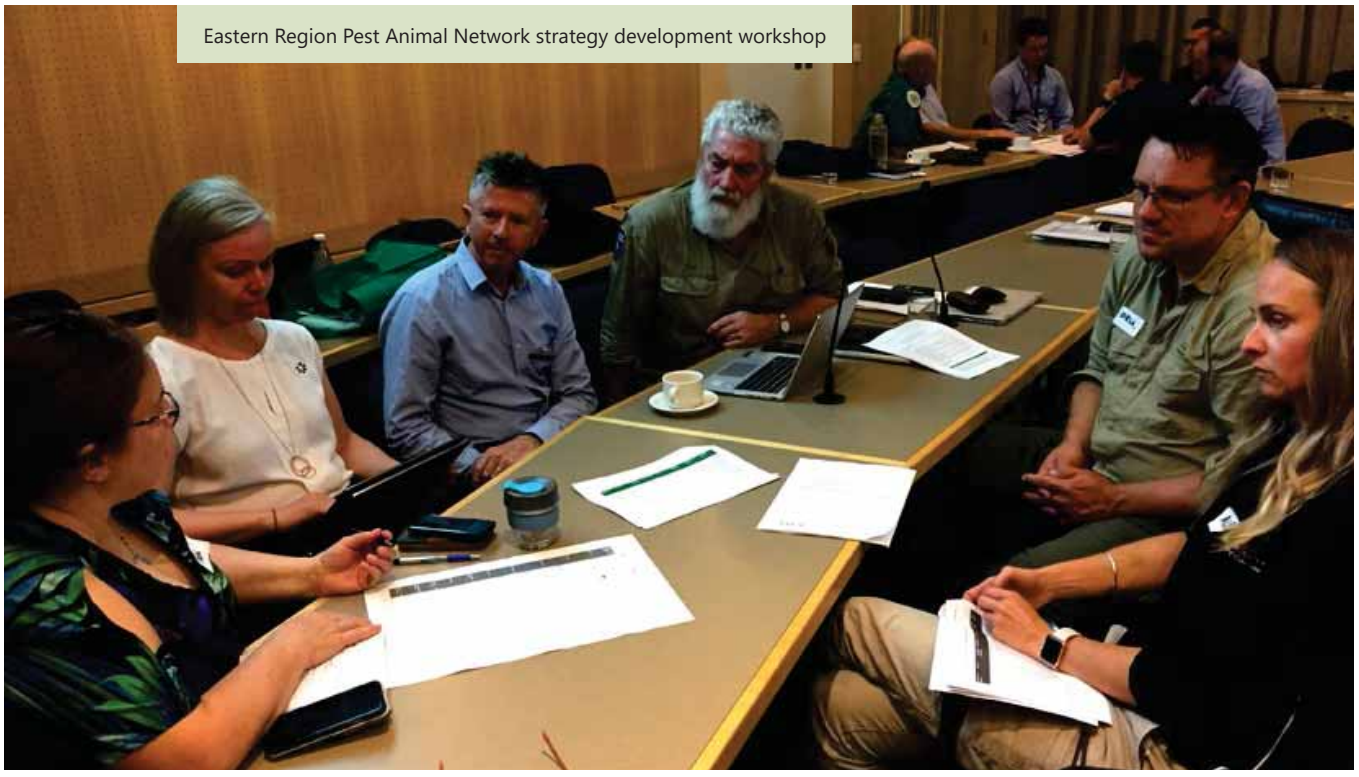
Initial consultation was undertaken with Network members from October 2019 to March 2020, via an online survey, individual phone interviews and two workshops. A summary of anonymised online survey and interview results are provided in *Volume 2*.

The workshops provided an opportunity to develop and refine the Strategy's vision, guiding principles, objectives and actions. This process was overseen by the Network steering committee.

This identified:

- Current knowledge base of the extent and severity of priority pests including data gaps.
- Key assets in need of protection from priority pest animals.
- Reported impacts of pest species on natural and community assets.
- Insights from different pest control mechanisms trialed in the region.

A desktop literature review and data audit were conducted in parallel to collating stakeholder knowledge.



Eastern Region Pest Animal Network strategy development workshop

1.5 Eastern Region SWOT Analysis

A Strengths, Weaknesses, Opportunities and Threats analysis was undertaken to understand the internal and external factors affecting pest management by Network partners.

STRENGTHS

Coordination and communication between Councils, state government and public land managers is improving.

Effective partnerships developed between Councils and public land managers (VicRoads, Parks Victoria and Melbourne Water) as part of the Network.

Effective partnerships developed between individual Councils and some Landcare and 'Friends of' groups to control pests.

Long-term strategic approach to pest control steadily improving.

Existing, independently verified control methodologies and monitoring actions (e.g. Melbourne Water deer program) are in place.

Funding and in-kind assistance provided to Landcare and private landholders to implement pest control actions.

Anecdotal evidence of pest distribution, current impact and areas prone to establishment.

WEAKNESSES

Lack of baseline data on the status (extent/ severity) of target pest species across the region.

Lack of effective data management within and between Councils, leading to reduced efficiency of pest control programs.

Lack of a consistent, robust and practical monitoring and evaluation framework to assess the effectiveness of pest control programs.

Lack of appropriate control methods that can be used in urban environments.

Generally, a low appetite for risk amongst community, councillors and program managers. E.g. shooting as a control measure.

Existing, independently verified control methodologies and monitoring actions (e.g. Melbourne Water deer program) that are in place are geographically restricted.

Current pest control programs are largely uncoordinated, and target known (reported) infestations or respond to community concerns. Often pest animals recolonize once control has ceased.

Insufficient awareness amongst new residents, particularly in peri-urban areas about land management including pest animals.

Minimal sharing of information (e.g. pest control methods, community education materials, pest data) between Network members

OPPORTUNITIES

Develop shared methodologies for controlling targeted pest species.

Develop an updated, shared database to store invasive species and biodiversity data.

Develop a Monitoring, Evaluation and Reporting framework to evaluate the impact of pest control across the region. Assess pest coverage and dispersal patterns to plan and implement a coordinated and control program across the region.

Engaged community using resources like Feral Scan to submit records of pest species and assist in monitoring extent and severity of target pest animals.

Opportunities to work with volunteers and local, licensed hunters.

Develop shared communications plan for use by all Councils. Enhance knowledge in the community about pest animal species, key biodiversity assets and appropriate pest control techniques.

Unified Network with shared messaging. Increased leverage and pulling power with State government and funding bodies to generate additional funding for pest control programs in the region.

Partnership programs with council members of the Network. E.g. group applications to receive grant funding.

Ensuring techniques are the most practical, cost effective and humane for pest animal control.

THREATS

Changes in temperature, rainfall and fire associated with climate change is likely to result in changes to the severity and extent of pest animal species.

Spread of pest animals from adjoining private land has the potential to undermine Council and public land manager control actions.

Potential low impact of control options on cats which are undeclared pest animals unless located on Crown land.

Deer expansion in urban and peri-urban areas increases public safety risk.

Low participation in reporting, monitoring and implementation of pest control actions by private landholders and community.

Change in legislative context could require a review of the Strategy.

Lack of guarantee around level of State funding for pest animal management.

Participation in Eastern Region Pest Animal Network ceases resulting in lack of governance and coordinated regional approach to pest management.

Community members who are poorly informed or idealistically opposed to pest control can disrupt control programs.

Image: David Croft/Department of Planning, Industry and Environment

2 Governance Framework

The Strategy has been developed within the context of a broad range of National and State legislation, policy, strategies and plans relevant to the management of pest animals.

2.1 Legislative Context

The *Catchment and Land Protection Act 1994* (CaLP Act) is the principle legislation regulating the management of pest animals in Victoria. Under the *CaLP Act* all landowners have the responsibility to take all reasonable steps to prevent the spread of, and as far as possible, eradicate pest animals on their land. Specific regulations apply to pest categories defined in Part 8 (s64-s67) as shown in Table 3.

Group	Category	Requirement
'Restricted' pest animals	'Prohibited' pest animals may be declared by the Minister if the species did not occur naturally in the wild in Australia before European settlement and it is either a serious threat to primary production, Crown Land, the environment or community health in a place outside Victoria or its potential to threaten primary production, Crown Land, the environment or community health in Victoria is unknown.	Importation, keeping, breeding and trading is illegal and penalties apply.
	'Controlled' pest animals may be declared by the Minister if it did not occur naturally in the wild before European settlement and it is, or has the potential to become a serious threat to primary production, Crown land, the environment or community health in Victoria and it should only be kept in high security collections or at premises approved by the Minister.	
	'Regulated' pest animals may be declared by the Minister if it did not occur naturally in the wild before European settlement and it is, or has the potential to become a serious threat to primary production, Crown land, the environment or community health in Victoria and it should only be kept in collections or at premises approved by the Minister.	
'Established' pest animals	'Established' pest animals may be declared by the Minister if the species is established in the wild in Victoria and are a serious threat to primary production, Crown land, the environment and community health in Victoria.	Land owners have the responsibility to take all reasonable steps to prevent the spread of, and as far as possible eradicate, established pest animals on their land.

Table 3. Pest categories and requirements in the CaLP Act 1994

Foxes and rabbits are declared 'established pest animals' under the Act. Land owners have the responsibility to take all reasonable steps to prevent the spread of, and as far as possible eradicate, established pest animals on their land.

Cats can be grouped into three categories according to how and where they live. The legal implications vary depending on the category. For the purpose of this strategy the following categories are used:

- **Feral cats** are unowned and live completely independently of humans with respect to food and shelter and without veterinary care. Feral cats survive and reproduce in self-perpetuating populations in the wild. By law, feral cats are (feral) pest animals if they are present on designated Crown land. Pest animal control must be carried out in accordance with the requirements of the Prevention of Cruelty to Animals Act 1986 (POCTA).
- **Stray or semi-owned cats**, partly rely on humans for food and shelter (whether it is provided intentionally or not. These cats are not a declared pest but will be considered for management within this strategy.

- **Domestic cats** are owned, and their care and needs are met by their owner. These cats are not declared a pest. However, they will be considered within this strategy for management through means such as Cat Curfews and education programs that aim to protect native flora and fauna from domestic cats.

It is important to note that these categories of cats are artificial and reflect a continuum, and individuals may move from one category to another (Newsome 1991; Moodie 1995).

Deer are recognised as pest animals by land managers, however, they are currently subject to complex regulations. Deer are 'protected wildlife' under the Wildlife Act 1975 and may not be destroyed without authorisation except where they are unprotected under the Act or listed under the CaLP Act. Sambar, Fallow, Rusa, Red (including Wapiti), Sika and Sika Deer - Red Deer hybrids, have been declared 'unprotected' wildlife on private land by way of a Governor in Council Order under section 7A of the Act for a period of 10 years (GMA, 2014).

Six species of deer (Chital, Fallow, Hog, Red, Rusa and Sambar) are also defined as game, which means they can be hunted by licensed game hunters subject to regulations under the Wildlife (Game) Regulations 2012. Under the Wildlife (Game) Regulations 2012 (S.R. No. 99/2012) Schedule 6, all Crown land in the municipal districts of Cardinia Shire Council and Yarra Ranges Shire Council are recognised deer habitat. In addition, some areas of Nillumbik are declared for hunting. Hunters acting in accordance with the Governor in Council Order are still subject to Wildlife (Game) Regulations 2012 when hunting on or traversing land listed in Schedule 6. In all other municipalities, hunting is not permitted and in many areas, deer shooting can only be undertaken by a Professional with a Public Place Permit.

Common (Indian) Myna are not listed as a pest bird under the CaLP Act and there are no legislative requirements to control them. Permission is not required to trap or dispose of Common (Indian) Myna, however obligations for animal welfare apply under the POCTA Act and POCTA Regulations 2019.

Common (Indian) Myna

Figure 2. Eastern Region Pest Animal Strategy Legislative Context

2.2 Policy Framework

This Strategy has been developed to be consistent with the Victorian Invasive Plant and Animal Policy Framework 2009. The risk-based approach in this Strategy is adapted from the Victorian Framework. In addition, this Strategy is further informed by the Australian Pest Animal Strategy, Melbourne Water Pest Animal Strategy, Port Phillip and Western Port Regional Catchment Strategy and local pest management plans (e.g. Nillumbik Council Invasive Species Action Plan).

The Victorian Invasive Plant and Animal Policy Framework prioritises early intervention in pest management and promotes targeted response programs tailored to the stage of invasion. The Invasion Curve plots return on investment from control actions. Management categories correspond with each stage of pest animal invasion (Figure 3). This illustrates that pest animal invasion is most cost effective in the early stages of invasion when the area occupied is low and the costs to control are low relative to costs associated with a widespread infestation.

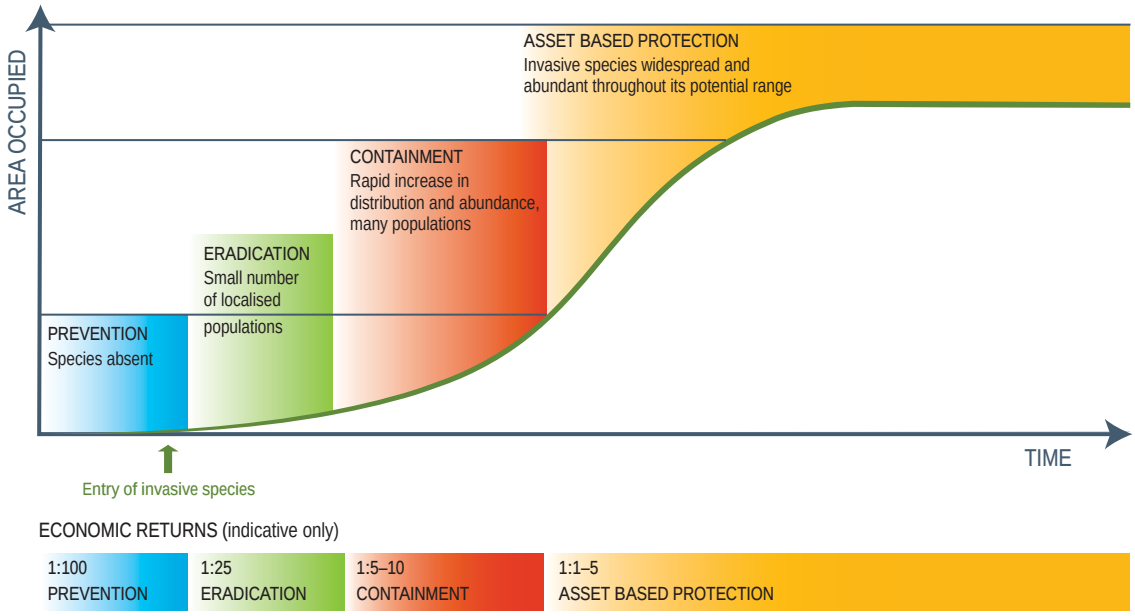


Figure 3. The 'Invasion Curve' Source: Victorian Invasive Plant and Animal Policy Framework (Agriculture Victoria)

Regional goals have been developed for each management category (Table 4).

Prevention/Alert

Goal

Prevent pest animal species arriving and establishing in the Region causing adverse impacts on biodiversity, primary industry and social well-being.

Responsibility

To understand and report any sightings of 'restricted' pest animal species identified under the CaLP Act.

Eradication

Goal

To permanently remove the species from the Region or defined locality and to develop actions to prevent its re-establishment

Responsibility

To participate in coordinated programs and stay up to date with current information on pest animals in the region.

Containment

Goal

Prevent the spread of a pest animal beyond the boundary of its current extent to other parts of the Region.

Responsibility

To participate in coordinated programs, stay up to date and apply best practice pest animal management practices.

Asset Based Protection

Goal

To reduce the impact of widespread pest animals on key assets with high economic, environmental or social value.

Responsibility

To participate in coordinated programs, stay up to date and apply best practice pest animal management practices. Ensure practices are coordinated with the wider community.

Table 4. Pest animal management categories for the Eastern Region

2.3 Roles and Responsibilities

Pest animal management is a shared responsibility across Government, landholders, producers and custodians. Effective pest animal management requires tenure blind, cross collaboration.

Australian Government

Oversee chemical regulation of Pesticides and Veterinary Medicines.

Provide oversight and coordination for emergency responses to pest animal incursions of national significance.

Provide a legislative framework, including biosecurity and environmental legislation, to minimise the risk pre-border and at the border of pest animal incursions including undertaking enforcement actions and regulatory interventions when necessary.

Manage pest animals on Australian Government land in a responsible way, in co-operation with other landowners.

Facilitate coordinated policy across jurisdictions for the management of established pest animals of 'national significance.'

Provide support where there is sustained collective national action to manage an established pest animal by an industry or community.

Support national research and development of improved pest animal control or management when there is a strong public interest to do so, and through matching industry contributions to rural research and development.

Work with state and territory governments to provide mechanisms by which pest animal issues of national significance can be identified and addressed.

Coordinate, facilitate and promote national pest animal management policies and programs.

Provide leadership, coordination and resources for evaluation and education to build public awareness and knowledge of pest animal issues of national significance.

Encourage and support the development and integration of effective pest animal management strategies at all levels of land management.

Promote the development of ongoing partnerships between governments, industry, community and scientists

Support the collection and collation of national pest animal data and information.

Department of Jobs, Precincts and Regions – Victoria

State-wide lead for policy development and implementation for invasive plants and animals.

State-wide lead for policy development and implementation for animal welfare.

Enforcing provisions of the *CaLP Act* aligned to state-wide and regional invasive plant and animal management priorities (e.g. compliance programs for the management of invasive species on private land).

Identification and risk assessment of new high-risk invasive plants and animals.

Contributing data for Strategy monitoring, evaluation and reporting.

Prevention and preparedness to manage new incursions of high-risk invasive plants and animals.

Surveillance programs for early detection of high-risk invasive plants and animals.

Respond to high risk invasive plants and animals into Victoria (new high-risk invasive animal species treated for eradication on private and public land).

Provision of technical and best practice advice on the prevention and management of invasive species declared under the *CaLP Act*.

Department of Environment, Land, Water and Planning – Victoria

Enforcement of the Wildlife Act 1975

Participate as a member of the Eastern Region Pest Animal Network.

Management of Crown land reserves and State forests.

Lead role in delivery of pest animal control programs on public land and completing associated monitoring and reporting.

Facilitate pest control to enhance the survival of isolated populations of threatened species.

Oversight of policy implementation regarding pest animal control to protect biodiversity on public land.

Implementation of regulations, ministerial guidelines, templates and procedures under the *Flora and fauna Guarantee (FFG) Act 1988.*

Development and support of decision support tools including the Strategic Management Prospects Tool.

Parks Victoria

Participate as a member of the Eastern Region Pest Animal Network.

Management of National parks, State parks and conservation reserves.

Delivery of pest animal control programs in parks and reserves.

Contributing data to pest animal monitoring, evaluation and reporting.

Port Phillip and Westernport CMA

Participate as a member of the Eastern Region Pest Animal Network.

Strategic planning and coordination for natural resource management in the region.

Reporting on the condition of the region's natural resources.

Community awareness raising/education on natural resources management issues.

Provision of advice to the Minister on recommendations for the declaration or revocation of invasive species under the *CaLP Act*.

Preparation of the Port Phillip and Western Port Regional Catchment Strategy

Melbourne Water

Participate as a member of the Eastern Region Pest Animal Network.

Contribute data for Strategy monitoring, evaluation and reporting.

Management of Melbourne's water supply catchments and dams, manages rivers, creeks and major drainage systems in and around Melbourne.

Management of water infrastructure including water treatment plants and pipelines.

Same land management responsibilities as other land owners and managers under the *CaLP Act*.

Local Government

Participate as a member of the Eastern Region Pest Animal Network.

Same land management responsibilities as other land owners and managers under the *CaLP Act*. This is sometimes supplemented with a Parks Victoria 'good neighbour' policy.

Implement the *Planning and Environment Act 1987*, develop and implement local planning schemes

Must have regard to promote social, economic and environmental viability and sustainability of the municipal district under the *Local Government Act 1989* (Section 3, part C.2a).

Have the power to make Orders under Part 10C of the *LG Act.*

VicRoads

Participate as a member of the Eastern Region Pest Animal Network.

Maintain highways and declared main roads including all aspects of managing the road reserve, including invasive species management. As land owners, they have the same duty of care responsibilities as other land owners/managers under the CaLP Act.

Contributing data for Strategy monitoring, evaluation and reporting.

Other Landholders

Landholder responsibilities (both private and public) are to address their obligations under the CaLP Act and any local laws with respect to declared pest animals. Public land managers also have obligations under other Acts that must be met by undertaking further pest animal management. Landholders are also responsible for:

Detect and report new pest animal occurrences

Control and manage established pest animals to mitigate, as necessary, the impacts on their own assets, or as required by regulation

Take reasonable steps to minimise the impacts of established pest animals to other landholders and the broader environment, particularly through participation in programs of collective industry or community-led action eg Landcare

Cooperate with and plan pest animal management activities jointly with neighbours, as well as state, territory and local governments, within a landscape scale/cross-tenure approach

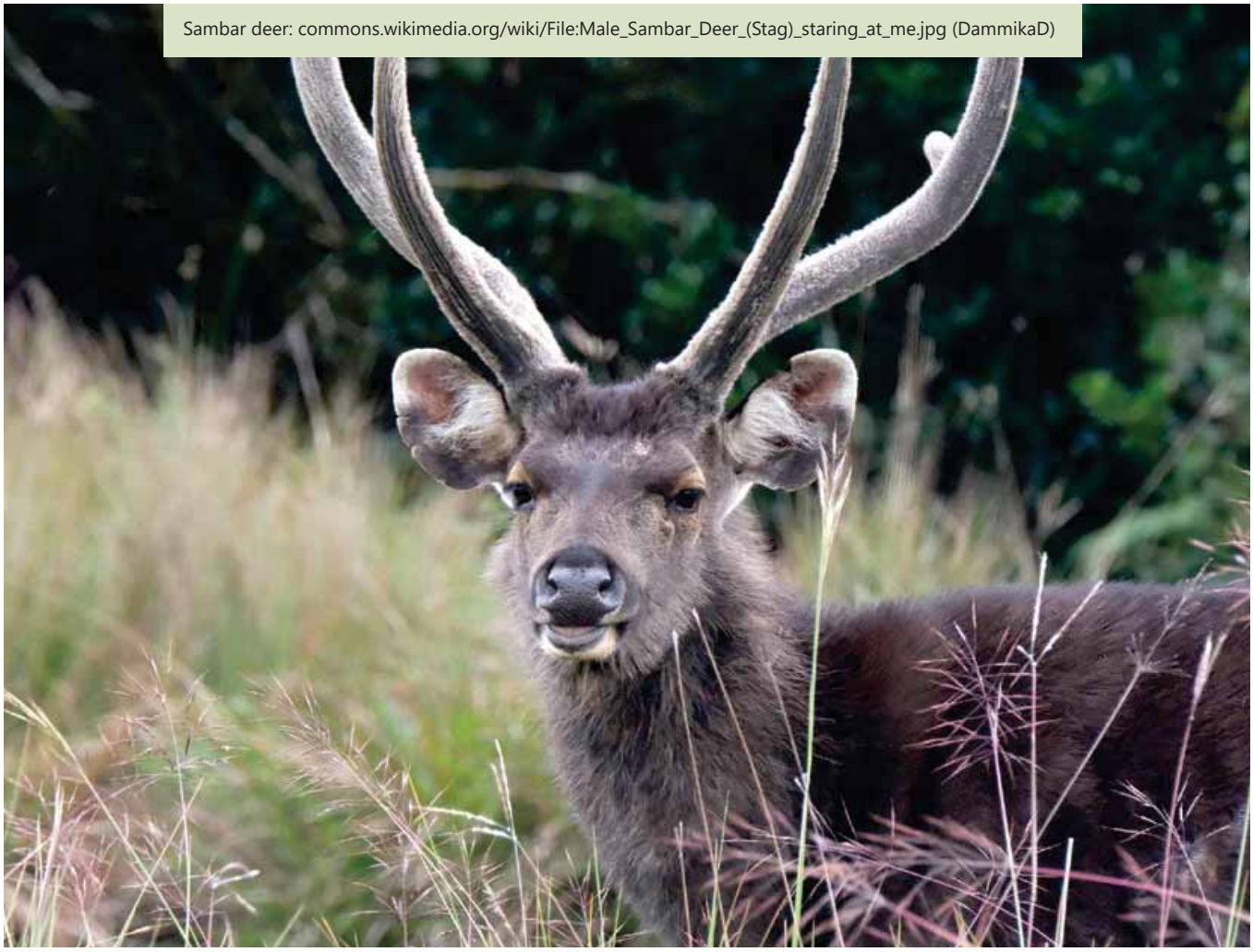
Apply knowledge and skills to improve pest animal management and understand the need to use multiple approaches (e.g. chemical, physical and biological), as part of an integrated pest control approach, to prevent pest animals from adapting to existing controls.

2.4 Regional Collaboration

Regional stakeholders have demonstrated a desire to collaborate on this important environmental issue. Benefits of this approach include cost-effective delivery and accountability and increased knowledge sharing leading to capacity building and strategic landscape-scale outcomes. It may also promote economies of scale that enables Network members to take on more complex projects whilst maintaining base service delivery. The regional collaboration model overcomes obstructions from competitive grant programs if parties agree to and adhere to a regional strategic plan. There are also profound benefits for promoting issues throughout the broader community, whilst dividing or sharing pressure from negative responses. Perhaps most importantly, fostering dynamic relationships benefits all stakeholders.

In practical terms, becoming a regional player means accepting that issues don't conform to public land boundaries and shared resources may be apportioned to greatest benefit rather than on equity basis. This requires trust amongst stakeholders and a commitment to communication.

Important characteristics for successful collaboration are organisational culture, leadership, flexibility, existing relationships and strong change management processes to overcome internal obstacles (Pearson L, Houghton K 2018, Sansom G, James J, Artist S 2015, Somerville Gibbs 2012).



Sambar deer: commons.wikimedia.org/wiki/File:Male_Sambar_Deer_(Stag)_staring_at_me.jpg (DammikaD)

3 Defining the Problem

3.1 Impacts of Pest Animals

Pest animal management is a complex issue for all land managers and there are a wide range of impacts from established and emerging pest species in the region.

The threat or risk from pest animals may be portrayed through different paradigms.

- In managing the region's natural assets, pest animals are a key risk to biodiversity and threatened species.
- In managing the region's social and economic values, pest animals may pose a safety hazard to the community and impact the region's agricultural productivity.

Pest animals impact public safety directly and indirectly. Deer strike is reported to be increasing in parts of the region, posing a safety concern on roads. Red Deer, male stags are known to attack humans or pets with their antlers if they are trapped and feel threatened. A Sambar Deer has already knocked over two school students at a Maroondah school and deer have been seen in kindergarten playgrounds in Maroondah. Deer are also known to be carriers of the Cryptosporidium parasite which may result in contamination of local water supplies such as Upper Yarra and Sugarloaf, costing millions to treat for human consumption.

Primary industry and agriculture may be impacted directly through predation, competition, disease and disruption leading to loss of productivity, resource strain (on farmers) and safety concerns. Foxes prey on livestock (mainly lambs and poultry) while rabbits and deer compete with livestock for pasture and damage soil cover and composition (Gong et al. 2009, Coutts-Smith 2007, McLeod 2004, Reddiex & Forsyth 2004). Deer are also a potential vector for disease spread to stock.

Pest animals are a significant threat to biodiversity through competition, predation, habitat destruction and as a vector for the spread of diseases. Small native mammals, ground-nesting birds and reptiles are all susceptible to predation by foxes and cats, and these pests are associated with the extinction of several native fauna species (Doherty et al. 2017, Woinarski et al. 2015, Grarock et al. 2014; Invasive Animals CISS 2014; Reddiex & Forsyth 2004). Cats are carriers of infectious diseases (e.g. *sarcosporidiosis* bacteria) which can be fatal to native animals and stock.

In the region, foxes prey on iconic species including Slender-tailed Dunnart *(Sminthopsis murina)*, Brush-tailed Phascogale *(Phascogale tapoatafa)*, Spotted Quail-thrush *(Cinclosoma punctatum)*, Brown Quail *(Coturnix ypsilophora)*, Superb Lyrebird *(Menura novaehollandiae)* and Southern brown Bandicoot *(Isoodon obesulus obesulus)*. Common (Indian) Mynas aggressively compete with native birds resulting in their local decline from areas.

Image: David Croft/Department of Planning, Industry and Environment

European rabbit: commons.wikimedia.org/wikipedia/commons/a/a5/Oryctolagus_cuniculus_Helsinki.jpg

Rabbits and deer have a significant impact on native habitat, altering the composition and structure of native vegetation through browsing, preventing the regeneration of native plants, spreading weeds, causing soil erosion and degrading water quality (Davis et al. 2016). They may compete with native herbivores for food, and further degrade the environment by providing an abundant food source for other pests. For example, rabbits can support high densities of feral cats and foxes, which in turn suppress native prey.

Pest animal threats are likely to be compounded by climate change in three main ways. First, new temperature and rainfall patterns may facilitate the establishment of new invaders and increase the impacts of existing pests (Steffen et al. 2009). Second, an increase in extreme weather events, such as fire, could increase predation by cats and foxes on declining species, by removing protective vegetation cover (Gill et al. 1999). Finally, the stress imposed by climate change is likely to increase the susceptibility of species to invasive animals and increase the vulnerability of ecosystems. For example, the grazing pressure of rabbits reduces the resilience of native plants to drought (Low 2008).

Factors that currently influence pest animal management within the Eastern region include restricted resources available for pest management, myriad of public and private land managers, changes in land use (i.e. increasing urbanisation), absentee land managers, small hobby farms, urban areas and, public places with limited control options. Management of wild deer and feral cats is limited by a lack of control methods currently available for these species. The Eastern Region borders the Goulburn Broken and West Gippsland CMA's, as well as the City of Melbourne. There are limited inter-regional or statewide co-operative programs in place for pest species with most regions undertaking their own pest control programs.

3.2 Key Assets

In assessing the current pest issues faced by local councils and public land managers (e.g. VicRoads, Parks Victoria and Melbourne Water), four key assets: biodiversity, waterways, primary industry (agriculture) and social wellbeing were identified as requiring protection. Key regional assets and pest animal impacts are described in Table 5. This summary illustrates the extent of harmful impacts from pest animals in the Eastern Region and the multi stakeholder collaboration required to manage pest levels.

This Strategy is focused on site-based outcomes. Figure 4 shows key regional natural assets that are valued for conservation and recreation purposes. This baseline map has been derived from multiple, existing sources including local strategic plans, VEAC Open Space, private land conservation covenants, Biosites, Ramsar wetlands locations, waterways, rail corridors and nature reserves. This presents a baseline map that may be updated by the Network.

Assets may be significant to local, regional, state or national stakeholders. As a regional Strategy, the action plan is primarily focused on assets that serve multiple stakeholders and purposes. Implementation of tenure blind, cross border collaborations will be prioritized to minimise 'source and sink' population recovery of target pests.

At a local scale, each LGA has nature reserves of conservation significance and of community significance such as Yarra Bend, Bend of Islands, Warrandyte State Park, Darebin Parklands, Bunyip State Park, Western Port Bay Ramsar wetland and, Yellingbo Nature Conservation Area. Many of these also form part of sub regional assets such as Sugarloaf link (between Kinglake and the Yarra River).

In addition, DELWP has developed a series of strategic management prospects maps to support maximum biodiversity gains from NRM investments. Spatial data has been provided to the Network to inform planning and is also available via an online NatureKit Map Viewer.

Image: David Croft/Department of Planning, Industry and Environment

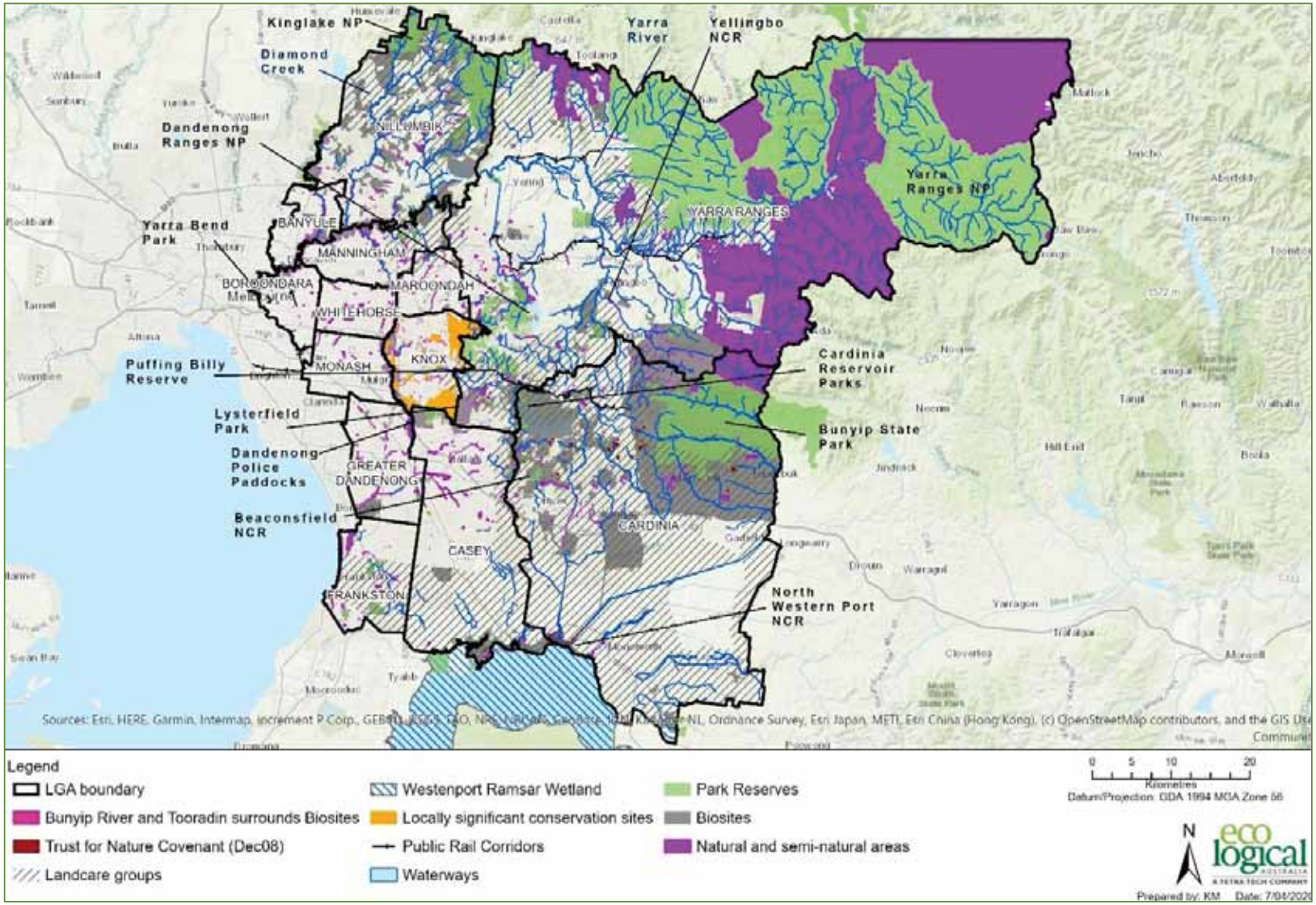


Figure 4: Eastern Region Natural Assets

Regional Assets

Assets	Eastern Region Pest Impacts	Eastern Region Evidence Base
Biodiversity		
Threatened species	Predation and competition with threatened species including: • Helmeted Honeyeater • Powerful Owl • Leadbeater's Possum • Brush-tailed Phascogale • Swamp Antechinus • Southern Brown Bandicoot • Southern Toadlet • Grey-headed flying fox • Growling Grass Frog • Spot-tailed Quoll • Migratory shorebirds	Parks Victoria monitoring program. Research scientists, anecdotal observations.
Native birds	Primarily predation on native birds by foxes and cats (e.g. water birds, fledgling chicks, migratory and non-migratory shorebirds). Competition with threatened and non-threatened woodland birds (e.g. Common (Indian) Myna territorial behaviours and nest cavity exclusion).	Anecdotal observations. Parks Victoria monitoring program. Gaps in scientific research at the local scale that quantifies or confirms Common (Indian) Myna and feral cat impacts.
Small reptiles and mammals	Primarily predation on: • Mammals in the critical weight range (0.45 – 5 kg) and competition with native predators. • Predation of nesting turtles	Anecdotal observations. individual council monitoring programs.
Native vegetation, including threatened ecological communities	Grazing impacts to native vegetation, through browsing, erosion, and prevention of regeneration. Deer defoliate, strip bark and break stems, leading to reductions in plant biomass in the shrub layer, impeded vertical growth and altered community composition. Reduce vegetation cover, tree regeneration, sapling growth and plant species diversity. Damage to revegetation areas.	Deer enclosure and exclusion studies (see Davis et al. 2016 for a summary of studies in Victoria). Melbourne Water Deer Catchment Study (GHD 2019) – four years of ecological monitoring.

Table 5. Key assets and pest impact in the Eastern Region

Assets	Eastern Region Pest Impacts	Eastern Region Evidence Base
Waterways	Waterway quality in catchments (deer) through erosion, soil compaction and turbidity and alteration of vegetation composition and structure. Rabbit burrows in dam walls.	Melbourne Water Deer Catchment Study (GHD 2019) – four years of ecological monitoring.
Agriculture	Browsing impacts to agricultural values including orchards, pasture, vineyards and timber plantations. Predation on livestock (i.e. poultry and lambs). Eating trees, damaging fences, eating pasture, fruit and vegetable crops, trampling crops and fouling of pasture crops or water. Foxes, deer, cats as a vector for noxious weeds and disease (e.g. mange, Leptospirosis).	Anecdotal. Council on-ground staff observations and conversations with landholders / telephone calls from residents to council.
Social wellbeing	Public safety, car accidents from vehicle collisions, particularly deer. Damage to recreational reserves (e.g. sports grounds, open space areas) from grazing, burrowing. Potential contamination to water supply by parasite Distress from viewing pest species in backyards and on farms. E.g. Noise complaints and health and safety concerns from Common (Indian) Mynas. Conflict between Council and community with differing attitudes on pest animal management. e.g. baiting in bushland reserves where dogs can access. Stress for farm businesses due to the financial consequences of pest animals. Damage to infrastructure including roads, buildings, fencing, pathways and water infrastructure. Decreased aesthetic value of areas and public nuisance. E.g. Common (Indian) Myna dominated urban streetscapes less aesthetically appealing.	VicRoads vehicle collision strike data. Anecdotal. Council on-ground staff observations and conversations with landholders / telephone calls from residents to council.

3.3 Current Distribution of Pest Animals

Available, existing data has been collated for each priority pest animal. This provides a regional snapshot of the current threat of each pest animal (Figure 5 - Figure 9).

Multiple data sources have been used to identify current hotspots using cluster analysis and GIS tools. Point records from FeralScan and other registers form a valuable base. However, it is recognised that this data contains geographic bias and does not reflect absence of threat. Expert elicitation was used to rank extent and abundance for each pest species on a scale from *low* to *very high* or 'unknown' for each sub catchment and LGA. This information is included in Figure 5 - Figure 9 and provides regionwide coverage of relative severity and current information gaps.

The spatial data collated is subject to data license agreements (held by the Network) in accordance with data privacy requirements. Hotspot analysis may be used to inform operational planning and may be subject to updates.

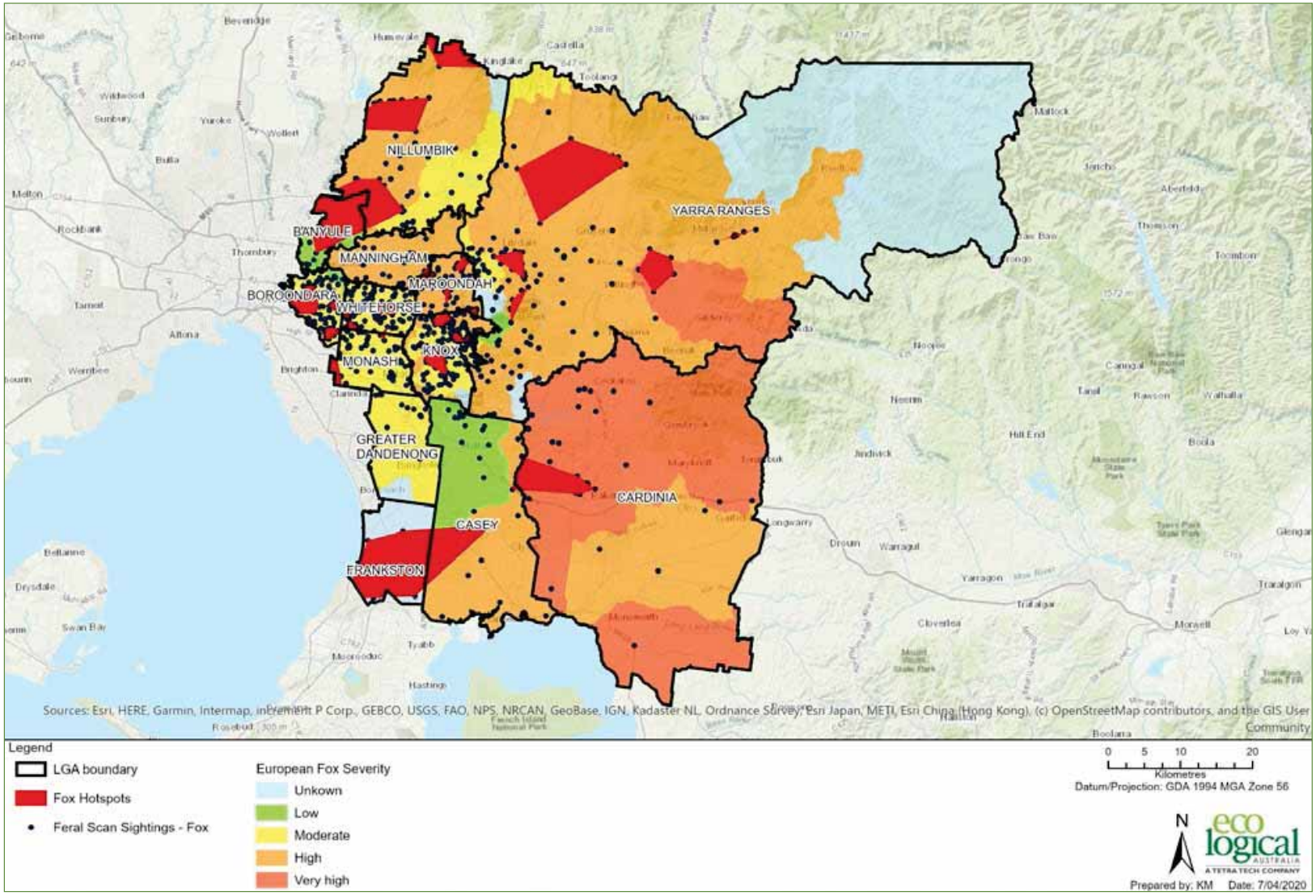


Figure 5. European Fox Threat

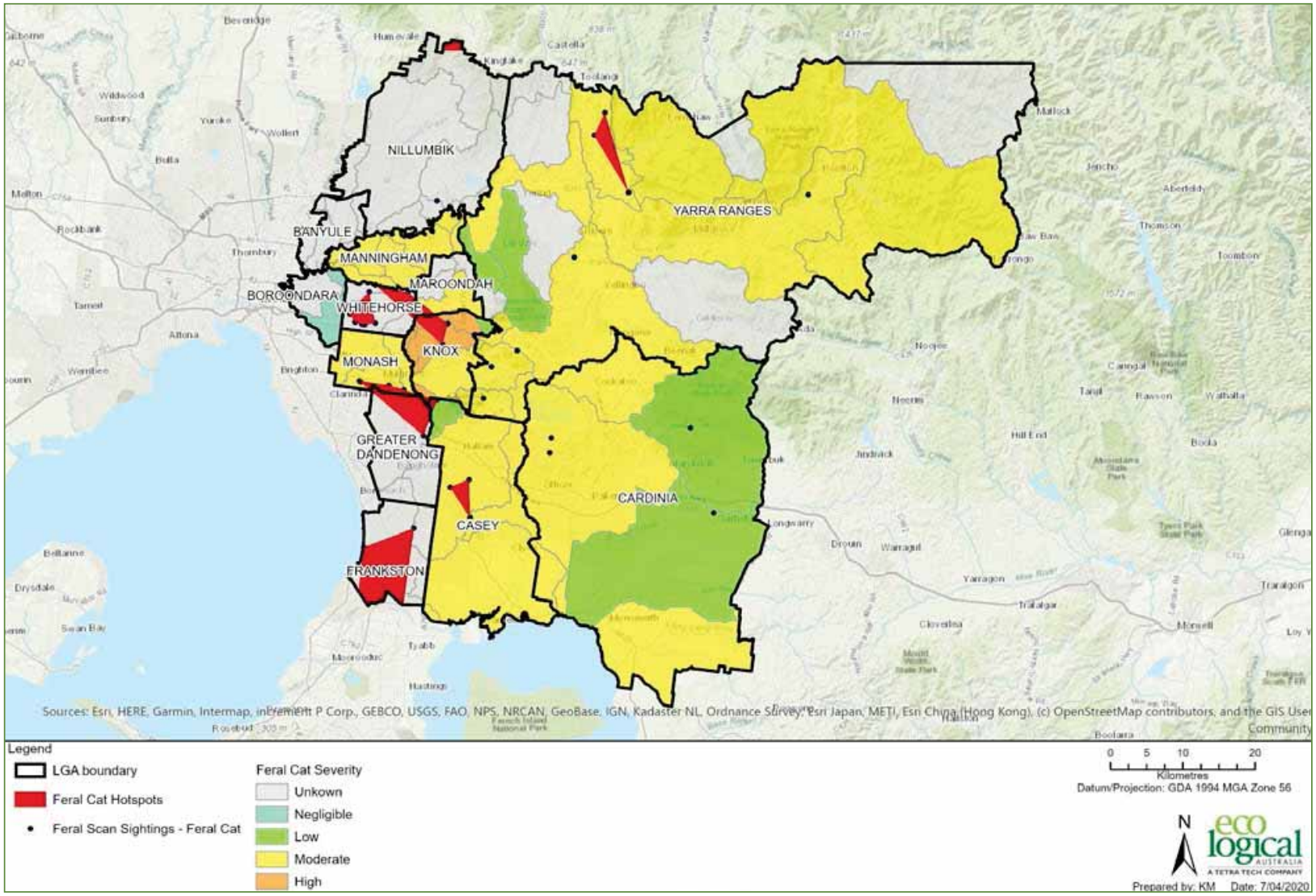


Figure 6. Feral Cat Threat

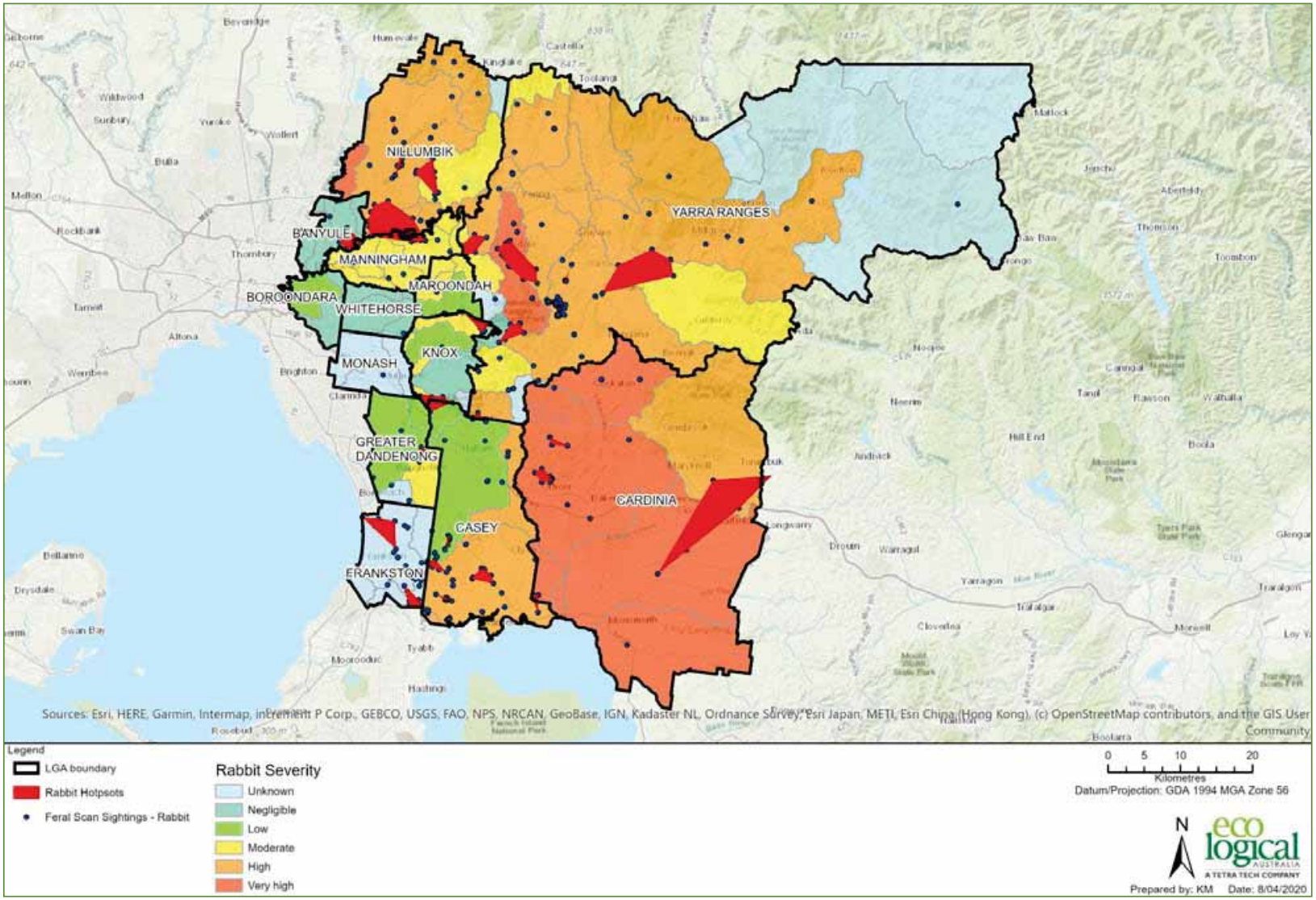


Figure 7. European Rabbit Threat

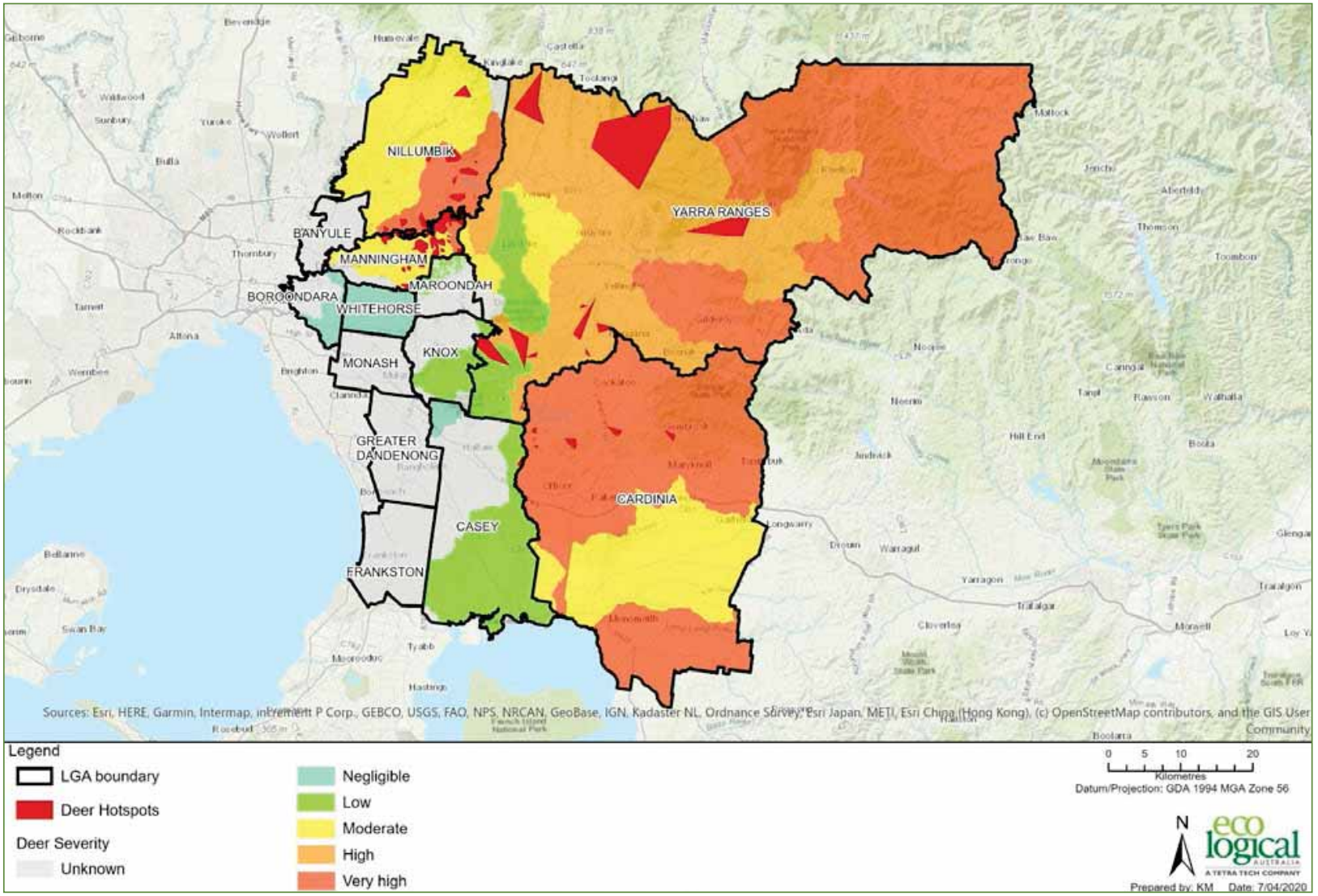


Figure 8. Deer Threat

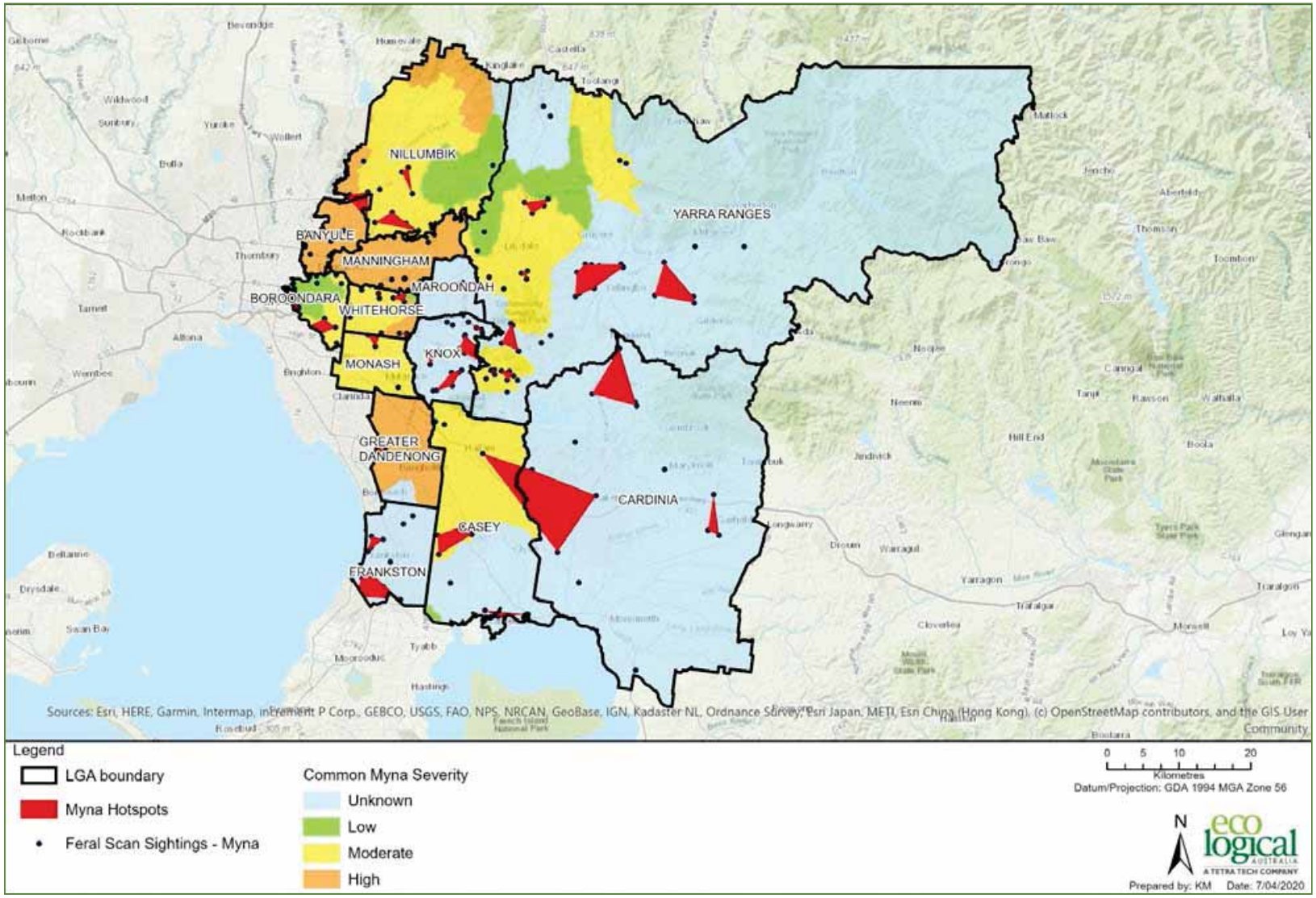


Figure 9. Common (Indian) Myna Threat

3.4 Current Pest Management Programs

Interviews with Network members and a review of publicly available pest management programs provides a snapshot of pest management effort in the region. Management actions to date across the Eastern Region have included:

- Common (Indian) Myna trapping and cage loan to residents;
- Deer shooting by professionals and permit holding volunteers in restricted locations;
- Rabbit baiting, trapping, ferreting, calicivirus release, warren destruction, harbor removal, shooting and fence exclusion zones;
- Fox soft-jaw trapping, baiting, and den destruction;
- Cat curfews.

These actions have been taken by individual organisations or sub regional partnerships. Network respondents identified the value in coordinated roll out of these actions across the region, incorporating current momentum and project learnings. A full list of Network member control actions is provided in *Volume 2*.

3.4.1 Barriers to management

Based on stakeholder opinions across the Eastern Region, barriers to management include:

- The inability to adapt pest control to specific landscapes (including risk of control methods to people and pets).
- Lack of understanding of the corridors and dispersal of pests across the landscape.
- Maintaining consistent control efforts in the long-term and accounting for re-invasion once control methods are relaxed.
- A lack of a coordinated approach across all land tenures.
- Community perception.
- Impact of control methods on domestic animals and animal ethics/welfare.
- Legal roadblocks (for example deer are protected under the *Wildlife Act 1975*).
- Resources and funding.
- Inconsistent monitoring methodology for all species.
- Lack of individual government body responsible for deer management.

4 Pest Control in Practice

4.1 Integrated Pest Control

Effective pest control is contingent on applying integrated control at the landscape scale. The Network recognises that small, uncoordinated approaches to pest management are insufficient to deal with the escalating pest animal problem.

Feral cat control, for example, is most effective when a strategic, targeted and well planned program is delivered using all available control tools. Integrating control of multiple pest species is recognised as current best practice to limit unintended impacts. As one target species is controlled then other feral species may simply "fill in" the created trophic gap as they exploit the reduced competition. Targeting multiple pest species at the same time will provide substantial cost savings compared with a series of single eradications (Griffiths, 2011).

An integrated pest control approach has capacity to minimise the potential for unintended trophic cascades. For example, targeting foxes without also implementing control of feral cats has the potential to lead to an increase in cat numbers, as they are released from predation by foxes (Algar & Smith, 1998). Doherty & Ritchie (2017) note that fox control must incorporate not just cat control, but also rabbit control to prevent population spikes as fox predation declines. Equally, controlling feral grazing animals without also controlling feral predators could lead to prey switching by feral predators to native animals (Cupples et al., 2011). In addition, programs designed for site outcomes may need complimentary rehabilitation plantings following integrated control implementation.

4.2 Pest Control Techniques

Pest control should be targeted to specific sites to address specified impacts, using suitable control methods and complimentary actions to enhance ecosystem resilience in accordance with long term, site specific goals. This holistic approach will avoid unintended deleterious impacts such as weed incursions post grazing pressure removal or increased fire risk from unmanaged fuel load build ups. Table 6 provides a summary of control strategies suitable in urban, peri-urban and rural environments. Standard Operating Procedures (SOPs) for the control of each target pest species are provided in Volume 2. The SOPs detail practical step-by-step 'on-ground' actions which can be completed by council officers, contractors or community groups to control target pest animal species.

Image: David Croft/Department of Planning, Industry and Environment

A summary of key control strategies and options for target species

	European Fox	Feral Cat	European Rabbit	Feral Deer	Common (Indian) Myna
Home Range	1 Individual (arid zone) is 20km2 6-7 individuals (resource rich areas) every 3-5km^2.	Mostly solitary animals and usually maintain a home range which may be up to 10 km^2 for males and less for females[2]	Varies from approximately 0.2-2 ha depending on rabbit density, food availability, sex, age and surface cover[3]	Unknown	Non-migratory, however capable of frequently extending range into new territories across eastern Australia (FeralScan 2009).
Active time	Nocturnal	Nocturnal and Diurnal	Nocturnal	Early morning & evening	Diurnal - move to roost sites on dusk
Rural and peri-urban (incl. bushland reserves) control Techniques	Bait with highly palatable fresh meat to enhance uptake. 5-10 baits per km^2. Warren destruction. Trapping. Shooting. Exclusion fencing for high value biodiversity sites.	Bait on Crown Land. Cat curfew. Shooting (Crown land, subject to approval). Cage trapping, Leg hold trapping (approval required)	Poison with 1080. Warren destruction. Shooting. Ferreting. Warren jamming. Harbour destruction. Exclusion fencing for high value biodiversity sites.	Shooting. Exclusion fencing for high value biodiversity sites.	Trapping and euthanasia.

2 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/cat-feral-or-wild
3 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/european-rabbit/about-european-rabbit

	European Fox	Feral Cat	European Rabbit	Feral Deer	Common (Indian) Myna
Urban control techniques	Warren destruction. Guard animals.	Cat curfew. Dense native vegetation plantings (e.g. shrubs, sedges, clumping grass). Cage trapping.	Warren destruction Ferreting. Harbour destruction.	Shooting (if possible) Deer exclusion fencing.	Trapping and euthanasia. Dense native vegetation plantings (e.g. shrubs, sedges, clumping grass). Remove food sources (e.g. open bins, uneaten pet food). Block holes/areas where they might nest. Install netting or bird spikes to prevent roosting.
Emerging control techniques	Felixer (Thylation 2019). sensors to distinguish target cats and foxes from non-target wildlife and humans etc and spray targets with a measured dose of toxic gel. Gene-editing solutions, known as 'CRISPRcas9'	Felixer (Thylation 2019. Rangefinder sensors to distinguish target cats and foxes from non-target wildlife and humans etc and spray targets with a measured dose of toxic gel. Curiosity bait is currently being developed for permit use by public land managers in Victoria.	New myxomatosis strain RHVD1 (K5 Strain) (Pestsmart 2019)	-Trial of poisoning via selective feed structure (NSW) - Trial of repellents (Lake Mountain, Vic)	-
Timing for Primary Control Technique	Quarterly	Annually: 2 x per year in Autumn & early Winter when live prey availability is low	Annually, late summer – winter	Location dependent	Post and during breeding season. Breeding season in Southern Australia – October – March. (FeralScan 2009)

Table 6. A summary of key control strategies and options for target species

	European Fox	Feral Cat	European Rabbit	Feral Deer	Common (Indian) Myna
Intensity of Primary control	Intensive and widespread	Intensive and wide spread. Postpone baiting if high rainfall precedes planned bait events, due to potential booms in live prey.	During drought or winter when population numbers are at their lowest so as to maximise efforts and minimise costs	Targeted intensive outside fawning or breeding season	Targeted to problem areas. In areas of recent range expansion control should be intensive and consistent to eradicate prior to establishment. Once yearly, targeted control efforts are recommended
Secondary and Follow up control	Shooting & Trapping Post control complimentary restoration planning	Trapping and Shooting Post control complimentary restoration planning	Warren ripping or fumigation if the use of warrens is confirmed. Dogs can be used to drive rabbits into warrens prior to control action. Post control complimentary restoration planning	Herding, trapping and euthanise. Carcass disposal (subject to permits) Fencing also known to be effective in some areas. Post control complimentary restoration planning	Same as primary, once yearly. Other preventative methods can include considered plantings and increased community awareness and individual action (traps for hire through local councils for members of public). Native mid storey augmentation (option)
Trophic considerations	Reduced fox numbers will lead to increased rabbit and cat numbers Can be controlled by apex predator presence	Reduced cat numbers will lead to increased rabbit and rat numbers Can be controlled by apex predator presence	Reduced rabbit numbers will lead to pre-switching by foxes and cats Can be controlled by apex predator presence	Removal will release grazing pressure; other browsing grazers could increase due to removal of deer.	Control efforts should reduce competition and exclusion for hollow dependent birds and arboreal mammals.

4.3 Case Study Cardinia Deer Management Coalition

Description

The Cardinia Deer Management Coalition (CDMC) are an open group, comprised of local community members and allied environmental groups, with a common interest in reducing deer impacts in their local area, through humane and legal deer control. The coalition is a community-based facilitation network that was formed after locals observed escalating presence and damage from deer on private property, farms and local roads.

CDMC provides advice to landholders on how to engage in control activities. This includes providing information on site assessment tips, legal requirements, sourcing locally based and permit holding hunters, practical management tips supervising implementation and reporting deer control. The coalition invests a portion of its volunteer time in scientific research to grow knowledge of deer distribution and impact management.

The coalition also engages in advocacy for improved control efficiency and ethics of deer management. Its mission is to connect community to protect Cardinia Creek catchment and its biodiversity through humane deer reduction.

Sambar deer: commons.wikimedia.org/wiki/File:Sambar_Deer_@Satpura_Tiger_Reserve.jpg (BSSKrishnaS)

Initiation

The coalition was formed in 2018 following two open community meetings auspiced by the Upper Beaconsfield conservation group held in local community centres. A working group was created from a cross section of attendees who volunteered their skills, knowledge and time to formalise the group following considerable local interest. The working group was able share knowledge and guide engagement strategies. The coalition was incorporated in 2019 and maintains an official register of paid membership.

Why successful

CDMC has placed significant emphasis on open meetings so that all interested stakeholders may participate and has treated all initial correspondence as confidential to break-down barriers to participation. The coalition has sought to empower members to tackle common goals whilst accommodating and recognising the diversity of views amongst community members. It has been successful through agreed group communication protocols and respectful relationships.

As a grass roots group, the coalition is made up of local landholders and citizens with vested interest in local outcomes. A key factor in the success of the group has been establishing a clear mission and vision statement to maintain focus. This is helpful to navigate through conflict or challenges as they arise. The coalition has a mix of contributors and requires a minimum five active members to operate. The contributors bring good organisational skills in addition to leadership, communication skills and energy to make the coalition work. Since inception, this has generated increased participation, advocacy and property-based deer control. The coalition will measure it's success by the environmental response to removal of deer pressure. This is a long-term measure of success and requires a multifaceted, collaborative approach.

Application

The Eastern Region Pest Animal Network members could directly utilise CDMC to engage landholders in cross tenure, coordinated control activities. The CDMC may share knowledge and advise other communities similarly engaged in trying to reduce deer impacts. Through practical trial and error, the coalition has amassed experience in letting landholders know what is permissible and what the risks are to implement humane deer control. The match-maker model may be adopted in other localities and brokered through joint meetings. The Network can assist CDMC with local knowledge and contacts to expand activity areas. The Network may also support CDMC with in-kind and grant contributions.

4.4 Case Study Victorian Rabbit Action Network

Description

The Victorian Rabbit Action Network (VRAN) is a community-based facilitation network. VRAN supports communities, governments and organisations to work together towards effective rabbit management.

VRAN provides grants to community groups to run field demonstrations e.g. utilising the Rabbit Haemorrhagic Disease Virus (RHDV K5), undertake Rabbit Boot Camp training and participate in 'Leaps and Founds' learning network. In addition, VRAN hosts a Rabbit Management Leadership Program which invites land management professionals such as Parks Victoria officers and local government pest officers to participate in an intensive field "bootcamp" led by recognised experts in rabbit management.

The VRAN "leaps and bounds" learning network allows participants to meet several times a year to share their experiences in rabbit management in various locations and management situations across Victoria, for example visiting a property in North West Victoria with Aboriginal heritage sites that require sensitive management. VRAN has also been a partner in delivering the Victorian Rabbit Management Conference and provides online information on rabbit management through their website.

Initiation

In 2013, the National Rabbit Facilitator Project (NRFP) commenced as a result of collaboration between the Invasive Animals Cooperative Research Centre (IA CRC) and the Victorian Department of Economic Development, Jobs, Transport and Resources.

In 2014, VRAN was established as a new network-based approach, following on the from NRFP. The guiding principles of VRAN are:

- Collaboration between diverse rabbit stakeholders
- Co-learning amongst diverse stakeholders
- Co-invest from government, community and the private sector.

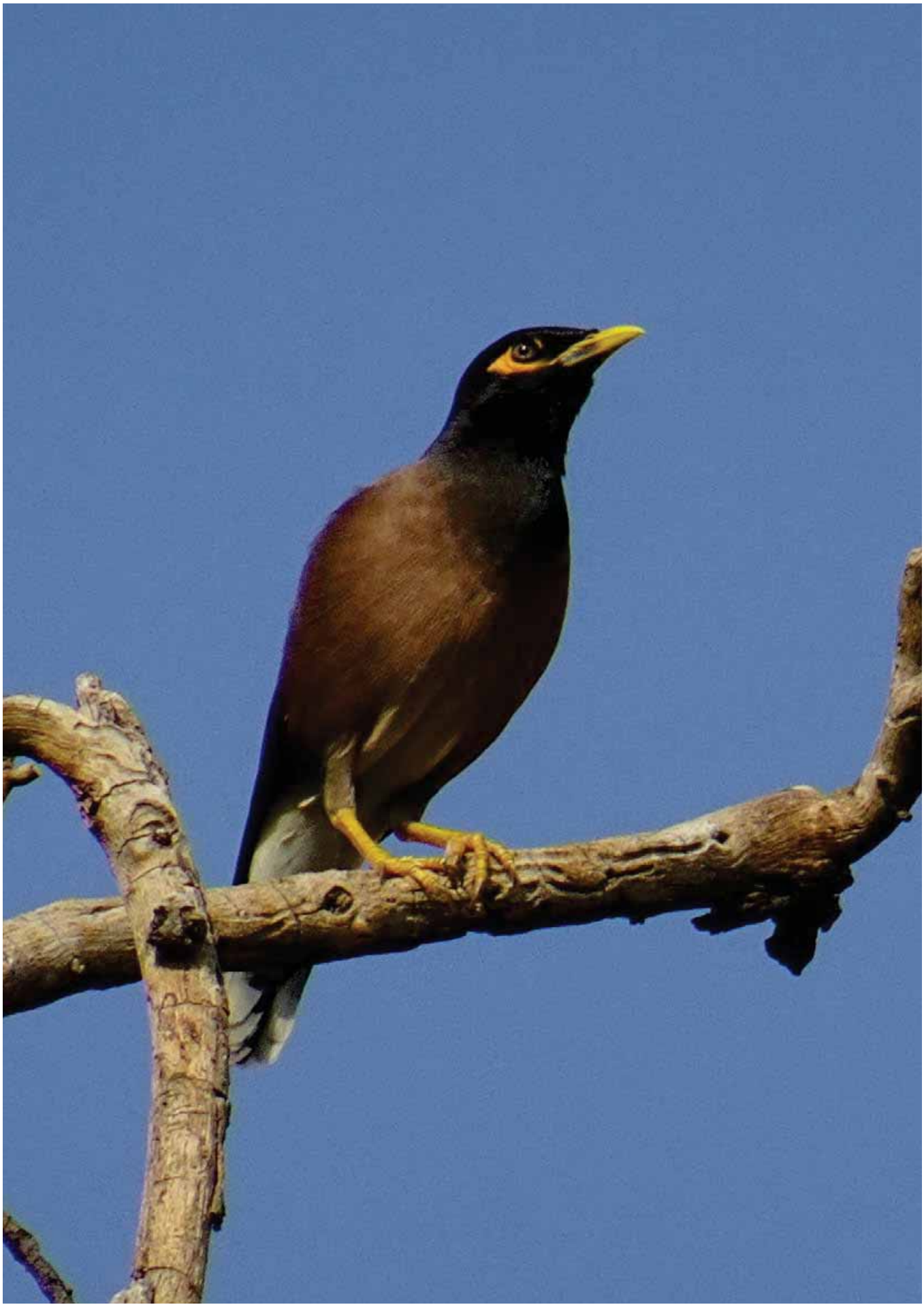
Why successful

An impact study of VRAN found that when participants witnessed tangible outcomes, they become motivated to participate in future events (ACIL Allen 2017). Like many environmental initiatives, initial success relies on reliable funding, and VRANs links to the Victoria Government and IA CRC has created funding opportunities. VRAN has successfully utilised these opportunities to generate significant outcomes and impacts though the cycle of activities, outputs, outcomes and impacts.

Application

In the Eastern Region, councils and Network members could directly utilise VRAN by providing opportunities for staff to participate in VRAN activities, either as trainees, or mentors if they possess particular expertise.

The framework of VRAN can be scaled down so participants of VRAN leadership workshops can bring the knowledge back to their local council/community/government to share their knowledge of best practise management and implement in their area.



5 Strategic Direction

5.1 Vision

Working together to minimise the impacts of pest animals across the Region.

5.2 Guiding Principles

The Strategy is underpinned by a set of principles that have been agreed by all stakeholders. Stakeholders will apply these principles to decisions and actions for improved pest management in the region:

1. Pest animal management is tenure blind and focusses on the outcome (e.g. biodiversity asset protection), not just culling pests.
2. Collaboration between contractors, research organisations, councils, community and land managers (e.g. Melbourne Water) is paramount to achieving regional pest control.

3. Sharing of information (pest data, community awareness programs, media releases, mapping etc.) across the Network is essential.
4. Community awareness of, and engagement with, pest issues is vital for effective pest management.
5. Practical monitoring and evaluation techniques that provide timely information are essential for management action.
6. Integrated and coordinated pest management that establishes and utilises best practice methods at landscape scale is the desired approach.
7. Management of invasive species is most cost-effective when new incursions are detected early and rapid responses implemented.
8. Best practice approaches are adopted, which are cost effective and minimise adverse effects of management on public safety, off-target species, the environment and animal welfare.

5.3 Goals and Objectives

The Strategy has four goals, each with objectives that aim to focus regional action and coordination (Table 7).

Vision: Working together to minimise the impacts of pest animals across the Region.

Goal 1

Provide leadership and coordination for the management of priority pest animal species.

Objectives

1.1 Clarify the roles and accountabilities of all relevant parties.
1.2 Promote adoption of consistent, integrated approaches to priority pest species management.
1.3 Promote and implement collaborative best practice integrated pest management.

Goal 2

Increase awareness, understanding and capacity building regarding priority pest animal management.

Objectives

2.1 Maximise public and community support for priority pest animal management.
2.2 Ensure a comprehensive suite of extension materials available.
2.3 Improve adoption of best practice pest animal management through effective communication, education and training.

Goal 3

Mitigate the impact of established priority pest animals on biodiversity, primary industry (e.g. agriculture) and social well-being.

Objectives

3.1 Adopt an integrated, scientific, risk based and humane approach to managing the impacts of priority pest animals.
3.2 Collaboratively develop regional criteria to identify priority assets for biodiversity, primary industry and social well-being.
3.3 Develop impact threshold guidelines to inform response planning.
3.4 Protect water supply catchments.

Goal 4

Monitor, evaluate and report to inform and continuously improve priority pest animal management.

Objectives

4.1 Develop consistent metrics for the assessment of priority pest animal impacts and management efficacy.
4.2 Develop and adopt processes for evaluating implementation and outcomes of the Strategy.
4.3 Develop and adopt reporting processes and structures.

Table 7. Vision, goals and objectives of the Strategy

5.4 Prioritisation Matrix

Resources will be directed to programs and actions where they will have the greatest effect towards regional goals. The main criteria are threatened species conservation, cost effective control of pests in new and emerging pest locations, impacts on neighbours (safety and production values) and providing continuity to protect community invested habitat regeneration sites.

The investment allocations will be informed by the pest significance and the feasibility of control as outlined in Table 8. The approach to prioritising actions on vertebrate pest animals is informed by the Victorian Invasive Plants and Animals Framework and is based on a risk-based methodology.

- Pest significance is defined by the level of impact to assets. Impact is reflective of extent and abundance and is also a function of site sensitivity. This includes seasonal vulnerability to predation during breeding seasons for threatened species.
- Pest control feasibility is defined as cost of control, current population levels, likelihood of successful control and cumulative gain towards regional landscape. The success of control is a function of clearly defined objectives for control and the suite of control measures available in the target area. The mode of delivery will also determine the success of control. Integrated control of multiple pest species across tenure with community collaboration will be prioritised.

Pest significance				
Control Feasibility	**Low**	**Moderate**	**High**	**Very High**
Very high (Eradicate)	High	High	High	High
High (Contain)	Medium	Medium	Medium	High
Moderate (Asset Based/ Population reduction)	Low	Low	Medium	High
Low (Asset Based/Impact reduction)	General Duty	General Duty	General Duty	High

Table 8. Resource Allocation Prioritisation Matrix

Experience demonstrates that pest control programs are more effective and feasible when part of integrated asset management and targeted early in infestation whilst population numbers are relatively low (Braysher 2017). Therefore high priority is given to initiatives with a high chance of success and or tackling a high level of threat.

Implementation is also influenced by target specificity, availability of control techniques, interest of stakeholders and animal welfare (Braysher 2017). Action plans that are outcome-focused rather than focusing on the pest itself and that build on current efforts to maximum outcome will be prioritised.

The criteria for site selection have been adapted from Melbourne Water Pest Animal Strategy and makes use of DELWP Nature Print decision support tools (Table 9).

	Critical	High	Medium	Low	Limitations
1. Threatened species/communities	X				SMP modelling may require additional local context known/verified assets
2. Human Health	X				Requires reporting of incidents, Gov health directives will be obligate
3. Cultural heritage sites	X				Known/verified assets
4. Sites of biological richness		X			Regional priority based on functional condition
5. Agriculture losses		X			Requires primary producer reports. Neighbourhood cooperation prerequisite.
6. New Incursions		X			
7. Community Cooperative program		X			
8. DELWP/CMA program		X			
9. Incursion pathway		X			Map incursion pathways
10. Existing program			X		
11. Recreation sites			X		
12. Window of opportunity				X	

Table 9. Site Selection Criteria

6 Regional Action Plan

This Strategy provides an overarching framework within which each stakeholder may develop a local action plan or where there is an existing action plan, seek to prioritise actions that align to the regional objectives.

The Network have agreed to coordinate local pest management programs, share information on restricted chemical products and qualified contractors and share monitoring data where possible. Local pest management programs are defined by:

- Reserve: where the program is taking place
- Site name: clearly identifies where in the reserve(s)
- Target pest animals or weeds: may be multiple species
- Asset at risk: ecological, heritage, agricultural, economic
- Aim of control: eradication, containment or asset protection
- Action: control techniques and monitoring
- Priority: critical, high, medium, low.

Image: David Croft/Department of Planning, Industry and Environment

The focus of the regional action plan is to improve regional capacity, to identify regional actions to coordinate individual plans and to improve the quality of information available to pest managers.

6.1 Key Performance Indicators

Key Performance Indicators (KPIs) are a tool to ensure practices are effective and achieving outcomes. Strategy Performance is reflective of increased information sharing, data driven pest control. KPIs will be monitored and reviewed annually to ensure targeted progress on key objectives and specific project outcomes. The Network will also evaluate project lessons and support continuous improvement for pest management in the region.

6.2 Action Plan

This section sets out the priority actions for pest management in the Eastern Region identified in consultation with participants of workshop 2 (25th February 2020). The regional action plan identifies actions for each of the Strategy objectives, associated outcomes, responsibility, indicative timeframe, resourcing and priority level.

An Action plan template is provided (Volume 2) to enable individual councils and other Network members to develop localised action plans based on what is most suitable and relevant from the Regional Action Plan.

Goal 1: Provide leadership and coordination for the management of priority pest species.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Objective 1.1 Clarify roles and accountabilities of all relevant parties.							
Action 1.1.1 Develop a regional governance model.	Recurrent funding model agreed by Network members for baseline activity.	N/A	Network committee.	Network members.	High priority/ first 12 months.	Strategy developed and adopted. Agreed Network model Ongoing participation by network members.	This action focuses on developing a shared and equal process for the allocation of resources to control pests.
Action 1.1.2 Establish stakeholder responsibilities in relation to implementation of the Strategy.	Stakeholders confirm that they understand their roles and responsibility to implement the Strategy.	N/A	Lead: Network Committee.	All Network members.	High priority/ foundation activity in the first six months.	Participation by stakeholders confirmed.	Terms of reference. Group protocols. Shared responsibility model.
Objective 1.2 Promote adoption of consistent, integrated approaches to priority pest species management.							
Action 1.2.1 Promote integrated and strategic pest management supported by a scientific, risk-based and humane approach.	Adoption of scientific risk-based approaches incorporating current best practice in urban, peri-urban and rural contexts. Undertake feasibility studies for novel management approaches.	All	Lead: Network committee Other industry, Ag Vic, DELWP, ARI, CISS.	Network Ag Vic DELWP ARI	High priority/ ongoing.	Progressive uptake of identified approaches.	This action is about ensuring that the approaches used to manage pests are based on the best available information (i.e. safe, effective and humane). Improvements to this approach will be ongoing (e.g. CISS is investigating social barriers to uptake by end users). Importantly, this action is about delivery not research and development.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 1.2.2 Develop a regional guide on humane pest animal control options and disposal of carcasses. Educate public on ethics of humane control and euthanasia to encourage landowners to actively participate in control programs. Links to Action 2.1.1	1) Safe and legal use of toxins, traps and firearms. 2) Responsible and safe disposal of animal carcasses.	All	Lead: Network DELWP Ag Vic Landholders	DELWP Ag Vic Pest Smart	Low priority/ within 5 years.	Agreed adoption of guide by network members.	Best practice integrated management should follow associated SOPs developed by Centre for Invasive Species Solutions (Pestsmart).
Objective 1.3 Promote and implement collaborative best practice integrated pest management.							
Action 1.3.1 Facilitate partnership models that involve community, government and industry pest stakeholders. Programs should be community-led and supported by state and local government agencies.	Increased regional capacity for pest management.	N/A	Landcare. Land managers. Lead: Network committee Other: industry, DELWP, Ag Vic, ARI.	Network members Industry DELWP, Ag Vic Landcare. Land managers.	Medium priority/ ongoing	Existing relationship are maintained and enhanced where necessary. New partnerships established where gaps in programs exist.	There are current strong network partnerships in place. New partnerships should aim to improve integrated management across the region and may include the addition of Ag Vic to the Network.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 1.3.2 Develop a regional investment Strategy to be implemented in two parts: (1) strategic use of existing resources, and (2) seeking grants for priority projects.	Regional investment Strategy developed and adopted. Project ready plans.	All	Lead: All	Led by a regional coordinator focused on fundraising. Network members Industry DELWP, Ag Vic Landcare Land managers Philanthropic organisations	High priority/ within 2 years	Strategy Funding bids for the protection of key biodiversity assets and to support local programs that are integrated within a regional program3 grants received for control programs by the end of year 10.	This action recognises that funding for pest control is limited, and that each council has different priorities and budgets The development of an agreed fundraising Strategy applicable to a broad range of programs will assist Network members in leveraging funding from a variety of sources including government. The fundraising Strategy should be led by a coordinator.
Action 1.3.3 Advocate for the instatement of a Regional Pest Animal Coordinator and Steering Committee.	1) Establish a joint funding model to support engagement of regional pest animal coordinator. 2) Regional Pest Animal coordinator instated in the region.	N/A	Lead: Network committee.	Network members DELWP Ag Vic	Low priority/5 years.	Regional Pest Animal coordinator instated in the region.	This action aims to instate a Regional Pest Animal coordinator to facilitate integrated pest management and assist Network members in pest animal prioritisation, best practice control techniques and advocacy.

Goal 2: Increase awareness, understanding and capacity building regarding priority pest animal management.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Objective 2.1 Maximise public and community support for priority pest animal management.							
Action 2.1.1 Develop Regional Pest Species Communication and engagement Plan.	Improved consistency across Network members. Engagement with Strategy (and science underpinning it)	All	Lead: Network committee.	Existing council and Network member communication plans and teams.	High priority/ in the first 12 months.	Gap analysis on communications needs/requirements is completed. Plan endorsed by Network members. Community opposition to pest control programs and techniques reduced.	The communications plan should consider all pest issues, including urban, peri-urban, biodiversity protection, agriculture, human safety and raising awareness of control techniques. The plan should consider the use of 'champions' to deliver key messages. This may include networking for effective regional delivery.
Action 2.1.2 Implement Regional communications plan (biodiversity and safety outcomes focused).	Media plan. Shared brochures developed. Primary and secondary stakeholders aware of regional Strategy initiative.	All	Lead: Network committee. Other: Network members, landholders.	Network members Existing communication plans at Councils, Parks Vic and Melbourne Water. Website content.	2-5 years.	Annual collation and reporting of customer service register of pest reports. Measure public pest animal awareness and understanding year zero, five and ten.	Consistency of key messages on purposes, processes and progress are delivered. Use of existing communication outlets.
Action 2.1.3 Evaluate the effectiveness of the communications and engagement plan.	Effectiveness and improvements assessed where appropriate.	All	Lead: Network committee Other: Network Members	Network members Existing communication plans at Councils, Parks Vic and Melbourne Water.	Components reviewed annually, comprehen-sive review after 5 years.	Annual review as part of Network meeting. Comprehensive review at 5 years. Feedback is incorporated into updated plan.	Feedback needs to be collected and collated from primary and secondary stakeholders. Mechanisms for the review process need to be defined.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Objective 2.2 Ensure a comprehensive suite of extension materials available							
Action 2.2.1 Leverage existing education support materials to create regional resource kit.	Widely available, accessible pest animal management information. Promotion of FeralScan.	All	Lead: Network members Others: Ag Vic, DELWP, landholders, Landcare.	ARI, PestSmart, Ag Vic.	Medium priority/5 years.	Agreed list of current resources. New materials developed as appropriate.	Adapt existing material .Promote best practice humane control. Support distribution to community groups through existing channels.
Objective 2.3 Improve adoption of best practice pest animal management through effective communication, education and training.							
Action 2.3.1 Promote and support collaborative programs to educate the community on implementation of best practice pest control. Create regional communication/ media plan with shared set of brochures and messages.	1) Landholders supported to implement best practice through education and training (e.g. information kits, training days, field days). 2) Best practice pest management accepted and implemented by communities. E.g. FeralScan reporting.	All. Start where there is already community action.	Lead: Network members Others: Ag Vic, DELWP, landholders, Landcare	Network members Industry DELWP, Ag Vic Landcare Land managers, CMA	High priority/ ongoing	Increased participation of landholders, community in pest control programs, monitoring and reporting observations. Number of workshops/ community meetings delivered. Before/after participant questionnaires.	This action is about group participation, coordination, cooperation and support of nil-tenure approach.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 2.3.2 Use social and traditional media to promote local and regional pest management approaches.	1) Delivery of positive local implementation of best practice enhanced and maintained, using the most appropriate method/s. 2) Community's general understanding of the benefits of a cooperative approach to pest management broadened.	All	Lead: Network members Other: Ag Vic, CISS	Existing council media networks. CISS DELWP, Ag Vic	Medium priority/ ongoing	Media Monitors summaries/ metric (e.g. number of social media posts, e-newsletters delivered). New technologies engaged. Social media hits, webpage visits	Media is changing. The Strategy needs to consider new tools and emerging techniques to engage all stakeholders (rural, peri urban and urban) in pest animal management. There is a need to understand the broader demographic of all stakeholders and target methods to a specific audience.
Action 2.3.3 Increase community capacity to enable those involved with pest animal control to have access to techniques and the capability to use them with appropriate levels of competence and humaneness.	1) Techniques and tools used by land managers and landholders to manage priority pest animals in a safe, efficient and humane manner. 2) Landholder and land manger capacity increased to through the provision of advice and in-kind support. 3) Identify and provide a list of licensed shooters to all Network members.	All	Lead: Network members Other: Ag Vic, CISS	CISS DELWP, Ag Vic Industry	High priority/ ongoing	Number of meetings, field days and demonstrations provided to landholders (annual). Number of stakeholders trained and effectiveness of transfer of training to pest animal management practices. Before/after participant questionnaires.	This action is about landholders having the competency to use pest control techniques. This includes landholders having the ability to apply/access funds for community-led action. Field days, demonstrations may be mechanisms useD.

Goal 3: Mitigate the impact of established priority pest animals on biodiversity, agriculture and people.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Objective 3.1 Adopt an integrated, scientific, risk based and humane approach to managing the impacts of priority pest animals.							
Action 3.1.1 Advocate for development of collaborative, peri urban fox initiative (local pest action plans)	Coordinated, consistent timing and methods across initiative partners) Strategy implemented by stakeholders in a coordinated in a collaborative manner with consistent timing and methodology. Community led programs directly supported by government agencies	Fox Local biodiversity hotspots	Councils, Melbourne Water, DELWP, PV	FeralScan, Strategic Management Prospects Tool, Ag Vic. Network to consider funding bids for protection of key natural assets from fox	High priority/ 1-3 years	Local action plans developed. Fox initiative areas identified, mapped and shared. Shared survey data on pest extent and distribution.	Integrated pest animal management considered trophic effects post control.
Action 3.1.2 Facilitate coordinated rabbit control for biodiversity hotspots and targeted community recreation reserves, infrastructure: buildings, roads, water infrastructure	Regular multi stakeholder information sharing and collaborative action plans. Increased rabbit control activity. Feasibility assessment of a Rodinator program Increased understanding of landholders obligations and ethical control options.	Rabbit. Recreation reserves.	Control: all network members, public and private landholders, Landcare. Biological control: DELWP, ARI.	Existing community groups/networks, Councils, Ag Vic, DELWP, PPCMA, FeralScan, CISS, Strategic Management Prospects Tool. Shared contractor information (limited resource).	High priority/ ongoing.	Number of control programs implemented. Revegetation regeneration success (if applicable) measured using standard indices. Monitor asset condition.	Complimentary public awareness initiative to educate about ethics of and control measures to change politics/public perception. Practical field days demonstrating warren jamming and complimentary techniques.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 3.1.3 Facilitate cross tenure rabbit control in partnership with farming community	Increased information sharing.	Rabbit. Agricultural assets.	Ag Vic, private landholders, Network members.	Ag Vic, ARI	High priority/2-5 years	Number of control programs implemented.	
Action 3.1.4 Invest in regional deer information project. Map deer corridors, roadside hotspots, current control locations, at risk biodiversity hotspots, containment areas. Develop information sharing protocols and agree on monitoring standards.	Improved baseline information for control planning. Increased capacity for ongoing data improvements for deer management.	Deer. Priority focus on new dispersal areas in Knox, Manning-ham, Maroondah, Boroon-dara, Yarra River, Diamond Creek.	All network members, public and private landholders, Landcare	Existing community groups. Councils, DELWP, PPCMA, FeralScan, Ag Vic.	High priority/ 1-2 years	Project ready resource base. Improved data coverage and consistency.	Post fire priority. System to register and collate deer complaints received by councils annually.
Action 3.1.5 Advocate for legislation change about pest classification of deer.	Reduced complexity of feral deer controls. One state government department responsible for controlling deer across land tenure.	Feral Deer	Network	Network members, strategy information, deer impact research, elected representatives	High priority/ Ongoing	Regulation change	Currently there is not one government department responsible for managing deer across land tenure due to the protection of deer under the Wildlife Act as a game species.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 3.1.6 Host an annual deer forum/ workshop.	Knowledge and data sharing amongst Network members, community participants and experts. Improved targeted onground works.	Feral deer Agricultural and environ-mental assets	Network	Network members, Landcare, Victoria Police, Relevant Universities & researchers, Professional Deer Controllers	Medium priority/2-3 years	Deer Forum conducted annually Outcomes and actions for forum members developed and reported.	This annual deer forum will be part of the existing Yarra Catchment Deer Management Forum.
Action 3.1.7 Coordinate targeted culling program	To limit spread in new dispersal areas. To reduce safety risks in identified traffic hot spots	Deer. Dispersal areas include Knox, Manning-ham, Boroon-dara, Yarra River and Diamond Creek	Network delegated working group. May include community group representatives and or expert consultants	Partnerships building from existing collaboration. Regional communication strategy. Hotspot data extracted FeralScan intersected road network data. Professional Deer Controllers, Researchers	High priority/ 1-3 years	Cross tenure participation Reduced vehicle collisions (new register protocols) Reduced rate of spread observed (qualitatively assessed referencing sightings, complaints and water quality data)	Licensed shooters need a Public Place Permit to operate in built up or populous areas. Work with DELWP to develop an urban and peri urban fire arms protocol for deer control.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 3.1.8 Coordinate a targeted Crown land baiting program across high priority areas.	To protect high priority crown land assets to minimize impact on native wildlife from cat predation.	Feral cats on crown land including unregistered stray cats. Priority asset – nationally significant populations of threatened species, Yellingbo, Western Port RAMSAR and SMP high priority locations.	All public and private land managers: Parks Victoria, DAWE, Councils, Melbourne Water, DELWP, Vic Roads.	Information: Ag Vic, CISS, Strategic Management Prospects Tool. Baiting permits, baits, cage traps, field staff, transport, carcass disposal plan	High priority/1-3 years	Reduction in cat predation of native species at target locations. Number and type of control programs implemented. Number of off-target animals trapped.	
Action 3.1.9 Adopt a cat curfew or containment of domestic cat policy to be promoted throughout the region.	Consistent cat messaging encouraging responsible domestic cat management. Widespread observation of local orders.	Stray domestic cats roaming native habitat areas.	Cat owners. Local vets (advocates).	Shared information booklets, Feralcatscan website, joint information seminars.	Medium priority.	Regional cat curfew implemented. Number of cats recorded outside of curfew and number of penalties enforced.	Co-ordinated communications (see Action 2.1.1).

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Action 3.1.10 Run trial Common (Indian) Myna control program using complimentary control techniques to establish the evidence base of effective methods and program requirements for region-wide roll out.	Promote annual, seasonal control Oct-Jan using complimentary control options. All trapping to be conducted in accordance with PestSmart BIR002. Change public perception of euthanasia so that community members with tools (e.g. traps, training, resources) will then proceed with euthanasia.	Common (Indian) Myna. Starting with areas where there is a community group willing to act.	All network members, public and private landholders, Landcare. Initiatives should be community-led (e.g. friends' networks, environmental groups) and supported by councils.	Network members. Environment groups.	Low priority/ 3-5 years.	Before/after Common (Indian) Myna counts at trial sites Native bird diversity at targeted sites Community re-engagement in myna management	Simple "how-to" message. and effective communication (see Action 2.1.1).

Goal 4: Monitor, evaluate and report to inform and continuously improve priority pest animal management.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Objective 4.1 Develop consistent metrics for the assessment of priority pest animal impacts and management efficacy.							
Action 4.1.1 Establish data working group	1) Data sharing protocols between Network members developed. 2) Broker data sharing agreement with Feral Scan	All	Lead: Network committee. Other: ARI, Ag Vic, CISS.	Existing Network member GIS capabilities, FeralScan, Ag Vic, CISS.	High priority/ year 1	Data sharing supported by Network members. Number of data points added to FeralScan in the Eastern Region.	
Action 4.1.2 Develop information standards and recommended pest animal metrics	Improved data consistency Standard asset impact assessment methods	All	Lead: Network committee. Other: ARI, Ag Vic, CISS.	DELWP, ARI, Ag Vic, SMP tool. Animal welfare groups.	High priority/ year 1	Agreed metrics are incorporated into local Action Plans.	Leverage existing standards eg Melbourne Water, DELWP, ARI, Invasive CRC/ Committee.
Objective 4.2 Develop and adopt processes for evaluating implementation and outcomes of the Strategy.							
Action 4.2.1 Develop a monitoring and evaluation framework (and timetable).	Constructive review of the delivery and outcomes of the Strategy.	Rabbits, Feral Cats, Deer, Mynas, Foxes	Lead: Network committee.	Network members, Ag Vic, CISS.	Medium priority/after 5 years.	Independent review undertaken.	
Action 4.2.2 Implement the recommendations of the mid-term reviews.	Recommen-dations of independent review adopted by stakeholders where appropriate		Lead: Network committee.	Network members, Ag Vic, CISS.	Medium priority/after 6 years.	Recommen-dations are implemen-ted.	This action is about continually improving the implementation and effectiveness of the Strategy delivery.

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key Performance Indicator	Context and Comments
Objective 4.3 Develop and adopt reporting processes and structures.							
Action 4.3.1 Progress reporting	Analysis and reporting of collated data on the impacts of priority pest animals. Improved regional understanding of pest animal management which guides investment based on analysis Informed stakeholder network.		Lead: Network committee. Other: ARI, Ag Vic, CISS.	Network members FeralScan, Ag Vic, CISS.	Medium priority/ within 5 years.	Reports are distributed to stakeholders.	

7

Measuring Success and Continuous Improvement

- The development and monitoring toward Key Performance Indicators (KPIs) is a critical component of this Strategy. Monitoring indicators provides information needed to:
- Establish baseline data to guide management of priority pest species.
- Identify priorities for immediate and future management planning in the Region.
- Evaluate previous or current programs (including both control and community engagement activities).
- Improve understanding and knowledge about pest animal densities, current and potential range and their current and potential impacts.
- Raise community awareness of current and potential problems and opportunities for prevention and control.

Objectives and performance indicators are set for each of the priority pest species are outlined in Section 7.1 below.

7.1 Adaptive Management

The Network provides a collaborative mechanism to continually share, grow and improve capacity across the Eastern Region to manage pest animal impacts. A key part of improved outcomes is to nurture respectful, candid and open relationships that facilitate cyclical learning and adaptive management. This is valued by stakeholders and reflected in the case studies included in this Strategy.

Pest management is focused on minimising impacts to and protecting key assets in a coordinated manner. Therefore, in addition to the collation of regional data undertaken for this Strategy, it is important that each activity developed in response to this Strategy includes an investment in improved baseline data on the region's pest animal species distribution and impacts. Research indicates that evaluating pest animal control will require acceptance and reporting of data uncertainties (Braysher 2017). Adaptive management is a structured, iterative process of decision making in the face of uncertainty, which uses monitoring to reduce uncertainty over time. In this way, adaptive management helps to refine the effectiveness of pest management and helps the Network and other land managers to better understand how the regional ecosystems respond. This strategic plan is designed to alter the current degradation pathway and improve outcomes from invasive species management investments.

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Abbreviations

Abbreviation	Description
Ag Vic	Agriculture Victoria
ARI	Arthur Rylah Institute
CISS	Centre for Invasive Species Solutions
LGA	Local Government Area
PPWCMA	Port Phillip and Westernport Catchment Management Authority
DELWP	Department of Environment, Land, Water and Planning
CaLP	Catchment and Land Protection Act 1994
EPBC	Environment Protection and Biodiversity Conservation Act 1999
SWOT	Strengths, Weaknesses, Opportunities, Threats
CMA	Catchment Management Authority
SOP	Standard Operating Procedure
ToC	Theory of Change
KPI	Key Performance Indicator
MERI	Monitoring, Evaluation, Reporting, Improvement Strategy

Eastern Region
Pest Animal Strategy
2020-2030
Volume 2 Supplementary Information

This strategy has been collaboratively developed by the Eastern Region Pest Animal Network. The Network is comprised of representatives of individual Local Government Areas as well as public land managers and authorities including Melbourne Water, Parks Victoria, Port Phillip and Westernport Catchment Management Authority and the Department of Environment, Land, Water and Planning. The following organisations support this strategy. Participating organisations support the broad objectives of the strategy and will seek to collaborate on regional pest animal management. These organisations will tailor actions to suit their organisation and are not bound to undertake all actions in the strategy, but continue to work collaboratively with Network partners to achieve the vision of 'Working together to minimise the impacts of pest animals across the Region'.

Eastern Region Pest Animal Network

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Appendix A
Pest Species Profile

A1 Common Issues

Increasing Urbanisation and Peri-urban Development

- Urbanisation continues to affect biodiversity in the region principally through the spread of exotic species, pollution and increased predation by domestic cats and dogs on native fauna and the fragmentation of local, natural habitat.
- The changing social demographic associated with urban and peri-urban expansion has also impacted the ability of rural/residential communities to manage pest animal issues collaboratively due to high rates of absentee landholders, reduced understanding of the issues and reduced involvement with traditional rural/ community networks engaged in such activities.

- A survey found that most (96%) Victorians regarded feral cats as pests, but did not see domestic cats the same way, with only 34% regarding them as pests (Johnston & Marks 1997)

Animal Welfare and Environmental Impact of Pest Animal Management

- There has been an increasing scrutiny of pest animal management welfare related issues (http://www.pestsmart.org.au/animal-welfare/attitudes-to-animal-welfare/) and is further facilitated by accessible and timely communication technologies, particularly smart phones, increasing peri-urban populations and changing social and community attitudes. There is an expectation that animal suffering associated with pest animal management be minimised, this is particularly so for species for which sectors of the community have a special affinity or attachment, for example wild horses and deer.
- The Network support methods to control or manage pest animals that are humane, target specific and have minimal unintended environmental impact.
- Operating procedures in this strategy are informed by the Australian Animal Welfare Strategy (AAWS) to ensure the humane treatment of all animals in Australia and the relative humaneness of a range of pest animal control methods.
- This strategy uses existing Model Codes of Practice (CoPs) and Standard Operating Procedures (SOPs) have been developed for a range of pest animal species as guidance to jurisdictions and their management of animal welfare aspects of pest animal control.
- The SOPs are guiding documents only and can be modified by jurisdictions to suit their particular needs and legislation. The CoPs have been endorsed by the National Biosecurity Committee and remain as guiding documents.
- CoPs encompass all aspects of controlling a pest animal species. A CoP for a pest animal species provides general information on best practice management, control strategies, species biology and impact, and the humaneness of current control methods.

Image: David Croft/Department of Planning, Industry and Environment

A2 European Fox

Pest Status VIC

Declared Established pest animal in Victoria under the CaLP Act. Predation of native animals by the introduced European Fox Vulpes vulpes is listed as key threatening processes under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) and Flora and Fauna Guarantee (FFG) Act (1998). Fox considered a threat to 14 species of birds, 48 mammals, 12 reptiles and two amphibians, with the orange-bellied parrot, spotted quail-thrush (from Mt Lofty Ranges), herald petrel, Gilbert's potoroo and western swamp tortoise listed as critically endangered[1]. Foxes are also likely to predate shorebirds and migratory shorebirds, with the extent of impact currently unknown in the Eastern Region. The national economic impact of foxes is estimated to be $227.5 million annually. This includes $17.5 million in sheep production losses, $190 million in environmental impacts, $16 million in management costs and $4 million in research costs[2].

As a declared established pest species, foxes may not be eradicated however populations of foxes may be controlled for asset protection. Agriculture Victoria administrate the Victorian Fox and Wild dog Bounty for eligible hunters, subject to terms and conditions. Eligible hunters may receive $10 per head for each fox killed.

1 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/red-fox
2 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/red-fox

Biology

Foxes are medium sized, carnivorous mammals. They live up to nine years. Foxes reach sexual maturity within 12 months of age, mating occurs in winter (June-October) and gestation lasts between 51 to 53 days. Litter size averages three to six pups and up to 12 with cubs being born in spring (DPI 2019). Young usually appear from the den in late spring and at 10 -12 weeks will leave the den, by six months cubs are independent and dispersal of young is typically within 30 kms from the den site (DPI 2019).

Foxes are generalist predators and have been found to consume at least half of the threatened fauna listed under the EPBC Act (1999) (Reddiex & Forsyth 2004).

Foxes are nocturnal hunters and during times of food abundance, such as spring, cache excess food and recover resources when prey is scarce, for example during winter (DPI 2019). Foxes are typically solitary. During the breeding cycle, dog (male) and vixen (female) foxes will form a family group prior to breeding and sometimes subordinate litter mates may remain in the natal home range as helpers.[3]

3 https://www.dpi.nsw.gov.au/biosecurity/vertebrate-pests/pest-animals-in-nsw/foxes/fox-biology

Image: David Croft/Department of Planning, Industry and Environment

Resource distribution is thought to dictate home range and social organisation of foxes in Australia. Home range size varies 10-300km^2. In resource rich areas carrying capacity is high and a family group of six to seven individuals can occupy a shared range of 3-5km^2 (Saunders, Gentle & Dickman 2010). Range size varies with the type of habitat, population density of foxes and availability of food.

Distribution

Fox populations are widely established in urban, suburban, agricultural and natural environments throughout the Eastern Melbourne region. Foxes inhabit many urban areas, especially where there is cover provided by parklands and reserves and food is easy to find. The densities of foxes residing in cities (3-16 per sq km) can be considerably higher than densities observed in farmland in central Victoria (4 per sq km).

Outside urban areas, the fox is probably most abundant in fragmented agricultural landscapes that provide a range of habitats, food and cover. Estimates of fox abundance are hampered by its nocturnal and cryptic behaviour. In addition, foxes will fill the landscape to a density determined by the availability of food and suitable habitat. Habitat suitability is usually determined by the densities of prey animals within an area

A large portion of Australia falls within the preferred climatic range for this species and foxes have capacity to spread in the Eastern Melbourne Region (Yarra Council 2012, Saunders, Gentle & Dickman 2010). Human modification of the Australian landscape for farming and development has enabled foxes to spread widely across the landscape through pasture lands and modified patchy landscapes. Foxes exploit abundant food sources including rabbits and native fauna which have not evolved with fox-specific predation avoidance strategies (Saunders, Gentle & Dickman 2010).

Control

Baiting with sodium monofluoroacetate (1080) is considered to be the most cost-effective broadscale option for fox control currently (Saunders, Gentle & Dickman 2010). Other methods of fox control, such as trapping, shooting, and baiting with other poisons, are more labour intensive but are recommended for use concurrently with a bait control program to account for bait shy animals, bait caching and subsequent bait avoidance (Saunders, Gentle & Dickman 2010). Exclusion fencing is also an effective method for fox control, however may not be a suitable control option.

Optimal bait density will vary with fox density, home range size and habitat use (Saunders, Gentle & Dickman 2010). However, for most areas of Australia, 5-10 baits per square km is considered to be the optimum density for reduction of fox populations (Saunders & Mcleod, 2007), at an ideal frequency of four times per year (Moseby & Hill 2011; DPAW, 2014). Aerial baiting is more cost effective for large areas than ground baiting (Fairbridge & Fisher, 2001; Saunders & Mcleod, 2007), due to the lower labour costs and time involved. Techniques to prevent caching are also highly recommended, this includes the use of highly palatable bait types which are as fresh as possible (Saunders, Gentle & Dickman 2010. Pre-baiting and the use of continuous scent trails should not be undertaken, these techniques can lead to bait aversion and increase the chance of caching (Saunders, Gentle & Dickman 2010).

For control to be most effective Saunders, Gentle and Dickman (2010) recommend initial intensive and widespread control measures in order to reduce fox populations, followed by sustained maintenance control to prevent population recovery over time. Buffer zones are also highly recommended in order to prevent immigration of new individuals into the target area. The use of buffer zones in control efforts has been effective in reducing edge effects and more sustained population control due to reduced immigration (Saunders, Gentle & Dickman 2010). Maintenance control may at times require efforts equal to initial control measures and techniques, and an adaptive management approach is recommended to respond to changes in population density over time.

A3 Feral Cat

Pest Status

Declared Established pest animal on specified Crown land in Victoria. Declaration applies to areas of Crown land managed by the Department of Environment, Land, Water and Planning (DELWP), Parks Victoria, Phillip Island Nature Park and the four Alpine Resort Management Boards. The Declaration excludes areas managed under lease or licence or unused roads bordered by private land on both sides. Predation by cats is listed as key threatening processes under the EPBC Act and FFG Act. Approximately 80 endangered and threatened species are at risk from feral cat predation in Australia4. The cost of feral cat management and research has been estimated at $2 million per year nationally. The economic loss inflicted by feral and domestic cats, based on bird predation alone, has been estimated at $144 million annually5.

To protect the welfare of all cats, including the safety of free-roaming domestic cats, feral cat control will only be actively implemented in the specified areas by government and agency staff and their approved agents.

Feral cats have not been declared as a pest animal on private land. Domestic cats are subject to night time curfews in many Council areas in the region by Local Order. All domestic cat owners must register pets and follow responsible pet ownership including to prevent their cat from harming native wildlife (Domestic Animals Act 1994 and the objectives of Victoria's environmental protection laws). It is an offence to destroy a domestic cat, except in very limited circumstances.

4 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/cat-feral-or-wild
5 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/cat-feral-or-wild

Biology

Feral cats may live for up to seven years. Female feral cats can reproduce at 10–12 months of age, with males reaching sexual maturity at about one year (Denny and Dickman 2010)[6]. Cats are mostly solitary animals and usually maintain a home range which may be up to 10 sq km for males and less for females. Usually more active at night, with the two periods of greatest activity centred near the times of sunrise and sunset.

Distribution

Feral cats live in a diverse range of habitats including deserts, forests, woodlands and grasslands. Feral cats usually reach their highest densities on small islands or in human-modified habitats such as farms and rubbish tips.

Feral cats are known to have contributed to the extinction of 28 mammal species and are currently listed as the greatest threat to Australia's native mammals (Department of the Environment 2015). Feral cats are distributed throughout all Australian states and territories and many offshore Islands. They have an extremely broad diet consuming a wide range of native wildlife, and as such, are implicated in population declines of a huge number of native fauna species (Dickman et al. 2010; Doherty et al. 2015; Reddiex & Forsyth 2004). Small mammals within the range of 35 grams to 5.5 kilos are at greatest risk of predation by feral cats, birds and reptiles are also common prey (Doherty et al. 2017; Fancourt 2015; Molsher et al. 1999). Within Australia, on average reptiles comprise of 32.7% of feral cat diets, this is a higher proportion that in other countries (Doherty et al. 2015). Rabbits are found to make up a large portion of the diet of feral cats, this is likely due to their high abundance in Australia (Doherty et al. 2017). Feral cats hunt both diurnally and nocturnally and exhibit facultative feeding strategies and will prey switch to other small mammals if rabbit density decreases (Doherty et al. 2017; Molsher et al. 2005; Molsher et al. 1999).

Feral cats usually maintain a home range which may be up to 10 sq km for males and less for females[7]. The wide distribution of feral cats across Australia encompasses every possible habitat type on the continent (Arid Recovery 2019). The success of feral cats in Australia can be attributed to many factors including their opportunistic and generalist prey preferences and generalist habitat preferences, being able to survive without access to water and the presence of a constant domestic source population (Doherty et al. 2017).

Control

In unfenced areas of Crown land where the feral cat declaration applies, it is recommended that control efforts combine both lethal and non-lethal control measures and an adaptive management approach which accounts for localised response of feral cats and native fauna abundance, as well as developing technologies that advance over time. Lethal control options include, baiting with poisoned baits, and, trapping and shooting (Doherty et al. 2017). Non-lethal control options in unfenced areas includes the management of habitat, food supplies and trophic relationships (Doherty 2017).

Baiting is an effective method of controlling feral cats on mainland Australia. Baiting is thought to only be effective when undertaken at a scale in which a large reduction in density is achieved, otherwise rapid immigration will render any efforts futile (Doherty et al. 2017). Recently developed baits found to have enhanced uptake specifically designed for feral cats (Doherty 2017). Of these, Curiosity® has recently been registered by the APVMA and is available by permit issued by Agriculture Victoria to agencies and departments. For optimal results it is suggested that cat baiting programs take place during autumn and early winter when rabbit abundance and reptile activity are at their lowest (Doherty et al. 2017). Baiting

6 https://www.pestsmart.org.au/wp-content/uploads/2010/03/CatReport_web.pdf
7 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/cat-feral-or-wild

must be postponed in the event of high rainfall events preceding the planed execution of a baiting event. This is because high rainfall can elevate populations of prey species and therefore reduce the chance of bait uptake by cats (Doherty et al. 2017).

An important consideration in the control of feral cats is the predatory control they exert on rabbit numbers in Australia, any cat control must incorporate rabbit control strategies to prevent an increase in rabbits (Molsher et al. 1999).

Methods other than lethal control are especially important considerations for feral cat management given the recurrent inputs required for lethal control of cats (Doherty et al. 2017). Cats are more successful hunters in open landscapes, hunting success rates is affected by the structure of habitat surrounding prey (McGregor et al. 2015). Recent research has shown a 70% success rate for cats hunting in open landscapes, where as in landscapes with dense grass cover or complex rock terrain success fell to 17% (McGregor et al. 2015). Therefore, by maximising grass cover, and complex vegetation stratification and maintaining areas of complex rock terrain across the landscape predation rates and the abundance of feral cats could be reduced locally (McGregor et al. 2015).

A4 European Rabbit

Pest Status VIC

Declared Established pest animal in Victoria. Competition and land degradation by rabbits is listed as key threatening processes under the EPBC Act and FFG Act. Rabbits selectively feed on certain species of plants at critical stages of development such as seeding and seedling establishment. Rabbits can severely impact the regeneration or recruitment of critical vegetation communities[8]. In some instances, the impact created by rabbits on vegetation is often replaced with noxious and/or unpalatable weed species.

In 2009 the national impact of rabbits through lost agricultural production was estimated at $206 million per annum. In combined data for Tasmania and Victoria rabbits are estimated to have cost approximately $30 million in lost production for the beef, lamb and wool industries per year[9].

Biology

Rabbits are adapted to a wide range of habitats, preferring short grassy areas for feeding. Both males and females reach sexual maturity at three to four months of age. Under favourable conditions an adult female can produce seven or eight litters in a year. One doe can produce between 50–60 offspring in a single breeding season. Rabbits live up to ten years.

Breeding season is determined by rainfall and plant growth, and as such can be variable, but generally occurs during spring (DPI 2019). It must be noted though, rabbits can breed at any time during the year

8 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/european-rabbit
9 http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/a-z-of-pest-animals/european-rabbit

provided suitable high protein plants are present within their range (DPI 2019). Juveniles rarely disperse more than 200 meters from the warren or squat (DPI 2019; Williams et al. 1995).

Rabbits generally emerge from shelter one to three hours prior to sunset and forage and socialise from evening until early morning before returning to shelter sites throughout the day (DPI 2019; Williams et al. 1995). Nightly activity is reduced under unfavourable conditions including rain and high wind, activity is also reduced during breeding season (DPI 2019).

As rabbits don't frequently dig new warrens, many rabbits live and breed in shallow soil depressions under fallen timber or within tall and dense vegetation, new depressions are dug with each litter and squats develop into more complex burrow systems over family generations (Williams et al. 1995). In Woodland or open shrubland areas, squats are more frequently used than warrens (Williams et al. 1995). Rabbits may also utilise surface shelter including dense scrub, timber logs and rocks and in landscapes where rabbits are found to be sheltering above ground warren ripping will not be a suitable control method (Williams et al. 1995).

Distribution

European rabbits occur throughout Victoria except in alpine and closed forest environments. They are widespread across the Eastern Region. Rabbit density fluctuates in response to rainfall, and during times of drought can decline to around 1% of their potential peak population, rabbit numbers are found to be at their peak during early summer (Williams et al 1995).

Control

Evidence suggests that rabbit management is most successful when multiple control techniques are implemented and when sustained on the same geographic area over several years. Research also indicates successful reduction in pest rabbit impacts are improved when control actions are coordinated across landholders and integrated at state, regional and local scales (ERPN workshop 8th October 2019, Williams et al 1995).

Strategic rabbit control entails monitoring and evaluating the efficiency of the onground actions (Williams et al. 1995). Monitoring is a prerequisite for projects.

Control techniques and efforts are determined by current rabbit distribution, abundance and landscape features including topography and soil type (Williams et al. 1995). In public open space with warren activity, local experience in the Eastern Region has reported successful warren control by jamming entranceways with fallen tree material obtained on site, in addition to mechanical destruction methods. Warren jamming is cost effective and has less visual impact and is suited to use in combination with fumigation and biological control.

Under high rabbit densities and if the use of warrens is confirmed within the study area, initial poisoning (primary control) followed by warren ripping or fumigation (sustained maintenance control) is recommended. Dogs have been used successfully to drive rabbits underground into warrens to increase the effectiveness of efforts (Williams et al. 1995). Fumigation is generally thought unsuitable for large areas as it is high cost and labour-intensive but could be implemented across smaller target areas where rabbits are a localised problem, or where a particular threatened species is present. In situations where rabbit density is low the suggested sustained maintenance control techniques should alone be effective in reducing and maintaining low rabbit densities (Williams et al. 1995).

Any rabbit control in Australia must incorporate feral cat and European Fox control in order to reduce prey switching by feral cats and foxes to native critical weight range mammals under reduced rabbit densities (Doherty et al. 2017; Molsher et al. 1999; Williams et al. 1995). Any localised reduction of rabbits will more than likely result in prey switching by feral cats and foxes and increase predation pressure on native fauna (Doherty et al. 2015; Williams et al. 1995).

Sambar deer: commons.wikimedia.org/wiki/File:Male_Sambar_Deer_(Stag)_staring_at_me.jpg (DammikaD)

A5 Feral Deer

Pest Status VIC

Not declared. Defined as protected wildlife under the Wildlife Act 1975. Defined as game, which means they can be hunted by licensed game hunters. Under the Wildlife (Game) Regulations 2012 (S.R. No. 99/2012). The three target deer species are known to have viable feral populations established in Victoria: Red, Sambar and Fallow.

Impacts from feral deer populations include altered composition and structure of native vegetation communities, weed/disease spread, grazing pressure (competition for native and domestic stock), soil erosion, degraded water quality, traffic accidents, stock spooked/mauled, pathway creation for other feral species incursion into forested areas. Deer are associated with rubbing and ring barking trees which is problematic in areas with high density populations.

Biology

Deer are herd animals. They reach sexual maturity at 16 months, with mating/fawning season varying by species and their population can increase by 30% to 55% per year (Hone et al 2010). Deer are adaptable mixed feeders[2]. They commonly eat leaves, bark and fruit and prefer grassy forests in undulating country.

Distribution

Deer populations are distributed across Victoria. The population of sambar is the most widespread and thought to be in the hundreds of thousands. Their range is spreading to cover most of the forests of the Central Highlands and Gippsland and sambar are now found in Wilsons Promontory National Park, joining the park's large hog deer population. Hog deer populations are concentrated in coastal areas of eastern Victoria. Red deer are in high numbers in the Grampians with smaller outlying populations. Fallow deer are found in large numbers in the Otways and the forests adjacent to South Australia, while Chital and Rusa deer are yet to establish significant populations.

In the Eastern Region, deer are present in Cardinia, Yarra Ranges, Nillumbik, Manningham and are an emerging pest management issue in adjacent areas including Knox, Maroondah and Casey. Deer strike is reported to be increasing in parts of the region, posing a safety concern on roads. A Sambar Deer has already knocked over two school students at a Maroondah school and deer have been seen in kindergarten playgrounds in Maroondah. Deer also present in drinking water catchments with particular concerns for Upper Yarra, Sugarloaf and Cardinia Resevoir areas.

Deer are herbivores and primarily forage on grasses, herbs, and leaves (from shrubs and trees), as well as bark and some fruits (DSEWPC 2011). Deer can be found in herds of up to 30 individuals but are also known to live as individuals without a herd (DSEWPC 2011). Mating occurs in Autumn and gestation is usually eight to nine months, most frequently single young is born (DSEWPC 2011). Males are known to rub against trees and saplings in order to mark out territories (DSEWPC 2011). The known habitat preferences for the three deer species are presented in Table 1.

Deer Species	Grasslands	Woodlands	Forest	Rainforest
Red deer *Cervus elephus*			Preference for open grassy glades within forest	
Sambar deer *Cervus unicolor*			Coastal to alpine	
Fallow deer *Dama dama*	Preference for woodland opening onto grassland	Preference for woodland opening onto grassland		

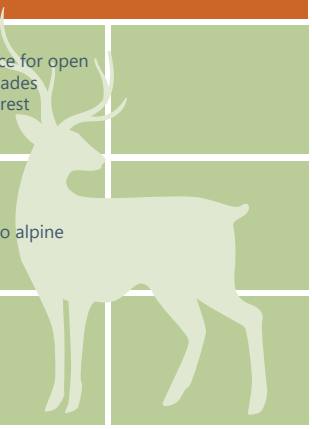

Table 1: Habitat preferences for three of Australia's Feral Deer species present in the Eastern Region (Gynther & Baker 2013)

Where they are abundant deer have negative effects on overall ecosystem biodiversity and to plant abundance and diversity. Deer suppress seedling recruitment and sapling growth through foraging and rubbing against saplings to mark out territories. Deer compete with native animals through grazing competition and contribute to soil erosion and water degradation in creeks and rivers by trampling these areas with their hard hooves (DPI 2019; DSEWPC 2011). Deer are also known to spread weeds and carry disease which can be spread to other animals (DSEWPC 2011). Combined, these effects alter the structure and composition of native ecological communities (McLeod 2009).

Control

The negative impacts associated with feral deer in Australia have only recently been acknowledged by Government departments in Australia. With the first documentation of potential damage by feral deer being noted in 1989 by Groves and Bishop (McLeod 2009). More recently however, government opinions on environmental damage as a result of feral deer populations have changed, and in 2001 the Australia State of the Environment Report discuss deer as having had. or having potential to, cause severe environmental damage in Australia (McLeod 2009). The main control method is shooting undertaken by professional contract shooters and accredited volunteer hunters. Aerial shooting has also started recently being used in Victoria where it can be effective in areas with low bush cover.

A6 Common (Indian) Myna

Pest Status VIC

Not a declared pest animal in Victoria. The impacts of Common (Indian) Myna include damage to horticultural crops; disease spread; displacement or predation of native fauna; dispersal of invasive plants; reduced biodiversity; damage to public amenities via fouling or nesting; and public disturbance caused by fouling, noise, communal roosting and scavenging. Exotic pest birds are currently estimated to cause $8.5 million in annual loss to Australian primary industries. Crops affected include, wheat, oats, barley, grapes, cherries, blueberries, apples, stone fruits and olives. The Myna adversely impacts regent parrot, little tern, hooded plover, flesh footed shearwater, white tern and sooty tern via competition for nest hollows, predation of eggs or direct attack

Biology

Closely associated with human habitation. In the evening, large groups of Common Mynas gather in communal roosts, mainly in the non-breeding season, in roof voids, bridges, and large trees, and numbers can reach up to several thousands. Common Mynas mate for life. During the breeding season there is usually considerable competition for nesting sites. Favoured locations are in the walls and ceilings of buildings, making these birds a nuisance to humans. Nests are also placed in tree hollows, which are used by native birds. Nests are quite messy and consist of a variety of materials. Leaves, grasses, feathers and assorted items of rubbish are common materials.

Distribution

Myna's are distributed across the Eastern Region, predominately near towns and cities.

Expert opinion suggests where not constrained by low temperature (Martin 1996), this omnivorous species will continue to spread into rural and urban areas across Victoria. While commonly regarded as commensal with humans, the species is nevertheless found in reserves and less disturbed environments in Australia and other parts of the world (Pell and Tidemann 1997, Peacock et al 2007)

The Common (Indian) Myna also known as Common Myna was introduced across Eastern Australia in the 1800's for the biological control of crop insects. The Common (Indian) Myna is now a common and wide spread pest species (Pest Smart 2014). Across their current range in Eastern Australia (Figure 2) Common (Indian) Mynas cause severe damage to vegetation as well as compete aggressively with native species for habitat and resources (Pest Smart 2014).

Common (Indian) Mynas are highly adaptable in their foraging and food preferences, they can exploit seasonal food abundance and are generalist, opportunistic omnivores (DAF 2016). Common (Indian) Mynas forage singly, in pairs or in flocks either on the ground or within flowering trees and smaller bushes (DAF 2016). There current range in Australia is restricted by temperature and they are not established in areas where the average minimum temperature of the coldest month is less than -0.4 degrees Celsius (DAF 2016). Common (Indian) Mynas evolved in open woodland habitats, and in Australia prefer open habitats (DAF 2016). This species thrives in disturbed areas and human modified landscapes such as urban areas. Across their range in Australia Common (Indian) Mynas are not found in dense or closed habitats such as rainforests (DAF 20016

Control

Current control techniques include shooting as well as trapping and humane euthanasia. Trapping efforts have been found to be more successful at smaller localised scales within broader target areas as opposed to programs which focus on larger broad scale control efforts (Centre for Invasive Species Solutions 2014). Common (Indian) Myna birds can develop trap shy behaviour and are known to avoid areas in which shooting control has been undertaken (Centre for Invasive Species Solutions 2014). Trap success can be improved by utilising decoy birds, nest box trapping and roost trapping (Centre for Invasive Species Solutions 2014). The Centre for Invasive Species Solutions (2014) suggests culls of at least 25 individuals per km2 each year prior to and during breeding season which extends from August to March. Common (Indian) Myna populations can recover rapidly from control programs, therefore repeating control efforts each year is highly recommended for the most effective and sustained control efforts. This species can spread and establish large populations rapidly and once it is established in an area total eradication is unlikely. Therefore, the best management approach would be to respond to distribution spread rapidly to prevent population growth in new areas (Centre for Invasive Species Solutions 2014).

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Appendix B
Legislative Context

The Australian Government Department of the Environment and Energy identify 21 key threatening processes which are listed in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). These can be identified as threatening processes which may threaten the survival, abundance or evolution of a native species or ecological community (DEE 1999). Key threatening processes relevant to this control plan include;

- Competition and land degradation by rabbits;
- Predation by European Fox; and,
- Predation by feral cats.

In accordance with section 10 of the Victorian government *Flora and Fauna Guarantee Act 1988*, the following Potentially Threatening Processes relevant to this control plan include;

- Predation of native wildlife by the cat, *felis catus*
- Predation of native wildlife by the introduced European Fox *Vulpes Vulpes*
- Reduction in biodiversity of native vegetation by Sambar *Cervus unicolor*
- Reduction in biomass and biodiversity of native vegetation through grazing by the Rabbit *Oryctolagus cuniculus*

The *Catchment and Land Protection Act 1994* (CaLP Act) is the primary legislation in Victoria defining pest animal management obligations. Under the CaLP Act (1994) all land owners have a legal obligation to manage pest animals on their land. Knox City Council has committed to controlling pest species across the Melbourne eastern region. The five species identified for control are rabbits, European Fox, feral cats, deer and Indian Myna. The principle objective of a feral animal control program should be to reduce the abundance and occupancy of feral animal populations within the landscape, regardless of tenure.

To be successful, a pest control program across the entire Melbourne Eastern Region will require cooperation and coordination between the different land managers to ensure that control actions can be completed without interruptions and uniformly across the broader area. A coordinated approach will prevent patches of feral species being left uncontrolled which can lead to rapid recolonization and population recovery of target pest species.

European rabbit: commons.wikimedia.org/wikipedia/commons/a/a5/Oryctolagus_cuniculus_Helsinki.jpg

Planning Document	Summary of Obligations
National Obligations	
Australian Pest Animal Strategy (2017-2027)	Presents three national goals: • Prevent the establishment of new pest animal species • Minimise the impact of established pest animals • Improve leadership and coordination for the management of pest animals
Invasive Animals Cooperative Research Centre	Deliver ethical invasive species solutions in Australia. Current projects and areas of research include; • Rabbit biological control agents • Genetic technologies for pest animal control • Assessment of effects of exclusion fencing (WA & QLD) • Preparing for reset Landscape-scale Predator Management • Management of wild dog and deer in peri-urban landscapes: strategies for safe communities • The role of wild deer in the transition of diseases of livestock • Cost effective management of wild deer • Tools for developing cost effective decisions for managing invasive pest eradications • Real time EDNA tools to improve early detection and response approaches for high risk pest animals • Development of integrated passive and active surveillance tools and networks • Understanding and intervening in illegal trade in non-native species • Development of a national incursion management framework for invasive species – stage 1 • Wild dog alert • Intellitraps • PAPP-Based Lethal trap device (LTD) • Blue healer glovebox antidote • Feral deer aggregator • Hoggone Australia • Mt Hope Malleefowl recovery • Gonacon product registration • Carbon monoxide rabbit warren fumigator
Australian Animal welfare Strategy (2004)	Vision: All Australians value animals and are committed to improving their welfare. Mission: To deliver sustainable improvements in the welfare of all animals.

Victorian Obligations	
Invasive Plants and Animals Policy Framework	Presents the overarching Victorian Government approach to the management of existing and potential invasive species within the context of the Whole of Government Biosecurity Strategy for Victoria. Operationally, the approach is based on four key elements or intermediate outcomes: prevention, eradication, containment and asset-based protection.
Protecting Victoria's Environment – Biodiversity 2037. Department of Environment, Land, Water and Planning (2017)	The Biodiversity 2037 vision is that Victoria's biodiversity is healthy, valued and actively cared for. A range of systems and tools collect, store and display biodiversity information to support our decision making and measure our contributions to Biodiversity 2037 include: Victorian Biodiversity Atlas (VBA) – for contributing species observations Activity data - recording on-ground biodiversity actions NatureKit - for accessing species and habitat information and decision support tools NaturePrint - for information about decision support tools including modelled biodiversity assets, threats, benefits of actions, and Strategic Management Prospects (SMP).
Catchment and Land Protection Act (Victorian Government, 1994)	The main legislation covering noxious weed and pest animal management in Victoria is the Catchment and Land Protection Act 1994 (CALP Act). Under this Act species of plants and animals can be declared as noxious weeds and pest animals. One of the main objectives of the CaLP Act is to protect primary production, Crown land, the environment and community health from the effects of noxious weeds and pest animals. The CaLP Act defines roles and responsibilities and regulates the management of noxious weeds and pest animals. The Act prohibits the movement and sale of noxious weeds of all categories anywhere in the State and covers weed seeds occurring as contaminants in seed lots, plant products or on vehicles, machinery or animals. The CaLP Act also regulates the importation, keeping, selling and releasing of declared pest animals. Under the CaLP Act all land owners have legal obligations regarding the management of declared noxious weeds and pest animals on their land. Specifically, land owners must take all reasonable steps to eradicate regionally prohibited weeds, prevent the growth and spread of regionally controlled weeds, and prevent the spread of - and as far as possible eradicate - established pest animals on their land.

Flora and Fauna Guarantee Act (Victorian Government, 1988)	The flora and fauna conservation and management objectives, as outlined under the Flora and Fauna Guarantee Act 1988, are: • to guarantee that all taxa of Victoria's flora and fauna …. can survive, flourish and retain their potential for evolutionary development in the wild • to conserve Victoria's communities of flora and fauna • to manage potentially threatening processes • to ensure that any use of flora or fauna by humans is sustainable • to ensure that the genetic diversity of flora and fauna is maintained • to provide programs of community education in the conservation of flora and fauna • to encourage co-operative management of flora and fauna through, amongst other things, the entering into of land management co-operative agreements under the Conservation, Forests and Lands Act 1987 • of assisting and giving incentives to people, including landholders, to enable flora and fauna to be conserved • to encourage the conserving of flora and fauna through co-operative community endeavours.
Wildlife Act 1975	Deer are protected under Wildlife Act 1975
Domestic Animals Act 1994	Provides for registration and identification schemes, promotion of responsible pet ownership, and development of local laws.
Prevention of Cruelty to Animals Act (Victorian Government, 1986) and POCTA Regulations 2019	The Minister for Agriculture is responsible for this legislation. It is administered by staff in the Biosecurity Division of the department. The Prevention of Cruelty to Animals Act 1986 (POCTA) has five parts: Part 1 outlines its purpose, scope, application and code making powers. Part 2 broadly defines cruelty offences, penalties, rodeo requirements and appointment of inspectors. Part 2A sets out the enforcement powers and responsibilities of inspectors. Part 3 provides provisions concerning use of animals in scientific procedures. Part 3A provides provisions relating to the infringement notices. Part 4 provides for miscellaneous requirements and offences as well as setting out regulation making powers. Part 5 sets out transitional arrangements that are in place. Regulations prescribe kinds of traps, their features, places where they may be used and conditions of use

Meat Industry Act 1993	Harvesting of deer meat is regulated by the Meat Industry Act 1993
Port Phillip and Western Port Invasive Plant and Animal Strategy (2011) (IPA)	Addresses invasive plant and animal management in the Port Phillip and Western Port region. The IPA sets 5 main objectives as well as actions for region-wide IPA management as well as monitoring and reporting systems. The objectives are; • Implement coordinated, cooperative and effective management of invasive plants and animals across the region. • Prevent the introduction and establishment of new high-risk invasive plants and animals. • Eradicate, contain or prevent further spread of established infestations of high-risk invasive plants and animals. • Address the risks of impacts of invasive plants and animals on the priority environmental and agricultural assets. • Improve management of invasive plants and animals through effective monitoring, evaluation and reporting.
Regional Catchment Strategy for the Port Phillip & Western Port region (2016)	Aims to protect the environmental assets of the Port Phillip and Western Port region, and to enhance collaboration between organisations involved in environmental management in the area. This strategy sets targets for environmental assets in the Port Phillip and Western Port region including – native vegetation, native animals, waterways and wetlands, hinterland, coasts and the bays.
Local council plans	Refer to Appendix C e.g. Nillumbik Council Invasive Species Action Plan
Integrated NRM Plans – e.g. park management plans	Port Phillip and Westernport CMA, Invasive Plants and Animals Strategy addresses invasive plant and animal management in the Port Phillip and Westernport region. The objectives are; • Implement coordinated, cooperative and effective management of invasive plants and animals across the region. • Prevent the introduction and establishment of new high-risk invasive plants and animals. • Eradicate, contain or prevent further spread of established infestations of high-risk invasive plants and animals. • Address the risks of impacts of invasive plants and animals on the priority environmental and agricultural assets. • Improve management of invasive plants and animals through effective monitoring, evaluation and reporting.

Table 2. Summary table of pest animal legislation and land manager/tenure obligations

Appendix C
Summary of Network Pest Control Actions

The following pages outlines the eastern region management response to pest animals each local council/public land manager will take.

Banyule

Fox	Trapping, warren destruction at waterway parks and reserves, conservation reserves.
Feral Cat	N/A
Rabbit	Trapping, warren destruction at waterway reserves and conservation reserves (remnant grassland sites).
Deer	N/A
Common (Indian) Myna	Community based Common (Indian) Myna Action group across the Banyule residential areas with 50 current registered volunteers, cages and approved training in euthanasia. Ongoing trial program of provision of single entry, no return nest boxes to attract Mynas for control, based at Darebin Parklands with Local Rangers undertaking control works.

Boroondara

Fox	No specific programs listed.
Feral Cat	Cage traps available from the council for hire.
Rabbit	No specific programs listed.
Deer	No specific programs listed.
Common (Indian) Myna	No specific programs listed.

Cardinia

Reserve specific control program at RJ Chambers Reserve.

Biosphere Predator Control Strategy identifies priority control areas.

Fox

List foxes as a pest species. Reserve control at RJ Chambers Reserve. Utilise Westernport Biosphere Predator Control Strategy (Ecology Australia 2014)10.

Feral Cat

Cat traps available for hire.

Rabbit

N/A

Deer

Landcare community led Deer Shooting Control Program supported by Council. Running for 6 years in the Cannibal Creek Catchment on private land, (programs often also include the shooting of fox and rabbit) and the Cardinia Creek Catchment.

Common (Indian) Myna

Common (Indian) Myna trapping in high visitation sites such as Emerald Lake Park.

Traps available to purchase.

10 Ecology Australia (2014). Predator Control Strategy for the Western Port Biosphere Reserve, Victoria. Prepared for the Western Port Biosphere Reserve Foundation. Available at https://www.biosphere.org.au/sites/default/files/wpbr_predator_control_strategy_final.pdf

Casey

Fox

Predator control (trapping, den destruction) at Western Port (Tooradin, Blind Bight, Warneet, Cannons Creek and Quail Island), Cardinia Creek, Koo wee Rup swamp and Royal Botanic Gardens Cranbourne.

Feral Cat

Predator control (trapping, den destruction) at Western Port (Tooradin, Blind Bight, Warneet, Cannons Creek and Quail Island), Cardinia Creek, Koo wee Rup swamp and Royal Botanic Gardens Cranbourne.

Rabbit

Ongoing sporadic control (warren destruction) throughout municipality.

Deer

N/A

Common (Indian) Myna

Lists Common (Indian) Myna prevention measures and offers euthanasia advice. Traps available for hire.

Frankston

Fox	No specific programs listed.
Feral Cat	No specific programs listed.
Rabbit	No specific programs listed.
Deer	No specific programs listed.
Common (Indian) Myna	No specific programs listed.

Greater Dandenong

Fox	No specific programs listed.
Feral Cat	No specific programs listed.
Rabbit	No specific programs listed.
Deer	No specific programs listed.
Common (Indian) Myna	No specific programs listed.

Knox

Fox	Fox trapping has been sporadic, contained to fenced areas and is often undertaken in response to public complaints and fox sightings near golf courses, kindergartens and childcare centers. Fox baiting is prohibited due to the potential poisoning of domestic animals. Locations include: Old Joes Ck Boronia, Quarry Reserve Upper Ferntree Gully, Lakewood Reserve, Knoxfield, Blind Creek Wantirna South, Dandenong Valley parklands.
Feral Cat	No feral cat control in Knox, though there are some processes in place to manage domestic cats. On January 1, 2020, Council will be introducing a 12-month pilot cat curfew.
Rabbit	Selectively and not on a regular basis. Rabbit baiting as main control mechanism, occasional shooting. Also, trialling fencing exclusion zones. Control usually undertaken to minimise impact on revegetation. Locations include: Orville Court, Heaney Park, Rowville, Reservoir Crescent Reserves, Rowville.
Deer	There is currently no deer control.
Common (Indian) Myna	Common (Indian) Myna Trapping program that launched in January 2018. People can trap Common (Indian) Mynas on their private property using a custom designed trap followed by approved euthanasia measures. As of June 2019, 107 traps had been sold, 89 properties were involved in trapping and 252 Common (Indian) Mynas had been caught. Trial in 2018 of Council led trapping at: Lakewood Reserve; Morris Reserve; Norton's Lane Reserve; and the Knox regional sports precinct. Proved to be time consuming, resource intensive and was largely ineffective (42 birds caught over 5 week period).

Manningham

Fox	Fox control grants offered to residents of up to $250 for each participant. Respond to landholder requests.
Feral Cat	Education programs and random resident trapping on private land.
Rabbit	Ongoing harbour removal across the green wedge area on both public and private land.
Deer	Shooting program at Brushy creek and Jumping creek catchments. Offer subsidy to private landholders.
Common (Indian) Myna	Random resident control across the municipality.

Maroondah

Fox	Soft jaw trapping and active den fumigation in bushland reserves
Feral Cat	Asks public to keep cats contained from dusk until dawn.
Rabbit	Minor control. Will destroy warrens, complete ferreting or trap around sporting grounds and golf courses if numbers get high. Have installed rabbit proof netting in bushland reserves but ceased due to animal welfare concerns.
Deer	N/A
Common (Indian) Myna	N/A

Melbourne Water

Fox	Surveys, den counts, spot lighting and trapping.
Feral Cat	Surveys, den counts, spot lighting and trapping.
Rabbit	Surveys, spotlighting, use of calicivirus, ripping.
Deer	Currently no shooting permitted on Melbourne Water lands. Monitoring at water reservoirs.
Common (Indian) Myna	N/A

Monash

Fox	Baiting of foxes in bushland reserves.
Feral Cat	Cat curfew to stop domestic cats becoming feral.
Rabbit	N/A
Deer	N/A
Common (Indian) Myna	Planting out areas to discourage Common (Indian) Mynas.

Nillumbik

Fox	Three-year project that has been funded by the State Government to trial the control of foxes in the vicinity of Bend of Islands, Watsons Creek and Christmas Hills using soft-jaw trapping.
Feral Cat	N/A
Rabbit	Rabbit action plan which includes control Target control efforts (trapping, ferreting, baiting) at priority bushland reserves and waterways (Diamond Creek); private properties with priority agricultural assets and bushland.
Deer	Three-year project to trial the control of deer near Bend of Islands, Watsons Creek and Christmas Hills using targeted shooting. Landowners that live within the project boundary are eligible to apply for free deer control.
Common (Indian) Myna	Targeted trapping in urban areas and farmland.

Parks Victoria

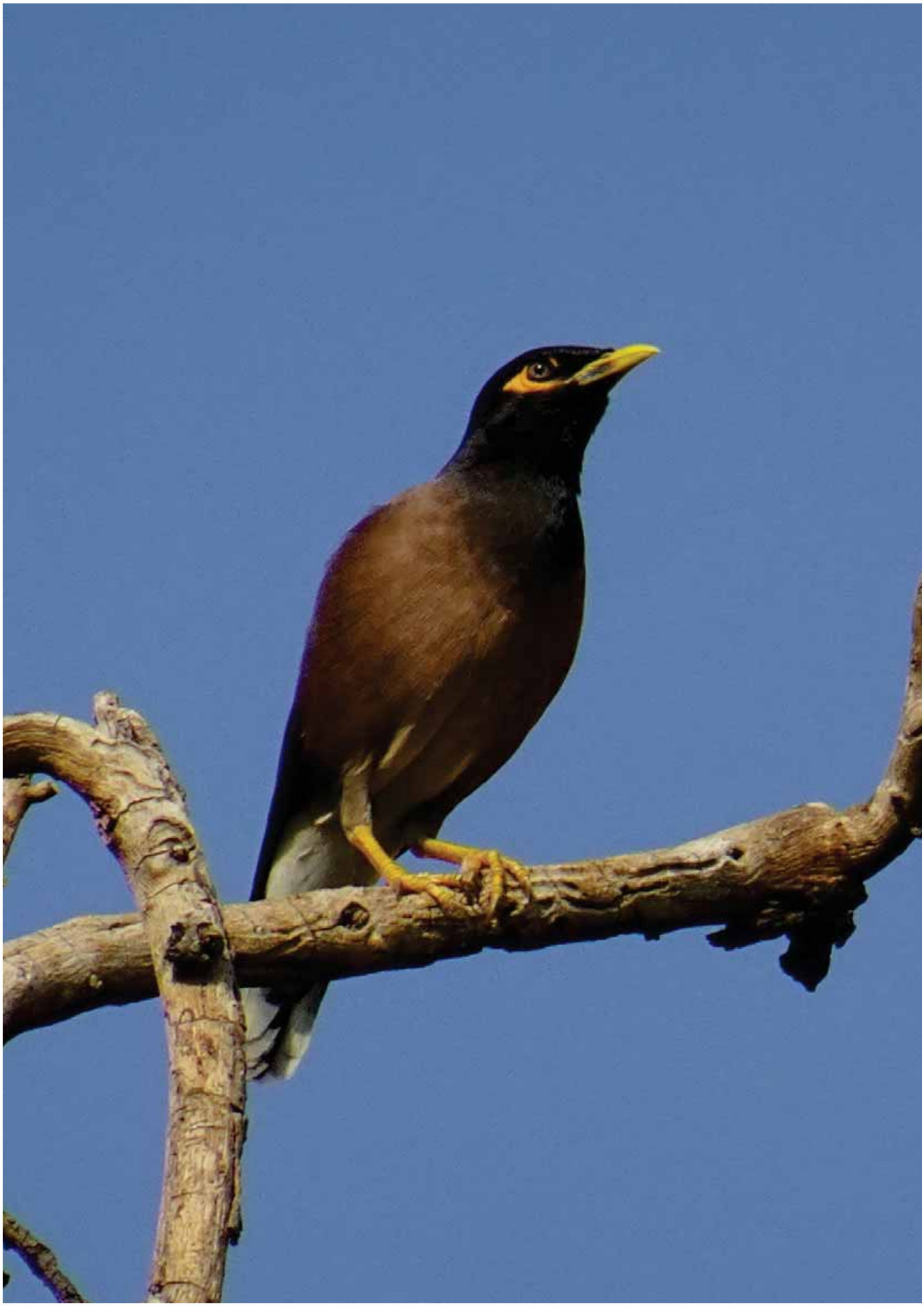
Fox	Trapping and baiting Bunyip Sate Park, Kurth Kiln Regional Park, Gembrook, Dandenong Ranges National Park, Yellingbo, Yarra Ranges, Yellingbo.
Feral Cat	Trapping and baiting Bunyip Sate Park, Kurth Kiln Regional Park, Gembrook, Dandenong Ranges National Park, Yellingbo, Yarra Ranges, Yellingbo.
Rabbit	Trapping and baiting: Lower Yarra, Warrandyte, Patterson River.
Deer	Shooting program at Cardinia creek, Bunyip Sate Park, Kurth Kiln Regional Park, Gembrook, Yarra Ranges/Yellingbo.
Common (Indian) Myna	N/A

Whitehorse

Fox	Reactive – respond to residential requests for fox control.
Feral Cat	N/A
Rabbit	N/A
Deer	N/A
Common (Indian) Myna	Trapping at Transfer station.

Yarra Ranges

Fox	Support private landholders to control foxes. No specific council programs.
Feral Cat	No specific council programs.
Rabbit	Support private landholders to control rabbits. No specific council programs.
Deer	Small state government grant to control deer (shooting) in the Yellingbo corridor.
Common (Indian) Myna	No specific council programs.



Appendix D
Operating Procedures

D1 Response Steps

1. Identify (the problem)

Network member to register incident report. Information standard: species name, date (of record), time (of record), recorder name, location (easting northing), location (address), description (number of individuals detected, detection method, terrain, general observations).

Quantify (the problem). Is this an outlier or repeat issue?

Identify the urgency. Is it a new incursion (increases chances of control before population established)? Is it in a sensitive area (biodiversity/social/economic) or area recently subject to bushfire? Can control options be included in existing works plan?

Map out initial response options. Consider suitable control options, integrated pest control options, safety, animal welfare, incident protocols, and communication plan.

Identify who are relevant stakeholders. Include immediate landowner, adjacent landowner, (permit) authorities, active local group (crown land).

Internal network reporting. Note issue arising in monthly round up email.

2. Educate

Communications

Internal: Inform asset manager (crown land), depot team (if relevant) of biosecurity duty and control response options. Request report back for control actions undertaken.

External: Inform landholder of CaLP duties (private land) and provide species profile (or similar) with recommended standard operating procedure/s. Request report back for control actions undertaken.

Regional Pest Animal Network: Report pest presence, act as coordination point for cross boundary or delegated matters.

Other stakeholders: Where relevant inform active local care group and adjacent landholders.

3. Control

Refer to species protocols (E2 – E6)

Identify most suitable suite of control tactics based on SOP requirements.

Plan integrated pest control program (location/s, season, actions, parties, follow up actions, monitoring plan). Include safety plan, animal welfare and incident plan.

Identify funding source or target grant application (single/regional/sub regional application).

Identify and obtain permits required to undertake control measures (or source external parties with permits required).

Field implementation.

Record action/ immediate outcome/follow up tasks required.

4. Monitor

Identify party/ies responsible.

Identify funding source or in-kind support (if separate/supplementary to control funding).

Debrief (calibrate) standard field methods to be implemented. Include safety briefing, animal welfare and incident plan.

Collate data received.

Report data to network at agreed intervals.

5. Direct

Identify delegated powers CaLP, or notify responsible party.

Encouragement and collaboration is preferred.

Repeat obstruction to be reported for Enforcement.

6. Enforce

Formal written request to comply.

Prosecution by exception.

Image: David Croft (Department of Planning, Industry and Environment)

D2 European Fox Protocols

Recommended Control Measures

Species mobility requires multiple, coordinated and sustained control methods.

Baiting

When to use	Cost	Advantages	Disadvantages
Late winter and spring when cubs are small. When there is a problem or to pre-empt one, for example, prior to lambing.	Most cost-effective method. Least labour-intensive.	Large areas covered quickly. Foxes very susceptible to well-made 1080 baits. Native animals tolerant of 1080 but may be affected if baits are misused.	Pets at risk. Baits should be hidden or lightly covered to camouflage them with surrounding groundcover wherever non-target animals are active. Uneaten baits should be retrieved.

SOP Hyperlink

FOX001: Ground baiting of foxes with sodium fluoroacetate (1080).
https://www.pestsmart.org.au/ground-baiting-of-foxes-with-1080

FOX007: Baiting of foxes with para-aminopropiophenone (PAPP).
https://www.pestsmart.org.au/fox007-baiting-foxes-para-aminopropiophenone-papp

Harbour Management (where applicable.)

When to use	Cost	Advantages	Disadvantages
Anytime except from August-September.	Expensive as requires trained machinery operator.	Can be used to target specific individuals.	May damage sensitive plant communities. Foxes may simply move to other areas.

Trapping

When to use	Cost	Advantages	Disadvantages
Use sparingly for problem foxes.	Very labour- intensive.	Large areas covered Can be used to target specific individuals. Correct use will safeguard pets.	Foxes can become 'trap shy' if traps are not well set. Trap use is regulated under the Prevention of Cruelty to Animals Regulations 2008.

SOP Hyperlink

FOX005: Trapping of foxes using padded-jaw traps.
https://www.pestsmart.org.au/trapping-of-foxes-using-padded-jaw-traps

FOX006: Trapping of foxes using cage traps.
https://www.pestsmart.org.au/trapping-of-foxes-using-cage-traps

GEN003: Trapping using soft net traps
https://www.pestsmart.org.au/trapping-using-soft-net-traps

Fumigation

When to use	Cost	Advantages	Disadvantages
August-October DEN-CO-FUME is the only fumigate product registered for use on foxes in Australia.	Time consuming and labour-intensive.	Suited to localised fox problems such as active dens within lambing paddocks or near poultry.	Not suitable as a larger scale control method

SOP Hyperlink

FOX004: Fumigation of fox dens using carbon monoxide.
https://www.pestsmart.org.au/fumigation-of-fox-dens-using-carbon-monoxide

Shooting

When to use	Cost	Advantages	Disadvantages
As an adjunct to other methods. For problem foxes.	Very labour-intensive.	Target specific.	Selective for young foxes. Not suitable in built-up areas.

SOP Hyperlink

FOX003: Ground shooting of foxes. https://www.pestsmart.org.au/ground-shooting-of-foxes

Exclusion Fencing

When to use	Cost	Advantages	
To protect lambing areas. To protect poultry.	Can be expensive.	No danger to pets.	Threat of predation still exists elsewhere. Needs ongoing maintenance.

Animal Husbandry

When to use	Cost	Advantages	
At all times. Important at lambing time.	Inexpensive. Can be integrated into routine farming practices.	Increased attention benefits stock. No danger to pets.	Threat of predation still exists. Foxes may move to other paddocks.

Property Hygiene

When to use	Cost	Advantages	Disadvantages
At all times.	Inexpensive. Can be integrated into routine farming practices.	Increased attention benefits stock. No danger to pets.	Threat of predation still exists. Foxes may move to other areas.

Use of Canid Pest Ejectors (devices with attractant and spring-loaded toxin).

When to use	Cost	Advantages	Disadvantages
At all times	Expensive	Greater target specificity than traditional baiting. Can be used repeatedly. Baits can be left for extended periods.	Training required.

Animal Welfare Considerations

To minimise the animal welfare implications of orphaning dependent cubs, where possible, it is preferable not to undertake baiting programs when vixens are lactating (i.e. August and September). This is also the time when vixens are moving around least within their territory thus reducing the likelihood of finding baits. To maximise the effect of fox control prior to spring lambing for example, baiting should be conducted during June and July when foxes are mating and more mobile.

Poisoning of non-target species can occur when other animals eat baits.

Risk of secondary poisoning (i.e. poisoning that occurs through the scavenging of tissues or entrails from a poisoned animal).

Emerging Issues

Australian Pesticide and Veterinary Medicine Authority (APVMA) approved use of 1080 poison capsules in Canid Pest Ejectors CPE in 2010

PAPP (para-aminopropiophenone) new pest animal toxin tool in fox management. APVMA currently considering approval of the new active constituent, 4-aminopropiophenone and registration of Foxecute Fox Bait.

Bounty systems found ineffective. Require set limit of participants, duration and area.

Barriers to effective fox control: insufficient priority for stakeholders, lack of impact definition, poor landscape scale coordination, lack of community engagement, funding, concern over perverse outcomes from poisoning non-target species (and domestic pets).

D3 Feral Cat Protocols

Recommended Control Measures

Species mobility requires multiple, coordinated and sustained control methods.

Baiting (Eradicat)

When to use	Cost	Advantages	Disadvantages
Late winter and spring when live prey availability is low.	Most cost-effective method. Least labour-intensive.	Large areas covered quickly. Cats very susceptible to well-made 1080 baits. Native animals tolerant of 1080 but may be affected	Pets at risk. Baits should be hidden or lightly covered to camouflage them with surrounding groundcover where ever non-target animals are active. Uneaten baits should be retrieved.

Harbour Management e.g. dense plantings (where applicable.)

When to use	Cost	Advantages	Disadvantages
Anytime.	Expensive.	Can provide habitat for a range of species.	Cats may simply move to other areas.

Trapping

When to use	Cost	Advantages	Disadvantages
Use sparingly for problem cats.	Very labour- intensive.	Can be used to target specific individuals. Correct use will safeguard pets.	Cats can become 'trap shy' if traps are not well set. Trap use is regulated under the Prevention of Cruelty to Animals Regulations 2008.

SOP Hyperlink

CAT002: Trapping of feral cats using cage traps.
https://www.pestsmart.org.au/trapping-of-feral-cats-using-cage-traps

CAT003: Trapping of feral cats using padded-jaw traps.
https://www.pestsmart.org.au/trapping-of-feral-cats-using-padded-jaw-traps

Shooting

When to use	Cost	Advantages	Disadvantages
As an adjunct to other methods. For problem cats.	Very labour- intensive.	Target specific.	Not suitable in built-up areas.

SOP Hyperlink

CAT001: Ground shooting of feral cats.
https://www.pestsmart.org.au/ground-shooting-of-feral-cats

Exclusion Fencing

When to use	Cost	Advantages	Disadvantages
To protect poultry.	Can be expensive.	No danger to pets.	Threat of predation still exists elsewhere. Needs ongoing maintenance

Animal Husbandry

When to use	Cost	Advantages	Disadvantages
At all times.	Inexpensive. Can be integrated into routine farming practices.	Increased attention benefits stock. No danger to pets.	Threat of predation still exists. Cats may move to other areas.

Property Hygiene

When to use	Cost	Advantages	Disadvantages
At all times.	Inexpensive. Can be integrated into routine farming practices.	Increased attention benefits stock. No danger to pets.	Threat of predation still exists. Cats may move to other areas.

Use of Pest Ejectors (devices with attractant and spring-loaded toxin)

When to use	Cost	Advantages	Disadvantages
At all times.	Expensive.	Greater target specificity than traditional baiting. Can be used repeatedly. Baits can be left for extended periods.	Training required

Animal Welfare Considerations

Feral cats are likely to suffer distress from being confined in a cage trap and they can sometimes be injured while trying to escape. Facial injuries are common. To minimise the animal welfare implications of leaving dependant kittens to die a slow death from starvation, it is preferable not to undertake trapping when females are lactating e.g. September to March in non-urban habitats. There is a high probability that any female cat over six months old that is caught during this time will be pregnant or lactating

Traps are not target specific, therefore other species such as birds and reptiles may be caught. Poisoning of non-target species can occur when other animals eat baits.

Risk of secondary poisoning (i.e. poisoning that occurs through the scavenging of tissues or entrails from a poisoned animal).

Key Stakeholders

Local Councils, Landholders & Producer Groups, Community groups (e.g. Landcare) Invasive Animals CRC, DELWP, DJPR, Invasive Plants and Animals Committee.

Emerging Issues

- 'Genetic drive' technology is an emerging research area with potential for vertebrate pest population control where modified genetic traits can copy themselves onto both copies of the chromosomes. Science still in its infancy.
- New cat baiting technology and techniques currently being trialled: Eradicat®, Curiosity ®, History
- Three factors are critical to successful baiting programs 1) bait density and bait encounter; 2) the abundance of prey items; and 3) weather conditions at the time of baiting.
- Trapping is also a useful follow-up technique post-baiting for the collection of biological information, and to enable radio-collaring of individuals to monitor various key parameters.
- Community attitude to pet cats and cat containment is a barrier to invasive species management of feral cats.

D4 European Rabbit Protocols

Recommended Control Measures

Species mobility requires multiple, coordinated and sustained control methods.

Where a land owner is served with a control notice, such as a Directions Notice or Land Management Notice, in accordance with the Catchment and Land Protection Act 1994, the land owner must comply with the specific requirements of that notice including undertaking the required measures listed in that notice during the stipulated time frame.

1080 Baiting

When to use	Cost	Advantages	Disadvantages
Late summer. Before seeding, planting or regeneration efforts.	Most cost-effective method.	Large areas covered quickly. Most native animals tolerant of 1080 but can be affected if baits misused. Foxes killed by eating poisoned rabbits.	No effective antidote. Livestock and pets can be at risk. Uneaten baits should be buried or weathered by exposure to rain. Dry weather required.

SOP Hyperlink

RAB002: Ground baiting of rabbits with 1080.
https://www.pestsmart.org.au/ground-baiting-of-rabbits-with-1080

Shooting and Trapping

When to use	Cost	Advantages	Disadvantages
Best late summer.	Very labour- intensive.	Must be used with other methods, to be useful.	Only appropriate for low rabbit numbers. Trapping and shooting not suitable in built-up areas.

SOP Hyperlink

RAB008: Trapping of rabbits using padded-jaw traps.
https://www.pestsmart.org.au/trapping-of-rabbits-using-padded-jaw-traps

RAB009: Ground shooting of rabbits.
https://www.pestsmart.org.au/ground-shooting-of-rabbits

Exclusion Fencing

When to use	Cost	Advantages	Disadvantages
Before planting or seeding.	Very labour-intensive. High initial cost.	Long-term effect stops reinvasion.	Needs regular checking.

Myxamatosis and RHD

When to use	Cost	Advantages	Disadvantages
Naturally spread.	No cost.	Effective in reducing numbers before other controls are used.	Timing and effectiveness unpredictable.

SOP Hyperlink

RAB011: Bait delivery of Rabbit Haemorrhagic Disease Virus (RHDV1) K5 strain.
https://www.pestsmart.org.au/bait-delivery-of-rhdv

Animal Welfare Considerations

To minimise the animal welfare implications of leaving dependent young to die a slow death from starvation it is preferable not to undertake baiting programs when rabbits are known to be breeding. This is also the time when young rabbits do not travel far from their burrows and bucks vigorously defend their territorial boundaries, making it less likely that all rabbits will have access to bait. In many areas of Australia there is a peak in breeding from late winter to early summer when pastures have greened up after rain.

Poisoning of non-target species can occur either directly by eating the carrot, oat or pellet baits intended for rabbits (primary poisoning) or through the tissues from a dead or dying poisoned animal (secondary poisoning.

Key Stakeholders

Local Councils, Landholders & Producer Groups, Community groups (e.g. Landcare) Invasive Animals CRC, DELWP, DJPR, Invasive Plants and Animals Committee.

Emerging Issues

Given how widely established rabbits are in Australia, management tends to focus limited resources on abating their impacts rather than eradication. However, eradication may be achievable in isolated areas such as small reserves, enclosures, and offshore islands.

Low-density rabbit populations can cause significant damage to native plants and pastures, suggesting there might be no 'safe' level of rabbit density.

Rabbit control requires repeat control efforts and monitoring within clear performance targets.

Propane gas fumigation units to control rabbits in sensitive areas, such as Aboriginal heritage sites, and around threatened plant communities and infrastructure, may be used.

Further Reading

Integrated rabbit control for rural and natural landscapes. http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/invasive-animal-management/established-invasive-animals/integrated-rabbit-control-for-rural-and-natural-landscapes

Integrated rabbit control in urban and semi-urban areas. http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/invasive-animal-management/established-invasive-animals/integrated-rabbit-control-in-urban-and-semi-urban-areas

Model code of practice for the humane control of rabbits. https://www.pestsmart.org.au/model-code-of-practice-for-the-humane-control-of-rabbits

D5 Feral Deer Protocols

Recommended Control Measures

Ground shooting by qualified marksmen working under Standard Operating Procedures for humane deer shooting (Sharpe, Invasive CRC 2012) is considered the most effective method of control in accessible terrain. Protocols recommend against shooting in fawning season to prevent inhumane death of orphaned fawn. Trapping (followed by shooting or transportation), recreational shooting and exclusion fencing (to contain or omit specific populations) are alternative management mechanisms with variable long-term effect.

Shooting

When to use	Cost	Advantages	Disadvantages
All year.	Most cost-effective method.	Most effective technique currently available for reducing deer populations. Target specific.	Requires experienced, skilled shooters with appropriate licences and accreditation. Not suitable in urban areas or in inaccessible or rough terrain where sighting of target animals and accurate shooting is difficult or when wounded animals cannot easily be followed up and killed.

SOP Hyperlink

DEE001: Ground shooting of feral deer.
https://www.pestsmart.org.au/ground-shooting-of-wild-deer

Exclusion Fencing

When to use	Cost	Advantages	Disadvantages
Any time.	Very labour-intensive. High initial cost	Long-term effect stops reinvasion.	Needs regular checking.

Animal Welfare Considerations

The humaneness of shooting as a control technique depends almost entirely on the skill and judgement of the shooter. If properly carried out, it is one of the most humane methods of killing feral deer. On the other hand, if inexpertly carried out, shooting can result in wounding which may cause considerable pain and suffering.

Shooting is relatively target specific and does not usually impact on other species. However, there is always a risk of injuring or killing non-target animals, including livestock, if shots are taken only at movement, colour, shape, or sound. Only shoot at the target animal once it has been positively identified and never shoot over the top of hills or ridges.

Key Stakeholders

Local Councils, Landholders & Producer Groups, Community groups (e.g. Landcare) Invasive Animals CRC, DELWP, DJPR, Invasive Plants and Animals Committee.

Emerging Issues

Feral deer are increasingly encroaching into peri-urban areas posing a significant threat to agriculture, conservation reserves and human safety.

Feral deer control is limited by the listing of all deer as 'wildlife' for the purposes of the Wildlife Act 1975 (the Act). 'Wildlife' are further considered to be 'protected wildlife' and may not be destroyed without authorisation, except where they are listed under the Catchment and Land Protection Act 1994 (CALP Act) or where they are declared to be 'unprotected' under the Act. Six deer species are listed as game for hunting. These include the most established and widespread deer in Victoria listed as game.

D6 Common (Indian) Myna Protocols

Recommended Control Measures

Harbour Manipulation. e.g. dense plantings (where applicable.)

When to use	Cost	Advantages	Disadvantages
Anytime.	Expensive.	Can provide habitat for a range of species.	Common (Indian) Myna may simply move to other areas.

Trapping

When to use	Cost	Advantages	Disadvantages
Pre and post breeding season. Breeding season in Southern Australia – October – March.	Very labour-intensive.	Can be used to target specific individuals/ populations.	Common (Indian) Myna can become 'trap shy' if traps are not well set. Trap use is regulated under the Prevention of Cruelty to Animals Regulations 2008. Can capture non-target species. Euthanasia via carbon monoxide inhalation or cervical dislocation can prove difficult to implement in practice.

SOP Hyperlink
BIR002: Trapping of Pest Birds. https://www.pestsmart.org.au/trapping-of-pest-birds

Shooting

When to use	Cost	Advantages	Disadvantages
Pre and post breeding season. Breeding season in Southern Australia – October – March.	Very labour-intensive.	Target specific.	Not suitable in built-up areas.

SOP Hyperlink
BIR001: Shooting of Pest Birds. https://www.pestsmart.org.au/shooting-of-pest-birds

Property Hygiene

When to use	Cost	Advantages	Disadvantages
At all times.	Inexpensive. Can be integrated into routine farming practices.	Increased attention benefits stock. No danger to pets.	Threat of predation still exists. Cats may move to other areas.

Animal Welfare Considerations

Trapped birds are likely to suffer from distress when confined and they can sometimes be injured while trying to escape from the trap or during capture or restraint prior to euthanasia. To minimise the animal welfare implications of leaving dependent nestlings and chicks to die from starvation it is preferable not to undertake trapping during the nesting season. If trapping must occur during nesting, reasonable efforts should be made to find nest hollows containing young birds, so they can be killed quickly and humanely.

Traps are not target specific; therefore, other species, usually birds, may be caught. To reduce the impact on non-target species, traps should be placed in areas that are frequented by the target species. Free-feeding can assist in identifying the likelihood of capturing non-target species, and appropriate areas for capture.

Key Stakeholders

Local Councils, Landholders & Producer Groups, Community groups (e.g. Landcare) Invasive Animals CRC, DELWP, DJPR, Invasive Plants and Animals Committee.

Emerging Issues

Increasing landscape modification and fragmentation of native vegetation for industry and urban settlement will help the Common (Indian) Myna to increase its range in Victoria.

Appendix E
Action Plan Template

Objectives and Actions	Outcome	Target pest/s and asset/s	Responsible Parties	Resources	Priority and Timeframe	Key performance indicator	Context and comments

Appendix F
Pest Animal Management Resources

F1 Federal Control Resources

Australian Pest Animal Strategy 2017-2027. Invasive Plants and Animals Committee http://www.agriculture.gov.au/SiteCollectionDocuments/pests-diseases-weeds/consultation/apas-final.pdf

Invasive Animals Cooperative Research Centre
National Rabbit Biocontrol Optimisation: https://invasives.com.au/research/national-rabbit-biocontrol-optimisation/

Landscape-scale Predator Management: https://invasives.com.au/research/preparing-reset-landscape-scale-predator-management/

Management of wild dog and deer in peri-urban landscapes: strategies for safe communities: https://invasives.com.au/research/management-wild-dog-deer-peri-urban-landscapes-strategies-safe-communities/

Cost effective management of wild deer: https://invasives.com.au/research/cost-effective-management-wild-deer/

Tools for developing cost-effective decisions for managing invasive pest eradications: https://invasives.com.au/research/tools-developing-cost-effective-decisions-managing-invasive-pest-eradications/

Viewing invasive species removal in a whole-ecosystem context. Zavaleta, Hobbs & Mooney (2001).: https://www.esf.edu/efb/parry/invasivesseminar_readings/Zavaleta_etal_2001.pdf

Intellitraps: https://invasives.com.au/research/intellitraps/

Feral deer aggregator: https://invasives.com.au/research/feral-deer-aggregator/

Carbon Monoxide Rabbit Warren Fumigator: https://invasives.com.au/research/carbon-monoxide-fumigator/

Australian Animal Welfare Strategy (AAWS) and National Implementation Plan 2010-14 http://www.agriculture.gov.au/animal/welfare/aaws/australian-animal-welfare-strategy-aaws-and-national-implementation-plan-2010-14

Feral Deer Fact Sheet
https://www.environment.gov.au/system/files/resources/c6679b32-5f03-4839-aa57-9c5723153b0f/files/fs-feral-deer.pdf

Griffiths, R. (2011). Targeting multiple species–a more efficient approach to pest eradication. Island Invasives: Eradication and Management. International Union for Conservation of Nature, 172-176.

Proceedings of the National Feral Deer Management Workshop. Canberra, November 2005 http://www.pestsmart.org.au/wp-content/uploads/2010/03/Deer-Workshop_final.pdf#page=120

F2 State Control Resources

Victorian Pest management: A Framework for Action

https://www.pestsmart.org.au/victorian-pest-management-a-framework-for-action/

Biodiversity 2037

NaturePrint and strategic Management Prospects (SMP): https://www.environment.vic.gov.au/biodiversity/natureprint

Agriculture Victoria: Pest Animals, Invasive animal management
http://agriculture.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-animals/invasive-animal-management

Draft Victorian Deer Management Strategy
https://engage.vic.gov.au/draft-victorian-deer-management-strategy

F3 Local Control Guidelines

Boroondara Council, Waste & Environment, Animals – Foxes in Boroondara webpage
https://www.boroondara.vic.gov.au/waste-environment/animals/foxes-boroondara

Boroondara Council, Waste & Environment, Animals – Cats-Hire a cat cage webpage
https://www.boroondara.vic.gov.au/waste-environment/animals/cats

Cardinia Council, managing animal pests webpage (Foxes only)
https://www.cardinia.vic.gov.au/info/20003/pets_and_animals/45/managing_animal_pests

City of Casey council, Pests and Animals, Problems with animals' webpage
https://www.casey.vic.gov.au/cats-dogs

https://www.casey.vic.gov.au/nuisance-birds

Nillumbik Council's Sugarloaf link project (feral deer and fox control program).
https://www.nillumbik.vic.gov.au/Environment/Natural-environment/Pest-animals

Nillumbik Council Rabbit Action Plan.
https://www.nillumbik.vic.gov.au/Environment/Natural-environment/Pest-animal

Nillumbik Council Invasive Species Action Plan, Rabbit Control brochure, Fox control information sheet, Deer control on private property guideline, Controlling pest animals fact sheet (all available as links at the bottom of the page).
https://www.nillumbik.vic.gov.au/Environment/Natural-environment/Pest-animals

Port Phillip and Westernport CMA Invasive Plants & Animals Strategy.
Available https://www.ppwcma.vic.gov.au/Resources/PublicationDocuments/77/PPWCMA%20IPA%20Strategy%20FINAL.pdf

Image: commons.wikimedia.org/wikipedia/commons/3/3d/Feral_cat_with_galah.jpg (Mark Marathon)

9 Community Services Officers' Reports for consideration

9.1 Minor Grants Program 2020-21 Monthly Report

SUMMARY: Community Partnerships Officer, Deb Robert

This report summarises the grant applications recommended for approval in August 2020 for the Minor Grants Program. All applications have been assessed against the criteria set out in Council's Minor Grants Program Policy.

Applications under the Minor Grants Policy are limited to a maximum of $3,000 within the current financial year.

RECOMMENDATION

That Council:

1. Approve three applications for a total of $4,905.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Bayswater Bowls Club Inc.	Algae Removal	$1,925.00	$1,925.00
Church of the Nazarene Wantirna	FUSION Mens Support Group	$2,000.00	$2,000.00
Polish Senior Citizens Club Rowville Inc.	Headset Wireless Microphones	$980.00	$980.00
TOTAL		**$4,905.00**	**$4,905.00**

2. Note that inclusive of the above $4,905.00 in recommended grants, a total of $49,990.32 has been awarded to date under the 2020-21 Minor Grants Program to support 25 community-based organisations and their programs.

1. INTRODUCTION

The Minor Grants Program provides a pool of grant funding that can respond on a monthly basis to requests for small amounts of funding to assist with short term, one-off projects or initiatives that are relatively minor in nature.

The objective of the Minor Grants Program is to be an accessible and responsive funding source to assist a wide range of community led activities across the municipality and support volunteer effort and civic participation.

It operates under the principles of other Knox Council grants programs to ensure:

- Funded projects will provide benefit to the Knox community and help meet Council objectives;
- Co-operation and collaboration between groups will be encouraged;
- The grant process will be consistent, equitable and transparent; and
- The grant process will support and strengthen community groups in developing local solutions to local needs.

Applications are assessed against criteria specified in the Minor Grants Program Policy (updated and approved in April 2020) to determine the eligibility of the applicant organisations and the eligibility of the grant applications.

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.

In accordance with the Policy, applications for funding have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

2. DISCUSSION

This report presents to Council the recommendations for recent Minor Grant applications in accordance with the Policy.

Three complete grant applications were received since the Council meeting held on 27 July 2020, requesting grants totalling $4,905.00.

This report recommends the applications from the Bayswater Bowls Club, the Church of the Nazarene Wantirna and the Polish Senior Citizens Club for Council's approval as eligible under the Minor Grants Program Policy.

Bayswater Bowls is seeking a grant to cover costs of algae removal from the green which would usually be managed by volunteers and the Polish Senior Citizens Club Rowville request a grant to purchase microphone headsets for choir and guest speakers. The Church of the Nazarene require assistance to buy supplies for their regular social connection and support group meals and activities.

An application was also received from Knox Interfaith Network to assist with the payment of annual public liability insurance, which has been funded through Minor Grants for the last two years. Knox Interfaith Network were advised that the application was not eligible under the Minor Grants Program Policy (Clause 6.25) and have withdrawn the application to discuss other grant options to support their activities with Community Wellbeing staff.

All recommended projects are targeted to benefit the Knox community and address the objectives of the Minor Grants Program.

3. CONSULTATION

Consultation is undertaken with organisations in relation to their grant applications whenever possible and if necessary, to clarify details regarding their applications prior to Council's consideration.

Advice or information may be sought from officers across Council in relation to either the applying organisation or the proposed project, or both, if considered necessary.

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 2020/21 budget provides $200,000 for the Minor Grants Program. Recommended applications for the August 2020 period total $4,905.00. If approved as recommended, the remaining Minor Grants budget for 2020/21 will total $150,009 before GST adjustments.

6. SOCIAL IMPLICATIONS

The Minor Grants Program allows Council to respond promptly to requests from Knox- based community groups for small amounts of funding to assist a variety of community-based programs, projects or activities. The Minor Grants is a simple and streamlined source of funding that can make a significant difference for local community organisations in need of short-term, specific purpose assistance.

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

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

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 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 – Community Partnerships Officer, Deb Robert – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Community Services, Tanya Scicluna – 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

There is no information of a confidential nature in this report. Personal information, including names and address information has been redacted from Attachment 1 to facilitate its inclusion in the public agenda.

Report Prepared By: **Community Partnerships Officer, Deb Robert**

Report Authorised By: **Director Community Services, Tanya Scicluna**

Attachments

1. Attachment 1 - Minor Grant Applications - August - 2020-8-24 [**9.1.1** - 17 pages]

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 13- MGP - 2020-21 From CHURCH OF THE NAZARENE WANTIRNA
Form Submitted 22 Jul 2020, 1:55pm AEST

MINOR GRANTS PROGRAM APPLICATION FORM

Minor Grants Information

To meet the policy requirements for funding applications under the Minor Grants Program, requests must meet the following criteria:

1. Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community.

2. Applications for funding cannot be made retrospectively and must be received before the event or activity to which the funding relates is undertaken.

Application Amount	Incorporated or Auspiced?	Assessment & Determination	Acquittal
< $500	No	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e.receipt).
$501 to $1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
$1,001 to $3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

Application Category

Application Amount
○ < $500 ○ $501 to $1,000 ◉ $1,001 to $3,000

APPLICANT DETAILS

*** indicates a required field**

Applicant Details

Organisation Name *
CHURCH OF THE NAZARENE WANTIRNA

Organisation Address *
[redacted]

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 13- MGP - 2020-21 From CHURCH OF THE NAZARENE WANTIRNA
Form Submitted 22 Jul 2020, 1:55pm AEST

[redacted] ince, Postcode, and Country are required.

Contact Name
[redacted]

Project Contact Address *
[redacted] vince, Postcode, and Country are required.

Phone Number
[redacted] tralian phone number.

Mobile Phone Number *
[redacted] tralian phone number.

Email *
[redacted]

Please provide your ABN
82 285 659 130

Information from the Australian Business Register	
ABN	82 285 659 130
Entity name	Church Of The Nazarene Wantirna Inc.
ABN status	Active
Entity type	Other Incorporated Entity
Goods & Services Tax (GST)	Yes
DGR Endorsed	No
ATO Charity Type	Charity More information
ACNC Registration	Registered
Tax Concessions	FBT Rebate, GST Concession, Income Tax Exemption
Main business location	3152 VIC
Information retrieved at 2:58am today	

Must be an ABN.
provide ABN of auspice organisation if relevant. If no ABN plesae complete a Statement by Supplier declaration.

Is your organisation Incorporated? *
◉ Yes ○ No
If No please provide details of Auspice below

Incorporation Details

Please provide your Incorporated number

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 13- MGP - 2020-21 From CHURCH OF THE NAZARENE WANTIRNA
Form Submitted 22 Jul 2020, 1:55pm AEST

82285659130

PROJECT DETAILS

*** indicates a required field**

Request Details

Project Title *
FUSION (meets Monthly for general public) MENS SUPPORT GROUP (fortnightly men only)

(a) Briefly describe details of the request: *
We would appreciate Knox Council funding for the continuation of these two groups.

Our Fusion group welcomes the community to participate in activities such as games, a movie, armchair travel, ancestry talks, nothing too challenging but fun. Our Mens Group is just that. Men coming together to enjoy the company of other men, share issues, and realise others may be in similar life situations. Meals are served at both Fusion and Men's Support Group.

(b) What community benefit is gained from this project / activity? *
The aim of both groups is to provide.. companionship especially for those isolated and lonely. social inclusion regardless of age, nationality, religious choice, disability or economic status. Improved well being as a result of friendships and most importantly the provision of a healthy meal. Within the Men's Group they are encouraged to feel comfortable so they can bring their issues to be discussed be it anger, low self esteem, reading body language and being in touch with empathy. A meal is also provided for this group. We do not preach but our actions speak for us, we provide safe surrounds, warmth and a caring sharing setting.

Project Start Date *
24/10/2020
Must be a date.

Project End Date *
25/09/2021
Must be a date.

BUDGET

*** indicates a required field**

(d) What is the total cost of the project / activity? *
$2,000.00
Must be a dollar amount.
What is the total budgeted cost (dollars) of your project?

(c) What amount is being requested? *
$2,000.00

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 13- MGP - 2020-21 From CHURCH OF THE NAZARENE WANTIRNA
Form Submitted 22 Jul 2020, 1:55pm AEST

Must be a dollar amount.
What is the total financial support you are requesting in this application?

Minor Grant Expenses

Please detail the items you would like the Minor Grants Program to fund.

Expenditure	$
Men's Group 15 meetings (cost of meals)	$450.00
Fusion 10 meetings (expenditure being cost of meals)	$1,000.00
BBQ for both groups to use	$550.00
	Must be a dollar amount.

Minor Grant Budget Total

Total Expenditure Amount
$2,000.00
This number/amount is calculated.

Quotes For Planned Expenses

Attach quotes for expenses here. *

Filename: Fusion & Mens Christian Group - 1 Aug 19 to 21 Jul 20.pdf
File size: 27.3 kB

Other Grant Funding

(e) Have funds been sought / provided from other Council grants? *
○ Yes ◉ No

ADDITIONAL SUPPORTING INFORMATION

*** indicates a required field**

Please attach relevant supporting documentation, including:

- **A project plan**
- **Evidence of Incorporation**

Attach relevant documentation:

Filename: ins1 (1).pdf

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 13- MGP - 2020-21 From CHURCH OF THE NAZARENE WANTIRNA
Form Submitted 22 Jul 2020, 1:55pm AEST

File size: 706.6 kB

Filename: ins2 (1).pdf
File size: 543.0 kB

Filename: ins3 (1).pdf
File size: 715.2 kB

Evidence of Public Liability

Evidence of current Public Liability Insurance must be supplied *

Filename: ins1 (1).pdf
File size: 706.6 kB

Filename: ins2 (1).pdf
File size: 543.0 kB

Filename: ins3 (1).pdf
File size: 715.2 kB

Public Liability Expiry Date *
30/09/2020
Must be a date.

DECLARATION

*** indicates a required field**

I declare that all information within this application is true and correct. If successful I will provide an acquittal of all funds to Council as outlined in the Minor Grants Program Policy.

Name *
[redacted]

Position (if organisation) *
Board Member

Declaration Date *
19/07/2020
Must be a date.

Privacy Statement

The personal information requested in this application form is for the purposes of administering the Minor Grants Program and will only be used by Council for that primary purpose or directly related purposes. Whilst information relating to groups and the specific request/project details will be published, personal information in regards to individuals will not be disclosed except as required by law.

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 13- MGP - 2020-21 From CHURCH OF THE NAZARENE WANTIRNA
Form Submitted 22 Jul 2020, 1:55pm AEST

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 41- MGP - 2020-21 From Bayswater Bowls Club Inc
Form Submitted 29 Jul 2020, 4:37pm AEST

MINOR GRANTS PROGRAM APPLICATION FORM

Minor Grants Information

To meet the policy requirements for funding applications under the Minor Grants Program, requests must meet the following criteria:

1. Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community.

2. Applications for funding cannot be made retrospectively and must be received before the event or activity to which the funding relates is undertaken.

Application Amount	Incorporated or Auspiced?	Assessment & Determination	Acquittal
< $500	No	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e.receipt).
$501 to $1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
$1,001 to $3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

Application Category

Application Amount
○ < $500 ○ $501 to $1,000 ◉ $1,001 to $3,000

APPLICANT DETAILS

*** indicates a required field**

Applicant Details

Organisation Name *
Bayswater Bowls Club Inc

Organisation Address *
[redacted]

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 41- MGP - 2020-21 From Bayswater Bowls Club Inc
Form Submitted 29 Jul 2020, 4:37pm AEST

[redacted] e/Province, Postcode, and Country are required.

Contact Name
[redacted]

Project Contact Address *
[redacted] e/Province, Postcode, and Country are required.

Phone Number
[redacted] alian phone number.

Mobile Phone Number *
[redacted] tralian phone number.

Email *
[redacted]

Please provide your ABN
84 462 311 925

Information from the Australian Business Register	
ABN	84 462 311 925
Entity name	Bayswater Bowls Club Inc.
ABN status	Active
Entity type	Other Incorporated Entity
Goods & Services Tax (GST)	Yes
DGR Endorsed	No
ATO Charity Type	Not endorsed More information
ACNC Registration	No
Tax Concessions	No tax concessions
Main business location	3153 VIC
Information retrieved at 3:03am today	

Must be an ABN.
provide ABN of auspice organisation if relevant. If no ABN plesae complete a Statement by Supplier declaration.

Is your organisation Incorporated? *
◉ Yes ○ No
If No please provide details of Auspice below

Incorporation Details

Please provide your Incorporated number

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 41- MGP - 2020-21 From Bayswater Bowls Club Inc
Form Submitted 29 Jul 2020, 4:37pm AEST

A0003023L

PROJECT DETAILS

*** indicates a required field**

Request Details

Project Title *
Algae Removal

(a) Briefly describe details of the request: *
Funding is sought for the professional removal of algae which is infesting two bowling greens. The problem and need for funding has been aggravated by the corona virus restrictions, because the greens have not been used, and distancing and other restrictions have severely limited the voluntary maintenance programme. In addition the work involves the use of a hazardous chemical requiring the use of safety clothing and equipment. Not only would we have to buy the equipment at a time of non-existent cash flow, but we are reluctant to expose inexperienced volunteers to the risks involved.

(b) What community benefit is gained from this project / activity? *
The work will enable a full return to lawn bowls at the appropriate time, an activity contributes to the health, welfare and fitness of of older members of our community. Most of our members, because of their age and medical conditions are in the categories that are most vulnerable to Covid-19, and therefore have suffered most from the need to isolate. The condition of the playing surface is a key factor in the ability to enjoy the sport.

Project Start Date *
01/09/2020
Must be a date.

Project End Date *
30/09/2020
Must be a date.

BUDGET

*** indicates a required field**

(d) What is the total cost of the project / activity? *
$1,925.00
Must be a dollar amount.
What is the total budgeted cost (dollars) of your project?

(c) What amount is being requested? *
$1,925.00
Must be a dollar amount.

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 41- MGP - 2020-21 From Bayswater Bowls Club Inc
Form Submitted 29 Jul 2020, 4:37pm AEST

What is the total financial support you are requesting in this application?

Minor Grant Expenses

Please detail the items you would like the Minor Grants Program to fund.

Expenditure	$
Professional algae removal from 2 bowling g reens	$1,925.00
	Must be a dollar amount.

Minor Grant Budget Total

Total Expenditure Amount
$1,925.00
This number/amount is calculated.

Quotes For Planned Expenses

Attach quotes for expenses here. *

Filename: algae quote.jpeg
File size: 896.6 kB

Other Grant Funding

(e) Have funds been sought / provided from other Council grants? *
○ Yes ◉ No

ADDITIONAL SUPPORTING INFORMATION

*** indicates a required field**

Please attach relevant supporting documentation, including:

- **A project plan**
- **Evidence of Incorporation**

Attach relevant documentation:
No files have been uploaded

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 41- MGP - 2020-21 From Bayswater Bowls Club Inc
Form Submitted 29 Jul 2020, 4:37pm AEST

Evidence of Public Liability

Evidence of current Public Liability Insurance must be supplied *

Filename: ins cover.pdf
File size: 287.7 kB

Public Liability Expiry Date *
30/11/2020
Must be a date.

DECLARATION

*** indicates a required field**

I declare that all information within this application is true and correct. If successful I will provide an acquittal of all funds to Council as outlined in the Minor Grants Program Policy.

[redacted]

Position (if organisation) *
Executive Director

Declaration Date *
29/07/2020
Must be a date.

Privacy Statement

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Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 47- MGP - 2020-21 From Polish Senior Citizens Club Rowville Inc
Form Submitted 3 Aug 2020, 3:50pm AEST

MINOR GRANTS PROGRAM APPLICATION FORM

Minor Grants Information

To meet the policy requirements for funding applications under the Minor Grants Program, requests must meet the following criteria:

1. Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community.

2. Applications for funding cannot be made retrospectively and must be received before the event or activity to which the funding relates is undertaken.

Application Amount	Incorporated or Auspiced?	Assessment & Determination	Acquittal
< $500	No	Assessed and determined by the CEO or delegate.	Proof of expenditure / purchase (i.e.receipt).
$501 to $1,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Proof of expenditure / purchase (i.e. receipt).
$1,001 to $3,000	Yes	Assessed by the CEO or delegate. Determined by Council at the monthly ordinary meeting of Council.	Funding Agreement & Acquittal required.

Application Category

Application Amount
○ < $500 ◉ $501 to $1,000 ○ $1,001 to $3,000

APPLICANT DETAILS

*** indicates a required field**

Applicant Details

Organisation Name *
Polish Senior Citizens Club Rowville Inc

Organisation Address *
[redacted]

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 47- MGP - 2020-21 From Polish Senior Citizens Club Rowville Inc
Form Submitted 3 Aug 2020, 3:50pm AEST

[redacted] ate/Province, Postcode, and Country are required.

Contact Name
[redacted]

Project Contact Address *
[redacted] /Province, Postcode, and Country are required.

Phone Number
[redacted] alian phone number.

Mobile Phone Number *
[redacted] tralian phone number.

Email *
[redacted]

Please provide your ABN
73 711 829 120

Information from the Australian Business Register	
ABN	73 711 829 120
Entity name	Polish Senior Citizens Club
ABN status	Active
Entity type	Other Unincorporated Entity
Goods & Services Tax (GST)	No
DGR Endorsed	No
ATO Charity Type	Not endorsed More information
ACNC Registration	No
Tax Concessions	No tax concessions
Main business location	3178 VIC

Information retrieved at 2:39am today

Must be an ABN.
provide ABN of auspice organisation if relevant. If no ABN plesae complete a Statement by Supplier declaration.

Is your organisation Incorporated? *
◉ Yes ○ No
If No please provide details of Auspice below

Incorporation Details

Please provide your Incorporated number

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 47- MGP - 2020-21 From Polish Senior Citizens Club Rowville Inc
Form Submitted 3 Aug 2020, 3:50pm AEST

A0045899D

PROJECT DETAILS

*** indicates a required field**

Request Details

Project Title *
2 headset wireless microphones

(a) Briefly describe details of the request: *
Last year we applied for microphones for our choir, we needed 6 but we didn't have enough money and bought only 4.. Our club put in some money to buy the 4 but we are short of 2.

(b) What community benefit is gained from this project / activity? *
The 2 members who don't have the headset microphones had handheld microphones and they weren't always working. If the whole choir has the microphones they can be equally adjusted and if not used by the choir the Committee or if we have a function can be used by other people.

Project Start Date *
24/08/2020
Must be a date.

Project End Date *
24/08/2020
Must be a date.

BUDGET

*** indicates a required field**

(d) What is the total cost of the project / activity? *
$1,000.00
Must be a dollar amount.
What is the total budgeted cost (dollars) of your project?

(c) What amount is being requested? *
$980.00
Must be a dollar amount.
What is the total financial support you are requesting in this application?

Minor Grant Expenses

Please detail the items you would like the Minor Grants Program to fund.

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 47- MGP - 2020-21 From Polish Senior Citizens Club Rowville Inc
Form Submitted 3 Aug 2020, 3:50pm AEST

Expenditure	$
2 headset wireless microphones	$979.02
	Must be a dollar amount.

Minor Grant Budget Total

Total Expenditure Amount
$979.02
This number/amount is calculated.

Quotes For Planned Expenses

Attach quotes for expenses here. *

Filename: quote.docx
File size: 17.9 kB

Other Grant Funding

(e) Have funds been sought / provided from other Council grants? *
○ Yes ◉ No

ADDITIONAL SUPPORTING INFORMATION

*** indicates a required field**

Please attach relevant supporting documentation, including:

- **A project plan**
- **Evidence of Incorporation**

Attach relevant documentation:
No files have been uploaded

Evidence of Public Liability

Evidence of current Public Liability Insurance must be supplied *

Filename: Insurance 2019-2020 001.jpg
File size: 391.3 kB

Filename: Insurance 2019-2020 p2 001.jpg

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 47- MGP - 2020-21 From Polish Senior Citizens Club Rowville Inc
Form Submitted 3 Aug 2020, 3:50pm AEST

File size: 165.5 kB

Filename: Liability Insuranxce 2019-2020 001.jpg
File size: 361.4 kB

Public Liability Expiry Date *
01/08/2020
Must be a date.

DECLARATION

* indicates a required field

I declare that all information within this application is true and correct. If successful I will provide an acquittal of all funds to Council as outlined in the Minor Grants Program Policy.

Name *
[redacted]

Position (if organisation) *
President

Declaration Date *
03/08/2020
Must be a date.

Privacy Statement

The personal information requested in this application form is for the purposes of administering the Minor Grants Program and will only be used by Council for that primary purpose or directly related purposes. Whilst information relating to groups and the specific request/project details will be published, personal information in regards to individuals will not be disclosed except as required by law.

EFT PAYMENT CONSENT

* indicates a required field

Payment of Grant

Payments will be made by electronic funds transfer into the Organisation's bank account. Please provide details of the Organisation's bank account below.

Bank Account *
Account Name: [redacted]

Page 5 of 6

Minor Grants Program - 2020 - 2021
Minor Grants Program Application Form 2020
Application 47- MGP - 2020-21 From Polish Senior Citizens Club Rowville Inc
Form Submitted 3 Aug 2020, 3:50pm AEST

BSB Number:
Account Number: [redacted]
Must be a valid Australian [redacted] ccount format.

Contact Name *
[redacted]

Position *
[redacted]

Organisation *
Polish Senior Citizens Club Rowville Inc

Email Address *
[redacted]
Must be an email address.

Contact Phone Number *
[redacted]
Must be an Australian phone number.

Date *
03/08/2020
Must be a date.

10 Corporate Services Officers' Reports for consideration

10.1 Quarter 4 2019-20 Performance Reporting

SUMMARY: Corporate Planning and Reporting Officer, Kate McInnes

This report provides the fourth quarter progress on initiatives identified in the 2019-20 Annual Plan, adopted by Council on 24 June 2019 as part of the 2019-20 Annual Budget. The Annual Plan satisfies the requirements of the Local Government Act 1989 by outlining the services provided by Council and the initiatives that Council will complete in the 2019-20 year.

RECOMMENDATION

That Council receive and note the 2019-20 Annual Plan progress report for the period ending 30 June 2020.

1. INTRODUCTION

An Annual Plan was established for the 2019-20 financial year to assist in the achievement of the goals of the Community and Council Plan 2017-21. The 2019-20 Annual Plan progress report to 30 June 2020 (see Attachment 16.1.1) reports on the initiatives that support those goals.

The Annual Plan progress report only reports on those initiatives identified in the Annual Plan and Annual Budget process, it is not a comprehensive report on all of Council's activities.

2. DISCUSSION

Attachment 16.1.1 provides the Annual Plan progress report for the fourth quarter of 2019-20.

Q4 2019-20 Results:

Of the 23 initiatives included in the 2019-20 Annual Plan:

- 17 initiatives are complete
- 4 initiatives have fallen less than 15 per cent behind schedule
- 2 initiatives have fallen more than 15 per cent behind schedule

The following initiatives had not been completed at the end of the fourth quarter of financial year 2019-20. Work on these initiatives will continue to progress in the 2020-21 financial year.

1. Progress discussions with Melbourne Water to transfer the catchments of 60Ha and above to the regional drainage authority. **(0%)**
2. Continue to implement the Knox Central program to progress the development of a new Civic and Arts precinct for Knox. **(30%)**
3. Progress the development, implementation and evaluation of Development Contributions Plan (DCP) planning including addressing infrastructure information gaps and mapping necessary to inform these plans. **(98%)**

4. Finalise and implement the Key Life Stages Implementation Plan focusing on Early Years, Youth and Older People. **(77%)**
5. Determine the most effective role for Council in the protection and maintenance of heritage assets in Knox. **(75%)**
6. Develop a plan for the ongoing protection and management of Indigenous and post European settlement heritage resources related to Knox. **(75%)**

Progress comments on all initiatives can be found in Attachment 1.

3. CONSULTATION

The 2019-20 Annual Plan actions are linked to, and support the delivery of, the Community and Council Plan 2017-21. Significant community engagement was incorporated into the development of the Community and Council Plan 2017-21.

The Annual Plan 2019-20, including the initiatives, was approved as part of the Annual Budget after public consultation on 24 June 2019.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no direct environmental/amenity issues arising from this report. A number of initiatives within the 2019-20 Annual Plan seek to have a positive impact on environmental issues within the Knox municipality.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no direct financial and economic implications arising from this report. Changes in specific projects are reported through Capital Works and Budget processes.

6. SOCIAL IMPLICATIONS

There are no direct social implications arising from this report. A number of initiatives within the 2019-20 Annual Plan seek to have a positive social impact within the Knox municipality.

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

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 – Corporate Planning and Reporting Officer, Kate McInnes - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Chief Executive Officer, Tony Doyle - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

There has been sound progress on most of the Annual Plan initiatives for 2019-20 with the majority of initiatives complete or near completion by the end of June 2020. Officers will continue to progress outstanding initiatives into 2020-21.

10. CONFIDENTIALITY

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

Report Prepared By: **Corporate Planning and Reporting Officer, Kate McInnes**

Report Authorised By: **Chief Executive Officer, Tony Doyle**

Attachments

1. Q 4 2019-20 Annual Plan Progress Report [**10.1.1** - 16 pages]

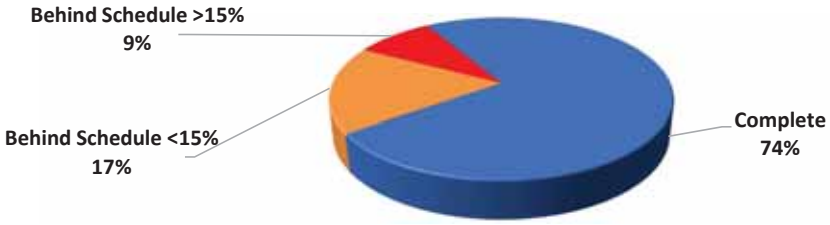
knox
your city

Annual Plan Progress Report

Q4 2019-20
1 April to 30 June 2020

Knox City Council

2019-20 Annual Plan Progress Report - Quarter Four (April – June 2020)



Goal	Complete	Behind Schedule (<15% behind schedule)	Behind Schedule (>15% behind schedule)
1. We value our natural and built environment	4	-	1
2. We have housing to meet our changing needs	3	-	-
3. We can move around easily	2	-	-
4. We are safe and secure	2	-	-
5. We have a strong regional economy, local employment and learning opportunities	2	1	1
6. We are healthy, happy and well	1	1	-
7. We are inclusive, feel a sense of belonging and value identity	1	2	-
8. We have confidence in decision making	2	-	-
Total	**17**	**4**	**2**

The overall progress completion percentage of each initiative is calculated by the combined progress of the associated milestones. Where appropriate, milestones are weighted based on the importance and quantity of work involved.

2019-20 Annual Plan Progress Report

Goal 1: We value our natural and built environment

Initiative Description	Department	Progress
Expand the range of items to be recycled through the kerbside domestic and commercial waste service.	**Sustainable Infrastructure**	✓ **Complete**

Progress Comment:

As a result of the renewed focus on waste reduction and minimisation as well as circular economy principals, Council reviewed and adapted its current recycling education program during 2019-20. Due to recent service disruptions, and with a changing landscape within the sector, it is expected that the review and adaptions will be ongoing for a substantial period.

New e-waste and X-ray recycling services have been implemented, and work has commenced on the evaluation of collection models for food and green organics collection, including discussions with providers of these services.

The Knox City Council website has also been expanded to include more information on Waste Minimisation.

Council has participated in a number of reviews of the waste sector during the 2019-20 year. With the release of Recycling Victoria, the Victorian Government's new circular economy policy, there will be further changes to Council's recycling service required in future years. It is likely that the range of materials accepted in the future will be reduced to value added products, to improve the viability and sustainability of the sector. Council will need to develop a transition plan for this implementation.

Additionally, Council officers have actively participated in number of consultations and working groups in 2019-20.

	Description	Start date	End date	Progress
Initiative Milestones	Broaden educational programs for recycling in the community	01-07-2019	30-03-2020	100%
	Evaluate collection models for food and green organics collection	01-07-2019	30-06-2020	100%
	Participate in regional consultations and working groups on waste and recycling reform	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$80,291	**$100,000**	**$100,000**

knox your city

2019-20 Annual Plan Progress Report

Initiative Description	Department	Q3 Target	Progress
Progress discussions with Melbourne Water to transfer the catchments of 60Ha and above to the regional drainage authority.	**Community Infrastructure**	**100%**	**0%**

Progress Comment:

Council is represented on the Melbourne Urban Stormwater Institutional Arrangements (MUSIA) advisory committee coordinated by the Municipal Association of Victoria (MAV).

The Department of Environment, Land, Water and Planning (DELWP), Melbourne Water, local government representatives and the MAV are jointly focused on the delineation of responsibility between Melbourne Water and local government for stormwater management assets. The review is exploring a wide range of issues that impact councils and their communities, including flood management, land use planning, changing community expectations and liveability opportunities.
A major consideration for this review is where, and at what scale within the catchment can stormwater most efficiently and cost-effectively be managed as part of a coordinated approach, and what institutional arrangements will best support that approach.

The MAV have not engaged the Working Group since July 2018. Progress on this matter is currently occurring between the MAV, Melbourne Water and DELWP.

	Description	Start date	End date	Progress
Initiative Milestones	Continue to progress discussion through ongoing meetings with Melbourne Water	01-07-2019	30-06-2020	Not Started

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

Initiative Description	Department	Progress
Implement the *Knox Locally Threatened Species Management Plan 2010*.	**Community Infrastructure**	✓ **Complete**

Progress Comment:

A Geographic Information System (GIS) mapping layer was developed to map all locally threatened species in reserves. 4,152 threatened plants were planted in 2019-20, consisting of 36 separate species. The threatened species were planted and mapped across 21 reserves.

	Description	Start date	End date	Progress
Initiative Milestones	Identify key species, key reserves and numbers for planting	01-07-2019	28-02-2020	100%
	Plant identified threatened species in the specified locations	01-05-2020	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

2019-20 Annual Plan Progress Report

Initiative Description	Department	Progress
Continue to grow and support the Knox Gardens for Wildlife Program and Bushland Reserve Friends Groups and associated activities.	**Community Infrastructure**	✓ **Complete**

Progress Comment:

The Gardens for Wildlife Victoria Network was formed to support the development of Gardens for Wildlife (G4W) programs across the State, with Council chairing the steering Committee. Currently 35 Local Government Associations are participating in the Network and there are 14 programs running with another 13 being developed across Victoria. The Department Of Environment, Land, Water, and Planning (DELWP) provided a $50,000 grant to support the growth of the program.

The Knox G4W Program now has 890 registered households, including 12 businesses. Partnering with Monash University and Swinburne TAFE has increased the number of volunteers for the program. In addition, a recruitment video has been developed and is now available on the Council website. The program currently has 30 active volunteers. Council together with these volunteers, is developing a method of virtual garden tours to allow the program to continue during the COVID-19 restrictions. A community Facebook page has also been developed to allow peer support and feedback.

	Description	Start date	End date	Progress
Initiative Milestones	Expand the number of volunteers working on the Knox Gardens for Wildlife Program	01-07-2019	30-06-2020	100%
	Extend the Gardens for Wildlife program delivery across the metropolitan Melbourne regions	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

Initiative Description	Department	Progress
Complete an At Risk Building Assessment and develop a program of works for inclusion in Council's capital works program.	**Sustainable Infrastructure**	✓ **Complete**

Progress Comment:

Structural assessments of buildings deemed to be at-risk were completed in 2019-20.

Rectification works were identified for sixty per cent of the building stock with works prioritised in accordance of risk. Rectification works were completed at Murrindal Family Centre, Wattleview Preschool and Maternal and Child Health Centre (MCHC), West Gully Preschool and MCHC and Sasses Avenue Soccer Pavilion. Review of facility future uses and redevelopment plans resulted in no works being required at six sites.

Further remedial works have been scheduled for 2020-21.

	Description	Start date	End date	Progress
Initiative Milestones	Finalise the program of at risk building investigations	01-07-2019	30-03-2020	100%
	Progress the program of identified works	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$700,754	**$1,020,600**	**$1,020,600**

2019-20 Annual Plan Progress Report

Goal 2: We have housing to meet our changing needs

Initiative Description	Department	Progress
Continue to support the development of Stamford Park residential estate.	**City Planning**	✓ **Complete**

Progress Comment:

Progress of the Waterlea development at Stamford Park progressed well in 2019-20, with a number of stages completed and occupied, and a number of other stages well into construction. An Amended Development Plan for the apartment building site has been submitted and is expected to be considered by Council in July 2020.

Initiative Milestones	Description	Start date	End date	Progress
	Continue to facilitate the development of Waterlea with Stockland	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$859,769	**$9,028,195**	**$9,028,195**

Initiative Description	Department	Progress
Implement Council's Housing Strategy including facilitation of strategic redevelopment sites.	**City Futures**	✓ **Complete**

Progress Comment:

The Housing Strategy was implemented into the Knox Planning Scheme via Amendment C131. The Strategy, and the Knox Planning Scheme, continue to guide residential development and strategic investigation sites.

Two strategic sites are currently underway - the Norvel Road Quarry site and the Boral site in Wantirna South. Council officers are working with both developers to ensure appropriate development outcomes.

Issues at the Norvel Road Quarry site, relating to social housing, stormwater management, and bushfire safety (including its impact on biodiversity) are being reviewed prior to the proposal being reported to Council.

A planning scheme amendment request regarding the Boral site has been submitted to Council, however a number of issues are being reviewed and resolved before the amendment is reported to Council. Reviewing and resolving these issues will contribute to the alignment with Council's Housing Strategy.

The Housing Monitoring Report is scheduled to be reported to Council in August 2020.

Initiative Milestones	Description	Start date	End date	Progress
	Prepare the Housing Monitoring Report	01-07-2019	30-05-2020	100%
	Continue to ensure that the redevelopment of strategic investigation sites aligns with the direction of the strategy	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$115,735	**$98,561**	**$98,561**

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Initiative Description	Department	Progress
Implement the Affordable Housing Action Plan including advocacy for an increase for the supply of social and affordable housing at key strategic sites and across the municipality.	**Community Wellbeing**	✓ **Complete**

Progress Comment:

The Laying a Social Housing Pipeline in Knox project has been completed. The Department of Health and Human Services (DHHS), the project funder, has been formally advised of this in accordance with the contract. The project's findings have been presented to key internal stakeholders, the Executive Management Team and the Chief Executive Officer.

Social planning input into the rezoning of the Boral site to work towards achieving a five percent social housing mix is continuing. Various documents have been reviewed and meetings held with officers and the developer.

Council also participates in six-weekly Inter-Council Affordable Housing Forums to share information regarding social housing supply issues.

	Description	Start date	End date	Progress
Initiative Milestones	Finalise the Laying a Social Housing Pipeline report	01-07-2019	30-03-2020	100%
	Provide social planning input into negotiations for the rezoning of the Borral site to work towards achieving a 5% social housing mix	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

2019-20 Annual Plan Progress Report

Goal 3: We can move around easily

Initiative Description	Department	Progress
Advocate to State and Federal Governments for improved sustainable transport infrastructure and services.	**Sustainable Infrastructure**	✓ **Complete**

Progress Comment:

The new iteration of the Community Investment Plan has been released with key input on major road and public transport priorities included alongside an accompanying map.

A review of Council's current public transport position was considered in light of the recently announced Suburban Rail Loop project. Key feedback provided indicated that the current advocacy position be maintained.

As a member of the Eastern Transport Coalition, Council is also working to prepare a Supplementary Bus Review by identifying key bus network improvements.

	Description	Start date	End date	Progress
Initiative Milestones	Update the public transport advocacy position of council	01-07-2019	31-12-2019	100%
	Capture key initiatives in the Community Investment Plan	01-07-2019	31-12-2019	100%
	Continue to advocate to state and federal members for public transport priorities	01-10-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$12,631	**$12,726**	**$12,726**

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2019-20 Annual Plan Progress Report

Initiative Description	Department	Progress
Increase the number of cyclists using Council's shared path networks.	**Sustainable Infrastructure**	✓ **Complete**

Progress Comment:

In 2019-20, bike lanes were installed along Valleyview Drive, which provides a link from the residential area of Karoo Road to the Henderson Road industrial precinct and the Ferny Creek Trail. This work included green treatment at intersections, which aims to make motorists more aware of potential cyclists crossing.

Bike repair stations and seating have been installed at strategic locations along the shared path network, and designs have been prepared for the installation of bike lanes along Timothy Drive, Templeton Street and Renou Road. Installation commenced in June 2020 but construction has been delayed due to wet weather and delays in obtaining some approval from other authorities.

Designs were also prepared for shared paths on Kelletts Road between Stud Road and Taylors Lane, and on Wellington Road between Napoleon Road and Straughan Close. These paths will be constructed in the first half of the 2020-21 financial year.

Ongoing discussions are being held with the Department of Transport (VicRoads) in relation to the Burwood Highway shared path link between Mountain Highway and Morack Road. VicRoads has now advertised a Request for Tender. Discussions will continue in 2020-21.

	Description	Start date	End date	Progress
Initiative Milestones	Increase the provision of shared paths within Knox	01-07-2019	30-06-2020	100%
	Improve on-road infrastructure to support cyclists	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$960,767	**$1,411,806**	**$1,411,806**

Goal 4: We are safe and secure

Initiative Description	Department	Progress
Ensure Council's Emergency Management Plans and Sub-Plans meet legislative requirements.	**City, Safety & Health**	✓ **Complete**

Progress Comment:

The Municipal Emergency Management Planning Committee (MEMPC) met throughout 2019-20 to ensure reviews and changes are discussed and implemented, and that Council's Emergency Management Plans and Sub-Plans meet legislative requirements.

	Description	Start date	End date	Progress
Initiative Milestones	Ongoing risk review of the Emergency Management Plan and Sub-Plans via quarterly meetings with the Municipal Emergency Management Planning Committee	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

Initiative Description	Department	Progress
Engage with emergency services through the Municipal Emergency Management Planning Committee to assist with the adequate provision of emergency services across the municipality.	**City, Safety & Health**	✓ **Complete**

Progress Comment:

The Municipal Emergency Management Planning Committee (MEMPC) met in accordance with the schedule for 2019-20.

	Description	Start date	End date	Progress
Initiative Milestones	Participate in quarterly meetings with the Municipal Emergency Management Planning Committee	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$121,547	**$159,937**	**$159,937**

2019-20 Annual Plan Progress Report

Goal 5: We have a strong regional economy, local employment and learning opportunities

Initiative Description	Department	Q3 Target	Progress
Continue to implement the Knox Central program to progress the development of a new Civic and Arts precinct for Knox.	**Knox Central**	**100%**	**30%**

Progress Comment:

The new Knox Central Library and Youth Information Centre was publicly announced in 2019-20, with grant funding of $450k from the Victorian Government. Council is awaiting confirmation from Westfield on the redevelopment timeline to guide design and delivery timelines. This initiative is unable to progress until confirmation from Westfield is received.

Initiative Milestones	Description	Start date	End date	Progress
	Plan the new Knox Central library and Youth Information Centre	01-07-2019	30-06-2020	30%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

Initiative Description	Department	Q3 Target	Progress
Progress the development, implementation and evaluation of Development Contributions Plan (DCP) planning including addressing infrastructure information gaps and mapping necessary to inform these plans.	**City Futures**	**100%**	**98%**

Progress Comment:

The DCP justification report was drafted, finalised, and discussed at Issues Briefing on 21 October 2019. Council was informed that there is strategic justification to prepare a DCP and there would be a positive financial outcome. Council agreed for a draft DCP to be prepared.

During 2019-20, future project/infrastructure data and spatial catchments were collected, and DCP modelling was undertaken.

The first version of the DCP was submitted for Council officer review in December 2019. Council officers worked with the project consultant, Urban Enterprise, to finalise the DCP, however additional and necessary changes to the DCP were revealed. Final revisions include remodelling to include a number of strategic sites and to consolidate the number of charge areas. The DCP is expected to be finalised in July 2020, and reported to Council for consideration in September 2020.

Initiative Milestones	Description	Start date	End date	Progress
	Complete the DCP justification report	01-07-2019	30-11-2019	100%
	Complete the DCP	01-07-2019	31-12-2019	100%
	DCP endorsed by Council	01-01-2020	30-06-2020	90%

YTD Actual	YTD Budget	Initiative Budget
$63,461	-	-

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Initiative Description	Department	Progress
Advance the next stage of the collaborative Strategic Investment and Development Program in partnership with Maroondah and Yarra Ranges Council and the state government for the Bayswater Business Precinct, with a focus on business networks, precinct amenity, streamlining assessment and new investment.	**City Futures**	✓ **Complete**

Progress Comment:

Four Transport initiatives were identified during 2019-20 including:

- Improved precinct signalisation
- Improved frequency of public bus services
- Freight movement strategy
- Bike network/circulation plan.

These initiatives form the basis of the 'Transport Access Improvements' Paper. Prepared in October 2019, this paper will be used as an advocacy document for improvements. Council continues to advocate for the funding and scoping of the four Transport initiatives.

The Bayswater Business Precinct Connect web platform was also launched. Businesses across Knox, Maroondah and Yarra Ranges are being encouraged to register.

	Description	Start date	End date	Progress
Initiative Milestones	Assist with the prioritisation and scoping of three transport initiatives within the Bayswater precinct	01-07-2019	30-06-2020	100%
	Work with Councils to establish and promote a web platform to increase connections between employees and employers	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

Initiative Description	Department	Progress
Explore the development of a pilot program within existing educational services and facilities to advance the business community's second language skills, particularly in Mandarin and Hindi.	**Community Wellbeing**	✓ **Complete**

Progress Comment:

Scoping has been undertaken with Community Wellbeing and City Futures. This scoping demonstrated that:

- Mandarin and English language classes are currently available through the Mountain District Learning Centre, the Rowville Neighbourhood Learning Centre, Swinburne Wantirna Campus, and the Adult Migrant English Program.
- The Migrant Information Centre (located in the eastern region) provides a variety of cultural awareness training.
- The State Government and other relevant associations provide a number of training and networking programs aimed at assisting Australian businesses and manufacturers to enter the export market.

Given that these opportunities are currently available to local businesses and the community, it is recommended that an additional language program is not offered by Knox City Council at this time.

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

2019-20 Annual Plan Progress Report

Goal 6: We are healthy, happy and well

Initiative Description	Department	Progress
Continue to implement Council's Health Promoting Organisation initiative in partnership with community organisations to positively affect organisational and community health outcomes.	**Strategy, People & Culture**	✓ **Complete**

Progress Comment:

Council has an organisation-wide Wellness@Knox Committee to progress health promotion activities with staff across the organisation. The committee's activities have focused on three priority health risk areas - healthy eating, physical activity and mental health. There is an annual Calendar of events and initiatives prepared by the Committee, which attempts to coincide with broader community-wide initiatives (e.g. R U OK? Day, Ride to Work Day) but also aims to respond to internal issues/needs (e.g. Corporate Games participation, Employee Assistance Program/Mental Health presentation). In 2019-20, the scheduled Wellness@Knox calendar events have taken place, apart from those that have had to be cancelled due to COVID-19 restrictions. However, some additional initiatives related to COVID-19 issues (such as parenting/home schooling online support/chat sessions) have been developed to take the place of cancelled initiatives and fill needs related specifically to needs arising from the pandemic. The Committee continues to meet every 6 weeks to discuss wellness/wellbeing issues and initiatives.

Across 2019-20, Council's Community Wellbeing Department also explored opportunities to progress health promotion activities within the community. A pilot Liveability project created to examine eight domains (Housing, Public Open Space, Public Transport, Physical Activity, Food, Alcohol and illicit drugs, Gambling and Perceptions of Safety) across four of Knox's lowest socioeconomic status (SES) suburbs (Bayswater, Boronia, Rowville and Scoresby) has been completed as a student work experience project. The project collated existing data to discuss the liveability of each suburb and produce recommendations and the report was completed in 2019-20.

	Description	Start date	End date	Progress
Initiative Milestones	Explore liveability across selected suburbs in the municipality to inform future community-focused health promotion initiatives	01-07-2019	30-06-2020	100%
	Implement the Wellness@Knox Committee's annual program of works	01-07-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
$69,730	**$132,568**	**$132,568**

knox your city

2019-20 Annual Plan Progress Report

Initiative Description	Department	Q3 Target	Progress
Finalise and implement the Key Life Stages Implementation Plan focusing on Early Years, Youth and Older People.	**Community Services**	**100%**	**77%**

Progress Comment:

On 16 December 2019, Council supported a revised Municipal Disability Leadership Plan 2020-22. The plan continues to focus on families, young people and older people with a disability and key activities include a focus on mental health service gaps and advocacy, ongoing support for families and carers, early years professional development, and ongoing support to all community members to navigate the National Disability Insurance Scheme (NDIS). Implementation of the Plan has commenced and the team are adapting key actions to respond to the COVID-19 impact, including conducting Professional Development, carers exercise classes and key network meetings online. Ongoing support for the community is continuing through online platforms.

Due to the impact of COVID-19 on Active Ageing & Disability Services' programs and services, the development of an Implementation Plan, incorporating the WHO Age Friendly Cities eight areas of wellbeing, has not progressed due to resources being reprioritised for service delivery. At this stage, it is anticipated that this milestone will be progressed in early 2020-21.

The testing phase of the ConnectUs web platform for young people was completed in 2019-20. Council have been successful in gaining external funding to develop a Marketing and Communication Plan. The impact of the relocation of work environments resulted in slight delays with this phase. A consultation process with the three Councils has been implemented, with the Knox consultation including representatives from the Knox Youth Advisory Committee.

Work has also been undertaken in 2019-20 to define and scope categories of allied health providers suitable for co-location in the Integrated Early Years Hubs to better support health and wellbeing outcomes for children. This has included conducting a survey with current families attending the Wantirna and Bayswater Child and Family Centres to understand which allied health providers will meet community need. The results are in line with those identified as part of the School Readiness Funding project. Officers in Family and Children's Services are undertaking a review of the licence and lease process across the department. Licence and lease agreements for allied health providers will be consistent with the outcomes of this review. In addition to this work, all departments have contributed to the mid-term review of the Key Life Stages Plan and are confirming further opportunities for collaborative intergenerational work in support of the plan.

	Description	Start date	End date	Progress
Initiative Milestones	Develop and implementation of a new web platform called ConnectUs in conjunction with Yarra Ranges and Maroondah	01-07-2019	30-06-2020	100%
	Scoping the framework to provide a lease or license agreement for allied health providers in the Integrated Early Year Hubs to support improved health and wellbeing outcomes for children, parents and carers	01-07-2019	30-06-2020	70%
	Adopt an intergenerational approach, where possible, in implementing the Knox City Municipal Strategic Disability Leadership Plan	01-07-2019	30-06-2020	100%
	Develop an Implementation Plan, incorporating the WHO Age Friendly Cities eight areas of wellbeing, to support older people to actively age in the community in response to National Aged Care Reforms	01-07-2019	30-06-2020	40%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

2019-20 Annual Plan Progress Report

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

Initiative Description	Department	Q3 Target	Progress
Determine the most effective role for Council in the protection and maintenance of heritage assets in Knox	**City Futures**	**100%**	**75%**

Progress Comment:

City Futures proposed the development of a Landscape and Thematic History to provide an understanding of Knox's heritage. This would inform the most effective role for Council in the protection and maintenance of heritage assets.

A business case was prepared for a re-scoped heritage study. This was not supported as part of the Budget 2020-21 and therefore this initiative is unable to progress.

	Description	Start date	End date	Progress
Initiative Milestones	Develop a business case for a re-scoped heritage study	01-07-2019	30-06-2020	75%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

Initiative Description	Department	Q3 Target	Progress
Develop a plan for the ongoing protection and management of Indigenous and post European settlement heritage resources related to Knox.	**City Futures**	**100%**	**75%**

Progress Comment:

City Futures proposed the development of a Landscape and Thematic History to provide an understanding of Knox's heritage. This would underpin a future Heritage Study and assist with the ongoing protection and management of Indigenous and post-European settlement heritage resources related to Knox.

A business case was prepared for a re-scoped heritage study. This was not supported as part of the Budget 2020-21 and therefore this initiative is unable to progress.

	Description	Start date	End date	Progress
Initiative Milestones	Develop a business case for a re-scoped heritage study	01-07-2019	30-06-2020	75%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

2019-20 Annual Plan Progress Report

Initiative Description	Department	Q3 Target	Progress
Prioritise and promote programs and services which aim to build community connections and reduce social isolation across all life stages and spatially represent this information on Council's mapping system.	**Community Wellbeing**	✓ Complete	

Progress Comment:

Spatial mapping was undertaken across 2019-20, to map community groups and activities based on the cohorts identified as being prone to social isolation/loneliness. The cohorts included: Families, Young people, LGBTIQ+ community, People with a disability, People from a multicultural background, Adults, and Older people.

Over 250 activities were mapped into the following categories: Social, Skill development, Creative/arts, Exercise, Playgroups, Churches, and Other. Sport and recreation activities were then overlaid across the map to provide a fuller picture of programs and services which aim to build community connections and reduce social isolation across all life stages. As expected, there are a number of programs and services located in or near suburb activity centres across the municipality.

Ongoing work is being undertaken within Council across a number of departments to address social isolation within the Knox Community.

Given the continued uncertainty around delivery of programs and services that address social isolation and loneliness, due to the COVID-19 pandemic, Council will need to continue to monitor the capacity of groups and organisations to offer services and programs to address loneliness and social isolation. Council also has an important role in continuing to build capacity of groups and organisations through grants, training and other support.

	Description	Start date	End date	Progress
Initiative Milestones	Undertake project scoping	01-07-2019	31-12-2019	100%
	Complete promotion and spatial mapping	01-01-2020	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

2019-20 Annual Plan Progress Report

Goal 8: We have confidence in decision-making

Initiative Description	Department	Progress
Implement organisational development programs that ensure a shared responsibility for leadership and achievement of Council priorities.	**Strategy, People & Culture**	✓ **Complete**

Progress Comment:

The Corporate Learning Calendar offers a range of opportunities to up-skill and understand corporate expectations in compliance, technical and human focused areas.

When people join Knox they complete a comprehensive induction, including subjects designed to set corporate expectations, protect and keep people safe from harm, injury, damage or loss, and teach people how to use various corporate systems. For leaders, there are a range of business skills, communication, leadership and management courses available throughout the year, many of these are offered on-site.

Council's internal talent management program commenced for its second term in 2019. Council conducted its first Lean Champions program to assist with the deployment of Lean thinking and practice across Council. Council has also undertaken development planning to implement a new leadership capability framework within Knox as part Council's new People Strategy.

YTD Actual	YTD Budget	Initiative Budget
$221,125	**$362,176**	**$362,176**

Initiative Description	Department	Progress
Review and implement Council's updated Community Engagement approach.	**Strategy, People & Culture**	✓ **Complete**

Progress Comment:

In 2019-20 Council introduced a dedicated resource for community engagement to implement the revised Community Engagement Policy and improve outcomes for our community. Significant work has been completed throughout the year, including the development of an Action Plan and Framework, and progress on the implementation of a new online engagement tool, which is scheduled to launch early next financial year. Work will continue in 2020-21 on implementing the policy in line with the new Local Government Act.

	Description	Start date	End date	Progress
Initiative Milestones	Recruitment of the Community Engagement Lead	01-07-2019	30-11-2019	100%
	Implement the Community Engagement Policy	01-12-2019	30-06-2020	100%

YTD Actual	YTD Budget	Initiative Budget
Delivered within existing operational budget.		

11 Items for Information

11.1 ICT Capital Works Report

SUMMARY: Acting Manager Information and Communications Technology, Paul Barrett

The ICT Works Report shows projects on Council's ICT Capital Works Program and indicates the status of each project as at 17 August 2020.

RECOMMENDATION

That Council receive and note the ICT Capital Works Report, as at 17 August 2020.

1. INTRODUCTION

This report summarises Council's ICT Capital Works Program for the 2020/2021 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 17 August 2020 is attached in Confidential Attachment 1.

Highlights of the Works Report as at 17 August 2020 include:

1242 - Digital Customer Channels Transformation (DCCT) - Phase 1 Website Development

Website build tender evaluation now complete, and the Procurement Report has been drafted for Council approval in late September, before a contract is awarded to the preferred supplier. The project Business Case will be endorsed through the ICT Governance bodies, which will include the project plan through to project closure, and the anticipated benefit return to the business.

812 - Asset Management System

Project Implementation phase proceeding with majority of high level design workshops completed for Asset Classes. Continuing to work with vendor to facilitate the Data and Integration workshops. Project implementation timeline on schedule for May 2021 Go Live.

1036 – HR System Enhancement

Parallel testing (result comparison with existing system) has commenced for "Humanforce" Time & Attendance. Training material is currently being developed and the staged roll out plan finalised. Go live for the first teams is planned for late September 2020.

1034 - Business Intelligence

Project implementation phase is underway. Project Sponsor and Project Manager are engaging with business representatives to choose the next candidate to move onto the Business Intelligence platform. Project Business Intelligence Analyst recruitment is complete, with successful candidate preparing to build new reports when priority agreed with business.

1031 – ICT Spatial Capability

Existing GIS systems have all been successfully upgraded in June, with the business users now taking advantage of improved functionality for Intramaps and QGIS. As approved by Steering Committee 14 July 20, the project will now take a hiatus until Nov 20, before commencing the second stage of the delivery of additional spatial capabilities.

1369 – Master Data Management

Contract signing completed late July. Project kicked off "Discovery" Stage 1 this week, which will run through to mid September. Stage will inform business needs, current state, constraints and guiding principles for the project.

1371 – Community Engagement Participation Platform

Request for Tender (RFT) to contract a vendor for Community Engagement Platform opened 04/07/20 - 22/07/20. Tender evaluation in progress. Appointment of successful vendor and contract negotiations expected early September 2020.

2. CONFIDENTIALITY

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

The information also meets the definition of confidential information under the Local Government Act 2020 on the basis that:

- the information includes Council business information the disclosure of which may prejudice the Council's position in commercial negotiations; and/or
- private commercial information that may unreasonably expose a business, commercial or financial undertaking to disadvantage if disclosed; and/or
- information which has been declared as confidential information for the purposes of Section 77 of the Local Government Act 1989.

Report Prepared By:	**Acting Manager Information and Communications Technology, Paul Barrett**
Report Authorised By:	**Executive Manager Strategy, People & Culture, Interim Information Technology and Transformation (Change/Lean), Sam Stanton**

Attachments

1. ICT Status Report #9 [**11.1.1** - 3 pages]

Confidential Attachment 1 is circulated under separate cover

Knox City Council Project Status Report

17-Aug-2020

Project Number	Project Name
789	**Facilities Booking Solution**
All Wards	Project kick off completed end June, the project and vendor coordinating business process reviews and stakeholder training needs analysis.
812	**Asset Management Information System**
All Wards	Project Implementation phase proceeding with majority of high level design workshops completed for Asset Classes. Continuing to work with vendor to facilitate the Data and Integration workshops. Project implementation timeline on schedule for May 2021 Go Live.
827	**Digital Customer Channels Transformation (DCCT) - Phase 3 Cust Portal & Integration**
All Wards	This phase will expand on earlier delivery of the program, with the implementation of a secure portal to Knox staff, a Knox business hub, and fully integrate with Knox systems. The phase will commence 2021.
977	**Pathway Program**
All Wards	Completed in July: Snap Send Solve (SSS) integration – implemented successfully with Customer Service now managing incoming SSS requests to Pathway. This has enabled accurate triaging of requests and acknowledgments to customers, saving council significant time to ensure they are directed to the relevant department or external authority at the point of triage, with customer details added to the request allowing easier retrieval for enquiries. Local Law Permits online: – Permit to Keep Additional Animal – website page updated with new online application type. This will remove the need for customers to submit via hard copy and cheque payment and digitise processes to manage correspondence and approvals. Election Signage Permits online – implemented new online service that will enable council election candidates to submit an application to distribute election material and erect signage on council land, in preparation for the upcoming council elections. A collaborative agile approach with key stakeholders enabled requirements to be gathered, system build and implementation within a short timeframe. In progress: Local Law Permits online – Real Estate board permits – identified as next online service to be developed for implementation. To commence gathering requirements in August. Parking Driver Nominations online – also identified as new online process to be developed for Community Laws. Will remove the need for citizens issued with parking infringements to nominate other drivers via hard copy form and mail to council. Internal Building Maintenance Requests (Sports Clubs and Indoor Centres) – Roll out to community sports teams to proceed in August, enabling clubs to submit requests online. Late with Low Impact - Municipal Building Permits online – Delay due to reduced availability of business leads in July. To follow up and ascertain availability to complete feedback tasks in August. Building Property Info Certificates via ePathway – No further work conducted in July due to other project priorities, to review priority with project sponsor and business lead.
1031	**Spatial Capability**
All Wards	Existing GIS systems have all been successfully upgraded in June, with the business users now taking advantage of improved functionality for Intramaps and QGIS. As approved by Steering Committee 14 July 20, the project will now take a hiatus until Nov 20, before commencing the second stage of the delivery of additional spatial capabilities.

Knox City Council Project Status Report

17-Aug-2020

Project Number	Project Name
1034	**Business Intelligence**
All Wards	Project implementation phase is underway. Project Sponsor and Project Manager are engaging with business representatives to choose the next candidate to move onto the Business Intelligence platform. Project Business Intelligence Analyst recruitment is complete, with successful candidate preparing to build new reports when priority agreed with business.
1036	**HR System**
All Wards	Parallel testing (result comparison with existing system) has commenced for "Humanforce" Time & Attendance. Training material is currently being developed and the staged roll out plan finalised. Go live for the first teams is planned for late September 2020.
1037	**Project Management Office - ICT Governance**
All Wards	Tracking as planned
1242	**Digital Customer Channels Transformation (DCCT) - Phase 1 Website Development**
All Wards	Website build tender evaluation now complete, and the Procurement Report has been drafted for Council approval in late September, before a contract is awarded to the preferred supplier. The project Business Case will be endorsed through the ICT Governance bodies, which will include the project plan through to project closure, and the anticipated benefit return to the business.
1245	**Corporate Reporting Solutions**
All Wards	This project has been scheduled to commence in FY20/21 due to prioritisation of the Community Engagement Project.
1257	**Project Management Office**
All Wards	Project tracking to plan
1368	**Data Integration**
All Wards	Project waiting to be scheduled
1369	**Master Data Management**
All Wards	Contract signing completed late July. Project kicked off "Discovery" Stage 1 this week, which will run through to mid September. Stage will inform business needs, current state, constraints and guiding principles for the project.
1371	**Participation Platform**
All Wards	Request for Tender (RFT) to contract a vendor for Community Engagement Platform opened 04/07/20 - 22/07/20. Tender evaluation in progress. Appointment of successful vendor and contract negotiations expected early September 2020.

Knox City Council Project Status Report

17-Aug-2020

Project Number	Project Name
1373	**Active Aging System Platform**
All Wards	In consultation with the sponsoring business, this initiative has been re-prioritised on the ICT Roadmap V5 to commence in July 2021, and this decision has been endorsed by the March 2020 ICT Governance Committee. This decision reflects the business readiness to commence given competing priorities and operating decisions.
1374	**Early Years Platform**
	The Transformation team are currently working with Family & Children's Services to implement activities which will create the additional capacity required to commence the ICT project. Project commencement date is to be confirmed but now forecasting October 2020.
1376	**Digital Customer Channels Transformation - DCCT Ph2**
All Wards	Phase 2 - Deliver a new staff Intranet and a secure portal for residents within our new website, as well as continued rollout of services. Will commence end of 2020.
1377	**Cloud Solutions**
All Wards	Project waiting to be scheduled
1379	**Customer Relationship Management (CRM)**
All Wards	This project is due to commence in FY 20/21

11.2 Assemblies of Councillors

SUMMARY: Manager, Governance, Phil McQue

This report provides details of Assembly of Councillors as required under section 80A(2) of the Local Government Act 1989.

RECOMMENDATION

That Council:

1. **Note the written record of Assemblies of Councillors as attached to this report; and**
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.

2. CONFIDENTIALITY

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

Report Prepared By: **Manager Governance, Phil McQue**

Report Authorised By: **Director, City Development – Interim Finance and Governance, Matt Kelleher**

Attachments

1. Attachment 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: 13/7/2020

Name of Committee or Group (if applicable): Issues Briefing (via Zoom)

Time Meeting Commenced: 8.04pm

Name of Councillors Attending:	
Cr Nicole Seymour, Mayor	Cr Jake Keogh
Cr Marcia Timmers-Leitch, Deputy Mayor	Cr Tony Holland
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce
Cr Adam Gill	

Name of Members of Council Staff Attending:	
Tony Doyle	Phil McQue
Matt Hanrahan	Andrew Dowling
Matt Kelleher	Petrina Dodds Buckley (Item 2)
Sam Mazer	Anthony Petherbridge (Item 2 & 3)
Tanya Scicluna	Madeleine Cheah (Item 3)
Sam Stanton	Patrick Dubuc (Item 3)

Matters Considered:

1. Knox COVID-19 Relief and Recovery Verbal Update
2. Regional Charter Local Government Homelessness and Social Housing
3. Boronia Train Station Precinct Redevelopment – Concept Plan

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Andrew Dowling

* 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: 15/7/2020

Name of Committee or Group (if applicable): Recreation and Leisure Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Jake Keogh

Name of Members of Council Staff Attending:

Nicole Columbine

Daniel Clark

Suranga Dissakarunaratne

Sam Sampanthar

Tracie Armstrong

Matters Considered:

1. Council's Climate Response Plan 2020-2030
2. Capital Works Update
3. Club Development Program Update

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Suranga Dissakarunaratne

* 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: 20/7/2020

Name of Committee or Group (if applicable): Issues Briefing (via Zoom)

Time Meeting Commenced: 6.36pm

Name of Councillors Attending:	
Cr Nicole Seymour, Mayor	Cr Jake Keogh
Cr Marcia Timmers-Leitch, Deputy Mayor	Cr Tony Holland
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce

Name of Members of Council Staff Attending:	
Tony Doyle	Phil McQue
Matt Hanrahan	Andrew Dowling
Matt Kelleher	Justin Schreuder (Item 2)
Sam Mazer	Monica Micheli (Item 3)
Tanya Scicluna	Nicole Columbine (Item 3)
Sam Stanton	Ian Bell (Item 3)

Matters Considered:

1. Knox COVID-19 Relief and Recovery Verbal Update
2. Street Light Replacement Major Roads
3. State Basketball Centre Progress Update
4. South East Melbourne (SEM) Group – City Deal Progress Report
5. Impact of Playground Closures on School Facilities
6. Permit Regime for Election Signage

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Andrew Dowling

* 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: 21/7/2020

Name of Committee or Group (if applicable): Youth Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Jake Keogh

Name of Members of Council Staff Attending:

Katie Scott

Tony Justice

Tracie Armstrong

Sam Sampanthar

Matters Considered:

Climate Response Plan

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Katie Scott

* 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.

4

Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 22/7/2020

Name of Committee or Group (if applicable): Knox Active Ageing Advisory Committee

Time Meeting Commenced: 5.00pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr John Mortimore

Name of Members of Council Staff Attending:

Judy Chalkley

Stuart Ireland

Linda Keenahan

Jacqueline Storey

Ellie Thompson

Matters Considered:

1. Knox City Council Climate Response Plan
2. Knox City Council Occupational Therapy

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Stuart Ireland

* 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.

5

Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 23/7/2020

Name of Committee or Group (if applicable): Chief Executive Officer Performance Evaluation Committee

Time Meeting Commenced: 9.30am

Name of Councillors Attending:

Cr Nicole Seymour, Mayor	Cr John Mortimore
Cr Marcia Timmers-Leitch, Deputy Mayor	Cr Jake Keogh
Cr Peter Lockwood	Cr Tony Holland

Name of Members of Council Staff Attending:

Tony Doyle

Matters Considered:

1. Confirmation of Minutes and CEO KPI scoring from Meeting held 20 May 2020
2. CEO KPI Updates to 30 June 2020 and Decision for Report to go to Ordinary Meeting of Council on 21 September 2020
3. Feedback Provided to CEO
4. 2020 CEO Annual Remuneration Review and Decision for Report to go to Ordinary Meeting of Council on 21 September 2020
5. CEO's Key Performance Indicators 2020/2021
6. Next Meetings
7. Other Matters

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Tony Doyle

* 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.

6

Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly:	3/8/2020
Name of Committee or Group (if applicable):	Issues Briefing (via Zoom)
Time Meeting Commenced:	6.40pm

Name of Councillors Attending:	
Cr Nicole Seymour, Mayor	Cr Jake Keogh
Cr Marcia Timmers-Leitch, Deputy Mayor	Cr Tony Holland
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce

Name of Members of Council Staff Attending:	
Tony Doyle	Phil McQue (Item 2, 3, 4 & 5)
Matt Hanrahan	Andrew Dowling (Item 4 & 5)
Matt Kelleher	
Sam Mazer	
Tanya Scicluna	
Sam Stanton	

Matters Considered:

1. Knox COVID-19 Relief and Recovery Verbal Update
2. Draft Audit and Risk Committee Charter 2020
3. Draft Public Transparency Policy
4. Councillor Expenses Support Policy
5. Draft Governance Rules 2020
6. Emerson Reserve Dog Park
7. Progress of Urgent Business Request regarding Election Signage
8. Conduct of Meetings under Stage 4 Restrictions

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Andrew Dowling

* 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: 4/8/2020

Name of Committee or Group (if applicable): Knox Disability Advisory Committee

Time Meeting Commenced: 2.30pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Name of Members of Council Staff Attending:

Petrina Dodds Buckley

Alison Treeby

Belinda Carney

Zara Ariarta

Tracie Armstrong

Matters Considered:

1. Impact of COVID-19 on Community
2. Knox Council Climate Response Plan

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Alison Treeby

* 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.

8

Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 4/8/2020

Name of Committee or Group (if applicable): Community Development Fund Evaluation Meeting

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Marcia Timmers-Leitch, Deputy Mayor

Name of Members of Council Staff Attending:

Deb Robert

Cassie Wright

Jodie Heriot

Matters Considered:

Assessment and discussion of 2020-21 CDF applications

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Cassie Wright

* 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: 6/8/2020

Name of Committee or Group (if applicable): Knox Community Safety, Health & Wellbeing Advisory Committee

Time Meeting Commenced: 9.30am

Name of Councillors Attending:

Cr John Mortimore

Name of Members of Council Staff Attending:

Lisette Pine

Rosie Tuck

Tony Justice

Sam Spooner

Saskia Weerheim (Item 1)

Rachel Phillips

Matters Considered:

1. Confirmation of Previous Minutes
2. COVID-19 Recovery Planning Stakeholder Discussion
3. Knox City Council's Climate Response Plan Consultation
4. Organisation and Community Member Updates

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Mel Roche

* 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.

10

Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 6/8/2020

Name of Committee or Group (if applicable): Community Development Fund Evaluation Meeting

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Marcia Timmers-Leitch, Deputy Mayor

Name of Members of Council Staff Attending:

Deb Robert

Cassie Wright

Saskia Weerheim

Matters Considered:

Assessment and discussion of 2020-21 CDF applications

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Cassie Wright

* 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.

11

12 Motions for Which Notice has Previously Been Given

12.1 Notice of Motion 106 - Rescission - Bayswater Multipurpose Community Hub

DocuSign Envelope ID: 58F2F157-0F1E-4A8E-A648-EAF7715CC770

knox your city

Council Meeting

Knox City Council

Date 28 July 2020

Notice of Motion No 106

Notice of Rescission - Bayswater Multipurpose Community Hub Needs Analysis Review 2020

I hereby give notice that it is my intention to move at the next Council Meeting the following rescission motion:

That Council resolve:

1) That the following decision of Council made on 27 July 2010 at the Ordinary Council Meeting:

That Council:

1. *Endorse the Bayswater Multipurpose Community Hub Needs Analysis 2020 Review Report shown at Attachment 1.*

2. *Apply the funds that have been carried forward from the 2017/18 Council Budget, to the design of a multi-purpose library and community facility on the Council Land at the corner of Station Street and Mountain Highway in the current financial year.*

3. *Receive a report at a future Council Meeting or Strategic Planning Committee Meeting no later than 21 September 2020, to establish a working group to provide ongoing input into the development of the Bayswater library and multi-purpose community hub.*

be rescinded.

2) That the Bayswater Multipurpose Community Hub Needs Analysis 2020 Review Report be presented for consideration at the next Meeting of Council.

DocuSigned by:
Peter Lockwood
60F52D12AC424F0...
Cr Peter Lockwood

28/7/2020 | 15:45:11 AEST

DocuSigned by:
2DF32E3C993548F...
Cr Tony Holland

28/7/2020 | 16:05:27 AEST

13 Supplementary Items

14 Urgent Business

14.1 Urgent Business

14.2 Call Up Items

15 Questions Without Notice

16 Confidential Items

16.1 Boronia Train Station Precinct Redevelopment - Concept Plan

This report, including the Attachments, is included in the confidential agenda, having been declared confidential information pursuant to Section 77(2)(c) of the Local Government Act 1989, as it relates to:

- Land use planning information that might encourage or enable speculation in land values if prematurely released, as elements of the Draft plan are still the subject of consideration by, and negotiation with the Level Crossing Removal Project Authority and the Federal Department of Infrastructure.