

MINUTES



Ordinary Meeting of Council

Held at the
Civic Centre
511 Burwood Highway
Wantirna South

On

Monday 30 March 2020

The Agenda for the Ordinary Meeting of Council, 30 March 2020, forms part of these minutes and is attached in full at the end of the Minutes.

These Minutes are considered draft until adopted and confirmed at the Next Meeting of Council.

The meeting commenced at 7:08 pm.

PRESENT:

Cr N Seymour (Mayor)

Cr P Lockwood

Cr M Timmers-Leitch

Cr J Keogh

Cr A Gill

Cr T Holland

Cr L Cooper

Cr D Pearce

Tirhatuan Ward

Baird Ward

Collier Ward

Dobson Ward

Dinsdale Ward

Friberg Ward

Scott Ward

Taylor Ward

Mr T Doyle

Chief Executive Officer

Mr M Hanrahan (via video conference)

Acting Director – Engineering & Infrastructure

Mr M Kelleher (via video conference)

Director - City Development

Ms T Scicluna (via video conference)

Director – Community Services

Ms S Mazer (via video conference)

Director – Knox Central

Ms S Stanton (via video conference)

Executive Manager, Strategy, People and Culture

Mr P McQue

Manager, Governance

THE MEETING OPENED WITH A PRAYER, STATEMENT OF ACKNOWLEDGEMENT AND A STATEMENT OF COMMITMENT

“Knox City Council acknowledges we are on the traditional land of the Wurundjeri and Bunurong people and pay our respects to elders both past and present.”

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1 Apologies and Requests for Leave of Absence

Apologies were received from Councillor Mortimore who could not be physically present at the Meeting. Councillor Mortimore observed the Meeting through video conferencing.

Councillor Gill arrived at the meeting at 7:08 pm during discussion on Item 1.

2 Declarations of Conflict of Interest

Nil.

3 Confirmation of Minutes

RESOLUTION

MOVED: Councillor Cooper

SECONDED: Councillor Timmers-Leitch

Confirmation of Minutes of Ordinary Meeting of Council held on Monday 24 February 2020.

CARRIED

4 Petitions and Memorials

Nil.

5 Reports by Councillors

5.1 Committees and Delegates

5.1.1 Councillor Pearce

Councillor Pearce attended the following

- ICT Governance Committee
- Knox Audit Committee
- Rowville World Day of Prayer Committee's Annual Interfaith Service

5.1.2 Councillor Timmers-Leitch

Councillor Timmers-Leitch attended the following

- Youth Advisory Committee
- Knox Festival
- Clean Up Australia Day at Marie Wallace Bayswater Park
- Knox Hockey Club Working Group
- International Women's Day Lunch at Coonara Community House
- Holika Dahab Festival (Deepak)
- Meeting with Jackson Taylor MP
- Melbourne Boomers Dinner
- Kitchen Launch at Orana Neighbourhood House

5.2 Ward Issues

5.2.1 Councillor Pearce (TAYLOR WARD)

- Noted the impacts of the Coronavirus became more evident last week and observed residents appeared to be responding proactively and taking government instructions seriously.

5.2.2 Councillor Cooper (SCOTT WARD)

- Expressed concern regarding families coping with demand for essentials and called on Knox residents to consider donating essential food and sanitary items to relief agencies in Knox to help struggling families.
- Congratulated the many volunteers who had come forward to provide support, particularly helping to deliver food parcels, and expressed pride and thanks to the Knox community for being so responsive.

- Expressed concerns regarding the social stigma associated with financial hardship and called on the community to help those less fortunate by treating people with respect and dignity.
- Acknowledged the work of all Council staff, but particularly those in the Community Service Directorate who had been highly engaged and highly responsive to community needs.

5.2.3 Councillor Keogh (DOBSON WARD)

- Endorsed the comments and sentiments of Councillor Cooper.

5.2.4 Councillor Holland (FRIBERG WARD)

- Endorsed the comments and sentiments of Councillor Cooper.
- Called on all members of the community to make efforts to look after and support their own families but also their neighbours.
- Acknowledged feedback from residents surrounding HV Jones Reserve, who were very supportive of the conduct of reserve tenant, Boronia Soccer Club.

5.2.5 Councillor Lockwood (BAIRD WARD)

- Encouraged the community to look out for one another and stay home wherever possible to support social distancing efforts.
- Acknowledged the efforts of Council staff and expressed appreciation for the hard work and long hours being put in.
- Encouraged staff, Councillors and the community to stay positive and particularly to look out for vulnerable members of the community.

5.2.6 Councillor Timmers-Leitch (COLLIER WARD)

- Expressed her support for the efforts of the business community, acknowledging during the time of crisis businesses were adopting innovative approaches to sustain their operations.
- Acknowledged the support coming from the community for local business.
- Reported community groups in Collier Ward had expressed overwhelmingly positive feedback about the support they were receiving from Council.

5.2.7 Councillor Seymour (TIRHATUAN WARD)

- Acknowledged the country faced unprecedented times and the pandemic would have far reaching effects and was already having an unquestionable impact on the local economy.
- Drew attention to Knox's largest industry sectors - health care and social assistance followed by retail trade – noting these were at the frontline of personal, social and economic impacts.
- Implored the community to reflect on the impact the pandemic was having on these front line groups, and emergency responders and recall that their inconvenience and sacrifice was particularly to benefit these groups.
- Reinforced the messages of the Prime Minister and Victorian Premier, "if you can stay home, please stay home".
- Encouraged the community when leaving their homes to shop or exercise to stick to their local neighbourhoods and shops.
- Asked the community to refrain from judging the actions of others without knowing and understanding their circumstances.
- Expressed deep sadness regarding the escalation of racism observed in some parts of the community, and implored the community to reject fear mongering and ensure there was no place for racism in Knox.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

1. That the following items:

- 6.1 Report of Planning Applications Decided Under Delegation - 1 February 2020 to 29 February 2020**
- 6.2 City Futures Advisory Committee**
- 6.3 Citizenship Ceremonies – Dress Code**
- 6.7 December 2019 Call Up Item - Snap Send Solve**
- 9.2 Notice of Intention to Lease Knox Park Athletics Track, Bunjil Way, Knoxfield**
- 9.3 Community Access and Equity Implementation Plan - Year 2**
- 9.4 Youth Services 2019 Achievements**
- 9.5 Knox Active Ageing Advisory Committee Annual Report 2019**
- 11.1 ICT Capital Works Report**
- 11.2 Assemblies of Councillors**
- 11.3 Capital Works Program Works Report as at 18 March 2020**

be moved en bloc as per the officer's recommendations outlined in the agenda.

2. That Council then proceed to consider the remaining business in the following order:

- 14 Urgent Business**
- 6 City Development Officers' Reports For Consideration**
- 7 Public Question Time**
- 8 Engineering & Infrastructure Officers' Reports For Consideration**
- 9 Community Services Officers' Reports For Consideration**
- 10 Corporate Services Officers' Reports For Consideration**
- 11 Items For Information**
- 12 Motions For Which Notice Has Previously Been Given**
- 15 Questions Without Notice**
- 16 Confidential Items – including the Supplementary Item, 13.1 Knox Central Land Acquisition - Confidential**

CARRIED

6 City Development Officers' Reports for consideration

6.1 Report of Planning Applications Decided Under Delegation - 1 February 2020 to 29 February 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 (from 1 February to 29 February 2020) be noted by Council.

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That the planning applications decided under delegation reports (from 1 February to 29 February 2020) be noted by Council.

CARRIED

6.2 City Futures Advisory Committee

SUMMARY: Manager City Futures, Anthony Petherbridge

The City Futures Advisory Committee was established in October 2018 to provide advice to Knox City Council on attracting investment, creating local jobs and improving social outcomes.

Following a discussion with the Councillors appointed to represent Council on the Committee, it was agreed that the outcomes sought from the Committee could be better achieved in future by hosting one event to obtain the views of business and industry stakeholders. This report therefore recommends the disbandment of the City Futures Advisory Committee.

RECOMMENDATION

That Council:

1. Disband the City Futures Advisory Committee.
2. Thank the current City Futures Advisory Committee members for their valuable contribution.
3. Note that Council officers will write to the current City Futures Advisory Committee members and inform them of Council's decision.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council:

1. Disband the City Futures Advisory Committee.
2. Thank the current City Futures Advisory Committee members for their valuable contribution.
3. Note that Council officers will write to the current City Futures Advisory Committee members and inform them of Council's decision.

CARRIED

6.3 Citizenship Ceremonies - Dress Code

SUMMARY: Coordinator Governance, Andrew Dowling

This report presents a Citizenship Dress Code for Knox citizenship ceremonies, as required by the Citizenship Ceremonies Code issued by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.

RECOMMENDATION

That Council adopt the Citizenship Dress Code Policy shown at attachment 1 to this report.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council adopt the Citizenship Dress Code Policy shown at attachment 1 to this report.

CARRIED

6.7 December 2019 Call Up Item - Snap Send Solve

SUMMARY: Manager Governance, Phil McQue

Council resolved in December 2019 to receive a report at a March 2020 Issues Briefing on the processes, protocols and best practice procedures for the management of Snap Send Solve, an online application that allows residents to notify Council of any issues that need addressing.

There has been considerable research and work undertaken in responding to this Call Up Item. However, given the complexity of work involved and the limited availability of time on Issues Briefings agendas, it is recommended that Council agree to this matter now being presented to an Issues Briefing no later than May 2020.

RECOMMENDATION

That Council resolve to receive a report on the processes, protocols and best practice procedures for the management of Snap Send Solve at an Issues Briefing no later than May 2020.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council resolve to receive a report on the processes, protocols and best practice procedures for the management of Snap Send Solve at an Issues Briefing no later than May 2020.

CARRIED

9 Community Services Officers' Reports for consideration

9.2 Notice of Intention to Lease Knox Park Athletics Track, Bunjil Way, Knoxfield

SUMMARY: Coordinator Leisure Services, Bronwyn Commandeur

This report is presented following the completion of the statutory process for the lease of the Knox Athletics Centre, 1672 Ferntree Gully Road, Knoxfield to the Athletics Knox Board of Management Inc.

RECOMMENDATION

That Council, having completed the statutory process in accordance with Section 190 and 223 of the Local Government Act 1989:

- Lease the Knox Athletics Centre, 1672 Ferntree Gully Road, Knoxfield to the Athletics Knox Board of Management Inc (AKBOM) with the lease to include the following terms:
 - a) Rental of \$6,280 (plus GST) per annum increasing annually by CPI.
 - b) Term of five years with two further terms of five years each.
 - c) AKBOM to contribute \$100,000 (plus GST) towards the synthetic track replacement.
- Authorise the Chief Executive Officer to finalise all documentation in relation to the lease of the Knox Athletics Centre at 1672 Ferntree Gully Road, Knoxfield.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council, having completed the statutory process in accordance with Section 190 and 223 of the Local Government Act 1989:

1. Lease the Knox Athletics Centre, 1672 Ferntree Gully Road, Knoxfield to the Athletics Knox Board of Management Inc (AKBOM) with the lease to include the following terms:
 - a) Rental of \$6,280 (plus GST) per annum increasing annually by CPI.
 - b) Term of five years with two further terms of five years each.
 - c) AKBOM to contribute \$100,000 (plus GST) towards the synthetic track replacement.
2. Authorise the Chief Executive Officer to finalise all documentation in relation to the lease of the Knox Athletics Centre at 1672 Ferntree Gully Road, Knoxfield.

CARRIED

9.3 Community Access and Equity Implementation Plan - Year 2

SUMMARY: Coordinator Community Access Equity and Safety, Lisette Pine

Knox City Council is committed to ensuring that all people are supported to fully participate in the community and that they have equitable and dignified access to information, goods, services and life opportunities.

The Community Access and Equity Implementation Plan 2017-2022 (the Plan) incorporates priorities that focus on inclusive services, advocacy, accessible and safe spaces and celebrating diversity. This report provides Council with an update on the outcomes of Year 2 activities in the Plan (refer Attachment 1).

The report outlines progress in key areas of the Plan and identifies ongoing challenges and opportunities including:

- The ongoing complexity to access the National Disability Insurance Scheme (NDIS), in particular for people from multicultural communities and people experiencing mental ill-health;
- The increase in people experiencing homelessness in Knox;
- Opportunities to increase knowledge and support for the LGBTIQ+ community; and
- To increase community engagement and understanding of diversity in Knox.

RECOMMENDATION

That Council receive and note the Knox Community Access and Equity Implementation Plan 2017-2022 outcomes Year 2 report, as provided in Attachment 1.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council receive and note the Knox Community Access and Equity Implementation Plan 2017-2022 outcomes Year 2 report, as provided in Attachment 1.

CARRIED

9.4 Youth Services 2019 Achievements

SUMMARY: Team Leader Youth Participation and Counselling, Katie Scott

This report highlights Council's Youth Services achievements in 2019, demonstrating the breadth and wide-reaching impact of the program delivery within the municipality.

RECOMMENDATION

That Council note the achievements of Council's Youth Services in 2019.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council note the achievements of Council's Youth Services in 2019.

CARRIED

9.5 Knox Active Ageing Advisory Committee Annual Report 2019

SUMMARY: Senior Active and Healthy Aging Strategic Officer, Stuart Ireland

The Knox Active Ageing Advisory Committee's (KAAAC) current Terms of Reference (ToR), requires an annual report to Council on Committee activities and achievements in accordance with the objectives stated in these Terms of Reference. This report provides the annual report of KAAAC activities and achievements for 2019.

RECOMMENDATION

That Council notes the report on the activities undertaken and subsequent feedback and advice of the Knox Active Ageing Advisory Committee between January 2019 and December 2019.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council notes the report on the activities undertaken and subsequent feedback and advice of the Knox Active Ageing Advisory Committee between January 2019 and December 2019.

CARRIED

11 Items for Information

11.1 ICT Capital Works Report

SUMMARY: Acting Manager Information 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 18 March 2020.

RECOMMENDATION

That Council receive and note the ICT Capital Works Report, as at 18 March 2020.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council receive and note the ICT Capital Works Report, as at 18 March 2020.

CARRIED

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.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

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.

CARRIED

11.3 Capital Works Program Works Report as at 18 March 2020

SUMMARY: Coordinator, Capital Works, Gene Chiron

The Works Report shows projects on Council's Capital Works Program and indicates the status of each project as at 18 March 2020.

RECOMMENDATION

That Council receive and note the Works Report, as at 18 March 2020.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Cooper

That Council receive and note the Works Report, as at 18 March 2020.

CARRIED

14 Urgent Business

14.1 Urgent Business

PROCEDURAL MOTION

MOVED: Councillor Seymour

SECONDED: Councillor Timmers-Leitch

That Council resolve to receive and admit two items of urgent business:

14.1.1 – Response to COVID-19

14.1.2 – COVID-19 –revised Instrument of Delegation

and that the items be considered in accordance with Clause 34 of Council’s Meeting Procedure and Use of Common Seal Local Law.

CARRIED

14.1.1 Response to COVID-19

SUMMARY: Manager Governance, Phil McQue

COVID-19 is an unprecedented crisis, presenting Council with a complex and unpredictable challenge. The impact of COVID-19 on the Knox community will be significant from a health, wellbeing and economic perspective. Knox has a diverse range of industry sectors, with many businesses immediately vulnerable to the impact of COVID-19. Knox’s community clubs and organisations also face an uncertain future as they typically do not have the cash reserves to sustain them in a period of declining or in some instances nil revenue.

Council has a key role to play in managing and responding to COVID-19, including supporting community health and wellbeing, delivering emergency responses, implementing stimulus projects and driving community recovery.

Council has been planning for and progressively implementing a range of measures to protect the health, wellbeing and safety of our community, Councillors and staff. Council has prioritised the ongoing delivery of critical services to support our vulnerable and elderly residents. Council has deployed its Crisis Management Plan, Pandemic Sub-Plan and various Business Continuity Plans, ensuring that essential services continue to be delivered to the community.

This report recommends that Council provide an initial round of community relief measures, targeted to support programs not presently offered by the Federal and Victorian State Government. The relief measures specifically targets the Knox community at a grass roots level, in the knowledge that further initiatives and support will be required by Council as this crisis unfolds.

RECOMMENDATION

That Council:

1. Undertake an immediate review of the *Knox Payment Assistance Policy* with a view to addressing emerging consequences of the COVID-19 pandemic and its impact on the livelihoods of the Knox community;
2. Resolve to not 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;
3. Waive trading fees, including outdoor dining and business A-frame signage fees for the period 30 March 2020 until 30 June 2020 as a pro-rata refund for renewal permit fees and refunding the full application fee amount for new applications received in that period; noting that the extension of this will form part of the 2020-21 budget deliberations;
4. Waive all Not-For Profit community organisation hire agreement, license and lease fees for the remainder of the 2019-20 Financial Year, with any advance pro-rata payments to be refunded;
5. Waive Knox Basketball Incorporated's Annual Asset Renewal Fee for the remainder of the 2019-20 Financial Year;
6. Amend the 2019-20 Budget by providing COVID-19 Emergency Funding of \$100,000, such amount to be expended by the Chief Executive Officer wholly in connection with Council's response to COVID-19 as is considered appropriate;
7. Indefinitely defer the following proposed events due to government imposed restrictions on gatherings:
 - a. Fire Fighter Recognition Function
 - b. Annual Joint Advisory Committee Meeting; and
8. Continue to formulate its Community Relief Plan, complimenting the Federal and Victorian State Governments COVID-19 response, with priority of addressing any identified gaps that particularly impact Knox community, with further reports to be presented to Council for consideration and implementation as soon as practicable.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Lockwood

That Council:

1. Undertake an immediate review of the *Knox Payment Assistance Policy* with a view to addressing emerging consequences of the COVID-19 pandemic and its impact on the livelihoods of the Knox community;
2. Resolve to not 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;
3. Waive trading fees, including outdoor dining and business A-frame signage fees for the period 30 March 2020 until 30 June 2020 as a pro-rata refund for renewal permit fees and refunding the full application fee amount for new applications received in that period; noting that the extension of this will form part of the 2020-21 budget deliberations;
4. Waive all Not-For Profit community organisation hire agreement, license and lease fees for the remainder of the 2019-20 Financial Year, with any advance pro-rata payments to be refunded;
5. Waive Knox Basketball Incorporated's Annual Asset Renewal Fee for the remainder of the 2019-20 Financial Year;
6. Amend the 2019-20 Budget by providing COVID-19 Emergency Funding of \$100,000, such amount to be expended by the Chief Executive Officer wholly in connection with Council's response to COVID-19 as is considered appropriate;
7. Defer the following proposed events due to government imposed restrictions on gatherings:
 - a. Fire Fighter Recognition Function
 - b. Annual Joint Advisory Committee Meeting; and
8. Continue to formulate its Community Relief Plan, complementing the Federal and Victorian State Governments COVID-19 response, with priority of addressing any identified gaps that particularly impact Knox community, with further reports to be presented to Council for consideration and implementation as soon as practicable.

CARRIED

Councillor Gill left the meeting at 7:41 pm before the vote on item 14.1.1

Councillor Gill returned to the meeting at 7:44 pm before the vote on item 14.1.1

14.1.2 COVID-19 - Revised Instruments of Delegation

SUMMARY: Coordinator Governance, Andrew Dowling

The COVID-19 pandemic is escalating on a daily basis and it considered prudent to ensure Council is in a position to be agile and timely in its decision-making in the event that Council is unable to convene Council Meetings. Revised Instruments of Delegation have been therefore been prepared to ensure that in extraordinary circumstances, the Chief Executive Officer has the appropriate powers to ensure the business of Council can continue, and that there is opportunity for Councillors to continue to have input into those decisions.

RECOMMENDATION

That Council:

- A. In the exercise of the powers conferred by s 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the Instrument of Delegation to the Chief Executive Officer (Attachment 1 to this report), Knox City Council (Council) resolves that:
1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 3. On the coming into force of the instrument, the Instrument of Delegation to the Chief Executive Officer made on 26 June 2017 be revoked.
 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
 5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with s 98(3) of the Act.
- B. In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the Instrument of Delegation – Planning (Attachment 2 to this report), Knox City Council (Council) resolves that -
1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation – Planning, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in the instrument;
 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 3. On the coming into force of the instrument, the Instrument of Delegation – Planning in force since 28 August 2017 be revoked; and

4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Timmers-Leitch

That Council:

- A. In the exercise of the powers conferred by s 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the Instrument of Delegation to the Chief Executive Officer (Attachment 1 to this report), Knox City Council (Council) resolves that:**
 - 1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.**
 - 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
 - 3. On the coming into force of the instrument, the Instrument of Delegation to the Chief Executive Officer made on 26 June 2017 be revoked.**
 - 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**
 - 5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with s 98(3) of the Act.**
- B. In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the Instrument of Delegation – Planning (Attachment 2 to this report), Knox City Council (Council) resolves that -**
 - 1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation – Planning, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in the instrument;**
 - 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.**
 - 3. On the coming into force of the instrument, the Instrument of Delegation – Planning in force since 28 August 2017 be revoked; and**
 - 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED

PROCEDURAL MOTION

MOVED: Councillor Seymour

SECONDED: Councillor Keogh

That Council resolve to receive and admit Item 14.1.3, Recognition of Staff, as an item of urgent business to be considered in accordance with Clause 34 of Council's Meeting Procedure and Use of Common Seal Local Law.

CARRIED

RESOLUTION

MOVED: Councillor Seymour

SECONDED: Councillor Keogh

That Council acknowledge Knox City Council Management and staff for their efforts in responding to COVID-19, protecting the health and well-being of our community, Councillors and staff and ensuring essential services continue to be provided to the community, particularly the vulnerable and elderly.

CARRIED

14.2 Call Up Items

Nil.

6.4 Notice of Motion 95 - Advocacy Statements and Events Policy

SUMMARY: Manager Governance, Phil McQue

Council resolved in August 2019 via Notice of Motion 95 to receive a report regarding public statements or attendance at public events, where the subject matter of the statement or event has not previously been considered by Council and/or the subject of an adopted policy or position, with appropriate policies and protocols to be in place to guide and inform these situations.

The Advocacy Statements and Events Policy has been prepared in response Notice of Motion 95 and is presented to Council for consideration.

RECOMMENDATION

That Council adopt the Advocacy Statements and Events Policy shown at Attachment 1.

MOTION

MOVED: Councillor Pearce

SECONDED: Councillor Lockwood

That Council adopt the Advocacy Statements and Events Policy shown at Attachment 1 – subject to an amendment under Item 6.1 as shown below:

6.1 Councillors

A Councillor, in their capacity as a Councillor is ~~not~~ able to make an advocacy statement at a public event where Council has not adopted a policy or advocacy position.

The motion was withdrawn by the mover and seconder.

RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Holland

That Council resolve to defer this item to a future Council Meeting.

CARRIED

Councillor Timmers-Leitch left the meeting at 7:59 pm before the vote on item 6.4

Councillor Timmers-Leitch returned to the meeting at 8:01 pm before the vote on item 6.4

6.5 Revised Instruments of Delegation to Members of Council Staff

SUMMARY: Governance Officer, Damian Watson

Instruments of Delegation represent the formal delegation of powers by Council under Section 98(1) of the Local Government Act 1989 and enable the effective functioning of Council.

The attached Instruments of Delegation (Instruments) have been revised to reflect minor legislative changes based on advice from Council's solicitors and current executive responsibilities.

RECOMMENDATION

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation – Cemeteries and Crematoria (Attachment 1), Instrument of Delegation - Road Management Responsibilities (Attachment 2) and Instrument of Delegation – Planning (Attachment 3); Knox City Council (Council) resolves that -

1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached:
 - Instrument of Delegation – Cemeteries and Crematoria (Attachment 1),
 - Instrument of Delegation - Road Management Responsibilities (Attachment 2), and
 - Instrument of Delegation – Planning (Attachment 3)the powers, duties and functions set out in that respective instrument, subject to the conditions and limitations specified in the instrument;
2. Each Instrument of Delegation in Resolution 1 above comes into force immediately upon the common seal of Council being affixed to the instrument;
3. On the coming into force of each instrument set out in Resolution 1 above, the respective previous Instrument of Delegation be revoked; and
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

RESOLUTION

MOVED: Councillor Keogh

SECONDED: Councillor Holland

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation – Cemeteries and Crematoria (Attachment 1) and Instrument of Delegation - Road Management Responsibilities (Attachment 2); Knox City Council (Council) resolves that -

1. **There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached:**
-

- **Instrument of Delegation – Cemeteries and Crematoria (Attachment 1),**
- **Instrument of Delegation - Road Management Responsibilities (Attachment 2), and**

the powers, duties and functions set out in that respective instrument, subject to the conditions and limitations specified in the instrument;

- 2. Each Instrument of Delegation in Resolution 1 above comes into force immediately upon the common seal of Council being affixed to the instrument;**
- 3. On the coming into force of each instrument set out in Resolution 1 above, the respective previous Instrument of Delegation be revoked; and**
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED

6.6 Governance Policies : Group 1

SUMMARY: Governance Officer, Kirstin Ritchie

Council's Recognition of Former Mayors and Councillors Policy and the Councillor Support Policy and Procedure have been reviewed and are presented to Council for adoption.

The Recognition of Former Mayors and Councillors Policy proposes amendments that simplify the policy, remove inconsistencies and provide greater clarity to staff implementing the policy.

The Councillor Support Policy has been amended with the intention of it becoming the single point of reference for all matters relating to Councillor allowances, support and expenses.

RECOMMENDATION

1. That Council:
 - a) Adopt the Recognition of Former Mayors and Councillors Policy incorporating the revisions as set out in attachment 1 to this report; and
 - b) Adopt the Councillor Support Policy and Procedure as set out in Attachment 3 to this report.
2. That Council revoke the following policies:
 - c) Councillor Mobile Devices Policy (Attachment 4);
 - d) Councillor Equipment Policy (Attachment 5); and
 - e) Ward Communications Policy (Attachment 6).

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Pearce

1. That Council:

- a) **Adopt the Recognition of Former Mayors and Councillors Policy incorporating the revisions as set out in attachment 1 to this report; and**
- b) **Adopt the Councillor Support Policy and Procedure as set out in Attachment 3 to this report,**

subject to a revision to section 6.3.1 replacing the following dot point:

- **“Not exceed the standard or specifications of equipment typically available to Managers and Directors within the organisation;”**

with:

- **“Not exceed, nor be less than, the standard or specifications of equipment available to Directors and the Chief Executive Officer”**

2. That Council revoke the following policies:

- c) Councillor Mobile Devices Policy (Attachment 4);**
- d) Councillor Equipment Policy (Attachment 5); and**
- e) Ward Communications Policy (Attachment 6).**

CARRIED

7 Public Question Time

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

Question Time commenced at 8:06 pm.

The following questions were raised with Council:

Question 1- Ulrike Friedirch	I saw that Knox Council joined the Back to Earth Initiative. To reduce waste going to landfill, a large number of Victorian Councils already enable their residents to dispose of food waste in their garden waste bins. Is Knox Council planning to introduce this in the future? If yes, what is the proposed timeline? If no, why not?
Answer	<p>The CEO responded advising:</p> <ul style="list-style-type: none"> • Council has been working for a number of years with the Eastern Region Councils and Metropolitan Waste and Resource Recovery Group to secure organic processing facilities for the region which are able to process food and garden waste. • The Victorian Government recently released Recycling Victoria Policy which includes a household recycling reform for households to have access to four core waste and recycling services, including a food and garden waste service. • In this policy, it is mandated for all Victorians to have access to a food and garden organics bin or service by 2030. • Much of the detail of the Policy’s implementation is yet to be known. As the detail of the Policy is worked through, Council will begin planning in consultation with residents for a combined food and garden waste collection service.
Question 2- Ingrid Smith	<p>Q 1. Why, when the 58 new trees being planted will form the new treescape, AND the deciduous trees being requested are on councils tree list, AND the residents of the street are wanting the same thing, Why can’t Woodside Drive have a change of treescape to that of a deciduous tree ?</p> <p>Q2 Why is council not removing ALL the old gum trees on Woodside Drive when so many of the gums of the same age, height, circumference and stature are already tagged for removal under the street renewal programme?</p>
Answer	<p>The CEO responded advising:</p> <ul style="list-style-type: none"> • Council received a petition at its February meeting requesting that streetscape theme be changed to plant deciduous trees and that all Eucalyptus species be removed. • As the request was presented as a petition, Council officers are currently preparing a report that responds directly to the petition. This report is

	<p>scheduled to be considered by Council at its Ordinary Meeting on April 27. The report will present recommendations which respond to the petition and address matters relating to both species type and tree replacement methodologies.</p>
<p>Question 3- Rosemary Lavin</p>	<p>In October last year Council announced they will "demand swift, decisive action to address climate change within the City of Knox".</p> <p>I note that Darebin Council, the first council in the world to acknowledge a climate emergency, is asking councils to collaborate and learn from one another rather than working in isolation and "re-inventing the wheel."</p> <p>They have written resources available to councils who have, or want to, declare a climate emergency.</p> <p>Has Knox Council made use of this or similar resources and describe what actions have thus far been addressed?</p> <p>Also, will there be a specific page on your web site dedicated to climate change actions?</p>
<p>Answer</p>	<p>The CEO responded advising:</p> <ul style="list-style-type: none"> • Council at its 28 January 2020 Ordinary Meeting endorsed the commencement of the Climate Response Plan (CRP), including the allocation of funds and the recruitment of a project manager to deliver this important work. This followed Council's resolution of 28 October 2019 acknowledging serious climate and environmental change and its decision to develop a CRP. • The project scope has been developed and confirmed and recruitment completed. The resources developed by Darebin City Council, other local governments and other bodies has been valuable in shaping this work. As highlighted in the January report, which outlines the timelines for developing the CRP, the completion of the draft Plan is scheduled for October 2020 and the final plan in April 2021. • A web presence for climate related matters is a possibility, and it is likely there will be a dedicated engagement platform for the project once community consultation commences, anticipated this year. It should be noted however that actions are unlikely to be confirmed and reported until a Climate Response Plan is completed and adopted by Council.
<p>Question 4- Angela Gates</p>	<p>I do not consent to 5G mini cells being installed in each street in Knox due to clear evidence of harm from exposure to non-ionising radiation omitting structures in close proximity to residential homes. Arpana and ACMA do not accept liability for harm due to following their guidelines. Does Knox Council public liability insurance cover harm from EMF radiation exposure that may occur with 5G upgrades and smart city infrastructure</p>
<p>Answer</p>	<p>The CEO responded advising:</p>

	<ul style="list-style-type: none"> • Council considered a report at its 24 February 2020 Ordinary Meeting regarding electromagnetic radiation and 5G mobile technology. • Council noted that in considering that report it is the cumulative advice from the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), the Australian Communications and Media Authority (ACMA), and the Australian Centre for Electromagnetic Bioeffects Research (ACEBR) that 5G will not impact human health, that it is safe, and that appropriate standards are in place to protect against any harm. • Council’s role in the roll out of 5G upgrades is limited. • The specific question about smart cities sensor infrastructure can be taken on notice and a written response provided. <p>The Mayor requested the written response also address provide a specific response regarding Council’s public liability insurance cover.</p>
<p>Question 5- Faizan Ali</p>	<p>In light of recent difficulties, would Council be able to reduce the Council rates for the coming year?</p>
<p>Answer</p>	<p>The Mayor responded advising:</p> <p>COVID-19 is an unprecedented crisis, presenting Council with a complex and unpredictable challenge for how it will support the Knox community. As Council has already considered an urgent report detailing a number of measures that can be taken to support the community at this difficult time.</p> <p>Regarding the payment of rates, it is recommended that Council/Council has resolved to:</p> <ul style="list-style-type: none"> • Undertake an immediate review of the Knox Payment Assistance Policy (relating to payment of rates) to address the emerging consequences of the COVID-19 pandemic and the impact it has had on the Knox community; • Not charge penalty interest on rates from 31 March 2020 to 30 June 2020 for late payments and charges; and • This is an initial round of measures that Council is recommended to/has put in place to help support the Knox community at this difficult time in relation to rates. Council is monitoring the situation very closely and may consider further support as this crisis unfolds.
<p>Question 6- Robert Williams</p>	<p>My question to the Mayor and officers of Knox Council, is, through a lot of consultation with local small business owners in Knox, the common question I have been asked, is what can Knox Council offer or suggest, or what is in place, around things like deferral of Council Rates, or assistance to small businesses in Knox. I realise this is a tough time for all involved, and deferral of rates may not necessarily be the best outcome for Council and its ratepayers, and I am not suggesting that to be the best way forward.</p> <p>I am keen to hear more on the initiatives that Knox Council is working on, in preparation for what will be a very hard year ahead for Small Business owners and operators in 2020.</p>

	<p>I am very keen to hear what Council is working on, to also assist our ratepayers during this time.</p> <p>As mentioned, I'm not really sure what is right or wrong during this time, but would like to hear essentially how Council is progressing in this area, and what proposals may be on the table so far?</p> <p>It probably would be an easier question to ask in person, but respectfully due to COVID-19, I will not be attending the meeting tonight, so I hope the question in writing is not misconstrued in anyway or form. This is not something to have a go at Council by anyway, just wanting to hear what you are all working on (as I had assumed this would be high on the agenda).</p>
Answer	<p>The Mayor responded advising:</p> <ul style="list-style-type: none">• The Urgent business items moved earlier this evening will provide some clarity about Council's response.• Regarding the payment of rates, Council resolved earlier to:<ul style="list-style-type: none">• Undertake an immediate review of the Knox Payment Assistance Policy (relating to payment of rates) – understand hardship and looking at what we can do• Not charge penalty interest on rates from 31 March 2020 to 30 June 2020 for late payments and charges• Council has resolved to refund outdoor trading and signage fees to support small business.• Council's Economic Development team is working closely with the Knox Business Community at the current time to develop further supports and initiatives for Council to consider that will have a beneficial impact for business, that also complement Federal and State Government support packages. <p>Council welcomes business to keep an open dialogue with Council and encourages people in the business communities with ideas or questions to get in touch with Councillors or relevant staff – who may be able to assist with advocacy, or direct people to other agencies who can assist.</p>

Question Time Concluded at 8:22pm.

8 Engineering & Infrastructure Officers' Reports for consideration

8.1 Waste services - Extension of Bin Based Waste Collection Contract

SUMMARY: Coordinator - Waste Management, Misty Johannsen

Council's Bin Based Waste Collection Service Contract 1979, which sees JJ Richards and Sons Pty Ltd (JJ Richards) collecting Landfill, Recycling and Green waste bins within the municipality is scheduled to expire on the 30 June 2021, noting that there are 3 X 1 year extension options available. The incumbent contractor are performing to a good standard with their service and provide value for money to the community. With an evolving and changing sector, and a new Victorian Government Policy, having an established contractor in place for the next three years will enable Council to plan out its future services, and adapt to these emerging opportunities if required.

RECOMMENDATION

That Council:

- Resolve to extend Contract 1979 Bin Based Waste Collection services for 3 years, from 1/7/2021 until 30/6/24;
- Authorise the CEO to undertake negotiations and execute any documents to give effect to the above.

RESOLUTION

MOVED: Councillor Timmers-Leitch

SECONDED: Councillor Lockwood

That Council:

- Resolve to extend Contract 1979 Bin Based Waste Collection services for 3 years, from 1/7/2021 until 30/6/24;
- Authorise the CEO to undertake negotiations and execute any documents to give effect to the above.

CARRIED

8.2 Tender 2567 - Modular Buildings at Seebeck and Liberty Reserves

SUMMARY: Facilities Project Officer, Sunil Pamu

This report considers and recommends the appointment of a tenderer for the construction of two (2) Modular Pavilions at Seebeck Reserve and Liberty Reserve.

RECOMMENDATION

That Council:

1. Accept the tender submitted by Modular Spaces Pty Ltd for the lump sum price of \$1,337,480.00 (excl. GST), 1,471,228.00 (incl. GST) for Contract 2567 Seebeck Reserve and Liberty Reserve;
2. Authorise the Chief Executive Officer to formalize and sign the necessary contract documentation; and
3. Advise all tenderers accordingly.

RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Seymour

That Council:

1. **Accept the tender submitted by Modular Spaces Pty Ltd for the lump sum price of \$1,337,480.00 (excl. GST), 1,471,228.00 (incl. GST) for Contract 2567 Seebeck Reserve and Liberty Reserve;**
2. **Authorise the Chief Executive Officer to formalize and sign the necessary contract documentation; and**
3. **Advise all tenderers accordingly.**

CARRIED

9 Community Services Officers' Reports for consideration

9.1 Future Use for Miller's Homestead

SUMMARY: Community Facilities Officer, Emma Hayton

At the Ordinary Meeting of Council held on 25 June 2018, Miller's Homestead was recommended to be rezoned to a Neighbourhood Residential Zone to facilitate disposal of the asset. This decision was formally rescinded at the Ordinary Meeting of Council on 27 August 2018, following public feedback on the importance of the Homestead. Consultation was undertaken with the community and feedback was collated and a feasibility framework was developed to assess the social, environmental and economic impacts and benefits of the most popular options for possible future uses.

A consultant was appointed to undertake a Feasibility Study into five of the six most popular options, with "wedding reception" removed following an assessment of feedback. The Feasibility Study assessed each option using a triple bottom line (TBL) approach, identifying which uses would be deemed most viable. The findings of the Feasibility Study, along with further community consultation and Officer research has resulted in the recommendation that Miller's Homestead and Gardens be used for Collective Uses, combining proactive programming, a local history centre and community art space.

RECOMMENDATION

That Council:

1. Refer to the 2020/21 budget process, the proposal for Miller's Homestead and Gardens to have a collective use of proactive programming, history centre and art space to be piloted for a 12-month period led by Council officers.
2. Request Officers prepare a Business Case for capital works consideration and 0.8 EFT for a pilot period of one year (with monitoring and evaluation built in during the trial period); and
3. Subject to budget outcomes, request Officers to set up a Community Reference Group for Miller's Homestead with community members.

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Holland

That Council:

1. Refer to the 2020/21 budget process, the proposal for Miller's Homestead and Gardens to have a collective use of proactive programming, history centre and art space to be managed by a community/not for profit group, piloted for a 12 month period once

operational (with Council oversight, monitoring and evaluation built in during this period);

- 2. Request Officers prepare a Business Case for consideration outlining the required capital works and operational resourcing to enable set up and implementation of the new model, including an expression of interest process (EOI) and Year 1 resourcing (with monitoring and evaluation built in during the pilot period); and**
- 3. Subject to budget outcomes, request Officers to set up a Community Reference Group for Miller's Homestead with community members.**

CARRIED

9.6 Minor Grants Program 2019-20 Monthly Report

SUMMARY: Community Resourcing Officer, Deb Robert

This report summarises the grant applications recommended for approval in March 2020 for the Minor Grants Program. All applications have been assessed against the criteria set out in the Minor Grants Program Policy.

Applications under the Minor Grants Policy are limited to a maximum of \$3,000, which has been the current limit since the commencement of the 2019-2020 financial year.

RECOMMENDATION

That Council:

- Approve three applications for a total of 5,000.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Boronia Hawks Football Netball Club	Mental Health and Wellness Training for Men and Women	\$2,000.00	\$2,000.00
St Joseph Boronia Parent Community	Kitchen Garden	\$1,000.00	\$1,000.00
Wantirna South Junior Football Club	Line Marking Machine	\$2,000.00	\$2,000.00
TOTAL			\$5,000.00

- Note that the following two applications have been approved and will be paid under delegated authority in accordance with Cl.6.6 of the Minor Grants Policy, as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Mountain District Learning Centre	Outdoor Farm and Yard Experience	\$500.00	\$500.00
Wantirna South Cricket Club	iPad for Club Scorers	\$489.00	\$489.00
TOTAL			\$989.00

- Refuse four ineligible Minor Grants Program applications requesting a total of \$5,592 as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for Refusal
Melbourne 7-Melody Notes	Community Group Activity Grants	\$1,000.00	Regional group without clearly defined local Knox community focus (Cl 6.27).

Applicant Name	Project Title	Amount Requested	Reason for Refusal
Mountain Gate Cricket Club	Junior Presentation Trophies	\$500.00	Funding approval would be retrospective as trophies were purchased on 17/3/20 (Cl. 6.28). Club received funding for same items last year (Cl.6.25).
Wellington Care (Rowville Baptist Care)	Wellington Care Centre Refurbishment	\$3,045.00	Rowville Baptist Care has received grants to total of \$4,500 in current and previous two financial years (Cl. 6.22).
UN Youth Victoria	State Conference	\$1,000.00	State group without clearly defined local Knox community focus (Cl. 6.27). Funding approval would be retrospective as event scheduled for 21 March 2020 (Cl. 6.28).
TOTAL		\$5,545.00	

4. Note that inclusive of the above recommended grants, which total \$5,989.00, a total of \$108,486 has been awarded to date under the 2019-2020 Minor Grants Program to support 58 community-based organisations and their programs.

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Keogh

That Council:

1. **Approve five (5) Minor Grants Program applications for a total of \$9,045.00 as detailed below:**

Applicant Name	Project Title	Amount Requested	Amount Recommended
Boronia Hawks Football Netball Club	Mental Health and Wellness Training for Men and Women	\$2,000.00	\$2,000.00
St Joseph Boronia Parent Community	Kitchen Garden	\$1,000.00	\$1,000.00
Wantirna South Junior Football Club	Line Marking Machine	\$2,000.00	\$2,000.00
Melbourne 7-Melody Notes	Community Group Activity Grants	\$1,000.00	\$1,000.00

Applicant Name	Project Title	Amount Requested	Amount Recommended
Wellington Care (Rowville Baptist Care)	Wellington Care Centre Refurbishment	\$3,045.00	\$3,045.00
TOTAL			\$9,045.00

2. Note that the following two applications have been approved and will be paid under delegated authority in accordance with Cl.6.6 of the Minor Grants Policy, as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Mountain District Learning Centre	Outdoor Farm and Yard Experience	\$500.00	\$500.00
Wantirna South Cricket Club	iPad for Club Scorers	\$489.00	\$489.00
TOTAL			\$989.00

3. Refuse two (2) ineligible Minor Grants Program applications requesting a total of \$1,500.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for Refusal
Mountain Gate Cricket Club	Junior Presentation Trophies	\$500.00	Funding approval would be retrospective as trophies were purchased on 17/3/20 (Cl. 6.28). Club received funding for same items last year (Cl.6.25).
UN Youth Victoria	State Conference	\$1,000.00	State group without clearly defined local Knox community focus (Cl. 6.27). Funding approval would be retrospective as event scheduled for 21 March 2020 (Cl. 6.28).
TOTAL		\$1,500.00	

4. Note that inclusive of the above recommended grants, which total \$10,034.00, a total of \$112,531 has been awarded to date under the 2019-2020 Minor Grants Program to support 58 community-based organisations and their programs.

CARRIED

10 Corporate Services Officers' Reports for consideration

Nil.

12 Motions for Which Notice has Previously Been Given

Nil.

13 Supplementary Items

13.1 Knox Central Land Acquisition (Confidential)

Council resolved to consider Item 13.1 Knox Central Land Acquisition (Confidential) under Item 16, Confidential Business

15 Questions Without Notice

Nil.

16 Confidential Items

PROCEDURAL MOTION

CLOSURE OF MEETING

MOVED: Councillor Lockwood

SECONDED: Councillor Cooper

That Council resolve to close the meeting in accordance with Section 89(2)(d), (e) and (h) of the Local Government Act 1989 in order to consider Item 13.1 Knox Central Land Acquisition because its relates to contractual matters, proposed developments and premature disclosure of this mater may be prejudicial to Council or other persons.

CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 8:47 pm

MEETING CLOSED AT 9:33 pm following the conclusion of confidential business items.

Minutes of Meeting confirmed at the
Ordinary Meeting of Council
held on Monday, 27 April 2020

.....
Chairperson

The Agenda for the Ordinary Meeting of Council, 30 March 2020, is attached in full at the end of the Minutes.

AGENDA

Ordinary Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 30 March 2020 at 7:00 pm

NOVEL CORONAVIRUS (COVID-19) INFORMATION

Livestreaming of Council Meetings commences on 30 March 2020 at www.knox.vic.gov.au

We are urging people not to physically attend Council meetings, and to view the meeting from your home given concerns with COVID-19.

Should you wish to submit a question to Council, it should be submitted via our website and may be read out at the meeting and a response provided without you having to be in attendance.



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Tony Doyle
Chief Executive Officer

1 Apologies and Requests for Leave of Absence

2 Declarations of Conflict of Interest

3 Confirmation of Minutes

Confirmation of Minutes of Ordinary Meeting of Council held on Monday 24 February 2020

4 Petitions and Memorials

5 Reports by Councillors

5.1 Committees and Delegates

5.2 Ward Issues

6 City Development Officers' Reports for consideration

6.1 Report of Planning Applications Decided Under Delegation - 1 February 2020 to 29 February 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 (from 1 February to 29 February 2020) be noted by Council.

1. REPORT

Details of planning applications decided under delegation from 1 February to 29 February 2020 are attached. The applications are summarised as follows:

Application Type	No.
Building & Works: Residential	5
Other	5
Subdivision	7
Units	16
Tree Removal / Pruning	13
Single Dwelling	2
Change of Use	3
Signage	1
Vary Restrictive Covenant	1
Aged Care Facility	1
TOTAL	54

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

Report Authorised By: Director, City Development, Matt Kelleher

Attachments

Nil

Knox City Council

Planning Applications Decided by Responsible Officer

1 February 2020 - 29 February 2020

Ward	No/ Type	Address	Description	Decision
Baird	2020/9022	10 Ramage Street BAYSWATER VIC 3153	Replacement of existing first floor facade	11/02/2020 Approved
Baird	2019/7431	18 Patrick Court BORONIA VIC 3155	Development of a double storey dwelling to the rear of the existing dwelling	12/02/2020 Notice of Decision
Baird	2020/9017	20 Wells Avenue BORONIA VIC 3155	Removal of one (1) Eucalyptus viminalis	14/02/2020 Approved
Baird	2019/7229	28 - 30 Aubrey Grove BORONIA VIC 3155	Development of the land for five (5) double storey and two (2) single storey dwellings (Total 7 dwellings)	18/02/2020 Notice of Decision
Baird	2019/7442	20 Stirling Street FERNTREE GULLY VIC 3156	Development of the land for two (2) double storey dwellings and one (1) single storey dwelling (total three (3) dwellings)	26/02/2020 Notice of Decision
Baird	2020/6003	234 Dorset Road BORONIA VIC 3155	Buildings and Works (alteration to façade) and Signage	17/02/2020 Approved
Baird	2020/6023	4 Duncan Avenue BORONIA VIC 3155	Pruning of one (1) Corymbia citriodora	19/02/2020 Approved
Baird	2020/6085	42 Cinerea Avenue FERNTREE GULLY VIC 3156	2 Lot Subdivision (Approved Unit Site)	24/02/2020 Approved
Chandler	2019/7445	35 Old Forest Road THE BASIN VIC 3154	Buildings and Works (garage)	6/02/2020 Approved
Chandler	2019/7488	2/41 Harcourt Road BORONIA VIC 3155	2 Lot Subdivision (approved unit site)	6/02/2020 Approved
Chandler	2020/6048	18 Montana Avenue BORONIA VIC 3155	Remove one (1) Eucalyptus botryoides	6/02/2020 Approved
Chandler	2020/9021	13 Marland Road BORONIA VIC 3155	Removal of one (1) Eucalyptus obliqua	20/02/2020 Approved
Chandler	2020/9027	1/11 Marland Road BORONIA VIC 3155	Removal of one (1) Eucalyptus botryoides	20/02/2020 Approved
Chandler	2020/9025	11 Hayles Street BORONIA VIC 3155	Front Fence	26/02/2020 Approved
Chandler	2020/6066	1C Marland Road BORONIA VIC 3155	Buildings and works (construction of a single storey dwelling and the removal of one (1) Pittosporum tenuifolium)	25/02/2020 Approved

Ward	No/ Type	Address	Description	Decision
Chandler	2020/6008	46-48 Claremont Avenue THE BASIN VIC 3154	Construction of one new dwelling and associated excavation	18/02/2020 Approved
Chandler	2020/6077	57 Albert Avenue BORONIA VIC 3155	Removal of one (1) Liquidambar styraciflua and one (1) Cupressus arizonica	26/02/2020 Approved
Chandler	2020/6061	11 Hilda Avenue BORONIA VIC 3155	Two (2) Lot subdivision (Approved Unit Site)	24/02/2020 Approved
Chandler	2020/9026	44 Arcadia Avenue THE BASIN VIC 3154	Buildings and works (construction of a steel garage)	28/02/2020 Approved
Collier	2020/9018	Nursing Home 9 Garrison Grove WANTIRNA VIC 3152	Buildings and works (construction of a shade sail)	11/02/2020 Approved
Collier	2020/9034	24 Inchcape Avenue WANTIRNA VIC 3152	Two (2) lot subdivision (approved unit site)	28/02/2020 Approved
Collier	2020/6090	130 Cathies Lane WANTIRNA SOUTH VIC 3152	Two (2) lot subdivision (Approved Unit Site)	27/02/2020 Approved
Dinsdale	2019/7202	9 Lance Road BAYSWATER VIC 3153	The construction of two (2) double storey dwellings and one (1) single storey dwelling	3/02/2020 Approved
Dinsdale	2018/6755	62 - 68 Kanooka Road & 9-13 Lewis Road BORONIA VIC 3155	Development of the land for a residential aged care facility and assisted living units and the removal of native vegetation	11/02/2020 Notice of Decision
Dinsdale	2019/7389	747 Mountain Highway BAYSWATER VIC 3153	Development of the land for a three (3) storey office building and reduction in car parking	28/02/2020 Refused
Dinsdale	2019/7371	30 Orchard Road BAYSWATER VIC 3153	Development of the land for two (2) double storey dwellings	18/02/2020 Approved
Dinsdale	2019/7289	65 Kanooka Road BORONIA VIC 3155	Development of the land for two (2) double storey dwellings	14/02/2020 Approved
Dinsdale	2019/7401	8B & 10 Church Street BAYSWATER VIC 3153	Change of Use to Place of Worship, Associated Buildings and Works, and Reduction in Car Parking	27/02/2020 Notice of Decision
Dobson	2020/6030	11 Chaundy Street FERNTREE GULLY VIC 3156	Pruning of one (1) Eucalyptus bicostata and one (1) Eucalyptus gonicalyx	6/02/2020 Approved

Ward	No/ Type	Address	Description	Decision
Dobson	2019/7450	977 - 987 Burwood Highway FERNTREE GULLY VIC 3156	To use land for an education centre (primary and secondary school), associated buildings and works, removal of vegetation protected by the Significant Landscape Overlay Schedule 2 and alteration of access to a Road Zone Category 1	10/02/2020 Approved
Dobson	2020/9016	96 Blackwood Park Road FERNTREE GULLY VIC 3156	Remove one tree	7/02/2020 Approved
Dobson	2020/9019	3 Austin Street FERNTREE GULLY VIC 3156	Mitigation Pruning of one (1) Eucalyptus sideroxylon	17/02/2020 Approved
Dobson	2020/6051	56 Forest Road FERNTREE GULLY VIC 3156	Removal of one (1) Waterhousea floribunda	20/02/2020 Approved
Dobson	2020/6062	7 Barton Avenue FERNTREE GULLY VIC 3156	Removal of one (1) Eucalyptus goniocalyx	26/02/2020 Approved
Dobson	2020/9028	4 Bales Street FERNTREE GULLY VIC 3156	Front fence	20/02/2020 Approved
Dobson	2020/6063	5 Barton Avenue FERNTREE GULLY VIC 3156	Removal of one (1) dead Eucalyptus goniocalyx	27/02/2020 Approved
Dobson	2020/9031	81 Forest Road FERNTREE GULLY VIC 3156	Front fence	26/02/2020 Approved
Friberg	2019/7372	6 Penna Court FERNTREE GULLY VIC 3156	Development of the land for two (2) single storey dwellings	4/02/2020 Approved
Friberg	2020/6052	45 Bryden Drive FERNTREE GULLY VIC 3156	2 Lot subdivision (Approved Unit Site)	7/02/2020 Approved
Friberg	2019/7410	62 Frudal Crescent KNOXFIELD VIC 3180	The construction of a double storey dwelling to the rear of the existing dwelling	13/02/2020 Notice of Decision
Friberg	2019/7471	SH 9B/1880 Ferntree Gully Road FERNTREE GULLY VIC 3156	Use of the land for an indoor recreation facility (gym)	26/02/2020 Approved
Friberg	2019/7470 Notice of Decision	14 O'Connor Road KNOXFIELD VIC 3180	The development of the land for the construction of a double storey dwelling to the rear of the existing single storey dwelling	24/02/2020 Notice of Decision

Ward	No/ Type	Address	Description	Decision
Scott	2019/7223	92 - 94 Kathryn Road KNOXFIELD VIC 3180	Construction of five (5) double storey and two (2) single storey dwellings and vegetation removal	4/02/2020 Refused
Scott	2020/6038	355 Stud Road WANTIRNA SOUTH VIC 3152	Installation of two (2) non illuminated pylon signs (directional and identification signage)	10/02/2020 Approved
Scott	2019/7409	42A Bunnett Road KNOXFIELD VIC 3180	Construction of a double storey dwelling to the rear of existing dwelling	14/02/2020 Approved
Scott	2019/7423	7 Bunnett Road KNOXFIELD VIC 3180	The construction of two (2) double storey dwellings on the land	26/02/2020 Notice of Decision
Scott	2019/7356	20 Kent Street KNOXFIELD VIC 3180	Development of the land for the construction of two (2) double storey dwellings and one (1) single storey dwelling	19/02/2020 Notice of Decision
Taylor	2019/7413	26 Tamboon Drive ROWVILLE VIC 3178	Development of a double storey dwelling to the side of the existing dwelling and two lot subdivision	27/02/2020 Notice of Decision
Tirhatuan	2019/7451	12 Third Avenue ROWVILLE VIC 3178	The development of the land for the construction of a double storey dwelling to the rear of the existing dwelling	10/02/2020 Notice of Decision
Tirhatuan	2019/7477	126 Turrumurra Drive ROWVILLE VIC 3178	Variation of restrictive covenant contained in transfer No. W84933B applicable to Lot 16 on LP2218678P (10100 850) to allow two dwellings on the land to be constructed with additional building materials	13/02/2020 Approved
Tirhatuan	2020/6024	30 Centre Road SCORESBY VIC 3179	Removal of five (5) Eucalyptus macrorhyncha	13/02/2020 Approved
Tirhatuan	2019/7216	14 Corporate Avenue ROWVILLE VIC 3178	Subdivision of land and removal and creation of easements	26/02/2020 Approved
Tirhatuan	2020/9030	34 Laser Drive ROWVILLE VIC 3178	Buildings and Works (Colorbond Steel Garage / Storage Shed)	21/02/2020 Approved
Tirhatuan	2019/7468	5 Gerda Street SCORESBY VIC 3179	Development of the land for a double storey dwelling to the rear of the existing dwelling	28/02/2020 Approved
Number of Applications	54			

6.2 City Futures Advisory Committee

SUMMARY: Manager City Futures, Anthony Petherbridge

The City Futures Advisory Committee was established in October 2018 to provide advice to Knox City Council on attracting investment, creating local jobs and improving social outcomes.

Following a discussion with the Councillors appointed to represent Council on the Committee, it was agreed that the outcomes sought from the Committee could be better achieved in future by hosting one event to obtain the views of business and industry stakeholders. This report therefore recommends the disbandment of the City Futures Advisory Committee.

RECOMMENDATION

That Council:

- 1. Disband the City Futures Advisory Committee.**
- 2. Thank the current City Futures Advisory Committee members for their valuable contribution.**
- 3. Note that Council officers will write to the current City Futures Advisory Committee members and inform them of Council's decision.**

1. INTRODUCTION

At its inception meeting on 25 October 2018, the City Futures Advisory Committee (CFAC) reviewed and committed to the following:

- The purpose of the committee is to advise Council on issues related to attracting investment, jobs creation and prosperity of the local economy that will result in positive social outcomes for the local community, consistent with Council's Vision 2035 and in line with the Community and Council Plan 2017-2021.

The CFAC met a further six times in 2019. Two meetings were the Annual Advisory Group meeting and the Sustainable Development Group meeting. At the other four CFAC meetings in 2019, the following topics were discussed:

- Attracting investment;
- Succession planning for an ageing workforce;
- Skills and training; and
- Technology and transport.

The CFAC was tasked with discussing the following points on the above topics:

- Emerging trends/ issues;
- Perceived gaps/ opportunities; and
- Potential actions/ role for Council.

2. DISCUSSION

The CFAC has provided valuable advice from a range of different stakeholders, including South East Metropolitan Manufacturers Alliance, Swinburne University, Eastern Health, Bendigo Bank,

Australian Manufacturing Technology Institute Limited, Department of Jobs, Precincts and Regions, and local business guests. However, in discussion with the Councillors appointed to represent Council on the CFAC, it was noted that the amount of time that Committee members were dedicating to participating in the CFAC was quite extensive. In addition, Councillors recognised the topics that were discussed at each of the meetings were interrelated in many instances. For example when the agenda was focused on 'Attracting investment', the issues of skills, training, technology and transport were also discussed. Hosting one event would enable all of the inter-related topics to be discussed and reduce duplication.

It is therefore proposed to disband the CFAC, and in exchange host one event for a broad range of business and industry stakeholders (including but not limited to CFAC members) ensuring that the strategic planning work of Council and Council officers continues to benefit from the input of business and industry stakeholders.

The replacement event was anticipated to be held in May/ June 2020, and would cover the four topics that were previously discussed over four meetings; Attracting investment, Succession planning for an ageing workforce, Skills and training, and Technology and transport. While the details are yet to be confirmed, it is anticipated that this could be a breakfast/ morning event facilitated by the Economic Development team. Councillors will be invited to attend. It is proposed to also use this stakeholder event to promote the State Government's Small Business Friendly Council initiative, as well as the Better Approvals Project. As a result of Federal and State Government directions regarding indoor gatherings in response to the COVID-19 pandemic, the timing of the event will be postponed until such time that it is appropriate for it to be convened.

3. CONSULTATION

As previously noted, the CFAC has provided important advice and information in relation to a number of topics, namely attracting investment and improving economic conditions for the local community. These topics were discussed and decided with the Committee members at the CFAC inception meeting on 25 October 2018.

In addition to the six CFAC meetings in 2019, the Economic Development team within City Futures connected with our business community as follows:

- Business events - 40 events with 420 attendees;
- Business visits – 62 (not including follow up visits);
- Business engagement events (either hosted by Knox or others where Knox businesses are present) - 19 engagement events with 2113 attendees present; and
- Development facilitation - 11 businesses were assisted.

Business visits and events will continue throughout 2020, to enable regular contact with our business community and to continue obtaining a greater understanding of emerging trends, gaps and potential actions for Council.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no specific environmental/ amenity issues arising from this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

As noted above, the CFAC provided advice on attracting investment and improving economic conditions for the local community.

Inviting a broader range of business and industry stakeholder to one event where the same topics will be covered, will also result in time and financial savings for the Committee members.

6. SOCIAL IMPLICATIONS

There are no specific social implications arising from this report.

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

Goal 8 - We have confidence in decision making

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

8. CONFLICT OF INTEREST

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

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

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

9. CONCLUSION

The CFAC has made a valuable contribution to Knox City Council's understanding of emerging trends, gaps and potential actions to encourage a stronger economy.

While the CFAC met six times in 2019, it is considered that the same work program and topics can be covered in one event, saving a considerable amount of time for Committee members.

It is therefore recommended that the CFAC be disbanded, and the Economic Development team within City Futures commence planning an alternative event to bring business and industry stakeholders together.

10. CONFIDENTIALITY

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

Report Prepared By: Manager City Futures, Anthony Petherbridge

Report Authorised By: Director, City Development, Matt Kelleher

Attachments

Nil

6.3 Citizenship Ceremonies - Dress Code

SUMMARY: Coordinator Governance, Andrew Dowling

This report presents a Citizenship Dress Code for Knox citizenship ceremonies, as required by the Citizenship Ceremonies Code issued by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.

RECOMMENDATION

That Council adopt the Citizenship Dress Code Policy shown at attachment 1 to this report.

1. INTRODUCTION

In September 2019, the Hon David Coleman, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs advised all local Councils of the new Australian Citizenship Ceremonies Code.

The new Citizenship Ceremonies Code now includes a requirement for Councils to adopt a Dress Code for Citizenship Ceremonies.

2. DISCUSSION

According to the new Australian Citizenship Ceremonies Code:

- The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.
- A Dress Code is to be set by individual Councils.
- Councils must provide a current copy of their Dress Code to the Department of Home Affairs.

Historically, Knox Council's Citizenship Ceremonies have been very well attended and very well received by citizenship conferees and their families and friends. The dress standards of patrons, whether conferees or their families and friends, has not previously detracted from the general satisfaction with Council's Citizenship Ceremonies.

As such, the approach taken in the Knox Citizenship Dress Code is to establish a Code that complies with the requirements of the Australian Citizenship Ceremonies Code and "strongly encourage" attendees to wear smart casual attire, or national/traditional/cultural dress.

The policy does not propose strict enforcement of the Dress Code at a Citizenship Ceremony unless an attendee wears attire that is judged to present an unreasonable risk of significant offense and/or distress in the opinion of the Mayor and Chief Executive Officer, or poses an occupational health and safety risk to the individual.

This approach is recommended on the basis of past experience at Knox Citizenship Ceremonies, and also addresses those patrons whose dress sense may not accord with mainstream views or the inexact standard of "reflect[ing] the significance of the occasion".

Council has been requested to provide a copy of its Dress Code, once adopted, to the Department of Home Affairs.

3. CONSULTATION

The Federal Government previously consulted on the provisions of the revised Australian Citizenship Ceremonies Code. In February 2019, then Mayor Cr Keogh wrote to the Citizenship Ceremonies Team and provided the following feedback in respect of the proposed Dress Code:

“Knox City Council does not support the proposal that Councils be required to set a specific dress code. Knox City Council presently recommends that attendees wear smart casual attire to its citizenship ceremonies, in recognition of the significance of a citizenship ceremony. Any specified dress code would in practical terms be difficult to enforce by a Council, and ultimately does not reflect the Australian way of life.”

4. ENVIRONMENTAL / AMENITY ISSUES

Nil

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil

6. SOCIAL IMPLICATIONS

While Council already encourages patrons to wear “smart casual” attire, it is to be expected that individual preferences taste and standards will result in attendees’ attire reflecting a broad spectrum of community standards.

The Federal Government decision to impose a dress code has attracted a broad spectrum of views, and local and national press coverage. Council could expect that a strong stance on the dress code may attract a similar response, both supportive and critical, from the Knox Community. A stricter approach could also attract controversy and complaints on an issue that has historically not been the cause of any concerns or complaints for Knox Council.

Strict enforcement of a dress code at a Citizenship Ceremony could also result in a person facing significant delays in achieving their Australia citizenship which could cause significant personal distress or unforeseen consequences for some individuals depending on their circumstances.

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

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

9. CONCLUSION

It is recommended that Council adopt the Citizenship Dress Code Policy, to then be provided to the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.

10. CONFIDENTIALITY

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

Report Prepared By: Coordinator Governance, Andrew Dowling

Report Authorised By: Director City Development, Matt Kelleher

Attachments

1. Policy - DRAFT - Citizenship Dress Code Policy [6.3.1 - 2 pages]



Citizenship Dress Code

Policy Number:	2020/03	Directorate:	Corporate Services
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	Listed for 30/3/2020	Version Number:	1
Review Date:	30/3/2023		

1. Purpose

The purpose of this policy is to provide guidance on the appropriate attire to wear to a Citizenship Ceremony.

2. Context

The Australian Citizenship Ceremonies Code requires Council to develop a Dress Code for Citizenship Ceremonies.

3. Scope

This Policy applies to attendees at a Citizenship Ceremony.

4. References

Each of the following headings must be completed. Examples are provided below each heading.

- 4.1 Community & Council Plan 2017-2021
 - We are inclusive, feel a sense of belonging and value our identity.
- 4.2 Charter of Human Rights
 - This policy has been assessed against and is compatible with the charter of Human Rights.
- 4.3 Related Council Policies
 - Nil
- 4.4 Related Council Procedures
 - Nil
- 4.5 Other
 - Australian Citizenship Ceremony Code

5. Definitions

Council means Knox City Council, whether constituted before or after the commencement of this Policy.



6. Policy Statement

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion both to the attendee themselves, and to other patrons attending the ceremony.

Council strongly encourages Citizenship Ceremony attendees to wear smart casual attire, or national / traditional / cultural dress.

The following are strongly discouraged:

- Beach wear (i.e bathers)
- Bare feet
- Clothes with slogans or images that may cause offence or distress to other participants.

7. Implementation and Monitoring

Should an attendee at a Citizenship Ceremony, in the opinion of the Chief Executive Officer (or their representative at the Ceremony), be dressed in a manner which poses a risk to the attendee's health and safety they may be refused entry to the Citizenship Ceremony.

If an attendee at a Citizenship Ceremony, in the opinion of the Chief Executive Officer (or their representative at the Ceremony) and the Mayor, is dressed in a manner which poses an unreasonable risk of causing significant offence and/or distress to other attendees, they may be asked to modify their dress and on refusal of such a request may be refused entry to the Citizenship Ceremony.

For all queries or feedback regarding this policy, please contact Mr Phil McQue, Manager- Governance on 9298 8204 or via email at phil.mcque@knox.vic.gov.au

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.

6.4 Notice of Motion 95 - Advocacy Statements and Events Policy

SUMMARY: Manager Governance, Phil McQue

Council resolved in August 2019 via Notice of Motion 95 to receive a report regarding public statements or attendance at public events, where the subject matter of the statement or event has not previously been considered by Council and/or the subject of an adopted policy or position, with appropriate policies and protocols to be in place to guide and inform these situations.

The Advocacy Statements and Events Policy has been prepared in response Notice of Motion 95 and is presented to Council for consideration.

RECOMMENDATION

That Council adopt the Advocacy Statements and Events Policy shown at Attachment 1.

1. INTRODUCTION

Council resolved in August 2019 at its Strategic Planning Committee that it:

- 1. Receive a report no later than December 2019 recommending updates to relevant Council policies, providing clearer guidance to Councillors and the Chief Executive Officer regarding public statements or attendance at public events, where the subject matter of the statement or event has not previously been considered by Council and/or the subject of adopted policy or position; and*
- 2. Request the Chief Executive Officer ensure there are appropriate staff policies and protocols in place to guide and inform staff who, in their official capacity, are making public statements on behalf of Council, are representing Council at public events, or are attending events in an official capacity.*

The Council subsequently resolved in December 2019 and January 2020 to defer this matter to the March 2020 Issues Briefing and April 2020 Council Meeting for consideration.

2. DISCUSSION

The Advocacy Statements and Events Policy has been prepared to provide guidance when advocating for, making statements, or attending a public advocacy event where the subject matter has not previously been considered by Council or that Council does not have an advocacy policy position.

The three main elements of the policy are that:

- A Councillor, in their capacity as an individual Councillor, is not able to make an advocacy statement, where Council has not adopted a policy or advocacy position. A Councillor must not make any official statement on behalf of Knox City Council at such an event.

Before making an advocacy statement at a public event, Councillors must take reasonable steps to ensure that their individual position on the issue is not perceived or misconstrued as a Council position.

- There may be instances where staff wish to organise an official event where Council does not have an adopted policy or advocacy position resolved by Council. In such instances, approval for hosting such an event must be sought from the Chief Executive Officer and, where appropriate, in consultation with the Mayor.
- Council's official communication channels should not be used to promote a policy, strategic or political position, where Council does not have an adopted position.

3. CONSULTATION

The Advocacy Statement and Events Policy has been prepared in consultation with Councillor Pearce, the originator of Notice of Motion 95 and been the subject of consideration at a confidential Issues Briefing.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil.

6. SOCIAL IMPLICATIONS

The Advocacy Statements and Events Policy will need to be considered in relation to future advocacy statement and events where Council does not have a formal position.

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

9. CONCLUSION

The Advocacy Statements and Events Policy is recommended for adoption by Council.

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, Matt Kelleher

Attachments

1. Attachment 1 - Advocacy Statements and Events Policy [6.4.1 - 2 pages]



Advocacy Statements and Events

Policy Number:		Directorate:	Corporate Services
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	Meeting Date	Version Number:	1
Review Date:	3 Years from Meeting Date		

1. Purpose

The purpose of this policy is to provide guidance when advocating for, making statements, or attending a public advocacy event where the subject matter has not previously been considered by Council or Council does not have an advocacy policy position.

2. Context

Council's advocacy positions are informed by Council's adopted policies, strategic and plans, or determined explicitly by Council.

There may be instances however where Council has not previously considered an issue in sufficient detail to inform an advocacy position and this policy provides guidance in such instances.

3. Scope

This policy applies to all Knox City Council.

4. References

- 4.1 Community & Council Plan 2017-2021
 - 8.1 Build, strengthen and promote good governance practices across government and community organisations.
- 4.2 Relevant Legislation
 - Local Government Act 1989
- 4.3 Charter of Human Rights
 - This policy has been assessed against and complies with the charter of Human Rights.
- 4.4 Related Council Policies
 - Councillor Code of Conduct
 - Staff Code of Conduct
 - Staff Media Policy

5. Definitions

Nil.



6. Council Policy

6.1. Councillors

A Councillor, in their capacity as a Councillor, is not able to make an advocacy statement at a public event where Council has not adopted a policy or advocacy position.

Before making an advocacy statement at a public event, Councillors must take reasonable steps to ensure that their individual position on the issue is not perceived or misconstrued as a Council position.

A Councillor must not make any official statements on behalf of Knox City Council at such an event.

6.2. Staff

There may be instances where staff wish to organise an event where Council does not have an adopted policy or advocacy position resolved by Council. In such instances, approval for holding such an event must be sought from the Chief Executive Officer, and where appropriate in consultation with the Mayor.

6.3. Council Resourcing

Council's official communication channels should not be used to promote a policy, strategic or political position where Council does not have an adopted position.

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.

6.5 Revised Instruments of Delegation to Members of Council Staff

SUMMARY: Governance Officer, Damian Watson

Instruments of Delegation represent the formal delegation of powers by Council under Section 98(1) of the Local Government Act 1989 and enable the effective functioning of Council.

The attached Instruments of Delegation (Instruments) have been revised to reflect minor legislative changes based on advice from Council's solicitors and current executive responsibilities.

RECOMMENDATION

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached Instrument of Delegation – Cemeteries and Crematoria (Attachment 1), Instrument of Delegation - Road Management Responsibilities (Attachment 2) and Instrument of Delegation – Planning (Attachment 3); Knox City Council (Council) resolves that -

- 1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached:
 - Instrument of Delegation – Cemeteries and Crematoria (Attachment 1),
 - Instrument of Delegation - Road Management Responsibilities (Attachment 2), and
 - Instrument of Delegation – Planning (Attachment 3)the powers, duties and functions set out in that respective instrument, subject to the conditions and limitations specified in the instrument;**
- 2. Each Instrument of Delegation in Resolution 1 above comes into force immediately upon the common seal of Council being affixed to the instrument;**
- 3. On the coming into force of each instrument set out in Resolution 1 above, the respective previous Instrument of Delegation be revoked; and**
- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

1. INTRODUCTION

Section 98 of the *Local Government Act 1989* empowers Council to delegate its powers, duties or functions with some strategic exemptions such as setting rates, borrowing funds and adopting a budget.

Delegations are necessary to facilitate effective functioning of Councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.

In granting delegations, Council is not granting unfettered power to Council staff or relinquishing its own powers. A delegate must comply with the conditions of delegation as well as any policies of Council and any legislative framework. Council can still exercise any delegated power, duty or functions itself by resolution in the Chamber.

The attached Instruments are recommended for the effective and efficient operations of Council's activities, as well as to enable routine and administrative tasks to be carried out with consistency and certainty.

2. DISCUSSION

The attached Instruments are updated to ensure that they remain contemporaneous and consistent with current legislation and business practices.

The current Instrument of Delegation – Cemeteries and Crematoria has been in force since 25 September 2017.

The current Instrument of Delegation – Road Management Responsibilities has been in force since 24 July 2017.

The current Instrument of Delegation – Planning has been in force since 28 August 2017.

The revised Instruments are based upon the previous Instruments considered by Council and have been amended to reflect recent legislative changes.

The amendments to the delegations are all minor in nature, with no significant variations proposed.

Changes to the revised instruments also:

- Ensure appropriate delegates have been nominated according to current business practices and processes.
- Reflect current EMT responsibilities in light of the temporary changes affecting Corporate Services within the organisational structure.
- Reflect correct position titles for each delegate.

3. CONSULTATION

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments, which are then tailored to organisational requirements. The proposed instruments (Attachment 1, 2 and 3) have been prepared based on the advice provided by Maddocks Lawyers.

Consultation has occurred with relevant staff during the preparation of the revised Instruments of Delegation to ensure that appropriate staff delegates have been nominated.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil

5. FINANCIAL & ECONOMIC IMPLICATIONS

The costs to prepare and adopt the attached Instruments are minimal and will be met within the current departmental budget.

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

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

9. CONCLUSION

The form and content of the attached revised Instruments are consistent with the Instruments previously adopted by Council and enable the effective functioning of Knox City Council. It is therefore recommended that Council sign and seal the revised attached Instruments (Attachment 1, 2 and 3).

10. CONFIDENTIALITY

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

Report Prepared By: Governance Officer, Damian Watson

Report Authorised By: Director, City Development, Matt Kelleher

Attachments

1. Delegation - s 6 - Cemeteries and Crematoria Act - March 2020 [6.5.1 - 34 pages]
2. Delegation - s 6 - Road Management Responsibilities - March 2020 [6.5.2 - 43 pages]
3. Delegation - s 6 - Planning - March 2020 [6.5.3 - 96 pages]



INSTRUMENT OF DELEGATION COUNCIL TO **Knox City Council** COUNCIL STAFF – CEMETERIES & CREMATORIA

In exercise of the power conferred by section 98(1) and 86(3) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 25 September 2017; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or

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- 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.
- 3. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
 - 3.1 The principles of these provisions will apply to delegated officers.
 - 3.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the
 Council made on the ~~30 March 2020~~
~~January 2019~~
 in the presence of

Mayor

Chief Executive Officer

Councillor

SCHEDULE



Instrument of Delegation – Council to Council

**January
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2020**

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CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	Power to manage one or more public cemeteries	Not Delegated	
s.12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Chief Executive Officer Director - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	where Council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	Chief Executive Officer Director - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	where Council is a Class B cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	Chief Executive Officer Director - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administration Officer Administration Officer Sexton	
s14	Power to manage multiple public cemeteries as if they are one cemetery	Not Delegated	
s.15(1) and (2)	power to delegate powers or functions other than those listed	Chief Executive Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(4)	duty to keep records of delegations	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance Governance Officer	
s.17(1)	power to employ any persons necessary	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services <u>Executive</u> Manager – <u>Strategy</u> , <u>People and Culture</u> <u>People</u> - <u>Performance</u> - <u>Coordinator</u> – <u>Employee Relations</u> & <u>Pay</u> - <u>-Principal, People and</u> <u>Culture Partnerships</u> <u>-People Experience Lead</u> Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 17(3)	power to determine the terms and conditions of employment or engagement	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services <u>Executive Manager – Strategy,</u> <u>People and Culture</u> <u>-Principal, People and</u> <u>Culture Partnerships</u> <u>-People Experience Lead</u> Manager - Governance & Strategy Coordinator - Governance	subject to any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.19	power to carry out or permit the carrying out of works	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Admin Support Officer Sexton	
s.20(1)	duty to set aside areas for the interment of human remains	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	
s.24(2)	power to apply to the Secretary for approval to alter the existing distribution of land	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager – Governance & <u>Strategy</u>	subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	Not Delegated	subject to the Minister approving the purpose
s.40	duty to notify Secretary of fees and charges fixed under section 39	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Chief Executive Officer Director - <u>City Development</u> Cor. <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	report must contain the particulars listed in s.57(2) report must be endorsed by Council
s.59	duty to keep records for each public cemetery	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.60(1)	duty to make information in records available to the public for historical or research purposes	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.60(2)	power to charge fees for providing information	Chief Executive Officer	
s.64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.64B(d)	power to permit interments at a reopened cemetery	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Chief Executive Officer	the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.70(2)	duty to make plans of existing place of interment available to the public	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.71(2)	power to dispose of any memorial or other structure removed	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.72(2)	duty to comply with request received under section 72	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.73(1)	power to grant a right of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.73(2)	power to impose conditions on the right of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer Administrative Officer	
s.80(1)	function of receiving notification and payment of transfer of right of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.80(2)	function of recording transfer of right of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator – Governance Senior Administrative Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administration Officer	the notice must be in writing and contain the requirements listed in s.85(2)

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.85(2)(b)	duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	does not apply where right of interment relates to remains of a deceased veteran.
85(2)(c)	power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance	may only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
s.86(2)	power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & Strategy Coordinator - Governance	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86(3)(a)	power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.86(3)(b)	power to remove interred cremated human remains and take further action in accordance with s.86(3)(b)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer	
s.86(5)	duty to provide notification before taking action under s.86(4)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer	
s 86A	duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.91(1)	power to cancel a right of interment in accordance with this section	Not Delegated	
s.91(3)	duty to publish notice of intention to cancel right of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	Advice should be sought from the Sexton as required before exercising this power
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	Advice should be sought from the Sexton as required before exercising this power
s.100(1)	power to require a person to remove memorials or places of interment	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Sexton	
s.100(3)	power to recover costs of taking action under section 100(2)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not Delegated	
s.102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	Not Delegated	
s.103(1)	power to require a person to remove a building for ceremonies	Not Delegated	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.103(3)	power to recover costs of taking action under section 103(2)	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.106(2)	power to require the holder of the right of interment to provide for an examination	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	In consultation with Council
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance Sexton	In consultation with Council
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance Sexton	In consultation with, Council

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	In consultation with Council
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	In consultation with Council
s.108	power to recover costs and expenses	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	In consultation with Council
s.109(1)(a)	power to open, examine and repair a place of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance Sexton	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance Sexton	where the holder of right of interment or responsible person cannot be found In consultation with Council

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance	where the holder of right of interment or responsible person cannot be found In consultation with Council
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	Not Delegated	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	Not Delegated	
s. 110A	power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not Delegated	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Chief Executive Officer Director - <u>– City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator – Governance	

CEMETERIES AND CREMATORIA ACT 2003			
##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.112	power to sell and supply memorials	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.116(4)	duty to notify the Secretary of an interment authorisation granted	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.119	power to set terms and conditions for interment authorisations	Chief Executive Officer Director - City Development Director- Director -Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.131	function of receiving an application for cremation authorisation	Chief Executive Officer Director - City Development Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with	Chief Executive Officer Director - City Development Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner	Chief Executive Officer Director - City Development Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.146	power to dispose of bodily remains by a method other than interment or cremation	Chief Executive Officer Director - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Chief Executive Officer Director - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.149	duty to cease using method of disposal if approval revoked by the Secretary	Chief Executive Officer Director - C - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Chief Executive Officer Director - <u>City Development</u> Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA ACT 2003			
###The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Council appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.151	function of receiving applications to inter or cremate body parts	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	Meetings held in accordance with meeting procedure local law
Schedule 1 clause 8(8)	power to regulate own proceedings	Chief Executive Officer Director - <u>City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance	Meetings held in accordance with meeting procedure local law subject to clause 8

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.24	duty to ensure that cemetery complies with depth of burial requirements	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r.25	duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r.27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r-28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r-28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r-29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r-30(2)	Power to release cremated human remains to certain persons	Sexton Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	Subject to any order of a court

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Chief Executive Officer Director - <u>- City Development</u> <u>Director-</u> Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Chief Executive Officer Director - <u>- City Development</u> <u>Director-</u> Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Chief Executive Officer Director - <u>- City Development</u> <u>Director-</u> Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
r31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Chief Executive Officer Director - <u>- City Development</u> <u>Director-</u> Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> <u>Coordinator</u> - Governance	
r33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u> Coordinator - Governance Senior Administrative Officer Administrative Officer	
r.36	duty to provide statement that alternative vendors or supplier of monuments exist	Chief Executive Officer Director - <u>- City Development</u> <u>Director</u> - Corporate Services Manager - Governance & <u>Strategy</u>	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Coordinator - Governance Senior Administrative Officer Administrative Officer	
r. 40	power to approve a person to play sport within a public cemetery	Chief Executive Officer Director - City Development Corporate Services Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 41(1)	power to approve fishing and bathing within a public cemetery	Chief Executive Officer Director - City Development Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 42(1)	power to approve hunting within a public cemetery	Chief Executive Officer Director - City Development Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 43	power to approve camping within a public cemetery	Chief Executive Officer Director - City Development Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 45(1)	power to approve the removal of plants within a public cemetery	Chief Executive Officer Director - City Development Director - Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r.46	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Chief Executive Officer	

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Director - – City Development Director- Corporate Services Manager - Governance & Strategy Coordinator – Governance	
r. 47(3)	power to approve the use of fire in a public cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services	
r.48(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance & Strategy Coordinator – Governance Sexton	Advice should be sought from the Sexton as required before exercising this power
Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
Schedule 2, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 2	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance & Strategy Coordinator – Governance	see note above regarding model rules
Schedule 2, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	Chief Executive Officer Director - – City Development Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Chief Executive Officer Director - Corporate Services Manager - Governance & Strategy Coordinator - Governance	see note above regarding model rules
Schedule 2,	power to give directions regarding the manner in	Chief Executive Officer	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
clause 6(1)	which a funeral is to be conducted	Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	
Schedule 2, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	Chief Executive Officer Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer Sexton	see note above regarding model rules Advice should be sought from the Sexton as required before exercising this power
Schedule 2, clause 8	power to approve certain mementos on a memorial	Chief Executive Officer Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Senior Administrative Officer Administrative Officer	see note above regarding model rules
Schedule 2, clause 11(1)	power to remove objects from a memorial or place of interment	Chief Executive Officer Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Chief Executive Officer Director - <u>– City Development</u>	see note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
11(2)		Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	
Schedule 2, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Chief Executive Officer Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules
Schedule 2, clause 14	power to approve an animal to enter into or remain in a cemetery	Chief Executive Officer Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator – Governance Sexton	see note above regarding model rules
Schedule 2, clause 16(1)	power to approve construction and building within a cemetery	Not Delegated	see note above regarding model rules Does not apply to a Cemetery Trust when carrying out its own functions or to an employee, agent or contractor of the Cemetery Trust
Schedule 2, clause 17(1)	power to approve action to disturb or demolish property of the cemetery trust	Not Delegated	see note above regarding model rules
Schedule 2, clause 18(1)	power to approve digging or planting within a cemetery	Chief Executive Officer Director - <u>– City Development</u> Director- Corporate Services Manager - Governance & Strategy Coordinator - Governance Sexton	see note above regarding model rules



INSTRUMENT OF DELEGATION – ROAD

MANAGEMENT RESPONSIBILITIES

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 27 March 2018; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council; or
 - 2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether

on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise;
or

2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

3. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.

3.1 The principles of these provisions apply to delegated officers.

3.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council

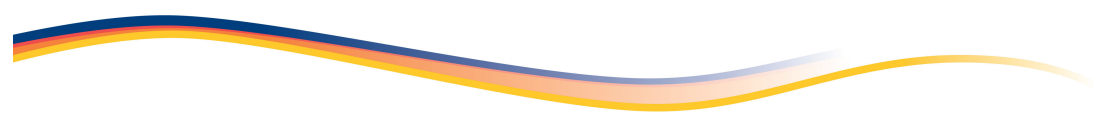
made on the ~~30 March 2020~~ ~~29 January 2019~~

in the presence of

Mayor

Chief Executive Officer

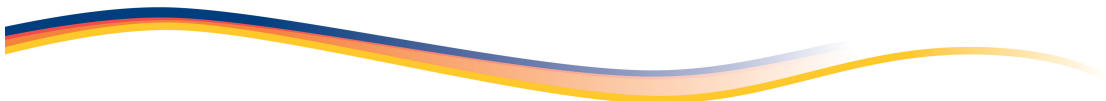
Councillor



Instrument of Delegation – Council to Council Staff

~~January 2019~~ March 2020

SCHEDULE



| **Instrument of Delegation – Council to Council Staff** **January March 2019 2020**

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Instrument of Delegation – Council to Council Staff

January March 2019 2020

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	duty of Council as a road authority under the <i>Road Management Act 2004</i>
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority



Instrument of Delegation – Council to Council Staff
March 2020~~January 2019~~

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34D(2)	function of receiving written notice of opinion	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority

RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(e)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34I	function of entering into safety interface agreements	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority

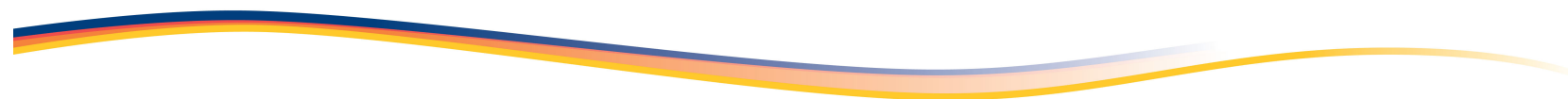


RAIL SAFETY (LOCAL OPERATIONS) ACT 2006			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.34J(2)	function of receiving notice from Safety Director	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Chief Executive Officer Director – Engineering & Infrastructure Manager – Operations	where Council is the relevant road authority

Instrument of Delegation

January 2019 March 2020

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Chief Executive Officer Director - Corporate Services Director- City Development Manager – Business & Financial Services Coordinator – Property Management	



Instrument of Delegation

January 2019 March 2020

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(9)(b)	duty to advise Registrar	Chief Executive Officer Director- Engineering and Infrastructure Director – City Development Director- Corporate Services Manager – Business & Financial Services Coordinator – Property Management	
s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	clause subject to section 11(10A)

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(5)	duty to consider written submissions received within 28 days of notice	Chief Executive Officer Director – Engineering & Infrastructure Manager – Sustainable Infrastructure Director – Corporate Development Services Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	Chief Executive Officer Director – Engineering & Infrastructure Manager – Sustainable Infrastructure Director – Corporate Development Services Manager – Business & Financial Services Coordinator – Property Management	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Chief Executive Officer <u>Director- Engineering and Infrastructure</u> Director – <u>City Development Corporate Development</u> Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	Chief Executive Officer <u>Director- Engineering and Infrastructure</u> Director – <u>City Development</u> <u>Director- Corporate Services Corporate Development</u> Manager – Business & Financial Services Coordinator – Property Management	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister

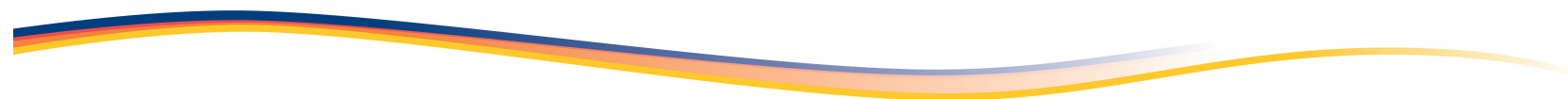
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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Chief Executive Officer <u>Director- Engineering and Infrastructure</u> Director - Corporate Services Manager – Business & Financial Services Director - City Development Manager - City Futures	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads <u>the Head, Transport for Victoria</u>	Chief Executive Officer Director - Engineering & Infrastructure	
s.14(7)	power to appeal against decision of <u>the Head, Transport for Victoria</u> VicRoads	Chief Executive Officer Director - Engineering & Infrastructure	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	Chief Executive Officer Director - Engineering & Infrastructure	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Chief Executive Officer Director - Engineering & Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.15(2)	duty to include details of arrangement in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.16(7)	power to enter into an arrangement under section 15	Chief Executive Officer Director - Engineering & Infrastructure	
s.16(8)	duty to enter details of determination in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.17(2)	duty to register public road in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(3)	duty to register a road reasonably required for general public use in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.17(4)	power to decide that a road is no longer reasonably required for general public use	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.18(1)	power to designate ancillary area	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)

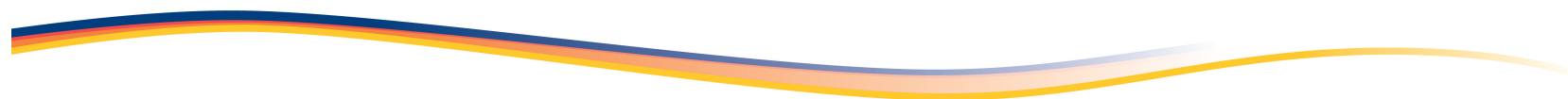


ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18(3)	duty to record designation in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority
s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.19(4)	duty to specify details of discontinuance in public roads register	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.19(5)	duty to ensure public roads register is available for public inspection	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.21	function of replying to request for information or advice	Chief Executive Officer Director - Engineering & Infrastructure	obtain consent in circumstances specified in section 11(2)

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.22(2)	function of commenting on proposed direction	Chief Executive Officer Director - Engineering & Infrastructure	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	Chief Executive Officer Director - Corporate Services Manager – Business & Financial Services Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
s.22(5)	duty to give effect to a direction under this section.	Chief Executive Officer Director - Engineering & Infrastructure	
s.40(1)	duty to inspect, maintain and repair a public road.	Chief Executive Officer Director - Engineering & Infrastructure	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Chief Executive Officer Director - Engineering & Infrastructure	
s.42(1)	power to declare a public road as a controlled access road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with the Head, Transport for Victoria VicRoads before road is specified	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority if road is a municipal road or part thereof
s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	where Council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Coordinator - Works Services Coordinator - Parks Services Coordinator – Construction Group	where Council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.49	power to develop and publish a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.51	power to determine standards by incorporating the standards in a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	



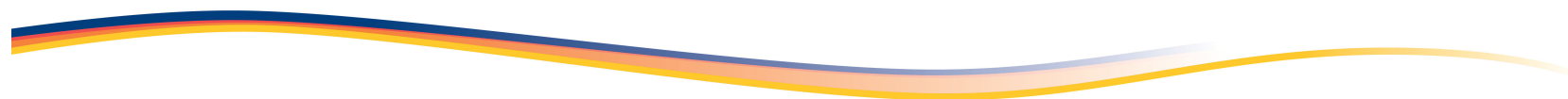
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(2)	duty to give notice of proposal to make a road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.54(6)	power to amend road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	



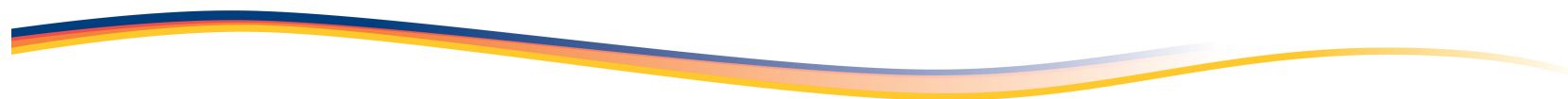
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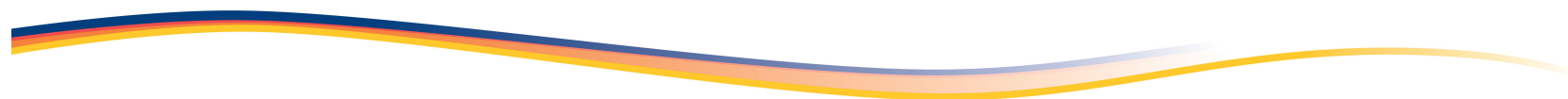
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(7)	duty to incorporate the amendments into the road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Chief Executive Officer Director - Engineering & Infrastructure Manager – Sustainable Infrastructure	
s.63(1)	power to consent to conduct of works on road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager – Operations	where Council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager – Operations	where Council is the infrastructure manager



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64(1)	duty to comply with clause 13 of Schedule 7	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority
s.67(3)	power to request information	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.68(2)	power to request information	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety & Health Coordinator - Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where Council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	Chief Executive Officer	
s.72	duty to issue an identity card to each authorised officer	Chief Executive Officer Director - City Development Director - Corporate Services Manager – Governance & Strategy Coordinator – Governance Governance Officer	
s.85	function of receiving report from authorised officer	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86	duty to keep register re section 85 matters	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure	
s.87(1)	function of receiving complaints	Chief Executive Officer Director - Engineering & Infrastructure	
s.87(2)	duty to investigate complaint and provide report	Relevant Director	
s.112(2)	power to recover damages in court	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
s.116	power to cause or carry out inspection	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Coordinator - Project Delivery Team Leader - Asset Preservation	

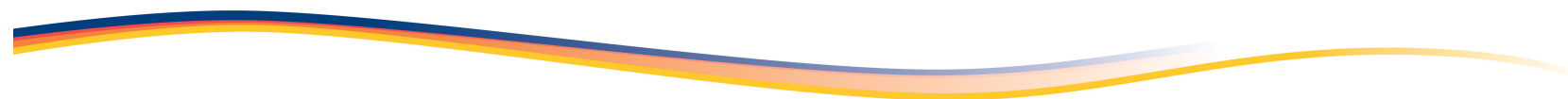


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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.119(2)	function of consulting with <u>the Head, Transport for Victoria</u> <u>VicRoads</u>	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of <u>the Head, Transport for Victoria</u> <u>VicRoads</u>)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Coordinator - Works Services Coordinator - Parks Services Coordinator - Construction	
s.120(2)	duty to seek consent of <u>the Head, Transport for Victoria</u> <u>VicRoads</u> to exercise road management functions before exercising power in section 120(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Operations	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.121(1)	power to enter into an agreement in respect of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure Manager - Operations Manager - Community Infrastructure	
s.122(1)	power to charge and recover fees	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	
s.123(1)	power to charge for any service	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	



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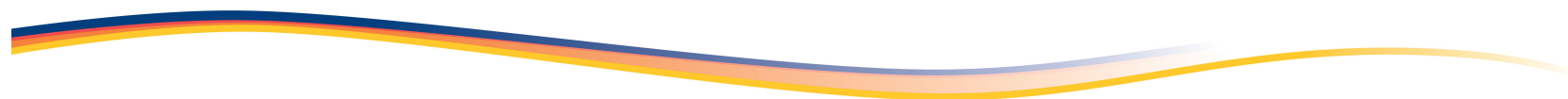
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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure Manager - Community Infrastructure Manager - Operations	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 2 Clause 4	function of receiving details of proposal from <u>the Head, Transport for Victoria</u> <u>VicRoads</u>	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	

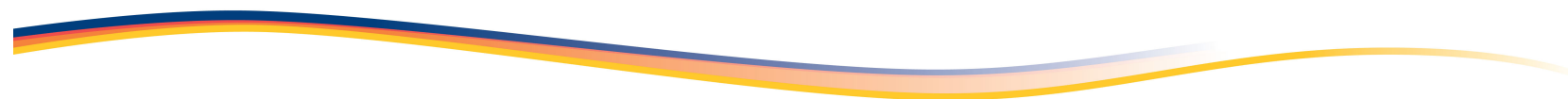
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 5	duty to publish notice of declaration	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority



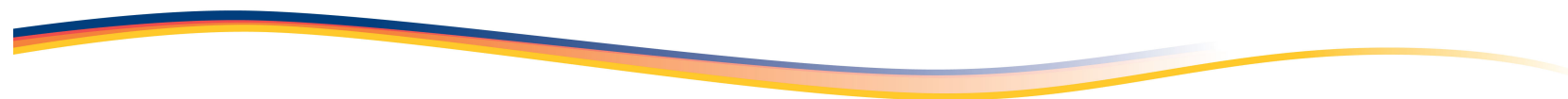
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority



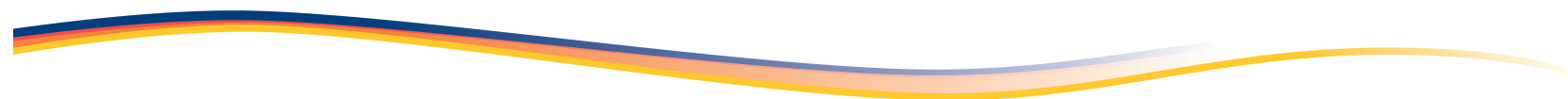
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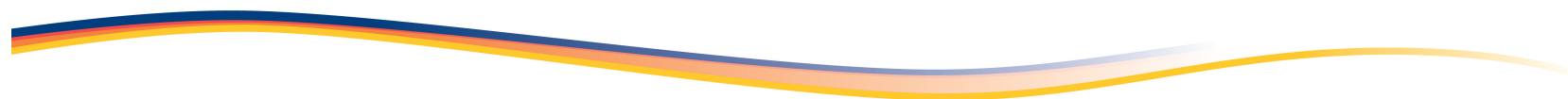
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(4)	duty to consult	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority



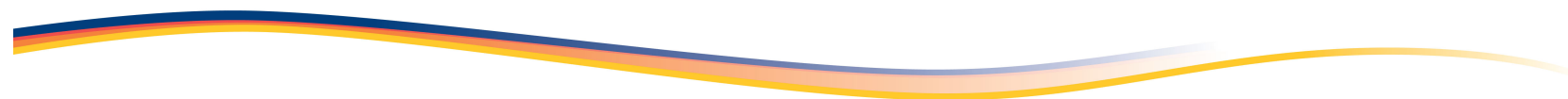
ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 16(8)	power to include consents and conditions	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Chief Executive Officer Director - Engineering & Infrastructure Manager - Operations Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure	where Council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Manager - Sustainable Infrastructure	where Council is the coordinating road authority
Schedule 7A Clause 2	power to cause street lights to be installed on roads	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road



ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the responsible road authority
Schedule 7A Clause 3(1)(e)	duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where Council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal Council (re: operating costs)



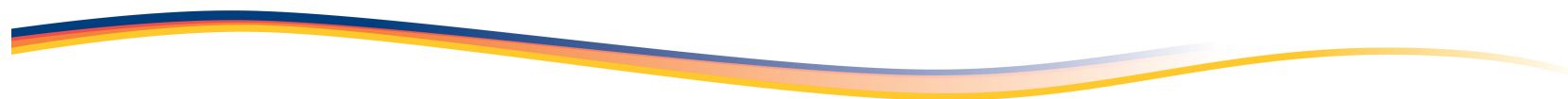
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ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.8(1)	duty to conduct reviews of road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.9(2)	duty to produce written report of review of road management plan and make report available	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	



ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(1)	Duty to publish notice of amendments to road management plan	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	
r.16(3)	power to issue permit	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority
r.18(1)	power to give written consent re damage to road	Chief Executive Officer Director - Engineering & Infrastructure Manager - Sustainable Infrastructure	where council is the coordinating road authority



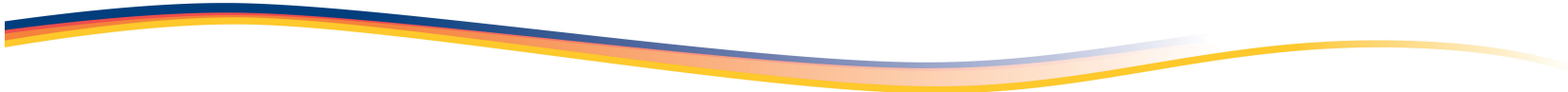
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ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23(2)	power to make submission to Tribunal	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager - Sustainable Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws Team Leader – Parking Services	where council is the coordinating road authority
r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Chief Executive Officer Director - Engineering & Infrastructure Manager - Community Infrastructure Coordinator - Project Delivery Director - City Development Manager - City Safety and Health Coordinator – Community Laws Team Leader - Parking Services Team Leader - Asset Preservation Community Laws Officers	where council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Chief Executive Officer Director - Engineering & Infrastructure Manager – Community Infrastructure Manager - Sustainable Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws Team Leader – Parking Services	where Council is the responsible road authority
r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	Chief Executive Officer Director - Engineering & Infrastructure Manager – Operations Director – Corporate Services Manager – Governance & Strategy Director – City Development Manager – City Safety & Health Coordinator – Community Laws	where Council is the responsible road authority

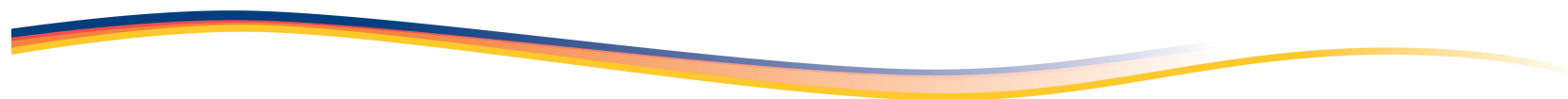
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Chief Executive Officer Director - Engineering & Infrastructure Manager – Operations Director – City Development Manager – City Safety & Health Coordinator – Community Laws	



Instrument of Delegation

~~January 2019~~ March 2020

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	Chief Executive Officer Director – Engineering & Infrastructure Manager – Community Infrastructure	where Council is the coordinating road authority and where consent given under section 63(1) of the Act
r.22(2)	power to waive whole or part of fee in certain circumstances	Chief Executive Officer Director – Engineering & Infrastructure Manager – Community Infrastructure	where council is the coordinating road authority



Instrument of Delegation

~~January 2019~~ March 2020



INSTRUMENT OF DELEGATION COUNCIL TO **Knox City Council**

COUNCIL STAFF - PLANNING

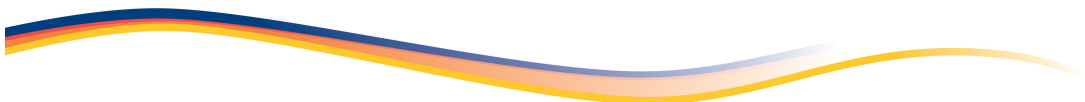
In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;

2. records that reference in the Schedule to:

“Group A” means	Chief Executive Officer Director City Development Manager City Planning & Building Manager City Futures
“Group B” means	Coordinator Planning Coordinator City Strategy and Planning Principal Planner Project Manager Strategic Planning Senior Strategic Planner
“Group C” means	Senior Planner Strategic Planner Senior Subdivision Planner Planning Officer
“Group D” means	Subdivision Planner
“Group E” means	Planning Investigation Officer Landscape Inspection Officer
“Group F” means	Planning Support Officer Student Planner Student Strategic Planner Project Support Officer
“Group G” means	Team Leader City Planning and Building Administration City Planning and Building Administration Officers
“Group H” means	Customer Service Officer (HUB)
“Group I” means	Arborist Landscape Assessment Officer

Assistant Landscape Officer



Instrument of Delegation – Council to Council Staff ~~January 2019~~ March 2020

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **28 August 2017**; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

- 4. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
- 4.1 The principles of these provisions apply to delegated officers.
- 4.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council
 made on the ~~29 January 2019~~ 30 March 2020
 in the presence of

Mayor

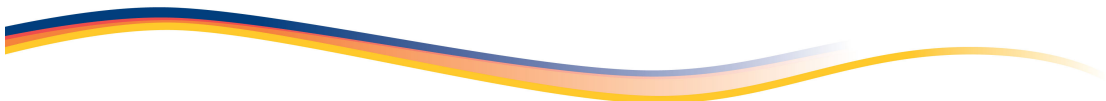
Chief Executive Officer

Councillor



Instrument of Delegation – Council to Council Staff ~~January 2019~~ March 2020

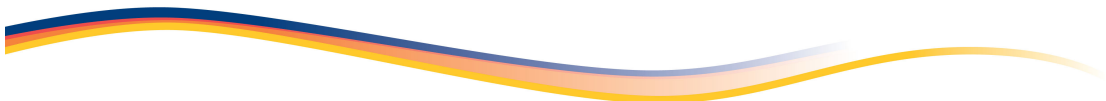
SCHEDULE



| **Instrument of Delegation – Council to Council Staff** **March 2020**~~**January 2019**~~

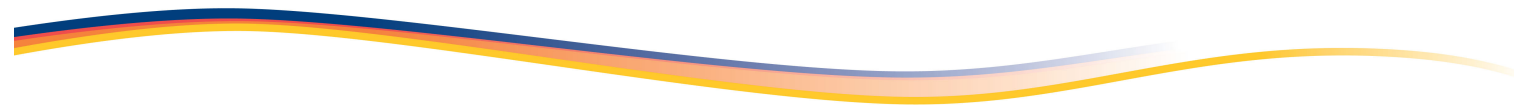
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| **Instrument of Delegation – Council to Council Staff** **March 2020~~January 2019~~**

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate Executive Director's functions, duties or powers	Chief Executive Officer	Must first obtain Executive Director's written consent first. Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation



Instrument of Delegation – Council to Council Staff
~~January 2019~~ March 2020

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victorian Planning Provisions	Group A	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Group A	
s.4H	duty to make amendment to Victoria Planning Provisions available	All Groups	
s.4I	duty to keep Victoria Planning Provisions and other documents available	All Groups	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Group A	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Group A	
s.8A(5)	function of receiving notice of the Minister's decision	Group A	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not Delegated	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	Groups A, B & C	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B & C	
s.12B(1)	duty to review planning scheme	Groups A, B & C	
s.12B(2)	duty to review planning scheme at direction of Minister	Groups A, B & C	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Groups A, B & C	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Groups A, B, C, D, E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(1)	duty of giving copy amendment to the planning scheme	Groups A, B & C	
s.17(2)	duty of giving copy s.173 agreement	Groups A, B & C	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Groups A, B & C	
s.18	duty to make amendment etc. available	All Groups	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	Groups A	Decision not to give notice under sections 19(1)(a) and (b) and (1A) must be recorded.
s.19	function of receiving notice of preparation of an amendment to a planning scheme	Groups A, B & C	Only where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	Groups A, B & C	

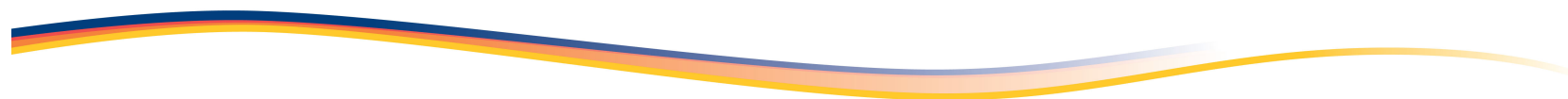
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.21(2)	duty to make submissions available	All Groups	
s.21A(4)	duty to publish notice in accordance with section	Groups A, B & C	
s.22	duty to consider all submissions	Groups A, B & C	except submissions which request a change to the items in s.22(5)(a) and (b)
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Groups A, B & C	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Groups A, B & C	Only where Council has already resolved to refer the Amendment to a Panel
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	power to make report available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.26(2)	duty to keep report of panel available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.27(2)	power to apply for exemption if panel's report not received	Group A	
s.28	duty to notify the Minister if abandoning an amendment	Groups A, B & C	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.30(4)(b)	duty to provide information in writing upon request	Group A	
s.32(2)	duty to give more notice if required	Groups A, B & C	
s.33(1)	duty to give more notice of changes to an amendment	Groups A, B & C	
s.36(2)	duty to give notice of approval of amendment	Groups A, B & C	
s.38(5)	duty to give notice of revocation of an amendment	Groups A, B & C	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	Groups A, B & C	
s.40(1)	function of lodging copy of approved amendment	Groups A, B & C	
s.41	duty to make approved amendment available	All Groups	
s.42	duty to make copy of planning scheme available	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 46AW	function of being consulted by the Minister	Groups A, B and C	<u>where Council is a responsible public entity</u>
s. 46AX	function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy power to endorse the draft Statement of Planning Policy	Groups A, B and C	<u>where Council is a responsible public entity</u>
s.46AZC(2)	duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Groups A, B, C & D	<u>where Council is a responsible public entity</u>
s.46AZK	duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Groups A, B, C & D	<u>where Council is a responsible public entity</u>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(2)(b)(i)	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Groups A, B, C & D	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Groups A, B, C & D	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	Groups A, B, C & D	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	Groups A, B, C & D	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	Groups A, B, C & D	
s.46GP	function of receiving a notice under s.46GO	Groups A, B, C & D	where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GQ	function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Groups A, B, C & D	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	Groups A, B, C & D	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	Groups A, B, C & D	
s.46GS(1)	power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	Groups A, B, C & D	
s.46GS(2)	duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Groups A, B, C & D	

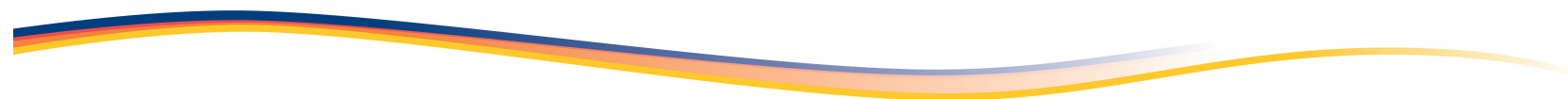
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Groups A, B, C & D	
s.46GT(4)	function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Groups A, B, C & D	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	Groups A, B, C & D	
s.46GU	duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s.46GU(1)(a) and (b) are met	Groups A, B, C & D	
s.46GV(3)	function of receiving the monetary component and any land equalisation amount of the infrastructure contribution power to specify the manner in which the payment is to be made	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GV(3)(b)	power to enter into an agreement with the applicant	Groups A, B, C & D	where Council is the collecting agency
s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	Groups A, B, C & D	where Council is the development agency
s.46GV(7)	duty to impose the requirements set out in s.46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Groups A, B, C & D	
s.46GV(9)	power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Groups A, B, C & D	where Council is the collecting agency
s46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Groups A, B, C & D	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GX(2)	duty, before accepting the provision of works, services or facilities by an applicant under s.46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Groups A, B, C & D	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	Groups A, B, C & D	where Council is the collecting agency
s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	Groups A, B, C & D	where Council is the collecting agency
s.46GZ(2)(a)	duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	Groups A, B, C & D	where the Council is the planning authority this duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(2)(b)	duty to forward any part of the of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in as responsible for those works, services or facilities	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this provision does not apply where Council is also the relevant development agency
s.46GZ(2)(b)	function of receiving the monetary component	Groups A, B, C & D	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(5)	duty to keep forward any part of land equalisation amount required for the acquisition of outer public purpose land	Groups A, B, C & D	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the relevant collecting agency
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan



Instrument of Delegation

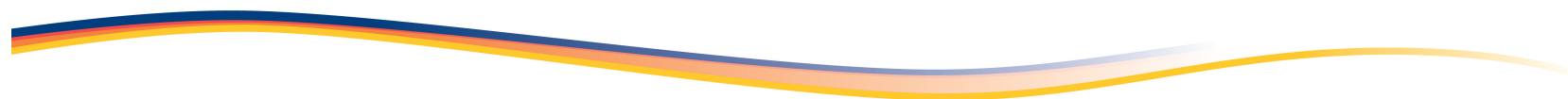
March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(9)	duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Groups A & B	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZA(1)	duty to keep proper and separate accounts and records	Groups A & B	where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	Groups A, B, C & D	where Council is a development agency under an approved infrastructure contributions plan
s46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)		Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(4)	duty in accordance with the requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Groups A & B	if the VPA is the collecting agency under an approved infrastructure contributions plan where Council is a development agency under an approved infrastructure contributions plan
s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZD(2)(a) and (b)	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZD(5)	duty to make payments under s. 46GZD(3) in accordance with s.46GZD(5)(a) and 46GZD(5)(b).	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZE(2)	duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Chief Executive Officer Director Corporate Development Director City Development	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZE(2)	Duty within 12 month after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in S 46GZE(3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency

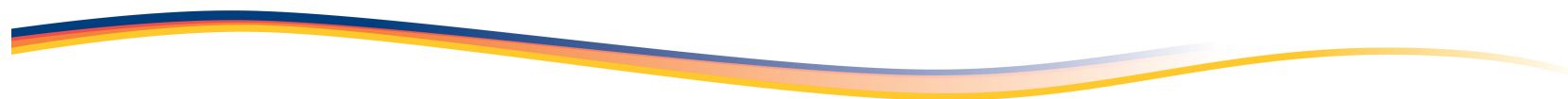
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZE(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46 GZF (3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)		Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	s.46GZF(3)(a) function of receiving proceeds of sale	Groups A & B	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZH	power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	Groups A & B	where Council is a collecting agency or development agency
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Groups A & B	where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46LB(3)	duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s.46LB (2)	Groups A & B	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Groups A, B, C & D	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Groups A, B, C & D	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Groups A & B	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Groups A & B	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Groups A & B	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Groups A & B	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Groups A & B	
s.46Q(1)	duty to keep proper accounts of levies paid	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Chief Executive Officer Director Corporate Development Director City Development	only applies when levy is paid to Council as a 'development agency'



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March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s.46Q(4)(a)	Chief Executive Officer Director Corporate Development Director City Development	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Chief Executive Officer Director Corporate Development	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	Chief Executive Officer Director Corporate Development Director City Development	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	Chief Executive Officer Director Corporate Development Director City Development	
s.46QD	duty to prepare report and give a report to the Minister	Groups A & B	where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Groups A & B	
s46Y	Duty to carry out works in conformity with the approved strategy plan	Groups A & B	
s.47	power to decide that an application for a planning permit does not comply with that Act	All Groups	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	All Groups	
s.49(2)	duty to make register available for inspection	All Groups	
s.50(4)	duty to amend application	Groups A, B, C, D, F & I	
s.50(5)	power to refuse to amend application	Groups A, B, C, D & I	
s.50A(1)	power to make amendment to application	Groups A, B, C, D, F & I	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(4)	duty to note amendment to application in register	Groups A, B, C, D, F & I	
s.51	duty to make copy of application available for inspection	All Groups	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	Groups A, B, C, D, F & I	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	Groups A, B, C, D, F & I	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Groups A, B, C, D, F & I	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	Groups A, B, C, D, F & I	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Groups A, B, C, D, F & I	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Groups A, B, C & D	
s.52(3)	power to give any further notice of an application where appropriate	Groups A, B & C	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Groups A, B, C, D, F, G & I	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Groups A, B, C, D, F, G & I	
s.54(1)	power to require the applicant to provide more information	Groups A, B, C, D, F, G & I	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	Groups A, B, C, D, F, G & I	
s.54(1B)	duty to specify the lapse date for an application	Groups A, B, C, D, F & I	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	Groups A, B, C, D, F, G & I	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Groups A, B, C, D, F, G & I	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Group A	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Groups A, B, C, D, F & I	
s.57(5)	duty to make available for inspection copy of all objections	All Groups	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	Groups A, B, C, D, F & I	
s.57A(5)	power to refuse to amend application	Groups A, B, C & D, F & I	
s.57A(6)	duty to note amendments to application in register	All Groups	

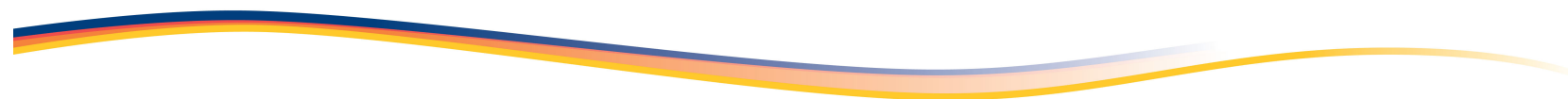
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(1)	duty to determine whether and to whom notice should be given	Groups A, B, C & D, F & I	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	Groups A, B, C & D, F & I	
s.57C(1)	duty to give copy of amended application to referral authority	Groups A, B, C, D, F & I	
s.58	duty to consider every application for a permit	Groups A, B, C, D, F & I	
s.58A	power to request advice from the Planning Application Committee	Chief Executive Officer Director City Development	
s.60	duty to consider certain matters	Groups A, B, C, D, F & I	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(a)	power to decide to grant a permit	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended).

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(b)	power to decide to grant a planning permit with conditions	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended).

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

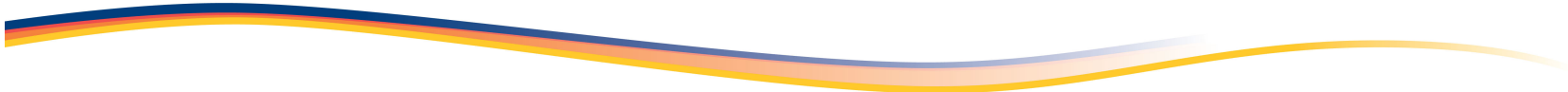


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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(c)	power to refuse the permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			more trees/vegetation after obtaining the consent of one delegate from Group A or B.

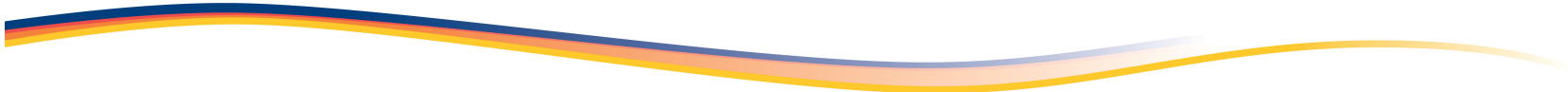


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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is "called up" by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5)</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			or more trees/vegetation after obtaining the consent of one delegate from Group A or B.

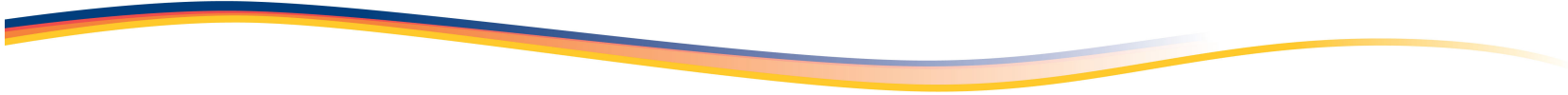


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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or</p>

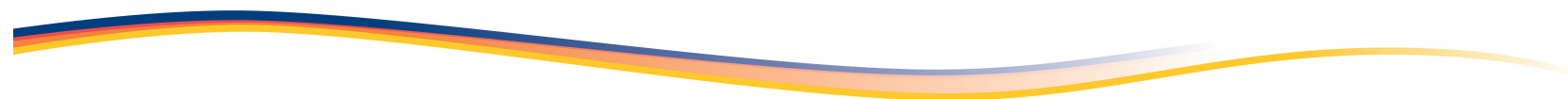
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			more trees/vegetation after obtaining the consent of one delegate from Group A or B.



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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Groups A, B, C, D, F & I	
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Groups A, B, C, D, F & I	

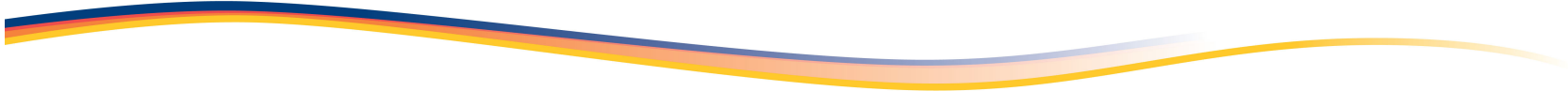


Instrument of Delegation

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.

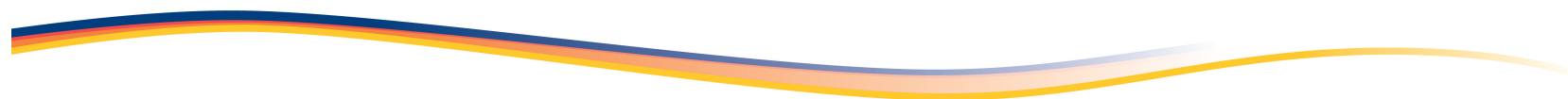


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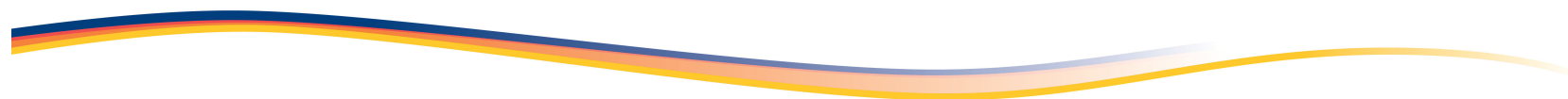
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(1)	duty to include certain conditions in deciding to grant a permit	Groups A, B, C, D, F & I	
s.62(2)	power to include other conditions	Groups A, B, C, D, F & I	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Groups A, B, C, D, F & I	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Groups A, B, C, D, F & I	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Groups A, B, C, D, F & I	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Groups A, B, C & D, F & I	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	Groups A, B, C & D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	Groups A, B, C, D, F & I	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Groups A, B, C, D, F & I	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Groups A, B, C, D, F & I	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	Groups A, B, C, D, F & I	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Groups A, B, C, D, F & I	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	All Groups	
s.69(1A)	function of receiving application for extension of time to complete development	All Groups	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	power to extend time	Groups A, B, C, D, F & I	<p>In exercising this power consideration must be given to the matters referred to in Butterworths' Casenotes 5.35 relating to 'Extension of Time' and:</p> <ul style="list-style-type: none"> • Whether there has been a change in planning circumstances of the site (ie changes in zoning or planning policy); • Whether there has been a change in the material circumstances of the site and surrounds; • The steps the owner may or may not have undertaken in an endeavour to act on the permit; • Whether the time limit imposed was adequate having regard to the actions required to fulfil permit conditions. <p>Group B, C, D, & F: May only exercise this power after obtaining the approval of at least one other delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves the removal or pruning of vegetation.</p>
s.70	duty to make copy permit available for inspection	Groups A, B, C, D, F & I	
s.71(1)	power to correct certain mistakes	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.71(2)	duty to note corrections in register	Groups A, B, C & D	
s.73	power to decide to grant amendment subject to conditions	Groups A, B, C & D	
s.74	duty to issue amended permit to applicant if no objectors	Groups A, B, C, D, F & I	
S75A	Duty not to issue an amended permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	Groups A, B, C, D, F & I	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Groups A, B, C, D, F & I	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	Groups A, B, C, D, F & I	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	Groups A, B, C & D	
s.83	function of being respondent to an appeal	Groups A, B, C, D, E, F & I	
s.83B	duty to give or publish notice of application for review	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Groups A, B, C, D, F & I	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Groups A, B, C, D, F & I	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	Groups A, B, C, D, F & I	
s.84AB	power to agree to confining a review by the Tribunal	Groups A, B, C, D, F & I	
s.86	duty to issue a permit at order of Tribunal within 3 working days	Groups A, B, C, D, F & I	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Group A	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Groups A, B, C, D & E	
s.91(2)	duty to comply with the directions of VCAT	Groups A, B, C, D & E, F & I	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	Groups A, B, C, D & E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Groups A, B, C, D & E, F & I	
s.93(2)	duty to give notice of VCAT order to stop development	Groups A, B, C, D & E	
s.95(3)	function of referring certain applications to the Minister	Groups A, B & C	
s.95(4)	duty to comply with an order or direction	Groups A, B & C, F & I	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Groups A & B	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Group A	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Groups A, B, C & D	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96F	duty to consider the panel's report under section 96E	Group A	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> • <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and</p>

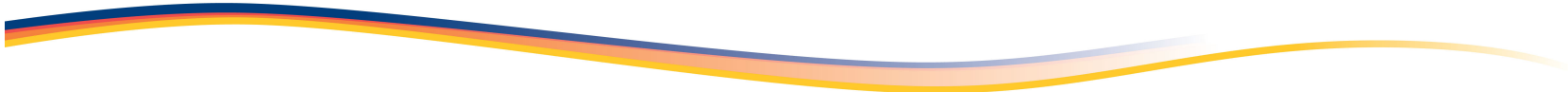
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			after obtaining the consent of one delegate from Group A or B. Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B. Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.

Instrument of Delegation

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.



Instrument of Delegation

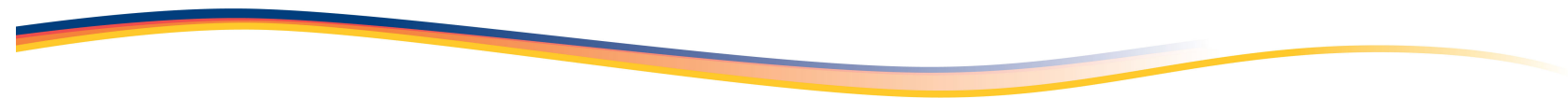
March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96H(3)	power to give notice in compliance with Minister's direction	Groups A, B & C	
s.96J	power to issue permit as directed by the Minister	Groups A, B & C	
s.96K	duty to comply with direction of the Minister to give notice of refusal	Groups A, B & C	
s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate	All Groups	
s.97C	power to request Minister to decide the application	Group A	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Groups A, B & C	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	Groups A, B & C	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97L	duty to include Ministerial decisions in a register kept under section 49	Groups A, B & C	
s.97MH	duty to provide information or assistance to the Planning Application Committee	Group A	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Group A	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Groups A, B, C, D & E	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Groups A, B, C, D & E	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Groups A, B, C, D & E	
s.97Q(4)	duty to comply with directions of VCAT	Groups A, B, C, D & E	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Groups A, B, C, D & E	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Group A	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Group A	
s.101	function of receiving claim for expenses in conjunction with claim	Group A	
s.103	power to reject a claim for compensation in certain circumstances	Group A	
s.107(1)	function of receiving claim for compensation	Group A	
s.107(3)	power to agree to extend time for making claim	Group A	
s.114(1)	power to apply to the VCAT for an enforcement order	Groups A, B & E	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	Groups A, B, C, D & E	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	Groups A, B & E	

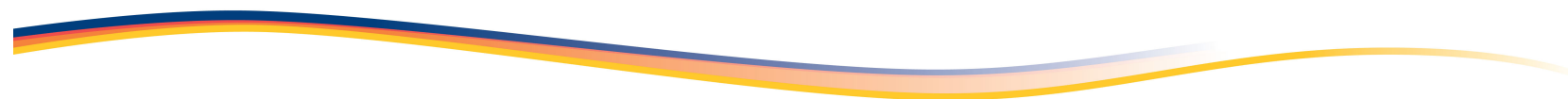
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.123(1)	power to carry out work required by enforcement order and recover costs	Groups A & E	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Group A	except Crown Land
s.129	function of recovering penalties	Groups A, B & E	
s.130(5)	power to allow person served with an infringement notice further time	Groups A, B & E	
s.149A(1)	power to refer a matter to the VCAT for determination	Groups A & B	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Groups A & B	



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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Group A	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	Groups A, B, C, D & E	
s.171(2)(g)	power to grant and reserve easements	Group A	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Group A	where Council is a development agency specified in an approved infrastructure contributions plan
s.172D(1)	power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s.46GV(4)	Group A	where Council is a collecting agency specified in an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.172D(2)	power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s.46GV(4)	Group A	where Council is the development agency specified in an approved infrastructure contributions plan
s.173(1)	power to enter into agreement covering matters set out in section 174	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit
s.173(1A)	power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Group A	where council is the relevant responsible authority
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Groups A, B, C & D	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit
s.178A(1)	function of receiving application to amend or end an agreement	Groups A, B, C & D	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Groups A, B, C & D	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Groups A, B, C & D	

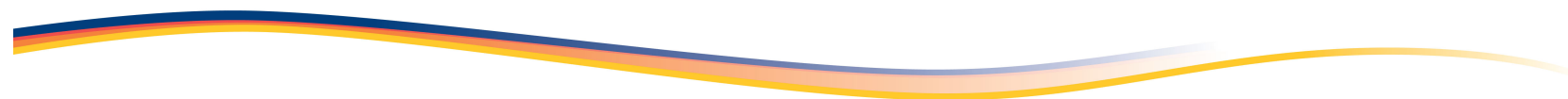
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(5)	power to propose to amend or end an agreement	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Chief Executive Officer Director City Development	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Chief Executive Officer Director City Development	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	Groups A, B, C & D	
s.178C(4)	function of determining how to give notice under s.178C(2)	Groups A, B, C & D	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	Chief Executive Officer Director City Development	



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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(a))	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to: <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D
s.178E(2)(b))	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to: <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D
s.178E(2)(c))	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178E(3)(d)	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Groups A, B, C & D	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	Groups A, B, C & D	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Chief Executive Officer Director City Development	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	Groups A, B, C & D	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Groups A, B, C & D	
s.179(2)	duty to make available for inspection copy agreement	Groups A, B, C, D & E	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Groups A, B, C & D	

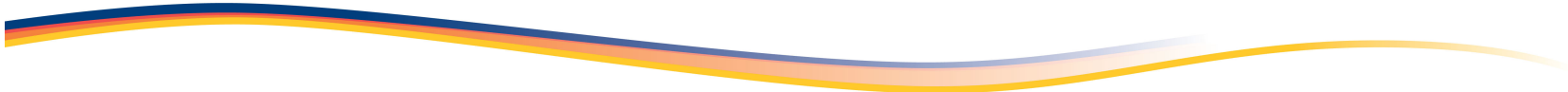
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Groups A, B, C & D	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Groups A, B, C & D	
s.182	power to enforce an agreement	Groups A, B, C, D & E	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Groups A, B, C & D	
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	Chief Executive Officer Director City Development	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	Groups A, B, C & D	
s.184G(2)	duty to comply with a direction of the Tribunal	Chief Executive Officer Director City Development	
s.184G(3)	duty to give notice as directed by the Tribunal	Groups A, B, C, D & F	
s.198(1)	function to receive application for planning certificate	Groups A, B & C	
s.199(1)	duty to give planning certificate to applicant	Groups A, B & C	
s.201(1)	function of receiving application for declaration of underlying zoning	Group A	
s.201(3)	duty to make declaration	Group A	
Misc	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Groups A, B, C, D & E	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Misc	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Groups A, B, C & D	
Misc	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	Groups A, B, C & D	
Misc	power to give written authorisation in accordance with a provision of a planning scheme	Groups A, B, C & D	
Misc.	power to mediate an appeal at the Victorian Civil and Administrative Tribunal – Mediation Hearing	Groups A, B, C, & D	The mediated outcome shall be generally in accordance with the Council decision on the application.
Misc.	power to request that the Minister for Planning prepare and approve a Planning Scheme Amendment	Chief Executive Officer Director City Development Group A	The Planning Scheme Amendments requested must be matters which do not require advertising and have no policy implications, such as urgent, or minor, administrative or procedural matters, or rectification of errors.
Misc.	power to make minor changes to a Planning Scheme Amendment	Group A	Changes must not affect the purpose or intent of the Amendment.

s201UAB(1))	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	All Groups	
s201UAB(2))	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	All Groups	



Instrument of Delegation

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>s91ZU(1)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority engaged in the provision of housing</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S91ZZC(1)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S91ZZE(1)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority engaged in the provision of housing</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S91ZZE(3)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority engaged in the provision of housing</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
s. 142G(2)	power to enter certain information in the Rooming House Register	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

Instrument of Delegation

March 2020 ~~January 2019~~

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>S206AZA(2)</u>	<u>Function of receiving written notification</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S207ZE(2)</u>	<u>Function of receiving written notification</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u>	where Council is the landlord <u>Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.</u>
s.262(1)	power to give tenant a notice to vacate rented premises	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u>	where Council is the landlord <u>Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.</u>
s.262(3)	power to publish its criteria for eligibility for the provision of housing by Council	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u>	<u>Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.</u>

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S311A(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator - Health Services	
S317ZDA(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator – Health Services	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance	
s.522(1)	power to give a compliance notice to a person	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance Environmental Health Officer	

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
s.525(4)	duty to issue identity card to authorised officers	Chief Executive Officer Director – <u>City Development</u> <u>Director</u> - Corporate Services Manager – Governance- <u>&</u> <u>Innovation</u>	
s.526(5)	duty to keep record of entry by authorised officer under section 526	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
s.526A(3)	function of receiving report of inspection	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	

Instrument of Delegation

March 2020 January 2019

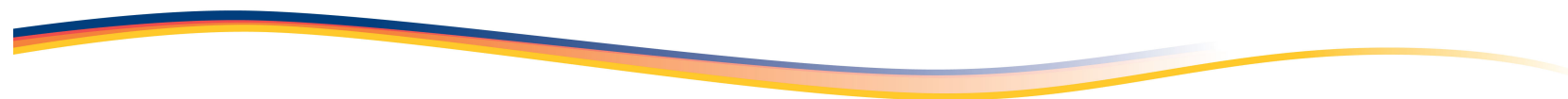
RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Chief Executive Officer Director – City Development Manager – City Safety & Health	



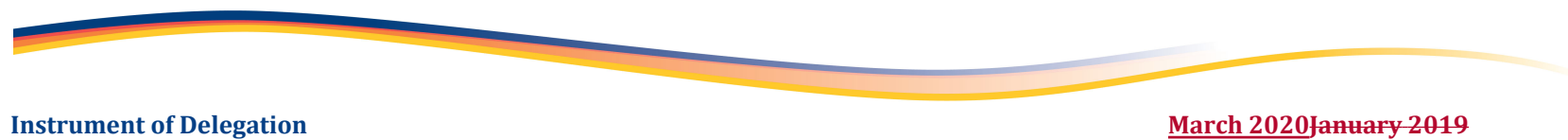
Instrument of Delegation

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PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	All Groups	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Groups A, B, C, D, F & I	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Groups A, B, C & D	where Council is the responsible authority
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Groups A, B, C, D, F & I	where Council is not the responsible authority but the relevant land is within Council's municipal district



r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Groups A, B, C & D	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
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PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	Group A	
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Group A & B	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20	Groups A & B	



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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.11	function of receiving application for registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

Instrument of Delegation

March 2020 ~~January 2019~~

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.13(4) & (5)	duty to issue certificate of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.15(1)	function of receiving notice of transfer of ownership	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.15(3)	power to determine where notice of transfer is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.16(1)	duty to transfer registration to new caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.16(2)	duty to issue a certificate of transfer of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.18	duty to keep register of caravan parks	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.19(4)	power to determine where the emergency contact person's details are displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.19(6)	power to determine where certain information is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.22A(2)	duty to consult with relevant emergency services agencies	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	

Instrument of Delegation

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.25(3)	duty to consult with relevant floodplain management authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.26	duty to have regard to any report of the relevant fire authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	

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March 2020 ~~January 2019~~

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.40(4)	function of receiving installation certificate	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance Environmental Health Officer	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance Environmental Health Officer	

Instrument of Delegation

March 2020~~January 2019~~

6.6 Governance Policies : Group 1

SUMMARY: Governance Officer, Kirstin Ritchie

Council's Recognition of Former Mayors and Councillors Policy and the Councillor Support Policy and Procedure have been reviewed and are presented to Council for adoption.

The Recognition of Former Mayors and Councillors Policy proposes amendments that simplify the policy, remove inconsistencies and provide greater clarity to staff implementing the policy.

The Councillor Support Policy has been amended with the intention of it becoming the single point of reference for all matters relating to Councillor allowances, support and expenses.

RECOMMENDATION

1. That Council:

- a) Adopt the Recognition of Former Mayors and Councillors Policy incorporating the revisions as set out in attachment 1 to this report; and**
- b) Adopt the Councillor Support Policy and Procedure as set out in Attachment 3 to this report.**

2. That Council revoke the following policies:

- c) Councillor Mobile Devices Policy (Attachment 4);**
- d) Councillor Equipment Policy (Attachment 5); and**
- e) Ward Communications Policy (Attachment 6).**

1. INTRODUCTION

Effective policies are a fundamental component of a good governance framework. Effective policies articulate Council's standards; they provide clear and unambiguous direction to Councillors and staff to ensure consistency of decision making, and compliance with statutory requirements. Periodic reviews provide an opportunity for iterative improvement to policies, ensuring they reflect best practice contemporary standards and add value to Council operations.

2. DISCUSSION

Recognition of Former Mayors and Councillors

At the December 2016 Strategic Planning Committee Meeting, Notice of Motion 49 amended the Recognition of Former Mayor and Councillors Policy to:

- remove the requirement of two (2) mayoral terms from the definition of extended service; and
- replace the commissioning of a portrait with the presentation of a jewel to the value of up to \$2,000.

The Notice of Motion also required a report to be presented to Council following a complete review of the policy by 30 June 2017. Regrettably, this review did not take place within the time specified in the resolution.

A comprehensive review has now been undertaken with changes proposed to simplify the policy, remove inconsistencies and provide greater clarity to staff implementing the policy. Some of the key changes include:

- documenting current practices providing recognition for the outgoing Mayor;
- creating a tiered approach for gifts presented to retiring Councillors;
- clarifying the gift currently given to outgoing Mayors and referred to as a 'jewel' to be a 'commemorative medallion'
- suggesting a bespoke statuette / plaque for the extended service 'jewel' which is otherwise undefined
- removing the Mayoral / Presidential criteria associated when naming a Council facility in recognition of a Councillor, in favour of criteria based on 'exceptional' service as consistent with Council's Naming and Renaming of Council Owned Facilities policy and the Geographic Place Names Act 1998.

Councillor Support Policy

The draft Councillor Support Policy and Procedure (see Attachments 2 and 3) is intended to be a single point of reference for all matters relating to Councillor allowances, support and expenses.

Consequently, the draft incorporates both policy and procedural content (for example regarding claims and reporting processes) as reflected in the name change. It also incorporates relevant provisions from the:

- Councillor Mobile Device Policy (Attachment 4);
- Councillor Equipment Policy (Attachment 5); and
- Relevant provisions of the Meals and Beverages for Council Committees Policy
- Ward Communications Policy (Attachment 6)

The changes to the policy include a range of additions and amendments including:

- Revisions to improve clarity and structure and conform to Council's current visual identity.
- Articulating current practice where appropriate.
- Including clearer policy principles to assist interpretation and application of the policy
- Adding definitions to provide greater clarity
- Providing additional, practical guidance regarding a range of matters include:
 - Travel expenses and resources
 - Legal expenses
 - The People Assist Program
 - Claims and record keeping including revised claim forms
 - Reporting of expenses
 - Meals and refreshment, including clearer guidance regarding provision of alcohol.
- A variety of changes to reflect the current technological environment and the lifecycle of contemporary ICT equipment.

A tracked changes version of the policy is included at Attachment 2, and a clean version of the policy is included at Attachment 3.

It is noted that this policy will need to be reviewed again prior to 1 September 2020 in accordance with the requirements of the Local Government Act 2020 passed by the Victorian Parliament on 17 March 2020.

3. CONSULTATION

The draft policies attached to this report have been prepared with reference to similar policies adopted by other Victorian Local Governments.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil

5. FINANCIAL & ECONOMIC IMPLICATIONS

Changes to the Councillor Support Policy are not anticipated to have significant financial implications as the revised policy merely clarifies Councillor's existing entitlements.

The following table provides an indication of the costs associated with the recognition of Councillors in accordance with the Recognition of Former Mayors and Councillors Policy:

Annual Mayoral Recognition:	
Gavel and striker	\$300
City of Knox Coat of Arms	\$130
Commemorative medallion	\$170
Total	\$600
End of Term Recognition	
(Maximum, assuming all Councillors retire in 2020)	
Certificates under seal	\$1,800
Continuous Service Gifts	\$1,700
Total	\$3,500
Recognition upon Passing	
Flowers / donation	\$200

The policy establishes the maximum additional costs associated with recognising Councillors who satisfy the extended service criteria as \$2,000. (This excludes the once-off design costs associated with the bespoke statue proposed.)

Costs associated with memorializing former Mayors are variable depending on the type of recognition chosen.

6. SOCIAL IMPLICATIONS

The Recognition of Former Mayor and Councillors Policy provides appropriate opportunity to acknowledge and recognise the contribution of former Councillors.

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 Planning, 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 attached policies to enhance and strengthen the governance framework at Knox City 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 Planning, Matt Kelleher

Attachments

1. Attachment 1 - Recognition of Former Mayor and Councillors [6.6.1 - 5 pages]
2. Attachment 2 - Councillor Support Policy - with tracked changes [6.6.2 - 30 pages]
3. Attachment 3 - Draft Councillor Support Policy [6.6.3 - 23 pages]
4. Attachment 4 - Councillor Mobile Devices Policy [6.6.4 - 6 pages]
5. Attachment 5 - Councillor Equipment Policy [6.6.5 - 3 pages]
6. Attachment 6 - Ward Communication Policy [6.6.6 - 5 pages]



Recognition of Former Mayor and Councillors

Policy Number:	2005/08	Directorate:	Corporate Services
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	13 December 2016	Version Number:	
Review Date:	13 December 2017		

1. Purpose

~~The purpose of this policy is to provide guidelines for acknowledging and recognising the contribution made by former Mayors, Councillors and Presidents during their term as elected officials of Knox City Council (Council).~~

~~This policy provides direction to Council and staff on the retirement of Councillors. It also recognises former Mayors and Councillors who have made an extended or long term contribution to the community. The policy also provides guidance on the passing of former Councillors, Mayors or Presidents.~~

2. Context

~~Councillors are democratically elected by the residents and ratepayers of the municipality. Once elected, Councillors are responsible for representing their community, reviewing matters, debating issues and setting the overall strategic direction of the municipality.~~

~~Knox City Council and the Knox community has been well served by many Mayors, Presidents and Councillors and Presidents since the formation of the original Shire of Knox in 1963. Consequently, it is appropriate to formally recognise their contribution to the municipality at the end of the Councillors' terms of office and / or upon their passing.~~

~~This policy sets out the approach in formally recognising the contribution that former Mayors, Presidents and Councillors have made to the municipality.~~

3. Scope

This policy applies to all current and former Knox City Council Mayors, Presidents and Councillors.

4. References

- 4.1 Community & Council Plan 2017-2021
 - Goal 8 - We have confidence in decision making
- 4.2 Relevant Legislation
 - Local Government Act 1989
- 4.3 Charter of Human Rights



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

4.4 Related Council Policies

- Naming and Renaming of Council Owned Facilities

4.5 Related Council Procedures

- Nil

5. Definitions

~~Detail any definitions within the policy.~~

Council	On 15 December 1994 the Knox City Council was proclaimed. Prior to this, Knox City Council was known as: City of Knox:— 1969-1994 Shire of Knox: 1963-1969 means Knox City Council (1994 – current), City of Knox (1969 – 1994) and Shire of Knox (1963 – 1969).
Councillor	means an elected member of City of Knox or the Knox City Council.
<u>Electoral Term</u>	means the length of time a Councillor serves on Council.
<u>Extended Service</u>	means a minimum of twenty (20) years of service as a Councillor.
Mayor	means a person elected as Mayor of Knox City Council in accordance with the Local Government Act 1989.
President	means a person elected as President of the former Shire of Knox in accordance with the Local Government Act 1989.
<u>Term of service</u>	means the four (4) year period between municipal elections.

6. Council Policy

6.1 Outgoing Mayor

~~The Mayor is expected to perform a range of additional duties during the course of the Mayoral year. For this reason, at the end of every Mayoral term, the outgoing Mayor will receive the following gifts (Appendix A) from Council in recognition of their service:~~

- ~~• A wooden gavel and striker~~
- ~~• A mounted City of Knox Coat of Arms~~
- ~~• A commemorative medallion (or an additional bar, where a councillor has served multiple Mayoral terms and previously received a medallion)~~

~~Both the gavel and the coat of arms will have a small brass plaque attached inscribed with the outgoing Mayor's name and term. The commemorative medallion will have the outgoing Mayor's name and term engraved on the metal cross bar, and subsequent terms engraved on an additional bars as appropriate).~~

~~The above gifts will be presented to the outgoing Mayor as part of the annual Statutory Meeting of Council.~~

~~The outgoing Mayor must declare the gift in accordance with the Councillors Acceptance of Gifts and Hospitality Guidelines.~~



6.2. Retiring Councillors

~~On completion of a Councillor's term of office, that will be presented with a certificate in appreciation of service under the Seal of Council together with a photograph of the sitting Councillors. At the end of their electoral term, Councillors who retire or are not re-elected will be presented with a certificate under the Seal of Council in appreciation of their service. The certificate will be presented by the current Mayor where practicable at an Ordinary Meeting of Council.~~

~~Where a Councillor has served multiple, continuous, terms, a Councillor who retires or is not re-elected they will also receive an appropriate gift at the end of their electoral term. The gift shall be organised by the Chief Executive Officer, or a nominated Council officer in consultation with the Councillor; and to a maximum value of \$100 per consecutive term; for example:~~

- ~~• \$200 for two (2) consecutive terms~~
- ~~• \$300 for three (3) consecutive terms~~

~~Where a Councillor has achieved extended service they will receive, in addition to the certificate and gift, a bespoke statuette / plaque (to a maximum the value of \$2,000) at the end of their electoral term. This statuette / plaque will commemorate the Councillor's substantial commitment to the Knox Community and include the Council logo, the Councillor's name and their years of service.~~

~~Where practicable the gift and the bespoke statuette / plaque will be presented by the current Mayor at the same Ordinary Meeting of Council as the certificate under Seal of Council.~~

~~Where a Councillor has been elected for a minimum three (3) terms and served eight (8) or more years, they shall be presented with a certificate of appreciation under the Seal of Council, together with a suitable gift, the value of same to be at the discretion of the Mayor of the day, but shall not exceed \$500.~~

6.2 — Extended Service

~~Upon retirement or upon death and after serving at least twenty (20) years as a Councillor, Council will provide acknowledgement and recognition of this service by presenting the Councillor with a jewel, encrusted with the Knox City Council emblem, and a certificate of acknowledgement of the years of service.~~

~~The value of the jewel must not exceed \$2000.~~

~~The jewel will be presented by the Mayor to the former Councillor or the Councillor's next of kin at the next ordinary meeting of the Council after the retirement or upon the death of the Councillor.~~

6.3 Upon Death

6.3.1 Councillors

~~When Council has knowledge of the passing of a former Councillor, Council will, when informed and where practicable, acknowledge and recognise the service of all former Councillor who has passed of the Knox City Council in the following manner:~~

- ~~• Fly the Australian Flag at the Civic Centre at half-mast on the day of the funeral;~~
- ~~• Send a wreath/flowers on behalf of the Mayor, Councillors and staff to the funeral or alternatively, in the case of a bequest, make a donation to the organisation/charity nominated by the family of the deceased. The value of the wreath or donation must not exceed \$200.00;~~
- ~~• Place a death notice on behalf of the Mayor, Councillors and staff in the Herald Sun newspaper and local newspapers; and~~
- ~~• Pass a Condolence motion at the next Ordinary Meeting of Council to mark the passing of the former Mayor/Councillor.~~



6.3.2—Mayors and Presidents

a) ~~When Council has knowledge of the passing of a former Mayor or President (other than those referred to in 'b' below), and at the request of the former Councillor's family, Council will be presented with a report to may~~ choose one of the following commemorative options ~~for implementation:~~

- Planting of a tree and placement of a memorial plaque at either the Tim Neville Arboretum, the Knox Civic Centre or at a venue to which the former Mayor or President had some close affiliation or strong interest; or
- Placement of a rock and memorial plaque at the Knox Civic Centre or at a venue to which the former Mayor or President had some close affiliation or strong interest; or
- Erection of park furniture and memorial plaque at the Knox Civic Centre or at a venue to which the former Mayor or President had some close affiliation or strong interest.

~~The planting of a tree, placement of a rock or installation of park furniture will be enacted if the family of the deceased request that Council formally recognise the contribution of the former Mayor or President. If a request has not been received six (6) months from the date of death, Council officers will endeavor to contact the next of kin to discuss their preference in regards to honouring the contribution of the former Mayor or President in accordance with this policy.~~

~~Council may also, or alternatively, resolve to Former Mayors, Presidents and Councillors may be nominated to have a Council owned place, physical structure or feature named in their honour of a former Mayor, President or Councillor. Any such decision must comply with Council's Naming and Renaming of Council Owned Facilities policy and the Geographic Place Names Act 1998.~~

If a ~~Mayor or President~~Councillor has previously had a Council owned place, physical structure or feature or Award named in their honour, they will not be eligible to have another ~~physical structure/feature or Award~~ named in their honour. Where this occurs, a re-dedication ~~of the structure or the Award will may~~ be undertaken in conjunction with the family.

b) ~~As an automatic entitlement, Council will undertake the following where a past Mayor or President has made a long term contribution to the Knox community:~~

- ~~Name a Council owned physical structure or feature in the former Mayor or President's honour; or~~
- ~~Name a Council controlled Award (one off or perpetual) in the former Mayor or President's honour.~~

~~A long term contribution will be defined as a minimum of twenty (20) years service as a Councillor and three (3) Mayoral terms.~~

~~Where practicable, a deceased person's next of kin or appropriate relative/s will be consulted before a deceased person is recognised in accordance with section 6.3.2 of this policy.~~

~~In dedicating a physical structure/feature or Award in a former Mayor or President's honour, preference shall be given to structures/features or Awards to which the former Mayor or President had some close affiliation or strong interest. For the purpose of this policy, a road name does not constitute a physical structure/feature.~~

~~A resolution to determine the type of recognition under this clause shall be only undertaken on the basis of a majority of the whole of the Council (ie five Councillors) as for the election of the Mayor.~~



7. Administrative Updates

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

Councillor Support

Policy Number:	2003/21	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	9 April 2013 2020	Version Number:	23
Review Date:	9 April 2017		

1. Purpose

~~1. Introduction~~

~~1.1 Purpose~~

~~The purpose of this policy is to establish:~~

~~This document assists Councillors, Council staff and the community to understand the entitlements of the Mayor and Councillors by outlining:~~

- ~~• Councillors' entitlements for reimbursement of reasonable bona fide out-of-pocket expenses incurred while performing the duties of a Councillor.~~
- ~~• Councillors' entitlements to have reasonable bona fide expenses associated with performing the duties of a Councillor paid on their behalf.~~
- ~~• Councillors' entitlements to professional development support and resources.~~
- ~~• The facilities, resources and support considered necessary and or appropriate for Councillors to perform their duties in accordance with the requirements of the Local Government Act 1989 (the Act). ~~to support Councillors in the performance of their duties as a Councillor.~~~~

~~The policy also sets out the processes for ensuring that the costs of resourcing and supporting Councillors, and the value of any expenses reimbursed.~~

~~This document also sets out:~~

- ~~• The process and standards for claiming expenses.~~
- ~~• The process and standards for reporting and accountability.~~



2. Context

Part 4, Division 1 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 for the purpose of supporting them perform their duties.

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 of the Act requires Council to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors.

These guidelines describe the basic entitlements of Councillors to facilities, resources and support necessary or appropriate to the performance of their duties as a Knox Councillor.

The policy is not intended to prescribe for every possible situation that may arise. Should a situation arise that is not adequately covered by this policy, the matter will be referred to Council for determination by resolution.

Any expenses, facilities support or resources not specifically addressed in this policy will be assessed by reference to Part 4, Division 1 of the Act and any prescribed regulations.

The Policy should be read in conjunction with other relevant Council policies adopted from time to time, including but not limited to the Councillors Code of Conduct, and specific policies regarding the use, security and maintenance of Council equipment, as adopted and or amended from time to time.

3. Scope

The provision of facilities, resources and support to Councillors, and the expenses paid or reimbursed for Councillors, must be on an equitable basis for all Councillors, and must facilitate the discharge of their duties as a Councillor.

Where those duties performed are necessary or appropriate for the purposes of achieving the objectives of Council having regard to any relevant Act, Regulations, Ministerial Guidelines and Council policies, Councillors are entitled to access facilities, support and resources as described in this policy and the Local Government Act 1989.

This Policy applies to the Knox City Council Mayor and Councillors 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.



2. Background

Under the Local Government Act 1989 (the Act), Councillors are entitled to resources and facilities support, and reimbursements of expenses related to their duties as a Councillor.

The Act requires Council to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees and sets out the minimum toolkit of resources and facilities for Councillors.

This policy has been developed with reference to the Act and:

- Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources April 2008 (Recognition and Support); and 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.

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

4.3 Charter of Human Rights

- This policy is not inconsistent with the Charter of Human Rights.

4.4 Related Council Policies

- 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 “~~

~~Expenses” includes:~~

- ~~• expenses initially incurred by a Councillor for which a claim is subsequently made for reimbursement; and~~
- ~~• expenses incurred by Council for or on behalf of a Councillor.~~

~~“Special Committee” means a special committee established in accordance with section 86 of the Local Government Act 1989~~

<u>the Act</u>	<u>Means the <i>Local Government Act 1989</i> as amended.</u>
<u>Bona fide</u>	<u>Means honest; genuine; actual; authentic; acting without the intention of defrauding.</u>
<u>Civic function</u>	<u>A ceremonial or celebratory Council event (including reception or ball).</u>
<u>Council</u>	<u>Means Knox City Council, being a body corporate constituted as a municipal Council under the <i>Local Government Act 1989</i>.</u>
<u>Duties as a Councillor</u>	<p><u>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.</u></p> <p><u>Such duties include, but not are not limited to, attendance at:</u></p> <ul style="list-style-type: none"> <u>• <u>Ordinary and Special Council Meetings, Special Committee Meetings, or other committee meetings;</u></u> <u>• <u>Briefing sessions, workshops, or other meetings with Council staff;</u></u> <u>• <u>Training sessions, professional development opportunities and conferences (as an attendee and / or speaker) which:</u></u> <ul style="list-style-type: none"> <u>– <u>Are consistent with Council’s objectives;</u></u> <u>– <u>Will cover or present material with application / importance / relevance to current or future issues faced by the Council;</u></u> <u>and</u> <u>– <u>Are within the General, or Councillor’s annual budget allocations.</u></u> <u>• <u>Conferences or other meetings as Council’s nominated representative or delegate.</u></u> <u>• <u>Civic or ceremonial functions convened or scheduled by the Council, Mayor or Chief Executive Officer;</u></u> <u>• <u>Meetings with individual community members, organisations and community groups;</u></u> <u>• <u>Other meetings, inspections or events attended by a Councillor in an official capacity relevant to their duties.</u></u>



<u>Expenses</u>	<p><u>Means expenses</u></p> <ul style="list-style-type: none"> • <u>initially incurred by a Mayor or Councillor for which a claim is subsequently made for reimbursement; and</u> • <u>expenses incurred by Council for or on behalf of a Mayor or Councillor;</u>
<u>Fair and reasonable (in relation to expenses, support and resources)</u>	<p><u>Means:</u></p> <ul style="list-style-type: none"> • <u>An amount, level or type that is consistent with what a reasonable person would pay or accept, if they were not a Councillor, in the same or similar circumstances for the same or similar item.</u> • <u>An amount that represents value for money and minimises waste or extravagance</u>
<u>Material cost</u>	<ul style="list-style-type: none"> • <u>Means a cost greater than 10% of the:</u> • <u>total once-off expense incurred; or</u> • <u>monthly expense incurred.</u>
<u>Professional development</u>	<p><u>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.</u></p>
<u>Reasonable personal use</u>	<p><u>Means personal use that:</u></p> <ul style="list-style-type: none"> • <u>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.</u> • <u>does not interfere with the operation of Council.</u> • <u>does not unreasonably interfere with another councillor's use of Council's resources and facilities.</u> • <u>does not compromise the security of the Council's systems or assets.</u> • <u>does not impact on Council's electronic storage capacity.</u> • <u>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).</u> • <u>corresponds to Council's procedures for email maintenance and archiving documents.</u> • <u>is not an unacceptable use, as defined.</u>



<u>Term of office</u>	<p>In accordance with Section 68(2) of the Local Government Act 1989, <u>the term of office of a Councillor elected at a general election expires at 6.00am on the day appointed for the next general election.</u></p> <p><u>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.</u></p>
<u>Tools of trade</u>	<p><u>Includes the following items of information and communications technology equipment provided to conduct business as a Councillor:</u></p> <ul style="list-style-type: none"> • <u>Laptop and or Tablet Computer</u> • <u>Printer/Copier/Facsimile/Scanner</u> • <u>Mobile Communication Device (eg Smartphone)</u>
<u>Unacceptable use</u>	<p><u>Means use:</u></p> <ul style="list-style-type: none"> • <u>To create or exchange messages that are offensive, harassing, obscene or threatening.</u> • <u>To visit web sites containing objectionable (including pornographic) or criminal material.</u> • <u>To store publish or transmit material that is offensive, obscene, abusive, defamatory or unlawful</u> • <u>That exchanges any confidential or sensitive information contrary to law</u> • <u>That infringes intellectual property laws</u> • <u>That transmits files or viruses that cause a negative impact on Council's computer system</u> • <u>Of software that is unauthorised.</u> • <u>That is for electioneering purposes or any other purpose prohibited by law.</u>

6. Council Policy

6.1. Policy Principles

The following principles represent the foundation of Council's Policy on payment or the reimbursement of expenses 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 provisions 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 Councillors' 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.

~~4. TRAVELLING EXPENSES AND COSTS~~

- ~~4.1 Councillors are entitled to have paid by Council, or reimbursed, travelling expenses and costs within the scope of this policy for return travel within Victoria undertaken whilst discharging the duties of a Councillor. For the avoidance of doubt, this excludes travel to attend Ordinary and Special Council meetings, meetings of Council Committees, formal briefing sessions and civic or ceremonial functions convened by the Council, the Mayor or the Chief Executive Officer.~~
- ~~4.2 Subject to approval in advance by Council, or the Chief Executive Officer in consultation with the Mayor, Councillors are entitled to have paid by Council, or reimbursed, travelling expenses and costs for return travel originating within Victoria to destinations outside Victoria but within Australia undertaken whilst discharging the duties of a Councillor.~~
- ~~4.3 Subject to approval in advance by Council, Councillors are entitled to have paid by Council, or reimbursed, travelling expenses and costs for return travel originating within Victoria to destinations outside Australia undertaken whilst discharging the duties of a Councillor.~~
- ~~4.4 Expenses and costs for return travel which originates outside Victoria or Australia will only be paid by Council or reimbursed where such expenses and costs have been approved in advance by Council, or the Chief Executive Officer in consultation with the Mayor, as appropriate.~~
- ~~4.5 Private travel in conjunction with Council travel~~
- ~~4.5.1 Councillors undertaking private travel arrangements in conjunction with any travel for the purpose of their duties as a Councillor must ensure that all costs incurred for private purposes are clearly delineated and that appropriate records are maintained.~~
- ~~4.5.2 Where any private travel and associated costs are included in a package ticket or arrangement, the Councillors must meet, or reimburse Council, the private proportion.~~
- ~~4.6 Miscellaneous travel provisions~~
- ~~4.6.1 Motor Vehicle expenses paid by Council or reimbursed will be at the Australian Taxation Office rates as determined from time to time.~~
- ~~4.6.2 Travel should be undertaken by the most practicable mode and route possible taking into account factors such as duration and cost of travel.~~
- ~~4.6.3 The quantum of expenses paid by Council or reimbursed will be on the basis of the actual cost incurred and the form of transport used.~~



- 4.6.4 — Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account the alternative modes of travel available.
- 4.6.5 — Where travel is by flight the standard form of travel will be economy class.
- 4.6.6 — Council will not reimburse Councillors for any infringements incurred for traffic or parking offences.

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 meetings, meetings of Council committees, formal briefing sessions and civic and ceremonial functions.



6.1.1.6.2.2. 15. **Mayoral Vehicle**

15.1 — The Mayor shall have access to a fully maintained vehicle (including servicing, fuel and insurance).

15.2 — The make and model of the Mayoral vehicle shall be in accordance with Council policy or at the discretion of the Chief Executive Officer.

15.3 — The vehicle shall be available for use by the Mayor in the discharge of his or her duties as the Mayor and a Councillor, and for reasonable private use during the Mayoral term.

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 using their own private vehicles to carry out their duties as a Councillor 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 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 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 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 may be reimbursed for taxi costs incurred in attending to their duties as a Councillor.

Where a Councillor 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.

5. COMMUNICATION EQUIPMENT, EXPENSES AND COSTS

5.1— Definitions

"Communications Equipment" includes:

5.1.1— Where required, fixed communication equipment such as land line telephone, fax machine, ADSL or broadband internet connections and associated hardware and software.

5.1.2— Portable communication equipment such as mobile telephone, laptop computer, mobile computing device (such as iPad), wireless internet connection and associated hardware and software.

5.1.3— Councillors shall be provided with appropriate communications equipment to ensure that they can adequately and efficiently perform their role as a Councillor, which as a minimum will include:

- **A mobile phone**
- **A laptop computer**
- **Access to a fax/copier/printer**
- **An internet connection**

5.1.4— The make, model and specifications of any communications equipment, the associated contracts or plans, and the replacement of any communications equipment shall be at the discretion of the Chief Executive Officer or their delegate.



- 5.1.5 — Council will meet the reasonable purchase, installation, maintenance and service, connection, subscription, rental and usage costs for all Council provided communications equipment.
- 5.1.6 — Council will only meet the reasonable costs of one internet connection for each Councillor, except where the connection is necessary or appropriate for the purposes of achieving the objectives of Council.
- 5.1.7 — Council may reimburse the purchase, installation, maintenance and service, connection, subscription, rental and usage expenses for equivalent equipment not provided by Council.
- 5.1.8 — Councillors will only be reimbursed for such expenses (refer 5.1.7) where the purchase, installation, maintenance, service, connection, subscription, rental or usage has been approved in advance by Council.
- 5.1.9 — Subject to 5.1.8, Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account the estimated costs of using equivalent communications equipment provided by Council.
- 5.2 — Council provided communications equipment is to be used for Council related business activities however it is acknowledged that, on occasion, reasonable personal use may be made of communications equipment.
- 5.3 — A review of Councillors' communication equipment and any associated update of equipment will occur at:
- 5.3.1 — the commencement of each electoral term; and
- 5.3.2 — any stage during the electoral term where the Chief Executive Officer believes an update is appropriate.
- 5.4 — Councillors may be provided with the opportunity to purchase communication equipment at the end of their term of office in accordance with any relevant Council Policy.

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 the standards or specifications of equipment typically available to Managers and Directors within the organisation;
- 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.

~~9. ACCOMMODATION COSTS~~

~~9.1 — Councillors are entitled to have paid by Council, or reimbursed, the reasonable costs and expenses for accommodation incurred for attending conferences, seminars, training or professional development within the scope of this policy, provided:~~

~~9.1.1 — the relevant event takes place outside the Melbourne metropolitan region; or~~

~~9.1.2 — it has the prior approval of Council, or the Chief Executive Officer in consultation with the Mayor.~~

~~6.2.6.4.~~ **6. 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 6.7).

~~6.2.1. 6.1 — Councillors are entitled to have paid by Council, or reimbursed, the cost of attending conferences, seminars, training and professional development courses within the scope of this policy including:~~

~~6.2.2. 6.1.1 — registration fees;~~

~~6.2.3. 6.1.2 — accommodation costs and expenses; and~~

~~6.2.4. 6.1.3 — reasonable costs and expenses for meals and refreshments;~~



~~6.2.5. where attendance has been approved in advance by Council or the Chief Executive Officer.~~

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.

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.

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 Determinations TD 2019/11 included at Appendix 1, or subsequent determinations as circulated to Councillors from time to time.)

~~6.2 Professional development programs/courses available to all Councillors.~~

~~6.2.1 Upon the commencement of each electoral term, a purpose designed induction program will be provided to all Councillors.~~

~~6.2.2 Council will also provide access to the following professional development programs/initiatives:~~

- ~~• Meeting procedures~~
- ~~• Chairing of meetings~~
- ~~• Media training~~
- ~~• Governance Training e.g.. Australian Institute of Company Directors courses~~
- ~~• Financial training~~
- ~~• Team building and interpersonal skills~~
- ~~• MAV/VLGA Councillor Development programs~~
- ~~• Cranlana Colloquim~~

~~6.2.6. 6.3 Mayor and Councillors Annual Financial Allocation for professional development programs/courses.~~

~~6.2.7. 6.3.1 An annual financial allocation, is available for Councillors, subject to annual review as part of the Council budget approval process.~~

~~6.2.8. 6.3.2 An annual allocation of \$5,000 per Councillor is provided for the period 1 July to 30 June in any year.~~

~~6.2.9. 6.3.3 If a Councillor does not use their annual allocation, they cannot carry forward any outstanding allocation into the next financial year.~~

~~6.2.10. 6.3.4 Any Councillor wishing to spend in excess of their allocation will require Council approval in advance by Council, or the Chief Executive Officer in consultation with the Mayor.~~

~~6.2.11. 6.3.5 The individual allocations are available for use at each Councillor's discretion (subject to approval) to access reasonable professional development which can provide benefits to the individual Councillor in serving the Knox community.~~



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.

6.3-6.5. 7. — 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

~~7.1~~ Each year, and from time to time, Council resolves to appoint Councillors to represent it on a number of ~~external specific~~ organisations ~~(other than Special or Advisory Committees).~~

~~7.1.1~~ 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.



~~7.1.2~~ 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.

~~7.1.3~~ — Where Council has not appointed a Councillor representative to a particular organisation or group, and 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.

~~8. ATTENDANCE BY SPOUSE / PARTNER AT SEMINARS, CONFERENCES AND CIVIC FUNCTIONS~~

~~8.1~~ — Attendance at any seminar, conference or civic function by a Councillor's spouse / partner shall be at the expense of the Councillor except where:

~~8.1.1~~ — prior approval has been given by Council or the Chief Executive Officer in consultation with the Mayor; and

~~8.1.2~~ — attendance by a Councillor's spouse / partner is considered to be necessary or appropriate to support the business or representational needs of Council; and

~~8.1.3~~ — sufficient provision exists in the approved annual budget for conferences and seminars.

~~8.2~~ — Subject to clause 8.1, where a Councillor's spouse / partner attends a seminar, conference or civic function, Councillors are entitled to have paid by Council, or reimbursed, their spouse or partner's;

~~8.2.1~~ — registration fees; and

~~8.2.2~~ — reasonable costs for meals, accommodation and refreshments.

~~8.3~~ — Councillors are entitled to have paid by Council, or reimbursed, the reasonable costs and expenses of their spouse or partner attending:

~~8.3.1~~ — functions held by Council; or

~~8.3.2~~ — functions held by other Victorian municipalities;

~~where there is an agreed expectation of partners attending, i.e. spouse / partner of the Councillor is specified on the invitation.~~

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, 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.

12. CHILD CARE / FAMILY CARE EXPENSES

12.1 Councillors are entitled to have paid by Council, or reimbursed, the cost of childcare / family care expenses for immediate family members, necessarily incurred by Councillors whilst discharging their duties as a Councillor within the scope of this policy, subject to the following conditions:

12.1.1 The maximum hourly rate a Councillor will be reimbursed for child care / family care expenses is twenty dollars (\$20) per hour.

12.1.2 Childcare / family care costs must be substantiated by a receipt from the caregiver showing the dates and times care was provided, and the Councillor shall show why the care was needed on each occasion.

12.1.3 Child care / family care costs are not eligible to be paid by Council, or reimbursed if the caregiver is a part of the Councillor's immediate family (eg. partner, mother/father, sister/brother, grandmother/grandfather or sister-in-law/brother-in-law) or who normally or regularly lives with the Councillor.

12.1.4 For the purposes of this policy, a child shall be defined as up to, but not including 16 years of age.



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.

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 as defined in section 78 of the Act (spouse, domestic partner, son, daughter, mother, father, brother or sister of the Councillor or their spouse or partner).

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.

6.4.6.9. 13. Professional Memberships AND SUBSCRIPTIONS

13.1 Professional memberships that are considered to be reasonable bona fide out-of-pocket Councillor expenses are:

- Australian Institute of Company Directors
- The Municipal Association of Victoria
- The Victorian Local Government Association
- The Australian Local Government Women's Association

13.2 Other individual memberships, professional associations or subscriptions which are considered demonstrably beneficial to Council or the performance of the duties of a Councillor may be reimbursed subject to a resolution of Council.

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.

11. PROTECTIVE CLOTHING

11.1 The Council shall, upon request, lend Councillors protective clothing, such clothing as may be held in store, to meet the organisation's requirements required to assist in carrying out the duties of office. This clothing is to be returned promptly upon the completion of the activity/duty for which the articles were required.



~~11.2— This clothing shall be limited to wet weather pants and pullover, gumboots, winter jacket and/or hat, or other such clothing as may be held in store to meet the organisation’s requirements, unless otherwise resolved by Council for a specific item(s).~~

~~10. Stationery~~

~~10.1— Council shall, upon request, provide Councillors with standard stationery equipment and consumables held or obtained generally for the organisation’s requirements.~~

~~10.2— Stationery equipment and consumables includes, but is not necessarily limited to: paper, writing implements, diaries, writing pads, printer cartridges, envelopes and the like.~~

~~10.3— Requests for stationery should be made to the Personal Assistant to the Mayor and Councillors.~~

~~10.4— Council may reimburse an amount less than the amount claimed, where the actual expense incurred is considered unreasonable, taking into account the estimated costs to Council to purchase similar goods.~~

~~17. ADMINISTRATIVE SUPPORT FOR THE MAYOR AND COUNCILLORS~~

~~17.1— The Chief Executive officer shall provide an appropriate level of secretarial/administrative support for the Mayor and Councillors.~~

~~18. COUNCILLOR WEBSITES~~

~~18.1— Each Councillor will be provided with a page on Council’s website containing a photo, contact details, ward map, and committee and professional memberships.~~

~~18.2— Additional information may be included on the Councillors’ webpage at the request of Councillors, subject to the content being approved for publication by the Chief Executive Officer.~~

6.11. 14. 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.
- 14.1 Council business papers, personal mail and other Council information will be couriered to Councillors’ place of residence weekly or as required.

~~14.2— Designated (non-individualised) car parking will be available at the Council offices.~~

~~14.3— Each Councillor will be supplied with personalised business cards.~~

~~14.4— Each Councillor and their partner/spouse will be provided with a name badge for use while on Council business.~~

~~14.5— Where Council meetings, functions or events are held at times that extend through normal meal times, Council will provide suitable meals for Councillors.~~

~~14.6— Councillors are entitled to a security card enabling appropriate business access to Council offices and 24 hour access to the Council Chamber, Councillors Room and Mayors office (as appropriate).~~

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.

6.4.1-6.11.2. 20- Insurance Policies

20.1 Councillors 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; and
- Personal Accident (accompanying partners are also covered) Insurance; -
- Travel Insurance; and
- Work Cover (as a deemed employee).

The insurance does not cover criminal or wilful acts

20.2 The Council will pay the insurance policy excess in respect of any claim made against a Councillor 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.

16. ACCESS TO OFFICE / MEETING SPACES

~~16.1~~ A suitably equipped Mayoral office shall be provided within the Council offices.

~~16.2~~ A Councillors' Room shall be provided for exclusive use by Councillors within the Council offices, suitably equipped for computer access, office work, photocopying, reading, research, and meetings.

~~16.3~~ The space and equipment provided for the Mayoral Office and Councillors' room provided for in the clauses above shall be at the discretion of the Chief Executive Officer.



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 additionally have 24 hour security access to the Mayoral Office.

~~16.4~~ 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.

~~6.5-6.13.~~ Ward Meetings ~~19.~~ Ward Communications

~~19.1~~ An annual budget provision will be made, subject to annual review as part of the Council budget approval process, for the reasonable costs associated with conducting ward communications in accordance with Council Policy.

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.

6.6.6.14. 21. Other Expenditure Not Specified

~~21.1— Any expenditure not specified in this policy as expenditure for which a Councillor is entitled to be reimbursed or paid by Council shall be the responsibility of the Councillor, except where Council resolves that a claim is reasonable bona fide expenditure.~~

~~21.2— Subject to a resolution of Council, a Councillor may be reimbursed for expenses incurred in circumstances not provided for elsewhere in the Policy.~~

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 0 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.



6.7.6.15. ~~22-~~Mayoral and Councillors Allowances

~~22.1~~ Council shall review and set Mayoral and Councillors allowances in accordance with the Act, as part of the ~~Annual~~ Budget process.

~~22.2~~ Council will adjust ~~increase~~ the allowances in accordance with any adjustment factor Gazetted by the Minister for Local Government each year, as required under the Act.

~~22.3~~ Any personal taxation implications from the receipt of allowances are the responsibility of individual Councillors.

~~23.~~ SUBMISSION OF CLAIMS FOR REIMBURSEMENT

6.8.6.16. Claims and records

6.8.1.6.16.1. ~~23.1~~ Form of claims

All claims must be made on the form provided and be complete as to all specified detail.

Councillors may also be periodically requested 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.

~~23.1.1~~ — Claims are to be submitted on the prescribed form to the Manager Governance.

~~23.1.2~~ — Claims should be accompanied by fully accredited receipts / tax invoices for any expenses claimed.

~~23.1.3~~ — If receipts cannot be produced, Councillors may be required to provide a statutory declaration.

~~23.1.4~~ — Claims must include sufficient detail to demonstrate, in accordance with the Act, that the expense for which reimbursement is claimed is a reasonable bona fide out-of-pocket expense incurred while performing the duties of a Councillor.



~~6.8.2-6.16.2.~~ ~~23.2~~ Timeframe for submission of claims

~~23.2.1~~ Councillors are required to submit claims in a timely manner to ensure transparency and timely accountability.

~~23.2.2~~ Claims for reimbursement of expenses in the September, December and March quarters must be submitted by the close of business of the following month.

~~23.2.3~~ Claims for reimbursement of expenses in the June quarter must be submitted within 7 working days of the end of financial year.

~~23.2.4~~ Claims for reimbursement which are not in accordance with ~~clause 24.2.2 the above timeframes~~ will not be processed ~~unless excepted where~~ Council resolves to accept the claim.

~~23.2.5~~ Claims for reimbursement which are not in accordance with clause 23.2.3 will not be processed.

~~6.8.3-6.16.3.~~ ~~23.3~~ 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.~~

~~23.3.1~~ The Manager Governance will process all claims.

~~23.3.2~~ If the Manager Governance has a question about a claim, he/she will, in the first instance, discuss this matter with the relevant Councillor.

~~23.3.3~~ If required, the Manager Governance will seek guidance / intervention from the Chief Executive Officer.

~~23.3.4~~ If required, the Chief Executive officer will refer claims to a Council meeting for determination.

~~23.4~~ Councillor donations and sponsorship

~~23.4.1~~ Any 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.

~~23.4.2~~ Councillor donations and/or sponsorship not in accordance with a prior resolution of Council will not be reimbursed by Council.



6.17. Accountability

Council is committed to accountability and transparency for reimbursement of expenses and the provision of resources and facilities to Councillors.

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 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 Act, Council's annual report 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 2019/11 - Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 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



Application for Payment or Reimbursement of Carer Costs

Councillor Name:		
Date(s) claimed for:		
Councillor Duties undertaken whilst carer support is provided		
Names of person or organisation providing care		
Costs	Hours	
	Hourly Rate	\$
Declaration:	<p>I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and:</p> <p><input type="checkbox"/> Is net of any rebates or subsidies;</p> <p><input type="checkbox"/> Is not for care by a direct relative (as defined);</p> <p><input type="checkbox"/> the expenses claimed are fair, reasonable, bona fide and reasonably necessary to enable me to perform my duties as a Councillor; and</p> <p><input type="checkbox"/> I have included appropriate supporting documentation in including a receipt from the caregiver.</p>	
Signature		
Date Submitted		



Application for Payment or Reimbursement of Travel Expenses

Councillor Name:		
Description of Expenses claimed:		
Councillor Duties undertaken necessitating travel		
Value of expenses claimed	Travel	\$
	Accommodation	\$
	Attendance/ Registration	\$
	Meals/Drinks	\$
	Other Costs, specify	\$
	Total	\$
Declaration:	<p>I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and:</p> <p><input type="checkbox"/> That undertaking the duties of a Councillor was the primary and predominate purpose of travel;</p> <p><input type="checkbox"/> the expenses claimed are fair, reasonable, bona fide; and</p> <p><input type="checkbox"/> I have included appropriate supporting documentation.</p> <p>I further understand that details of this travel will be disclosed publically in accordance with Section 222 of the Local Government Act.</p>	
Signature		
Date Submitted		



Application for Payment or Reimbursement of General Expenses

Councillor Name:		
Description of Expenses claimed:		
Councillor Duties undertaken relevant to expenses incurred		
Value of expenses claimed	Type of expenses	Value
		\$
		\$
		\$
		\$
		\$
	Total	\$
Declaration:	<p>I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and:</p> <p><input type="checkbox"/> the expenses claimed are fair, reasonable, bona fide; and</p> <p><input type="checkbox"/> I have included appropriate supporting documentation.</p>	
Signature		
Date Submitted		

Councillor Support

Policy Number:	2003/21	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	30 March 2020	Version Number:	3
Review Date:	By 1 September 2020		

1. Purpose

This document assists Councillors, Council staff and the community to understand the entitlements of the Mayor and Councillors by outlining:

- Councillors' entitlements for reimbursement of reasonable bona fide out-of-pocket expenses incurred while performing the duties of a Councillor.
- Councillors' entitlements to have reasonable bona fide expenses associated with performing the duties of a Councillor 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 (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, Division 1 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 for the purpose of supporting them perform their duties.

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 of the Act requires Council to 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 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.

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

4.3 Charter of Human Rights

- This policy is not inconsistent with the Charter of Human Rights.

4.4 Related Council Policies

- Email, Internet & Web Browsing Policy
- Information Management Security Policy
- Password Policy 2018

4.5 Related Council Procedures

- Nil



5. Definitions

the Act	Means the <i>Local Government Act 1989</i> as amended.
Bona fide	Means honest; genuine; actual; authentic; acting without the intention of defrauding.
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 <i>Local Government Act 1989</i> .
Duties as a Councillor	<p>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.</p> <p>Such duties include, but not are not limited to, attendance at:</p> <ul style="list-style-type: none"> • Ordinary and Special Council Meetings, Special 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: <ul style="list-style-type: none"> – 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.
Expenses	<p>Means expenses</p> <ul style="list-style-type: none"> • initially incurred by a Mayor or Councillor for which a claim is subsequently made for reimbursement; and • expenses incurred by Council for or on behalf of a Mayor or Councillor;



Fair and reasonable (in relation to expenses, support and resources)	<p>Means:</p> <ul style="list-style-type: none"> • An amount, level or type that is consistent with what a reasonable person would pay or accept, if they were not a Councillor, 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	<ul style="list-style-type: none"> • Means a cost greater than 10% of the: • total once-off expense incurred; or • monthly expense incurred.
Professional development	<p>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.</p>
Reasonable personal use	<p>Means personal use that:</p> <ul style="list-style-type: none"> • 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	<p>In accordance with Section 68(2) of the Local Government Act 1989, the term of office of a Councillor elected at a general election expires at 6.00am on the day appointed for the next general election.</p> <p>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.</p>



Tools of trade	Includes the following items of information and communications technology equipment provided to conduct business as a Councillor: <ul style="list-style-type: none"> • Laptop and or Tablet Computer • Printer/Copier/Facsimile/Scanner • Mobile Communication Device (eg Smartphone)
Unacceptable use	Means use: <ul style="list-style-type: none"> • 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 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 provisions 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 Councillors' 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 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 using their own private vehicles to carry out their duties as a Councillor 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 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 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 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 may be reimbursed for taxi costs incurred in attending to their duties as a Councillor.

Where a Councillor 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 the standards or specifications of equipment typically available to Managers and Directors within the organisation;
- 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).

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.

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.

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 Determinations TD 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, 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.

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 as defined in section 78 of the Act (spouse, domestic partner, son, daughter, mother, father, brother or sister of the Councillor or their spouse or partner).

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 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 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. Claims and records

6.16.1. Form of claims

All claims must be made on the form provided and be complete as to all specified detail.

Councillors may also be periodically requested 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. Timeframe for submission of claims

Councillors 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. 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. Accountability

Council is committed to accountability and transparency for reimbursement of expenses and the provision of resources and facilities to Councillors.

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 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 Act, Council's annual report 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 2019/11 - Income tax: what are the reasonable travel and overtime meal allowance expense amounts for the 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



Application for Payment or Reimbursement of Carer Costs

Councillor Name:		
Date(s) claimed for:		
Councillor Duties undertaken whilst carer support is provided		
Names of person or organisation providing care		
Costs	Hours	
	Hourly Rate	\$
Declaration:	<p>I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and:</p> <p><input type="checkbox"/> Is net of any rebates or subsidies;</p> <p><input type="checkbox"/> Is not for care by a direct relative (as defined);</p> <p><input type="checkbox"/> the expenses claimed are fair, reasonable, bona fide and reasonably necessary to enable me to perform my duties as a Councillor; and</p> <p><input type="checkbox"/> I have included appropriate supporting documentation in including a receipt from the caregiver.</p>	
Signature		
Date Submitted		



Application for Payment or Reimbursement of Travel Expenses

Councillor Name:		
Description of Expenses claimed:		
Councillor Duties undertaken necessitating travel		
Value of expenses claimed	Travel	\$
	Accommodation	\$
	Attendance/ Registration	\$
	Meals/Drinks	\$
	Other Costs, specify	\$
	Total	\$
Declaration:	<p>I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and:</p> <p><input type="checkbox"/> That undertaking the duties of a Councillor was the primary and predominate purpose of travel;</p> <p><input type="checkbox"/> the expenses claimed are fair, reasonable, bona fide; and</p> <p><input type="checkbox"/> I have included appropriate supporting documentation.</p> <p>I further understand that details of this travel will be disclosed publically in accordance with Section 222 of the Local Government Act.</p>	
Signature		
Date Submitted		



Application for Payment or Reimbursement of General Expenses

Councillor Name:		
Description of Expenses claimed:		
Councillor Duties undertaken relevant to expenses incurred		
Value of expenses claimed	Type of expenses	Value
		\$
		\$
		\$
		\$
		\$
	Total	\$
Declaration:	<p>I declare that the above claim is submitted in accordance with the requirements of the Councillor Support Policy and Procedure and:</p> <p><input type="checkbox"/> the expenses claimed are fair, reasonable, bona fide; and</p> <p><input type="checkbox"/> I have included appropriate supporting documentation.</p>	
Signature		
Date Submitted		

KNOX POLICY



COUNCILLOR MOBILE DEVICE POLICY

Policy Number:	2013/06	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Manager Governance
Approval Date:	9 April 2013	Version Number:	1
Review Date:	9 April 2016		

1. PURPOSE

The purpose of this policy is to provide guidance for Councillors using Council provided mobile telephony and mobile computing equipment.

The purpose of this policy is to ensure:

- The provision of appropriate, reliable and stable mobile device services;
- The integrity and validity of data;
- The protection of Council's mobile assets including data, software and hardware.

2. CONTEXT

Council recognises that many day-to-day Councillor tasks can be enhanced by the use of mobile devices. Remote communications and computing can provide efficiencies and productivity benefits by offering contact, functionality and applications in the field. Council has obligations under a number of Acts, policies and guidelines in relation to the security and confidentiality of Council's corporate data. This includes the role of Councillors.

Council recognises the value of mobile devices as essential to workplace productivity and the provision of information and services to the community by Councillors.

3. SCOPE

This policy applies to Councillors using a Council provided mobile device.

4. REFERENCES

4.1 Council Plan

- Effective Governance

4.2 Relevant Legislation

- Copyright Act 1968
- Electronic Transaction Act 2001
- Freedom of Information Act 1982
- Information Privacy Act 2000
- Local Government Act 1989
- Public Records Act 1973
- Spam Act 2003

4.3 Charter of Human Rights

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

4.4 Related Council Policies

- Councillor Code of Conduct
- Councillor Media Policy
- Email, Internet and Web Browsing Policy
- Information Management Security Policy

4.5 Related Council Procedures

- Nil

5. DEFINITIONS

In this policy:

“Council”	means Knox City Council.
“Councillor”	any person who holds the office of a member of the Knox City Council.
“Jailbreaking”	is the process of removing the limitations imposed by Apple on devices running the iOS operating system through the use of hardware/software exploits. Jailbreaking allows users to gain access to the operating system, allowing them to download additional applications, extensions, and themes that are unavailable through the official Apple App Store.
“Mobile Device”	includes, but is not limited to, Council provided cellular phones, smartphones, personal digital assistants (PDA), Pocket PCs, Laptop / Notebook / Netbooks PCs, tablet computers. excludes in-car navigation systems.

“Reasonable private use” includes costs incurred in communicating with household members, family and friends which Councillors could not for practical or convenience reasons make via a private line. Reasonable private use would not include costs incurred in relation to private commercial activities.

6. COUNCIL POLICY

It is Council policy that:

- Council provided mobile devices are to be used primarily for business purposes as part of a Councillor’s duties. Reasonable private use is permissible.
- Councillors issued with a mobile device are responsible for the security of that device and prevention of unauthorised access at all times.
- Councillors must not load pirated, suspect or illegal software or content onto any Council provided devices.
- Council reserves the right to delete any inappropriate information from a mobile device if authorised by the Chief Executive Officer.
- Council has the right to audit a mobile device, including applications and information, to ensure compliance with the law and relevant Council policies.

6.1 *User Responsibility*

- 6.1.1 Councillors have a responsibility when operating a Council provided mobile device to conduct business and personal usage in a proper and secure manner.
- 6.1.2 Councillors should take all reasonable steps to ensure that Council provided mobile devices are not used in breach of this policy by third parties.
- 6.1.3 Use of and access to Council’s systems and data is to be undertaken in accordance with Council’s Information Management Security Policy and Council’s Email, Internet and Web Browsing Policy.

6.2 *Telephony*

- 6.2.1 Mobile devices are provided for Councillor-related purposes and all call costs are charged to Council. Personal calls must be limited to reasonable private use only.
- 6.2.2 All call service costs are monitored on a periodic basis by the Chief Executive Officer. Any irregularities will be brought to the attention of the relevant Councillor and the Mayor.

- 6.2.3 Carrier services, such as international roaming and enhanced messaging (MMS), will be provided by Council following approval by the Chief Executive Officer. A Councillor requesting this functionality will be briefed on the expected usage and cost implications prior to approval being granted.

6.3 Mobile Browsing

- 6.3.1 Where mobile devices support mobile browsing of the internet, Council's Email, Internet and Web Browsing Policy and Councillor Media Policy apply. Reasonable private use is permissible.
- 6.3.2 All data costs are monitored on a periodic basis by the Chief Executive Officer. Any irregularities will be brought to the attention of the relevant Councillor and the Mayor.
- 6.3.3 Wireless Wi-Fi access is available within the Council network for selected devices and functionality at selected locations. Accessing private or public Wi-Fi networks will be permitted for smartphones and tablet devices, provided all other policy clauses are complied with.
- 6.3.4 For security reasons, notebook computers are not permitted to connect to any public Wi-Fi network.

6.4 Mobile Applications (Apps)

- 6.4.1 The installation of personal Mobile Applications ('Apps') on mobile devices (excluding notebook computers) is permitted.
- 6.4.2 Apps may be supplied by Council and will take precedence for space over any personal Apps that may be installed.
- 6.4.3 Council reserves the right to apply controls and filters to restrict the installation or operation of nominated applications or device features.
- 6.4.4 Any Apps installed must not be used for unethical or illegal activity and must comply with Council's Information Management Security Policy.
- 6.4.5 Account, user ID and credit card information relating to the Apple App Store or App Market purchases are the responsibility of the individual Councillor. Security of this data is also wholly the responsibility of the Councillor.
- 6.4.6 iTunes or Apps software is not to be loaded on any Council personal computers (PCs) or Notebook computers.

6.5 Security

- 6.5.1 Council reserves the right to install and manage security and management software on any mobile device that accesses the Knox network and/or corporate data.
- 6.5.2 Councillors are to keep all mobile devices safe and secure, and should not leave devices unattended in cars or public places.
- 6.5.3 Cloud-based services must not be used for backup/storage of Council data.

- 6.5.4 Mobile devices must not be 'Jailbroken' or the operating system modified in a way that will impact security of the device.
- 6.5.5 Where necessary, Council reserves the right to manage the functions available on devices to ensure appropriate and secure use.

6.6 Acceptable Use

- 6.6.1 Council's Information Technology services, equipment and information must not be used for illegal, obscene, or other inappropriate activities, or in support of such activities.
- 6.6.2 Examples of such activities include, but are not limited to:
 - 6.6.2.1 Unauthorised use of software;
 - 6.6.2.2 Transmission in any way of files or viruses that cause a negative impact on Council's computer systems or those of other parties in particular inappropriate E-mail attachments, video files, audio files, executable files, graphics files;
 - 6.6.2.3 Infringement of intellectual property (eg. copyright and trademark infringement);
 - 6.6.2.4 Accessing another's electronic data or computer without permission, providing access to unauthorised persons (including minors) or impersonation;
 - 6.6.2.5 Disclosing private or confidential information including passwords or other information that may compromise the security of Council's computer systems or the organisation;
 - 6.6.2.6 Storing, publishing or transmitting material that is offensive, obscene, abusive, defamatory or unlawful (eg. material that may contravene anti-discrimination legislation or constitute sexual harassment such as racist, sexist or ageist jokes, or jokes or material of a sexual nature);
 - 6.6.2.7 Use Council computer systems and facilities to conduct personal business;
 - 6.6.2.8 General solicitation (eg. Sale of goods or services) or the distribution of electronic chain letters;
 - 6.6.2.9 Any use that is contrary to Council's policies.

6.7 Handling with Care, Damage, Loss or Theft

- 6.7.1 Any damage sustained to a mobile device will be repaired at Council's expense. Mobile device covers are highly recommended and will be supplied by Council.
- 6.7.2 Where a mobile device is damaged, lost or stolen a Councillor must:
 - 6.7.2.1 report the damage, loss or theft to the Manager Information Management as soon as practicable; and
 - 6.7.2.2 where requested, provide a Statutory Declaration including the details of the mobile device and the circumstances of the damage, loss or theft.
- 6.7.3 Council will undertake a remote wipe on any lost or stolen device.

6.8 Support

- 6.8.1 Councillors may be required to temporarily return a mobile device to Council when required for system and application maintenance.
- 6.8.2 Council will provide, install and support only approved mobile devices and related approved peripherals (including vehicle hands-free kits) and software.
- 6.8.3 Support will be via the Information Management Helpdesk in the first instance and limited to the hours of 8:00am – 5:30pm every working day.
- 6.8.4 Council will not provide, support or be responsible for the following;
 - 6.8.4.1 Business applications other than standard offerings,
 - 6.8.4.2 Personal applications,
 - 6.8.4.3 Peripherals not approved by Council.

6.9 Device Replacement

- 6.9.1 Mobile devices have a limited useful life. All device upgrades and changeovers will be subject to approval by the Chief Executive Officer.
- 6.9.2 Phone numbers assigned to Councillors are not transferable and remain the property of Council.

6.10 Privacy and Confidentiality

- 6.10.1 Use of mobile devices must be in accordance with the Knox Privacy Policy
- 6.10.2 The Chief Executive Officer reserves the right, within the terms of the Privacy Policy, to access, review, monitor and disclose information to:
 - 6.10.2.1 Ensure the mobile devices are used in accordance with this Policy,
 - 6.10.2.2 Ensure the protection of Council's information assets, and
 - 6.10.2.3 Identify any breaches of this Council Policy.
- 6.10.3 Councillors must be aware of the need to keep records and information from inappropriate disclosure and that Council has a duty of care to ensure the safe keeping of all information under its control.
- 6.10.4 Councillors must comply with all legislation when dealing with information including the Information Privacy Act 2000, Freedom of Information Act 1982 and the Public Records Act 1973.

KNOX POLICY



COUNCILLOR EQUIPMENT POLICY

Policy Number:	2005/19	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Manager - Governance
Approval Date:	25 March 2014	Version Number:	4
Review Date:	24 March 2018		

1. PURPOSE

To provide a consistent and standard approach to the provision and purchase of Council owned tool of trade equipment by Councillors.

2. CONTEXT

Councillors are offered a selection of tools of trade in the way of equipment to assist them to conduct their business as a Councillor.

At the conclusion of their term of office, Councillors are provided with an opportunity to purchase the Council owned tools of trade provided to them to conduct their business as a Councillor.

The decision to offer equipment for sale to Councillors is based on the following principles:

- Council acknowledges in its Information Systems Strategy that the useful life of a computer is three to four years, and has established an appropriate replacement cycle to address the technological 'aging' issue.
- The market for mobile communication equipment is extremely competitive. Units are quickly superseded and opportunities are limited for trade in and resale. Four years of age is regarded as the useful life of most current mobile communication devices.
- A printer/fax/scanner of the type provided to Councillors would normally have a useful life beyond four years in a home office environment, however, it is Council's practice that the units provided to Councillors be replaced in line with the four year election cycle. This enables Councillors to meet their business needs and to ensure they have access to the same equipment.

Based on the principles outlined above, a policy has been developed to allow for the sale of equipment that has been used by Councillors, to the respective Councillors where the equipment is redundant or additional to Council's needs.

3. SCOPE

This policy will apply to Councillors and recently retired Councillors.

4. REFERENCES

4.1 *Council Plan*

- Good Governance

4.2 *Relevant Legislation*

- Local Government Act 1989

4.3 *Charter of Human Rights*

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

4.4 *Related Council Policies*

- Nil

4.5 *Related Council Procedures*

- Nil

5. DEFINITIONS

Term of Office In accordance with Section 68(2) of the Local Government Act 1989, the term of office of a Councillor elected at a general election 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 The following equipment provided to conduct business as a Councillor:

- Laptop Computer
- Printer/Copier/Facsimile/Scanner
- Mobile Communication Device
- Tablet Computer

6. COUNCIL POLICY

It is Council policy that:

6.1 Councillors will be offered a selection of the following tools of trade upon election to Council to conduct their business as a Councillor:

- Laptop Computer
- Printer/Copier/Facsimile/Scanner
- Mobile Communication Device
- Tablet Computer

6.2 Subject to sections 6.2.1, 6.2.2 and 6.2.3 of this policy, at the end of each full term of office, Councillors will have the option to purchase office equipment provided and used by them as tools of trade that is redundant or additional to Council's needs, at fair market value. The market value will

be determined by the Director – Corporate Development having regard to contemporary market rates for the sale or trade-in value of such equipment. A justification for how the nominal value(s) was arrived at will be maintained by the Director – Corporate Development.

- 6.2.1 In the event that a Councillor is returned to office following a general election, mobile telephones will be retained by the returning Councillor and replaced if and when required.
- 6.2.2 Equipment that remains relevant and useful to Council's needs will not be made available for sale to Councillors. As a guide, equipment would only be available for sale that has been utilised by a Councillor over the full term. Equipment that is replaced or turned over after a lesser period of time would normally be relevant and useful for alternate Council programs or activities.
- 6.2.3 For the purposes of clarity, any Council-owned computer that is offered for sale to a Councillor will not include proprietary software, other than the computer's operating system.
- 6.2.4 Councillors must decide within 7 days of the end of their term of office whether they wish to purchase any of the equipment provided to them as tools of trade.
- 6.2.5 Prior to a general election of Council, a letter will be issued to each Councillor not less than 5 days prior to the election date by the Chief Executive Officer outlining the indicative nominal value of all Council issued equipment in their possession that has been deemed to be redundant and to be offered for sale to the Councillor.
- 6.2.6 Upon receipt of notification that a Councillor has resigned, a letter will be issued to that Councillor by the Chief Executive Officer not less than 5 days after receipt of the letter of resignation by the Councillor outlining the indicative nominal value of all Council issued equipment in their possession that has been deemed to be redundant and to be offered for sale to the Councillor.
- 6.2.7 In the event that a Councillor elects to purchase some or all of the equipment offered for sale, they must complete the relevant paperwork and return it to the Councillors Support Officer within 7 days of the end of their term of office for processing. A tax invoice will be raised and issued to the Councillor in the amount of the purchase price for the equipment including GST.
- 6.2.8 Any equipment not purchased by a Councillor must be returned by the Councillor to the Councillors Support Officer within 7 days of the end of their term of office.
- 6.2.9 All computers, including equipment to be purchased, must be returned to Council to enable corporate software and personal information to be removed. Personal information will be backed up and provided to Councillors in a mutually agreed format.



KNOX POLICY – APPENDIX F

WARD COMMUNICATIONS

Policy Number:	2005/03	Directorate:	Corporate Development
Approval by:	Council	Responsible Officers:	Manager Governance, Manager Corporate Communications
Approval Date:	9 April 2013	Version Number:	4
Review Date:	9 April 2017		

1. PURPOSE

The purpose of this policy is to provide each Councillor with an opportunity to engage with ward constituents through a range of mechanisms, thus providing a customised approach to ward communication for individual Councillors.

2. CONTEXT

Currently there are a number of mechanisms that provide Councillors with an opportunity to engage with the community. This policy relates specifically to the use of Ward Newsletters and Ward Meetings as communications methods.

3. SCOPE

This policy applies to all Councillors and should be read in conjunction with the Civic and Mayoral Receptions Policy.

4. REFERENCES

4.1 Council Plan

- Community Wellbeing
- Partnering & Engaging
- Effective Governance

4.2 Relevant Legislation

- Local Government Act 1989

4.3 Charter of Human Rights

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

4.4 Related Council Policies

- Election Period Policy
- Councillor Code of Conduct
- Councillor Media Policy

4.5 Related Council Procedures

- Councillor Media Procedure

5. DEFINITIONS

In this Policy:

Council	means Knox City Council, whether constituted before or after the commencement of this Policy.
Chief Executive Officer	means the person appointed pursuant to section 94 of the Local Government Act by Knox City Council to be its Chief Executive Officer or any person acting in that position.
Election Period	means the period commencing on the last day on which nominations for that election can be received (12 noon on the 32 nd day before Election Day) and ending at 6pm on Election Day.
Election Day	means in the case of an election, the day of an election determined under section 31 or 38 of the Local Government Act 1989.

6. COUNCIL POLICY

6.1 It is Council policy that each Ward Councillor annually (January – December) conduct formal ward communication with residents in the following manner:

- Two Ward Newsletters per annum - one to be distributed in Autumn and the other in Spring; and
- One Ward Meeting

Where a Councillor elects not to exercise their option in accordance with 6.1(b) above in any given year, the Councillor may request that a sum equivalent to the average cost of conducting ward communications in accordance with 6.1(b) above, be referred to their respective ward contingency fund for allocation in accordance with the Ward Contingency Fund Policy. The average cost will be calculated annually based on the actual costs of conducting ward communications referred to in 6.1(b) in the previous financial year.

6.2 Ward Newsletters

Ward Newsletters provide a mechanism for Council to communicate with residents on a Ward basis, and to communicate relevant City wide issues at a Ward level via a newsletter.

6.2.1 Form

The Ward Newsletter will take the following form:

- Full colour document, equivalent size of an A3 double-sided (folded) document
- Designed in house using a standard template
- Printed externally
- Delivered by a distribution company as a letter box drop
- Newsletters will be delivered in a single distribution to all participating Wards by an external distribution company

6.2.2 Responsibilities

- The Communications Department will contact Ward Councillors with initial suggestions for ward-specific story ideas. Councillors will also be urged to suggest story ideas and topics they would like included in the Ward newsletter. The Communications team will also identify relevant municipal-wide stories for the 'generic' ward newsletter pages.
- The Communications Department will research the issues and compile the newsletter in accordance with Council's corporate Style Guide. The newsletter will publicise City-wide and Ward news.
- The following guidelines must be adhered to when preparing content:
 - Information must be factual and in no way deemed political
 - Content must avoid any perception that the Ward Newsletter is a use of Council's resources that is aimed at providing personal advantage or gain
 - Content must be relevant and newsworthy, and aimed at promoting the interests of Council
 - City-wide content will be generically written for use in all newsletters being distributed simultaneously
- The Chief Executive Officer (or delegate) will have final editorial authority over the newsletter to ensure that no subject matter is deemed to be electoral matter, etc.
- Councillors, in identifying Ward-based issues, must be mindful of the Rules of Conduct under Section 76B of the Local Government Act and the Councillor Code of Conduct as they relate to improper use of position and personal promotion.

6.2.3 Timeframes

- A draft designed newsletter will be sent to Councillors within two months of story confirmation and the completion of associated photo opportunities.
- Newsletters will be released in Autumn and Spring each year, unless planned distribution conflicts with the moratorium period of a municipal election. In these instances, the Communications Department will nominate an appropriate alternative ward newsletter distribution schedule.
- The Ward Councillor, to the best of his/her ability, will make himself/herself available for photo opportunities and article approvals.
- The final deadline for article and photo revisions by Councillors will be two weeks prior to the agreed printing date.
- The Communications Department will arrange printing of the newsletter no later than two weeks after approval in writing by the Ward Councillor.
- The Communications Department will arrange distribution of the newsletter within the Ward.

6.3 Ward Meetings

Ward Meetings enable each Councillor to provide their local community with an update of issues in their Ward and to receive feedback and information from constituents within their Ward.

6.3.1 Meeting Form

- The Ward Meeting is to be conducted as an informal feedback session for the benefit of Councillors, and it is not intended that detailed information be provided by staff on the progress of projects or upcoming projects. This information can be provided via other mechanisms in conjunction with Council's Marketing & Communications Plan.

6.3.2 Meeting Venue

- The venue for the meeting will be conveniently located within the Ward and accessible by all constituents.
- Where possible, the meeting furniture will be arranged to promote an informal atmosphere.
- Tea, coffee and biscuits will be available at the venue where the Ward Meeting is held.

6.3.3 Meeting Notification, Advertising and Support by Council Officers

- A minimum of six weeks prior notification to the Personal Assistant to the Mayor and Councillors is required in order to set in place the required arrangements.

The Mayor and Councillors Office shall:

- Provide public notification of meetings by placing one advertisement in both the Knox Leader and Knox Journal. The maximum standard for advertisements in the newspaper is as follows:
 - Advertisement to be approximately 15cm x 12cm and placed prominently within the first 13 pages of the newspaper.
- Place reminders in 'Knox Horizons' in the lead up to the Ward Meeting.
- Supply a generic flyer designed in-house for distribution to residents in each Ward.
- Be responsible for keeping a record of issues arising from the Ward Meeting that require any follow up. Any issues arising from the meeting will be registered with the Customer Response System and forwarded to the relevant officer for action.
- At least one Council Officer will be present at each Ward Meeting to provide administrative assistance.
- A Councillor (through the Mayor and Councillors Office) may request the attendance of a specific Council Officer to discuss an item. The Chief Executive Officer will be responsible for determining the attendance of Council officers at Ward Meetings.

The Mayor and Councillors Office shall:

- Manage appointments for the meeting
- Determine (where possible) the issue(s) to be discussed with the booking constituent
- Investigate where possible, the current status of the issue and advise the relevant Ward Councillor prior to the meeting.
- Prepare an action sheet for the Councillor to complete during discussions with the constituent.

6.4 Costs

Costs associated with each option as outlined above will be met by Council from the Councillors budget program.

6.5 Embargo

No Ward Communication option can be exercised in an election period as defined by the Local Government Act 1989.

6.7 December 2019 Call Up Item - Snap Send Solve

SUMMARY: Manager Governance, Phil McQue

Council resolved in December 2019 to receive a report at a March 2020 Issues Briefing on the processes, protocols and best practice procedures for the management of Snap Send Solve, an online application that allows residents to notify Council of any issues that need addressing.

There has been considerable research and work undertaken in responding to this Call Up Item. However, given the complexity of work involved and the limited availability of time on Issues Briefings agendas, it is recommended that Council agree to this matter now being presented to an Issues Briefing no later than May 2020.

RECOMMENDATION

That Council resolve to receive a report on the processes, protocols and best practice procedures for the management of Snap Send Solve at an Issues Briefing no later than May 2020.

1. INTRODUCTION

Council received a Call Up Item in December 2019 where it resolved:

1. *That Councillors receive a report on the current processes and protocols for Snap Send Solve by March 2020 to an Issues Briefing.*
2. *That the above report:*
 - a) *Identify how the current processes and protocols compare with general customer service requests and include an implementation plan of how gaps in process are intended to be closed.*
 - b) *Include information regarding best practice handling of such requests by neighbouring municipalities.*

2. DISCUSSION

There has been considerable work undertaken to date in responding to this Call Up Item, however further work is still required due to the complexity of the processes and procedures involved in managing Snap Send Solve's integration into Council's service request model.

There is also limited availability on Issues Briefing agendas to include this matter, and to ensure a comprehensive and effective response is presented to Councillors for consideration, it is recommended that Council agree to this matter being deferred to an Issue Briefing no later than May 2020.

3. CONSULTATION

There has and will be further consultation with various Departments and other local governments in relation to potential best practice procedures for the management of Snap Send Solve.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Nil.

6. SOCIAL IMPLICATIONS

Snap Send Solve is a free online application that enables residents to quickly notify Council of any issues that need addressing in our community. It eliminates the complexity of knowing where and how to report incidents on the spot by enabling users to capture and send photos of issues that need attention, making it more efficient for residents and Council to liaise and act on matters.

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, 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 agree to a report on Snap Send Solve now being presented to an Issues Briefing no later than May 2020.

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, 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 Waste services - Extension of Bin Based Waste Collection Contract

SUMMARY: Coordinator - Waste Management, Misty Johannsen

Council's Bin Based Waste Collection Service Contract 1979, which sees JJ Richards and Sons Pty Ltd (JJ Richards) collecting Landfill, Recycling and Green waste bins within the municipality is scheduled to expire on the 30 June 2021, noting that there are 3 X 1 year extension options available. The incumbent contractor are performing to a good standard with their service and provide value for money to the community. With an evolving and changing sector, and a new Victorian Government Policy, having an established contractor in place for the next three years will enable Council to plan out its future services, and adapt to these emerging opportunities if required.

RECOMMENDATION

That Council:

- **Resolve to extend Contract 1979 Bin Based Waste Collection services for 3 years, from 1/7/2021 until 30/6/24;**
- **Authorise the CEO to undertake negotiations and execute any documents to give effect to the above.**

1. INTRODUCTION

Contract 1979 Bin based Waste Collection Service was awarded to JJ Richards and Sons Pty Ltd (JJ Richards) on 17 December 2013, and commenced on 1 July 2014. The initial contract term will expire on 30 June 2021, with another 3 X 1 year options available.

JJ Richards provide the residential landfill, recycling and green waste (also known as garden waste) bin based collection services throughout the municipality, in addition to a number of commercial services.

2. DISCUSSION

2.1 Service provided

Overall the service provided by JJ Richards to the community of Knox has been delivered to a high standard and the relationship between Council officers and the Contractor is strong. The contractor aims for high standards and are receptive to feedback. JJ Richards have good quality management systems and OHS systems are integrated within all parts of their business. The technology within their vehicles is good, and allows them to stay market leaders in the field.

All Councils submit data annually through the Local Government Performance Framework reporting, and this provides feedback to the community, and the ability to compare to other Councils through the Know your Council website. The Attachment "Know your Council" data

shows that Knox waste services perform well, when benchmarked against other Councils for service and cost.

There have been a number of challenges experienced in providing the service. A review of the current contracted service yielded the following findings:

- Recruiting, training and maintaining high quality Waste collection operatives (drivers) is an ongoing challenge, with other industry sectors constantly seeking to attract well trained drivers away from kerbside services. New drivers take a period of time to adjust to their understanding of their routes.
- In response, JJ Richards have had to look at new and innovative ways of recruiting and adequately training staff who are inexperienced in driving heavy vehicles. It is estimated that training and skills development can take up to six months and considerable investment. On a positive note, this situation has resulted in an increase in the number of women employed in driver roles across the organisation.
- As development continues across Knox, our waste collection contracts continue to increase its servicing of Multi unit developments (MUDs) and associated service models (walk in and out services, communal bins etc.). This requires a higher level of oversight to ensure consistent services are experienced by all customers.
- The GPS tracking provided by JJ Richards and its overall service system continues to be of value to Council, and there are emerging benefits of full system integration which can see more benefits in the future.
- JJ Richards are flexible, and agile in being able to adapt to new service options that may arise. They are experienced within other contracts in delivering on new service models, and as a national company, can draw upon the experience and expertise that may be required.

2.2 Strategic and Policy context

The Waste and Recycling sector has undergone significant change and adaption in recent times. A number of Government reviews have occurred related to Waste and Recycling, at both State and Federal levels. An outcome of this is the release of the Victorian Governments policy *Recycling Victoria: a new economy*, in March 2020, containing new regulations and service expectations to transform the sector further over the next 10 years. Whilst much of the detail is yet to be known, it is likely they will result in key requirements imposed on Councils, the Community and Industry.

Some of these announcements are:

- A container deposit scheme for Victoria in 2022/23
- The requirement for Councils to offer a separate glass collection by 2027
- The requirement for Councils to offer a food and garden waste service by 2030
- Standardisation of bin lid colours to the Australian Standard
- -Waste to become an essential service with the establishment of a Waste Authority.

Council officers are currently working with Department Environment, Land, Water, and Planning (DELWP), the Metropolitan Waste and Resource Recovery Group (MWRRG), Municipal Association of Victoria (MAV) and other Councils to understand these requirements more fully, including timing, available service models, required regional procurement and industry collaboration and levels of government support. With the considerable lead time of these new service options and requirement to build infrastructure and markets to support collections, it is expected that transition planning will take some time and involve community input and consultation. This will

also interlink with the review of Councils Waste Management Plan 2014-2021. This plan will need to be updated once the detail of National and State direction is fully known, and the implications of this can be understood.

Given the changing landscape and new emerging policy settings, there are certainly advantages for Council to extend, rather than re-tender its waste collection services contract at this time. JJ Richards are currently delivering a good service and are committed to continuous improvement practises. They know the service, municipality, and community and have a long standing constructive working relationship with officers. Should Council choose to extend the contract, Council will be better positioned to consider alternate service options for the future and implement them if required without significant disruption to existing services.

This report therefore recommends to extend the contract with JJ Richards for 3 years to provide certainty to the contractor and position them to maintain community driven service continuity within a changing policy environment.

3. CONSULTATION

In the Local Government Community Satisfaction Survey, Knox City Councils Waste Management services were one of Councils highest performers, with a score of 74 in 2019, which is higher than the metropolitan average, and average score for similar Councils.

4. ENVIRONMENTAL / AMENITY ISSUES

Good waste services are imperative to good amenity. JJ Richards have provided consistent services, and been agile and adaptable through the recent Recycling Sector challenges.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Service costs for this contract are dependent on annual demand through new bin take-up, and CPI related increases embedded within Contract 1979. Should the proposed extension to the contract be supported, Council's anticipated expenditure is in line with previous Long Term Financial Forecast estimates presented to Council, based on an assumption of no major service changes. Should the contract extension be supported, it is estimated that the expenditure for waste collection across the 3 bin collection services for the year 2021-22 (Year 1 of the extended contract) would be \$6.9 M (exc GST). As waste policy at a State level becomes more clear, individual service considerations and their financial implications will continue to be presented to Council for consideration.

6. SOCIAL IMPLICATIONS

The waste services provided by JJ Richards through this contract are an important one, taken up by most residential properties, and some businesses. The service is very important to people and interfaces with them on a weekly basis. It helps maintain good health and amenity within our community and municipality.

There are extra measures within this contract to provide equal access to service for members of the community with mobility issues.

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 2 - We have housing to meet our changing needs

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

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

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 - Waste Management, Misty Johannsen - 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. Director, Engineering and Infrastructure, Ian Bell

9. CONCLUSION

Provision of the Bin Based Waste Collection services is a critical Council service for the community. The service provided by JJ Richards and Sons Pty Ltd has been to a good standard and their established understanding of the service and community will assist Council in adapting to new Victorian Government Policy settings if, and when required. It is recommended that Council approve a 3 year extension to its Bin Based Waste Collection Service contract 1979 with JJ Richards, from 1 July 2021 to 30 June 2024.

10. CONFIDENTIALITY

Not applicable

Report Prepared By: Acting Manager, Sustainable Infrastructure, Misty Johannsen

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

Attachments

1. Waste - Know your Council report - 2017-18 data [**8.1.1** - 7 pages]

Knox City



Waste Collection

Provision of kerbside waste collection service to the community including garbage and recyclables

Kerbside bin collection requests per 1,000 households

Number of kerbside bin collection requests received by council per 1,000 kerbside bin collection households

**KNOX CITY
(2017-2018)**

76.56

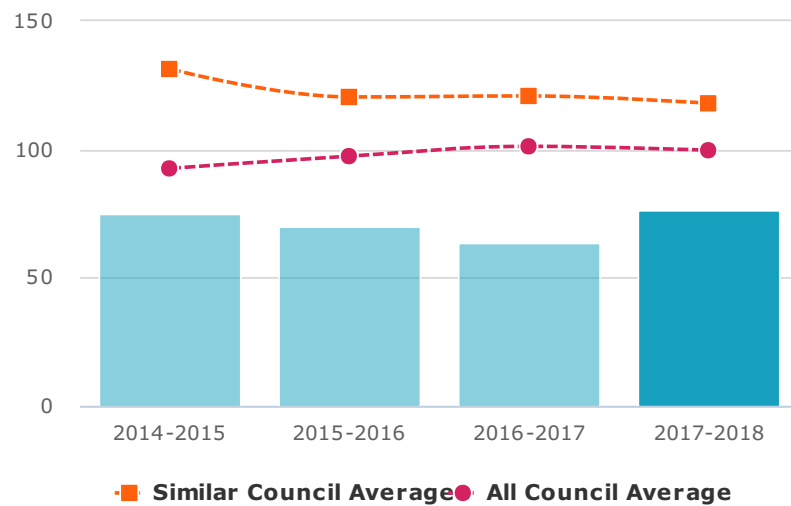
**SIMILAR COUNCILS
(2017-2018)**

117.96

**ALL COUNCILS
(2017-2018)**

99.66

Performance Trend



Knox City Council Says...

Council has experienced a 14% increase in the last twelve months in bin requests. This has mainly been to report bins requiring repair or replacement which may be linked to the age of the bins with most being in use between 10 and 20 years.

Kerbside collection bins missed per 10,000 households

Number of kerbside collection bins missed per 10,000 scheduled kerbside collection bin lifts

**KNOX CITY
(2017-2018)**

3.68

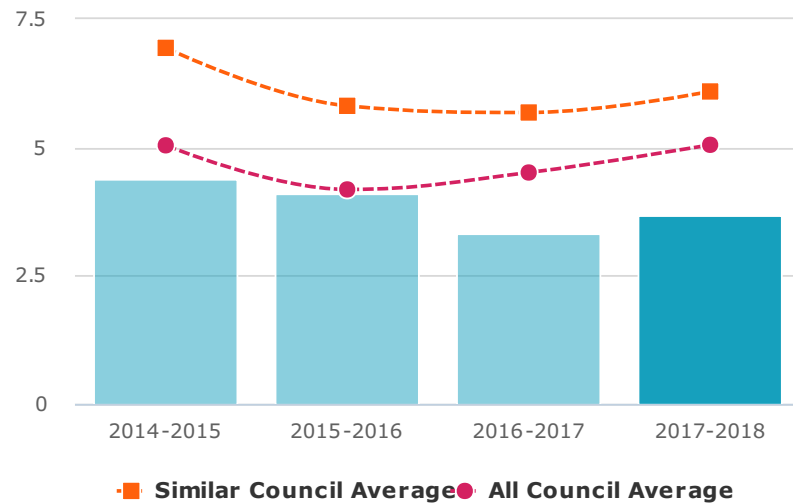
**SIMILAR COUNCILS
(2017-2018)**

6.09

**ALL COUNCILS
(2017-2018)**

5.05

Performance Trend



Knox City Council Says...

Council has experienced a 12.2% increase in the last twelve months in bins reported as missed. This in part is due to the increase in non-standard collections from multi-unit developments and changes in collection contractor personnel.

Cost of kerbside garbage bin collection service per bin

Direct cost to council of the kerbside garbage bin collection service per kerbside garbage collection bin

**KNOX CITY
(2017-2018)**

\$106.87

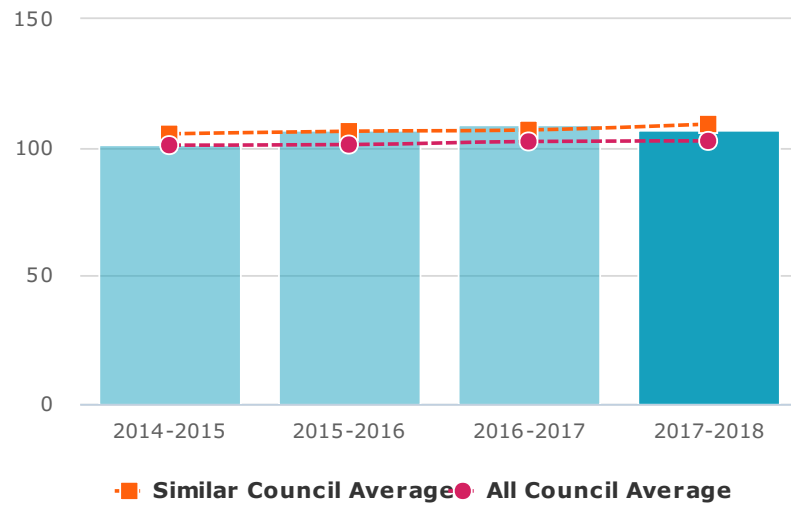
**SIMILAR COUNCILS
(2017-2018)**

\$109.11

**ALL COUNCILS
(2017-2018)**

\$102.52

Performance Trend



Knox City Council Says...

Cost of kerbside recyclables collection service per bin

Direct cost to council of the kerbside recyclables collection service per kerbside recyclables collection bin

**KNOX CITY
(2017-2018)**

\$19.89

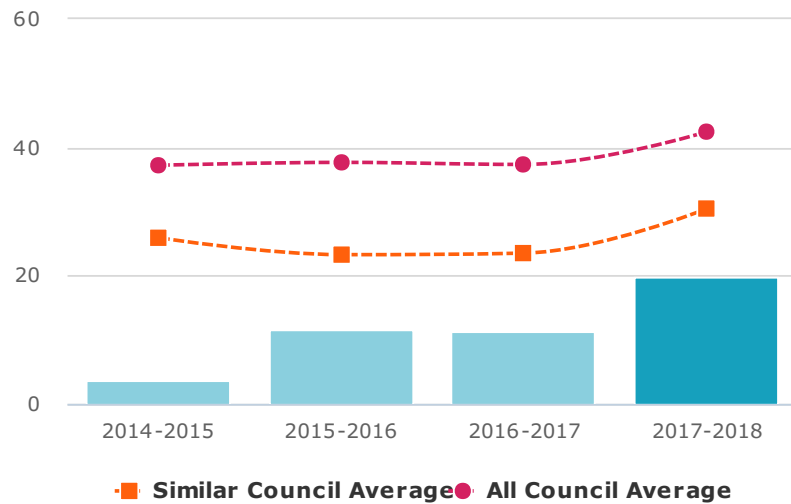
**SIMILAR COUNCILS
(2017-2018)**

\$30.46

**ALL COUNCILS
(2017-2018)**

\$42.45

Performance Trend



Knox City Council Says...

As a result of the import restrictions placed on recyclables by China, the recycling processors from 1 March 2018, began charging Council a gate fee for the receipt of recyclables. Prior to this Council received a rebate. This has resulted in a significant cost increase for the service.

Kerbside collection waste diverted from landfill

Percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill

**KNOX CITY
(2017-2018)**

51.97%

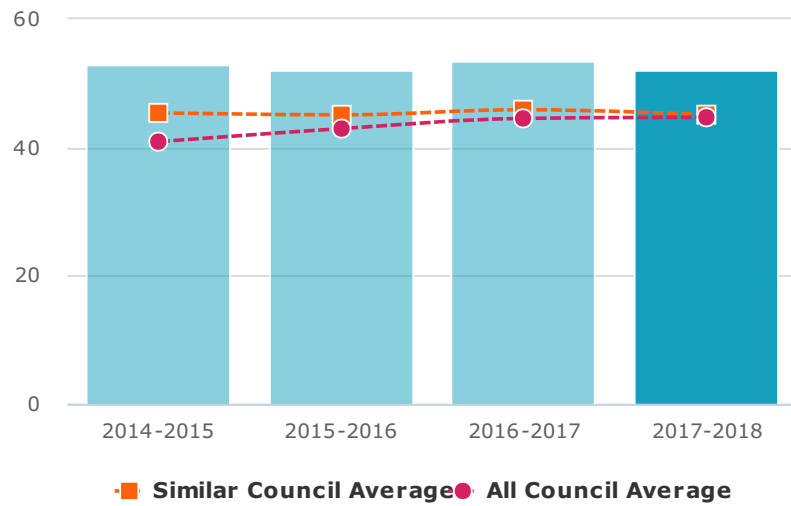
**SIMILAR COUNCILS
(2017-2018)**

45.10%

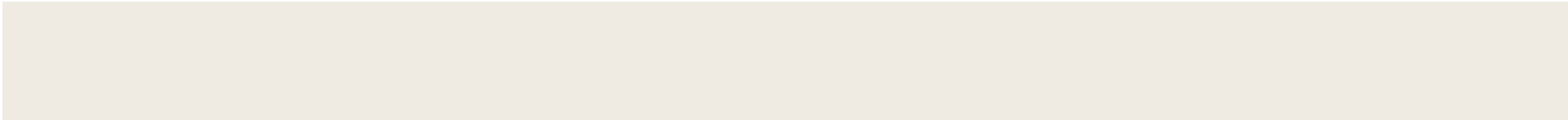
**ALL COUNCILS
(2017-2018)**

44.69%

Performance Trend



Knox City Council Says...



8.2 Tender 2567 - Modular Buildings at Seebeck and Liberty Reserves

SUMMARY: Facilities Project Officer, Sunil Pamu

This report considers and recommends the appointment of a tenderer for the construction of two (2) Modular Pavilions at Seebeck Reserve and Liberty Reserve.

RECOMMENDATION

That Council:

- 1. Accept the tender submitted by Modular Spaces Pty Ltd for the lump sum price of \$1,337,480.00 (excl. GST), 1,471,228.00 (incl. GST) for Contract 2567 Seebeck Reserve and Liberty Reserve;**
- 2. Authorise the Chief Executive Officer to formalize and sign the necessary contract documentation; and**
- 3. Advise all tenderers accordingly.**

1. INTRODUCTION

This contract is for the construction of two (2) new Modular Pavilions at Seebeck Reserve and Liberty Reserve in Rowville.

The Seebeck Reserve Pavilion consists of two change rooms (three modules), various amenities, first aid room, office and cleaner's room with accessible ramps and decks.

The Liberty Reserve Pavilion consists of two change rooms (four modules), various amenities, medical room, storage, office, cleaner's room with accessible decks and ramps and two additional external accessible toilets.

In line with Council's Procurement Policy, after considering the complexity, value and risk associated with this contract, it was determined to adopt a public tender process in accordance with the approved Procurement Plan and the Local Government Act.

2. DISCUSSION

Knox City Council has a long-term vision to accommodate the growth of active sporting participation and position the municipality as a provider of diverse and accessible sporting opportunities.

The modular buildings construction program, is an approved Council project listed as Project No. 948 within the 3016 – Alternative Buildings (Pavilions) program on Council's 2019/20 Capital Works Program.

The objective of this project is to deliver the provision of secondary change facilities and associated amenities, for Seebeck Reserve and Liberty Reserve, Rowville to ensure that planned works are carried out in accordance with building regulations and Australian Standards and in accordance with the intent expressed in the detailed design documentation which is provided to tenderers.

3. CONSULTATION

The tenant clubs, the Leisure Services Department and other internal stakeholders were consulted during the development of this project.

4. ENVIRONMENTAL/AMENITY ISSUES

Due to the nature of the project, Environmentally Sustainable Design (ESD) principles have been incorporated into the modular buildings design.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Construction of the Seebeck Reserve and Liberty Reserve pavilions are approved Capital Works Projects.

The current project budget is \$1,630,000.

The total project cost is summarized as follows:

Contract Lump Sum Price	\$1,337,480.00
Provision of site services	\$80,000.00
Design & Authority Fees	\$70,000.00
Civil Works	\$10,000.00
Contingencies (5%)	\$66,874.00
Total Project Cost (ex GST)	\$1,564,354.00

The design process and documents from previous modular projects form the bases for both Seebeck and Liberty Changeroom Pavilions.

As such, the percentage of contingency allowance have been reduced to 5%, as the project budget has made specific allowances for the provision of site services, design and authority fees as noted above.

The project budget is \$1,180,000 (exc. GST) funded by Council and \$450,000 (excl. GST) funded by Federal* Government. Total project budget is \$1,630,000.

6. SOCIAL IMPLICATIONS

Promoting new and upgraded infrastructure will accommodate increased use among the community and meet anticipated growth in female participation in sports and accessibility for all whilst delivering a number of social benefits to the community, including:

- Improved access to quality sport and recreation opportunities;
- Improved physical and mental wellbeing outcomes;
- Culture of improved gender equity;
- Greater connectivity for individuals to engage within community based projects;
- Maximization of community and Council facilities; and
- Increased capacity for local organisations to deliver activities and programs to the community.

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

The project is consistent with Council's Vision and City Plan 2017-2021 and aligns to the themes, objectives and strategies as follows:

Theme 4:

Culturally rich and active communities

Objective 4.2:

Increase use of public spaces and infrastructure for the purposes of cultural expression and physical activity

Strategy 4.2.1:

Increase participation in social, cultural and economic life for people of all ages through healthy and physically active lifestyles

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 – Facilities Project Officer – Sunil Pamu - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Manager Community Infrastructure, Andrea Szymanski - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

That the tender submitted by Modular Spaces Pty Ltd for the lump sum price of \$1,471,228.00 (incl. GST), \$1,337,480 (ex GST), be recommended to Council for approval for Contract 2567, Supply & Installation of Modular Construction (Pavilions), Seebeck Reserve & Liberty Reserve.

The company is adequately resourced and available to undertake this contract in accordance with the drawings and specification. Based on the schedule submitted, the expected completion of the project is approximately 30 weeks from award.

10. CONFIDENTIALITY

The report contains items of a confidential nature which are in a separate appendix.

Report Prepared By: Facilities Project Officer, Sunil Pamu

Report Authorised By: Acting Manager Community Infrastructure, Andrea Szymanski

Attachments

A confidential attachment has been circulated under separate cover.

9 Community Services Officers' Reports for consideration

9.1 Future Use for Miller's Homestead

SUMMARY: Community Facilities Officer, Emma Hayton

At the Ordinary Meeting of Council held on 25 June 2018, Miller's Homestead was recommended to be rezoned to a Neighbourhood Residential Zone to facilitate disposal of the asset. This decision was formally rescinded at the Ordinary Meeting of Council on 27 August 2018, following public feedback on the importance of the Homestead. Consultation was undertaken with the community and feedback was collated and a feasibility framework was developed to assess the social, environmental and economic impacts and benefits of the most popular options for possible future uses.

A consultant was appointed to undertake a Feasibility Study into five of the six most popular options, with "wedding reception" removed following an assessment of feedback. The Feasibility Study assessed each option using a triple bottom line (TBL) approach, identifying which uses would be deemed most viable. The findings of the Feasibility Study, along with further community consultation and Officer research has resulted in the recommendation that Miller's Homestead and Gardens be used for Collective Uses, combining proactive programming, a local history centre and community art space.

RECOMMENDATION

That Council:

- 1. Refer to the 2020/21 budget process, the proposal for Miller's Homestead and Gardens to have a collective use of proactive programming, history centre and art space to be piloted for a 12-month period led by Council officers.**
- 2. Request Officers prepare a Business Case for capital works consideration and 0.8 EFT for a pilot period of one year (with monitoring and evaluation built in during the trial period); and**
- 3. Subject to budget outcomes, request Officers to set up a Community Reference Group for Miller's Homestead with community members.**

1. INTRODUCTION

Miller's Homestead is located at 30 Dorrigo Drive, Boronia, on the south-eastern corner of Dorrigo Drive and Melrose Court. It has an area of 5,668m² and is owned by Knox City Council.

Miller's Homestead has been listed as having regional heritage significance by the Heritage Council of Victoria and, along with one large Ironbark, and numerous camellias and poplars, is listed as a heritage place within the Knox Planning Scheme. The site contains a bluestone heritage listed homestead, as well as a small gazebo, outbuilding, established garden, and 17 parking spaces along the Melrose Court boundary. It is surrounded by the Neighbourhood Residential Zone and is located away from main roads and activity centres.

At the Ordinary Meeting of Council held on 25 June 2018, Miller's Homestead was recommended to be rezoned to a Neighbourhood Residential Zone to facilitate disposal of the asset. This

decision was formally rescinded at the Ordinary Meeting of Council held on 27 August 2018, following feedback from the community on the importance of Miller's Homestead.

In February 2019, Council requested that a consultation process be undertaken with the Knox community to inform the potential future use of the site.

A summary of the results of this consultation, carried out between 2 March 2019 and 29 April 2019. The summary included the feedback from the community and details of the historic use of the site, as well as setting out the most popular options put forward by the community. Officers were directed to proceed with a feasibility assessment into five of the preferred uses, both separately and combined, using the TBL assessment method.

2. DISCUSSION

The Feasibility Study was carried out using the TBL approach to individually assess the five proposed uses for Miller's Homestead, and the suitability of combining one or more of the uses to maximise outcomes for the community.

The Feasibility Study addresses key questions including the unmet demand of the local area, the suitability of the proposed uses, capital works required to enable these uses, how the proposals fit within Council's priorities, and the benefits and risks of each option.

The Feasibility Study was reviewed by Council Officers, and additional research was carried out in order to make an informed recommendation.

2.1 Limitations of the Site

The Feasibility Study noted that Miller's Homestead is limited by several factors. These include the location of the site, with the Homestead surrounded by residential zoning, low level of visibility and distance from the Boronia town centre limiting the ability to access the site in conjunction with other services that may be needed. The topography of the location and the street network limits walkability and the nearest bus stop to the site is 400 metres away, which makes it difficult for the community to access without private transport. There is also limited parking on-site with 17 parking spaces available adjacent to the Homestead on Melrose Court and street parking along Dorrigo Drive.

As part of the Boronia Renewal Project, Council has carried out a thorough review of Boronia's services. The results indicate that most community services are provided in a reasonable capacity in either Boronia or Knox more generally. Community infrastructure is ageing and there is a desire from a number of service providers to operate from upgraded facilities, particularly where co-location is a viable option. The findings also showed that there are specific services that are likely to require additional facilities to meet increased demand over the next 20 years. These include community meeting places, arts and cultural activities and early years or ageing services, and Miller's may be suitable to accommodate some of these types of services.

2.2 Catchment

The catchment area that was identified as suitable for Miller's Homestead is "local neighbourhood use". This ensures that the residential amenity can be maintained and ensure there are reasonable expectations of the profile that the Homestead can expect to generate within the community. The Feasibility Study notes that the usage options that most suit the site, Council's priorities and community need should:

- Be suited to a local catchment area;

- Provide a wide range of services, including for key community groups, such as children and young people, the elderly and low-income families; and
- Have active Council involvement.

2.3 Potential Future Uses

Based on community feedback, the five potential uses for Miller's Homestead explored in the Feasibility Study were:

- Community uses (including Council programming);
- Café/dining;
- Museum/public viewing/history centre;
- Art gallery/exhibition space/arts space; and
- High tea rooms/Devonshire tea rooms and music performance.

The Community Use option was broken down into four categories creating a total of eight models, as shown below in Table 1.

Table 1

Option	Use	Description
1	Status Quo	<ul style="list-style-type: none"> • Miller's Homestead facilities could be booked for a fee by any group/member of the community. No Council presence would exist on site; no active curation or programming of the site would occur (current use of Miller's).
2	Proactive Council Programming	<ul style="list-style-type: none"> • As above, and in addition, Council would proactively increase the usability of the space, provide marketing and comms and advertise the site. Council would manage the site, run regular programs and events and have a presence on site as required. • Facilities could include a commercial kitchen to broaden usage potential. • Staffing resources would be required to achieve this option.
2a	Proactive Community Programming	<ul style="list-style-type: none"> • As Option 2, however, instead of the facility being under Council management, a community/not-for-profit organisation would manage Miller's with the objective of delivering a program of activities and events.
3	Council Service Delivery	<ul style="list-style-type: none"> • Base for Council delivered community services such as community outreach or Maternal Child Health Services with a permanent Council presence on site. • Not available for booking by the community.
4	Community Use – Not-for-Profit (NFP) Organisations and Societies	<ul style="list-style-type: none"> • Occupied by an NFP community organisation on a community rental fee. Facilities could be booked by the general public at the discretion of the occupant. • No Council presence on site.

Option	Use	Description
5	Café/Dining	<ul style="list-style-type: none"> Operated by either a social enterprise or commercial entity for rental income. Not available for booking by the community. No Council presence on site.
6	Community History Centre	<ul style="list-style-type: none"> Likely to be managed by a historical society. No Council presence on site.
7	Community Art Space	<ul style="list-style-type: none"> Art facility including kiln, wet area and gallery space which could be booked by community artists. No active programming by Council. No Council presence on site.
8	Tea Rooms and Music Performance	<ul style="list-style-type: none"> Operated by a commercial entity for rental income. Not available for booking by the community. No Council presence on site.

Collective uses were also considered, which would allow for the delivery of multiple services or uses. It is impractical to combine uses which would result in multiple operators at the Homestead, given conflicting motivations and inability to be flexible with all spaces within the Homestead. The same conflicts are likely to occur, although to a lesser extent, with Option 3, Council Service Delivery. Taking this into consideration, options 9 and 9a were included, a collective use option incorporating Proactive Council Programming, History Centre and Art Space. Option 9 is based upon management by Council and 9a management by a community/not-for-profit group.

2.4 Triple Bottom Line Assessment

The appropriateness of each option was assessed using a set of criteria developed by Council and the consultant for the Feasibility Study. The criteria were broken down into categories using a TBL approach, measuring social, economic and environmental benefits and impacts. The social assessment was given a weighting of 50%, and economic and environmental assessment were both weighted at 25%.

For every criterion, a rating of between one and five was given. A score of one was given where an option would severely underperform or have a large requirement for staffing or funding. A score of five was given where an option performs very well or has a very low requirement for staffing or funding. Table 2 sets out the scores for each use option.

Table 2 – TBL Rankings

Option	Description	Social Total	Environmental Total	Economic Total	Weighted Total	Weighted TBL Ranking
1	Status Quo	14	5	25	58	10
2	Proactive Council Programming	20	11	20	71	1
2a	Proactive Community Programming	16	10	27	69	2
3	Council Service Delivery	14	8	18	54	11
4	Community Use – Not-for-Profit Organisations and Societies	11	8	29	59	9
5	Café/Dining	15	7	31	68	4
6	Community History Centre	14	12	27	67	5
7	Community Art Space	15	9	21	60	8

8	Tea Rooms and Music Performances	13	7	29	62	7
9	Collective Use – Council	20	8	21	69	2
9a	Collective Use – Community	16	7	24	63	6

In the social assessment, Council-led services were given a higher rating for scale of community utilisation and extent that the use would be meeting community need, due to the more active role Council would take. A Council-led service where Council is involved in programming and scheduling use of the facility will also provide the best opportunity for diversity of use, and to minimise disruption to the local amenity. The best option to preserve the heritage of the site is through Option 6, a community history centre, however, it should be noted that heritage preservation can be attained in other uses, although to a lesser extent.

The uses which require the most capital investment are those that require a commercial kitchen; Options 2, 5, 8 and 9. Specialised service delivery by Council, such as Maternal Child Health Services and community art spaces, are also likely to require a high level of capital works. The cost of staffing and operating costs will be significant for Council-led services, while options which outsource management of the site to an external organisation scored well on this criterion. Higher customisation of the Homestead will result in less flexibility for the use of the site in future, should the need arise.

The environmental category assessed the energy and water consumption of each option, as well as the risk of damage to the gardens. Options with commercial kitchens are expected to have higher levels of consumption in both categories, and a community arts space may have high energy consumption. Where an option has a Council presence on site, it is less likely that the gardens will be damaged.

2.5 Capital Works Requirements

Facilities that are currently available at Miller's Homestead include large rooms, public toilets, limited car parking and utilities. Depending on the use option, new or upgraded facilities may be needed to ensure the proposed future use can be accommodated (subject to building and planning approval as required for heritage protection).

Facilities that are not currently available include a commercial kitchen, specialised spaces and equipment for service delivery (such as wet areas, gallery tracking and staging), audio visual technology, expanded car parks and public toilets. Some of these works are considered to be essential to provide adequate support for the use, however, others are considered optional, or could be carried out in future years, to reduce Council's initial investment in the facility.

To maximise the potential for community use usage, the kitchen could be upgraded to a commercial standard for all community use options. The two dining options would require an extension of the footprint of the kitchen and fit-out of the increased area to provide sufficient space for a dedicated dining operation.

It is noted that the basement of the Homestead is not currently in a safe, useable condition. Access to the basement would provide additional space, such as storage, to increase usability of the site, however, all potential use options are feasible without the basement at this stage. Any proposals to upgrade and use the basement in the future would be via a submission for capital works funding.

Table 3 details the works required for each option. It also highlights which options are considered required, optional or could be staged. The only option that can be achieved without capital investment is Option 1 – Status Quo.

Table 3

Option	Commercial Kitchen (Upgrade Only)	Commercial Kitchen (Extend and Upgrade)	Specialised Delivery Space	Lighting and Hanging	Staging	AV	Expanded Car Park	Bathroom (Upgrade Only)	Bathroom (Upgrade and Extend)
1									
2	Optional/ Staged				Optional/ Staged	Required		Optional/ Staged	
2a	Optional/ Staged				Optional/ Staged	Required		Optional/ Staged	
3			Required						
4	Optional/ Staged							Optional/ Staged	
5		Optional/ Staged						Optional/ Staged	
6				Required		Required		Optional/ Staged	
7			Required	Required	Optional/ Staged	Required		Optional/ Staged	
8		Optional/ Staged			Required	Required	Required		Optional/ Staged
9	Optional/ Staged			Required	Optional/ Staged	Required		Optional/ Staged	
9a	Optional/ Staged			Required	Optional/ Staged	Required		Optional/ Staged	

2.6 Gardens

The use of the gardens at Miller’s Homestead will be linked to, and depend upon, the use of the house. Community consultation included feedback about the use of the gardens and popular suggestions were wedding photography and photo shoots, public open space, community maintained gardens, play space, and community events including markets, and garden shows.

In addition to the capital works that are required for the building, works may be required to the gardens, depending on the type and volume of use. Works to the gardens are optional for all types. There are varying levels of work that could be carried out:

- Basic – Removal of weeds, improvements to allow easier maintenance in future;
- Moderate – removal of weeds, removal of trees/features to improve space and views; or
- High – larger scale redesign of garden including relocation of gardens beds, removal of trees/features to improve space and views.

2.7 Annual Operating Costs

Annual operating costs were determined through a combination of research undertaken as part of the Feasibility Study, historical spend and estimates based on technical advice and current

resourcing. There is a cost associated with each option as without financial investment into the operation of the facility, it will not be possible to successfully operate Miller's. It should be noted that there is also an operational cost associated with Miller's at present, and if the status quo were to continue, these costs would continue. Table 4 sets out the rankings for each option based on cost to Council.

Table 4

Option	Use	Ranking for Annual Running Cost
1	Status Quo	7
2	Proactive Council Programming	9
2a	Proactive Community Programming	3
3	Council Service Delivery	11
4	Community Use – Not-for-Profit (NFP) Organisations and Societies	3
5	Café/Dining	1
6	Community History Centre	5
7	Community Art Space	8
8	Tea Rooms and Music Performance	1
9	Collective Use – Council	10
9a	Collective Use – Social Enterprise	6

2.8 Building and Maintenance Costs

The estimated building maintenance cost for each option was determined by reviewing costs over the last ten years, and garden maintenance costs based upon works at other Council facilities. If the facility was operated externally, maintenance costs to Council would be reduced, with dining services for profit having the greater maintenance responsibilities than a community or not-for-profit organisation.

2.9 Renewal Costs

Renewal costs relate to works to refresh existing infrastructure in the building, for example, repainting of walls, window replacement and updates to bathroom facilities, when the end of the life of the asset has been reached. Council's renewal program for Miller's over the next ten years includes items such as doors, decking, heating and cooling, along with a number of major renewals, including walls, flooring and roofing which has resulted in a higher than usual annual cost for the next ten years.

2.10 Staffing and Administration Costs

Estimated staffing costs vary for each option, depending on the management model and level of Council oversight required. Miller's currently has no dedicated EFT for the site, which has resulted in the facility being unattended, run down and un-used. In order to revitalise the site and in accordance with community feedback, the site requires Officer dedication, at least for the first year. Costs for each option vary depending on the level of staffing and Council administration required. Costs will be higher if Council directly manages the facility and reduced if Miller's is

managed by an external organisation, although there will be a need for a greater support initially regardless of the management, to enable implementation of the use option.

2.11 Revenue

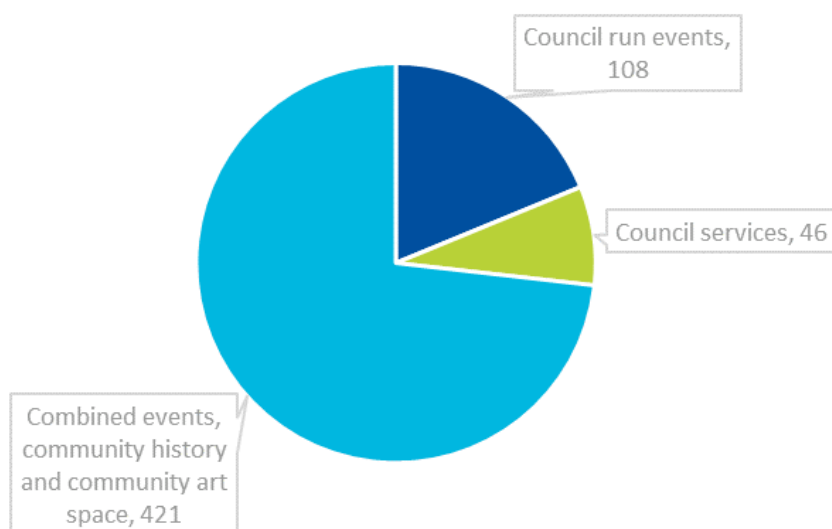
The income that can be generated forms part of the economic assessment. The options which perform well in this criteria are the dining options, as Council would receive a market value rental fee for leasing the facility. Council-led options that provide proactive programming and activation of the space would generate income from booking fees. A community art space, with a less diverse base of users, would generate less income for Council. Options which would be managed by a community group or not-for-profit organisation would generate minimal income for Council as the likely occupancy fee would be Council's community rate. Council service delivery would not generate any income, as these services provided by Council to the community for no charge.

3. CONSULTATION

On 8 November 2019, Council Officers ran a focus group with 16 members of the public, where proposed uses were presented and feedback received. The group was comprised of neighbouring residents and interested members of the community. A further one-on-one focus group was held for an invitee who could not attend the main group. All those invited to participate had submitted feedback during the initial consultation period for Miller's and were selected to represent a wide range of views.

An online survey was carried out in December 2019 to January 2020 to enable the community to provide feedback on the shortlisted options. Results of the survey are shown in Figure 1.

Figure 1



4. ENVIRONMENTAL / AMENITY ISSUES

One of Council's core responsibilities is to manage its assets in order to optimise value to the community. This includes protecting not only the heritage values of its buildings but the significant trees and plants within the gardens. The process to update the existing Heritage Overlay description (Amendment C173) to accurately reflect the house, gardens and significant trees and scrubs has been undertaken and approved.

Council will continue to be responsible for ensuring the heritage protection of the site remains along with the amenity of the surrounding residential area from future intrusion of a non-residential use.

The Feasibility Study included carried out an assessment of the environmental and amenity issues for each proposed use for Miller's Homestead, which has informed the recommendation.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Potential use of the site has been assessed using a TBL assessment and includes ranking of the proposed uses in accordance with financial and economic implications. In addition, Officers have carried out a detailed financial assessment for all 11 options, including initial capital investment and annual running costs. If Council proceeds, further consideration will need to be given to the financial cost of keeping and maintaining Miller's Homestead, including resourcing to establish the endorsed use. Without financial investment and staff resources, it will not be possible to achieve the desired social outcomes for Miller's.

6. SOCIAL IMPLICATIONS

The consultation carried out by Council has identified that the community want the Homestead and Gardens available for access by a diverse range of users and activities. Community members highlighted the importance of the site from a heritage perspective as well as its potential to become a vibrant and dynamic space, assisting to strengthen community connections. The social benefits have been given a higher rating for each of the proposed uses as part of the Feasibility Study and Officer assessments.

Feedback from the community included a proposal to create a "Friends of Miller's" group. It is considered beneficial for the community to have a formal way to continue their engagement with the site and a valuable way for Council to seek feedback on Miller's. "Friends of" groups within the municipality generally operated independently from Council, and Advisory Committees cover a broader remit. It is, therefore, recommended that a Community Reference Group be established as a Council-led initiative with members of the community.

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

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

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

Strategy 7.1 - Protect and preserve our local cultural heritage

Strategy 7.3 - Strengthen community connections

Goal 8 - We have confidence in decision making

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

8. CONFLICT OF INTEREST

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

Author - Community Facilities Officer, Emma Hayton – 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

The Feasibility Study identified that, due to the nature of the site, surrounding area and existing nearby amenities, possible future use of Miller’s Homestead is best suited for use by a local catchment area, with a wide range of activities provided to meet the needs of key community groups. This fits with the results of the consultation, which showed a clear community preference for Miller’s to be available for a wide range of community uses and access.

The TBL assessment identified Options 2, 2a, 9 and 9a as having the highest social impact on the community. Of these options, the collective Options of 9 and 9a received lower environmental rankings, due to the anticipated additional visitor numbers resulting in higher utility cost and likelihood of damage to the gardens. The community/not-for-profit operated options, 2a and 9a, were ranked higher than the Council operated options.

The highest ranked option that gives the best return for the community is a collective use of Proactive Programming, History Centre and Art Space. This is primarily due to the high rating for social impact and reflects the diverse range and scale of use that a collective option can achieve. Of these two uses, the implementation of option 9a, collective uses managed by a community or not-for-profit group, would result in lower ongoing costs for Council.

Based upon the results of the Feasibility Study, feedback from the community and Officers’ investigation, the option which best meets Council’s objectives is option 9a, Collective Use combining Proactive Programming, History Centre and Art Space. While this is not the highest ranked option, it provides for the widest range of use and maximises the value of the asset to Council and the community.

It is essential that financial investment, both capital and operational, is made to ensure that Miller’s can achieve the desired social outcomes. Given the costs associated with the collective use option, it is suggested that the operation of the facility be undertaken as a pilot for a period of 12 months. This will allow the costs and social impact to be measured and reported to Council to assist with assessing the value for money that Miller’s provides to the community.

10. CONFIDENTIALITY

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

Report Prepared By: Community Facilities Officer, Emma Hayton

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

Nil

9.2 Notice of Intention to Lease Knox Park Athletics Track, Bunjil Way, Knoxfield

SUMMARY: Coordinator Leisure Services, Bronwyn Commandeur

This report is presented following the completion of the statutory process for the lease of the Knox Athletics Centre, 1672 Ferntree Gully Road, Knoxfield to the Athletics Knox Board of Management Inc.

RECOMMENDATION

That Council, having completed the statutory process in accordance with Section 190 and 223 of the Local Government Act 1989:

- 1. Lease the Knox Athletics Centre, 1672 Ferntree Gully Road, Knoxfield to the Athletics Knox Board of Management Inc (AKBOM) with the lease to include the following terms:
 - a) Rental of \$6,280 (plus GST) per annum increasing annually by CPI.**
 - b) Term of five years with two further terms of five years each.**
 - c) AKBOM to contribute \$100,000 (plus GST) towards the synthetic track replacement.****
- 2. Authorise the Chief Executive Officer to finalise all documentation in relation to the lease of the Knox Athletics Centre at 1672 Ferntree Gully Road, Knoxfield.**

1. INTRODUCTION

Council at its meeting on 9 December 2019, resolved as follows:

- 1. Initiate the process specified under Section 190 of the Local Government Act 1989 to lease the Knox Park Athletics Centre contained in Certificate of Title Volume 10478 Folio 212 at 1672 Ferntree Gully Road, Knoxfield to Athletics Knox Board of Management Inc (AKBOM) A0036972H (as indicated in Attachment 1) and that public notice of the proposed lease be given in the Knox Leader. This proposed lease is to include the following conditions:
 - a) The term of the lease will be for five years with two further terms of five years each.**
 - b) The rental will be \$6,280 (plus GST) increasing annually by CPI.**
 - c) That AKBOM will contribute \$100,000 (plus GST) towards the synthetic track replacement.****
- 2. Hear submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Councillor Holland, Councillor Lockwood and Councillor Seymour to consider submissions at 5.00 pm on 10 February 2020 at the Knox Civic Centre, 511 Burwood Highway, Wantirna South.**
- 3. Authorise the Chief Executive Officer to carry the administrative procedures required by Section 223 (3) of the Local Government Act 1989.**
- 4. Receive a further report on the outcome and associated recommendations of the Section 190 and 223 process.**

At the conclusion of the submission period, no submissions were received.

2. DISCUSSION

AKBOM have been leasing the facility for twenty years with their lease expiring on 31 August 2018. (Currently in overholding). AKBOM have met all Council's requirements during the period of tenure and have been excellent tenants. A new lease with negotiated conditions has been offered to them.

3. CONSULTATION

A public notice was published in the Knox Leader on 18 December 2019. At the conclusion of the submissions period, no submissions were received.

4. ENVIRONMENTAL / AMENITY ISSUES

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

5. FINANCIAL & ECONOMIC IMPLICATIONS

The annual lease fee has been set at \$6,280 (plus GST) increasing annually by CPI. This fee is in accordance with Council's Leasing and Licensing Policy and reflects the contribution AKBOM has and will make to the local community and the investment it has and will make to the facility through the ongoing operation and maintenance and capital upgrades to this facility.

AKBOM is required to contribute \$100,000 (plus GST) of the total project cost of replacement of the synthetic track, currently scheduled for 2022/23.

6. SOCIAL IMPLICATIONS

The use of this property by AKBOM will allow the provision of athletic and athletics related activities for local sporting clubs, schools and the wider community.

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

Goal 6 - We are healthy, happy and well

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

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

Goal 8 - We have confidence in decision making

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

8. CONFLICT OF INTEREST

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

Author – Coordinator Leisure Services, Bronwyn Commandeur – 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. Director, Community Services, Tanya Scicluna

9. CONCLUSION

It is recommended that Council authorise the Chief Executive Officer to sign the Lease Agreement between Knox City Council and the Athletics Knox Board of Management Inc for the occupancy of Knox Park Athletics Centre, 1672 Ferntree Gully Road, Knoxfield (Attachment 1) for a term of five years with two further terms of five years each. The rental for this proposed lease is \$6,280 (plus GST) per annum increasing annually by CPI for the term of the lease.

10. CONFIDENTIALITY


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

Attachments

1. Attachment 1 - Proposed leased area to AKBOM [9.2.1 - 1 page]

Attachment 1



 Area proposed to be leased to Athletics Knox Board of Management (AKBOM)

9.3 Community Access and Equity Implementation Plan - Year 2

SUMMARY: Coordinator Community Access Equity and Safety, Lisette Pine

Knox City Council is committed to ensuring that all people are supported to fully participate in the community and that they have equitable and dignified access to information, goods, services and life opportunities.

The Community Access and Equity Implementation Plan 2017-2022 (the Plan) incorporates priorities that focus on inclusive services, advocacy, accessible and safe spaces and celebrating diversity. This report provides Council with an update on the outcomes of Year 2 activities in the Plan (refer Attachment 1).

The report outlines progress in key areas of the Plan and identifies ongoing challenges and opportunities including:

- **The ongoing complexity to access the National Disability Insurance Scheme (NDIS), in particular for people from multicultural communities and people experiencing mental ill-health;**
- **The increase in people experiencing homelessness in Knox;**
- **Opportunities to increase knowledge and support for the LGBTIQ+ community; and**
- **To increase community engagement and understanding of diversity in Knox.**

RECOMMENDATION

That Council receive and note the Knox Community Access and Equity Implementation Plan 2017-2022 outcomes Year 2 report, as provided in Attachment 1.

1. INTRODUCTION

Knox is a diverse community, with a population of 157,521,¹ made up of people from many different cultures, beliefs, abilities and identities. Our community is an environment of ongoing change. Council acknowledges that not all people start from the same position in life and therefore may have differences in their lived experience in the community. For some people this difference may mean that they experience discrimination, disadvantage and exclusion from community life.

The Knox Community Access and Equity Implementation Plan 2017-2022 (the Plan) articulates Council's commitment to equality and freedom from discrimination, as a fundamental human right. Council also acknowledges that it has an important role in ensuring that all people are supported to fully participate in community life.

The Plan responds to legislative requirements under Commonwealth, Victorian and Local Government legislation for people with disabilities and their families, and the Charter of Human Rights and outlines the focus and direction for Council in meeting the needs of marginalised and disadvantaged population groups in Knox.

¹ 2016 Australian Census

It also aligns and responds to the guiding principles, vision, goals and strategies of the Community and Council Plan 2017-2021, specifically Goal 7 – “We are inclusive, feel a sense of belonging and value our identity” and demonstrates Council’s ongoing commitment to reducing barriers whilst enhancing access, participation and inclusive practice for all people in Knox. The Plan is one of the Implementation Plans of the Community and Council Plan 2017-2021.

1.1 Community Access, Equity and Safety Team

The Community Access, Equity and Safety Team (the Team) coordinates the implementation of the Plan. The purpose of the Team is to lead the implementation, monitoring and evaluation of the Plan. The Team has a specific focus on disadvantaged and marginalised communities to foster an accessible, inclusive, safe and supportive Council and community. In particular, a key project (Action 1.1 of the Plan) is the development of the Access and Equity Best Practice Framework for Council, to support a strengthened approach to access and equity issues, moving beyond project-based activity, toward integrated and embedded systems of practice. The Strategy, People and Culture Department also support this project.

1.2 Community Access and Equity Implementation Plan Working Group

The Community Access and Equity Implementation Plan Working Group includes the Coordinator of the Community Access, Equity and Safety team and key Council Officers who are directly responsible for delivering actions within the Plan. The Working Group monitors the Plan’s activities and supports shared learnings and collaboration to enable the achievement of many activities.

1.3 Knox Multicultural Advisory Committee

The purpose of the Knox Multicultural Advisory Committee (KMAC) is to provide Council with advice on multicultural issues and promote greater awareness and understanding in the local community of cultural diversity in Knox. KMAC meet bi-monthly and participate in Council’s committee forum. Committee members include professional and community representatives from multicultural groups in Knox.

KMAC also has a role to monitor and provide advice on the implementation of specific actions and activities related to multicultural communities in Knox, as articulated in the Plan. KMAC also provide Council with regular advice and information on multicultural issues, promote and celebrate the benefits of cultural diversity in Knox to build connections between different cultural groups.

2. DISCUSSION

2.1 Overview of Year 2 Challenges and Opportunities

The implementation and review of activities during Year 2 has contributed to an increased understanding of policy and environmental factors influencing the Plan outcomes. The following is an overview of key issues.

2.2 NDIS

The implementation and review of activities during Year 2 has contributed to an increased understanding of policy and environmental factors influencing the Plan outcomes. This includes the complexity associated with the rollout of the NDIS and its impact on vulnerable members of the community. While all Councils need to be responsive to their local context, overall the impact of this change and slow implementation has been felt statewide.

The ongoing work through the implementation of the Knox Municipal Disability Leadership Plan 2017-2019, acknowledges key issues that have emerged in relation to the NDIS roll out in Knox. In particular, access to services and planning for multicultural communities and people with mental health issues is a significant gap. Council is well placed to continue to advocate on behalf of and support people from these vulnerable groups through providing information, linking people with services, and engaging with KMAC and other community leaders.

The recently established Eastern Region Mental Health Support and Prevention Network (a network and advocacy group comprised of EMR local Councils and DHHS agencies) will also provide a forum, to identify and advocate on key issues related to early intervention and prevention supports including gaps in the NDIS.

2.3 Increase in Homelessness in Knox

The 2016 Census indicated there were approximately 365 people homeless in Knox. This is a 46% increase from 2011 where 250 people were homeless or sleeping rough. Homelessness is a complex social issue and local government is only one stakeholder amongst many responding to this issue. It is acknowledged that, family violence is one of the biggest drivers of homelessness in the community. A limited supply of social and affordable housing means that family violence survivors to stay in the family home because no suitable alternative can be provided. In 2017-2018, family violence was the leading cause of homelessness in Victoria.

In June 2019, Council supported the “Homelessness and Rough Sleeping Policy” to provide direction for frontline Council staff who encounter people sleeping rough, homeless or at risk of homelessness. Council officers have participated in training workshops to enable a consistent and timely response to this issue.

The training provided opportunities for:

- Staff to have a better understanding of the Policy and Procedure on Homelessness;
- A better understanding of homelessness;
- Staff to understand what rough sleeping is; and
- Staff to understand the referral process to external organisations.

Implementation of the Policy has provided opportunity to engage with community and increase frontline staff knowledge of the complex issues, including the limited capacity for Homelessness Outreach Services to support Knox. This work will inform refinement of key areas of the policy and ongoing advocacy for local outreach services.

2.4 Engaging with Diverse Communities in Knox

Council has a leadership role to ensure that access and equity considerations are embedded into our organisation’s culture. Demonstrating a commitment to addressing multicultural access and equity issues through engaging and listening to communities is important. Effective engagement and communication with diverse communities is essential to ensure that policy, programs and services are informed by and responsive to the needs of the community.

KMAC can provide independent advice to support and assist Council on a range of communication techniques for engaging with stakeholders from different backgrounds. This work will continue to build relationships and support inclusive practice, coordination and integration of effort. Council will continue to participate in events that raise awareness and celebrate cultural diversity.

2.5 Knox LGBTIQ+ Needs Assessment

Action 2.12 of the Plan provides direction to: “Conduct further research to identify activities of Council’s role in supporting and advocating for Knox’s LGBTIQ+ communities and families throughout the life stages” Work to progress this action has commenced via a Needs Assessment led by the Community Access, Equity and Safety Team. It is anticipated this work will inform Council future advocacy and program delivery to better support the local LGBTIQ+ community.

The Needs Assessment will endeavor to capture data in relation to people’s lived experience, needs and the social capital of this community. The data will also provide a foundational collection of information for Council, as there is no current data available.

2.6 A Summary of Year 2 Key Achievements

Key achievements of the Plan in Year 2 include:

Activity	Description	2019 session	Number of People
Engagement and acknowledgment of Knox Aboriginal Torres Strait Islander Community	<p>Council Officers attend network meetings to build collaborative relationships with the local Aboriginal and Torres Strait Islander community.</p> <p>Events:</p> <ul style="list-style-type: none"> • Aboriginal cultural competency training for staff. • Sorry Day • NAIDOC week activities: <ul style="list-style-type: none"> ➤ Screening of Warrigal Creek Massacre ➤ Local Treaty Conversation 	<p>1 session</p> <p>May 2019</p> <p>July 2019</p> <p>August 2019</p>	<p>113 community members</p> <p>63 community members</p> <p>47 community members</p>
Support for service providers to strengthen engagement with marginalised and disadvantaged communities	<p>Council supported Mental Health First Aid training for volunteers and staff from The Community Houses Association of Outer East Suburbs . This Network includes the following Neighbourhood Houses:</p> <ul style="list-style-type: none"> • The Basin • Orana • Coonara • Rowville 	<p>December 2019</p> <p>February 2020</p>	<p>20 staff and volunteers</p> <p>20 staff and volunteers</p>
Sport and Leisure opportunities for marginalised and disadvantaged community members	<p>The Knox Night Owls Hoops for Youth- Program (held at Carrington Park Leisure Centre) included healthy eating, basketball games and life skills workshops for marginalised young people in Knox aged 12 – 18.</p>	<p>3 programs 2018-19</p>	<p>Approximately 60-70 young people who live in Knox</p>

Activity	Description	2019 session	Number of People
Multicultural Events and KMAC activities	Cultural Diversity Week Event – “Proud to Belong” held at Knox Community Arts Centre included a celebration of diverse communities in Knox through dance, storytelling and a discussion with CEO of Welcoming Cities Australian and Lin Jong (AFL Footballer).	1 event	28 community members
	KMAC members attended meeting at The Shree Swaminarayan Temple – Bayswater, to explore religious diversity in Knox.	1 event	15 Committee representatives
	KMAC meeting included presentation on the issues multicultural communities experience accessing the NDIS.	6 meeting	

The Year 2 activities have enabled the Team to strengthen relationships with key stakeholders, including emerging community groups, community organisations and disability service providers. The Plan enables an integrated and collaborative effort to respond to ongoing community access and equity issues in Knox and to shape Council’s work into the future.

2.7 Proposal for Broader Review of the Plan

Council has a key role to consider ways in which it can work with its partners in the community, business and all levels of government to address discrimination and disadvantage, as well as promote access and equity. To effectively engage all areas of the community, future work should move beyond project-based activities towards systems-level efforts. This approach will facilitate a strengthened coordinated and integrated action. A mid-term review of the Plan will be conducted over the second half of 2020 to explore opportunities to refine the actions within the Plan. A report will be prepared for consideration by Council.

For further information regarding Year 2 activities and achievements, please refer to Attachment 1.

3. CONSULTATION

During implementation of Year 2 activities, key stakeholders contributed to, and were consulted with, to inform the content and framework for delivery of activities and programs. This has included partnerships with many Departments within Council, multicultural groups, disability service providers, the broader community, Council’s LGBTIQ+ Working Group and NDIS Program Coordinators. Local community engagement on local issues is providing Council with quality data for planning and consideration of Council and community responses to emerging community issues.

Further consultation with Advisory Committees including the Knox Disability Advisory Committee, Knox Multicultural Advisory Committee, Knox Early Years Advisory Committee, Active Ageing Advisory Committee and the Health and Wellbeing Advisory Committee will be ongoing.

4. ENVIRONMENTAL / AMENITY ISSUES

The Plan highlights a range of initiatives that impact environmental or amenity issues including access to the built environment and Council facilities.

It is expected that ongoing resources associated with the Capital Works Retrofitting Program will be required. Council will also need to consider the resources required for designing and building universally designed Council facilities and open space to support a diverse community now and into the future.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Resources to support the delivery of Year 2 actions are included within Council's operating budget. Council Officers and community organisations have sought funding from other sources to support the small number of unfunded actions. Council has also received resources from VicHealth to work with local football clubs across both the Knox and Maroondah municipalities, to better understand risky drinking behaviours and explore club cultures. The grant is for \$120,000 over two years.

In addition, Council's Community Development Fund has provided approximately \$19,000 to support community groups to deliver events and programs that celebrate diverse communities, reduce discrimination, and promote inclusive practice.

6. SOCIAL IMPLICATIONS

The Plan outlines Council's role in supporting and addressing social equity issues and ensuring community outcomes of diversity, access and inclusion are front and center when planning and engaging with marginalised and disadvantaged population groups.

The Plan provides a common framework to enable every member of our diverse community to have opportunity to participate, contribute and access services. The Plan targets specific access and equity issues for people that are/or are at risk of being marginalised and disadvantaged from social, health, economic and political life.

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

The Plan contributes to the implementation of the guiding principles, goals, strategies and initiatives of the Knox Community and Council Plan 2017-2021, specifically Council initiative 7.2.1 – "Finalise and commence implementation of the Knox Access and Equity Implementation Plan."

The Plan also responds to the Guiding Principle of inclusiveness – Council encourages broad engagement, shared contribution and collaboration in community decisions, incorporating an access and equity approach in particular:

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 7.2 - Celebrate our diverse community.

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 – Coordinator Community Access, Equity and Safety, Lisette Pine – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Manager Community Wellbeing, Petrina Dodds Buckley – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

This report outlines progress of activities for Year 2 within the Community Access and Equity Implementation Plan 2017-2022 – an implementation plan of the Knox Community and Council Plan 2017-2021.

Council has a strong history and active role in inclusive community planning through development of strategic plans, delivery of programs, projects and activities and the establishment of relevant advisory committees that advise and support Council to improve outcomes for marginalised and disadvantaged population groups

The review has highlighted progress on activities that support achievement of the following Focus Areas:

- Equitable, Accessible and Inclusive Services;
- Leadership and Advocacy;
- Accessible and Safe Places and Spaces;
- Empowerment and Participation; and
- Celebrating Diversity and Creating a Sense of Belonging.

The Community Access and Equity Implementation Plan Working Group will continue to monitor the Plan's implementation. Progress updates and discussion will continue with Council Advisory Committees including the Knox Multicultural Advisory Committee, Knox Disability Advisory Committee and Knox Community Safety, Health and Wellbeing Advisory Committee.

The Plan has supported a strengthened and collaborative approach to Council's response to emerging access and equity issues in Knox.

10. CONFIDENTIALITY

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

Report Prepared By: **Coordinator Community Access, Equity and Safety, Lisette Pine**





Report Authorised By: **Director Community Services, Tanya Scicluna**

Attachments

1. Attachment 1 - Community Access and Equity Implementation Plan Year 2 Actions - 2020-01-31 (D 20-26 [9.3.1 - 10 pages]

Community Access and Equity Implementation Plan Year 2 Progress Report

Key

Not commenced	
Ongoing	
In progress	
Completed	

Council Action	Year	Status	Achievements	Future Work/ Next Steps	
Focus Area 1 - Equitable, Accessible and Inclusive Services					
Council will work to ensure that all community members, no matter their ability, religion, race, gender or sexual identity will have access to Council and community services that meet their needs.					
1.1	Develop and implement a best practice framework to embed the principles of access and equity across all areas of Council, including organisational capacity and competence, service provision, communication and civic participation.	1-2		<ul style="list-style-type: none"> Draft Discussion Paper includes suite of initiatives and proposed framework to embed access and equity approaches. Collaboration with Strategy, People & Culture to align framework with Adaptive Cultures project and the People Strategy. 	<ul style="list-style-type: none"> Further discussion with Strategy, People & Culture to include framework and initiatives with review of PDR process, Adaptive Cultures roll out and People Strategy.
1.2	Develop a database of images and photographs for use within Council's publications to reflect Knox's diverse community, to promote access, inclusion and diversity.	2		<ul style="list-style-type: none"> Communications Team have captured a database of images that reflects diversity of community in Knox. Ongoing work to continue to build a new shot list. 	<ul style="list-style-type: none"> Database of images will continue to reflect diversity in Knox through events and community engagement activities.
1.3	Deliver a suite of access, equity and diversity training for Council staff to increase knowledge, understanding and best practice when engaging with Knox's diverse community.	1-5		<ul style="list-style-type: none"> Access and equity training delivered for 2018/19. Staff attended: <ul style="list-style-type: none"> 3 Disability Awareness Training sessions; 2 Access and Equity Training sessions; 1 LGBTIQ awareness training for staff by Rainbow Victoria; and 1 Aboriginal Cultural Awareness. 	<ul style="list-style-type: none"> A review of access and equity staff training is in progress. The review will include: <ul style="list-style-type: none"> An overview of the Community Wellbeing Department portfolio areas to be delivered during Staff Induction Day; and Scheduling of training to enable more flexibility for part time staff that includes: <ul style="list-style-type: none"> LGBTIQ+; Disability; ATSI; CALD; and Gender Equity.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
1.5 Implement the Municipal Strategic Disability Leadership Plan to support people with a disability, their families and carers with the implementation of the National Disability Insurance Scheme (NDIS).	2-5		<ul style="list-style-type: none"> • Council received a report in December 2019, noting the outcomes for Year 2 implementation of the Plan. • Council supported the draft revised Plan for 2020 – 2022. 	<ul style="list-style-type: none"> • Key focus of work over the next 2 years includes supporting community through the ongoing roll-out of the NDIS, capacity building for families and carers, and information.
1.8 Strengthen Council’s approach and engagement with Knox’s Aboriginal and Torres Strait Islander community to build collaborative relationships and inform future advocacy and reconciliation outcomes that increases recognition of Australia’s first people.	2-4		<ul style="list-style-type: none"> • Council Officers attend regular network meetings and other opportunities to build collaborative relationships with the local Aboriginal and Torres Strait Islander community including: <ul style="list-style-type: none"> - Inner Eastern Local Area Network - networking with stakeholders in Eastern Region. - Local Government Aboriginal and Torres Strait Islander Portfolio Meeting – bringing together Eastern Metro Councils to discuss and share current work and opportunities for collaboration. <ul style="list-style-type: none"> o Meetings coordinated by the local Aboriginal community for the purpose of sharing information, gaining a better understanding of needs of the community and how they are being addressed by stakeholder groups. - Mullum Mullum Indigenous Gathering Place meetings – opportunity to share information in relation to events/ grants etc. and build relationships with the community. 	<ul style="list-style-type: none"> • Ongoing work to continue to strengthen relationships, create opportunities for collaboration and increase knowledge of local issues.
1.9 Conduct community engagement and needs analysis on the development of a Gathering Place in Knox for Council’s Aboriginal and Torres Strait Islander community.	2-3		<ul style="list-style-type: none"> • An Aboriginal and Torres Strait Islander Needs Analysis for Knox is being prepared for Council consideration. Key focus areas of the work include: <ul style="list-style-type: none"> - History and Environment; - Community Demographics; - Key Health and Social Issues; - Cultural Services in Knox; and - Reconciliation. 	<ul style="list-style-type: none"> • During 2020, an Engagement and Communications Plan will be prepared, following discussion with Council in relation to the outcomes of the Needs Analysis. An implementation plan will also be prepared.



Council Action	Year	Status	Achievements	Future Work/ Next Steps
1.10 Partner with Outer Eastern Metropolitan Councils to research the need for an Integrated Aboriginal Health Plan for the Outer Eastern Aboriginal community.	1-2		<ul style="list-style-type: none"> • Yarra Ranges (as the lead Council) are progressing the development of the Health Plan for the outer east Aboriginal community. • EMR Integrated Services Plan Project – Draft report completed in November 2019. 	<ul style="list-style-type: none"> • Key directions and priorities for Local Government across the Eastern Metropolitan Region will be informed by the Health Plan when completed.
1.11 Strengthen and increase the facilitation and or participation of service provider network meetings to enhance service provision for disadvantaged and marginalised community members in Knox.	1-5		<ul style="list-style-type: none"> • Service provider network meetings mapped to include Neighbourhood Houses and Eastern Regional Libraries, as key providers who support disadvantaged and marginalised groups. • Council also supports programs that: <ul style="list-style-type: none"> - Strengthen the capacity of Early Years Services including Council and Private Sector providers to enhance support for children with developmental delay; - Engage with diverse families to participate in library services; and - Resource Mental Health First Aid training for Neighborhood House volunteers and staff to enhance support for marginalised community members. 	<ul style="list-style-type: none"> • Continue to engage and support – collaborate and partner with service providers to build capacity of services.
1.12 Engage and partner with local service and education providers to plan and advocate for enhanced services for disadvantaged and marginalised community members in Knox.	1-5		<ul style="list-style-type: none"> • Ongoing dialogue with key service providers in Knox such as Neighborhood Houses, Emergency Relief Services, and Family Violence Services to enhance service provision for marginalised community members. • Opportunities to enhance services is supported through Council’s Community Development Fund for specific programs or partnering through targeted external grants to support this work. 	<ul style="list-style-type: none"> • Ongoing work to explore opportunities to enhance services for marginalised and disadvantaged groups.
1.13 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.	2-3		<ul style="list-style-type: none"> • An initial scoping paper has been completed. • Mapping process and project implementation to be determined. 	<ul style="list-style-type: none"> • Project implementation to include analysis of information to inform priorities and engaging with key partners.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
<p>1.14 Research and map services that are available to disadvantaged and vulnerable residents to identify gaps in service delivery to inform areas of action and advocacy.</p>	2-4		<ul style="list-style-type: none"> • Multicultural groups located in Knox, who have had limited contact with Council (including Nepalese Women’s Group, Iranian community and Burmese community), have engaged with Council, providing a greater understanding of community need and issues. This work provides further opportunity to explore service gaps, advocacy and inform future programs. • Council conducted consultations and gathered feedback from community members, groups and providers, to identify existing barriers, gaps, needs and possible solutions. • The Municipal Disability Leadership Team conduct regular desktop mapping to track changes in service provision (NDIS) in Knox and respond to gaps and opportunities as appropriate. • This work is ongoing to ensure changes, challenges and barriers in NDIS and community service provision are tracked, and gaps are addressed where possible. 	<ul style="list-style-type: none"> • Ongoing work to explore opportunities to enhance services for marginalised and disadvantaged groups. In particular, the NDIS roll out will continue to identify service gaps and areas for advocacy.
<p>Focus Area 2 - Leadership and Advocacy Council will lead by example and advocate to other levels of government, business, services, community organisations, and the community to promote human rights and address issues of discrimination and exclusion.</p>				
<p>2.2 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.</p>	1-4		<ul style="list-style-type: none"> • The Laying a Social Housing Pipeline in Knox project has been completed which, amongst other things, modelled the development feasibility of six possible social housing sites in Knox. • Identification of a worsening trend of homelessness involving older women in Knox has resulted in collaboration with the Active Ageing Department and Women’s Housing Limited to explore strategies to address this. • Advocacy through the Eastern Affordable Housing Alliance continues. The Alliance is finalising a three-year workplan, which includes a significant communications strategy. 	<ul style="list-style-type: none"> • Ongoing implementation of priorities to support affordable housing options for Knox.
<p>2.3 Embed the principles of access and equity within the Knox People Strategy to achieve diversity in Council’s recruitment and retainment of staff and volunteers.</p>	1-2		<ul style="list-style-type: none"> • A review of the people strategy, led by Strategy, People and Culture, has progressed to final draft stage. This action links with action 1.1. Discussion is ongoing to ensure the principles of access and equity are aligned and achievable to support increased diversity of staff and volunteers at Knox. 	<ul style="list-style-type: none"> • Ongoing work to continue to revise and align framework and principles to develop the People Strategy.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
2.7	2-3		<ul style="list-style-type: none"> The People Strategy will explore workforce opportunities for marginalised and disadvantaged community members. Economic Development Team and Municipal Disability Leadership Team conducted a research and mapping project in relation to social enterprises in Knox. The report provides an overview of opportunities for Council in relation to social procurement and support for social enterprises. 	<ul style="list-style-type: none"> Explore opportunities in relation to: <ul style="list-style-type: none"> Councils Social Procurement direction; Support establishment of Social Enterprises in Knox; and Employment framework explored to support professional development programs at Council such as internships and work experience.
2.8	1-5		<ul style="list-style-type: none"> The Knox Multicultural Advisory Committee (KMAC) has provided the following advice in relation to the following issues: <ul style="list-style-type: none"> The uptake of NDIS packages are very low in multicultural communities. KMAC members were asked to consider how people in their community are accessing the NDIS. This is an ongoing critical issue acknowledged by the NDIA. Ongoing dialogue with Committee in relation to refugee settlement in Knox. Migrant Information Centre to provide updated information for committee (where possible) to consider the needs of the relevant communities. Action 1.14 achievements further provide opportunity for Council to progress work with migrants and refugee's in Knox. 	<ul style="list-style-type: none"> Ongoing work and advocacy to support migrants and refugees is supported through KMAC.
2.9	1-5		<ul style="list-style-type: none"> Council has ongoing advocacy campaigns for Rowville Train line and tram services to Knox City. Bus services and routes are servicing the Rowville community to support access to train lines. 	<ul style="list-style-type: none"> Advocacy campaign ongoing.
2.10	2-5		<ul style="list-style-type: none"> During 2019, Eastern Region Metro Councils and Department of Health and Human Services have established a Mental Health Support and Prevention Network (the Network). The Network is currently monitoring recommendations from the Mental Health Royal Commission and discussing the role of the Network, with consideration of Council's primary role. A key focus for the network will include prevention, early intervention and consideration for the social determinants of good mental health. 	<ul style="list-style-type: none"> The Network continues dialogue and advocacy aligned with the recommendations of the Royal Commission (final report due October 2020) in relation to the role of Local Government and key partners. The Network is developing a work plan to support a collaborative approach across the Eastern Metro region.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
<p>2.12 Conduct further research to identify activities of Council’s role in supporting and advocating for Knox’s LGBTIQ communities and families throughout the life stages and inform the ongoing Community Access and Equity Implementation Plan.</p>	2-5		<ul style="list-style-type: none"> • Council is developing a project brief to facilitate a local Needs Analysis (to be completed in 2020) for the LGBTIQ+ community in Knox. The analysis will focus on: <ul style="list-style-type: none"> - Identifying the community in Knox; - Life stage cohorts; - Community strengths; - Community needs; and - Opportunities to work with Council. 	<ul style="list-style-type: none"> • Recommendations from Needs Analysis to inform support and advocacy priorities.
<p>2.13 Explore the findings of the Knox Family Violence Project to determine local leadership, advocacy, capacity building and partnership activities and resourcing to assist in addressing and preventing family violence in Knox.</p>	2-5		<ul style="list-style-type: none"> • Council staff currently participating in Gender Equity training to build capacity and professional development. • Ongoing staff training - embedding gender equity principles into the workplace. • Council annually supports 16 Days of activism to reduce gender based violence through: <ul style="list-style-type: none"> - Community messaging on roadside banners; - Social media campaigns; - Key message in community; - Engaging with and telling the story of survivors; - Engaging with local leaders to speak out as advocates; - Training of frontline staff – community laws, maternal and child health nurses to recognize and respond to family violence.; and - Knox City Council, together with Maroondah City Council and Yarra Ranges Shire Council are providing resources for sporting clubs to achieve gender equality by improving pathways for girls and women to participate in sport at all levels. 	<ul style="list-style-type: none"> • Ongoing work to progress community understanding of family violence issues through campaigns, community education and information. • The Gender Equity Equality Bill 2019 - legislation applies to public sector workplaces. Councils must develop a 4 year action plans to progress this work. • Review and update of the Family Violence Help Cards will be progressed.
<p>2.16 Commence a review into the role of Council to advance mental health within the municipality, i.e. schools, business and community settings.</p>	2		<ul style="list-style-type: none"> • This action is linked to 2.10. The Network will focus on settings and partner with relevant agencies to develop collaborative, evidence based initiatives in relation to prevention and early intervention. 	<ul style="list-style-type: none"> • Ongoing work to review the role of Council in relation to mental health support in community settings.
<p>2.17 Plan and implement programs in partnership with key stakeholders that support marginalised and disadvantaged community groups to respond to and recover from emergency events.</p>	2-5		<ul style="list-style-type: none"> • Implementation during 2019 of the Let's Get Ready Program to Grades 3, 4 and 5 in primary schools within the municipality. This program teaches children (and through the children, the parents) about disaster resilience. To date several hundred students have participated in the sessions. Fire HELP and Ready to Go programs focus on emergency management preparedness and are currently being implemented. 	<ul style="list-style-type: none"> • Ongoing work will focus on exploring community resilience and the increase of family violence incidents following emergency events.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
<p>2.18 Research and implement Social Procurement Guidelines to engage organisations and services that strengthen social inclusion and provide opportunities for disadvantaged and marginalised community members.</p>	2-3	▶	<ul style="list-style-type: none"> A review of Council’s Procurement Policy is in progress and includes consideration for social procurement criteria and services delivered by local social enterprises. 	<ul style="list-style-type: none"> Council to consider options for increasing social procurement through local business. Increasing support and providing opportunity for social enterprises. This work will increase employment and inclusion for marginalised and disadvantaged community members in Knox.
<p>Focus Area 3 - Accessible and Safe Places and Spaces Council will work to ensure that Council buildings, public places and open spaces are accessible, universally designed and safe for everyone.</p>				
<p>3.2 Progressively upgrade Council’s sporting facilities in line with universal design to support an increase in female participation in sport.</p>	2-4	▶	<ul style="list-style-type: none"> Ensure all capital works projects have universal design considerations. The modular design of change rooms incorporates female friendly and universal design principles. Capital works for the modular change rooms at key sporting locations is ongoing. 	<ul style="list-style-type: none"> Council’s Sport and Leisure Team will continue to advocate to support the increase of women participating in sport activities. ‘This Girl Can’ program is supported by Council across a range of sporting activities. Support for women to access facilities will continue through the implementation of female change facilities and other initiatives.
<p>3.3 Deliver Council’s Capital Works Retrofitting Program to improve accessibility of Council owned buildings and facilities.</p>	1-5	▶	<ul style="list-style-type: none"> The retrofitting program is an ongoing activity through capital works. A priority is high use council facilities such as public toilets and community buildings that require improvements to support community access. Annually, Council staff to ensure resources are targeted to priority facilities. 	<ul style="list-style-type: none"> Annual ongoing works program.
<p>3.4 Continue to progress implementation of the Mobility Implementation Plan.</p>	1-4	▶	<ul style="list-style-type: none"> Council is continuing to implement key priorities from the Mobility Implementation Plan in relation to accessible bike paths, foot paths and access to Council facilities. 	<ul style="list-style-type: none"> Ongoing.
<p>3.6 Progress feasibility of Intergenerational and All Ability Activity space at Stamford Park and other key strategic sites.</p>	2-3	▶	<ul style="list-style-type: none"> Carrington Park redevelopment – Community Infrastructure and Active Aging Teams are working together to develop an intergenerational activity space at Carrington Park. This is at the concept/design stage. Stamford Park concept design in progress. 	<ul style="list-style-type: none"> Scope and concept designs will inform construction of intergenerational activity spaces.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
<p>Focus Area 4 - Empowerment and Participation Council will facilitate civic participation and inclusive engagement to ensure that people can exercise their rights and voices to help shape their own future.</p>				
<p>4.1 Partner with sport and leisure clubs and community groups to identify initiatives to increase opportunities for marginalised and disadvantaged community members to participate and connect in the community through the arts, sport and recreation.</p>	<p>2-5</p>		<ul style="list-style-type: none"> • Council supports the following activities: <ul style="list-style-type: none"> - Night Owl Hoops for Youth programs includes healthy eating, basketball games and life skills workshops for marginalised young people in Knox aged 12 – 18. (3 programs implemented 18/19). - Sports clubs in Knox have opportunities for community to volunteer, participate in activities, and increase social connections. - Council supports gentle exercise programs for Carer’s Flow and Tone Classes at Knox Leisureworks. (1 day per week). - Free Dadfit Classes Knox Leisureworks – carer of child with a disability (1 day per week). - Pathways for Carers walks – Rowville – 1 day per month. - Nine Access Keys developed for Eildon Park Tennis Club, Knox Regional Netball Centre, 5 Knox Libraries, Knox Festival and Knox Carols by Candlelight. Access Key provide information to support community who have sensory needs in public places. - Changing Places bathroom installed at Wally Tew Reserve. - Update and reprint of Guide to Aged & Disability Services – including recreation and leisure section. - Wheelchair basketball for International Day of People with Disability 2019 – supporting local schools to participate in wheelchair basketball tournament. 	<ul style="list-style-type: none"> • Programs ongoing for 19/20 including: <ul style="list-style-type: none"> - Update & reprint of <i>People First, Supporting the inclusion of people with disability - guide to an inclusive community</i>. - Access Keys – for State Basketball Centre, Knox & Ferntree Gully Community Arts Centre. - Changing Places bathroom to be built in Knox Westfield Library development. - May 2020 - All Abilities Basketball tournament to be held at the State Basketball Centre. - April 2020 - Night Owls Hoops for youth program commences.
<p>4.2 Deliver a health promotion and harm minimisation program, including:</p> <ul style="list-style-type: none"> • Education/capacity building programs with sporting clubs focused on cultural change. • Advocacy to improve planning policy responses and regulatory framework that manage the density of alcohol outlets within places or locations. 	<p>1-4</p>		<ul style="list-style-type: none"> • Council has continued support for the SALT program across sporting clubs in Knox - Program has a focus on leadership, respectful relationships, increasing women’s participation in clubs, mental health, drug and alcohol harm minimisation. • Sporting clubs have also participated in the ‘Equality is the Game’ program and developing Gender Equity Plans. • Further advocacy in relation to alcohol density to be determined following refusal of application by Planning Minister to explore planning scheme amendments for packaged liquor outlets. 	<ul style="list-style-type: none"> • Council received VicHealth Grant (over 2 years) focused on football clubs across Knox and Maroondah to explore – alcohol management strategies, leadership and organisational culture.

Council Action	Year	Status	Achievements	Future Work/ Next Steps
<p>4.5 Deliver and provide targeted information to Knox’s diverse community members to engage and increase opportunities to connect and participate in the community.</p>	1-5	▶	<ul style="list-style-type: none"> • Council provides regular e-bulletin to members of the multicultural community, people with a disability, service providers and community members in relation to events, services, community programs, grants, and training. • Information is also shared at Advisory Committee meetings that provides opportunity for collaboration and sharing of resources. 	<ul style="list-style-type: none"> • Ongoing
<p>Focus Area 5 - Celebrating Diversity and Creating a Sense of Belonging Council will value and celebrate the diverse people and communities that make up Knox and the skills and abilities that they bring.</p>				
<p>5.1 Develop and participate in community awareness raising activities to prevent discrimination and racism and celebrate diversity in Knox.</p>	1-5	▶	<ul style="list-style-type: none"> • Council has supported the following events to celebrate and raise awareness of our diverse community: <ul style="list-style-type: none"> - Diwali Festival; - 2019 Proud to Belong event held at Knox Community Arts Centre during Cultural Diversity week; - Multicultural Advisory Committee visiting places of worship in Knox; - All Nations Multicultural Soccer Festival – held at the State Basketball Centre; - February 2020 -Council staff, young people and Councilors attended Pride March; - May 2019 - Celebration of IDAHOBIT day to raise awareness of the discrimination - Homophobia, Transphobia and Biphobia.; - Social media and Facebook promotions during key events across the 18/19 calendar year. 	<ul style="list-style-type: none"> • Ongoing engagement with diverse groups will support further events and opportunities to celebrate diversity.
<p>5.2 Continue to support and build the capacity of community groups to develop initiatives that contribute to social cohesion.</p>	1-5	▶	<ul style="list-style-type: none"> • Council’s Community Development Fund supports community groups that respond to an identified need in the community. Projects include: <ul style="list-style-type: none"> - Wheelchair Basketball - School holiday sport activities - Development of an LGBTIQ inclusive practice framework - Social inclusion events to enable community gatherings to meet new people and share a meal. 	<ul style="list-style-type: none"> • Annual Community Development Fund grants. • Annual Minor Grant funds.

Council Action	Year Status	Achievements	Future Work/ Next Steps
<p>5.4 Deliver events and activities that recognise and celebrate our Aboriginal and Torres Strait Islander community and culture to promote reconciliation and recognition.</p>	<p>1-5 </p>	<ul style="list-style-type: none"> • Aboriginal cultural competency training completed for staff. • Sorry Day event conducted at civic center during May 2019 - 113 community members and Aboriginal people attended. • NAIDOC week activities included: <ul style="list-style-type: none"> - Story time at Ferntree Gully library featuring My Little Homies, by Eddie Betts; - Screening of Warrigal Creek Massacre – Knox Community Arts Centre; and - Treaty Conversation event. 	<ul style="list-style-type: none"> • Council will continue to engage with the local Aboriginal and Torres Strait Islander community to deliver respectful acknowledgment through activities and events
<p>5.5 Support delivery of Multicultural events on an annual basis that celebrate diversity and brings together people from diverse cultural and linguistic backgrounds, faiths and age groups.</p>	<p>2 & 4 </p>	<ul style="list-style-type: none"> • ‘Proud to Belong’ event held at Knox Community Arts Centre to mark Cultural Diversity Week 2019. The event included a smoking ceremony by a local Aboriginal elder, live music, cultural performances and guest speakers Aleem Ali (CEO of Welcoming Australia) and Lin Jong (AFL player). • Human rights video presentation at Cultural Diversity Tavern for social club staff. • Council representation at various multicultural and faith events and celebrations in the community. • Knox Festival includes: <ul style="list-style-type: none"> - A global kitchen – celebrating food across the world; and - Community Stage - performances from a range of multicultural groups. 	<ul style="list-style-type: none"> • Partner with Welcoming Australia to deliver a Campfire Stories event during Refugee Week 2020. • Review event calendar and identify other opportunities to celebrate cultural diversity in Knox.

9.4 Youth Services 2019 Achievements

SUMMARY: Team Leader Youth Participation and Counselling, Katie Scott

This report highlights Council's Youth Services achievements in 2019, demonstrating the breadth and wide-reaching impact of the program delivery within the municipality.

RECOMMENDATION

That Council note the achievements of Council's Youth Services in 2019.

1. INTRODUCTION

Council defines a young person as anyone aged between 10 to 25 years old. According to the 2016 Census, approximately 31,040 young people aged between 10 to 25 years old, live in the City of Knox (2020 estimate 32,269). The primary target group of the programs, services, advice and support provided by Council's Youth Services team are those young people who live within our community and any young person who chooses to study, work or recreate in the municipality. An important distinction of Knox's Youth Services is that support, advice, programs and services are also provided to anyone connected with young people, including but not limited to, direct and extended family members, Council staff, friends, employers, community and government agencies and service providers.

The purpose of Council's Youth Services is to "support young people and their families to build wellbeing through positive connections in their lives and to promote young people as active and respected members of the community."

Council's Youth Services acknowledge and celebrate the diversity of young people in Knox and prioritises the increased need for support for young people who are experiencing disadvantage. Programs and services build on the strengths of young people and the community (a strength-based approach). Council provides services to young people on an individual or group basis, in line with identified needs and issues.

Attachment 1 provides a snapshot of the programs and an indication of the levels of service provided by Council and some of the work undertaken by the Youth Services team during 2019.

Also evident in Attachment 1 is the broad range of stakeholders involved in supporting young people and the importance of relationships, collaboration and partnerships with others including parents, carers, family, education professionals, social and recreation clubs, faith based and community groups, youth and community agencies, Victoria Police and other internal Council teams such as Community Safety, Community Development, Leisure Services, Family and Children's Services, Arts and Culture and Sustainable Futures.

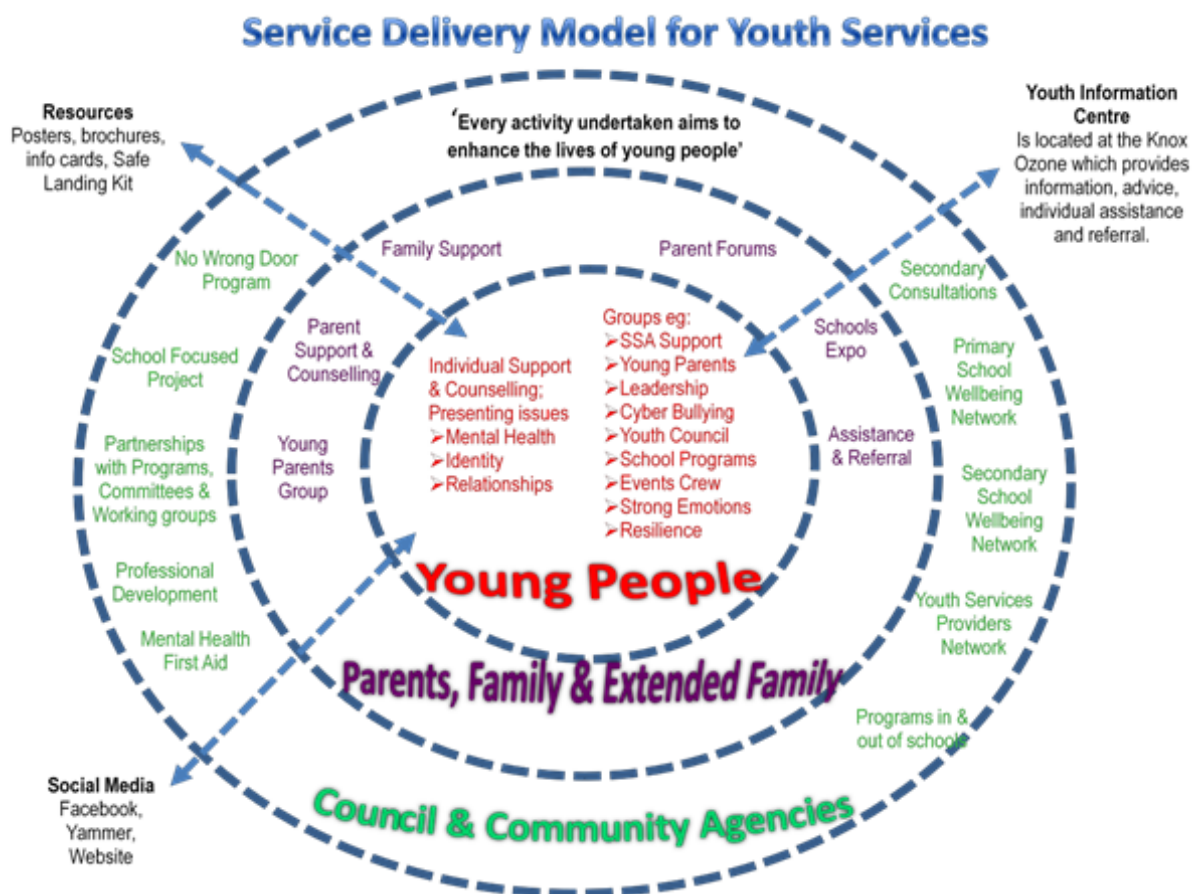
2. DISCUSSION

In summary during 2019, Council's Youth Services:

- Delivered 22 youth programs and supported 380 young people.
- Undertook 835 Counselling sessions working with 96 individual young people.

- Provided individual support to 99 parents/families/carers of young people through face-to-face or phone sessions
- Delivered six parent workshops/forums engaging with 1,657 parents.
- Engaged 1,310 young people through festivals and events.
- Supported 68 school and agency staff through networking and professional development opportunities.
- Engaged with 11 partner organisations in the delivery of services.
- The School Focused Youth Service Program funded seven targeted interventions for young people and four for teachers/families in 12 schools, eight external organisations were engaged to partner with schools working with 372 young people, nine parents and 74 teaching staff.

Council’s Youth Services continues to operate under the Service Delivery Model developed as part of the 2011 Service Review process.



Highlights of the 2019 year will be summarised below. Attachment 1 outlines in more detail the programs and services delivered throughout 2019.

2.1 Programs and Services for Young People

In 2019, 22 programs were delivered to young people. These programs worked with 380 young people.

Included in these programs were:

- Youth Advisory Committee.
- Youth Parliament – YMCA – a program designed to give young Victorians a chance to be heard at the highest levels of State Government, on a wide range of issues relevant to young people's lives.
- Young Sporting Leaders Program – recognising young women leaders within local sporting clubs and providing opportunities to develop leadership skills. Delivered in partnership with Leisure Services.
- Counselling – individual face-to-face or phone counselling sessions to young people delivered at the Youth Information Centre or in the counselling rooms in the Eastgate South building.
- LGBTQIA+ programs – four separate group programs to support young people ranging in ages from 11 to 25 years (in age appropriate groups).
- Yarning Circles – program delivered in four schools in partnership with EACH supporting Indigenous students.
- Masked – short film (developed in 2018) was presented externally on at least six occasions, including national and international radio interviews. Available on YouTube with over 420,000 views

2.2 Programs and Services for Parents, Family and Extended Family

In 2019, seven programs were delivered to parents, family and extended family. These programs supported 1,657 parents, family and extended family.

Included in these programs were:

- Parent Information Sessions - four Parent Workshops were delivered in 2019. Topics included Raising Boys, Raising Girls, Autism Spectrum Disorder and Girls and Parenting LGBTQIA+ Young People.
- Parents of LGBTQIA+ Young People – a support group for parents of LGBTQIA+ young people. New group trialled in the last part of 2019. Excellent response and interest resulting in a more formal program being offered in 2020.
- Schools Expo – an information evening for parents of primary school children supporting the transition to secondary school. Nine local secondary schools attended as well as KIOSC, Eastern Regional Libraries, Anglicare Parentzone, headspace and La Trobe Community Health Service.

2.3 Programs and Services for Council and Community Agencies

In 2019, six services involved Council and community agencies. These programs supported more than 140 individuals within these services.

Included in these programs were:

- School Focused Youth Service Program – externally funded by Department of Education and Training (DET) to provide brokerage funding to schools to support at risk and disengaged young people remain in education. This Program provides funding for direct service delivery to students, as well as capacity building initiatives for school staff and families.

- Brighter Futures Outer East – a network of State and Local Governments, young people, service providers and community groups addressing the needs of young people in out-of-home care.
- Primary and Secondary Wellbeing Networks – network meetings to support primary and secondary school wellbeing staff within Knox.
- Outer East Youth Service Providers Network – network bringing together professionals who work with young people across the Eastern Region. Delivered in partnership with Knox, Maroondah and Yarra Ranges Councils.

2.4 Partnerships

Council's Youth Services recognises the importance of developing strong working relationships with external agencies and that by creating partnerships we can increase our reach and support of young people.

In 2019, Council's Youth Services delivered programs and services in partnership with the following organisations:

- headspace Knox.
- Uniting Care Harrisons.
- EACH.
- YMCA.
- Eastern Regional Libraries.
- KIOSC.
- Anglicare Parentzone.
- Maroondah and Yarra Ranges Councils.
- Department of Education and Training.
- Internal Council units including Cultural Services, Leisure Services and Maternal Child Health Services.
- Local primary and secondary schools.

2.5 Future Directions and 2020 Plans

In addition to continuing to build on the programs and services delivered in 2019, a number of new and exciting initiatives are being planned for 2020. These include:

- Youth Summit – this Youth Summit will bring together secondary school aged children from schools across Knox to consult on a range of topics (to be determined by the young people). A group of local young people will be established to plan and deliver this event.
- Masked 2 – Youth Services have been fortunate to receive funding through YAC Vic to develop a second short film following on from the huge success of Masked. This short film will be made in 2020 in partnership with Momentum Studios and young people from our LGBTQIA+ Action Group.
- Building on the Young Women in Sport Leadership Program to expand this into supporting coaches who are working with young people.

In addition to the above-mentioned programs and services, Youth Services staff are also involved in significant strategic work across the organisation, including involvement in the Life Stages Plan, Community and Council Plan and other strategic planning such as the Community Hubs.

A significant outcome from the 2014 service review was the identified need for Council's Youth Services to establish an appropriate record keeping process for the management of client files, case notes and group program engagement. Youth Services have since engaged the services of InfoXchange and purchased a record keeping tool called SRS. This tool allows Youth Services to deal with confidential and sensitive information, such as counselling case notes, in a secure and private way. Ensuring our service complies with privacy legislation in addition to providing a best practice model for the management of young people's personal information.

3. CONSULTATION

In order to provide relevant and effective services that meet the needs of the young people and reflect our commitment to a youth participation and strengths-based approach, Youth Service staff are continually consulting with clients, community, internal departments and community services. Some of this consultation is a result of regular contact with the following:

- Knox Youth Advisory Committee.
- Outer East Youth Service Providers Network.
- Student Wellbeing Coordinator Networks.
- Youth Participation and Practice Network (statewide).
- Youth Affairs Council of Victoria.
- Brighter Futures Outer East.
- Eastern Metropolitan Local Government Youth Services.

In addition to these formal consultation approaches, informal consultation happens throughout the delivery of all programs and services in order to ensure these remain relevant and effective.

4. ENVIRONMENTAL / AMENITY ISSUES

There are no environmental/amenity issues directly associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

In 2018-19, the Youth Services budget was just over \$1,128,165 of which Council's contribution was \$875,807. The additional \$252,358 is sourced by Youth Services through external funding bodies, including the Department of Education and Training for the School Focused Youth Service Program, the Department of Premier and Cabinet – Office for Youth (Engage Funding) and the Youth Affairs Council of Victoria (HEY Grants). Council's Youth Services programs are delivered through 8.8 EFT, spread across 11 staff.

6. SOCIAL IMPLICATIONS

Council recognises the importance of effective engagement with young people and supporting young people's development.

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

Goal 6 - We are healthy, happy and well

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

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

Strategy 7.2 - Celebrate our diverse community

Strategy 7.3 - Strengthen community connections

Goal 8 - We have confidence in decision making

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

8. CONFLICT OF INTEREST

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

Author – Team Leader Youth Participation and Counselling, Katie Scott – 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

Council's Youth Services had an extremely successful 2019, providing a wide range of programs and services to support young people, families and agencies working with young people within the municipality. Extensive planning is already underway for additional new and exciting projects in 2020.

10. CONFIDENTIALITY

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

Report Prepared By: Team Leader Youth Participation and Counselling, Katie Scott

Report Authorised By: Director, Community Services, Tanya Scicluna

Attachments

1. Attachment 1 - Knox Youth Services 2019 Achievements [9.4.1 - 8 pages]

Attachment 1

Knox City Council's Youth Services 2019 Achievements Report

Background

Youth Services undertook a large service review as part of Council's Service Planning process in 2014. As part of this review considerable work was undertaken to define and clearly articulate Council's role in the provision of Youth Services. This work has continued to shape and define Youth Services over the last 6 years and remains relevant and important to the delivery of a quality service.

Purpose of Service

To support young people and their families to build wellbeing through positive connections in their lives and to promote young people as active and respected members of the community.

Service Outcomes

- Build the capacity of young people to become actively involved and empowered within the community.
- Build the capacity of agencies, schools and families to effectively support young people.

Future Service Direction

This universal, generalist youth service approach will include:

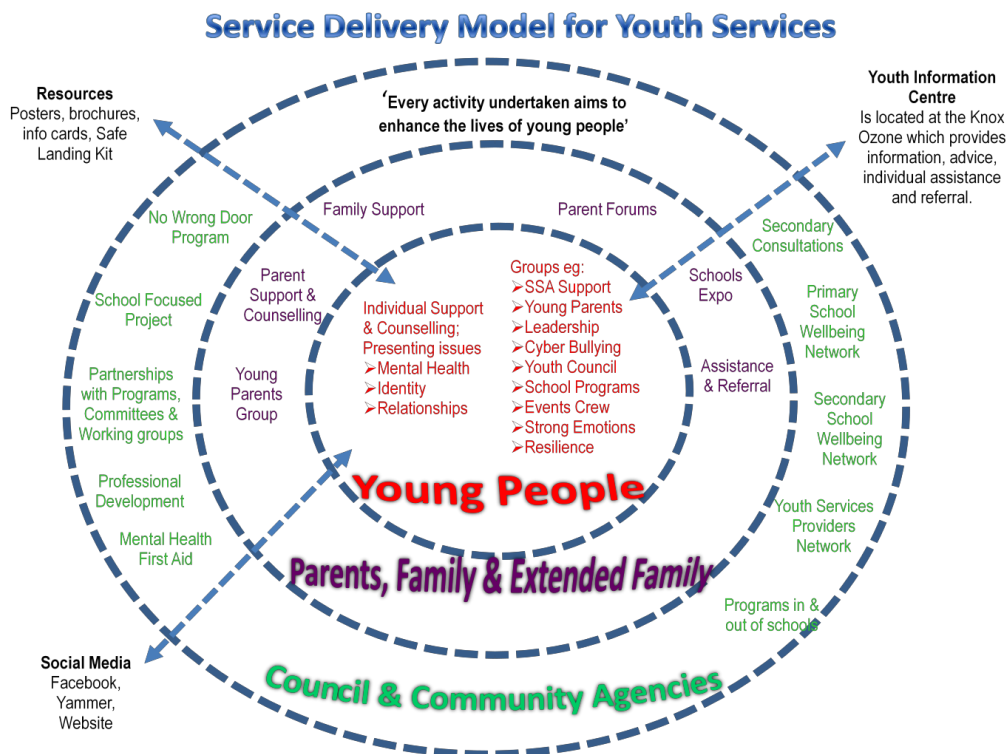
- the provision of unique municipal roles and activities relevant to young people not provided by other services including local coordination, municipal program and service planning and youth leadership development;
- promoting successful engagement with young people in all relevant Council programs and processes (e.g. consultation on Council Plans);
- a particular focus on the early prevention of negative health and wellbeing outcomes for young people; and
- maintaining the flexibility to adapt to emerging and changing priority issues in the community, maximising partnerships and collaboration with more specialist youth services and avoiding the duplication of services/programs.

The service will not aim to address all the diverse needs of young people but it provides an important opportunity for young people and their families to gain access to information, support, referral, personal development, and positive community connections.

Attachment 1

Service Model

Council’s Youth Services deliver flexible youth support through a Service Delivery Model which focuses on three main groups – young people, parents/families and Council and community agencies. The activities provided include services for individuals, groups, community networks and organisations. This Service Delivery Model is illustrated below.



2019 In review

In summary:

- Council delivered approximately 22 youth programs and supported 380 young people through these programs
- Undertook 835 Counselling sessions working with 96 individual young people
- Provided individual support to 99 parents/families/carers of young people through face-to-face or phone sessions
- Delivered 6 parent workshops/forums, engaging with 1657 parents and carers
- Engaged 1310 young people through festivals and events
- Supported 68 school and agency staff through networking and professional development opportunities
- Engaged with 11 partner organisations in the delivery of services

Attachment 1

- The School Focused Youth Service program has funded 7 targeted interventions for young people and 4 for teachers/families in 12 schools, 8 external organisations were engaged to partner with schools working with 372 young people, 9 parents and 74 teaching staff.

Council's role in the provision of youth services

Council's Service Planning process endorsed that Council should maintain a 'universal' youth service which incorporates four key municipal roles.

- Coordination and Planning
- Leadership and Engagement
- Supporting Individuals
- Capacity Building

Coordination & planning

Within the Coordination and Planning role Council undertook the following programs and service delivery:

- Outer East Youth Service Providers Network – network bringing together professionals who work with young people across the Eastern Region. Delivered in partnership with Knox, Maroondah and Yarra Ranges Councils.
- Strategic Partnerships including Harrisons co-locating at the Youth Information Centre, and headspace working collaboratively on service provision to young people.
- Council internal strategic plans e.g. Life Stages Plan, Community and Council Plan, Youth Charter, Boronia Renewal.
- School Focused Youth Service Program – externally funded by Department of Education and Training (DET) to provide brokerage funding to schools to support at risk and disengaged young people remain in education. This program provides funding for direct service delivery to students, as well as capacity building initiatives for school staff and families.
- QEAST – Network of workers from across the Eastern region who work with LGBTQIA+ young people.
- QEAST Youth Working Group - Group of young people from Outer East supported by Knox City Council's Youth Worker to deliver a Rainbow Celebration event.
- Primary and Secondary Wellbeing Networks - Network meeting to support Primary and Secondary School wellbeing staff.
- Brighter Futures Outer East - a network State and Local governments, young people, service providers and community groups addressing the needs of young people in Out of Home Care.

Attachment 1

Leadership & Engagement

Within the Leadership and Development role Council undertook the following programs and service delivery:

- Youth Advisory Committee – Formal Council Advisory Committee
- Youth Parliament - YMCA a program designed to give young Victorians a chance to be heard at the highest levels of State Government, on a wide range of issues relevant to young people's lives.
- Young Leaders - Leadership program for year 10 students to support leadership development. In 2019 the Young Leaders developed and delivered a transition program for grade 6 students.
- Youth Events Crew – Support young people to run events including Green Foot Flicks and organising Youth spaces at Stringybark, Knox Festival and Knox Carols by Candlelight
- Young Sporting Leaders Program - Recognised young women leaders within local sporting clubs and provided opportunities to develop leadership skills. Delivered in partnership with Leisure Services.



Image: Young Sporting Leaders Program 2019



Image: Young Leaders Program 2019



Image: Youth Parliament 2019



Image: Young Leaders Program 2019

Attachment 1

Image: Knox Youth Events Crew 2019



Image: Youth Advisory Committee 2019

Supporting Individuals

Within the Supporting Individuals role Council undertook the following programs and service delivery:

- Counselling – Individual face-to-face or phone counselling sessions to young people and parents/carers/families
- Information, Advice and Referral – provided through drop-in's at the Youth Information Centre, or via phone. This service is provided to young people, their friends and families and community agency workers.

Capacity Building

Within the Capacity Building role Council undertook the following programs and service delivery:

- Young parents - A supported playgroup model to young parents under the age of 25 with babies under 12 months old, incorporating important skills developed such as first aid skills and healthy cooking workshops. Young parents were connected with peers, Each Youth Health Nurse, Eastern Regional Libraries and Maternal Child Health Services.
- Grade 6 Transition Program – Supporting grade 6 students who are transitioning into year 7. Delivered by the young people who participated in the Youth Leaders program.
- Free 2 Be Me – Program for young people aged 11-14 years who identify as LGBTQIA+ or are questioning. Delivered in partnership with headspace.
- 4 Me – Program for young people aged 14 – 18 years who identify as LGBTQIA+ or are questioning. Delivered in partnership with headspace.
- Emerge – Support group for young people aged 18-25 years who identify as LGBTQIA+ or are questioning.
- Rainbow Youth Action Group – For LGBTQIA+ young people aged 16-25 who are keen to develop new skills and help increase rainbow visibility in the City of Knox.

Attachment 1

- Parents of LGBTQIA+ Young People - Support group for parents of LGBTQIA+ young people. New group trialled in the last part of 2019. Excellent response and interest resulting in a more formal program being offered in 2020.
- Yarning Circles – Program delivered in schools in partnership with Each supporting Indigenous Students. 2 schools participated in whole school days playing traditional Aboriginal games, art and dance. 2 schools also participated in additional workshops around traditional bush food classes. Schools had a number of wide-ranging impacts including the development of murals, t-shirt art and the creation of an outdoor classroom space.
- Outdoors Program - Outdoor adventure program supporting grade 5 students to develop social skills and confidence.
- Night Owl Youth - Supported the Community Safety Team deliver the Night Owl Basketball program over 6 weeks. In addition, a member of the Governance Committee and provided the volunteer training and debriefing.
- Schools Expo – Information evening for parents of primary school children supporting the transition to secondary school. 9 local secondary schools attended as well as KIOSC, Eastern Regional Libraries, Anglicare Parentzone, headspace and La Trobe Community Health Service
- Parent Information Sessions - 4 Parent Workshops were delivered in 2019, these are one-off sessions. 2 of these workshops saw 600+ parents attending each session with Stephen Biddulph on Raising Boys and Raising Girls. Topics in 2019 were: Raising Boys, Raising Girls, Autism Spectrum Disorder (ASD) and Girls and Parenting LGBTQIA+ Young People.
- Sexual health and consent sessions - Sexual health & consent sessions delivered to the VCAL and Cottage Program students at Mountain District Learning Centre
- Festivals and Events – including Fairhills HS Mental Health Week, Green Foot Flicks, Stringybark Festival, Knox Festival, Knox Carols by Candlelight, National Playgroup Week Event, Rainbow Celebration,
- Masked - Masked short film (developed in 2018) was presented externally on at least 6 occasions. Including national and international radio interviews. Available on YouTube with over 420,000 views as at February 2020.
- Pride March – Youth Services support our young people to participate in Pride March each year.

Attachment 1



Image: Yarning Circle program 2019



Image: Yarning Circle program 2019



Image: 4Me Young People presenting Masked to The Minister for Youth Affairs Gabrielle Williams MP, previous Youth Affairs Council of Victoria CEO Leo Fieldgrass

Attachment 1

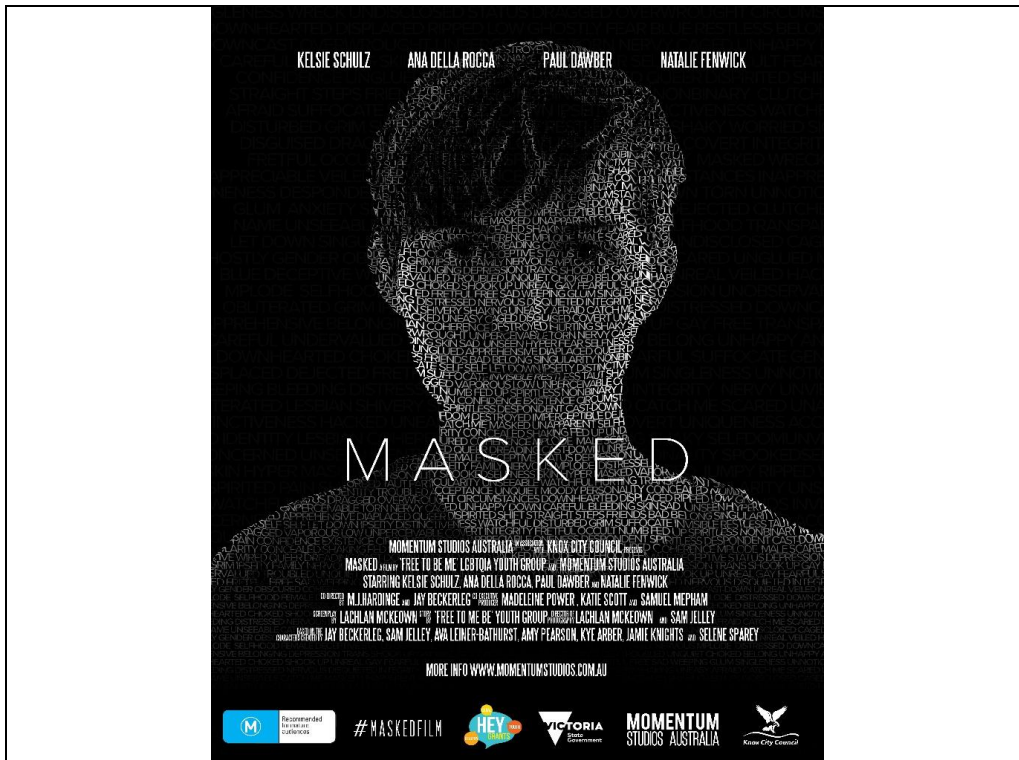


Image: Masked short film promotional flyer



Image: Schools Expo 2019



Image: Green Foot Flicks 2019



Image: Knox Festival 2019 – Escape Room



Image: Pride March 2019

9.5 Knox Active Ageing Advisory Committee Annual Report 2019

SUMMARY: Senior Active and Healthy Aging Strategic Officer, Stuart Ireland

The Knox Active Ageing Advisory Committee's (KAAAC) current Terms of Reference (ToR), requires an annual report to Council on Committee activities and achievements in accordance with the objectives stated in these Terms of Reference. This report provides the annual report of KAAAC activities and achievements for 2019.

RECOMMENDATION

That Council notes the report on the activities undertaken and subsequent feedback and advice of the Knox Active Ageing Advisory Committee between January 2019 and December 2019.

1. INTRODUCTION

The Knox Active Ageing Advisory Committee (KAAAC) has been established to:

A. Provide advice and recommendations to Council on:

The implementation of the Strategic Objectives under the Council Plan, in particular:

- To improve planning for an ageing population across Council's services to build capacity to respond to an ageing population; and
- Provision of a range of programs, services and partnerships, which aim to build local connections between people and reduce social isolation.

B. Provide advice to Council on emerging issues affecting all older people within the Knox community.

C. Consider and provide input to advice and information made available through other Council advisory and community consultation processes related to older people and healthy ageing issues.

This report provides the annual report of KAAAC activities and achievements for 2019.

2. DISCUSSION

2.1 KAAAC Topics and Key Themes for 2019

The Committee discussed and identified a number of priorities for 2019. These emerged from a combination of:

- Current and impending changes in the Aged Care and Disability Services sectors;
- Issues that were and have been identified through the development and implementation of the Community and Council Plan 2017-2021 and Key Life Stages Plan 2017-2021; and
- Observations from, and experiences of, individual Committee members relating to older persons in Knox.

Key areas of focus and themes included:

- Becoming an Age Friendly City;
- Hoarding and Squalor (Council’s approach and response to in the community);
- Third Places;
- Older people and alcohol and other drug use; and
- My Aged Care education in the community.

In addition to the key areas of focus and themes above, the Committee provided feedback on and/or participated in:

- Life Stages Group Advisory Committee meeting 2019;
- Moments that Matter photographic exhibition;
- Council’s Walking Football program;
- Wantirna Health Precinct – Issues and Opportunities Paper;
- AA&DS’s Client, Carer and Community member consultation project;
- AA&DS’s Knox On Demand Bus Trial;
- Eastern Metropolitan Partnership’s Eastern Loneliness Dialogue: a conversation about tackling social isolation in the eastern region; and
- AA&DS’s Voices of Over 55s: Challenging ageist stereotypes exhibition.

Just over half of KAAAC members attended and participated in the Key Life Stages Group Committee meeting in November 2019, which included:

- A summary overview of the Key Life Stages Plan;
- Key Life Stages Review – information and dialogue; and
- An Intergenerational presentation – Anna Donaldson, Founder and CEO of Lively.

2.2. KAAAC Committee Insights and Considerations

At the KAAAC meeting on Wednesday 29 January 2020, the Manager Active Ageing and Disability Services provided an overview of the aforementioned information, and then facilitated a group discussion which asked members to reflect on what has worked and is working well; what needs to improve; and to identify key priorities for 2020.

Working Well	Needs to Improve	Key Priorities
Meeting attendance	More broadly communication between Council and the Community	Age Friendly Cities / Dementia Friendly Cities
The alignment of meeting topics to Community and Council Plan strategies		Ageism
Committee members have increased awareness and knowledge of issues affecting older persons in Knox		Communication (addressing language and terminology used in KCC’s brochures / flyers)
Committee members feel listened to, valued and supported		Social Isolation (particularly specific groups/ cohorts)

Working Well	Needs to Improve	Key Priorities
		e.g. recently arrived migrants)
Timeliness and quality of communication by Senior Active & Healthy Ageing Strategic Officer		Transition to Ageing (promotion of, presence of housing options)
Increased opportunities to participate in information sessions and training.		

2.3 Membership, Period of Membership and Method of Appointment

The KAAAC is required to comprise of a maximum of eight community members, a maximum of six industry members, and two Councillors. Members commit to providing consistent representation and carry out specific tasks as designated. A review of 2019 KAAAC meeting agendas and meeting minutes revealed the following:

- KAAAC meetings had an average attendance of 70% of members - eleven members had the opportunity to attend all KAAAC meetings, of which two did so, whilst a further five attended four of the five meetings;
- Four community members attended KAAAC meetings, of which one attended all meetings, one attended four meetings, and two attended three meetings;
- Six industry representatives attended KAAAC meetings, of which two attended four meetings, and four attended three meetings; and
- One Council Officer, three industry representatives and three community members attended the Life Stages Group Committee Meeting on Thursday 28 November 2019.

No community and industry representative terms are expiring in 2020. Four representatives will complete their first term in early 2021, whilst six will complete their second and final term.

In accordance with the current ToR, community and industry representatives will be sought through an Expression of Interest (EOI) process. The EOI process will involve public advertisement, on Council's Internet site, through local networks and in local community newspapers. Current eligible members and other community and industry members will be invited to express their interest in joining/continuing on the Committee in late 2020/ early 2021.

3. CONSULTATION

The KAAAC were consulted and provided guidance and feedback concerning key strategies and initiatives within the Community and Council Plan 2017-2021 and Key Life Stages Plan 2017-21. The Committee's advice was also sought on programmatic and operational issues, thereby drawing upon and using their industry experience and community connections to provide Council with a deeper level of understanding when it comes community and client need and potential service and support gaps.

Council was also formally accepted into the World Health Organisation Global Network for Age Friendly Cities and Communities on 4 June 2019. In joining the network, Council has made a commitment to a five-year cycle of planning, implementation and evaluation. This includes four stages, with the first stage – Planning – requiring a significant amount of community engagement. For the KAAAC, this role will entail:

- Providing feedback and suggestions on project design, implementation and monitoring, and evaluation activities;

- Promoting Council's journey to becoming an Age Friendly City in members' respective groups, networks and communities;
- Facilitating/ participating in focus group discussions and other project engagement and participation opportunities as they arise; and
- Reviewing the draft community survey, action plan, and progress report and participating in the end of project (cycle) reflection workshop.

4. ENVIRONMENTAL / AMENITY ISSUES

There are no environmental or amenity issues related to this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The cost of conducting KAAAC meetings (and the contribution to the catering for the Life Stages Advisory Group meeting) in 2019 was just under \$1350.00. All costs are provided for in Council's Operating Budget

The Senior Active and Healthy Ageing Strategic Officer provides support to and coordination of the Committee. Given the KAAAC provides Council with the opportunity to directly engage with industry and community representatives on issues affecting older people, it is considered that there is a cost benefit to Council.

6. SOCIAL IMPLICATIONS

The KAAAC has been a positive step towards achieving greater engagement and civic participation of the older community in Knox by creating a formal structure for the provision of advice, feedback and recommendations to Council and Council Officers on topics and issues affecting older residents. The Committee has taken an active role in recommending initiatives and actions to recognise and celebrate older persons in Knox, to promote active ageing, and encourage meaningful participation of all residents in the social, economic and cultural life of the community.

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

The KAAAC provided specific advice, feedback and recommendations throughout the year against strategies and initiatives under the following Community and Council Plan 2017-2021 goals:

- **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.

Author - Senior Active and Healthy Aging Strategic Officer, Stuart Ireland – 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

The KAAAC continues to perform a vital role in helping to guide and inform Council's approach to engaging with older persons in the City of Knox and in shaping Council strategy, programming, policy and activities. This is evidenced by the high meeting attendance by members and the breadth of discussions that has taken place over the past 12 months. In addition, the presence and participation of members at external State Government and Non-Government forums, events and workshops, focused on enabling older people to enjoy active, healthy and independent lives.

Similar to other Council Committees, there will always be a delicate balancing act between supporting the progression of Council strategy and initiatives and being able to effectively respond to emerging issues and opportunities. The Committee has identified there needs to be further prioritisation of and attention given to the areas of Ageism, Social Isolation, and Transition to Ageing, which more broadly reflects internationally and nationally identified barriers to healthy ageing. These topics will be discussed, explored, and where possible, responded to, by the Committee in 2020.

10. CONFIDENTIALITY

There are no confidential issues relating to this report.

Report Prepared By: Senior Active and Healthy Aging Strategic Officer, Stuart Ireland

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

Nil

9.6 Minor Grants Program 2019-20 Monthly Report

SUMMARY: Community Resourcing Officer, Deb Robert

This report summarises the grant applications recommended for approval in March 2020 for the Minor Grants Program. All applications have been assessed against the criteria set out in the Minor Grants Program Policy.

Applications under the Minor Grants Policy are limited to a maximum of \$3,000, which has been the current limit since the commencement of the 2019-2020 financial year.

RECOMMENDATION

That Council:

1. Approve three applications for a total of 5,000.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Boronia Hawks Football Netball Club	Mental Health and Wellness Training for Men and Women	\$2,000.00	\$2,000.00
St Joseph Boronia Parent Community	Kitchen Garden	\$1,000.00	\$1,000.00
Wantirna South Junior Football Club	Line Marking Machine	\$2,000.00	\$2,000.00
TOTAL			\$5,000.00

2. Note that the following two applications have been approved and will be paid under delegated authority in accordance with Cl.6.6 of the Minor Grants Policy, as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Mountain District Learning Centre	Outdoor Farm and Yard Experience	\$500.00	\$500.00
Wantirna South Cricket Club	iPad for Club Scorers	\$489.00	\$489.00
TOTAL			\$989.00

3. Refuse four ineligible Minor Grants Program applications requesting a total of \$5,592 as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for Refusal
Melbourne 7-Melody Notes	Community Group Activity Grants	\$1,000.00	Regional group without clearly defined local Knox community focus (Cl 6.27).

Applicant Name	Project Title	Amount Requested	Reason for Refusal
Mountain Gate Cricket Club	Junior Presentation Trophies	\$500.00	Funding approval would be retrospective as trophies were purchased on 17/3/20 (Cl. 6.28). Club received funding for same items last year (Cl.6.25).
Wellington Care (Rowville Baptist Care)	Wellington Care Centre Refurbishment	\$3,045.00	Rowville Baptist Care has received grants to total of \$4,500 in current and previous two financial years (Cl. 6.22).
UN Youth Victoria	State Conference	\$1,000.00	State group without clearly defined local Knox community focus (Cl. 6.27). Funding approval would be retrospective as event scheduled for 21 March 2020 (Cl. 6.28).
TOTAL		\$5,545.00	

- 4. Note that inclusive of the above recommended grants, which total \$5,989.00, a total of \$108,486 has been awarded to date under the 2019-2020 Minor Grants Program to support 58 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 objectives of the Minor Grants Program are:

- To increase and sustain participation in a wide range of quality services within the municipality; to build and strengthen local networks and partnerships; and to support community leadership, learning and skill development;
- To support new initiatives or the expansion of an existing service that will address a clearly identified community need and contribute to the development, promotion and accessibility of a diverse range of quality community services and community resources within Knox; and
- To increase the level of resources of community organisations that provide, help, advice or support to the Knox community.

Applications are assessed against criteria specified in the Minor Grants Program Policy (approved October 2018) to determine the eligibility of the applicant organisation and the eligibility of the grant application.

The Policy sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 1989.

In accordance with the Policy, applications for funding have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

2. DISCUSSION

This report presents to Council the recommendations for recent Minor Grant applications in accordance with the Policy.

Nine complete grant applications were received since the 24 February 2020 Council meeting, requesting grants totalling \$12,815.00.

This report recommends the applications from Boronia Hawks Football Netball Club and St Joseph's Boronia Parents Community, for Council's approval as eligible under the Minor Grants Program Policy.

Two other applications, from Mountain District Learning Centre and the Wantirna South Cricket Club, also met the eligibility requirements of the Minor Grants Program and were approved under delegation, as neither grant was greater than \$500.

All of these projects are clearly targeted to the benefit of the Knox community and address the objectives of the Minor Grants program.

The remaining four applications were assessed to be ineligible in accordance with the Minor Grants Program Policy and are not recommended for approval for varying reasons.

Wellington Care (Rowville Baptist Care Inc) is currently unable to apply for any more than \$500 because the organisation has received Minor Grant funding totalling \$4,500 in the previous two financial years. Any grant over \$500 will take their aggregated allocation over the \$5,000 limit allowed within three financial years, as specified in the Minor Grants Program Policy (Cl 6.22).

Two applications for UN Youth and the Mountain Gate Cricket Club are for retrospective funding of events/activities that will have occurred prior to Council approval.

Melbourne 7 – Melody Notes (previously River Arts) is not a Knox based group and while it has been funded previously for specific performances within Knox, the application did not indicate any direct benefit to the Knox community from funding the proposed equipment purchased. This was also a shortcoming of the UN Youth application which did not demonstrate a strong connection to the Knox community.

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 2019/2020 budget provides \$148,500 for the Minor Grants Program. Recommended applications for the March period total \$5,989. If approved as recommended, the remaining Minor Grants budget for 2019/20 will total \$44,620, 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 5 - We have a strong regional economy, local employment and learning opportunities

- Strategy 5.4 - Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve economic capacity of the 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

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 Resourcing 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

A confidential attachment is circulated under a separate cover.

Report Prepared By: Community Resourcing Officer, Deb Robert

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

Nil

10 Corporate Services Officers' Reports for consideration

Nil

11 Items for Information

11.1 ICT Capital Works Report

SUMMARY: Acting Manager Information 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 18 March 2020.

RECOMMENDATION

That Council receive and note the ICT Capital Works Report, as at 18 March 2020.

1. INTRODUCTION

This report summarises Councils ICT Capital Works Program for the 2019/2020 financial year. The aim of this report is to provide a regular and succinct status summary of each project over the last month. The Capital Works Report, as of 18 March 2020 is attached in Confidential Attachment 1.

Highlights of the Works Report as at 18 March 2020 Include:

1242 - Digital Customer Channels Transformation - DCCT Ph1

The User Experience and Design stage is complete. The Project will present final design to Council for noting March 2020. Project will now focus on requirements for procurement of vendor services to deliver Build phase activities.

812 - Asset Management System

Contract negotiations are near completion, only one (1) outstanding contract clause to reach agreement on. This has delayed project implementation commencement by four to six weeks, however project go live milestones are expected to be recovered.

1036 – HR System Enhancement

User Acceptance testing for Work Package 2 (Payroll Enhancements and Humanforce Time & Attendance) is in progress. The project plan PageUp Work Package 3 (Performance & Talent) has been developed and agreed. Project continues to be well managed to budget and agreed timelines.

1034 - Business Intelligence

A new project Implementation Manager will commence April 2020, to restart progress and complete the roll-out of the capability to prioritised teams. The Project team will work with the sponsoring business to build business intelligence capability and utilisation of the Power BI tool.

1031 – ICT Spatial Capability

The project continues to focus on contract re-negotiations for all spatial systems. Implementation of upgraded infrastructure and software to be complete in April 2020, with user testing underway. Showcases for new functionality to be conducted with business users in April 2020.

1369 – Master Data Management

Project sponsorship re-assigned to Executive Director, Matt Kelleher. Project planning for stakeholder workshops and scoping of activities to complete by April 2020. Information sourced from other Councils on data governance journeys informing approach. Project focus on forming Council's requirements for procurement of vendor to lead Design Phase activities.

Report Prepared By: Acting Manager Information Technology, Paul Barrett

**Report Authorised By: Executive Manager Strategy, People & Culture, People & Culture,
Sam Stanton**

Attachments

1. ICT Status Report #9 [11.1.1 - 3 pages]

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name
789	FACILITIES BOOKING SOLUTION
All Wards	Request For Tender procurement exercise completed on 02 March 2020. Five submissions received. Evaluation Panel currently assessing submissions. Project on track.
812	Asset Management Information System
All Wards	Contract negotiations are near completion, with one (1) outstanding contract clause to reach agreement on. This has delayed project implementation commencement by four to six weeks, however project go live milestones are expected to be recovered.
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	In Progress - Food and Health process review session held, Snap Send Solve council site visit to City of Monash, recommendation report to be collated. Building Maintenance requests online(Sporting Clubs) planning stage. Late with Low Impact - Online Property Information Certificates test system set up resumed with view to progress project in March. Knox Building Permits online has not commenced due to additional Swimming Pool work to be completed.
1031	Spatial Capability
All Wards	The project continues to focus on contract re-negotiations for all spatial systems. Implementation of upgraded infrastructure and software to be complete in April 2020, with user testing underway. Showcases for new functionality to be conducted with business users in April 2020.
1034	Business Intelligence
All Wards	A new project Implementation Manager will commence April 2020, to restart progress and complete the roll-out of the capability to prioritised teams. The Project team will work with the sponsoring business to build business intelligence capability and utilisation of the Power BI tool.
1036	HR System
All Wards	User Acceptance testing for Work Package 2 (Payroll Enhancements and Humanforce Time & Attendance) is in progress. The project plan for PageUp Work Package 3 (Performance & Talent) has been developed and agreed. Project continues to be well managed to budget and agreed timelines.
1037	Project Management Office - ICT Governance
All Wards	Tracking as planned

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name
1242	Digital Customer Channels Transformation (DCCT) - Phase 1 Website Development
All Wards	The User Experience and Design stage is complete. The Project will present final design to Council for noting March 2020. Project will now focus on requirements for procurement of vendor services to deliver Build phase activities.
1245	Corporate Reporting Solutions
All Wards	Project will commence readiness assessment in April 2020, with a view to ensure sponsoring business is ready and able to commence the project, and for a dedicated Project Manager to be assigned. Current state processes will also commence in April 2020.
1250	Point Fix - Storage System
All Wards	Tracking to plan
1255	Server Infrastructure Upgrade
All Wards	Project waiting to be scheduled
1257	Project Management Office - Not Major
All Wards	Project tracking to plan
1368	Widen Utilization of ION
All Wards	Project awaiting scheduling
1369	Master Data Management
All Wards	Project sponsorship re-assigned to Executive Director, Matt Kelleher. Project planning for stakeholder workshops and scoping of activities to complete by April 2020. Information sourced from other Councils on data governance journeys informing approach. Project focus on forming Council's requirements for procurement of vendor to lead Design Phase activities.
1370	Data Integration Tools
All Wards	Project awaiting scheduling
1371	Participation Platform
All Wards	Initial discovery is underway to identify stakeholders and to size the project. Readiness assessment to be completed in April 2020 to ensure business readiness and capacity to commence initiative, and to assign a dedicated Project Manager.
1372	Point Fix - M(Device)M
All Wards	Tracking to plan

Knox City Council Project Status Report

18-Mar-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
	Readiness assessment has now completed with the sponsoring business. The report recommended the completion of transformation activities to create capacity ahead of the ICT project commencing in six months (August 2020). Changes have been included in V5 of the ICT Roadmap which has been endorsed by the March 2020 ICT Governance Committee.
1375	Point Fix - Virtual Desktop
All Wards	Project waiting to be scheduled
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 awaiting scheduling
1378	Point Fix - Single Sign-on (First Pass)
All Wards	Tracking to plan
1379	Customer Relationship Management (CRM)
All Wards	This project is due to commence in FY 20/21
1380	EDRMS - KX INTEGRATION TO OTHER MODULES
	Tracking to plan

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.

Report Prepared By: Manager, Governance, Phil McQue

Report Authorised By: Director, City Development, Matt Kelleher

Attachments

- 1. Attachment 1 - Assemblies of Councillors [11.2.1 - 9 pages]**



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 10/2/2020

Name of Committee or Group (if applicable): Issues Briefing

Time Meeting Commenced: 7.10pm

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

Name of Members of Council Staff Attending:

Tony Doyle

Misty Johannsen (Item 2)

Ian Bell

Matt Hanrahan (Item 2)

Matt Kelleher

Nasrin Dehghani (Item 3)

Tanya Scicluna

Madeleine Cheah (Item 3)

Phil McQue

Anthony Petherbridge (Item 3)

Emma Hayton (Item 1)

Nicole Columbine (Item 4)

Linda Merlino (Item 1)

Paul Reading (Item 4)

Petrina Dodds Buckley (Item 1)

Matters Considered:

1. Millers Feasibility Study into Potential Uses
2. Waste Services – Extension of Bin Based Waste Collection Contract and Consideration of New Initiatives of Bin Lid Change and Introduction of Food and Garden Waste Services
3. Knox Green Areas and Rural Strategy
4. Hockey Feasibility Study

Any conflict of interest disclosures made by a Councillor attending:* No

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Joanne Ellis

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 17/2/2020

Name of Committee or Group (if applicable): Issues Briefing

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Tony Holland

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Lisa Cooper

Cr Peter Lockwood

Cr Darren Pearce

Cr John Mortimore

Name of Members of Council Staff Attending:

Tony Doyle

Dennis Bastas (Item 1)

Ian Bell

James Morris (Item 1)

Matt Kelleher

Matt Hanrahan (Item 1)

Tanya Scicluna

Sam Mazer

Sam Stanton

Matters Considered:

1. Capital Works, Major Projects and LTFF

Any conflict of interest disclosures made by a Councillor attending:* Yes

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Joanne Ellis

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 18/2/2020

Name of Committee or Group (if applicable): Knox Multicultural Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Peter Lockwood

Name of Members of Council Staff Attending:

Lisette Pine

Tanya Styles

Jane Kuchins

Matters Considered:

1. Business Arising from Previous Meeting
2. Getting to Know You Activity
3. Knox Community and Council Plan and Municipal Survey 2020
4. Reports from KMAC Members
5. Knox Community Access and Equity Implementation Plan Report

Any conflict of interest disclosures made by a Councillor attending:* Nil

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Joan Pepi

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 19/2/2020

Name of Committee or Group (if applicable): Knox Environment Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr John Mortimore

Name of Members of Council Staff Attending:

Nasrin Dehghani

Sam Sampanthar

Matters Considered:

1. Green Areas and Rural Strategy
2. Environment Advisory Committee Annual Report 2019
3. Environment Advisory Committee Annual Plan 2020
4. Update on Waste and Recycling Issues

Any conflict of interest disclosures made by a Councillor attending:* Nil

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Sam Sampanthar

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors
(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 25/2/2020

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

Name of Members of Council Staff Attending:

Katie Scott

Tony Justice

Nicole Columbine

Matters Considered:

1. Induction Meeting for 2020 Youth Advisory Committee members

Any conflict of interest disclosures made by a Councillor attending:* Nil

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.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 27/2/2020

Name of Committee or Group (if applicable): Early Years Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Adam Gill

Name of Members of Council Staff Attending:

Angela Morcos

Liz Stafford

Robyn Renkema

Jennie Lindrea

Jennifer Richardson

Andrew Marshall

Matters Considered:

1. Appointment of Chairperson for next 12 months
2. Emergency Management: Information and Dialogue – Confirmation of 2020 Work Plan
3. Maternal and Child Health 2020 Initiatives: Information and Dialogue

Any conflict of interest disclosures made by a Councillor attending:* Nil

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Jennifer Richardson

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 2/3/2020

Name of Committee or Group (if applicable): Issues Briefing

Time Meeting Commenced: 6.35pm

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

Dennis Bastas (Item 1)

Matt Kelleher

James Morris (Item 1)

Tanya Scicluna

Carrie Hudson (Item 1)

Sam Mazer

Sam Stanton

Matters Considered:

1. 2020-21 Business and Resource Planning Workshop – Annual Plan, Business Cases and Operational Budget

Any conflict of interest disclosures made by a Councillor attending:* Nil

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Joanne Ellis

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 3/3/2020

Name of Committee or Group (if applicable): ICT Governance Committee

Time Meeting Commenced: 5.30pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Peter Lockwood

Cr Darren Pearce

Name of Members of Council Staff Attending:

Tony Doyle

Kenny Khamly

Sam Stanton

Sam Mazer

Paul Barrett

Rick Rigoni

Shona Richards

Damian Watson

Matters Considered:

1. ICT Portfolio Roadmap Refresh V5
2. Digital Customer Channels – Website Design and Architecture Review
3. ICT Portfolio Update
4. HR System Enhancements – Change Request 007
5. Portfolio Management Tool
6. Cloud Services Assessment

Any conflict of interest disclosures made by a Councillor attending:* Nil

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Rachel Culpitt

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 10/3/2020

Name of Committee or Group (if applicable): Issues Briefing

Time Meeting Commenced: 7.28pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Tony Holland

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Lisa Cooper

Cr Peter Lockwood

Cr Darren Pearce

Cr John Mortimore

Name of Members of Council Staff Attending:

Tony Doyle

Dennis Bastas (Item 2)

Matt Hanrahan

James Morris (Item 2)

Matt Kelleher

Sam Mazer

Tanya Scicluna

Sam Stanton

Matters Considered:

1. Notice of Motion No. 102 – Rental Tenancy Agreements for Not-For-Profit Groups
2. Rating Strategy, Fees and Charges and LTFF

Any conflict of interest disclosures made by a Councillor attending:* Nil

Name	Disclosure	Relevant Matter	Left Assembly **

Name of Person Completing Record: Joanne Ellis

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.

11.3 Capital Works Program Works Report as at 18 March 2020

SUMMARY: Coordinator, Capital Works, Gene Chiron

The Works Report shows projects on Council's Capital Works Program and indicates the status of each project as at 18 March 2020.

RECOMMENDATION

That Council receive and note the Works Report, as at 18 March 2020.

1. INTRODUCTION

This report summarises Council's 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 18 March 2020, is attached as Attachment A. Highlights of the Works Report as at 18 March 2020 include:

- Flamingo Preschool, Wantirna South - Verandah Extension – Construction completed.
- Templeton Reserve, Wantirna - Masterplan Implementation Stage 3 – Completed.
- Road Surface Renewal Program – 2019/20 Program completed.
- Theatre Lighting Upgrades - All theatre house lights upgraded to LED lighting.
- Kings Park, Upper Ferntree Gully - New Floodlighting (Oval 2) – Installation completed.
- Timmothy Drive, Wantirna South Underpass - Solar Lighting Upgrade - Completed.

Report Prepared By: Coordinator, Capital Works, Gene Chiron

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

Attachments

1. Works report as at 18 March 2020 [**11.3.1** - 20 pages]

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name	Total Approved
1	Bridges Renewal Program	\$500,000
All Wards	Detailed drawings for the Ferntree Gully Community Centre bridge renewal currently being revised prior to release for tender.	
4	High Risk Road Failures	\$500,000
All Wards	Works in progress in relation to latest condition audits from 2019.	
7	Road Surface Renewal Program	\$4,550,000
All Wards	Program for 2019/20 is complete.	
8	Drainage Pit and Pipe Renewal Program	\$2,200,000
All Wards	Drainage renewal works at Upper Ferntree Gully shops complete. Drainage renewal works at Studfield Shops due to commence mid March, 2020. Drainage program on track.	
9	Footpath Renewal Program	\$2,400,000
All Wards	The footpath renewal program is progressing well with 75% of the program already completed.	
10	Bicycle / Shared Path Renewal Program	\$625,000
All Wards	Shared path renewal program is expected to be delivered during March/April locations include Wellington Road, Power Road, Stud Road and Liberty Reserve.	
16	Building Renewal Program	\$6,738,342
All Wards	Program is 45% committed/expended. Works commencing or nearing completion over March/April include Batterham Pavilion - amenities refit, external path works, Scoresby Pavilion - internal painting works, Kings Park Football Pavilion - internal painting, Eastgate South - external painting, Eastgate North - external painting, Carrington Park Football Pavilion - kitchen/pantry refit, Eildon Parade Tennis - Amenities Refit, Civic Centre - female toilets Ground Level North - refit, Wantirna Tennis Pavilion - switchboard replacement, water supply line replacement, Sasses Ave Pavilion - power supply upgrade and switchboard replacement, Windermere Preschool - perimeter fencing/gate renewal.	
17	Playground Renewal Program	\$1,743,504
All Wards	19/20 Playground renewals scheduled to open for tender 7/03/20. Marie Wallace Playground Renewal tender closed 4/03/20.	
22	Fire Hydrant Replacement Program	\$134,000
All Wards	Payment to South East Water due in June.	
24	Carpark Renewal	\$530,000
All Wards	Carpark renewal works about to commence at Batterham Reserve scheduled for May, 2020 and will complete the 2019/2020 program.	

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name	Total Approved
25	Plant & Machinery Replacement Program	\$2,463,000
All Wards	Program progressing - funds 65% committed and 50% expended.	
26	Street Tree Replacement Program	\$628,457
All Wards	Bulk removal works currently being undertaken.	
31	Stamford Park Redevelopment	\$9,418,580
Tirhatuan	Planning Permit has been received. The Adventure Play Precinct is out for tender with a closing date of 16 March 2020. The Lake and Ephemeral wetland packages are currently having the Design Development work completed with detail design to then commence. Expecting to advertise the tender for the remaining construction works in June 2020.	
104	Roadside Furniture Renewal Program	\$100,000
All Wards	Program on schedule, seating pads and retaining wall repair works are planned for various locations.	
147	Energy Retrofits for Community Buildings	\$115,875
All Wards	Quotes for the heritage style lights at the Civic Centre are higher than anticipated and currently revaluating and exploring other lighting options for the Civic Centre Car Park.	
229	Building Code Australia Compliance	\$100,000
All Wards	In progress, 90% completed. Works completed include replacement of doors/door furniture to 13 No. Scout Halls on Council's Land.	
345	Asbestos Removal	\$100,000
All Wards	In progress, 20% committed as part of renewals/project work. Remainder to fund 5 year Asbestos Audits. Quotations currently under assessment with Contractor expected to be appointed by end of March to inform future works.	
347	Miscellaneous Industrial Roads - Pavement Rehabilitation	\$250,000
All Wards	Works in progress in relation to latest condition audits from 2019.	
409	Parks Furniture Renewal	\$102,000
All Wards	Program 50% complete.	
410	Parks Signage Renewal	\$20,000
All Wards	Program 30% complete with audit continuing.	
412	Water Sensitive Urban Design Renewal	\$531,669
All Wards	Koolamara and Wantirna Rise Wetland sedimentation pond desilting is underway. The quotes will be sent out next month.	

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Project Number	Project Name	Total Approved
441	Tim Neville Arboretum Renewal	\$427,107
Dobson	Works proceeding as expected.	
443	Reserves Paths Renewal	\$65,000
All Wards	Works continuing as expected	
492	Food Act Compliance - Kitchen Retrofitting	\$50,000
All Wards	On schedule, remainder of program to be completed with upcoming kitchen renewal works over April/May.	
516	Rumann and Benedikt Reserves - Open Space Upgrade Stage 2	\$181,390
Tirhatuan	Public tender phase is currently underway. Tender scheduled to be closed on 11th March.	
536	Parkland Asset Renewal	\$45,000
All Wards	Works completed.	
537	Bush Boulevard Renewal	\$65,000
All Wards	Scoping of works is completed however works have been delayed but should still be completed on schedule.	
566	Artwork Renewal	\$61,238
All Wards	Ongoing renewal work on Placemakers public artwork restoration is on track; Cinema Lane Boronia light boxes are for planned renewal early 2020, along with refresh of billboard platform at Skate park; Renewal of the arts collection management database platform is in progress and soon to be accessible as a digital resource on the Council website.	
576	Emergency Warning Systems in Early Years Facilities	\$50,000
All Wards	In progress, 30% committed as part of FW Kerr and UFTG capital/renewal projects. Remainder to be undertaken over April and June holidays.	
587	Upper Ferntree Gully Neighbourhood Activity Centre - Design	\$815,752
Dobson	Drainage renewal works progressing well. Telstra asbestos pit removal & reinstatement 70% complete. Landscape Contractor has been awarded Contract and will begin works March 24th 2020.	
593	Marie Wallace Reserve - Masterplan Implementation Stage 4	\$771,421
Dinsdale	(1) Repairs to the bike training area have been completed and are open to the public. (2) Masterplan stage 3 works on hold awaiting the award of the playground renewal contract.	
630	Early Years Hubs - Bayswater	\$115,000
Dinsdale	Awaiting AusNet to complete new connection.	

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Project Number	Project Name	Total Approved
649	Scoresby (Exner) Reserve - Masterplan Implementation Stage 3	\$450,000
Tirhatuan	Construction has commenced. Temporary fencing, service location and relevant signage complete. Demolition of old carpark underway.	
664	Stormwater Harvesting Program Development	\$249,925
All Wards	Tenders Closed. Tender review in progress. Tender Award is anticipated in March and site works expected to start April 2020.	
667	Dobson Creek Catchment - Streetscape Water Sensitive Urban Design	\$7,391
Chandler	Project complete.	
675	Public Art Project	\$206,100
All Wards	Framed by Gender and Immerse public artworks now complete; Stamford Park Public Artworks near contract signing stage; Public art project delivered for Knox Festival involving 6 local secondary schools; Boronia major public artwork planned for 2020/21 as part of Boronia renewal, and variety of smaller projects (Lupton Way & McCauley Place murals) also in planning phase.	
708	Cricket Run Up and Goal Square Renewal Works	\$55,000
All Wards	Fertilising and top dressing grounds as needed.	
717	Knox Central Package	\$8,235,000
Dinsdale	Negotiations to acquire parcels for future road corridor and delivery of Knox Central Masterplan continue. Residual funding from the Operations Centre land acquisition to remain allocated to the project should additional land be required.	
724	Knox (Interim) Library	\$664,205
Dinsdale	Project on hold pending Westfield Development Application approval and investment board sign off of redevelopment.	
725	Placemakers Site	\$289,920
Dobson	Further minor works required for fittings and fit out currently being sourced and quoted with completion expected by end of financial year.	
733	Preschool Office/Storage - Minor Works	\$45,881
All Wards	Program of works currently at 60% completion. Any remaining works to be completed over April holidays.	
737	Meals on Wheels site reconfiguration - Stage 2	\$50,000
Dinsdale	Relocation complete.	
746	Revegetation Plan	\$270,631
All Wards	Planting will commence May/June 2020.	

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Project Number	Project Name	Total Approved
747	Chandler Park, Boronia - Masterplan Implementation Stage 3	\$100,000
Chandler	Stage 3 works completed.	
755	Talaskia Reserve, Upper Ferntree Gully - Masterplan Implementation Stage 2	\$400,000
Dobson	Design documentation, schedules and specifications and tender documents completed. Public tender phase to commence on 4th March.	
761	Dandenong Creek Gateways - Strategic Road Corridors Revegetation	\$173,196
All Wards	Investigations into wildlife corridor poles. Design brief being prepared.	
799	Windermere Drive, Ferntree Gully - Reconstruction	\$407,000
Friberg	Contract works are completed and Practical Completion Inspection carried out.	
834	Oversowing of Sports Fields	\$50,000
All Wards	Contractor completed Lakesfield, Batterham, Egan Lee, Walker and Knox Park. Contractor to complete 4 more grounds next week.	
837	Westfield (Permanent) Library - Design and Fit out	\$3,200,000
Dinsdale	The project is currently on hold, awaiting Westfield to provide new base build design drawings to allow us to complete our concept design.	
838	Bayswater Community Hub - Scoping	\$120,000
Dinsdale	Officers are completing project brief for concept plans.	
844	Score Boards - Design and Installation	\$425,814
All Wards	In progress - 95% complete with all projects complete or nearing completion.	
849	Repurposing Scoping of Facilities from Hub Projects.	\$106,454
All Wards	Officers continue to work through actions from November Council meeting. Relevant projects have been included in the Draft 19/20 Capital Works Program.	
853	Aimee Seebeck Hall, Amenities Upgrade	\$238,347
Taylor	Project completed and invoices paid.	
867	Knox Regional Netball Centre Extension	\$158,001
Dobson	Initial concepts received (5), works proceeding to further develop 2 selected options.	
868	H V Jones, Ferntree Gully - Masterplan Implementation Stage 2	\$716,617
Friberg	Construction has commenced onsite with demolition & earthworks currently underway.	
869	Gilbert Park, Knoxfield - Masterplan Implementation Stage 2	\$509,208
Friberg	Project is scheduled to commence mid March 2020.	

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Project Number	Project Name	Total Approved
871	Energy Performance Contract Implementation	\$1,994,255
All Wards	Works Specifications for each of the projects are currently being developed prior to installations commencing in April/May 2020.	
889	Wally Tew Reserve, Ferntree Gully - Floodlighting Upgrade	\$10,933
Dobson	Project complete.	
891	Henderson Road Bridge, Rowville	\$4,324,406
Friberg	Final design for the Melbourne Water drain relocation at Henderson Rd has now been received. Tender documentation is being prepared with the construction tender to be advertised mid March 2020.	
907	Manson Reserve - Wetland Construction	\$418,305
Collier	Boring works have been completed and the construction is in progress, on time and on budget.	
925	1101 Burwood Hwy, Ferntree Gully (Forest Rd to Toyota) - Reconstruction	\$90,000
Dobson	Contract works are completed and Practical Completion Inspection carried out.	
928	Barmah Drive, Wantirna (No. 49 to No. 57) Reconstruction	\$60,000
Collier	Contract works are completed and Practical Completion Inspection carried out.	
929	Albert Avenue, Boronia (Chandler Rd to Bambury St) Reconstruction	\$380,000
Chandler	Contract works are completed and Practical Completion Inspection carried out.	
930	Forest Road, Ferntree Gully Reconstruction Stage 1 & 2	\$860,000
Dobson	Contract works are completed and Practical Completion Inspection carried out.	
932	Burwood Highway - service road, Ferntree Gully Stage 1 & 2	\$505,000
Dobson	Contract works are completed and Practical Completion Inspection carried out.	
934	Sheraton Crescent, Ferntree Gully - Reconstruction	\$200,000
Friberg	Contract works are completed and Practical Completion Inspection carried out.	
939	Millers Reserve, Boronia Oval Renewal	\$48,186
Chandler	Project complete.	
941	Knox Regional Netball Centre - Court Renewals	\$70,302
Dobson	Vegetation works completed.	
942	Tree Management	\$99,321
All Wards	Works undertaken as required in conjunction with Council initiatives.	

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Project Number	Project Name	Total Approved
944	Knox Central (Operations Centre Relocation)	\$14,986,608
Dinsdale	Building works 95% completed, site works 85% completed. Some delays caused by non-documented items. Revised Practical Completion date April 18, 2020.	
946	Boronia Precinct Planning	\$186,124
Baird	Council is awaiting authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C178knox to implement the Boronia Renewal Strategy, by introducing planning related objectives, strategies and controls into the Knox Planning Scheme. Subject to receiving Ministerial authorisation, the strategy will be revised in response to any authorisation conditions before proceeding to the amendment process.	
948	Modular Building Program (Modern Construction Systems)	\$3,653,420
All Wards	Seebeck and Liberty assessment and report complete. Expected to be awarded by end of March/early April. Lakesfield Pavilion progressing to detailed design with tender mid May.	
950	Family & Children's Services Buildings & Facilities	\$398,833
All Wards	Bernie Seebeck and UFTG Preschools bathroom upgrades both well underway with expected completion by April 2020.	
951	Community Toilet Replacement Program	\$430,818
All Wards	Wicks reserve RFQ period mid March - end of March. Contractor expected to be appointed by mid-late April. Some carry forward expected. Liberty Pavilion co-locatable toilet module is expected to be awarded by April with some carry forward expected.	
954	Knox BMX Track - New Storage & Start Gate Structure	\$226,282
Friberg	Completed.	
957	Kings Park, Upper Ferntree Gully - New Floodlighting (Oval 2)	\$14,008
Dobson	Project complete.	
958	Liberty Avenue Reserve, Rowville - New Floodlighting	\$18,000
Taylor	Project complete. Awaiting invoices.	
961	Knox Regional Netball Centre Floodlight Outdoor Courts 5 to 8	\$198,130
Dobson	Part of masterplan works, concept design process currently being finalised.	
965	Billoo Park Preschool - Toilet and Storage Upgrade	\$175,000
Collier	Project complete.	
968	Flamingo Preschool, Wantirna South - Verandah Extension	\$57,840
Collier	Project Completed. Awaiting invoices.	

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Project Number	Project Name	Total Approved
969	Orana Neighbourhood House Kitchen Upgrade	\$25,000
Dinsdale	Project complete.	
982	Anne Road, Knoxfield LATM Stage 1 - Installation	\$89,217
Friberg	To be completed in conjunction with Stage 2 line marking works and road resurfacing program.	
994	Picketts Reserve, Ferntree Gully Masterplan Implementation Stage 3	\$296,200
Baird	Further design development currently underway. Stakeholders have been advised of adjustment to project timelines.	
995	Peregrine Reserve, Rowville - Masterplan Implementation Stage 1	\$521,078
Taylor	Construction has commenced onsite with demolition & earthworks currently underway.	
997	Llewellyn Reserve, Wantirna South - Masterplan Implementation	\$122,080
Scott	This project is on hold while Council investigates past land use and waste issues.	
998	Templeton Reserve, Wantirna - Masterplan Implementation Stage 3	\$460,184
Collier	(1) Masterplan Stage 2 construction complete. (2) Car park upgrade and multi-court complete.	
999	Lewis Park, Wantirna South - Masterplan Implementation	\$538,762
Dinsdale	Concept design for the Waterway component of the project progressing well.	
1000	Stud Park Reserve, Rowville - Masterplan Implementation Stage 3	\$417,584
Tirhatuan	Footpath connection currently under construction.	
1001	Scoresby Village Reserve, Masterplan Implementation	\$382,500
Tirhatuan	Tender awarded. Construction to commence late April.	
1002	Egan Lee Reserve, Knoxfield Masterplan Implementation	\$300,000
Scott	Public tender phase is currently underway with tenders closed.	
1003	Wantirna Reserve - Masterplan	\$15,320
Collier	This project is on hold while Council investigates past land use and waste issues.	
1005	Neighbourhood Green Streets	\$91,999
All Wards	Planting to commence along Dorset Rd and Scoresby Rd in April 2020. Project information currently being circulated to local residents.	
1006	Bush Boulevards	\$141,999
All Wards	Design of gravel parking areas along Boronia Road with suitable bush planting to commence in March.	

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Project Number	Project Name	Total Approved
1009	Talking Tanks Initiative - Flood Protection	\$265,592
All Wards	Project completed in February 2020.	
1016	Kings Park Solar Panel Installation	\$9,091
Dobson	Project complete.	
1046	Scoresby Recreation Reserve - New DDA Toilet	\$150,000
Tirhatuan	Design documentation complete. Request for quotations to be sought late March with view to appointing Contractor early May.	
1054	Knox Regional Sports Park - Stages 2 and 3	\$149,428
Scott	Design and cost estimate work for Victorian Association of Radio Model Soaring (VARMS) club relocation is nearing completion.	
1068	Rowville (Seebeck) Reserve - Multipurpose Community Workshop	\$342,328
Taylor	Building permit was issued on the 10/03/2020, our electrical contractor commenced work on the 12/03/2020.	
1097	Wally Tew Reserve - Storage Facility	\$52,976
Dobson	Project complete. Funds to be transferred to Modular Building Program.	
1105	Batterham Reserve, The Basin - Cricket Nets Replacement	\$240,995
Chandler	Cricket nets installation completed with remainder of footpath works nearing completion. Lighting contract works completed with final lighting report imminent.	
1106	Batterham Reserve, The Basin - Extension to existing pavilion change rooms (female change):	\$304,759
	ChandlerWorks progressing onsite with completion expected early April.	
1112	Selman Avenue (2), Ferntree Gully (Spring St to Station St)	\$280,000
Dobson	Contract works are completed and Practical Completion Inspection carried out.	
1114	Studfield Shopping Centre Pavement Renewal	\$413,940
Dinsdale	Detailed design plans finalised and Quote received. Works Authorisation Certificate approved with construction commenced from 2 March 2020. Trader engagement ongoing.	
1115	Milpera Reserve, Wantirna - Oval Renewal	\$850,000
Collier	Planting progressing as expected.	
1117	Batterham Reserve, The Basin - Tennis Court Renewals	\$100,000
Chandler	Project on hold while scoping discussions continue with Leisure department and the Tennis Club. This will possibly lead to a report to Council from Leisure.	

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Project Number	Project Name	Total Approved
1118	Wantirna Reserve, Wantirna - Cricket Net Renewals	\$30,000
Collier	All works on this site are on hold pending soil condition report.	
1119	Wantirna Reserve, Wantirna - Tennis Court Renewals	\$539,594
Collier	Initial scoping discussions have been held with Leisure and the Tennis Club. Concept layout prepared. Design on hold pending outcome of soil geotechnical investigations and overall development of Wantirna Reserve. Draft geotech report submitted to Council Officers for feedback.	
1120	Templeton Reserve, Wantirna - Tennis Court Renewals	\$583,550
Collier	Detailed design complete, tenders have closed and recommendation for tender appointment presented to March SPC and approved. Contractor to be appointed and construction is expected to commence around early April 2020.	
1121	Eildon Park, Rowville - Cricket Net Renewal	\$260,000
Taylor	Works to commence March 2020.	
1122	Knox Regional Sports Park - Soccer Cages Renewal	\$20,000
Scott	Board replacement on hold.	
1123	Public Tennis / Netball / Basketball Court Renewals	\$137,360
All Wards	Project completed.	
1124	Sporting Oval Fencing Renewals	\$120,000
All Wards	Contractor has ordered parts - install once parts are in.	
1125	Stormwater Harvesting Infrastructure Renewal	\$72,560
All Wards	Bayswater installed. Identifying other grounds for install.	
1126	Knox Skate & BMX Park – New Youth Pavilion	\$673,612
Friberg	Project currently out to tender with Contractor expected to be appointed mid-late April.	
1128	Gilbert Park Reserve, Knoxfield - New Drainage	\$36,500
Friberg	Drainage from last season has performed extremely well. No further drainage required.	
1129	Picketts Reserve, Ferntree Gully - Floodlighting Upgrade	\$250,000
Baird	Works have commenced onsite. Delay in pole delivery from China - completion now expected early April.	
1130	Wantirna Reserve, Wantirna - Floodlighting and Security Lighting	\$300,000
Collier	Works deferred to 20/21.	

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Project Number	Project Name	Total Approved
1131	Carrington Park Reserve, Knoxfield - Floodlighting Upgrade	\$250,000
Friberg	Works commenced onsite. Expected completion now early April due to delay in pole delivery.	
1132	Arcadia Reserve (Scouts), Rowville - Carpark Upgrade	\$100,000
Tirhatuan	Detailed design nearing completion with review to follow.	
1133	Arts Facility Planning Documentation	\$15,474
All Wards	Replacement of fire curtain structures in line with facility audit requirements. Project budget now fully expended.	
1134	Ferntree Gully Arts Centre & Library Deck Enclosure	\$50,000
Dobson	Facility functional audit is underway to identify the most effective ways to improve and enlarge usable space at FTGCAC - scoping options with stakeholders presently. To be carry forward for internal reconfiguration of space during 20/21.	
1135	Theatre Lighting Upgrades	\$30,000
Dinsdale	Project complete, all theatre house lights upgraded.	
1136	Arts Facility Upgrades	\$95,978
All Wards	Knox Community Arts Centre electrical works completed for stage lighting project. Contractors expected to be appointed for dressing room upgrades, external painting works by end of April.	
1140	Community Facility Signage Upgrade	\$2,500
All Wards	Project expected to be completed by end of June.	
1144	Boronia Road, Bayswater (Edinburgh Rd to Scoresby Rd) - Footpath - Construction	\$106,040
Dinsdale	Concept plan prepared. Awaiting feedback on outcome of consultation process with property owners and VicRoads.	
1145	Glenfern Road, Ferntree Gully (Norman St to Trafalgar St) - Footpath - Construction	\$79,228
Dobson	Review of initial detailed design completed. Section of pathway requires a re-design as a result. Services have been proved and discussion of scope now required as a result.	
1146	Wellington Road, Rowville (Straughan Close to Napoleon Road) - Footpath - Construction	\$95,000
Taylor	Design plan finalised. Estimate being prepared.	
1148	Montana Avenue, Boronia - Footpath - Construction	\$69,379
Chandler	Possible layouts have been prepared. A road safety audit on proposals is being sought by Traffic Department.	

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Project Number	Project Name	Total Approved
1150	Knoxfield LATM Precinct Stage 2 - Installation	\$180,000
Scott	Installation of treatments is progressing with approximately 60% already installed. Awaiting further quotations and MOA to finalise works.	
1151	Forest Road - Stockton to Dorian Isolated Traffic Treatment (Hot Spot) Program - Installation	\$94,412
Dobson	Completed.	
1152	Burwood Hwy, Upper Ferntree Gully Shared Path Link 1 (Construct)	\$161,806
Dobson	On hold pending result of Burwood Hwy Shared Path Overpass Bridge feasibility study.	
1155	Kelletts Road, Rowville (Stud Rd to Taylors Lane) - Shared Path - Design	\$25,000
Taylor	Design plan finalised. Waiting on consultant's estimate.	
1158	Timothy Drive, Wantirna South Underpass - Solar Lighting Upgrade	\$17,865
Scott	New lighting installed. Project completed.	
1162	Templeton Street, Wantirna - Linemarking and Intersection Treatments (Design)	\$70,000
Collier	Design plan finalised. Estimate being prepared.	
1163	Renou Road, Wantirna South - Intersection Treatments	\$197,000
Collier	Design plan finalised. Estimate being prepared.	
1164	Coleman Road, Boronia - Linemarking and Sharrows	\$45,000
Dinsdale	Design plan finalised. Estimate being prepared.	
1165	Mowbray Drive, Wantirna South - Parking and Intersection Treatments	\$16,992
Scott	Design plan finalised. Estimate is being prepared.	
1166	Timothy Drive, Wantirna South - Intersection Treatments	\$35,000
Scott	Design plan finalised. Estimate being prepared.	
1170	Mountain Highway, Boronia (near Scoresby Rd) - Footpath Connection 4	\$80,000
Baird	Undertaking negotiations for license agreement.	
1171	Fairpark Reserve, Ferntree Gully - Masterplan Implementation Stage 3	\$678,326
Baird	Melbourne Water are progressing with the Blind Creek Daylighting works. Rockwork continues and foundations for the platform in progress.	
1172	Tormore Reserve, Boronia - Masterplan Implementation Stage 4	\$489,619
Baird	Project has reached practical completion. 13 week maintenance period in progress.	

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Project Number	Project Name	Total Approved
1173	Quarry Reserve, Ferntree Gully - Masterplan Implementation Stage 2	\$1,123,508
Dobson	(1) Masterplan works - Construction of picnic area, lookout, play space and fishing platforms on track for completion end March with official site opening on 31st March 2020. (2) Security Fencing - Contract works for perimeter fencing completed and Practical Completion inspection programmed for 4 March '20.	
1174	Principal Avenue - Dorset Road Streetscape Upgrade	\$36,802
Chandler	Planting to commence along Dorset Rd and Scoresby Rd in April 2020. Project information currently being circulated to local residents.	
1175	Orson Street, Scoresby (Flood Protection) - Detailed Design	\$50,000
Tirhatuan	Conceptual design completed.	
1176	Solar in Community Facilities	\$90,000
All Wards	Solar Panel Installations at Murrindal Children's Centre has been completed. Awaiting Certificate of Electrical Safety and Data monitoring software installation to complete project.	
1180	Koolunga Reserve, FTG - Wetland Construction	\$282,306
Chandler	Construction is anticipated to start in May 2020.	
1182	Norvel Quarry Reserve Water Quality System - Design & Construction	\$40,000
Baird	Awaiting developer response to Council comments on submitted Stormwater Quality Management Plan, prior to approval.	
1183	Peregrine Reserve - Wetland treatment system - Design	\$50,000
Taylor	Detailed Design process underway and due for completion by 30 June, for construction delivery in 2020-2021 in line with the Peregrine Reserve Master Plan priorities.	
1184	Egan Lee Reserve Masterplan - Wetland treatment system - Design	\$50,000
Scott	Detailed Design well underway and should be completed end June in readiness for construction delivery in 2020-2021.	
1195	Boronia Safer Communities	\$120,411
Baird	Project completed awaiting invoice.	
1207	Eildon Park Reserve, Rowville - Drainage Renewal Works Oval 2	\$150,000
Taylor	Drainage works complete. Fertiliser and top-dress to begin next month.	
1208	Fairpark Reserve, Ferntree Gully - Drainage Renewal Works Oval 1	\$150,000
Baird	Works commenced. Services located and ring main finished and closed.	
1216	Carrington Park Reserve, Knoxfield - Cricket Net Renewal	\$250,000
Friberg	Works to commence in March 2020.	

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Project Number	Project Name	Total Approved
1217	Boronia Activity Centre and Station Precinct Renewal Project	\$95,000
Baird	Council has appointed MGS Architects to this project. Inception and preliminary workshops have occurred with Public Agencies and Council's departments to identify major issues, considerations and opportunities to a concept plan for this study area.	
1222	Ramon Cowling Bushland Reserve - New Walkway	\$0
Chandler	Planning underway for the design and installation of discs for the boulders and bespoke signage for the site.	
1225	Commercial Road, Ferntree Gully (Burwood Highway to Wilson St) - Design	\$70,000
Baird	Detailed Design nearing completion with design review anticipated for mid-March.	
1226	Lewis Road, Wantirna South (Tilba Pl to Kanooka Rd) - Design	\$35,000
Dinsdale	Detailed design 30% complete. Expected to complete design by early April with review to follow.	
1227	Albert Street, UF'tree Gully (Talaskia Rd to Townley Place) - Design	\$33,000
Dobson	Detailed design and design review completed - included footpath design on high side within scope of works.	
1228	Malvern Street, Bayswater (Edelmaier St to Scoresby Rd) - Design	\$35,000
Baird	Detailed design delayed and scope to be confirmed.	
1229	Sullivan Court, Wantirna (Rachelle Drive to End) - Design	\$12,000
Collier	Project delayed to align with construction program.	
1230	Wanaka Close, Rowville (Erie Avenue to End) - Design	\$10,000
Tirhatuan	Project delayed to align with construction program.	
1231	Winnifred Crescent, Knoxfield (Allister Close to Christie Close) - Design	\$18,000
Friberg	Project delayed to align with construction program.	
1232	Chandler Road, Boronia (Floriston Rd to Albert Ave) - Design	\$35,000
Chandler	Internal meeting arranged with Boronia Renewal Project Team to discuss concept plan for Chandler Rd. Decision made to defer project until further instruction is received from the Project Team.	
1233	Knox Park, Knoxfield - Turf Renewal	\$125,000
Friberg	Ground fertilised and top-dressed on schedule.	
1234	Knox Athletics Track, Knoxfield - Pathway Renewals	\$30,000
Friberg	Works completed.	

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Project Number	Project Name	Total Approved
1235	Lakesfield Reserve. Lysterfield - Drainage Renewal Works	\$150,000
Dobson	Contractor finished drainage works. Ground is now on fertiliser and top-dress schedule.	
1236	Windermere Reserve, Ferntree Gully - Oval Renewal - Design	\$15,000
Friberg	Awaiting design.	
1237	Carrington Park Senior Citizen Centre - Design	\$85,000
Friberg	Tender evaluation for the detailed design is in progress.	
1238	BAMP Facility Upgrades	\$1,200,000
All Wards	Projects identified on program continuing to be scoped, designed and tendered for initial construction to commence in late 2019/20. Expectation is that proportion of funding will be carried forward as program development is progressed.	
1247	Boronia Youth Hall Demolition and Pop Up Park	\$18,951
Baird	Completed.	
1258	Ferntree Gully Bowls Club - New Floodlighting	\$135,000
Dobson	Works have commenced onsite. Awaiting pole delivery which has been delayed. Works now expected to be complete early-Mid April.	
1259	Carrington Park Reserve, Knoxfield - Paving and Pathway Upgrade	\$85,000
Friberg	Works being managed in conjunction with Major Initiatives Unit.	
1260	Bayswater Bowls Club - New Accessibility Pathway	\$60,000
Dinsdale	Met club representatives on site and scope clarified and adjusted. Gas, Electrical & Water services to bowling club proved. Project re-survey and detailed design progressing.	
1261	Wantirna Reserve - Car Park Upgrade (Design)	\$40,000
Collier	Design on hold pending outcome of soil geotechnical investigations. Overall development of Wantirna Reserve. Draft geotech report submitted to Council Officers for feedback.	
1262	Cultural Facilities - Knox Pop Up Events Trailer & Kit	\$20,000
All Wards	Purchases continue to be processed and planned, will be expended within 2019/20.	
1263	Cultural Facilities - Theatre Equipment Upgrade	\$26,000
All Wards	Completed.	
1264	Knox Regional Netball Centre - Amenities Upgrade	\$50,000
Dobson	Female and male amenities completed. Awaiting invoices.	

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18-Mar-2020

Project Number	Project Name	Total Approved
1265	Park Crescent Children and Family Centre Refurbishment, Boronia - Design	\$78,500
Baird	Design process underway with detailed design/cost plans expected by mid May 2020.	
1266	Rowville Children and Family Centre Refurbishment	\$92,000
Tirhatuan	Detailed design process underway with detailed designs/cost plans expected by early-mid May.	
1267	Early Years Facilities - Landscaping Upgrades	\$150,000
All Wards	Scoping continues, project on schedule.	
1268	The Fields Preschool (north side), Rowville - Verandah	\$10,000
Taylor	Design only project. Scoping to be completed by end of May 2020.	
1269	Rosa Benedikt Community Centre, Scoresby - Minor Upgrade	\$25,000
Tirhatuan	Completed.	
1270	Heany Park Scout/Community Pavilion, Rowville - Scoping	\$50,000
Taylor	Project will be completed by June 30th.	
1271	Wantirna Community Infrastructure Planning	\$60,000
Collier	On hold.	
1272	Valerie Street, Boronia (Icase Court - Boronia Road) - Footpath - Construction	\$60,000
Baird	Project completed.	
1273	Myrtle Crescent, Ferntree Gully (West Side at Moore Street) - Footpath - Scoping	\$15,000
Dobson	Formal valuation obtained. Awaiting response from property owner to proceed with agreements.	
1274	Mountain Hwy, The Basin (Wicks Road - Claremont Ave) - Footpath - Design	\$40,000
Chandler	Design program has been adjusted with project scope to be confirmed. Survey & design scheduled for December with construction to follow, subject to Council budget approval.	
1275	Old Belgrave Road, Upper Ferntree Gully (Talaskia Road - Edward Street) - Footpath - Scoping	\$15,000
Dobson	Walk-through on site suggests a very complex project. Recommendation made to significantly alter scope and to defer project until this is confirmed. Awaiting outcome.	
1276	Liverpool Road, The Basin (Mountain Hwy to Liverpool Rd retarding basin) - Footpath - Design	\$25,000
Chandler	Finalising survey.	

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name	Total Approved
1277	Blackwood Park Drive, Ferntree Gully - Bridge Replacement	\$140,000
Dobson	Tender for Design & Construction contract well underway. Cultural Heritage Management Plan not required with approval received on Preliminary Aboriginal Heritage Test. Tender closure has been extended to 17 March 2020.	
1278	Clausen Drive, Rowville LATM - Design	\$15,000
Tirhatuan	Undertaking design.	
1279	Elton Road and Holme Road, Ferntree Gully, Isolated Traffic Treatment (Hot Spot) Program	\$50,000
Friberg	Amending design plans to change kerb profile and line marking.	
1281	Ferntree Gully Road (Stud Road - Henderson Road) - Shared Path - Scoping	\$32,000
Tirhatuan	Investigating lease agreement.	
1282	Ferntree Gully Road (Rushdale Street - Bunjil Way), Knoxfield - Shared Path - Scoping	\$10,000
Friberg	Establishing ownership of service road.	
1284	Blind Creek Trail, Boronia - Road Crossing Improvement	\$60,000
	Works currently being programmed for construction.	
1285	Collier Reserve, Wantirna - Bicycle Repair Station	\$7,000
Collier	Completed in October 2019.	
1286	Power Road, Bayswater - Bicycle Repair Station	\$7,000
Baird	Completed in October 2019.	
1287	Liberty Reserve, Rowville - Bicycle Repair Station	\$7,000
Taylor	Installed.	
1288	Tim Neville Arboretum, Ferntree Gully - Bicycle Pump Station	\$7,000
Dobson	Installed.	
1289	The Basin Triangle Bicycle Repair Station	\$7,000
Chandler	Completed in October 2019.	
1290	Colchester Reserve, Boronia - Bicycle Repair Station	\$7,000
Chandler	Completed in October 2019.	
1291	Fairpark Reserve, Ferntree Gully - Bicycle Pump Station	\$7,000
Baird	Completed in October 2019.	

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name	Total Approved
1292	Blind Creek Lane, Wantirna South - Bicycle Repair Station	\$7,000
Scott	Completed in October 2019.	
1293	Henderson Road Link, Rowville - Bicycle Repair Station	\$7,000
Friberg	Installed.	
1294	Gresford Road, Wantirna - Wayfinding Link	\$1,000
Collier	Signs installed.	
1295	Freedman Avenue, Boronia - Wayfinding Connection	\$1,000
Baird	Signs installed. Works completed.	
1296	Pumps Road, Wantirna South - Wayfinding to Eastlink	\$1,000
Collier	Signs installed. Work completed.	
1297	Amesbury Avenue, Wantirna - Intersection Treatments Design	\$20,000
Collier	Awaiting for design for Wantirna Cycling Link from consultant to inform the design of Amesbury Avenue.	
1298	Wentworth Avenue at Lansell Ct, Rowville, Splitter Island	\$10,000
Taylor	Works completed.	
1299	Albert Avenue, Boronia - School Crossing Relocation	\$30,000
Chandler	Amending plans after initial resident consultation.	
1300	Parking Management Plan Implementation	\$50,000
All Wards	Upper Ferntree Gully and Ferntree Gully commercial areas completed. Consulting with some residential streets. Boronia Plan endorsed and about to start updating signage in commercial area.	
1301	Mountain Hwy, Boronia (Macquarie PI to Bus Stop 15853) - Footpath Connection	\$60,000
Chandler	Design currently being finalised.	
1302	Forest Road, Ferntree Gully (Lane Rd to Bus Stop 15625) - Footpath Connection	\$15,000
Dobson	Works Completed	
1303	Napoleon Road, Rowville (Bus Stop 15209 to School Crossing) - Footpath Connection	\$40,000
Taylor	Further survey complete and design prepared to PTV requirements.	

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name	Total Approved
1304	Mountain Highway, Boronia (GSK site to Colchester Rd) - Footpath Connection 3 - Design	\$5,000
Chandler	Concept plan to be prepared.	
1305	Mountain Highway, Boronia (981 to 1019 Mountain Hwy) - Footpath Connection 5 - Design	\$5,000
Chandler	Concept plan to be prepared.	
1306	Dog Park - Designs	\$60,000
All Wards	Concept designs drafted with internal consultation scheduled for March 2020.	
1307	Batterham Park, The Basin - Masterplan Implementation	\$60,000
Chandler	Planting plan concept design in progress.	
1308	Kevin Ave, FTG UFTG Flood Investigation - Scoping	\$30,000
Dobson	Mitigation options review completed. Quotes have been requested to validate the mitigatory measures.	
1309	1825 Ferntree Gully Road - Flood Mitigation Works	\$50,000
Friberg	Onsite construction is anticipated to start of April. Expected to complete in June 2020.	
1310	Flood Mitigation Reactive Complaints Upgrade Works	\$250,000
All Wards	Completed in December 2019.	
1311	Major Roads LED Streetlight Replacement - Design	\$100,000
All Wards	Final Report for business case for Major Road LED streetlight Replacement has been completed. The information to be used to inform the next Capital Works Budget for 2020/21.	
1312	Landfill Sites as Solar Farms - Feasibility Study	\$50,000
All Wards	Final report on the feasibility of solar farm on the Wantirna South Landfill site is expected in early April 2020.	
1313	Alexander Cres Reserve FTG - Wetland Treatment System - Scoping & Analysis	\$20,000
Friberg	Conceptual design completed.	
1315	Fairpark Reserve - Pavilion Upgrade (incorporating U3A extension)	\$60,000
Baird	Concept design work is underway, following the appointment of an architectural consultant. The intention is to work through concept options with the stakeholders in April/May and to have a finalised concept design by July 2020.	
1316	Rowville Recreation Reserve - Car Park Upgrade (Design)	\$8,000
Taylor	Scoping of a number of infrastructure works at this reserve is in progress. Detailed design of car park will be initiated following completion of this stage.	

Knox City Council Project Status Report

18-Mar-2020

Project Number	Project Name	Total Approved
1317	Batterham Reserve, The Basin - Oval/Turf Renewal	\$45,000
Chandler	Contractor unable to supply quoted Santa Ana Couch / works. Too late in the season to engage another contractor.	
1318	Miller Park Reserve - Cricket Net Renewal - Design	\$18,750
Chandler	Awaiting design.	
1319	Gilbert Park Reserve, Knoxfield - Batting Cage Renewal	\$7,500
Friberg	Carry forward to 20/21 - Works to commence after the new pavilion development.	
1320	Eildon Park Reserve, Rowville - Tennis Court Renewals	\$43,750
Chandler	Design scheduled for May/June.	
1321	Millers Reserve, The Basin - Tennis Court Renewals - Design	\$37,375
Chandler	Design well underway with court dimensions required to be mainly extended north towards trees in consultation with club. Delay likely due to need to prepare a Tree Removal permit.	
1322	Glenfern Park (FTGTC) - Tennis Court Renewals - Design	\$26,250
Chandler	Design will be delayed into new financial year.	
1357	Batterham Reserve, The Basin - Pavilion Refurbishment & Path and Access Works	\$400,000
Chandler	Social club refurbishment works are complete. Amenities refit being undertaken as part of Building extension project. Building extension works expected to be completed early April.	
1362	Shared Path Lupton Way-Erica Avenue to Dorset Road.	\$0
Baird	Consultation process completed. Undertaking concept plan design and discussion with key authorities.	
1367	Rowville Tennis Courts 1-4 Repairs	\$0
Taylor	Project complete.	
Total:		\$102,941,725

12 Motions for Which Notice has Previously Been Given

13 Supplementary Items

13.1 Knox Central Land Acquisition (Confidential)

14 Urgent Business

14.1 Urgent Business

14.2 Call Up Items

15 Questions Without Notice

16 Confidential Items

14.1.2 COVID-19 - Revised Instruments of Delegation

SUMMARY: Coordinator Governance, Andrew Dowling

The COVID-19 pandemic is escalating on a daily basis and it considered prudent to ensure Council is in a position to be agile and timely in its decision-making in the event that Council is unable to convene Council Meetings. Revised Instruments of Delegation have been therefore been prepared to ensure that in extraordinary circumstances, the Chief Executive Officer has the appropriate powers to ensure the business of Council can continue, and that there is opportunity for Councillors to continue to have input into those decisions.

RECOMMENDATION

That Council:

- A. In the exercise of the powers conferred by s 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the Instrument of Delegation to the Chief Executive Officer (Attachment 1 to this report), Knox City Council (Council) resolves that:
1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.
 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 3. On the coming into force of the instrument, the Instrument of Delegation to the Chief Executive Officer made on 26 June 2017 be revoked.
 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
 5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with s 98(3) of the Act.
- B. In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the Instrument of Delegation – Planning (Attachment 2 to this report), Knox City Council (Council) resolves that -
1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached Instrument of Delegation – Planning, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in the instrument;
 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 3. On the coming into force of the instrument, the Instrument of Delegation – Planning in force since 28 August 2017 be revoked; and

- 4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

1. INTRODUCTION

Section 98 of the Local Government Act 1989 empowers Council to delegate its powers, duties or functions with some strategic exemptions such as setting rates, borrowing funds and adopting a budget. In granting delegations, Council is not granting unfettered power to Council staff or relinquishing its own powers.

In the ordinary course of business, delegations are necessary to facilitate effective functioning of Councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.

In the context of the COVID-19 pandemic, it is considered appropriate to provide the Chief Executive Officer with additional powers to ensure the business of Council and Committee meetings can efficiently be managed in the coming months.

The affected instruments of delegation are the Instrument of Delegation to the Chief Executive Officer, and the Instrument of Delegation – Planning. The Instrument of Delegation – Planning was the subject of a separate report to the Council meeting of 30 March 2020 (Item 6.5 Revised Instruments of Delegation to Members of Council Staff). Subsequent the distribution of the agenda for the meeting, additional amendments are recommended to this instrument and consequently an alternate officer recommendation circulated with respect to Item 6.5 for consideration by Council.

It is noted that unless revoked sooner, these revised delegations will require further review by Council before 1 September 2020, in accordance with the recently passed Local Government Act 2020.

2. DISCUSSION

Instrument of Delegation to the Chief Executive Officer

The Chief Executive Officer's Instrument of delegation has been re-drafted such that the conditions and limitations ordinarily imposed by Council on the powers delegated to the Chief Executive Officer will not apply in particular circumstances. While the result is to grant the Chief Executive Officer greater delegated powers, those additional powers may only be exercised when very specific pre-conditions have been satisfied.

The three pre-conditions are:

- a State of Emergency declared under the *Public Health and Wellbeing Act 2008* or State of Disaster declared under the *Emergency Management Act 1986*;
- the Chief Executive Officer taking reasonable steps to consult with Councillors as outlined in the Instrument;
- the Chief Executive Officer forming the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum.

In such circumstances, the Chief Executive Officer may then:

1. *award a contract exceeding the value of:*
 - 1.1 *\$1,000,000 (including GST) for a single transaction; or*
 - 1.2 *in the case of a multi-year contract, \$500,000 (including GST) per annum for each year of the contract, up to 5 consecutive years whichever is the greater;*
2. *make, amend or revoke a local law under Part 5 of the Act;*
3. *approve the Council Plan under s 125 of the Act;*
4. *adopt the Strategic Resource Plan under s 126 of the Act;*
5. *prepare or adopt the Budget or a Revised Budget under Part 6 of the Act;*
6. *adopt the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;*
7. *determine pursuant to s 37 of the Act that an extraordinary vacancy on Council not be filled;*
8. *exempt a member of a special committee who is not a Councillor from submitting a return under s 81 of the Act;*
9. *appoint Councillor or community delegates or representatives to external organisations; or*
10. *return the general valuation and any supplementary valuations;*
11. *change the manner in which Council holds its elections;*
12. *enter into any contract for the sale, purchase or exchange of land with or without consideration (but not one relating to the disposal of any land for unpaid rates or charges);*
13. *cause the Council to form, operate or become a member of any Corporation, trust, partnership or any other body or business for an entrepreneurial purpose, or participate in any other entrepreneurial activity capable of being conducted so as to directly or indirectly benefit the Council;*
14. *establish a special committee or advisory committee of Council;*
15. *establish any regional corporation of which the Council is intending to become a member;*
16. *note declarations of impartiality by valuers pursuant to s 13DH(2) of the Valuation of Land Act 1960;*
17. *waive a single debt above the value of \$10,000;*
18. *impose, reduce, alter or waive any fee or charge, including interest which the Council may lawfully impose, above the value of \$5,000; or*
19. *dispose of any land for any unpaid rates and charges; and*
20. *determine an issue, take action or do an act or thing which would or would be likely to involve a decision which is inconsistent with a:*
 - *policy; or*
 - *strategy adopted by Council.*

Instrument of Delegation – Planning

The Instrument of Delegation – Planning was the subject of a routine revision to reflect minor legislative changes based on advice from Council's solicitors, and current executive responsibilities. The details of that review are set out in Item 6.5 of the Agenda circulated for the

30 March 2020 Council meeting. This report should be read in conjunction with relevant parts of that report, entitled 6.5 Revised Instruments of Delegation to Members of Council Staff.

Since that review, additional amendments have been made to the delegations to the Chief Executive Officer in the Instrument of Delegation – Planning. Consistent with the approach taken with the Chief Executive Officer’s Instrument of delegation, the amendments remove certain conditions and limitations imposed in the Instrument of Delegation – Planning when the same specified pre-conditions in the Instrument of Delegation to the Chief Executive Officer have been satisfied.

The sections of the Planning and Environment Act 1982 which are proposed to afford the Chief Executive Officer additional power, subject to the relevant pre-conditions are:

Section 61(1)(a)	power to decide to grant a permit
Section 61(1)(b)	power to decide to grant a planning permit with conditions
Section 61(1)(c)	power to refuse the permit
Section 61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit
Section 61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit
Section 61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant
Section 84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit
Section 96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)
Section 178E(2)(a)	power to amend or end the [s.173] agreement in accordance with the proposal
Section 178E(2)(b)	power to amend or end the [s.173] agreement in a manner that is not substantively different from the proposal
Section 178E(2)(c)	power to refuse to amend or end the [s.173] agreement
Section 178E(3)(a)	power to amend or end the [s.173] agreement in accordance with the proposal
Section 178E(3)(b)	power to amend or end the [s.173] agreement in a manner that is not substantively different from the proposal
Section 178E(3)(c)	power to amend or end the [s.173] agreement in a manner that is substantively different from the proposal
Section 178E(3)(d)	power to refuse to amend or end the [s.173] agreement
Section 184F(1)	power to decide to amend or end an [s.173] agreement at any time after an application for review of the failure of Council to make a decision

3. CONSULTATION

This report has been prepared in consultation with Council's lawyer, Maddocks. Councillors ahead also been briefed on the proposals.

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

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

9. CONCLUSION

It is recommended that Council adopt the revised Instruments of Delegation to ensure the organisation can continue to operate in any extraordinary circumstances which may arise as a consequence of COVID-19.

10. CONFIDENTIALITY

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

Report Prepared By: Coordinator Governance, Andrew Dowling

Report Authorised By: Director City Development, Matt Kelleher

Attachments

1. DRAFT Instrument of Delegation to the Chief Executive Officer [**14.1.2.1** - 7 pages]
2. DRAFT Instrument of Delegation - Planning [**14.1.2.2** - 110 pages]



Knox City Council

Instrument of Delegation

to

The Chief Executive Officer



Instrument of Delegation

In exercise of the power conferred by s 98(1) of the *Local Government Act 1989 (the Act)* and any power of delegation conferred by any other Act, Knox City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 30 March 2020;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it; and
3. the member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by s 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL OF KNOX CITY COUNCIL
was affixed pursuant to a resolution of the Council
made on the 30 March 2020 in the presence of

Mayor

Chief Executive Officer

Councillor



SCHEDULE

1. The power to
 - 1.1 determine any issue;
 - 1.2 take any action; or
 - 1.3 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.

Conditions and Limitations

- A. Only if:
 - (a) there is a state of emergency declared under the *Public Health and Wellbeing Act 2008* or state of disaster declared under the *Emergency Management Act 1986*; and
 - (b) after following the procedure set out in the table below, the delegate forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and
 - (c) the delegate makes every reasonable endeavour to consult with Councillors, and have regard to any opinions which they express

may the delegate:

1. award a contract exceeding the value of:
 - 1.1 \$1,000,000 (including GST) for a single transaction; or
 - 1.2 in the case of a multi-year contract, \$500,000 (including GST) per annum for each year of the contract, up to 5 consecutive years

whichever is the greater;
2. make, amend or revoke a local law under Part 5 of the Act;
3. approve the Council Plan under s 125 of the Act;



4. adopt the Strategic Resource Plan under s 126 of the Act;
5. prepare or adopt the Budget or a Revised Budget under Part 6 of the Act;
6. adopt the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
7. determine pursuant to s 37 of the Act that an extraordinary vacancy on Council not be filled;
8. exempt a member of a special committee who is not a Councillor from submitting a return under s 81 of the Act;
9. appoint Councillor or community delegates or representatives to external organisations; or
10. return the general valuation and any supplementary valuations;
11. change the manner in which Council holds its elections;
12. enter into any contract for the sale, purchase or exchange of land with or without consideration (but not one relating to the disposal of any land for unpaid rates or charges);
13. cause the Council to form, operate or become a member of any Corporation, trust, partnership or any other body or business for an entrepreneurial purpose, or participate in any other entrepreneurial activity capable of being conducted so as to directly or indirectly benefit the Council;
14. establish a special committee or advisory committee of Council;
15. establish any regional corporation of which the Council is intending to become a member;
16. note declarations of impartiality by valuers pursuant to s 13DH(2) of the *Valuation of Land Act 1960*;
17. waive a single debt above the value of \$10,000;
18. impose, reduce, alter or waive any fee or charge, including interest which the Council may lawfully impose, above the value of \$5,000; or
19. dispose of any land for any unpaid rates and charges; and



20. determine an issue, take action or do an act or thing which would or would be likely to involve a decision which is inconsistent with a:

20.1 policy; or

20.2 strategy

adopted by Council.

B. The delegate must not determine the issue, take the action or do the act or thing:

1. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;

2. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

3. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.



TABLE

1. The delegate must determine the timeframe for an issue to be determined, an action to be taken, or an act or thing to be done.
2. The delegate (or any person directed by the delegate) must contact each Councillor by:
 - 2.1 calling their Council-provided phone (including leaving a voice mail message);
 - 2.2 sending a text message to their Council-provided phone; or
 - 2.3 sending an email to their Council-provided email address, advising them what the issue, action, act or thing is and:
 - 2.4 the timeframe in which a meeting is to be held to determine the issue, take the action or do the act or thing;
 - 2.5 that they are required to respond advising whether they are willing and able to physically and legally attend a meeting within that timeframe in order to determine the issue, take the action or do the act or thing; and
 - 2.6 the deadline by which their response (to the delegate) is required.
3. Only after:
 - 3.1 receiving responses from a majority of the Councillors indicating that they are unwilling or unable to physically and legally attend the meeting; or
 - 3.2 the expiration of the stipulated deadline

may the delegate form the opinion that the meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum.



4. For the purposes of paragraph 3.2:
 - 4.1 'stipulated deadline' means –
 - (a) a minimum of three (3) hours from the time the final Councillor was contacted by the delegate; or
 - (b) any other time at the delegate's discretion. When exercising his or her discretion, the delegate must have regard to the timeframe within which the issue must be determined, the action must be taken, or the act or thing must be done; and
 - 4.2 following expiration of the stipulated deadline, any Councillor who has not responded to the delegate is deemed, for the purposes of this procedure, to be physically or legally unwilling or unable to attend the meeting.



INSTRUMENT OF DELEGATION COUNCIL TO **Knox City Council**

COUNCIL STAFF - PLANNING

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;

2. records that reference in the Schedule to:

“Group A” means	Chief Executive Officer Director City Development Manager City Planning & Building Manager City Futures
“Group B” means	Coordinator Planning Coordinator City Strategy and Planning Principal Planner Project Manager Strategic Planning Senior Strategic Planner
“Group C” means	Senior Planner Strategic Planner Senior Subdivision Planner Planning Officer
“Group D” means	Subdivision Planner
“Group E” means	Planning Investigation Officer Landscape Inspection Officer
“Group F” means	Planning Support Officer Student Planner Student Strategic Planner Project Support Officer
“Group G” means	Team Leader City Planning and Building Administration City Planning and Building Administration Officers
“Group H” means	Customer Service Officer (HUB)
“Group I” means	Arborist Landscape Assessment Officer



Assistant Landscape Officer



Instrument of Delegation – Council to Council Staff ~~January 2019~~ March 2020

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **28 August 2017**; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

- 4. In exercising any duty, function or power under this delegation the officer concerned will be mindful of the provisions under Division 1A – Conduct and Interests of the Local Government Act 1989.
- 4.1 The principles of these provisions apply to delegated officers.
- 4.2 Any disclosures under section 77A or 79 must be recorded in accordance with any guidelines or policies which Council from time to time adopts.

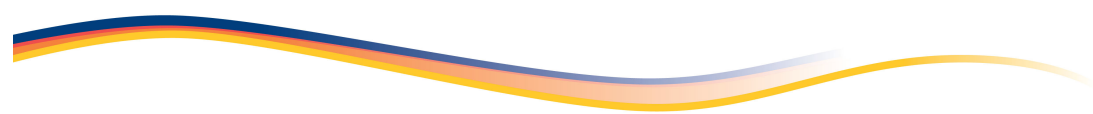
THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an ~~Order-resolution~~ of ~~the~~ Council
 made on the ~~29 January 2019~~ 30 March 2020
 in the presence of

Mayor

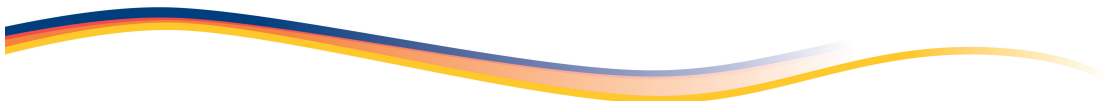
Chief Executive Officer

Councillor



Instrument of Delegation – Council to Council Staff ~~January 2019~~ March 2020

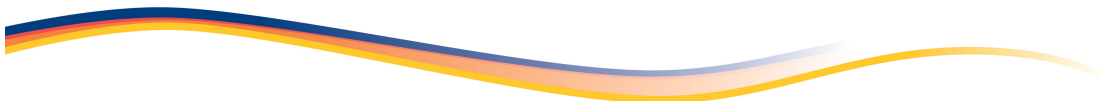
SCHEDULE



| **Instrument of Delegation – Council to Council Staff** March 2020~~January 2019~~

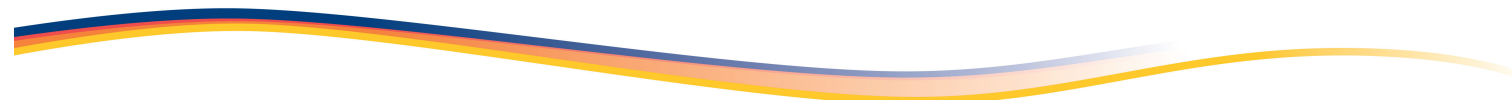
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| **Instrument of Delegation – Council to Council Staff** March 2020~~January 2019~~

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.116	power to sub-delegate Executive Director's functions, duties or powers	Chief Executive Officer	Must first obtain Executive Director's written consent first. Council can only sub-delegate if the instrument of delegation from the Executive Director authorises sub-delegation



Instrument of Delegation – Council to Council Staff
~~January 2019~~ March 2020

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victorian Planning Provisions	Group A	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Group A	
s.4H	duty to make amendment to Victoria Planning Provisions available	All Groups	
s.4I	duty to keep Victoria Planning Provisions and other documents available	All Groups	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Group A	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Group A	
s.8A(5)	function of receiving notice of the Minister's decision	Group A	
s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Not Delegated	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	Groups A, B & C	
s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B & C	
s.12B(1)	duty to review planning scheme	Groups A, B & C	
s.12B(2)	duty to review planning scheme at direction of Minister	Groups A, B & C	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Groups A, B & C	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Groups A, B, C, D, E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.17(1)	duty of giving copy amendment to the planning scheme	Groups A, B & C	
s.17(2)	duty of giving copy s.173 agreement	Groups A, B & C	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Groups A, B & C	
s.18	duty to make amendment etc. available	All Groups	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	Groups A	Decision not to give notice under sections 19(1)(a) and (b) and (1A) must be recorded.
s.19	function of receiving notice of preparation of an amendment to a planning scheme	Groups A, B & C	Only where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.21(2)	duty to make submissions available	All Groups	
s.21A(4)	duty to publish notice in accordance with section	Groups A, B & C	
s.22	duty to consider all submissions	Groups A, B & C	except submissions which request a change to the items in s.22(5)(a) and (b)
s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Groups A, B & C	
s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Groups A, B & C	Only where Council has already resolved to refer the Amendment to a Panel
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Groups A, B & C	



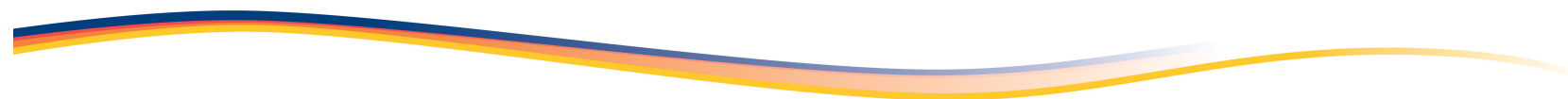
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(1)	power to make report available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.26(2)	duty to keep report of panel available for inspection	Group A All other Groups	Group A: No conditions or limitations All other Groups: Only after the Planning Authority has decided whether or not to adopt the planning amendment or twenty eight days has elapsed since it received the panel's report.
s.27(2)	power to apply for exemption if panel's report not received	Group A	
s.28	duty to notify the Minister if abandoning an amendment	Groups A, B & C	Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	Group A	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.30(4)(b)	duty to provide information in writing upon request	Group A	
s.32(2)	duty to give more notice if required	Groups A, B & C	
s.33(1)	duty to give more notice of changes to an amendment	Groups A, B & C	
s.36(2)	duty to give notice of approval of amendment	Groups A, B & C	
s.38(5)	duty to give notice of revocation of an amendment	Groups A, B & C	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	Groups A, B & C	
s.40(1)	function of lodging copy of approved amendment	Groups A, B & C	
s.41	duty to make approved amendment available	All Groups	
s.42	duty to make copy of planning scheme available	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s. 46AW	function of being consulted by the Minister	Groups A, B and C	<u>where Council is a responsible public entity</u>
s. 46AX	function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy power to endorse the draft Statement of Planning Policy	Groups A, B and C	<u>where Council is a responsible public entity</u>
s.46AZC(2)	duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Groups A, B, C & D	<u>where Council is a responsible public entity</u>
s.46AZK	duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Groups A, B, C & D	<u>where Council is a responsible public entity</u>

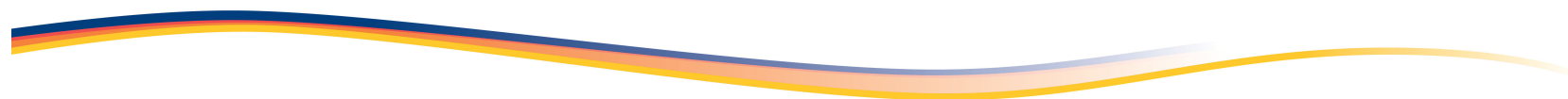
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GI(2)(b) (i)	power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Groups A, B, C & D	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Groups A, B, C & D	
s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	Groups A, B, C & D	
s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	Groups A, B, C & D	
s.46GO(1)	duty to give notice to owners of certain inner public purpose land	Groups A, B, C & D	
s.46GP	function of receiving a notice under s.46GO	Groups A, B, C & D	where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GQ	function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Groups A, B, C & D	
s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	Groups A, B, C & D	
s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	Groups A, B, C & D	
s.46GS(1)	power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s.46GQ	Groups A, B, C & D	
s.46GS(2)	duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Groups A, B, C & D	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Groups A, B, C & D	
s.46GT(4)	function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Groups A, B, C & D	
s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	Groups A, B, C & D	
s.46GU	duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s.46GU(1)(a) and (b) are met	Groups A, B, C & D	
s.46GV(3)	function of receiving the monetary component and any land equalisation amount of the infrastructure contribution power to specify the manner in which the payment is to be made	Groups A, B, C & D	where Council is the collecting agency

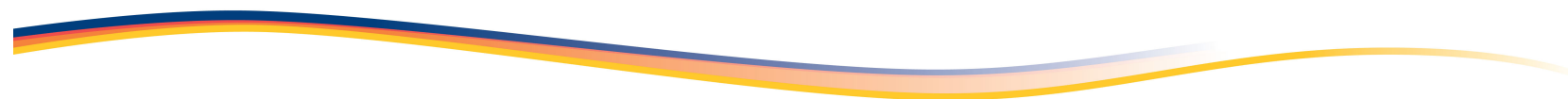
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GV(3)(b)	power to enter into an agreement with the applicant	Groups A, B, C & D	where Council is the collecting agency
s.46GV(4)(a)	function of receiving the inner public purpose land in accordance with s.46GV(5) and (6)	Groups A, B, C & D	where Council is the development agency
s.46GV(7)	duty to impose the requirements set out in s.46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Groups A, B, C & D	
s.46GV(9)	power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Groups A, B, C & D	where Council is the collecting agency
s46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Groups A, B, C & D	Where Council is the collecting agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GX(2)	duty, before accepting the provision of works, services or facilities by an applicant under s.46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Groups A, B, C & D	where Council is the collecting agency
s.46GY(1)	duty to keep proper and separate accounts and records	Groups A, B, C & D	where Council is the collecting agency
s.46GY(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	Groups A, B, C & D	where Council is the collecting agency
s.46GZ(2)(a)	duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority
s.46GZ(2)(a)	function of receiving the monetary component	Groups A, B, C & D	where the Council is the planning authority this duty does not apply where Council is also the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(2)(b)	duty to forward any part of the of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in as responsible for those works, services or facilities	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan this provision does not apply where Council is also the relevant development agency
s.46GZ(2)(b)	function of receiving the monetary component	Groups A, B, C & D	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
s.46GZ(4)	duty to use any land equalisation amounts to pay land credit amounts under s.46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s.46GZ(5)	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(5)	duty to keep forward any part of land equalisation amount required for the acquisition of outer public purpose land	Groups A, B, C & D	where Council is the development agency specified in the approved infrastructure contributions plan this provision does not apply where Council is also the relevant collecting agency
s.46GZ(7)	duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s.46GW	Groups A, B, C & D	where Council is the collecting agency under an approved infrastructure contributions plan



Instrument of Delegation

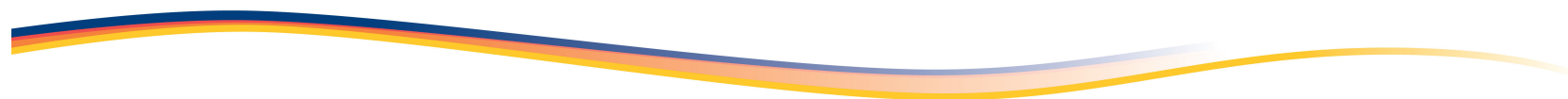
March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZ(9)	duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Groups A & B	if any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
s.46GZ(9)	function of receiving the fee simple in the land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZA(1)	duty to keep proper and separate accounts and records	Groups A & B	where Council is a development agency under an approved infrastructure contributions plan

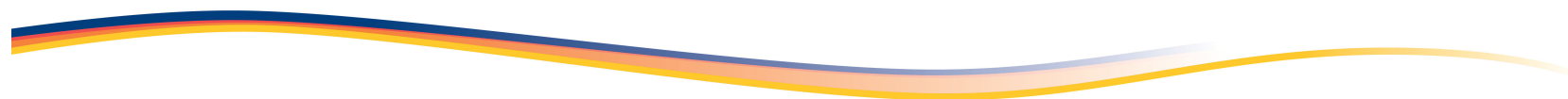
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZA(2)	duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</i>	Groups A, B, C & D	where Council is a development agency under an approved infrastructure contributions plan
s46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)		Where Council is a development agency under an approved infrastructure contributions plan
s46GZB(4)	duty in accordance with the requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Groups A & B	if the VPA is the collecting agency under an approved infrastructure contributions plan where Council is a development agency under an approved infrastructure contributions plan
s.46GZD(2)	duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZD(2)(a) and (b)	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZD(5)	duty to make payments under s. 46GZD(3) in accordance with s.46GZD(5)(a) and 46GZD(5)(b).	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZE(2)	duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Chief Executive Officer Director Corporate Development Director City Development	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s.46GZE(2)	Duty within 12 month after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in S 46GZE(3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZE(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46 GZF (3)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(2)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Groups A & B	where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)		Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	s.46GZF(3)(a) function of receiving proceeds of sale	Groups A & B	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46GZF(4)	duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s.46GZF(5)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZH	power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Groups A & B	where Council is the collecting agency under an approved infrastructure contributions plan
s.46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	Groups A & B	where Council is a collecting agency or development agency
s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Groups A & B	where Council is a collecting agency or development agency



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46LB(3)	duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s.46LB (2)	Groups A & B	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Groups A, B, C & D	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Groups A, B, C & D	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Groups A & B	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Groups A & B	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Groups A & B	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Groups A & B	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Groups A & B	
s.46Q(1)	duty to keep proper accounts of levies paid	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	Chief Executive Officer Director Corporate Development Director City Development	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Chief Executive Officer Director Corporate Development Director City Development	only applies when levy is paid to Council as a 'development agency'

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s.46Q(4)(a)	Chief Executive Officer Director Corporate Development Director City Development	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Chief Executive Officer Director Corporate Development	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	Chief Executive Officer Director Corporate Development Director City Development	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	Chief Executive Officer Director Corporate Development Director City Development	
s.46QD	duty to prepare report and give a report to the Minister	Groups A & B	where Council is a collecting agency or development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Groups A & B	
s46Y	Duty to carry out works in conformity with the approved strategy plan	Groups A & B	
s.47	power to decide that an application for a planning permit does not comply with that Act	All Groups	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	All Groups	
s.49(2)	duty to make register available for inspection	All Groups	
s.50(4)	duty to amend application	Groups A, B, C, D, F & I	
s.50(5)	power to refuse to amend application	Groups A, B, C, D & I	
s.50A(1)	power to make amendment to application	Groups A, B, C, D, F & I	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(4)	duty to note amendment to application in register	Groups A, B, C, D, F & I	
s.51	duty to make copy of application available for inspection	All Groups	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	Groups A, B, C, D, F & I	
s.52(1)(b)	duty to give notice of the application to other municipal Councils where appropriate	Groups A, B, C, D, F & I	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Groups A, B, C, D, F & I	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	Groups A, B, C, D, F & I	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Groups A, B, C, D, F & I	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Groups A, B, C & D	
s.52(3)	power to give any further notice of an application where appropriate	Groups A, B & C	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Groups A, B, C, D, F, G & I	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Groups A, B, C, D, F, G & I	
s.54(1)	power to require the applicant to provide more information	Groups A, B, C, D, F, G & I	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	Groups A, B, C, D, F, G & I	
s.54(1B)	duty to specify the lapse date for an application	Groups A, B, C, D, F & I	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	Groups A, B, C, D, F, G & I	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Groups A, B, C, D, F, G & I	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Group A	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Groups A, B, C, D, F & I	
s.57(5)	duty to make available for inspection copy of all objections	All Groups	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	Groups A, B, C, D, F & I	
s.57A(5)	power to refuse to amend application	Groups A, B, C & D, F & I	
s.57A(6)	duty to note amendments to application in register	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.57B(1)	duty to determine whether and to whom notice should be given	Groups A, B, C & D, F & I	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	Groups A, B, C & D, F & I	
s.57C(1)	duty to give copy of amended application to referral authority	Groups A, B, C, D, F & I	
s.58	duty to consider every application for a permit	Groups A, B, C, D, F & I	
s.58A	power to request advice from the Planning Application Committee	Chief Executive Officer Director City Development	
s.60	duty to consider certain matters	Groups A, B, C, D, F & I	
s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	Groups A, B, C, D, F & I	



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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(a)	power to decide to grant a permit	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended).

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(b)	power to decide to grant a planning permit with conditions	Groups A, B, C, D, F & I	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended).

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(c)	power to refuse the permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5)</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>or more trees/vegetation after obtaining the consent of one delegate from Group A or B. The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

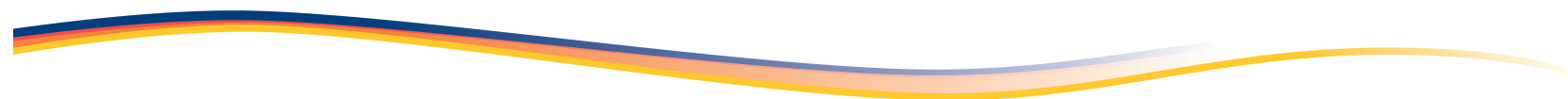
Instrument of Delegation

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Groups A, B, C, D, F & I	
s61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Groups A, B, C, D, F & I	



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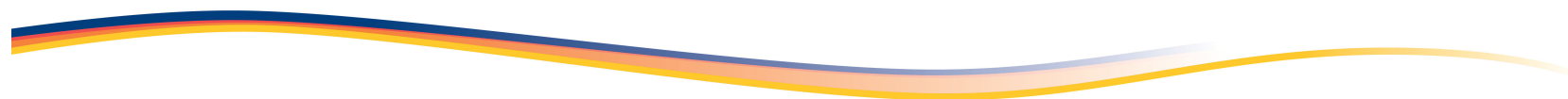
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Groups A, B, C, D, F & I	<p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p><u>The above conditions and limitations to do not apply to the Chief Executive Officer where :</u></p> <p>(a) <u>there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</u></p> <p>(b) <u>after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</u></p> <p>(c) <u>the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</u></p>

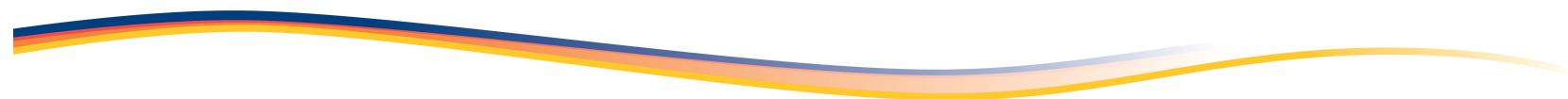
Instrument of Delegation

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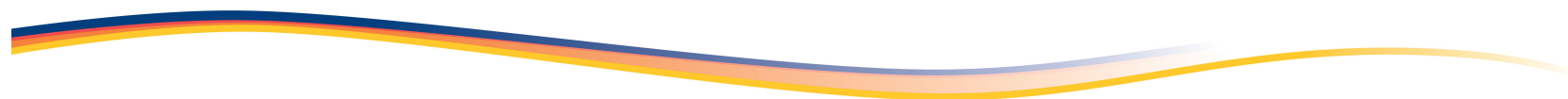
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(1)	duty to include certain conditions in deciding to grant a permit	Groups A, B, C, D, F & I	
s.62(2)	power to include other conditions	Groups A, B, C, D, F & I	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Groups A, B, C, D, F & I	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Groups A, B, C, D, F & I	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Groups A, B, C, D, F & I	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Groups A, B, C & D, F & I	
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	Groups A, B, C & D, F & I	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	Groups A, B, C, D, F & I	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Groups A, B, C, D, F & I	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(3)	duty not to issue a permit until after the specified period	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75
s.64(5)	duty to give each objector a copy of an exempt decision	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Groups A, B, C, D, F & I	this provision applies also to a decision to grant an amendment to a permit - see section 75A
s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Groups A, B, C, D, F & I	
s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	Groups A, B, C, D, F & I	
s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Groups A, B, C, D, F & I	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s.69(1)	function of receiving application for extension of time of permit	All Groups	
s.69(1A)	function of receiving application for extension of time to complete development	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	power to extend time	Groups A, B, C, D, F & I	<p>In exercising this power consideration must be given to the matters referred to in Butterworths' Casenotes 5.35 relating to 'Extension of Time' and:</p> <ul style="list-style-type: none"> • Whether there has been a change in planning circumstances of the site (ie changes in zoning or planning policy); • Whether there has been a change in the material circumstances of the site and surrounds; • The steps the owner may or may not have undertaken in an endeavour to act on the permit; • Whether the time limit imposed was adequate having regard to the actions required to fulfil permit conditions. <p>Group B, C, D, & F: May only exercise this power after obtaining the approval of at least one other delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves the removal or pruning of vegetation.</p>
s.70	duty to make copy permit available for inspection	Groups A, B, C, D, F & I	
s.71(1)	power to correct certain mistakes	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.71(2)	duty to note corrections in register	Groups A, B, C & D	
s.73	power to decide to grant amendment subject to conditions	Groups A, B, C & D	
s.74	duty to issue amended permit to applicant if no objectors	Groups A, B, C, D, F & I	
S75A	Duty not to issue an amended permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit.	Groups A, B, C, D, F & I	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Groups A, B, C, D, F & I	
s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Groups A, B, C, D, F & I	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	Groups A, B, C, D, F & I	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s.76D	duty to comply with direction of Minister to issue amended permit	Groups A, B, C & D	
s.83	function of being respondent to an appeal	Groups A, B, C, D, E, F & I	
s.83B	duty to give or publish notice of application for review	Groups A, B, C, D, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer’s Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation</p>

Instrument of Delegation

March 2020 ~~January 2019~~

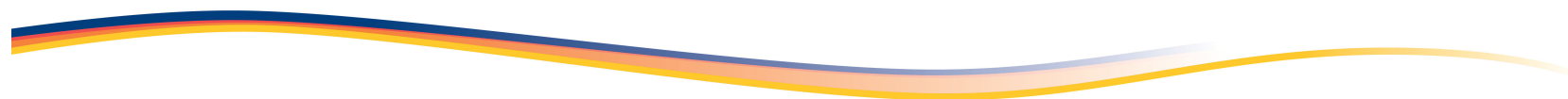
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Groups A, B, C, D, F & I	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Groups A, B, C, D, F & I	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	Groups A, B, C, D, F & I	
s.84AB	power to agree to confining a review by the Tribunal	Groups A, B, C, D, F & I	
s.86	duty to issue a permit at order of Tribunal within 3 working days	Groups A, B, C, D, F & I	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Group A	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Groups A, B, C, D & E	
s.91(2)	duty to comply with the directions of VCAT	Groups A, B, C, D & E, F & I	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	Groups A, B, C, D & E, F & I	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Groups A, B, C, D & E, F & I	
s.93(2)	duty to give notice of VCAT order to stop development	Groups A, B, C, D & E	
s.95(3)	function of referring certain applications to the Minister	Groups A, B & C	
s.95(4)	duty to comply with an order or direction	Groups A, B & C, F & I	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Groups A & B	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Group A	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Groups A, B, C & D	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96F	duty to consider the panel's report under section 96E	Group A	
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Groups A, B, C, D, F & I	<p><u>Decision to Support an Application</u></p> <p>The application must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>The proposal must be considered to be in compliance with the Knox Planning Scheme, including the Municipal Strategic Statement and Local Planning Policy Framework and any incorporated documents to the planning scheme;</p> <p>This power cannot be exercised in relation to:</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • an application which has received objections from the owners and/or occupiers of 15 or more separate properties, unless: <ul style="list-style-type: none"> ○ The site is located within an Activity Centre with a Structure Plan approved by Council; or ○ The site is located within an ‘Activity Area’ as identified in the Knox Housing Strategy 2015 (or as amended). <p>Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B.</p> <ul style="list-style-type: none"> • <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			after obtaining the consent of one delegate from Group A or B. Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B. Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers may be exercised for an application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.



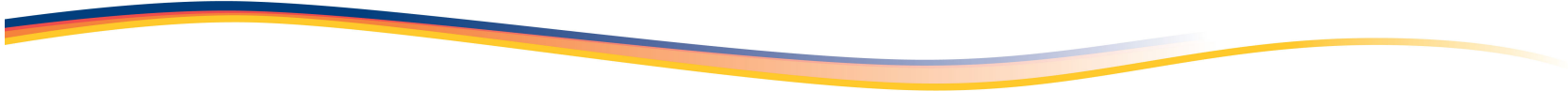
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISIO N	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p><u>Decision to Oppose an Application</u></p> <p>This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • an application once it is “called up” by a Knox Councillor (in consultation with the Director City Development) or the CEO, Director City Development or Manager City Planning & Building. • Groups A & B: May only exercise these powers after obtaining the consent of another delegate from Group A or B <p>Group C: May only exercise these powers after obtaining the consent of one delegate from Group A or B.</p> <p>Group D: May only exercise these powers in respect of applications for subdivisions and after obtaining the consent of one delegate from Group A or B.</p> <p>Group F: May only exercise these powers in respect of applications for minor matters and after obtaining the consent of one delegate from Group A or B.</p> <p>Group I: May only exercise these powers where the application involves removal of four (4) or less trees or pruning of vegetation. These powers maybe exercised for an</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>application for removal or pruning of five (5) or more trees/vegetation after obtaining the consent of one delegate from Group A or B.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions</p>

Instrument of Delegation

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			which they express before exercising the delegation



Instrument of Delegation

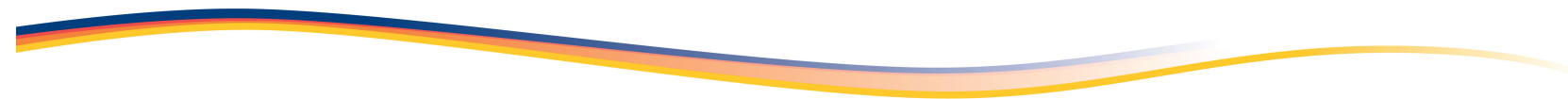
March 2020~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96H(3)	power to give notice in compliance with Minister's direction	Groups A, B & C	
s.96J	power to issue permit as directed by the Minister	Groups A, B & C	
s.96K	duty to comply with direction of the Minister to give notice of refusal	Groups A, B & C	
s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate	All Groups	
s.97C	power to request Minister to decide the application	Group A	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Groups A, B & C	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	Groups A, B & C	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	All Groups	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97L	duty to include Ministerial decisions in a register kept under section 49	Groups A, B & C	
s.97MH	duty to provide information or assistance to the Planning Application Committee	Group A	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Group A	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Groups A, B, C, D & E	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Groups A, B, C, D & E	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Groups A, B, C, D & E	
s.97Q(4)	duty to comply with directions of VCAT	Groups A, B, C, D & E	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Groups A, B, C, D & E	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Group A	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Group A	
s.101	function of receiving claim for expenses in conjunction with claim	Group A	
s.103	power to reject a claim for compensation in certain circumstances	Group A	
s.107(1)	function of receiving claim for compensation	Group A	
s.107(3)	power to agree to extend time for making claim	Group A	
s.114(1)	power to apply to the VCAT for an enforcement order	Groups A, B & E	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	Groups A, B, C, D & E	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	Groups A, B & E	

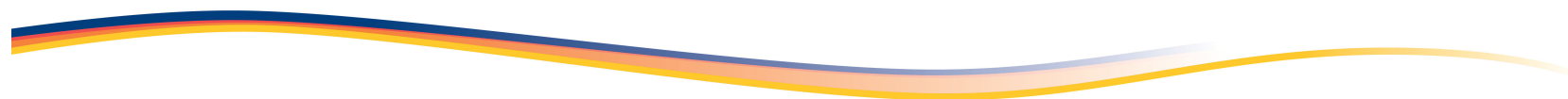
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.123(1)	power to carry out work required by enforcement order and recover costs	Groups A & E	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Group A	except Crown Land
s.129	function of recovering penalties	Groups A, B & E	
s.130(5)	power to allow person served with an infringement notice further time	Groups A, B & E	
s.149A(1)	power to refer a matter to the VCAT for determination	Groups A & B	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Groups A & B	



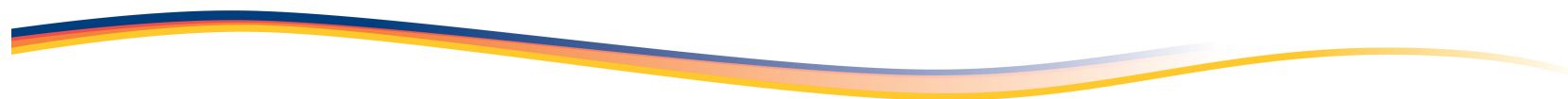
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Group A	where Council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	Groups A, B, C, D & E	
s.171(2)(g)	power to grant and reserve easements	Group A	
s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Group A	where Council is a development agency specified in an approved infrastructure contributions plan
s.172D(1)	power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s.46GV(4)	Group A	where Council is a collecting agency specified in an approved infrastructure contributions plan



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.172D(2)	power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s.46GV(4)	Group A	where Council is the development agency specified in an approved infrastructure contributions plan
s.173(1)	power to enter into agreement covering matters set out in section 174	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit
s.173(1A)	power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Group A	where council is the relevant responsible authority
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	Groups A, B, C & D	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	Groups A, B, C & D	
s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Chief Executive Officer Director City Development	The Agreement must align with the requirements of a condition (s) on an issued Planning Permit
s.178A(1)	function of receiving application to amend or end an agreement	Groups A, B, C & D	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Groups A, B, C & D	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178A(5)	power to propose to amend or end an agreement	Chief Executive Officer Director City Development	This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Chief Executive Officer Director City Development	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Chief Executive Officer Director City Development	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	Groups A, B, C & D	
s.178C(4)	function of determining how to give notice under s.178C(2)	Groups A, B, C & D	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	Chief Executive Officer Director City Development	

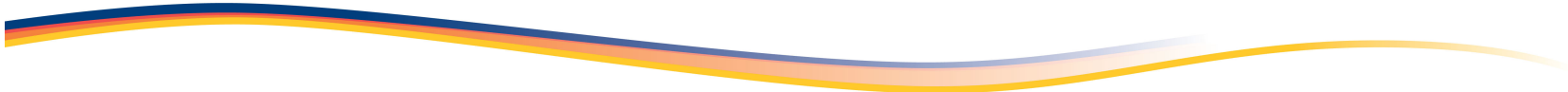


PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(a))	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	<p>If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • If any objections are made under s.178D <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine</p>

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <ul style="list-style-type: none"> (c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation



Instrument of Delegation

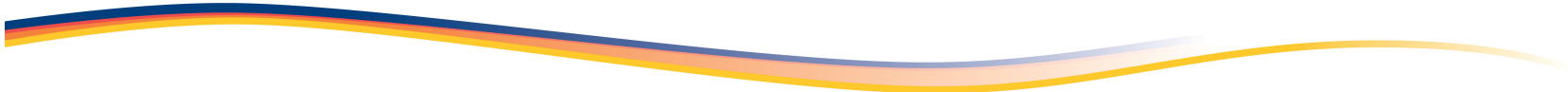
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(b))	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	<p>If no objections are made under s.178D Must consider matters in s.178B This power cannot be exercised in relation to:</p> <ul style="list-style-type: none"> • A section 173 agreement that was entered into via a resolution of Council; or • <u> </u> If any objections are made under s.178D <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) <u> </u> there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) <u> </u> after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<p>the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <ul style="list-style-type: none"> (c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions which they express before exercising the delegation



Instrument of Delegation

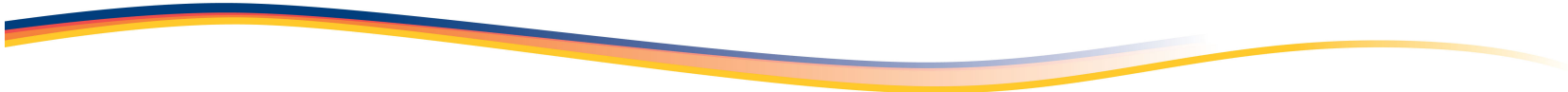
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(c)	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	<p>If no objections are made under s.178D</p> <p>Must consider matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions</p>

Instrument of Delegation

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PLANNING AND ENVIRONMENT ACT 1987			
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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			which they express before exercising the delegation



Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(a))	power to amend or end the agreement in accordance with the proposal	Chief Executive Officer Director City Development	<p>After considering objections, submissions and matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with</p>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			Councillors, and has regard to any opinions which they express before exercising the delegation
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Chief Executive Officer Director City Development	After considering objections, submissions and matters in s.178B This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.

Instrument of Delegation

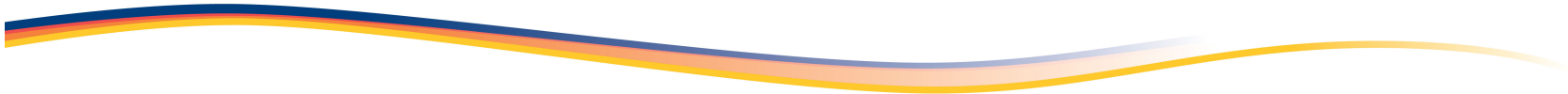
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Chief Executive Officer Director City Development	<p>After considering objections, submissions and matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with</p>

Instrument of Delegation

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			Councillors, and has regard to any opinions which they express before exercising the delegation



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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(3)(d))	power to refuse to amend or end the agreement	Chief Executive Officer Director City Development	<p>After considering objections, submissions and matters in s.178B</p> <p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations to do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with</p>

Instrument of Delegation

March 2020 ~~January 2019~~

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			Councillors, and has regard to any opinions which they express before exercising the delegation
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Groups A, B, C & D	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Groups A, B, C & D	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	Groups A, B, C & D	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Chief Executive Officer Director City Development	
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	Groups A, B, C & D	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Groups A, B, C & D	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.179(2)	duty to make available for inspection copy agreement	Groups A, B, C, D & E	
s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Groups A, B, C & D	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Groups A, B, C & D	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Groups A, B, C & D	
s.182	power to enforce an agreement	Groups A, B, C, D & E	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Groups A, B, C & D	



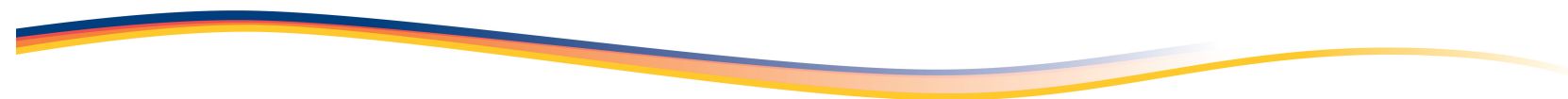
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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	Chief Executive Officer Director City Development	<p>This power cannot be exercised in relation to a section 173 agreement that was entered into via a resolution of Council.</p> <p>The above conditions and limitations do not apply to the Chief Executive Officer where :</p> <p>(a) there is a state of emergency declared under the Public Health and Wellbeing Act 2008 or state of disaster declared under the Emergency Management Act 1986; and</p> <p>(b) after following the procedure set out in the table in the Chief Executive Officer's Instrument of Delegation Dated 30 March 2020, the Chief Executive Officer forms the opinion that any meeting of Council which would otherwise determine the issue, take the action or do the act or thing will lapse for want of a quorum; and</p> <p>(c) the Chief Executive Officer makes every reasonable endeavour to consult with Councillors, and has regard to any opinions</p>

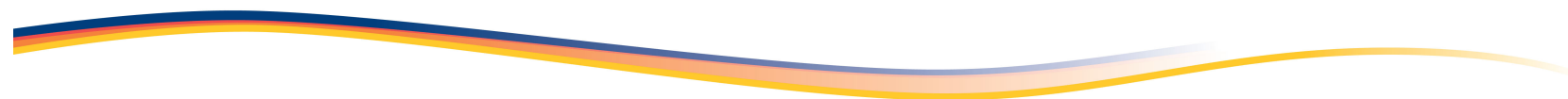
PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			which they express before exercising the delegation
s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	Chief Executive Officer Director City Development	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	Groups A, B, C & D	
s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	Groups A, B, C & D	
s.184G(2)	duty to comply with a direction of the Tribunal	Chief Executive Officer Director City Development	
s.184G(3)	duty to give notice as directed by the Tribunal	Groups A, B, C, D & F	
s.198(1)	function to receive application for planning certificate	Groups A, B & C	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.199(1)	duty to give planning certificate to applicant	Groups A, B & C	
s.201(1)	function of receiving application for declaration of underlying zoning	Group A	
s.201(3)	duty to make declaration	Group A	
Misc	power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Groups A, B, C, D & E	
Misc	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Groups A, B, C & D	
Misc	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	Groups A, B, C & D	
Misc	power to give written authorisation in accordance with a provision of a planning scheme	Groups A, B, C & D	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Misc.	power to mediate an appeal at the Victorian Civil and Administrative Tribunal – Mediation Hearing	Groups A, B, C, & D	The mediated outcome shall be generally in accordance with the Council decision on the application.
Misc.	power to request that the Minister for Planning prepare and approve a Planning Scheme Amendment	Chief Executive Officer Director City Development Group A	The Planning Scheme Amendments requested must be matters which do not require advertising and have no policy implications, such as urgent, or minor, administrative or procedural matters, or rectification of errors.
Misc.	power to make minor changes to a Planning Scheme Amendment	Group A	Changes must not affect the purpose or intent of the Amendment.

s201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	All Groups	
s201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	All Groups	



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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>s91ZU(1)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority engaged in the provision of housing</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S91ZZC(1)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S91ZZE(1)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority engaged in the provision of housing</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S91ZZE(3)</u>	<u>Power to give a renter a notice to vacate rented premises</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Where Council is a public statutory authority engaged in the provision of housing</u> <u>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
s. 142G(2)	power to enter certain information in the Rooming House Register	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
<u>S206AZA(2)</u>	<u>Function of receiving written notification</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
<u>S207ZE(2)</u>	<u>Function of receiving written notification</u>	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Manager - City Safety & Health</u> <u>Coordinator - Health Services</u>	<u>Note: this function is not yet in force and will commence on 1 July 2020, unless proclaimed earlier.</u>
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u>	where Council is the landlord <u>Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.</u>
s.262(1)	power to give tenant a notice to vacate rented premises	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u>	where Council is the landlord <u>Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.</u>
s.262(3)	power to publish its criteria for eligibility for the provision of housing by Council	<u>Chief Executive Officer</u> <u>Director – City Development</u> <u>Director- Corporate Services</u>	<u>Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier.</u>

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
S311A(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator - Health Services	
S317ZDA(2)	Function of receiving written notification	Chief Executive Officer Director – City Development Manager - City Safety & Health Coordinator – Health Services	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance	
s.522(1)	power to give a compliance notice to a person	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance Environmental Health Officer	

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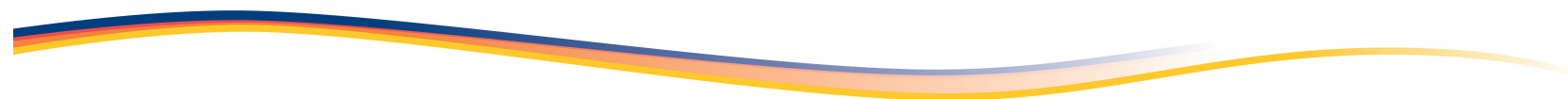
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RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
s.525(4)	duty to issue identity card to authorised officers	Chief Executive Officer Director – <u>City Development</u> <u>Director</u> - Corporate Services Manager – Governance- <u>&</u> <u>Innovation</u>	
s.526(5)	duty to keep record of entry by authorised officer under section 526	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
s.526A(3)	function of receiving report of inspection	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	

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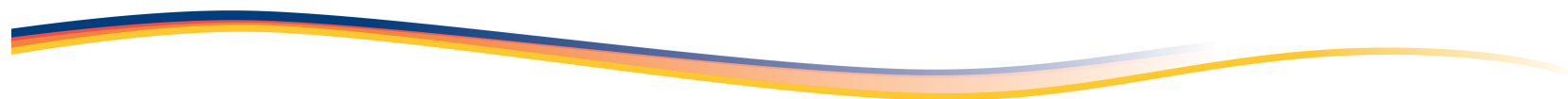
RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Chief Executive Officer Director – City Development Manager – City Safety & Health	



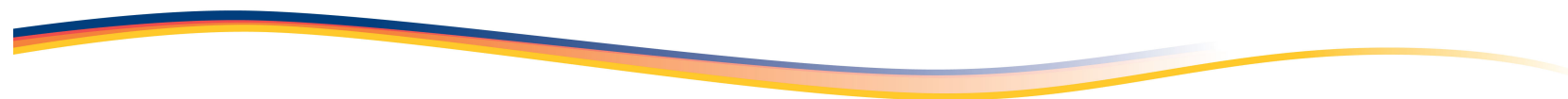
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PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r. 6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	All Groups	where Council is not the planning authority and the amendment affects land within its municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Groups A, B, C, D, F & I	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Groups A, B, C & D	where Council is the responsible authority
r.25(b))	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Groups A, B, C, D, F & I	where Council is not the responsible authority but the relevant land is within Council's municipal district



r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Groups A, B, C & D	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
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PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	Group A	
r.20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Group A & B	
r.21	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.19 or 20	Groups A & B	



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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.11	function of receiving application for registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.13(4) & (5)	duty to issue certificate of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.15(1)	function of receiving notice of transfer of ownership	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.15(3)	power to determine where notice of transfer is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

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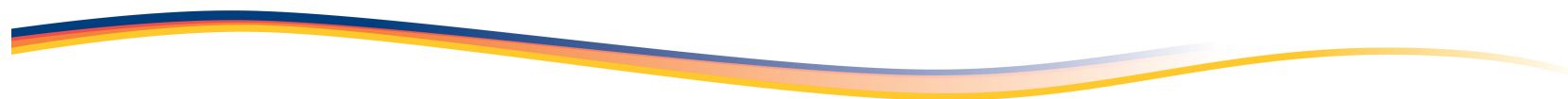
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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.16(1)	duty to transfer registration to new caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.16(2)	duty to issue a certificate of transfer of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	
r.18	duty to keep register of caravan parks	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u>	

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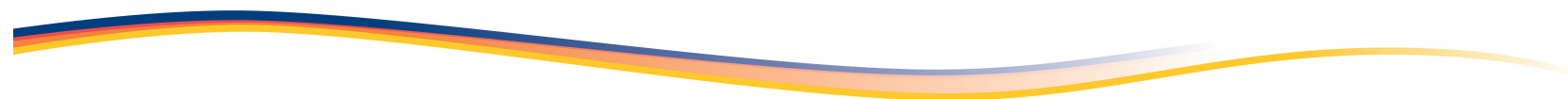
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.19(4)	power to determine where the emergency contact person's details are displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.19(6)	power to determine where certain information is displayed	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.22A(2)	duty to consult with relevant emergency services agencies	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	



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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.25(3)	duty to consult with relevant floodplain management authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.26	duty to have regard to any report of the relevant fire authority	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	



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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	
r.40(4)	function of receiving installation certificate	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health <u>Services</u> <u>Compliance</u> Environmental Health Officer	

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RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance Environmental Health Officer	
Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Chief Executive Officer Director - City Development Manager - City Safety & Health Coordinator - Health Services Compliance Environmental Health Officer	

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14.1.1 Response to COVID-19

SUMMARY: Manager Governance, Phil McQue

COVID-19 is an unprecedented crisis, presenting Council with a complex and unpredictable challenge. The impact of COVID-19 on the Knox community will be significant from a health, wellbeing and economic perspective. Knox has a diverse range of industry sectors, with many businesses immediately vulnerable to the impact of COVID-19. Knox's community clubs and organisations also face an uncertain future as they typically do not have the cash reserves to sustain them in a period of declining or in some instances nil revenue.

Council has a key role to play in managing and responding to COVID-19, including supporting community health and wellbeing, delivering emergency responses, implementing stimulus projects and driving community recovery.

Council has been planning for and progressively implementing a range of measures to protect the health, wellbeing and safety of our community, Councillors and staff. Council has prioritised the ongoing delivery of critical services to support our vulnerable and elderly residents. Council has deployed its Crisis Management Plan, Pandemic Sub-Plan and various Business Continuity Plans, ensuring that essential services continue to be delivered to the community.

This report recommends that Council provide an initial round of community relief measures, targeted to support programs not presently offered by the Federal and Victorian State Government. The relief measures specifically targets the Knox community at a grass roots level, in the knowledge that further initiatives and support will be required by Council as this crisis unfolds.

RECOMMENDATION

That Council:

- 1. Undertake an immediate review of the *Knox Payment Assistance Policy* with a view to addressing emerging consequences of the COVID-19 pandemic and its impact on the livelihoods of the Knox community;**
- 2. Resolve to not 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;**
- 3. Waive trading fees, including outdoor dining and business A-frame signage fees for the period 30 March 2020 until 30 June 2020 as a pro-rata refund for renewal permit fees and refunding the full application fee amount for new applications received in that period; noting that the extension of this will form part of the 2020-21 budget deliberations;**
- 4. Waive all Not-For Profit community organisation hire agreement, license and lease fees for the remainder of the 2019-20 Financial Year, with any advance pro-rata payments to be refunded;**

- 5. Waive Knox Basketball Incorporated's Annual Asset Renewal Fee for the remainder of the 2019-20 Financial Year;**
- 6. Amend the 2019-20 Budget by providing COVID-19 Emergency Funding of \$100,000, such amount to be expended by the Chief Executive Officer wholly in connection with Council's response to COVID-19 as is considered appropriate;**
- 7. Indefinitely defer the following proposed events due to government imposed restrictions on gatherings:**
 - a. Fire Fighter Recognition Function**
 - b. Annual Joint Advisory Committee Meeting; and**
- 8. Continue to formulate its Community Relief Plan, complimenting the Federal and Victorian State Governments COVID-19 response, with priority of addressing any identified gaps that particularly impact Knox community, with further reports to be presented to Council for consideration and implementation as soon as practicable.**

1. INTRODUCTION

On 11 March 2020, the World Health Organisation declared Coronavirus (COVID-19) as a pandemic and the State of Victoria subsequently declared a State of Emergency on 16 March 2020.

This report responds to a number of operational matters affecting Council operations and decision-making in the context of the COVID-19 pandemic.

In all responses to date, Council has considered occupational health and safety, public health concerns, community impact assessment, economic impact assessment and investigated options for alternative service delivery options.

2. DISCUSSION

Council Staff have initiated appropriate actions under Council's Crisis Management Plan and Pandemic Sub Plan and the Executive Management Team has now convened and operationalised the Knox Crisis Management Team, which is meeting daily to guide the organisation's response to the evolving pandemic. Daily meetings are held with the Chief Executive Officer, Mayor and Deputy Mayor.

Following risk based assessments, a range of measures have been implemented. These measures have not been taken lightly, particularly in relation to changes to service levels. Given the dynamic nature of this pandemic, there may be further measures required in the future. Where services to the community are impacted, there are associated communication plans in place to inform the community.

At the time of preparing this report, Council had closed the following services and facilities:

- Knox Civic Centre Customer Service Counter
- Knox Regional Netball Centre
- Knox Community Arts Centre
- Ferntree Gully Community Arts Centre
- Carrington Park Leisure Centre

- Rowville Community Centre, except for immunisations sessions which will continue
- Knox Libraries (as part of the Eastern Region Library Corporation approach)
- Various other sites such as Knox Athletics Track, Knox BMX Track, Waterford Valley Golf Course and the Youth Information Centre.

The recommendations in this report will contribute towards ensuring that Council is agile enough over the short to medium term, to continue to respond to unforeseen circumstances in a timely manner.

The following additional support measures are recommended for consideration by Council:

Funding to address COVID-19

This report recommends that Council authorise the expenditure of unbudgeted funds to a maximum of \$100,000, to ensure the organisation is in a position to respond to unforeseen circumstances which may arise requiring funding.

Deferral of Council Events

Council has postponed or cancelled more than 50 events from March through to May 2020. Two specific Council functions require a resolution to defer, being the Fire Fighter Recognition Function (*required to be held in April / May*) and the Annual Joint Advisory Committee Meeting (*required to be held by May 2020*).

This report notes that whilst Victoria is subject to a declared State of Emergency, the Chief Executive Officer, in discussion with the Mayor, will continue to make urgent decisions and defer and cancel meetings, events and identified matters as is considered necessary and appropriate to mitigate risks associated with COVID-19.

Assistance to Knox Council Ratepayers

Many Knox Council ratepayers will be facing immediate hardship from COVID-19. At the time of preparing this report, the four major banks have already received approximately 100,000 applications for deferral of housing loan payments.

Council is committed to protecting the livelihood and wellbeing of its residents and will be considering a range of initiatives in coming months, including a review of Council's *Knox Payment Assistance Policy*. In the interim, it is recommended that Council resolve to not charge interest from 31 March 2020 to 30 June 2020 for late rate payments.

Community Relief Package

Not-For-Profit community groups are an essential fabric of the Knox community, playing a significant role in building and maintaining social infrastructure, capital and resilience. Council has long recognised the important role that community facilities provide to the community in encouraging social and civic participation and supporting the wellbeing of residents.

Council recognises the significant impact that COVID-19 will have on community organisations with the restrictions presently in place. Currently, there are 166 Not-For-Profit community groups operating out of a Council facility, which includes pavilions and grounds, with a lease or license (including seasonal tenancy) agreement. This does not include those Not-For-Profit organisations who currently utilise a Council facility under a hire agreement.

To ensure the ongoing sustainability of these community groups, the following initiatives are recommended:

- Waive all Not-For-Profit hire, license and lease fees for the remainder of 2019-20 Financial Year (*valued at approximately \$1,346,612 per annum*) and refund any fees paid in advance pro-rata for this period; and
- Waive Knox Basketball Associations' Annual Asset Renewal Fee for the remainder of the 2019-20 Financial Year (*\$105,916 annual fee*)

Council are recognises the importance of small business within the Knox community and it is recommended to waive trading fees, including outdoor dining and business trading signage, as of 30 March 2020 until 30 June 2020, noting that payments made to date will receive full refunds;

3. CONSULTATION

This report has been prepared in consultation with Councillors at a Special Confidential Issues Briefing on 26 March 2020.

4. ENVIRONMENTAL/AMENITY ISSUES

The closure of Council facilities and services has a direct impact on the amenity of the Knox community.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The economic impact of COVID-19 is largely unknown and will be very difficult to quantify this financial year, particularly in relation to the loss of revenue, which will be to the value of millions for Knox City Council. This uncertainly makes it difficult to formulate reliable estimates that are required for prudent responsible budgeting. The potential financial and economic implications associated with the COVID-19 pandemic will be the subject of separate reports and discussions with Councillors.

Council has written to the Minister for Local Government requesting that the State Government defer the statutory requirement for councils to adopt the 2020-21 budget until October 2020, in line with the action taken by the Federal Government and Victorian State Government in the adoption of their respective 2020-21 budgets.

This will provide the required time for the economic and fiscal impacts of COVID19 to be known and understood, and the potential scale of recovery efforts, ensuring councils can adopt a responsive and responsible budget that assists Victoria in surviving this crisis and the path to economic recovery.

6. SOCIAL IMPLICATIONS

Council has a role to play in responding to COVID-19, particularly in supporting the limiting of the spread of the virus.

Council will also have a critical role to play in recovery activities once COVID-19 is minimised within the community.

Council acknowledges the critical role that local Not-For-Profit organisations and community groups play in supporting community access to key activities and services across all life stages,

particularly access by disadvantaged and socially isolated groups. These groups significantly encourage social and civic participation and engagement, supporting the health and wellbeing of the Knox community.

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

Goal 4 - We are safe and secure

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

Strategy 4.5 - Support the provision of emergency services

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

9. CONCLUSION

Council has a key role to play in managing COVID-19, including supporting community wellbeing, delivering emergency responses, implementing stimulus projects and driving community recovery. This report recommends a number of immediate initiatives to assist in appropriately responding to COVID-19.

10. CONFIDENTIALITY

Nil.

Report Prepared By: Manager Governance, Phil McQue

Report Authorised By: Director City Development, Matt Kelleher

Attachments

Nil