

# AGENDA

## Mid Month Meeting of Council



To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 14 April 2025 at 7:00 PM

This meeting will be conducted as a hybrid meeting

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Bruce Dobson

Chief Executive Officer

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1      Apologies And Requests For Leaves Of Absence

2      Declarations Of Conflict Of Interest

3      Confirmation Of Minutes

Confirmation of Minutes of Mid Month Meeting of Council on Tuesday 11 March 2025.

## 4 Officer Reports

### 4.1 Minor Grants Program Monthly report and Individual Excellence Grants Update (Quarter 3)

<b>Final Report Destination:</b>	Mid-Month Council
<b>Paper Type:</b>	For Decision
<b>Author</b>	Community Partnerships Officer, Jade Mainwaring and Eleonore Smith, Personal Assistant to Mayor and Councillors
<b>Manager:</b>	Manager Community Strengthening, Kerry Jansons and Manager Governance, Andrew Dowling
<b>Executive:</b>	Director Connected Communities, Judy Chalkley and Director Customer and Performance, Greg Curcio

#### SUMMARY

This report summarises the grant applications recommended for approval in April 2025 for the 2024 - 2025 Minor Grants Program. All applications have been assessed against the criteria set out in the Minor Grants Program Procedure.

Applications under the Minor Grants Procedure are limited to a maximum of \$3,000.00 within the current financial year.

This report also summarises the Excellence Grants for Individuals awarded in Quarter 3 of the 2024-2025 financial year. Under the Excellence Grants for Individuals Program, applicants who are selected to represent either Victoria or Australia in a competitive endeavour or an elite performance may receive funding assistance of \$150.00 for events within Victoria, \$250.00 for interstate events and \$400.00 for international events.

#### RECOMMENDATION

That Council resolve to:

1. Approve seven applications for a total of \$15,668.83 (excluding GST) as detailed below:

<b>Applicant Name</b>	<b>Project Title</b>	<b>Amount Requested (inc. GST)</b>	<b>Amount Recommended (excl. GST)</b>
Upwey Tecoma Junior Football Club	Clubroom Furniture	\$2,250.00	\$2,045.45 (lesser amount due to GST)
Rowville Seniors Club	Purchase of second-hand indoor bowls mats	\$1,355.00	\$1,355.00
The Links at Waterford Residents Association Inc - WORKSHOP	Table Saw & Band Saw Upgrades	\$2,350.00	\$2,350.00
Rowville Eagles FC	3x2m Portable training goals	\$2,700.00	\$2,700.00
Templeton Netball Club	Lighting for winter training	\$2,796.00	\$2,400.20 (Lesser amount due to reaching \$2,000.00 funding

Applicant Name	Project Title	Amount Requested (inc. GST)	Amount Recommended (excl. GST)
			cap as per Minor Grant Procedure 6.17)
Share Space Inc	Share Space meat for packs	\$3,000.00	\$1,818.18 (Lesser amount due to reaching funding cap as per Minor Grant Procedure 6.17)
Mountain Gate Cricket Club	Purchase of a Pitch Applicator	\$3,000.00	\$3,000.00
<b>Total</b>		<b>\$17,451.00</b>	<b>\$15,668.83</b>

2. Defer one application requesting a total of \$2368.00, as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for deferral
Youth Connect Foundation	"Finding Your Tribe High School" Transition Bootcamp	\$2,368.00	Awaiting further information
<b>Total</b>		<b>\$2,368.00</b>	

3. Refuse two applications requesting a total of \$6,000.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for ineligibility
ADRA	ADRA Free Food Corner	\$3,000.00	Ineligible as per Minor Grants Procedure 6.17 For an amount that exceeds \$3,000 in the current financial year
Bayswater Secondary College School Council	A Hearty Breakfast Starts The Day	\$3,000.00	Ineligible as per Minor Grants Procedure 6.19 Considered by Council to be the funding responsibility of another level of government.
<b>Total</b>		<b>\$6,000.00</b>	

4. Note that should the recommended grants be approved by Council, the remaining budget for the Minor Grants Program in 2024 - 2025 will be \$11,016.41 after GST adjustments. This amount is calculated as follows:

- Remaining Minor Grant Budget as of March: \$14,518.24
- Plus returned unspent grants in the 2024 - 2025 Financial Year acquired through acquittal management: \$12,167  
(Total \$26,685.24)
- Less the recommended April Minor Grants of \$15,668.83.

5. Note the Excellence Grants for Individuals awarded in Quarter 3 of the 2024-2025 financial year as set out in Attachment 2, with a total value of \$2,200.

## **1. DISCUSSION**

### **1.1 Minor Grants**

#### **1.1.1 Background**

The Minor Grants Program provides a pool of grant funding that can respond monthly to requests for small amounts of funding to assist with short term, one-off projects or initiatives that are relatively minor in nature.

The objective of the Minor Grants Program is to be an accessible and responsive funding source to assist a wide range of community led activities across the municipality and support volunteer effort and civic participation.

It operates under the principles of other Knox Council grants programs to ensure:

- Funded projects will provide benefit to the Knox community and help meet Council objectives;
- Co-operation and collaboration between groups will be encouraged;
- The grant process will be consistent, equitable and transparent; and
- The grant process will support and strengthen community groups in developing local solutions to local needs.

Applications are assessed against criteria specified in the Minor Grants Program Procedure (approved in April 2024), to determine the eligibility of the applicant organisation and the eligibility of the grant application.

The Procedure and Council's Grant Framework Policy set 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 2020.

In accordance with the Procedure, applications for funding have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

This report presents to Council the recommendations for recent Minor Grant applications in accordance with the Procedure.

#### **1.1.2 Applications Recommended for Approval**

10 applications have been assessed this month, requesting grants totaling \$25,819. Of the 10 applications, seven are recommended for approval. A summary of the projects recommended is as follows:

- The Upwey Tecoma Junior Football Club is looking to purchase rectangular tables to enhance the functionality and versatility of their clubrooms and event spaces.
- Rowville Seniors Club require funding to purchase two bowls mats to improve safety for their members.
- The Links at Waterford Residents Association Inc. Workshop brings together residents of Waterford to manufacture aids for children with cerebral palsy and will use grant funds to upgrade their table saw and band saw.
- The Rowville Eagles Football Club will purchase portable training goals for their juniors.

- Mountain Gate Cricket Club would like to purchase a Pitch Applicator. This piece of equipment will allow the wicket cover to be stored on the applicator and easily rolled up, helping to protect the pitch from damage.
- Templeton Netball Club wish to purchase portable lighting towers to continue evening training after daylight savings ends whilst they await a more permanent training venue.
- Share Space Inc supply fresh meat products to Knox residents in need each Saturday. The grant would be used to purchase meat for Knox residents to continue the program for a further 30 weeks.

Application details are provided in Attachment 1.

#### **1.1.3 Applications Recommended for Deferral**

One application is recommended for deferral to the May 2025 Meeting of Council as we await further information regarding their applications:

- Youth Connect Foundation

#### **1.1.4 Applications Recommended for Refusal**

Two applications are recommended for refusal:

- ADRA Free Food Corner are ineligible as they have received the maximum grant funding of \$3,000 for the 2024 - 2025 financial year as per point 6.17 of the Minor Grant Program Procedure.
- Bayswater Secondary College School Council are ineligible as per the Minor Grant Program Procedure point 6.19 as their project is considered by Council to be the funding responsibility of another level of government.

#### **1.1.5 Applications recommended for Withdrawal**

One outstanding application was deferred at the February Meeting of Council, Haering Road Kindergarten. To date, this group has not provided the requested additional information and given the time passed, these applications should be considered withdrawn with the applicants invited to re-apply should they choose.

### **1.2 Excellence Grants for Individuals**

This report also presents to Council for noting, expenditure under the Excellence Grants for Individuals Program for Quarter 3 of 2024-2025.

The Excellence Grants for Individuals program is administered by the Governance and Risk Department and has an allocation of \$10,000 per financial year which provides funding to eligible Knox residents to assist with the costs of competing or performing at a State, National or International level in the following areas:

- Sports and recreation;
- Education;
- Arts and culture; and
- Environmental and/or humanitarian initiatives.

Applications are assessed against the eligibility and exclusion criteria in accordance with the Excellence Grants for Individuals Policy to determine their eligibility. The Policy, together with Council's Grant Framework 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 2020. In accordance with the Policy, applications for funding are determined by the Chief Executive Officer or their delegate.

For Quarter 3, 2024-2025, there have been eight successful applications for a total value of \$2,200. Excellence grants were awarded for one competition in Victoria, five interstate competitions and two events overseas. A summary of the grants is included at Attachment 2.

## **2. ENGAGEMENT**

Engagement 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 Minor Grants Program Procedure specifies assessment can occur by the Chief Executive Officer, or delegate, and make recommendation for Council's determination.

Similarly, engagement will occur with Excellence Grants for Individuals applications if necessary, to clarify details regarding their applications prior to the delegate's decision.

## **3. 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. Council's Minor Grants are 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.

The Excellence Grants for Individuals Program provides financial support intended to support individuals to participate in elite competition or performance and can assist inclusion and representation of under-represented individuals. The Program assists in developing skills and fostering pride for the great achievements of individuals in the Knox community.

## **4. CLIMATE CHANGE CONSIDERATIONS**

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

## **5. ENVIRONMENTAL CONSIDERATIONS**

There are no environmental considerations associated with this report.

## **6. FINANCIAL & RESOURCE IMPLICATIONS**

The approval of Minor Grants is managed within Council's adopted budget. The 2024 - 2025 budget provides \$155,145.00 for the Minor Grants Program.



Funding commitments to date are summarised below:

Yearly Summary 2024-25	Total Amount Approved (Excluding GST )
July	\$14,554.42
August	\$27,099.61
September	\$22,656.60
October	-
November	\$41,391.18
December	\$12,704.58
January	\$-
February	\$10,357.84
March	\$11,862.55
April	\$
May	\$
<b>Totals (Year to Date)</b>	<b>\$</b>

Recommended applications for the April period total \$15,668.83 (excluding GST).

If approved as recommended, the remaining Minor Grants budget for 2024 - 2025 will total \$11,016.41, after GST adjustments. This amount is calculated as follows:

Remaining Minor Grant Budget as of March	\$14,518.24
PLUS returned unspent grant funds 2024-25	\$12,167.00
<b>Sub Total</b>	<b>\$26,685.24</b>
LESS the recommended April Minor Grants	\$15,668.83
<b>Adjusted Minor Grants Budget Remaining</b>	<b>\$11,016.41</b>

The Excellence Grants for Individuals are managed within Council's adopted budget which provides \$10,000 for grants annually. The remaining Excellence Grants budget for 2024-2025 totals \$4,050.

## 7. RISKS

Any risks associated with administering the Minor Grant Program is managed through the implementation of Council's Grant Framework Policy and the Minor Grants Program Procedure. All Minor Grants must be acquitted, and evidence of expenditure must be provided by the organisation.

The Procedures and Council's Grant Framework Policy set 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 2020.

In accordance with the Procedure, applications for funding have been assessed by the Chief Executive Officer, or their delegate, for Council or delegate approval as appropriate.

## **8. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2021-2025**

### **Opportunity & Innovation**

Strategy 1.2 - Encourage and support opportunities for skills development and lifelong learning for all people in Knox.

### **Natural Environment & Sustainability**

Strategy 3.3 – Lead by example and encourage our community to reduce waste.

### **Resilience & Wellbeing**

Strategy 4.1 – Support our community to improve their physical, mental and social health and wellbeing.

Strategy 4.2 – Foster inclusivity, equality, belonging and safety within the community.

### **Civic Engagement & Integrity**

Strategy 5.1 – Provide opportunities for all people in Knox to have their say.

Strategy 5.2 - Manage our resources effectively to ensure financial sustainability and improved customer experience.

Strategy 5.3 – Ensure our processes are transparent and decisions are accountable.

## **9. CONFLICT OF INTEREST**

The Officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

## **11.CONFIDENTIALITY**

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

## **ATTACHMENTS**

1. Attachment 1 - Minor Grants Program Application Extraction Report Attachment April 2025 [4.1.1 - 9 pages]
2. Attachment 2 - Individual Excellence Grants Q3 2024-2025 [4.1.2 - 1 page]

**Minor Grant Program Applications**  
April 2025

## 2425-MGP018

### Rowville Senior's Club

<b>Application ID</b>	2425-MGP018
<b>Organisation Name</b>	Rowville Senior's Club
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Purchase of second-hand indoor bowls mats
<b>Project Start Date</b>	30/04/2025
<b>Project End Date</b>	01/06/2025

<b>Request Details</b>	Funding to purchase two bowls mats from another Seniors Club as well as adding safety features to users of our existing mats		
<b>Community Benefit</b>	<p>Financially assisting another local seniors group. Both Rowville &amp; Carrington Clubs will benefit from this program.</p> <p>Recycling: this program will give prolonged life to existing mats held by the Carrington Over 55 Club. Our exiting mats will be offered to other sporting groups free of charge.</p> <p>Save on landfill</p> <p>Enhance the quality of equipment offered by our club when we host the Knox City Council annual Senior's Week bowls tournament.</p> <p>Continue our commitment to community participation for seniors.</p> <p>Improved safety for members who involved in the setting up and down of our equipment.</p>		
<b>Total Beneficiaries</b>	50+	<b>Total Project Cost</b>	\$ 1355.00
<b>Knox Beneficiaries</b>	40	<b>Total Amount Requested</b>	\$ 1355.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Council Grant	\$ 1355.00	Bowls Mats	\$ 1355.00

**Minor Grant Program Applications**  
April 2025

## 2425-MGP082

### Upwey Tecoma Junior Football Club

<b>Application ID</b>	2425-MGP082
<b>Organisation Name</b>	Upwey Tecoma Junior Football Club
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Clubroom Furniture
<b>Project Start Date</b>	30/04/2025
<b>Project End Date</b>	30/05/2025

<b>Request Details</b>	The Upwey Tecoma Junior Football Club is looking to purchase rectangular tables to enhance the functionality and versatility of our clubrooms and event spaces.		
<b>Community Benefit</b>	<p>These tables will provide a structured and practical setup for team meetings, club functions, and community gatherings. Whether it's for post-game meals, strategy discussions, or fundraising events, having durable and well-sized tables will allow us to create an organised and welcoming environment for players, coaches, and families. Additionally, the tables will be invaluable for registration days, merchandise sales, and awards presentations, ensuring that club operations run smoothly and efficiently.</p> <p>Investing in rectangular tables will also offer long-term benefits by fostering a greater sense of community within the club. With proper seating arrangements, our families and young athletes will have a comfortable space to bond with other parents, fellow teammates whilst sharing meals, and engaging in team-building activities. This will contribute to a positive club culture, encouraging players and parents to feel more connected and engaged.</p> <p>Furthermore, the tables will be an asset for hosting sponsor events and club meetings, helping us build stronger relationships with local businesses and supporters. By improving our clubhouse facilities, we are ensuring that the Upwey Tecoma Junior Football Club continues to be a welcoming and well-equipped space for all members.</p>		
<b>Total Beneficiaries</b>	400+	<b>Total Project Cost</b>	\$ 2261.00
<b>Knox Beneficiaries</b>	300+	<b>Total Amount Requested</b>	\$ 2250.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Council Grant	\$ 2250.00	25 tables	\$ 2250.00

**Minor Grant Program Applications**  
April 2025

## 2425-MGP123

### The Links at Waterford residents Association Inc - Workshop

<b>Application ID</b>	2425-MGP123
<b>Organisation Name</b>	The Links at Waterford residents Association Inc - Workshop
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Table Saw & Band Saw Upgrades
<b>Project Start Date</b>	01/05/2025
<b>Project End Date</b>	30/09/2025

<b>Request Details</b>	<p>The aim of the Residents Committee is to promote and maintain an active, independent and satisfying lifestyle for all residents in our Village.</p> <p>The Workshop, a sub-committee of the Residents Committee, has a Mission Statement that promotes an environment that enables its members to share experience, skills and expertise, to come together, pursue hobbies, undertake personal and community projects or talk and share with others to facilitate longer, healthier and happier lives.</p> <p>The Workshop has for years been manufacturing furniture and aids for children with cerebral palsy who attend the Cerebral Palsy Education Centre (CPEC) in Glen Waverley. The Workshop also builds furniture for the Centre itself.</p> <p>The Workshop commenced in one small area in 2017 and has extended and re-organised several times. Over the years the Workshop has been able to get some real good equipment with the aid of grants and donations, for many years, from the City of Knox, the Bank of Bendigo, the Dandenong Club, the Mulgrave Country Club, residents, relatives and Workshop members.</p> <p>We have a very good table saw but it has a ripping fence that leaves a lot to be desired - it does not stay true to the blade and material jams and burns.</p> <p>We would like to replace it with a new state of the art ripping fence just released in America and being sold from a NSW outlet.</p> <p>Because our Workshop is not large, we need our machines to be mobile and the table saw needs a mobile base on braked swivel castors to enable it to be moved out of the way when other machines are needed to be used.</p> <p>Due again to limited space, we have had to move our large bandsaw back into Workshop 1 where it needs a saw dust collector for a/. health reasons and b/. not have saw dust floating around and ruining the painting and varnishing of items we have made</p>
<b>Community Benefit</b>	<p>The Workshop members, who make furniture and aids for children with cerebral palsy, believe that we have always had a "WIN / WIN / WIN" situation in that: a/. we, the members of the Workshop, have a meaningful and time filling task in the making of the items. It keeps up healthy and active. This is a WIN. b/. the items we make help improve the children's mobility and therefore their quality of life. That is a WIN. c/. the parents receive these items, not commercially available, free of</p>

**Minor Grant Program Applications**

April 2025

	any costs. That is another WIN. With the table saw upgrade we can perform better and that is in the interest of all		
<b>Total Beneficiaries</b>	250	<b>Total Project Cost</b>	\$ 2350.00
<b>Knox Beneficiaries</b>	150	<b>Total Amount Requested</b>	\$ 2350.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Council Grant	\$ 1725.00	Purchase rip fence	\$ 1725.00
Council Grant	\$ 225.00	Purchase mobile base	\$ 225.00
Council Grant	\$ 400.00	Purchase saw dust collector	\$ 400.00

**Minor Grant Program Applications**  
April 2025

## 2425-MGP125

### Rowville Eagles FC

<b>Application ID</b>	2425-MGP125
<b>Organisation Name</b>	Rowville Eagles FC
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	3x2m Portable training goals
<b>Project Start Date</b>	14/04/2025
<b>Project End Date</b>	31/05/2025

<b>Request Details</b>	We seek 3 or 3x2m portable training goals. We don't have any junior size only the senior size. We did have some but broken/rusted and unsafe.
<b>Community Benefit</b>	<p>A grant is needed to support the purchase of these items because our organization may not have the financial resources to cover the costs independently. As a nonprofit or community-based group, our funding is often limited, and a grant will help us ensure that all participants have access to the equipment they need, regardless of their financial background. Without this support, we risk excluding potential players and limiting the growth of our program. A grant will enable us to maintain the quality and accessibility of our soccer program, fostering inclusivity, sportsmanship, and the development of young athletes in our community. The primary beneficiaries of the equipment will be the players in our soccer program, ranging from youth to adult participants. These individuals, many of whom come from diverse socioeconomic backgrounds, will directly benefit from having access to quality uniforms and equipment.</p> <p>The benefits for the players include:</p> <ol style="list-style-type: none"> <li>1. <b>Improved Performance:</b> Proper gear, including shoes and balls, ensures that players can practice and compete at their full potential, leading to better performance on the field.</li> <li>2. <b>Enhanced Safety:</b> High-quality protective gear reduces the risk of injuries, providing a safer environment for all participants, especially during intense training sessions or matches.</li> <li>3. <b>Increased Confidence:</b> Wearing matching uniforms fosters a sense of pride and unity within the team, helping players feel like they are part of a cohesive group, which boosts their confidence and motivation.</li> <li>4. <b>Encouraging Participation:</b> For players who may not have the financial means to purchase their own equipment, the availability of provided gear ensures that they are not excluded from the program and can participate fully, regardless of financial circumstances.</li> <li>5. <b>Community Engagement:</b> The benefit extends beyond the players themselves, as having well-equipped teams helps promote a sense of community involvement, teamwork, and sportsmanship, which strengthens the overall support for our program.</li> </ol> <p>In short the equipment will support our players' development, health, and sense of belonging within the organization.</p>

## Minor Grant Program Applications

April 2025

<b>Total Beneficiaries</b>	120 junior kids	<b>Total Project Cost</b>	\$ 2700.00
<b>Knox Beneficiaries</b>	20	<b>Total Amount Requested</b>	\$ 2700.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Grant	\$ 899.99	Gol 3x2m	\$ 899.99
Grant	\$ 899.99	Gol 3x2m	\$ 899.99
Grant	\$ 899.99	Gol 3x2m	\$ 899.99



**Minor Grant Program Applications**  
April 2025

## 2425-MGP131

### Templeton Netball Club

<b>Application ID</b>	2425-MGP131
<b>Organisation Name</b>	Templeton Netball Club
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Lighting for winter training
<b>Project Start Date</b>	15/04/2025
<b>Project End Date</b>	31/12/2025

<b>Request Details</b>	We wish to purchase portable lighting towers to enable our netball club to keep training in the evening after daylight savings finishes. we currently train at Wantirna Primary School as we do not currently have our own dedicated facilities however we are working on this with Collier Ward Councillor Chris Duncan to secure facilities for our 153+ playing members .		
<b>Community Benefit</b>	We have 153 current playing members of which the majority reside in Knox Council area. In order to facilitate their sporting passion, we need to provide suitable safe training facilities. We hold training sessions from 4pm till 7pm and as such will require lighting for the safety of our players in winter (non daylight saving time). The need for lighting has arisen as we were training at Tyner Rd (Wantirna South netball club) last winter however we were asked to vacate the facility for no reason.		
<b>Total Beneficiaries</b>	189	<b>Total Project Cost</b>	\$ 3272.00
<b>Knox Beneficiaries</b>	182	<b>Total Amount Requested</b>	\$ 2796.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Council Grant	\$ 2796.00	4 lighting towers @ \$699ea	\$ 2796.00
Club fundraiser	\$ 476.00	4 lighting tower stands @ \$119ea	\$ 476.00

**Minor Grant Program Applications**  
April 2025

## 2425-MGP132

### Share Space Inc

<b>Application ID</b>	2425-MGP132
<b>Organisation Name</b>	Share Space Inc
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Share Space meat for packs
<b>Project Start Date</b>	03/05/2025
<b>Project End Date</b>	22/11/2025

<b>Request Details</b>	We supply fresh meat products to our clients each Saturday. The grant would enable us to continue supplying the meat for 30 weeks.		
<b>Community Benefit</b>	Food insecurity is a huge problem at the moment and we are struggling to keep up with demand from those requiring assistance. Being able to supply meat products to clients ensures they are getting nutritious protein items.		
<b>Total Beneficiaries</b>	700	<b>Total Project Cost</b>	\$ 3000.00
<b>Knox Beneficiaries</b>	700	<b>Total Amount Requested</b>	\$ 3000.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Council grant	\$ 3000.00	Weekly purchase of meat products for 30 weeks	\$ 3000.00

**Minor Grant Program Applications**  
April 2025

## 2425-MGP129

### Mountain Gate Cricket Club

<b>Application ID</b>	2425-MGP129
<b>Organisation Name</b>	Mountain Gate Cricket Club
<b>Grant Program</b>	Minor Grants Program

<b>Project Title</b>	Purchase of a Pitch Applicator
<b>Project Start Date</b>	15/04/2025
<b>Project End Date</b>	01/09/2025

<b>Request Details</b>	Purchase of a Pitch Applicator (giant spindle that the wicket cover is stored on to allow it to be rolled out and wrapped up).		
<b>Community Benefit</b>	This is for football player safety; safer manual handling methods for covering wicket and; protection to the cricket wicket when removing cover. The unique patented system offers an effective method of covering cricket wickets in the centre of the ground, providing exceptional protection to a footballer when falling on the centre pitch area and ensuring the playing pitch remains undamaged.		
<b>Total Beneficiaries</b>	124	<b>Total Project Cost</b>	\$ 5500.00
<b>Knox Beneficiaries</b>	96	<b>Total Amount Requested</b>	\$ 3000.00

<b>Income Description</b>	<b>Income Amount</b>	<b>Expenditure Description</b>	<b>Expenditure Amount</b>
Council Grant	\$ 3000.00	Pitch Cover Spindle	\$ 3000.00

**Attachment 2****Excellence Grants for Individuals – Quarter 3 2024-2025**

<b>Application Date</b>	<b>Applicant</b>	<b>Request details</b>	<b>Grant</b>
2025-01-17	Rowville resident	To represent Australia at the International Cheerleading Union World Championships in April being held in Orlando, USA	\$400
2025-02-07	Rowville resident	To compete at the 2025 Australian National Indoor Cricket Championships being held in Perth in June	\$250
2025-02-11	Boronia resident	Representing Victoria at the Australian Men's & Mixed Netball National Mixed Championship being held in Melbourne in April	\$150
2025-03-12	Wantirna South resident	For son to represent Victoria at the National Track Cycling Championships being held in Brisbane in March	\$250
2025-03-14	Wantirna resident	For son to represent Victoria at the Auscycling National Track Championships being held in Brisbane in March	\$250
2025-03-19	Wantirna resident	For daughter to compete at the 2025 Age and MC Age Swimming Australia Championships being held in Brisbane in April	\$250
2025-03-21	Ferntree Gully resident	To represent Australia as part of Team Australia All Girl at the International Cheerleading Union World Championships being held in Orlando, USA in April	\$400
2025-03-24	The Basin resident	For daughter to represent Victoria at the Chemist Warehouse Junior Track and Field Athletics Championships being held in Perth in April	\$250
		<b>Total</b>	<b>\$2,200</b>

## 4.2 Early Years Advisory Committee

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author:</b>	Strategic Planning and Partnerships Lead, Robyn Renkema
<b>Manager:</b>	Manager Early Years, Sarah Kleine
<b>Executive:</b>	Director Connected Communities, Judy Chalkley

### SUMMARY

The role of the Early Years Advisory Committee (EYAC) is to provide advice to Council on early years issues and to promote greater awareness and understanding in the local community of early years services through the lens of the Council Child Youth and Seniors Plan 2021-2025.

The current Terms of Reference require an annual report to Council, to advise on the topics and key themes discussed by the Committee in the preceding year. This report provides the annual report of EYAC activities and achievements for 2024.

The current Terms of Reference conclude at the end of April 2025, following an administrative review in June 2019. Following review, an updated draft Terms of Reference is provided (per Attachment 1), with a marked-up version as (per Attachment 2) with a copy of the current Terms of Reference as (per Attachment 3).

The membership term for two members of the Early Years Advisory Committee will conclude at the end of June 2025. Both members have been invited to extend for a further two-year period in accordance with the Knox Council Committees Policy.

### RECOMMENDATION

That Council resolve to:

1. Note the report on the annual activities undertaken, and subsequent feedback and advice for the Early Years Advisory Committee between January to December 2024.
2. Adopt the Terms of Reference for the Early Years Advisory Committee as set out in Attachment 1.
3. Appoint the following applicants for a further term to the Early Years Advisory Committee for the period July 2025 – June 2027 presented (per Confidential Attachment 4).

<b>Name:</b>	<b>Category:</b>
1.	Professional Representative
2.	Professional Representative

### 1. DISCUSSION

The Early Years Advisory Committee acts as a voice for our local early years sector in continuously improving the planning and the delivery of early years services and to provide feedback on strategic directions and projects across the whole organisation from the perspective of children and families in Knox. The Committee's work involves promoting community awareness about the importance of early childhood health, learning and development, including responding to local community needs. The Committee represents the voice of their community on matters relating to

early years to help drive better outcomes for planning, delivery and service practices for the early years.

The Knox Community Plan 2021-2031 and Knox Council Plan 2021-2025 set the vision to plan for the needs of children and families in the community. The Child Youth and Seniors Plan 2021-2025 outlines the Council's commitment to building an accessible and inclusive community where all ages have opportunities to thrive and participate in community life. This Plan has set the strategic framework for the ongoing work and discussions with the Committee, focusing on child health, wellbeing and learning and the right to participate in matters that affect them.

The current EYAC Terms of Reference outlines the Committees key focus, which is to:

**1. Provide advice and recommendations on implementing the early years key objectives of the Child Youth and Seniors Plan as incorporated into the Community and Council Plans.**

The advice and recommendations in relation to this plan include the following:

- Agreed priorities.
- The ongoing outcomes and achievements of the Child, Youth and Seniors Plan 2021-2025 (early years) focus areas.
- Effective communication and consultation strategies to facilitate engagement with the community and other key stakeholders on the development and implementation of the Child, Youth and Seniors Plan 2021-2025 (early years) focus areas.
- Provide advice to Council on matters impacting families and children and the related services within the Knox community.
- Identify emerging key research, policy and legislative issues that might impact the implementation of the Child, Youth and Seniors Plan 2021-2025.
- Consider advice and information made available through other Council advisory and community consultation processes related to families and children and/or local early years services.

This annual report provides a synopsis of the EYAC activities and achievements for 2024.

**1.1 EYAC Topics and Key Themes for 2024**

The Committee discussed and endorsed a proposed work plan for 2024. Key themes emerged from initial collaboration discussions with members. The issues reflected Council's planning, current projects and reviewing of policies. In 2024, the EYAC met on five occasions with five formal EYAC meetings and one formal group Committee meeting specifically to discuss the Council and Health and Wellbeing Plan (Shaping our Priorities Workshop) where a few EYAC members attended on behalf of the whole Committee.

The consultations during the Committee meetings focused on the following topics, where members provided feedback and had input into the following Council Initiates, Policy and Plans:

- Knox Community Engagement Policy.
- Shaping our Priorities Workshop (Council, Health and Wellbeing Plan).
- Knox Cycling Plan.
- Knox Central Planning.

- Kindergartens in Knox.
- Gambling Policy.
- Review of EYAC Terms of Reference.

**EYAC Committee Insights and Considerations**

Throughout discussions in 2024 EYAC members identified the following three themes for Council to note:

- **Early Years Playgrounds** are an important investment in our open spaces. EYAC members’ view continued investment yields significant social, economic and health returns to our Knox community. Encouraging outdoor play fosters a natural connection, with the inclusion of elements like trees for shade, rocks and water features for enhanced play experience. They wish to see continued investment to change and make improvements, making specific mention to consider multiple ages and availability of public toilets and change facilities to encourage families to stay longer and enjoy the open spaces. In relation to their joy of using our open spaces they are concerned on the use of pesticides used in public parks and playgrounds, and would like to see considerations to alternative methods, creating gardens inclusive of planting to reduce the need for consistent spraying.
- **Children’s Voice** is an important feature for the Committee and continuing to afford opportunities for children to shape our community. They would like to understand the changing priorities, needs and challenges facing children, young people and their families. The Committee were very excited to hear Council’s endorsement of the Child Friendly City and Community Charter and will support ongoing advocacy for the Charter and Principles.
- **Family Violence** is an escalating issue for women, members raising the rate of women being tragically murdered in Australia is one in every four days. Observations of higher rates of self-reporting through the Orange Door Program, indicating that the Orange Door Program is providing the first and most accessible response for local women. Local organisations support families with resources, and provide online workshops for parents, caregivers and educators on Body Safety and Consent. Members acknowledge that we all have a responsibility to keep our community safe.

**1.2 Review of the Terms of Reference**

The EYAC members were invited to review the EYAC purpose and objectives on the current Terms of Reference at a meeting in October 2024. The members were asked first to review the Purpose Statement through a workshop activity.

The second workshop activity was to provide feedback on the current objectives, to keep, change, or remove them and replace them with something more appropriate. Table 1 outlines the members’ feedback and comments.

**Table 1 – EYAC Review of Terms of Reference**

EYAC Comments Received on Terms of Reference Purpose	<ul style="list-style-type: none"><li>• Advise and Advocate for child friendly environments across all areas of Knox Council.</li><li>• Words to use – participation of families in engaging ways.</li><li>• Focus on issues that impact young children and the important people in their lives, (parents, grandparents, educators).</li><li>• To advise and support families (parents) and, therefore, children.</li></ul>
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	<p>How can the community support families.</p> <ul style="list-style-type: none"> <li>• Children as active citizens of Knox. Equitable access for all.</li> <li>• Provide a range of perspectives to inform matters that have an influence upon the lives of children and families.</li> <li>• Why? To have /give a voice to our young children to impact the future.</li> <li>• Broaden lens re: all things happening in the community. Incorporated 'Child's Voice'.</li> <li>• Remove reference to Child, Youth and Seniors Plan to broaden scope.</li> </ul>
EYAC Comments Received on Objectives	<p>Members undertook a Keep/Change/Remove workshop activity for the Objectives.</p> <ul style="list-style-type: none"> <li>• Overwhelming support from all members present is to change the objectives.</li> </ul>
Further Points Made to Consider	<ul style="list-style-type: none"> <li>• Remove reference to Child, Youth and Seniors Plan and replace with one reference to consider the Plan more broadly.</li> <li>• Incorporate "Child's Voice" into objectives.</li> <li>• Thinking about diverse families: <ul style="list-style-type: none"> <li>➤ Multicultural/Multigenerational/LGBTIQ+/Homeless, just to name a few.</li> </ul> </li> </ul>

The final DRAFT of the Terms of Reference was provided to the members in the meeting in February 2025, where the members unanimously recommend the updated purpose and objectives and minor administrative changes to be formally endorsed by Council as (per Attachment 1).

Other minor changes to the Terms of Reference include administrative changes aligned with the Terms of Reference for Council's other Advisory Committees and the change of the review date from three years to every four years.

### 1.3 EYAC Selection Process and Recommendations

Membership of EYAC consists of a maximum of six community members and four professional members comprising a total of ten members and up to two Councillors. Further details are outlined (per Confidential Attachment 4).

## 2. ENGAGEMENT

**Annual Report** – members of EYAC bring a diverse range of viewpoints and advice to each meeting for debate and discussion. Through the agreed work plan and considerations on various Council projects for 2024, EYAC members have had the opportunity to consider and discuss several key issues impacting the lives of children and their families in the Knox community.

An experience shared below from a EYAC member about their participation in the Early Years Advisory Committee:

"It's great to be able to be the voice for our youngest members of the community. I feel that this Committee brings together a vast range of experiences, with all views, ideas and opinions valued. I believe we are listened to by the Council as our thoughts are shared by the Council representatives. The feedback loop, whereby some presenters come back to us to share what has been done since our discussion is fantastic as it provides purpose for the Committee."



**EYAC Selection Process** – it is a requirement that the appointment to a Council Advisory Committee be in accordance with the Knox City Council Committee Policy. This Policy requires that every effort be made to ensure a representative cross section of people from the municipality is selected to the Committee as appropriate.

Two Early Years Committee members have served a term of two years, coming to an end in June 2025. Both members have applied for a further term of two years from July 2025 to June 2027. As a result, and as (per Confidential Attachment 4) these 2 internal applications are recommended for a further term of 2 years.

Should Council approve the recommendation of these two applications, they will continue in their current role as Early Years committee professional members continuing from July 2025 and conclude in June 2027.

### **3. SOCIAL IMPLICATIONS**

- Data from the latest 2021 Census provides a snapshot of the young people in the Knox community. There are just over 5% of children living in Knox who are under four years of age.
- The Child, Youth and Seniors Plan 2021-2025 identifies the importance of participation in early years services and connection with support services to maximise all children's opportunities to thrive.
- Australian Early Development Census (AEDC) data indicates approximately 30% of the early years population in Knox is at risk for developmental vulnerability, however, this data can be interpreted as approximately 70% of the early year's population living in Knox are consistently on track in all developmental domains.

### **4. CLIMATE CHANGE CONSIDERATIONS**

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

### **5. ENVIRONMENTAL IMPLICATIONS**

The EYAC continues to play a key role in considering issues and advising Council in terms of child friendly spaces, which promote the health and wellbeing of Knox children and families into the future.

### **6. FINANCIAL AND RESOURCE IMPLICATIONS**

The Early Years Department supports the administration of Council's EYAC. Officer time of approximately ten hours each month is absorbed within the department budget along with an annual catering and supplies allowance of \$2,600.

### **7. RISKS**

Advice and recommendations provided by EYAC contribute to mitigate Council's risk in meeting its obligation in relation to the Child Safe Standards, particularly Standard 3 – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously and Standard 4 – Families and communities are informed and involved in promoting child safety and wellbeing.

## **8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025**

### **Opportunity & Innovation**

Strategy 1.2 - Encourage and support opportunities for skills development and lifelong learning for all people in Knox.

### **Civic Engagement & Integrity**

Strategy 5.1 - Provide opportunities for all people in Knox to have their say.

Strategy 5.3 - Ensure our processes are transparent and decisions are accountable.

## **9. CONFLICT OF INTEREST**

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

## **11. CONFIDENTIALITY**

Attachment 4 is included in the confidential agenda, as it contains confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to personal information, being the names and details of prospective committee members which would be unreasonable to disclose publicly, or to disclosure before they are appointed;

## **ATTACHMENTS**

1. Attachment 1 - Draft Terms of Reference EYAC 2025 03 2029 03 [**4.2.1** - 6 pages]
2. Attachment 2 - Marked up Draft Terms of Reference EYAC 2025 2029 [**4.2.2** - 9 pages]
3. Attachment 3 - Terms of Reference EYAC 2022 2025 [**4.2.3** - 8 pages]



## Terms of Reference



### Early Years Advisory Committee

<b>Document Number:</b>	D25-32890	<b>Directorate:</b>	Connected Communities
<b>Approval by:</b>	Council	<b>Responsible Officer:</b>	Manager Early Years
<b>Approval Date:</b>	TBC	<b>Committee Group:</b>	Early Years Advisory Committee
<b>Review Date:</b>	4 Years from Last Approval Date		

#### 1. Purpose

The function of this Advisory Committee is to facilitate stakeholder engagement which supports Council's quality decision making and in turn, the achievements of Council's goals and strategies under the Community and Council Plan.

The purpose of the Early Years Advisory Committee (EYAC) is to provide advice and advocate to Council on matters impacting families and children and the related services within the Knox community.

#### 2. Objectives

The objectives of the Early Years Advisory Committee will be to:

- Consult with community members (inclusive of children) to share current strengths and issues in the Knox community from the perspectives of young children and families.
- Provide a broad lens to all matters impacting children and families and the broader community from a range of community and professional backgrounds to Council for consideration when implementing change in the community.
- To work with Council officers to ensure that all of Council's policies, programs and protocols reflect the needs and rights of children and families as Knox residents.
- To promote awareness of children's voice within Council and wider Knox community.
- As a collective, focus on the child friendly cities principles when advocating for increased awareness and understanding of issues and opportunities, impacting children and families and the broader community in Knox.

The Committee will provide advice and recommendations against all five Key Directions within the Knox Community Plan 2021-2031 and the Knox Council Plan 2021-2025 (and its successor) as they pertain to children and families:

- Opportunity and innovation
- Neighbourhoods, housing and infrastructure
- Natural environment and sustainability
- Connection, resilience and wellbeing
- Civic engagement and integrity

#### 3. Membership Terms, and Method of Appointment

The Early Years Advisory Committee shall comprise of the following:

- A maximum of 6 community members
- A maximum of 4 industry members (including any relevant government agency representatives)
- 2 Councillors



## EYAC Terms of Reference 2025 - 2029

### 3.1 Selection and Recruitment of Community and Professional Industry Representative Members

The process to appoint community and professional industry representative members will be on Council's internet site and through local networks. Applicants must make application via an expression of interest process.

Eligible community members may include individual residents and/or representatives of Knox focused organisations who have an interest in, and understanding of issues impacting families and children and are not directly employed by Knox City Council.

Eligible professional industry representative members may include people with specialist knowledge and experience of the early years' service system, other levels of government and professional practice and/or research, who can represent a Knox focused organisation who have an interest in, and understand the issues impacting families and children and who are not directly employed by Knox City Council.

The approach and method for appointing representatives will include the following:

- Community and professional/ industry members will be selected by a panel comprising a Councillor and 2 Council Officers from the Early Years Department.
- The method of appointment will be via an expression of interest process.
- Members will be appointed for a two year term.
- All members will be eligible to re-apply for appointment, however continuous membership for longer than four years will not be considered.
- Council will be responsible for appointing all Councillor, community and professional/industry representative members; and
- Casual vacancies which occur due to community members being unable to complete the full term of their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term.

Professional/industry representatives unable to attend a committee meeting are able to nominate a proxy or alternate member from the organisation they represent. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected the appointed professional/ industry representative will provide an appropriate briefing of the committee purpose and objectives and relevant meeting notes to enable active participation and contribution of the proxy representation to the meeting.

The committee may invite observers to meetings from time to time. This is at the discretion of the committee.

Guests may also be invited to attend and participate at meetings, this would generally for a specific purpose and/or specified period of time. This is at the discretion of the committee.

*All elected representatives who are Council volunteers and industry representatives are required to undertake prescribed Child Safe Training and any other training required by Council within their term on an Advisory Committee. This is a legislative requirement as part of reforms from the State Government to ensure all Committee representatives are aware of child safety practices in the event a relevant issue arises.* This requirement relates to the following Committees who have volunteer and community members: Early Years Advisory Committee, Youth Advisory Committee, Active Ageing Committee, Environment Committee, Community, Safety, Health and Wellbeing Committee, City Futures Committee, Disability Committee, Multicultural Committee, Arts and Culture Committee and the Community Development Fund Panel.



## EYAC Terms of Reference 2025 - 2029

### 3.2 Councillors

Council will appoint Councillor representation annually.

Unless otherwise appointed to the committee by Council, the Mayor is, by virtue of the Office, an ex officio member of the committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

### 3.3 Council Officers

Council officers will be nominated to support the committee by the CEO as required to provide advice and administrative support to the committee.

Roles of Council officers are as follows:

Position Title	EYAC Responsibility
Councillor	Chairperson
Director Connected Communities	Participant/Advisor
Manager Early Years	Participant/Advisor
Strategic Planning and Partnerships Lead	Participant/Advisor
Strategic Project Officer (Early Years)	Secretariat
Policy and Planning Support Officer (Early Years)	Minute Taker

## 4. Delegated Authority and Decision Making

The committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

## 5. Meeting Procedures

The Early Years Advisory Committee will meet on a bi-monthly basis and an annual schedule of meetings will be agreed upon at the first meeting of the committee in each year.

The committee is not required to give public notice of its meetings and its meetings are not open to the public.

At the commencement of each financial year the committee will develop and agree upon a work plan for the upcoming year which details meeting discussions, presentations and information sharing topics. Topics will generally be aligned with the current Community and Council Plans. The committee may also highlight any emerging issues which will also be documented as part of the work plan and/or meeting minutes. For efficiency purposes the business of the committee throughout the ensuing year should align with the work plan and list of emerging issues.

Meetings will follow standard meeting procedure protocols:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant supporting information distributed (as appropriate) to



## EYAC Terms of Reference 2025 - 2029

each member;

- Encourage fair and reasonable discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice and recommendations to Council (in context of committee authority and objectives) on a consensus basis.

### 6. Chair

The position of Chairperson shall be held by a Councillor for a duration of one year. A review of the Chairperson is conducted annually in October, immediately following the Knox Councillor appointments period. The position of Chairperson is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor who has been appointed to the Committee shall be appointed Chairperson. In the absence of any other Councillor representative/s, a staff member, appointed by the Director Connected Communities, may Chair the meeting.

### 7. Agendas and Meeting Notes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the committee not less than 7 days before the time fixed for the holding of the meeting via a digital format with the only exception being when a public holiday falls on the day agendas are due, in which case agendas are to be provided close of business 6 days in advance.

Officer reports that fail to meet the timelines will only be permitted to be included in the relevant agendas of; Ordinary Council Meetings, Strategic Planning meeting, Issues Briefings or Special Committees, with the approval of the Mayor, and Council Committees with the approval of the Chair of the Committee.

The Chairperson must arrange for meeting notes of each meeting of the committee to be kept.

The meeting notes of a Council Committee must:

- contain details of the proceedings and recommendations made;
- be clearly expressed;
- be self-explanatory; and
- incorporate relevant reports or a summary of the relevant reports considered by the committee.

Draft meeting notes must be:

- submitted to the Committee Chairperson for confirmation within 7 days of the meeting;
- distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- submitted to the next meeting of the Committee for information.

In compliance with section 58 of the 2020 Act and the requirements of the Council's Public Transparency Policy the annual report of this group will be made available on Council's website unless:

- the information contained in the agenda and/or minutes is confidential by virtue of the 2020 Act or any other Act; or
- the public availability of the information has been deemed by the Chief Executive Officer or nominee to be contrary to the public interest.



## EYAC Terms of Reference 2025 - 2029

### 8. Voting

As this is an advisory committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed, the differing opinions should be clearly documented in the notes of the meeting.

### 9. Conflict and Interest Provisions

**In performing the role of Advisory Committee member, a person must:**

- Act with integrity
- Impartially exercise his or her responsibilities in the interests of the local community
- Not improperly seek to confer an advantage or disadvantage on any person
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons
- Commit to regular attendance at meetings
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information

Meetings of the Panel will typically constitute a Meeting Conducted under the Auspices of Council pursuant to Council's Governance Rules and Councillors are consequently required to comply with the conflict-of-interest provisions as set down in section 131 of the 2020 Act and Chapter 5 of the Council's Governance Rules.

**Councillors must:**

- Disclose that conflict of interest by explaining the nature of the conflict of interest to those present immediately before the matter is considered
- Absent themselves from any discussion of the matter and;
- as soon as practicable, provide the CEO with a written notice recording the nature of the conflict.

Where a member of staff or a community member has a conflict of interest or perceived conflict of interest in relation to a matter before the Group, they must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the interest and be recorded in the meeting notes. It will be at the discretion of the Chairperson if the staff and/or community member remains or leaves the room whilst the matter is discussed, and this must also be recorded in the notes of the meeting.

All members of the Advisory Committee shall participate in training on the Conduct and Interest provisions which will be run a minimum of annually by the Governance team.

### 10. Reporting

The Committee will prepare a formal report on an annual basis in line with their stated objectives. The report must be adopted by the committee and should directly reflect the objectives, and the performance measures of the committee as set out in the Terms of Reference. Once adopted, the report will be presented to Council for formal noting.



## EYAC Terms of Reference 2025 - 2029

### 11. Administration Support

Administration support for EYAC will be provided by the Early Years Department as part of the Connected Communities Directorate.

### 12. Contact with the Media

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies. Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the committee.

### 13. Review Date

The Early Years Advisory Committee will be reviewed after 4 years. If the committee continues to have a relevant function, a report must be presented to Council prior to the review date that includes a review of the committee's Terms of Reference and seeking endorsement from Council to continue to act in an advisory capacity for a further period.

### 14. Meals

The provision of refreshments during the course of a committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

### 15. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this Terms of Reference, such a change may be made administratively. Examples of minor administrative changes include change 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 Terms of Reference, it must be considered by Council at a Council or delegated Committee meeting.





## Terms of Reference – Knox City Council: Early Years Advisory Committee

<b>Document Number:</b>	D25 - 30012	<b>Directorate:</b>	Connected Communities
<b>Approval by:</b>	Council	<b>Responsible Officer:</b>	Manager Family and Children's Services
<b>Approval Date:</b>	12 April 2022	<b>Committee Group:</b>	Early Years Advisory Committee
<b>Review Date:</b>	<del>43</del> Years from Last Approval Date		

### 1. Purpose

~~The purpose of the Early Years Advisory Committee (EYAC) is to provide advice to Council on the implementation of the Child, Youth and Seniors Plan 2021–2025 and matters impacting families and young children within the Knox municipality throughout the appointed term of the Committee.~~

~~The function of this Advisory Committee is to facilitate stakeholder engagement which supports Councils quality decision making and in turn, the achievement of Council's goals and strategies under the Community and Council Plan~~

~~The purpose of the Early Years Advisory Committee (EYAC) is to provide advice and advocate to Council on matters impacting families and children and the related services within the Knox community.~~

### 2. Objectives

The objectives of the Committee will be to:

- ~~• Provide advice and recommendations to Council on the implementation of the key life stages (early years) focus areas as incorporated in the Child, Youth and Seniors Plan 2021–2025.~~
  - ~~○ The advice and recommendations in relation to this plan will include:~~
    - ~~▪ Agreed priorities~~
    - ~~▪ The ongoing outcomes and achievements of the Child, Youth and Seniors Plan 2021–2025 (early years) focus areas; and~~
    - ~~▪ Effective communication and consultation strategies to facilitate engagement with the community and other key stakeholders on the development and implementation of the Child, Youth and Seniors Plan 2021–2025 (early years) focus areas.~~
- ~~• Provide advice to Council on matters impacting families and children and the related services within the Knox community;~~
- ~~• Identify emerging key research, policy and legislative issues that might impact on the implementation of the Child, Youth and Seniors Plan 2021–2025 and;~~

~~Consider advice and information made available through other Council advisory and community consultation processes related to families and children and/or local early years services.~~



## EYAC Terms of Reference 2022 - 2025

- Consult with community members (inclusive of children) to share current strengths and issues in the Knox community from the perspectives of young children and families.
  - Provide a broad lens to all matters impacting children and families and the broader community from a range of community and professional backgrounds to Council for consideration when implementing change in the community.
  - To work with Council officers to ensure that all of Councils policies, programs and protocols reflect the needs and rights of children and families as Knox residents.
  - To promote awareness of children's voice within Council and wider Knox community.
  - As a collective, focus on the child friendly cities principles when advocating for increased awareness and understanding of issues and opportunities, impacting children and families and the broader community in Knox.
- The Committee will provide advice and recommendations against all five Key Directions within the Knox Community Plan 2021-2031 and the Knox Council Plan 2021-2025 (and its successor) as they pertain to children and families:
- Opportunity and innovation
  - Neighbourhoods, housing and infrastructure
  - Natural environment and sustainability
  - Connection, resilience and wellbeing
  - Civic engagement and integrity
- Council Plan 2021 – 2025: Key Directions
    - Opportunity and Innovation
    - Neighbourhoods, Housing and Infrastructure
    - Natural Environment and Sustainability
    - Connection, Resilience and Wellbeing
    - Civic Engagement and Integrity
  - Child, Youth and Seniors Plan 2021 – 2025
    - **Key Objectives**
      - To value the unique perspectives, experiences, abilities and contributions of residents across the life course, from the youngest to the oldest residents in Knox.
      - To promote greater understanding of the changing priorities, needs and challenges facing children, young people and seniors in Knox.
      - To identify opportunities for intergenerational activities that build understanding and strengthen community connectedness across the life course.
    - **Alignment to Council Plan 2021 – 2025 Key Direction – Opportunity and Innovation**
      - 1.3 Prioritise the needs of vulnerable children and implement integrated service strategies that provide full access to services and supports for families and community members, to support all children in Knox to successfully transition to school.
      - 1.4 Advocate for the provision of targeted resources to ensure that all children in Knox have the opportunity to participate in two years of funded kindergarten.
    - **Alignment to Council Plan 2021 – 2025 Key Direction – Neighbourhoods, Housing and Infrastructure**
      - 2.2 Plan for future municipal early years infrastructure needs to provide access to funded kindergarten for 3 and 4-year-old children in Knox, in line with Council's decision on kindergarten expansion.
    - **Alignment to Council Plan 2021 – 2025 Key Direction – Natural Environment and Sustainability**
      - 3.1 Raise awareness of climate change by providing information, and supporting children, families, young people and seniors to help reduce their environmental footprint and impact of climate stressors.



## EYAC Terms of Reference 2022 - 2025

### ~~Alignment to Council Plan 2021 – 2025 Key Direction – Connection, Resilience and Wellbeing~~

- ~~▪ 4.10 Deliver the agreed annual priorities from the 'Early Years Compact' to promote coordinated and collaborative approaches which improve outcomes for all Knox children in the early years.~~
- ~~▪ 4.11 Establish allied health services within the Wantirna South and Bayswater Early Years Hubs to provide an integrated service delivery model.~~
- ~~▪ 4.14 Embed the State Government's Child Information Sharing Scheme (CISS) to support the safety and wellbeing of children.~~
- ~~▪ 4.15 Design and deliver a range of intergenerational activities, events and programs across the Knox municipality.~~
- ~~▪ 4.16 Deliver community events and activities that cater to a variety of interests and ages~~
- ~~▪ 4.17 Develop and implement an Indigenous Partnership strategy to build tangible connections with Knox families and children.~~

### ~~Alignment to Council Plan 2021 – 2025 Key Direction – Civic Engagement and Integrity~~

- ~~▪ 5.3 Provide opportunities for the voices of children and families to inform decision making, including Council service planning and provision~~
- ~~▪ 5.4 Undertake business system improvements to remain sustainable and enhance the experience of community members accessing Children's Services.~~

### ~~2.1 Advisory Groups~~

Advisory Committees when established under this policy will be aligned to one of the following groups:

- Life Stages Group
- Sustainable Development Group
- Inclusive, Active and Creative Community Groups
- Grants Evaluation Group

Whilst the individual committees will meet at the designated times within its Terms of Reference each 'group' will meet once annually, this will generally be between October to December each year. A designated Directorate will be responsible for coordinating group meetings. The purpose of these meetings will be to:

- Provide feedback to group on priorities for individual committees;
- Update group of progress of key issues; and
- Identify synergies between groups and links to progressing the Community and Council Plan.

In addition to group meetings, all committees will be provided with an opportunity to meet together annually. The 'annual advisory committee' sessions will generally be held between April and May each year and will be coordinated by the Governance team. The purpose of these meetings will be to:

- Report on progress by Council against Community and Council Plan;
- Provide overview of industry trends and Council priorities for the upcoming year;
- Consider synergies and opportunities for sharing information and collaboration; and
- Deliver training to support to committees.

## 3. Membership Terms, and Method of Appointment

The Early Years Advisory Committee shall comprise of the following:

- The Early Years Advisory Committee shall comprise of the following:



## EYAC Terms of Reference 2022 - 2025

### A maximum of 6 community members

- A maximum of 4 industry members (including any relevant government agency representatives)
- 2 Councillors

Member Type	Specifications	Duration
2 x Knox Councillors	One appointed to Chairperson	Annual
6 x Community (Volunteer) Members (maximum)	Representing diverse perspectives and experience of early years sector	Two Years
4 x Professional (industry) Members (maximum)	Professionals including any relevant government/community agency representatives	Two Years

### 3.1 Selection and Recruitment of Community and Professional Industry Representative Members

The process to appoint community and professional industry representative members ~~will be advertised in local newspapers,~~ will be on Council's internet site and through local networks. Applicants must make application via an expression of interest process.

Eligible community members may include individual residents and/or representatives of Knox focused organisations who have an interest in, and understanding of issues impacting families and children and are not directly employed by Knox City Council.

Eligible professional industry representative members may include people with specialist knowledge and experience of the early years' service system, other levels of government and professional practice and/or research, who can represent a Knox focused organisation who have an interest in, and understand the issues impacting families and children and who are not directly employed by Knox City Council.

The approach and method for appointing representatives will include the following:

- Community and professional/ industry members will be selected by a panel comprising a Councillor and 2 Council Officers from the Early Years Department.
- The method of appointment will be via an expression of interest process.
- Members will be appointed for a two year term.
- All members will be eligible to re-apply for appointment, however continuous membership for longer than four years will not be considered.
- Council will be responsible for appointing all Councillor, community and professional/industry representative members; and
  - Casual vacancies which occur due to community members being unable to complete the full term of their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term.

### 3.2 Commitment from Members

- ~~To provide consistent representation~~
- ~~To attend meetings as required and;~~



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- ~~• To carry out specified tasks as designated.~~

### ~~3.3 Attendance and Casual Membership Vacancies~~

Professional/industry representatives unable to attend a committee meeting are able to nominate a proxy or alternate member from the organisation they represent. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected the appointed professional/ industry representative will provide an appropriate briefing of the committee purpose and objectives and relevant meeting notes to enable active participation and contribution of the proxy representation to the meeting.

~~Community/volunteer members must aim to attend all scheduled meetings and cannot appoint a proxy to attend a meeting on their behalf.~~

~~Casual vacancies, which occur due to community members being unable to complete the full term of their appointments, may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term.~~

The committee may invite observers to meetings from time to time. This is at the discretion of the committee.

Guests may also be invited to attend and participate at meetings, this would generally be for a specific purpose and/or specified period of time. This is at the discretion of the committee.

### ~~3.4 Training~~

~~All elected representatives who are Council volunteers and community members are required to undertake prescribed Child Safe Training and any other training required by Council within their term on an Advisory Committee. (Refer to section 9 for further information.)~~

*All elected representatives who are Council volunteers and industry representatives are required to undertake prescribed Child Safe Training and any other training required by Council within their term on an Advisory Committee. This is a legislative requirement as part of reforms from the State Government to ensure all Committee representatives are aware of child safety practices in the event a relevant issue arises. This requirement relates to the following Committees who have volunteer and community members: Early Years Advisory Committee, Youth Advisory Committee, Active Ageing Committee, Environment Committee, Community, Safety, Health and Wellbeing Committee, City Futures Committee, Disability Committee, Multicultural Committee, Arts and Culture Committee and the Community Development Fund Panel.*

## 3.2 Councillors

Council will appoint Councillor representation annually.

Unless otherwise appointed to the committee by Council, the Mayor is, by virtue of the Office, an ex officio member of the committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

## 3.3 Council Officers



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Council officers will be nominated to support the committee by the CEO as required to provide advice and administrative support to the committee.

Roles of Council officers are as follows:

Position Title	EYAC Responsibility
Councillor	Chairperson
Director Connected Communities	Participant/Advisor
Manager Early Years	Participant/Advisor
Strategic Planning and Partnerships Lead	Participant/Advisor
Strategic Project Officer (Early Years Department)	Secretariat
Policy and Planning Support Officer (Early Years Department)	Minute Taker

### 4. Delegated Authority and Decision Making

The committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

### 5. Meeting Procedures

The Early Years Advisory Committee will meet on a bi-monthly basis and an annual schedule of meetings will be agreed upon at the first meeting of the committee in each year. ~~The committee will also participate in the six monthly Advisory Group Meetings and the annual Advisory Committee Forum.~~

The committee is not required to give public notice of its meetings and its meetings are not open to the public.

At the commencement of each financial year the committee will develop and agree upon a work plan for the upcoming year which details meeting discussions, presentations and information sharing topics. Topics will generally be aligned with the current Community and Council Plans. The committee may also highlight any emerging issues which will also be documented as part of the work plan and/or meeting minutes. For efficiency purposes the business of the committee throughout the ensuing year should align with the work plan and list of emerging issues.

Meetings will follow standard meeting procedure protocols:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant supporting information distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice and recommendations to Council (in context of committee authority and objectives) on a consensus basis.

### 6. Chair

The position of Chairperson shall be held by a Councillor for a duration of one year. A review of the Chairperson is conducted annually in October, immediately following the Knox Councillor appointments period. The position of



## EYAC Terms of Reference 2022 - 2025

Chairperson is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor who has been appointed to the Committee shall be appointed Chairperson. In the absence of any other Councillor representative/s, a staff member, appointed by the Director Connected Communities, may Chair the meeting.

### 7. Agendas and Meeting Notes

Agendas and meeting notes must be prepared for each meeting.

~~Agendas and meeting notes must be prepared for each meeting.~~

~~The Agenda must be provided to members of the committee no less than 4 days before the meeting date.~~

~~The Chairperson must arrange for meeting notes of each meeting of the committee to be documented and circulated. The meeting notes of a Council Committee must:~~

The Agenda must be provided to members of the committee not less than 7 days before the time fixed for the holding of the meeting via a digital format ~~and hard copy formats~~ with the only exception being when a public holiday falls on the day agendas are due, in which case agendas are to be provided close of business 6 days in advance.

Officer reports that fail to meet the timelines will only be permitted to be included in the relevant agendas of; Ordinary Council Meetings, Strategic Planning meeting, Issues Briefings or Special Committees, with the approval of the Mayor, and Council Committees with the approval of the Chair of the Committee.

The Chairperson must arrange for meeting notes of each meeting of the committee to be kept.

The meeting notes of a Council Committee must:

- (a) contain details of the proceedings and recommendations made;
- (b) be clearly expressed;
- (c) be self-explanatory; and
- (d) incorporate relevant reports or a summary of the relevant reports considered by the committee.

Draft meeting notes must be:

- (a) submitted to the Committee Chairperson for confirmation within 7 days of the meeting;
- (b) distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) submitted to the next meeting of the Committee for information.

~~Agendas and notes from meetings are not required to be made available to the public.~~

~~In compliance with section 58 of the 2020 Act and the requirements of the Council's Public Transparency Policy the annual report of this group will be made available on Council's website unless:~~

- ~~• the information contained in the agenda and/or minutes is confidential by virtue of the 2020 Act or any other Act; or~~
- ~~• the public availability of the information has been deemed by the Chief Executive Officer or nominee to be contrary to the public interest.~~



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### 8. Voting

As this is an advisory committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed, the differing opinions should be clearly documented in the notes of the meeting.

### 9. Conflict and Interest Provisions

In performing the role of Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

~~Meetings of the Advisory Committee may potentially form an Assembly of Councillors. Councillors and officers are required to comply with the conflict of interest provisions as set down in the Act.~~

~~Where a meeting is identified as an Assembly of Councillors, staff must follow the designated procedure. Meetings of the Panel will typically constitute a Meeting Conducted under the Auspices of Council pursuant to Council's Governance Rules and Councillors are consequently required to comply with the conflict of interest provisions as set down in section 131 of the 2020 Act and Chapter 5 of the Council's Governance Rules.~~

Councillors must:

- disclose that conflict of interest by explaining the nature of the conflict of interest to those present immediately before the matter is considered;
- absent themselves from any discussion of the matter; and
- as soon as practicable, provide the CEO with a written notice recording the nature of the conflict.

Where a ~~community member~~ of staff or a community member has a conflict of interest or perceived conflict of interest in relation to a matter before the ~~committee~~ Group, the ~~community member~~ must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the interest and be recorded in the meeting notes. It will be at the discretion of the Chairperson if the ~~staff and/or~~ community member remains or leaves ~~the meeting~~ the room whilst the matter is discussed, and this must also be recorded in the notes of the meeting. ~~Details of this decision must also be recorded in the notes of the meeting.~~

All members of the Early Years Advisory Committee shall participate in training on Committee Conduct and Interest provisions, provided annually by the Governance team.

### 10. Reporting

The Committee will prepare a formal report on an annual basis in line with their stated objectives (refer to section 2). The report must be adopted by the committee and should directly reflect the objectives and the performance measures of the committee as set out in the Terms of Reference. Once adopted, the report will be presented to Council for formal noting.

### 11. Administration Support

Administration support for EYAC will be provided by ~~members of the Strategy and Partnerships for Children team of the Family and Children's Services Department~~ the Early Years Department as part of the Connected Communities Directorate.





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### 12. Contact with the Media

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies. Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the committee.

### 13. Review Date

The Early Years Advisory Committee will be reviewed after ~~4~~3 years. If the committee continues to have a relevant function, a report must be presented to Council prior to the review date that includes a review of the committee's Terms of Reference and seeking endorsement from Council to continue to act in an advisory capacity for a further period.

### 14. Meals

~~Should an occurrence of an EYAC meeting take place onsite at the Civic Centre, the provision of refreshments during the course of a committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.~~

The provision of refreshments during the course of a committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

### 15. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this ~~document~~Terms of Reference, 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 ~~document~~Terms of Reference, it must be considered by Council at a Council or delegated Committee meeting.



## Terms of Reference – Knox City Council: Early Years Advisory Committee

<b>Document Number:</b>	D22-57404	<b>Directorate:</b>	Community Services
<b>Approval by:</b>	Council	<b>Responsible Officer:</b>	Manager Family and Children's Services
<b>Approval Date:</b>	12 April 2022	<b>Committee Group:</b>	Early Years Advisory Committee
<b>Review Date:</b>	3 Years from Last Approval Date		

### 1. Purpose

The purpose of the Early Years Advisory Committee (EYAC) is to provide advice to Council on the implementation of the Child, Youth and Seniors Plan 2021 - 2025 and matters impacting families and young children within the Knox municipality throughout the appointed term of the Committee.

### 2. Objectives

The objectives of the Committee will be to:

- Provide advice and recommendations to Council on the implementation of the key life stages (early years) focus areas as incorporated in the Child, Youth and Seniors Plan 2021 - 2025.
  - The advice and recommendations in relation to this plan will include:
    - Agreed priorities
    - The ongoing outcomes and achievements of the Child, Youth and Seniors Plan 2021 - 2025 (early years) focus areas; and
    - Effective communication and consultation strategies to facilitate engagement with the community and other key stakeholders on the development and implementation of the Child, Youth and Seniors Plan 2021 - 2025 (early years) focus areas.
- Provide advice to Council on matters impacting families and children and the related services within the Knox community;
- Identify emerging key research, policy and legislative issues that might impact on the implementation of the Child, Youth and Seniors Plan 2021 – 2025 and;
- Consider advice and information made available through other Council advisory and community consultation processes related to families and children and/or local early years services.



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Many of the five key directions of the Community Plan 2021 – 2031 and Council Plan 2021 – 2025 are life stage-related and have informed the implementation of the Child Youth and Seniors Plan 2021 – 2025 objectives.

- **Council Plan 2021 – 2025: Key Directions**
  - Opportunity and Innovation
  - Neighbourhoods, Housing and Infrastructure
  - Natural Environment and Sustainability
  - Connection, Resilience and Wellbeing
  - Civic Engagement and Integrity
- **Child, Youth and Seniors Plan 2021 - 2025**
  - **Key Objectives**
    - To value the unique perspectives, experiences, abilities and contributions of residents across the life course, from the youngest to the oldest residents in Knox.
    - To promote greater understanding of the changing priorities, needs and challenges facing children, young people and seniors in Knox.
    - To identify opportunities for intergenerational activities that build understanding and strengthen community connectedness across the life course.
  - **Alignment to Council Plan 2021 – 2025 Key Direction - Opportunity and Innovation**
    - 1.3 Prioritise the needs of vulnerable children and implement integrated service strategies that provide full access to services and supports for families and community members, to support all children in Knox to successfully transition to school.
    - 1.4 Advocate for the provision of targeted resources to ensure that all children in Knox have the opportunity to participate in two years of funded kindergarten.
  - **Alignment to Council Plan 2021 – 2025 Key Direction – Neighbourhoods, Housing and Infrastructure**
    - 2.2 Plan for future municipal early years infrastructure needs to provide access to funded kindergarten for 3 and 4-year-old children in Knox, in line with Council’s decision on kindergarten expansion.
  - **Alignment to Council Plan 2021 – 2025 Key Direction – Natural Environment and Sustainability**
    - 3.1 Raise awareness of climate change by providing information, and supporting children, families, young people and seniors to help reduce their environmental footprint and impact of climate stressors.
  - **Alignment to Council Plan 2021 – 2025 Key Direction – Connection, Resilience and Wellbeing**
    - 4.10 Deliver the agreed annual priorities from the ‘Early Years Compact’ to promote coordinated and collaborative approaches which improve outcomes for all Knox children in the early years.
    - 4.11 Establish allied health services within the Wantirna South and Bayswater Early Years Hubs to provide an integrated service delivery model.
    - 4.14 Embed the State Government's Child Information Sharing Scheme (CISS) to support the safety and wellbeing of children.
    - 4.15 Design and deliver a range of intergenerational activities, events and programs across the Knox municipality.
    - 4.16 Deliver community events and activities that cater to a variety of interests and ages
    - 4.17 Develop and implement an Indigenous Partnership strategy to build tangible connections with Knox families and children.



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### ○ Alignment to Council Plan 2021 – 2025 Key Direction – Civic Engagement and Integrity

- 5.3 Provide opportunities for the voices of children and families to inform decision making, including Council service planning and provision
- 5.4 Undertake business system improvements to remain sustainable and enhance the experience of community members accessing Children's Services.

### 2.1 Advisory Groups

Advisory Committees, when established under this Terms of Reference policy, will be aligned to one of the following four Council Advisory Groups:

- Key Life Stages Group
- Sustainable Development Group
- Inclusive, Active and Creative Community Groups
- Grants Evaluation Group.

Whilst individual committees will meet at designated times as per their individual terms of reference, each 'advisory group' will meet once annually, typically between October to December. A designated Directorate will be responsible for coordinating group meetings on a rotational basis.

The purpose of Advisory Group meetings will be to:

- Provide feedback to the group regarding priorities of individual committees;
- Provide updates regarding progress of key direction and success measures;
- Discuss and share information regarding key issues being faced by individual cohorts and;
- Identify synergies between issues, actions and opportunities to progressing the key objections of the Child, Youth and Seniors Plan and the Community and Council Plans.

In addition to group meetings, all committees will be provided with an opportunity to meet together annually. The 'annual advisory committee' forum will be held between April or May each year and will be coordinated by Council's Governance team.

The purpose of these meetings will be to:

- Report on progress by Council against Community and Council Plans key objectives;
- Provide overview of industry trends and Council priorities for the upcoming year;
- Consider synergies and opportunities for sharing information and collaboration; and
- Deliver training to support committees.



## EYAC Terms of Reference 2022 - 2025

### 3. Membership Terms, and Method of Appointment

The Early Years Advisory Committee shall comprise of the following:

Member Type	Specifications	Duration
2 x Knox Councillors	One appointed to Chairperson	Annual
6 x Community (Volunteer) Members (maximum)	Representing diverse perspectives and experience of early years sector	Two Years
4 x Professional (industry) Members (maximum)	Professionals including any relevant government/community agency representatives	Two Years

#### 3.1 Selection and Recruitment of Community and Professional Industry Representative Members

The process to appoint community and professional members will involve a comprehensive campaign including an advertisement in local newspapers and via Council's public website and information distribution through local networks and other established committees. Applicants must complete an application via an expression of interest process.

Eligible community members may include individual residents and/or representatives of Knox focused organisations who have an interest in, and understanding of issues impacting families and children and are not directly employed by Knox City Council.

Eligible professional members may include people with specialist knowledge and experience of the early years' service system, other levels of government and professional practice and/or research, who can represent a Knox focused organisation who have an interest in, and understand the issues impacting families and children and who are not directly employed by Knox City Council.

The approach and method for appointing representatives will include the following:

- Community and professional/ industry members will be selected by a panel comprising of a Councillor and two Council Officers from the relevant service unit;
- The method of appointment will be via an expression of interest process;
- Members will be appointed for a two-year term;
- All members will be eligible to re-apply for a second term of appointment, however continuous membership for longer than four years will not be considered;
- Council will be responsible for appointing all Councillor, community and professional representative members.

#### 3.2 Commitment from Members

- To provide consistent representation
- To attend meetings as required and;
- To carry out specified tasks as designated.



## EYAC Terms of Reference 2022 - 2025

### 3.3 Attendance and Casual Membership Vacancies

Professional/industry representatives unable to attend a committee meeting are able to nominate a proxy or alternate member from the organisation they represent. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected the appointed professional/industry representative will provide an appropriate briefing of the committee purpose and objectives and relevant meeting notes to enable active participation and contribution of the proxy representation to the meeting.

Community/volunteer members must aim to attend all scheduled meetings and cannot appoint a proxy to attend a meeting on their behalf.

Casual vacancies, which occur due to community members being unable to complete the full term of their appointments, may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term.

The committee may invite observers to meetings from time to time. This is at the discretion of the committee.

Guests may also be invited to attend and participate at meetings, this would generally be for a specific purpose and/or specified period of time. This is at the discretion of the committee.

### 3.4 Training

All elected representatives who are Council volunteers and community members are required to undertake prescribed Child Safe Training and any other training required by Council within their term on an Advisory Committee. (Refer to section 9 for further information.)

### 3.5 Councillors

Council will appoint Councillor representation to EYAC on an annual basis.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

Unless otherwise appointed to the committee by Council, the Mayor is, by virtue of the Office, an ex officio member of the Committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance.

### 3.6 Council Officers

Council officers will be nominated to support the committee by the CEO as required to provide advice and administrative support to the committee.

Roles of Council officers are as follows:

Position Title	EYAC Responsibility
Councillor	Chairperson
Director Connected Communities	Participant/Advisor
Manager F&CS	Participant/Advisor
Head of Strategy and Partnerships for Children	Participant/Advisor
Senior Strategic Project Officer (Strategy and Partnerships for Children)	Secretariat
Project Support Officer (Strategy and Partnerships for Children)	Minute Taker



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### 4. Delegated Authority and Decision Making

The committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

### 5. Meeting Procedures

The Early Years Advisory Committee will meet on a bi-monthly basis and an annual schedule of meetings will be agreed upon at the first meeting of the committee in each year. The committee will also participate in the six monthly Advisory Group Meetings and the annual Advisory Committee Forum.

The committee is not required to give public notice of its meetings and its meetings are not open to the public.

At the commencement of each calendar year the committee will develop and agree upon a work plan for the upcoming year which details meeting discussions, presentations and information sharing topics. Topics will generally be aligned with the current Community and Council Plans. The committee may also highlight any emerging issues which will also be documented as part of the work plan and/or meeting minutes. For efficiency purposes the business of the committee throughout the ensuing year should align with the work plan and list of emerging issues.

Meetings will follow standard meeting procedure protocols:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant supporting information distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice and recommendations to Council (in context of committee authority and objectives) on a consensus basis.

### 6. Chair

The position of Chairperson shall be held by a Councillor for a duration of one year. A review of the Chairperson is conducted annually in October, immediately following the Knox Councillor appointments period. The position of Chairperson is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor who has been appointed to the Committee shall be appointed Chairperson. In the absence of any other Councillor representative/s, a staff member, appointed by the Director Connected Communities, may Chair the meeting.

### 7. Agendas and Meeting Notes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the committee no less than 4 days before the meeting date.

The Chairperson must arrange for meeting notes of each meeting of the committee to be documented and circulated. The meeting notes of a Council Committee must:

- (a) contain details of the proceedings and recommendations made;
- (b) be clearly expressed;
- (c) be self-explanatory; and



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(d) incorporate relevant reports or a summary of the relevant reports considered by the Committee.

Meeting notes must be:

- (a) submitted to the Committee Chairperson for confirmation and approval within 7 days of the meeting;
- (b) distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) submitted to the next meeting of the Committee for information.

Agendas and notes from meetings are not required to be made available to the public.

### 8. Voting

As this is an advisory committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed, the differing opinions should be clearly documented in the notes of the meeting.

### 9. Conflict and Interest Provisions

In performing the role of the Early Years Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of the Advisory Committee may potentially form an Assembly of Councillors. Councillors and officers are required to comply with the conflict of interest provisions as set down in the Act.

Where a meeting is identified as an Assembly of Councillors, staff must follow the designated procedure.

Where a community member has a conflict of interest or perceived conflict of interest in relation to a matter before the committee, the community member must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the interest and be recorded in the meeting notes. It will be at the discretion of the Chairperson if the community member remains or leaves the meeting whilst the matter is discussed. Details of this decision must also be recorded in the notes of the meeting.

All members of the Early Years Advisory Committee shall participate in training on Committee Conduct and Interest provisions, provided annually by the Governance team.

### 10. Reporting

The Committee will prepare a formal report on an annual basis in line with their stated objectives (refer to section 2). The report must be adopted by the committee and should directly reflect the objectives and the performance measures of the committee as set out in the Terms of Reference. Once adopted, the report will be presented to Council for formal noting.





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### 11. Administration Support

Administration support for EYAC will be provided by members of the Strategy and Partnerships for Children team of the Family and Children's Services Department as part of the Connected Communities Directorate.

### 12. Contact with the Media

Contact with the media by Early Years Advisory Committee members will be conducted in accordance with Knox City Council Councillor and Staff Media policies. Members should defer any media enquiries to the committee Chairperson in the first instance and should take care not to respond as a representative of the Committee.

### 13. Review Date

The Early Years Advisory Committee will sunset after 3 years. If the committee continues to have a relevant function, a report must be presented to Council prior to the sunset date that includes a review of the committee's Terms of Reference and seeking endorsement from Council to continue to act in an advisory capacity.

### 14. Meal

Should an occurrence of an EYAC meeting take place onsite at the Civic Centre, the provision of refreshments during the course of a committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

### 15. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, 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 document, it must be considered by Council.

## 4.3 Draft Leasing and Licencing Policy

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
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<b>Executive:</b>	Chief Financial Officer, Navec Lorkin

### SUMMARY

Knox City Council's Leasing and Licencing Policy (Policy) ensures that Council has a consistent, equitable and transparent approach to entering into formal agreements with tenants seeking to occupy Council facilities. It provides information to tenants and prospective tenants, as well as guidance to Council officers managing the agreements. This report outlines proposed changes to Council's Leasing and Licensing Policy which provides guiding principles to assist the effective management and use of Council land and building facilities to maximise community benefits and returns to Council.

The revised Leasing and Licensing Policy (Attachment 1) is an enhanced version of the existing Policy, intended to uplift and capture the evolving nature of occupancy requirements for Council owned assets. This updated Policy advances the Council's approach to property management for its tenant-occupied property portfolio and aims to address evolving requirements of the Community and Council, particularly for commercial tenancies. The Policy aims to balance the need for Council to remain financially sustainable while supporting the important work of community-based organisations.

The revised Policy has been structured in clear language and an easy-to-follow format to assist both the community and Council officers. The overarching principles remain broadly similar from the existing Policy; this revised version aims to clarify agreement commitments for both tenants and Council officers, ensuring all parties understand their responsibilities.

To this end it also simplifies processes, including:

- Annual fee increases, rather than complex annual CPI increases;
- Revised tenant categories with clearer criteria;
- A new category for Telecommunications and Utility Service Providers;
- Greater differentiation between Early Years providers based on organisational structure and business models; and
- Updates to CEO delegations for occupancy agreements.

Minimal impacts to Council's existing tenants are anticipated from this new policy. The revised Policy will not impact existing leases and licences, which will continue under the existing terms and conditions to the end of their agreement. New agreements will fall under the updated Policy should it be adopted after community consultation, and it is anticipated that most tenants will have the same principle terms and conditions.

Under Council's Engagement Policy, this Policy requires a public engagement process. Officers recommend the draft Policy for Council endorsement for the purpose of undertaking community engagement, noting the Policy will return to Council following this process.

## **RECOMMENDATION**

That Council resolve to endorse the draft Leasing and Licencing Policy (Attachment 1) for community engagement.

## **1. DISCUSSION**

The City of Knox owns and manages land, buildings, and other property assets on behalf of the Knox community. This includes around 244 land and building facilities with approximately 100 of these occupied under a lease or license occupancy agreement.

Most Council facilities are leased or licensed at subsidised rates to community groups to deliver tangible community benefits. Some Council facilities are leased for commercial purposes and generate market rents.

A Lease is an agreement where the Council grants the tenant the right to exclusive occupancy of a defined area ("Leased Area") as set out in the Lease. This may include the whole or part of a Council facility, usually in return for payment of rental, outgoings and agreed maintenance responsibilities by the tenant.

A Licence is an agreement where the Council grants the Licensee the non-exclusive right to occupy a defined area ("Licensed Area") as set out in the Licence. This may include the whole or part of a Council facility, usually in return for payment of a licence fee, outgoings and agreed maintenance responsibilities. The Licensee does not have exclusive use of the premises and Council can allow access by other user groups or the public.

The existing Policy needs updating to ensure that Council has a current and relevant Policy which provides consistent, equitable and transparent guidance to assist the process of entering into occupancy agreements with community groups and other organisations. This will also ensure prospective tenants are better able to understand the terms and conditions associated with any occupancy of a Council facility. An update to the Policy will also allow it to reflect changing Council and community requirements and the evolving nature of commercial tenancies, in particular.

Consultation with internal stakeholders also revealed opportunities to reduce ambiguity for officers applying the Policy. The updated Policy aims to provide improved clarity, transparency, and relevance for establishing and managing new occupancy agreements.

A communication and engagement plan has been drafted to seek public feedback on the draft Policy and to identify any gaps or additional information to be included. Consultation will be carried out through Council's Have Your Say web portal for the main method for receiving feedback, current tenants will be invited to provide feedback.

Updates from the existing to the new Policy include changes and improved guidance in the following key areas, details of which are provided in this report:

- Policy scope;
- References and Definitions;

- Tenant categories;
- Tenant selection and renewal;
- Rental review and fee structure;
- Outgoings responsibility;
- General terms and guidance;
- Delegations; and
- Implementation.

### 1.1 Policy Scope

The updated Policy provides additional clarity regarding which Council facilities the Policy applies to, and under which circumstances it does not apply.

Further alignment between the Leasing and Licensing Policy and the Sporting Reserve Policy has been undertaken. The Sporting Reserve leases and licences are now covered by this Policy update; however, seasonal club agreements and casual or school use agreements are proposed to continue to be managed under Council's Sporting Reserve Facility Usage Policy.

Many sporting facilities have specific fees for their facility use itemised within the Annual Budget Adopted Fees and Charges. The Sporting Reserve Facility Usage Policy is due for renewal in 2026.

Council facilities excluded from the Policy are summarised below:

Updated Policy (Section 3)	Existing Policy (Section 3)
<ul style="list-style-type: none"> <li>• Sites managed by a third party on behalf of Council under a contractual agreement;</li> <li>• Leases or licences where Council is the Tenant;</li> <li>• Facilities that are occupied, operated and managed by Council staff;</li> <li>• Seasonal club agreements and casual or school use agreements which are managed separately under Council's Sporting Reserve Facility Usage Policy; and</li> <li>• Agreements which are typically used for an Informal Local Group or one-off event.</li> </ul>	<ul style="list-style-type: none"> <li>• Managed by a third party on behalf of Council under a contractual agreement;</li> <li>• Leased or licenced to Council by an external lessor or licensor;</li> <li>• Operated and managed by Council staff; and</li> <li>• Allocated under Council's Sporting Reserve Facility Usage Policy.</li> </ul>

### 1.2 References and Definitions

Reference listings for Relevant Council Plans, Policies, Guidelines and Related Legislation have been updated to reflect updated plans, policies, guidelines, and legislation to ensure they are current and relevant to the updated Policy.

Some Policy definitions have been slightly reworded or removed, and further new definitions and references have been added. This has been undertaken to assist clarity, guidance and to reduce ambiguities.

Updated Policy (Sections 4 and 5)	Existing Policy (Sections 4 and 5)
<ul style="list-style-type: none"> <li>• 28 references</li> <li>• 19 definitions</li> </ul>	<ul style="list-style-type: none"> <li>• 15 references</li> <li>• 16 definitions</li> </ul>

### 1.3 Tenant Categories

The original categories have been renamed, and the criteria updated, to address differing tenant types and new types of usage for Council facilities. Refer to Attachment 1 Appendix 1 – Tenant Category Schedule.

Updated Policy (Section 6.2)	Existing Policy (Section 6.4)
<ul style="list-style-type: none"><li>• Community Group</li><li>• Community Service Organisation</li><li>• Commercial</li><li>• Telecommunication and Utility Service Providers</li></ul>	<ul style="list-style-type: none"><li>• Early Years</li><li>• Community Group A</li><li>• Community Group B</li><li>• Commercial</li></ul>

The criteria for the categories were no longer fit-for-purpose as the nature of Councils tenants has evolved. The criteria have thus been refined and revised to ensure they are clear and transparent. Categorisation will now be clearly tied to the structure of the organisation entering into the agreement, rather than the services they deliver. This will allow for a more consistent application of the Policy.

Previously, aspects of past occupancy arrangements for Scouts and some Early Years facility tenants have fallen outside the Leasing and Licensing Policy due to historical Council resolutions. To ensure consistency and equitability for all Community Groups, the updated Leasing and Licensing Policy categorises the Scouts as a Community Group tenant.

Early Years providers are categorised as a Community Group, Community Service Organisation or Commercial tenant depending on how they are governed and operate whereas informal Playgroups will not come under this Policy and will be managed separately under hire agreement arrangements.

### 1.4 Tenant selection and renewal

Clearer and more comprehensive guidance for officers has been developed in the updated Policy, including clearer criteria for when a market approach or direct negotiation is appropriate. These changes support responsible and transparent governance through closer alignment of Council objectives and facility allocation.

Updated Policy (Section 6.3 New)	Existing Policy (Not Applicable)
<ul style="list-style-type: none"><li>• Detailed guidance, including when a direct negotiation selection approach with a tenant is appropriate compared to when an open market process is preferred.</li></ul>	<ul style="list-style-type: none"><li>• No guidance</li></ul>

### 1.5 Rental Review and Fee Structure

The Council's Annual Budget, the adopted Fees and Charges, and the relevant budget schedule, are reviewed annually and will capture any future changes to fee charges for the Community Group tenant category of this Policy as well as any itemised specific facility fees (e.g. sporting facilities) and relevant administrative fees for other tenant categories.

Updated Policy (Sections 6.5 and 6.6)	Existing Policy (Section 6.4 and 6.5.2)
<ul style="list-style-type: none"> <li>Community Group – Annual Budget Adopted Fee</li> <li>Community Service Organisation – Market Rent (possibly subsidised)</li> <li>Commercial – Market Rent</li> <li>Telecommunication and Utility Service Providers – Market Driven / Market Rate Card / Market Rate Tool</li> </ul>	<ul style="list-style-type: none"> <li>Early Years – Nil cost</li> <li>Community Group A – Annual Budget Adopted Fee</li> <li>Community Group B – Market Rent (possibly subsidised)</li> <li>Commercial – Market Rent</li> </ul>

Councils Fees and Charges are set via the annual budget process, rather than within this Policy itself. Community Service Organisations will often attract discounts from the market rate dependent on several factors including benefits offered to the Community, use of volunteers etc. These are negotiated on a case-by-case basis.

Any change in fees payable by existing tenants will only be applied at the conclusion of their agreement, or if applicable, when a renewal is signed. This will not impact existing occupancy agreements, which will continue on their existing terms and conditions.

#### 1.5.1 Telecommunication Rental Fee

The current Policy does not differentiate telecommunication infrastructure from other commercial tenancies, using a standard market valuation approach for pricing. While this was best practice previously, methods for calculating infrastructure lease and license pricing have evolved to more sophisticated tools, considering the need to upgrade infrastructure with the phasing out of 3G technology. These new assessments require valuations that account for more factors, providing a fairer return to ratepayers. The Policy proposes adopting these innovative pricing models as part of a continuous improvement journey.

This new approach enables consideration of the following factors: current market conditions, lessee type, site options and third-party use opportunities, equipment configuration, comparable site availability, type of usage and conditions of the occupancy agreement.

#### 1.5.2 Administration Fee

An administrative fee has been introduced for Commercial, Telecommunication, and Utility tenants seeking to occupy land for specific purposes. Investigating these requests and finding suitable locations often involves consultation with multiple internal departments which can be resource intensive and time-consuming. The fee helps cover the officer time required to process occupancy agreement requests and is separate from other fees, such as permit or license application fees.

This administrative fee is to be paid at the start of negotiations before Council commits to using internal or external resources to investigate the request and initial community consultation.

Updated Policy	Existing Policy
<ul style="list-style-type: none"> <li>Administration Fee applied as per Council Annual Budget Adopted Fees for Telecommunication, Commercial and Adjoining Owner uses</li> </ul>	<ul style="list-style-type: none"> <li>No Administration Fee</li> </ul>

### 1.5.3 Annual Fee Increases

Updated Policy	Existing Policy
<ul style="list-style-type: none"> <li>Guidance for fixed rent increases</li> <li>Community Group and Community Service Organisations to have an annual fixed rental increase e.g. 4% for new agreements</li> <li>Commercial and Telcommunication and Utility Service Providers to have an annual fixed percentage increase to be negotiated within market norms e.g. 4% pa and are also subject to a market review on exercise of an option and / or every five years</li> </ul>	<ul style="list-style-type: none"> <li>No guidance on fixed or CPI annual rent increases</li> <li>Fee increases to align with the Council Annual Budget Adopted Fees Rental fees for all lease agreements, all agreements with commercial organisations, and licences where an extension to the standard term has been granted may be subject to a market review on the exercise of an option and/or every five years.</li> </ul>

The budget parameter used for fees and charges annually is 4%. To align with Council's budget parameters, community rental fees are intended to attract an annual fixed percentage increase of 4% with this to be reviewed on a regular basis.

Using a fixed percentage rental increase approach will reduce administrative burden, improve resource efficiency, eliminate complexity, mitigate dispute risk, and provide increased transparency for forward budget planning compared to a CPI rental increase approach.

CPI, primarily a macro-economic indicator of household price inflation, is issued quarterly by the Australian Bureau of Statistics (ABS) and has multiple variants (e.g., annual, quarterly, city, regional, national). Capturing and calculating multiple CPI figures over various review periods requires significant administration and resources, often more than the lease or license is worth. This approach typically results in higher administrative costs, greater complexity, and disputes over CPI calculations and correct rental increases. Therefore, a fixed annual rental increase approach is recommended over an annual CPI adjustment. This will also provide certainty to tenants over the cost of the rental fees for the life of the agreement.

### 1.6 Outgoings Responsibility

As under the previous Policy, tenants are proposed to pay their own operational outgoings including rates (where applicable), utilities, waste, cleaning, sanitary costs, and security.

Tenant waste charges will still be required to align with the Eligibility for Use of Waste Collection Services Provided by Council Policy; this has been inconsistent in the past, however, the updates to the Policy and supporting processes will help standardise the waste services available to Tenants and the fees recovered.

The State Government charges a fire services property levy (FSPL) on all properties, the current rate is \$267 per annum for non-residential properties. The FSPL is collected for the State Government by Local Government via Council rates. Previously the Council absorbed the FSPL for all Council properties unless it is commercially leased. The FSPL applies for non-rateable properties.

New occupancy agreements will require all tenants, except Community Group tenants, to pay the annual fee to cover the applicable FSPL costs relevant to that facility. The State Government has announced its intention to replace the FSPL from 1 July 2025 with the Emergency Services Property Levy (ESPL) although, this legislation change is yet to be voted by the Parliament. Current advice from the State Government is that this will result in a 100% increase in the variable portion of the charge for commercially rated properties. The fixed portion of the levy, however, will only increase by \$9 in the 2025-26 financial year, from \$267 to \$276. Council's facilities that are used for municipal purposes are non-ratable. This means only the fixed portion of the levy will be payable by community tenants.

No additional fees are proposed to be charged for the circa 70 Community Group tenants regarding FSPL/ESPL, to support the ongoing enhancement, vibrancy, and growth of Community Group tenants within the Council area.

Updated Policy (Sections 6.7 and 6.8)	Existing Policy (Section 6.5.6)
<ul style="list-style-type: none"> <li>Community Groups pay operational outgoings, however no FSPL / ESPL</li> <li>Community Service Organisations pay all outgoings including FSPL / ESPL</li> <li>Commercial tenants pay all outgoings including FSPL / ESPL</li> <li>Telecommunication and Utility Service Providers pay all outgoings including FSPL / ESPL</li> </ul>	<ul style="list-style-type: none"> <li>Difficult to differentiate between Tenant Categories and their general outgoings responsibilities</li> <li>Commercial tenants to pay rates and charges</li> <li>No mention of FSPL / ESPL</li> </ul>
<p><i>Note: Both the existing and the new policy states that for shared sites, outgoings will be pro-rated amongst tenants as applicable.</i></p>	

### 1.7 General Terms and Guidance

Following consultation with internal stakeholders and benchmarking against other Council Leasing and Licensing Policies, numerous updates and refinements have been made throughout the Policy. These updates include improved guidance on occupancy terms, community engagement, sub-letting, renewal, termination, and overholding, while the keys and access section has been removed.

The revised Policy now includes a reference to the National Competition Policy (NCP). Key elements of the NCP, such as competitive neutrality principles, aim to promote fair competition between public and private businesses. This ensures that government businesses do not have competitive advantages over their private sector counterparts due to public sector ownership. For example, local governments operating childcare centres, aged care facilities, sporting centres, or gyms should not undermine private operators in the same industry and location.



Additionally, Community Groups or Community Service Organisations that hire out or sublet spaces within their facilities and generate significant revenue may be required to reinvest a suitable portion of this revenue back into the facility for key maintenance or capital upgrades.

<b>Updated Policy (Sections 6.9 - 6.23)</b>	<b>Existing Policy (Sections 6.5.1, 6.5.3 to 6.5.15)</b>
<ul style="list-style-type: none"> <li>• Licence term preferred for 5 years, however shorter terms of 12 months to 5-years may be considered in some special circumstances.</li> <li>• Lease agreement initial terms preference to be no less than 5 years, however leases will be assessed on a case-by-case basis.</li> <li>• Prior to commencement of a new lease a community engagement where required by the LGA Act or Councils Community Engagement Policy.</li> <li>• Greater clarity regarding subletting including equitability and that no financial or commercial advantage is gained by Community Groups or Community Service Organisation tenants, over other Community Groups or Community Service Organisation tenants.</li> <li>• Council may contact tenants prior to the end of their Occupancy Agreement to commence negotiating a new agreement. Should these negotiations extend beyond a twelve-month period of overholding without satisfactory progress and reasonable effort being made by a Tenant to finalise the agreement, Council may terminate the agreement with one month's notice.</li> <li>• Council tenants may continue into overholding on a month-to-month basis while a new Occupancy Agreement is negotiated.</li> <li>• Keys and Access section deleted.</li> </ul>	<ul style="list-style-type: none"> <li>• Licence term 5 years except for new or emerging groups which may have a shorter term.</li> <li>• Licence term greater than 5 years subject to the tenant investing into a fixed asset on the property</li> <li>• Lease terms on a case-by-case basis.</li> <li>• No mention of Community Engagement.</li> <li>• No mention of equitability for subletting.</li> <li>• Council reserves the right to terminate lease and licence agreements by providing a minimum of six months' notice in writing.</li> <li>• No mention regarding overholding.</li> <li>• Section on keys and access</li> </ul>

### 1.8 Delegations

Leases for a Council Facility must comply with the LGA Act 2020 section 115 which establishes certain value and tenure period limits in relation to Council leasing of land; this subsequently impacts occupancy agreement execution delegation limits.

Currently all leases, occupancy agreements for Community B tenants, and licence agreements with an initial term over 5 years require Council approval. Often two reports are submitted to Council for the same occupancy agreement; the first regarding the proposal to lease including related legislated community engagement requirements and the second requesting delegated authority for the execution of the lease.

To reduce administrative burden for Council and officers, increase efficiency and improve process times for new occupancy agreements, whilst continuing to ensure transparent process, the following changes are included in the updated Leasing and Licensing Policy:

Occupancy Agreements meeting one or more of the criteria below must be referred to a Council meeting for consideration and decision:

- The initial term is for 10 years or more;
- The entire agreement period, encompassing both the initial term and further terms, exceeds 20 years;
- The market value rental value assessment exceeds \$100,000 per annum (except where the Occupancy Agreement is for a maximum period of less than 12 months and the Tenant has not occupied the Premises within the preceding 12 months).
- The agreement does not substantially conform to the requirements of this Policy.
- Occupancy Agreements, including extension options, will otherwise be negotiated, approved and executed by the Chief Executive Officer, or their delegate in accordance with this Policy and the relevant instrument of delegation.

A list of Occupancy Agreements under consideration will be periodically circulated to Councillors and an Occupancy Agreement may be "called up" for consideration at a Council meeting under the following circumstances:

1. A Councillor, in consultation with the Chief Executive Officer (CEO) or Chief Financial Officer (CFO), may request that an Occupancy Agreement be brought to a Council meeting for consideration and a decision.
2. The Chief Executive Officer may independently determine an Occupancy Agreement should be referred to a Council meeting for consideration and decision.

Once an Occupancy Agreement has been "called up", delegated powers must not be exercised prior to consideration at a Council meeting.

Updated Policy (Section 7)	Existing Policy (Section 6.7)
<ul style="list-style-type: none"> <li>• Council approves all occupancy agreements with an initial term of 10 years or more.</li> <li>• Council approves all occupancy agreements when the initial term and further terms exceed 20 years.</li> <li>• Council approves all occupancy agreements with values exceeding \$100,000 per annum (except where the Occupancy Agreement is for a maximum</li> </ul>	<ul style="list-style-type: none"> <li>• CEO executes all Licence Agreements for Early Years and Community Group A tenants.</li> <li>• All Community Group B agreements referred to Council or Strategic Planning Committee</li> <li>• Council or Strategic Planning Committee approval required for all lease agreements</li> </ul>

Updated Policy (Section 7)	Existing Policy (Section 6.7)
<p>period of less than 12 months and the tenant has not occupied the premises within the preceding 12 months).</p> <ul style="list-style-type: none"> <li>• All other Occupancy Agreements will be approved and executed by the Chief Executive Officer, or their delegate</li> <li>• A list of Occupancy Agreements under consideration will be periodically circulated to Councillors and an Occupancy Agreement may be "called up" for consideration at a Council meeting under certain circumstances</li> </ul>	

### 1.9 Implementation

Officers propose that the new Leasing and Licensing Policy will take effect from the date of Council adoption, with any new occupancy agreements governed by this Policy. There will be exceptions for any well-developed negotiations that have already received in-principle agreement (i.e., those proceeding to signature and execution). The Property team will collaborate with internal stakeholders prior to the Council paper to identify any such exceptions.

All existing agreements will continue to be administered under their current terms until they expire.

### 1.10 Impacts to Existing Tenants

The updated Leasing and Licensing Policy represents an enhancement of the existing Policy, with minimal changes to financial or other impacts on current tenants. Its primary objective is to refine the Council's property management approach for its extensive tenant-occupied portfolio, while addressing the evolving needs of the Community and Council. Minimal impacts should be felt by existing tenants as they transition from current agreements onto new leases and licences under this Policy. It is important to note that the Policy does not set directly set rental fees for Community Groups; this will continue to be handled separately through the Annual Budget process.

Under the updated Policy, most tenants previously categorized as Community Group A will now be classified as Community Group Tenants, and most of those in Community Group B will be categorized as Community Service Organisations.

There are two category changes of particular note:

1. The updated Policy introduces a new tenant category for Telecommunication and Utility Service Providers, separated from the Commercial category to better reflect this emerging sector. This category includes entities such as mobile phone towers, electric vehicle charging stations, neighborhood batteries, container deposit reverse vending machines, air rights, and substations. Creating a new category for this tenant group distinguishes it from other commercial tenants and establishes a different method for determining rent.
2. The Early Years Category has been removed to better differentiate between Early Years providers. Previously grouped under a single category, these providers will now be classified based on their governance and operational structures as Community Group,

Community Service Organisation, or Commercial tenants. Informal Playgroups will not be covered by this Policy and will be managed separately under hire agreement arrangements.

The implementation of the Policy will not impact any current leases or licenses, including those that have been granted exemptions through Council Resolutions. For these existing agreements, all terms and conditions will stay the same until a new agreement is signed.

However, any new occupancy agreements made after the Policy is implemented will be subject to the new Policy guidelines. The only exception to this would be if a new, separate Council resolution is passed that specifically grants an exemption for a particular new agreement, allowing it to operate under different terms.

## **2. ENGAGEMENT**

### **2.1 Internal Consultation**

The below Knox Council teams and relevant property advocates have been consulted regarding the current update of the Leasing and Licensing Policy:

#### **Arts and Cultural Services**

#### **Biodiversity**

#### **Community Access & Support**

#### **Community Access and Support**

#### **Community Wellbeing**

#### **Facilities**

#### **Facilities**

Family & Children's Services (now Early Years)

Indoor Leisure Centres

Leisure Facilities and Contracts

Waste Management

### **2.2 Government Consultation**

The Department of Energy Environment and Climate Action (DEECA) Leasing Policy and Licensing Guidelines, in addition to Leasing and Licensing policies for numerous municipalities, were considered in the review of the updated Knox Policy.

In addition, the Leasing and Licensing policies of the following municipalities were reviewed:

Bayside City Council

City of Boroondara

City of Casey

Cardinia Shire Council

City of Greater Dandenong

City of Monash

Macedon Ranges Shire Council

Maribyrnong City Council

Maroondah City Council

Manningham City Council

Mornington Council

Merri-bek City Council

Whitehorse City Council

### **2.3 Benchmarking**

Officers conducted benchmarking with other Councils in the Eastern Regional Group (ERG) (Manningham, Maroondah, Monash, Whitehorse and Yarra Ranges). Occupancy agreements from the State Government Department of Energy, Environment and Climate Actions (DEECA) and Department of Transport and Plannings (DPT) for Crown land were also considered.

The \$450 fee for Community Groups in Knox was adopted by Council during the 2024/25 Budget. This fee offers a significant discount to Community tenants and does not cover the administrative costs of the agreement. It aligns with DEECA's minimum charge for not-for-profit community use on Crown land. Additionally, DTP has recently increased their annual occupancy agreement fees, in some cases from \$1 per annum to \$500.

Direct comparison between the ERG is challenging given the variety of approaches to setting settings fees, the content of Policies, and the level of detail provided to the public around these. It is difficult to know the extent to which maintenance responsibilities and outcomes are recovered within the rental fee, or if this is managed separately. Factors like location, size, and operational priorities, influence these results, making direct comparisons challenging.

## **2.4 Community Engagement**

The Knox Community Engagement Policy requires community engagement for any new or updated Policy that has a community interface. The Leasing and Licensing Policy is a public-facing document, available on the Knox City Council website. It provides a guiding framework for Council officers and potential tenants as they negotiate, execute, and manage occupancy arrangements.

A communication and engagement plan has been drafted to seek public feedback on the draft Policy and to identify any gaps or additional information to be included. Consultation will be carried out through Council's Have Your Say web portal for the main method for receiving feedback, current tenants will be invited to provide feedback.

The feedback which will be sought from the community be aligned with the following:

- Council leases over 100 buildings and land to support important services for our community;
- Sharing thoughts on how Council can better manage future leases and licences;
- Council is reviewing the Leasing and Licensing Policy to improve transparency, consistency and equitability, does the policy achieve this.

Following consultation, the Policy will be presented to Council for adoption. Any changes will depend on the outcomes of the consultation process, which cannot be determined until all feedback has been received and considered.

## **3. SOCIAL IMPLICATIONS**

The Policy supports community health and wellbeing through supporting access to Council-owned land and buildings by organisations that facilitate social participation and active lifestyles, provide health services and/or lifelong learning; and utility providers and public bodies whose services are essential.

## **4. CLIMATE CHANGE CONSIDERATIONS**

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

## **5. ENVIRONMENTAL IMPLICATIONS**

The Policy will support the appropriate use of Council's land and buildings by external organisations, with appropriate environmental and amenity issues considered within the tenant selection process and occupancy agreements.

## **6. FINANCIAL AND RESOURCE IMPLICATIONS**

The proposed Policy changes will provide an improved approach for calculating appropriate rental fees, in consideration of the type of tenant and the benefit for the community. The proposal to move from CPI adjustments to a fixed percentage, such as 4%, will save administrative costs in calculation (as well as reduce the risk of incorrect calculations). This will also provide greater certainty of future costs to tenants.

The revised Policy acknowledges the differences in categories by establishing a new Telecommunication and Utility Service Provider tenant category with the ability to generate commercially competitive revenue for Council. The development of a rate card for telecommunication providers, for example, considers more than just the ground lease for the rent; it considers factors such as the size of the base station compound, antenna, and risk. Refer to item 1.5 for more information on the rate card application and financial impacts for Council.

Community Group tenants will not be charged the FSPL; under the current Policy, these groups are subject to this cost though in practise it is rarely charged. The Community Service Organisation tenants will be required to pay this charge (pro-rata where applicable, such as shared sites).

Reimbursement of the relevant State Government fire services property levy (FSPL), currently \$267 per annum for non-residential properties, to Council by all tenants, except the circa 70 Community Groups, will save Council circa \$8,000 per annum. Council is currently estimated to pay a total of circa \$27,000 per annum for the State Government fire services property levy for all its tenant occupied properties.

## **7. RISKS**

Updates to the Leasing and Licensing Policy will assist in mitigating the risk of managing an extensive property portfolio by ensuring that the Policy is more consistent and suitably relevant for current and evolving requirements for the Community and Council.

The updated Policy will enhance efficiency, clarity, consistency, and financial sustainability in managing Knox Council's property and facilities.

## **8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025**

### **Opportunity & Innovation**

Strategy 1.1 - Maximise the local economy by supporting existing businesses and attracting new investment.

### **Neighbourhoods, Housing & Infrastructure**

Strategy 2.2 - Create, enhance, and maintain places and spaces for people to live, work, play and connect.

### **Civic Engagement & Integrity**

Strategy 5.2 - Manage our resources effectively to ensure financial sustainability and improved customer experience.

#### **9. CONFLICT OF INTEREST**

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

#### **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

#### **11. CONFIDENTIALITY**

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

#### **ATTACHMENTS**

1. Attachment 1 - Feb 2025 Revised Leasing and Licensing Policy [**4.3.1** - 16 pages]



# Leasing and Licensing Policy

Policy Number:	2004/24	Directorate:	Chief Financial Officer
Approval by:	Council	Responsible Officer:	Property Management Coordinator
Approval Date:	TBC	Version Number:	1
Review Date:	TBD		

## 1. Purpose

Knox City Council is the owner or manager of land, buildings and other property assets on behalf of the Knox community.

The purpose of this leasing and licensing policy is to ensure that Knox has a consistent, equitable and transparent approach before entering into formal agreements with prospective tenants, including community groups and commercial operators, allowing them to occupy Council facilities.

Some Council facilities are leased for commercial purposes and generate market rents. Many are leased at subsidised rates for the community and not for profit purposes to deliver tangible community benefits.

This policy provides guiding principles to assist in the effective management and use of Council land and building facilities to maximise community benefits and returns to Council.

The following objectives provide a framework for a consistent, equitable and transparent approach:

- Ensure Council managed properties are used to meet demonstrated community needs consistent with the Knox Community and Council Plan, and any current or future needs analysis;
  - Optimisation of Council managed properties to ensure fair, inclusive and diverse use that reflects a variety of community needs and Council's commitment to equity;
- Ensure Council managed properties are responsibly managed and maintained;
- Reduce risk to Council associated with the leasing and/or licensing of facilities and ensure reliable reporting and compliance with laws, regulations and standards;
- Ensure strong processes with clear and consistent agreements in place to protect all interested parties;
- Apply a consistent and equitable approach for determining Tenant fees and charges including any Council subsidies identified;
- Ensure all Commercial and Telecommunication and Utility Service Provider Occupancy Agreements are on commercial terms and aligned with comparable market rates;
- Ensure that no financial or commercial advantage is gained by Community Groups or Community Service Organisation Tenants over other organisations conducting similar activities; and
- Aim for equitable access to shared facilities and spaces where there are multiple occupancy agreements in place with different Tenants.

## 2. Context

The Council owns and manages many facilities that are available to the Knox community and governed by Occupancy Agreements. This includes land and buildings used for various purposes, including but not limited to community centres, sporting facilities, community halls, seniors' facilities, kindergartens, car parks, road reserves, Scout facilities, Guide facilities and utility service provider infrastructure. These various uses deliver a range of activities and services



to support the Knox community.

### 3. Scope

This Policy applies to Council facilities, that is land and/or buildings that are owned or managed by Council, including community owned buildings on Council land, occupied under a Lease or Licence, except for the below:

- Sites managed by a third party on behalf of Council under a contractual agreement;
- Leases or Licences where Council is the Tenant;
- Facilities that are occupied, operated and managed by Council staff;
- Seasonal club agreements and casual or school use agreements which are managed separately under Council's Sporting Reserve Facility Usage Policy; and
- Agreements which are typically used for an Informal Local Group or one-off event.

### 4. Relevant Council Plans, Policies, Guidelines and Related Legislation

Council is required to abide by Acts, Regulations and Policies. The key guiding requirements are listed below:

#### 4.1. Council Plans

- Alignment with current Knox Community and Council Plans, Directions and Vision Statements, noting these are updated regularly to reflect evolving future key directions for Knox and the Community.

#### 4.2. Council Policies and Guidelines

- Sporting Reserve Facility Usage Policy
- Community Engagement Policy
- Casual Hire of Community Facilities Policy
- Community Signage on Council Open Space Policy
- Electronic Gaming Machine Policy
- Visual Surveillance Devices Policy
- Procurement Policy
- Eligibility for Use of Waste Collection Services Provided by Council
- Property Management Toolkit (Guidelines)

#### 4.3. Legislation

- Local Government Act 2020
- Local Government Act 1989
- Retail Leases Act 2003
- Crown Land (Reserve) Act 1978
- Occupational Health and Safety Act 2004
- Building Act 1993
- Planning and Environment Act 1987
- Child Wellbeing and Safety Act 2005
- Telecommunications Act 1997
- Environment Protection Act 2017
- Aboriginal Heritage Act 2006
- Heritage Act 1995
- Liquor Control Reform Act 1998
- Gambling Legislation Amendment Act 2018
- Tobacco Act 1987

#### 4.4. Government Policy and Procedures

- Department of Energy, Environment and Climate Action (DEECA) Crown land Policies – Leasing Policy for Victorian Crown Land 2023

- DEECA Committee of Management Guidelines
- National Competition Policy

## 5. Definitions

The following definitions apply within the Policy.

<b>Council</b>	Knox City Council
<b>Crown Land</b>	Land owned by the Crown (Victorian or Federal Government) which may be unalienated or reserved.  Unalienated Crown land is land under Crown title not yet set aside by the Crown for a public purpose, Crown Lease tenure or sold to the public.  Reserved Crown land is land set aside from sale for a specific public purpose.
<b>DEECA</b>	The Department of Energy, Environment and Climate Action (Crown land manager)
<b>Essential Safety Measures</b>	Essential safety measures are the safety features required in a building to protect occupants in the event of an emergency, as defined in current Building Regulations 2018 (Vic) and Building Act 1993 (Vic)
<b>Facility</b>	Land and/or buildings that are owned or managed by Council.
<b>Fire Services Property Levy</b>	Annual State Government levy to support emergency services. The Fire Services Property Levy is collected by local councils and usually appears on the rate notice. The levy is collected from non-rateable properties via a separate notice.
<b>Lease</b>	An agreement where the Council grants the Tenant the right to exclusive occupancy of a defined area ("Leased Area") as set out in the Lease, which may include the whole or part of a Council Facility, usually in return for payment of rental, outgoings and agreed maintenance responsibilities by the Tenant.
<b>Legal Entity</b>	An organisation that is legally permitted to enter into a contract and capable of holding assets in its own name.
<b>LGA 2020</b>	<i>Local Government Act 2020</i>
<b>Licence</b>	An agreement where the Council grants the Licensee the non-exclusive right to occupy a defined area ("Licensed Area"), which may include the whole or part of a Council Facility, usually in return for payment of a Licence fee, outgoings and agreed maintenance responsibilities. The Licensee does not have exclusive use of the Premises and Council can allow access by other user groups or the general public.
<b>Market Approach</b>	A transparent Tenant selection process where Council invites other parties to submit a proposal for tenancy and utilisation of a Facility.
<b>Occupancy Agreement</b>	Either a Lease or Licence agreement for a Facility.
<b>Property Advocate</b>	The Council Officer who acts as the liaison between Council and the Tenant occupying a Facility.
<b>Premises</b>	The area occupied under a Lease or Licence agreement.
<b>Property Management Team</b>	Knox City Council's Property Management Team
<b>REIV</b>	Real Estate Institute of Victoria (REIV) is the peak body for real estate professionals.
<b>Sporting Reserve Facility</b>	Sports fields, pavilions, baseball and softball diamonds, tennis courts, athletics tracks and netball courts are some examples of facilities available to user groups for sport and recreation activities

<b>Telecommunications Carrier</b>	A mobile, fibre and wireless broadband communications Telecommunications Carrier(s) who have licences to deploy antenna installations and operate networks for mobile telephony and data services in Australia.
<b>Tenant</b>	A Legal Entity that has entered into or is proposing to enter into an Occupancy Agreement with Council for the use of a Facility.

## 6. Council Occupancy Agreements

### 6.1 Types of Agreements

Council aims to provide multi-use facilities that support complementary activities. The decision regarding which type of Occupancy Agreement is to be used will be made in conjunction with the Property Management Team.

#### 6.1.1 Licence

Where appropriate, Council enters into Licence agreements to enable the multi-use of facilities and achieve the greatest community benefit from facilities.

#### 6.1.2 Lease

The granting of exclusive rights to a single Tenant by way of a Lease will occur where:

- there is substantial community benefit, and
- the Tenant's purpose and activities are:
  - consistent with Council's objectives; or
  - of a commercial nature.

Where facilities have multiple Tenants, all Tenants may be required to enter into a Memorandum of Understanding that outlines Facility rules and guiding principles, (that may change over time), to ensure Tenants work together and facilities are suitably maintained, with responsibilities clearly documented for equitable use of shared spaces.

### 6.2 Tenant Categories

Tenants will be placed into one of four categories which determines the fee structure and standard obligations which will apply to the Tenant when entering into an Occupancy Agreement.

- Community Group
- Community Service Organisation
- Commercial
- Telecommunication and Utility Service Providers

The description of each category is provided in **Appendix 1 – Tenant Category Schedule**. All Tenants will be assessed against this schedule to establish the appropriate category prior to entering into any Occupancy Agreement. The Property Management Team should be consulted if there is a circumstance in which a Tenant does not clearly fall within the defined categories.

Tenants must notify Council of any changes to their organisational status, goals or use of a facility that may affect the categorisation of a Tenant during the term of their occupancy. Any such changes may alter the rental subsidy provided, if applicable.

### 6.3 Tenant Selection and Renewal

When considering potential occupants, Council will favour Tenants whose purpose and activities align with Council plans, policies and objectives for benefiting the Knox community. Tenants can be selected by direct negotiation or a Market Approach selection process.

Council may cease negotiations with a Tenant that fails to enter into a formal Occupancy Agreement within 6 months of a draft Occupancy Agreement being issued to them or a Council resolution existing to enter into an agreement.

### 6.3.1 Direct Negotiation

Direct negotiation with an incumbent Tenant is often more appropriate than an open competitive process, or Market Approach. Direct negotiations will be considered in any of the following circumstances:

- the incumbent Tenant has an interest to remain in the Facility and their service, programs or activities align with the Council plans, policies and objectives for benefiting the Knox community;
- the cost to run a competitive process may be greater than the achievable return;
- an existing Tenant has offered capital investment that is of significant benefit to the community and would not be offered by another party.

A decision to proceed with a new Occupancy Agreement via direct negotiation must be made in conjunction with Council's Property Management Team. Furthermore, an Occupancy Agreement will not be offered to the incumbent Tenant until:

- a request is received in writing from the incumbent Tenant, identifying their goals and how they support the Knox community.
- an internal review is carried out by the relevant Property Advocate, in consultation with the Property Management Team, to ensure:
  - there is an ongoing demand by the community for the provision of such a service;
  - the Facility is suitably located within the community for the proposed use;
  - the incumbent Tenant has no unresolved debts with Council;
  - the incumbent Tenant provides the optimal use for the Facility;
  - the incumbent Tenant's use of the Facility does not interfere with other potential uses of the Facility;
  - the incumbent Tenant has completed any required maintenance works to ensure the Facility is safe, fit for purpose, compliant and well presented;
  - the incumbent Tenant is financially viable; and
  - the incumbent Tenant has satisfied the terms and conditions of any previous Occupancy Agreement.

### 6.3.2 Market Approach

An open Market Approach selection process will be undertaken to determine a suitable new Tenant, and is the preferred approach, unless a direct negotiation would achieve a better outcome for the community and Council. Council may choose to engage a third-party agent to support this process.

The relevant Property Advocate, in conjunction with the Property Management Team, will establish the objectives for a Facility and evaluation criteria for prospective Tenants before embarking on the process with consideration of the Procurement Policy. A competitive process ensures probity, addresses any conflicts of interest and will assist with decision making. It provides the opportunity for interested parties to compete for the right to occupy a Facility.

## **6.4 Community Engagement**

Community engagement will be undertaken in-line with Councils responsibilities under the LGA 2020 (Section 115) and the Knox Community Engagement Policy.

Prior to commencement of a new lease a community engagement process will occur if:

- the length of term is 10 years or greater;
- the rental value is \$100,000 per year or greater; or
- where the proposed use may be considered to require community feedback.

## **6.5 Fees**

A schedule of Tenant Categories and applicable fees is provided in **Appendix 2 – Occupancy Agreement Fees Schedule**. The *Occupancy Agreement Fees Schedule* will be used to establish the applicable fee for all Tenants.

These fees will be regularly updated in accordance with Council's Annual Budget adopted fees and charges schedule.

### 6.5.1 Rental Fee

Rental fees will be consistent and transparent to encourage use of facilities for the benefit of the community, and to maximise the return in line with market rates where facilities are used for commercial purposes.

Council is mindful of supporting Tenants whose purpose and activities are consistent with Council plans, policies and objectives, whilst also gaining contributions towards Council cost recovery for administration expenses, ongoing maintenance, operating costs of facilities and any foregone market rental potential.

#### **6.5.2 Administration Fee**

Commercial and Telecommunication and Utility Service Providers who approach Council seeking occupancy of a Facility will be charged an administration fee to cover activities undertaken by Council to investigate the feasibility of the request, administration process and to establish an Occupancy Agreement. The fee contributes to:

- Officer time spent on agreement enquiry, correspondence and investigation of the feasibility of the request;
- Document retrieval (where applicable such as title documents); and
- Preparation and execution of agreement documentation.

This administration fee is separate to other fees payable to Council in relation to a Tenant's proposed use of a Facility, such as permit, Lease or Licence application fees.

### **6.6 Rent and Fee Reviews**

Community Group rental and other fees will be adjusted annually in line with the Council Annual Budget adopted Fees and Charges Schedule.

Occupancy Agreement rental and other fees for Community Service Organisations, Commercial and Telecommunication and Utility Service Providers will be subject to regular annual rent or fee increases and will also be subject to market reviews for an exercise of an option, agreement extension or agreement renewal.

Fixed percentage annual rental and fee increases, instead of annual CPI increases, are the preferred approach and will assist transparent forward budget planning for both Tenants and Council, whilst also reducing administration burden and complex CPI calculations.

### **6.7 Rates, Taxes and Outgoings**

The Tenant is generally responsible for paying all rates, taxes and other charges and levies separately assessed in connection with the Premises (if applicable).

Where rates and taxes are not separately assessed, or the Premises are shared, the Tenant must pay or refund to Council a relevant proportion of the costs incurred based on the proportional area they occupy. This is allocated as percentage of the area that each Tenant occupies as a proportion of the total area that the cost applies to (or other calculation method as negotiated by mutual agreement). This must be paid within the required timeframe advised by Council. Refer to Appendix 2 for guidance.

The Tenant is responsible for utility and service charges including electricity, gas, telephone, water, additional waste, sanitary services and security in accordance with Appendix 2.

Tenant waste charges are to align with the Eligibility for Use of Waste Collection Services Provided by Council Policy to assist standardising the waste services available to Tenants and the relevant fees charged.

### **6.8 Fire Services Property Levy**

The Fire Services Property Levy is collected by Council on behalf of the Victorian State Government. This levy will be generally charged to occupants. Refer to Appendix 2 for guidance.

Where the Tenant is the sole occupant of the site that the Fire Services Property Levy is relevant to, then the full charge is applicable where no exemption has been granted. Community Group Tenants will not be charged this levy.

Where rates are not separately assessed, or the Premises are shared, the Tenant must pay or refund to Council the proportion that the area of the Premises bears to the total area assessed (or other such method of calculation as negotiated) within the required timeframe from receipt of a written notice from Council.

#### **6.9. Standard Terms and Conditions**

The Property Management Team must be consulted prior to choosing an Occupancy Agreement template and must review all agreements prior to them being sent to prospective Tenants.

Template Occupancy Agreements together with standard terms and conditions will reflect the contents of this policy and relevant legislation. These terms and conditions will form the basis of all Occupancy Agreements except for Commercial and Telecommunication and Utility Service Providers and occupancy arrangements on Crown land managed by Council which will be negotiated on a case-by-case basis.

Where required, standard documents from DEECA or REIV will be used and amended (where appropriate) to include Council-related clauses.

#### **6.10. Occupancy Agreement Term**

The length of the term will be dependent on various considerations including if the Tenant is an existing occupant or a new or emerging group, lifecycle stage of the Facility, maintenance requirements, budget planning, Council planning and strategic direction, capital investment, proposed use, extent of community benefit, if the facility is identified as required in Council's long-term plans for future use, demolition, refurbishment or a major capital works.

The preference is for a minimum 5-year Licence, however shorter terms of 12 months to 5-years may be considered in some special circumstances.

The preference is for Lease agreement initial terms to be no less than 5 years, however leases will be assessed on a case-by-case basis. Longer terms may include an extension option of a similar term to the initial agreed term.

#### **6.11. Maintenance and Essential Safety Measures**

Tenants are required to maintain the facility in accordance with any maintenance schedules that may be attached to an Occupancy Agreement using the services of registered and qualified tradespeople to undertake the works and provide a certificate of compliance for works that require it (e.g. plumbing and electrical).

Schedules (where applicable) will specify the responsibilities of Council and the Tenant, including responsibility for maintaining the structure of the building, fixtures and fittings, grounds and any specialised equipment or playing surfaces.

Written approval is required from Council prior to the commencement of any building, renewal or improvement work to a Facility. In the first instance, Tenants should contact their Property Advocate for advice on the approval process and to submit plans for consideration.

Council reserves the right to inspect and gain access to a Facility for reviewing Tenant maintenance and Essential Safety Measures (ESM) requirements and also for the undertaking of any maintenance or ESM works that Council may be responsible for.

#### **6.12. Insurance**

In relation to the Occupancy Agreement and Premises occupied, Tenants should hold the following insurance unless otherwise negotiated and approved by Council's Risk team:

- Public liability insurance to a minimum value of \$20 million and should note Council interest;
- Professional indemnity insurance; and
- Contents insurance for the lessee's or licensee's own property.

- In instances where a Tenant has a land only Occupancy Agreement, the Tenant must maintain building insurance for their building constructed on Council land.

Council will insure Council owned buildings and Council installed and authorised fixtures and fittings.

#### **6.13. Child Safe Standards**

Council has zero tolerance for child abuse. Tenants are responsible for understanding their obligations under the Child Safe Standards. In addition to the requirement to comply under the Child Wellbeing and Safety Act 2005, the Tenant is also obliged under their Occupancy Agreement to ensure that Child Safe Standards requirements are complied with at all times. Council offers guidance to Tenants to support them in understanding their obligations.

#### **6.14. Community Reporting Requirements**

All Community Group and Community Service Organisation Tenants are required to report against community eligibility criteria upon request and must advise Council if their organisational status changes during their occupancy.

Community Group and Community Service Organisation Tenants are required to submit the following information to Council annually, as specified in the Occupancy Agreement. A written exemption may be granted by Council due to special circumstances with written evidence of this to be provided to the Council by the Tenant. Where applicable, annual reporting information is to include (but not limited to);

- the activities undertaken by the Tenant;
- occupancy and utilisation data for the Facility;
- the level and degree of public access to the Premises;
- details of any maintenance undertaken;
- copies of the most recent annual report and financial statement; and
- a list of office bearers including President, Secretary and Treasurer.

#### **6.15. Signage**

Prior written consent must be obtained from Council before displaying or affixing any signs, advertisements, branding or notices to any part of the Premises. Signage must comply with Council's Community Signage on Council Open Space Policy or the Knox Planning Scheme. Early engagement with Council's Property Advocate prior to finalizing proposals or lodging a required application is encouraged.

#### **6.16. Permitted Use**

The permitted use defines what the Tenant can or cannot do at the Premises. The permitted use should be clearly defined and avoid broad or vague statements which may be open to interpretation. Throughout the tenancy, the tenant is responsible for any compliance with regulatory framework, including obtaining any planning or building permits, required for the permitted use.

Tenants must obtain Council's prior written consent for any change in the permitted use or additional use of the Premises, including any planning or building permits or approvals that may be required. Consent may be granted or withheld at Council's absolute discretion and subject to other conditions.

Council will not permit a change in use of the Premises that is not compatible with the building permit for the Facility, without the appropriate approvals. This includes occupancy levels, and changes to the building classification. Council is permitted to determine and end any Occupancy Agreement under these circumstances.

#### **6.17. Days and Times of Use**

The days and times of use allowed in relation to a Premises are generally associated with the type of Occupancy Agreement that is offered.

As a Licence agreement offers non-exclusive use, the Tenant is permitted to occupy the Facility on agreed days and times of use, which allows Council the flexibility to offer the Facility to other community groups and thereby maximise the use of the Facility. Where a Facility is shared between two or more tenants, a Memorandum of Understanding may be negotiated and signed by all Tenants and the Council.

A Lease agreement offers exclusive use to the Tenant and as such, the Tenant will be permitted to operate from the Premises at any time in accordance with any applicable planning permit requirements, Council's Local Laws and having regard to legislation relating to noise pollution.

#### **6.18. Tenant Sub-Letting**

Sub-letting is where the whole Facility, or part of the Facility, is leased or licensed out to another group by the Tenant. The Tenant still remains responsible for all of its obligations under the Occupancy Agreement.

The first Tenant is called the head-tenant, and the second Tenant is called the sub-tenant. The agreement between them is called a sub-lease. Head tenants must formally request in writing approval from Council for any sublease arrangement they wish to enter into including the proposed fees and any other relevant details.

For equitability purposes, it is important that during subletting of Facilities that no financial or commercial advantage is gained by Community Groups or Community Service Organisation Tenants, over other Community Groups or Community Service Organisation Tenants. Council will need to review the details of any formal Tenant sublease request to ensure that the proposed sub-tenant and their intended use is suitable as well as taking into consideration, any Council Policy any legislative impacts such as the Retail Leases Act 2003. Council may also claim from the Tenant reasonable legal costs incurred in connection with a sub-lease.

If Council agrees to a sub-lease of the Premises, including use of the premises for advertising purposes in addition to the Head Tenant's purposes, Council may seek to revise the terms and conditions of the head agreement. This may also include a change to the rental fee, particularly where an additional income is being derived from the premises by the Head Tenant. Under a Licence Agreement, sub-letting of a Facility by a Tenant to another occupant is generally not permitted.

However, Council may give the Tenant the automatic right to hire out the Premises on a casual basis to a third party (under certain additional terms and conditions) using a hire agreement.

Community Groups or Community Service Organisations that hire out or sublet spaces within their facilities and subsequently generate a healthy revenue stream may be required to invest a suitable portion of this revenue back into the Facility towards key maintenance or capital upgrades.

#### **6.19. Assignment of Council-managed Land and/or Buildings**

Where Council leases land and/or buildings from another party (landlord) and enters into an Occupancy Agreement for same with a Council Tenant, the Occupancy Agreement must be in accordance with the head lease and with the consent of the landlord. Landlords may include government agencies, private owners or commercial enterprises.

Generally, a landlord must not unreasonably refuse an assignment of Lease, but may refuse a sublease. However, this will ultimately depend on the wording of the Lease and if any legislation applies.

There are circumstances where Council manages land and/or buildings on behalf of others, such as Crown land of which Council is Committee of Management, or privately-owned Premises leased by Council. All Occupancy Agreements for land and/or buildings Council manages on behalf of others must adhere to the conditions set out in the head agreement between Council and the landowner and comply with section 115 and 116 of the LGA 2020.

#### **6.20. Crown Land**

When issuing Occupancy Agreements over Crown Land of which Council is Committee of Management, the DEECA, or other relevant Department where applicable, policy requirements must be met.



**6.21. Gaming and Liquor**

Council will not enter into a new Occupancy Agreement with any organisation that operates or intends to operate gaming machines on the Premises.

Proposals for new or amended liquor licenses require prior Council consent before an application is made to ensure alignment with local amenity and community objectives for the Facility. The Tenant is responsible for ensuring that any hirer, sub tenant or other permitted user complies with this requirement.

**6.22. Relocation**

Where Council proposes to dispose of, demolish, redevelop or otherwise carry out significant alterations, capital works or additions to a Facility during the term of an Occupancy Agreement, Council may terminate the agreement with due notice as per the agreement and make reasonable attempts to make available to the Tenant a suitable alternative Premises.

The agreement for an alternative Premises will aim to achieve no less favourable terms for the duration of the unexpired portion of the current agreement where possible and if there is a rent or fee cost difference due to an alternative Facility relocation solution then this will be discussed with the Tenant with the view to minimising relevant relocation cost impacts for the Tenant.

**6.23. Renewal, Overholding and Termination**

At the end of the Occupancy Agreement (which is the end of the term or the earlier termination of a Lease or Licence) the Tenant shall vacate the Premises and ensure that it is in a condition consistent with the Tenant having complied with all obligations under their Occupancy Agreement.

Council may contact Tenants prior to the end of their Occupancy Agreement to commence negotiating a new agreement. Should these negotiations extend beyond a twelve-month period of overholding, without satisfactory progress and reasonable effort being made by a Tenant to finalise the agreement, Council may terminate the agreement with one month's notice (in accordance with terms and conditions).

Subject to agreement with Council, Tenants may continue into overholding on a month-to-month basis while a new Occupancy Agreement is negotiated. During the overholding period, Tenants must continue to pay all relevant rent or fees due and abide by all the terms of the Occupancy Agreement.

**7. Delegation**

Occupancy Agreements meeting one or more of the criteria below must be referred to a Council meeting for consideration and decision:

- The initial term is for 10 years or more;
- The entire agreement period, encompassing both the initial term and further terms, exceeds 20 years;
  - The market value rental value assessment exceeds \$100,000 per annum (except where the Occupancy Agreement is for a maximum period of less than 12 months and the Tenant has not occupied the Premises within the preceding 12 months); or
- The agreement does not substantially conform to the requirements of this Policy.

Occupancy Agreements, including extension options, will otherwise be negotiated, approved and executed by the Chief Executive Officer, or their delegate, in accordance with this policy and the relevant instrument of delegation.

A list of Occupancy Agreements under consideration will be periodically circulated to Councillors and an Occupancy Agreement may be "called up" for consideration at a Council meeting under the following circumstances:

1. A Councillor, in consultation with the Chief Executive Officer (CEO) or Chief Financial Officer (CFO), may request that an Occupancy Agreement be brought to a Council meeting for consideration and a decision.
2. The Chief Executive Officer may independently determine an Occupancy Agreement should be referred to a Council meeting for consideration and decision.

Delegated power to approve and execute an Occupancy Agreement must not be exercised after it has been validly “called up” for consideration at a Council meeting.

## 8. Implementation of Policy

The conditions within this policy will apply upon the commencement of any new Occupancy Agreement.

## 9. Administrative Updates

Sometimes 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 following approval by the CEO. 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 - Tenant Category Schedule

Category	Criteria to be met	Examples
Community Group	<p>All criteria below are to be met:</p> <ul style="list-style-type: none"> <li>• Circa 50% or greater of people working at the Premises are volunteers; and</li> <li>• The tenant is a Community-based group; and</li> <li>• The tenant is a Legal Entity governed by a committee or board; and</li> <li>• The tenant is a not-for-profit organisation; and</li> <li>• The purpose and activities of the tenant are consistent with Council's objectives and services; and</li> <li>• Are open and accessible to the general public or members of the Knox community.</li> </ul>	<p>Scouts and Guides</p> <p>Neighbourhood / Community Houses</p> <p>Seniors' groups</p> <p>Community gardens</p> <p>Not-for-profit Welfare services</p> <p>Incorporated playgroups</p> <p>Art and cultural groups</p> <p>Small sporting groups</p>

Category	Criteria to be met	Examples
<b>Community Service Organisation</b>	<p>All criteria directly below are to be met:</p> <ul style="list-style-type: none"> <li>• The tenant is a not-for-profit Legal Entity;</li> <li>• The tenant provides services, support or activities to the Knox community;</li> <li>• The purpose and activities of the tenant are consistent with Council's objectives and services; and</li> <li>• Are open and accessible to the general public or members of the Knox community.</li> </ul> <p>Additional criteria considerations:</p> <ul style="list-style-type: none"> <li>• Able to generate income higher than expenditure from use of the Facility or activities consistent with the organisation's purpose;</li> <li>• May charge a market-based fee for service;</li> <li>• May offer services which are eligible for Government subsidy widely available to providers (e.g. Medicare rebate);</li> <li>• May offer services which are Government funded (e.g. Commonwealth Home Support Program or National Disability Insurance Scheme);</li> <li>• May be a local, regional, state or national organisation; and</li> <li>• May receive Government funding or grants.</li> </ul>	<p>Community health organisations</p> <p>Large sporting associations</p> <p>Large community organisations</p> <p>Community focused Government agencies</p> <p>Early year services (if not-for-profit entity)</p>
<b>Commercial</b>	<p>All criteria directly below are to be met:</p> <ul style="list-style-type: none"> <li>• A Legal Entity;</li> <li>• Predominantly utilises paid staff;</li> <li>• Conducts activities for the purposes of deriving a financial return for the proprietors or shareholders; and</li> <li>• The use of the Facility does not interfere with, or complements, other uses of the Facility (if applicable).</li> </ul>	<p>Allied health providers</p> <p>Storage or car parking for commercial business</p> <p>Early years services</p> <p>Adjoining owner</p> <p>Commercial business / retailer</p> <p>Events by commercial business (circus, carnival rides etc)</p> <p>Advertising or branding</p>

Category	Criteria to be met	Examples
<b>Telecommunication and Utility Service Providers</b>	<p>All criteria directly below are to be met:</p> <ul style="list-style-type: none"> <li>• A Legal Entity;</li> <li>• Predominantly utilises paid staff;</li> <li>• Conducts activities for the purposes of deriving a financial return for the proprietors or shareholders;</li> <li>• Is an investment company that provides utility or similar type services;</li> <li>• Is a mobile Telecommunications Carrier or telecommunications infrastructure provider; or</li> <li>• Is an energy provider; or</li> <li>• Is an EV charging provider; or</li> <li>• Is a recycling provider for reverse vending machines; or</li> <li>• Is a weather or climate station to assist with weather or climate reporting; or</li> <li>• Is another type of Utility Service Provider.</li> </ul>	<p>Mobile carriers such as Telstra, Optus and Vodaphone (TPG)</p> <p>Infrastructure Owners such as Amplitel, Axicom, Indara, Waveconn, Stilmark</p> <p>Electric vehicle charging stations</p> <p>Container deposit scheme reverse vending machines</p> <p>Electrical and water sub/stations that service non-Council owned facilities</p> <p>Neighbourhood batteries operated by Energy Retailers</p> <p>Air rights for service providers</p> <p>Weather and Climate Stations</p>



## APPENDIX 2 - Occupancy Agreement Fees Schedule

Category	Rental Fee	Rental Review	Administration Fee	Tenant Outgoings
<b>Community Group</b>	Refer to Council's Annual Budget adopted Fees and Charges Schedule, budget:  <a href="https://www.knox.vic.gov.au/our-council/about-council/annual-budget">https://www.knox.vic.gov.au/our-council/about-council/annual-budget</a>	Annual fixed increase for <u>new</u> agreements E.g. 4% (except Sporting Reserve Facility)	Not applicable for Community Groups.	All operational expenses such as utilities, phone, cleaning, sanitary services, security and waste.  Tenant responsible for all maintenance if they own a building that sits on a Council ground Lease.
<b>Community Service Organisation</b>	Fees will be assessed individually by the Property Advocate, in consultation with the Property Management Team, to make a pricing recommendation.	Rent review dates and annual fixed percentage increase negotiated within market norms E.g. 4% pa. (except Sporting Reserve Facility)  Also subject to a market review on exercise of an option and / or every five years.	Not applicable for Community Service Organisations.	All operational expenses such as utilities, phone, cleaning, sanitary services, security and waste.  All applicable rates, taxes and State Government Fire Services Property Levy.  Maintenance responsibilities may vary between Facilities depending on negotiations however exclude: <ul style="list-style-type: none"><li>• Council-owned structure (walls and roof)</li><li>• Council-owned fixtures, plant and equipment provided by the landlord under the agreement.</li></ul>
<b>Commercial</b>	Market driven, determined by a market rental valuation undertaken by an	Rent review dates and annual fixed percentage	Yes, fees applicable when Tenants approach Council with	All operational expenses such as utilities, phone, cleaning, sanitary

Category	Rental Fee	Rental Review	Administration Fee	Tenant Outgoings
	independent suitably qualified valuer or the result or an expression of interest or similar process.	increase to be negotiated within market norms. E.g. 4% pa  Also subject to a market review on exercise of an option and / or every five years.	specific property requirements.  E.g. \$1,000 per Commercial application  E.g. Adjoining Property Owner administration fee \$500 per application	services, security and waste.  All applicable rates, taxes and State Government Fire Services Property Levy  Full maintenance responsibilities excluding: <ul style="list-style-type: none"> <li>• Council-owned structure (walls and roof)</li> <li>• Council-owned fixtures, plant and equipment provided by the landlord under the agreement</li> </ul>
<b>Telecommunication &amp; Utility Service Providers</b>	Market driven, the greater value of either a market rental valuation undertaken by an independent suitably qualified valuer or other market driven approach such as an expression of interest or similar process or market rate card or market rate tool where applicable.	Rent review dates and annual fixed percentage increase to be negotiated within market norms. E.g. 4% pa.  Subject to a market review on exercise of an option and/or every five years.	Yes, fees applicable.  E.g. Roof top and Building site \$2,000  E.g. Macro Base Station sites \$2,000 (upgrade application)  E.g. Macro Base Station sites \$4,000 (new application)  E.g Other Utility Service Providers minimum \$2,000	All operational expenses such as utilities, phone, cleaning, sanitary services, security and waste.  All rates, taxes and State Government Fire Services Property Levy (if applicable)  Full maintenance responsibilities.

## 4.4 Strategic Internal Audit Plan 2025-2027

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
<b>Author:</b>	Manager Governance & Risk, Andrew Dowling
<b>Manager:</b>	Manager Governance & Risk, Andrew Dowling
<b>Executive:</b>	Director, Customer & Performance, Greg Curcio

### SUMMARY

Knox City Council's Audit and Risk Committee (the Committee) is an independent statutory Advisory Committee which provides an autonomous link between Council, Management and its external and internal auditors, and operates under the Council approved Audit and Risk Committee Charter – February 2023 (the Charter).

Council maintains a rolling three-year strategic internal audit plan to guide the work of its contracted internal auditors.

In accordance with its Charter, the Committee is empowered to annually review and approve the rolling three-year strategic internal audit plan however at its March 2025 meeting, the Committee elected to endorse the Draft Strategic Internal Audit Plan 2025 – 2027 for consideration by Council.

### RECOMMENDATION

That Council resolve to approve the Strategic Internal Audit Plan 2025-2027 as endorsed by the Audit and Risk Committee and set out in Attachment 1.

## 1. DISCUSSION

### 1.1 Background

Knox Council's Audit and Risk Committee (the Committee) is an independent Advisory Committee, established under section 53 of the Local Government Act 2020 (the Act). The Committee provides an autonomous link between Council, Management and its external and internal auditors and assists in providing independent advice, assurance and recommendations to Knox Council on matters relevant to the Committee's Charter.

The Committee's Charter provides that the Committee will support Council in discharging its oversight and accountability responsibilities including internal and external audit. Internal audit services are provided externally under contract by HLB Mann Judd, who were appointed as Council's Internal Auditors in early 2024.

Council maintains a three-year rolling Strategic Internal Audit Program (SIAP) to ensure a structured and risk-based approach to reviewing its systems, operations, and internal controls.

The SIAP is reviewed annually and approved by the Audit and Risk Committee and this approach to audit planning provides flexibility to adapt to emerging risks and changing circumstances, while



maintaining a forward-looking view that promotes continuous improvement, accountability, and efficient use of audit resources.

As Council's Internal Audit Services Provider, HLB Mann Judd (HLB) then progresses internal audit projects in accordance with the approved SIAP.

Management and HLB have identified a range of matters that Council may face in the forthcoming years and how internal audit resources might best be deployed to support management and the Committee in its governance role.

The development of the SIAP is based on consideration of the following key inputs:

- Direct discussions with Executive Management team
- Council's strategic risk profile
- Past internal audit activity
- Consideration of internal audit activity conducted and proposed by the Victorian Auditor-General's Office
- Current issues noted by HLB as items of risk prevalent in the local government sector

The Strategic Internal Audit Plan was previously considered by the Committee in May 2024 following the appointment of HLB.

The revised Strategic Internal Audit Plan 2025-2027 was subsequently presented to the Committee for approval at its March 2025 meeting and while endorsed by the Committee, is now presented to Council for approval, at the request of the Committee.

### **1.2 The revised Strategic Internal Audit Plan 2025-2027**

The draft revised Strategic Internal Audit Plan 2025-27 is set out in Attachment 1 and proposes the following audits for 2025:

1. HR Management
2. Customer Service – Complaints Management
3. Buildings Maintenance
4. Leases & Licences
5. Transformation Program
6. Waste Management
7. Follow-up review

In addition to the above, the Committee will also receive internal audit reports in 2025 for Assurance Mapping and Cyber Security, which were commenced as part of the 2024 audit program.

Several changes have been proposed to the 2025 program since the SIAP was last considered:

- A Cyber Audit was commenced in late 2024 - Review of Cyber Security: Essential 8 and Third-Party Security, including a Phishing Exercise – and ultimately has been broader and more in-depth than the was originally anticipated. This was welcomed by officers and the coverage has provided significant value.
- 
- Given the timing of its completion, officers considered a further cyber audit previously proposed in 2025 would offer limited additional benefit so soon after such a comprehensive review.

- Consequently, it has been proposed to defer that audit into 2026 in the revised SIAP and to work closely with HLB to carefully shape the scope of that audit to ensure it builds on the findings of the current audit and avoids covering ground that has been well addressed in this and previous audits.
- In 2023, a Complaints Procedure was developed and implemented as a key priority under Our Customer Strategy, operationalising the Complaints Policy. Since its implementation, the Customer Experience Team has been focused on training across the organisation and collaborating to analyse complaint data and drive service improvements based on emerging themes.
- It is proposed to bring forward the Customer Service Audit originally scheduled for 2026. Conducting the audit earlier will provide timely insights into how well the new approach has been embedded across the organisation and help identify any further actions needed to complete the change management process.
- A Procurement Audit was previously scheduled for 2025 however it is proposed that this audit be deferred into 2026 in the revised SIAP. The Procurement Team has been the focus of two recent internal audits and being a relatively small team, the Executive Leadership Team have agreed there is little capacity within the Strategic Procurement and Property Department to adequately support a further audit in 2025.

The SIAP will be further reviewed in the latter half of 2025 and presented to the Audit and Risk Committee in December 2025 in accordance with the Annual Audit Plan. This will provide a further opportunity to review the audits proposed in 2026 audits and their respective timing; as well as proposed audits for 2027 and 2028.

As part of the next review, it is anticipated careful consideration will need to be given to what is the optimal number of audits the organisation can effectively support each year. It is anticipated the number of audits proposed for 2026 will reduce subject to an assessment of organisational capacity to manage the audit workload, and a review of the organisation's capacity to implement audit actions arising from past audits.

## **2. ENGAGEMENT**

The Executive Leadership Team, relevant managers and staff are consulted as part of the development of the Strategic Internal Audit Plan, prior to presentation to the Audit and Risk Committee.

## **3. SOCIAL IMPLICATIONS**

There are no social implications arising as a direct result of the recommendation in this report

## **4. CLIMATE CHANGE CONSIDERATIONS**

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

## **5. ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising as a direct result of the recommendation in this report

## **6. FINANCIAL AND RESOURCE IMPLICATIONS**

There are no financial or resource implications arising directly from this report. The costs of the internal audit function are funded within the Governance and Risk Department's operational budget, and resource implications are considered by management as part of development and review of the Strategic Internal Audit Plan.

## **7. RISKS**

Adopting the Strategic Internal Audit Plan is a key risk management activity that ensures audit resources are directed to the areas of highest risk and greatest importance to Council's operations.

## **8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025**

### **Civic Engagement & Integrity**

Strategy 5.3 - Ensure our processes are transparent and decisions are accountable.

## **9. CONFLICT OF INTEREST**

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

## **11. CONFIDENTIALITY**

Confidential information has been redacted from Attachment 1 which is included in the public agenda. Attachment 2 is an unredacted version of the revised Strategic Internal Audit Plan 2025-2027, namely contained in Attachment 1 and is included in the confidential agenda, as it contains confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to:

- Council business information, that will prejudice Council's position when tendering for audit services;
- personal information, including names of staff, that are unreasonable to disclose in a public report; and
- private commercial information, that if released, would unreasonably expose HLB Mann Judd to disadvantage because it would release financial information about the business or their service that is not generally available to their competitors.

## **ATTACHMENTS**

1. Attachment 1 - Strategic Internal Audit Plan 2025-27 - ARC Endorsed [4.4.1 - 26 pages]

# KNOX CITY COUNCIL – (DRAFT)

STRATEGIC INTERNAL AUDIT PLAN

2025 – 2027 (2025 Focus)



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## Approach

The Draft Strategic Internal Audit Plan ("SIAP") was developed following consultation with the Knox City Council ("KCC" or "the Council") executive management team, review of KCC's risk register and profile, and consideration of previous internal audit coverage.



Key officers consulted include:

- Jude Dwight – Council Mayor (previous Mayor);
- Audit and Risk Committee ("ARC") members;
- Bruce Dobson – Chief Executive Officer;
- Judy Chalkley – Director Connected Communities;
- Grant Thorne – Director Infrastructure;
- Navec Lorkin – Chief Financial Officer;
- Greg Curcio – Director Customer and Performance;
- Matt Kelleher – Director City Liveability;
- Scott Coleman – Chief Information Officer;
- Debbie Shaw – Chief People Officer;
- Andrew Dowling – Manager, Governance & Risk;
- Debbie Pulham – Head of Risk & Assurance;
- Damian Watson – Governance Officer;
- Liesl Westberry – Manager, Strategy & Transformation;
- (Staff Name) – Head of Portfolio & Enterprise Change;
- (Staff Name) – Safety & Wellbeing Lead;
- (Staff Name) – Payroll Lead;
- (Staff Name) – People Experience Lead;
- (Staff Name) – Coordinator Business Support & Improvement; and
- (Staff Name) – Coordinator, Business Improvement.



This Draft SIAP is to be presented to KCC's ARC members for review, discussion and approval purposes at the March 2025 ARC meeting..

The Internal Audit Program focuses on areas considered higher risk to KCC to maximise the effectiveness of the internal audit function. Reviews have been categorised in the following areas:

- Governance;
- Financial Systems and Controls;
- People & Culture;
- Information Technology;
- Infrastructure and Asset Management;
- Departmental / Operational and Organisation-wide Audits; and
- Annual / Continuous reviews.

Each of the proposed reviews has been linked to the relevant risks contained in KCC's strategic risk register.

The plan will be reviewed at the end of each year and future reviews may be selected from identified key areas (Refer to **Potential Future Audit Areas** section), discussions with management, or based on changes to the organisational environment and Council's risk profile at the time of review.

#### **Internal Audit Reports**

Internal audit reports will be presented to the ARC by the Partner and/or Director at relevant ARC meetings.



## Proposed Audit Program – 2025 – 2027

Following consultation with KCC's executive management, the following Internal Audit reviews are proposed for the 2025 – 2027 calendar years:

DESCRIPTION	2024 (HOURS)	2025 (HOURS)	2026 (HOURS)	2027 (HOURS)	Strategic Risk Reference
<b>Governance</b>					
Risk Management Framework (ISO 31000) (incl. awareness survey)				<input checked="" type="checkbox"/>	All Risks
Assurance Mapping	<i>(In-Progress)</i>				All Risks
Transformation Program (with specific focus on Governance Processes & Systems)		(Hours)			SRf1; Sra1; SRo2; SRt2;
Fraud and Corruption Control Framework – AS 8001:2021 (incl. awareness survey)			<input checked="" type="checkbox"/>		SRr1; SRP1
<b>Financial Systems and Controls</b>					
Financial Controls – A/C Payable & A/C Receivable (incl. data analytics)	<input checked="" type="checkbox"/>				SRf1
Contract Management	<input checked="" type="checkbox"/>				SRf1; Sra1
Procurement (below Tender Threshold)			<input checked="" type="checkbox"/>		SRf1; Sra1
Payroll (incl. data analytics)			<input checked="" type="checkbox"/>		SRf1





DESCRIPTION	2024 (HOURS)	2025 (HOURS)	2026 (HOURS)	2027 (HOURS)	Strategic Risk Reference
Rates Revenue (incl. data analytics)			☑		SRf1; SRr1; SRo4
Tendering				☑	SRf1; Sra1
<b>Infrastructure and Asset Management</b>					
Buildings Maintenance (incl. Essential Safety Measures)		(Hours)			SRr1
Open Space Assets (incl. Parks & Gardens)			☑		SRr1
Capital Works Program			☑		SRf1; SRr1
Project Management				☑	SRf1; SRr1
<b>People and Culture</b>					
Occupational Health, Safety & Wellbeing (with specific focus on contractors)	☑				SRP1
Human Resources Management		(Hours)			SRP1
Volunteers Management				☑	SRP1



DESCRIPTION	2024 (HOURS)	2025 (HOURS)	2026 (HOURS)	2027 (HOURS)	Strategic Risk Reference
Gender Equality Practices – Compliance with the <i>Gender Equality Act 2020</i> (incl. awareness survey)				<input checked="" type="checkbox"/>	SRP1
<b>Information Technology</b>					
Cyber – Essential 8 & Third-Party Security (2024)	(In-Progress)		<input checked="" type="checkbox"/>		SRt2
Cyber – Focus area TBD (possible options NIST / Training & awareness / Victorian Protective Data Security Standards incl. Artificial Intelligence) (2026)					
Business Continuity Planning			<input checked="" type="checkbox"/>		SRt2
Disaster Recovery Planning				<input checked="" type="checkbox"/>	SRt2
<b>Departmental / Operational and Organisation-wide Audits</b>					
Immunisation	<input checked="" type="checkbox"/>				SRr1; SRo4
Leases & Licenses – Property Portfolio Management		(Hours)			Sra1
Waste Management		(Hours)			SRe2
Environment, Social & Governance (incl. sustainability & climate related reporting)			<input checked="" type="checkbox"/>		SRe2
Customer Service – Complaints Management		(Hours)			SRr1; SRP1



DESCRIPTION	2024 (HOURS)	2025 (HOURS)	2026 (HOURS)	2027 (HOURS)	Strategic Risk Reference
Maternal and Child Health				<input checked="" type="checkbox"/>	SRr1; SRo4
<b>Annual / Continuous Reviews</b>					
Relevance, Veracity & Effectiveness of Outstanding Actions	<input checked="" type="checkbox"/>				-
Follow Up Audit (Completed Actions Only – Medium, High and Extreme risks only)		(Hours)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	-
<b>Internal Audit Management</b>					
Development / Administration of the Internal Audit Plan	<input checked="" type="checkbox"/>	(Hours)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Preparation for and attendance at ARC Meetings	<input checked="" type="checkbox"/>	(Hours)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Total Hours</b>	<input checked="" type="checkbox"/>	(Hours)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Total Cost (hours (Rate))</b>	<input checked="" type="checkbox"/>	(Cost)	TBC	TBC	

**\*\* Please note the hours and reviews for 2026 and 2027 years have not been committed. These will be subject to consideration of annual contractual rate increases, Council's annual budget for internal audit and also the annual review process of the SIAP that will be undertaken in conjunction with Council management team. Further, the SIAP is subject to any changes through discussions with management and approval from the ARC during the course of the year should the need arise.**

**\*\*\* The SIAP will also be re-visited taking into consideration outcomes from the Assurance Mapping exercise currently in progress.**



### Strategic Risk Register (January 2025)

Risk Code	Risk Category	Risk Description	Inherent Risk	Residual Risk
SRe2	Environment	Inability to adapt appropriately to the threats of climate change.	Extreme	Extreme
SRf1	Financial	Unable to fund services and capital investment initiatives of the type / quality expected by the community.	High	High
SRr1	Legal / Regulatory	State government legislation and edicts overriding strategic objectives or impacting Council's performance and service delivery.	High	High
SRa1	Operational Performance	Municipal facilities become unfit for purpose.	High	High
SRo1	Operational Performance - Strategic	The failure to engage appropriately with Council's stakeholders.	Extreme	Medium
SRo2	Operational Performance - Strategic	The inability of the organisation to successfully manage change.	High	Medium
SRo4	Operational Performance - Strategic	Inability to influence other levels of government to provide services, infrastructure, policy and/or regulatory responses that meet the needs of the Knox community.	High	High
SRt2	Operational Performance - Strategic	The failure to invest in and implement strategic technologies and ICT-related change programs.	Extreme	Medium
SRP1	People	Disharmony in relationships between Councillors or between Councillors & the Administration may impact on Council's reputation & decision making in the best interests of the Knox community.	High	Medium



KCC Risk Rating Matrix:

Risk	Risk Rating
	Extreme
	High
	Medium
	Low
	Very Low



## High Level Scopes for Proposed 2025 Internal Audit Reviews

Description	Commencement Date	Hours
<p><b>Human Resources Management</b></p> <p>The overall responsibilities for managing people are normally assigned to an organisation's Human Resources ("HR") / People and Culture ("P&amp;C") or similar area. HR responsibilities include management of employee benefits, contracts, hiring, and terminations, processing of higher duties, employee payments, and other relevant matters while keeping up to date with employment laws. It also has key responsibility for governing the performance management system, and for workforce planning.</p> <p>KCC should have a framework that provides key stakeholders with confidence that the organisation is fulfilling its role and obligations to employees while ensuring compliance with internal policies and procedures, and external requirements. Accordingly, an internal audit review has been identified as very valuable from an assurance and continuous improvement perspective.</p> <p>The primary objective of the review will be to assess the adequacy and effectiveness of internal controls and processes relating to KCC's HR management function. More specifically, the following will be assessed:</p> <ul style="list-style-type: none"> <li>• The adequacy and comprehensiveness of KCC's policies, procedures and delegation arrangements for the management of HR (recruitment, selection, appointment, onboarding, terminations, performance appraisals, etc.);</li> <li>• Accuracy and currency of employee records;</li> <li>• Validation of changes to employment conditions, including promotions and salary increases;</li> <li>• Validation of contracts, agreements, arrangements and other documents relevant for staff;</li> <li>• Whether there is a learning and development culture at KCC that is linked to KCC's vision and corporate objectives;</li> <li>• Physical access to personnel files, including contracts of employment;</li> </ul>	14 April 2025	(Hours)



Description	Commencement Date	Hours
<ul style="list-style-type: none"> <li>The adequacy of monitoring and reporting processes over the HR function and staffing statistics; and</li> <li>Whether HR related risks to KCC, have been appropriately analysed, categorised and treated in accordance with KCC's risk management framework.</li> </ul>		
<p><b>Customer Service – Complaints Management</b></p> <p>The Council is responsible for the provision of many base-line services, and the provision of information, to the community. A key measure of the Council's effectiveness in this respect is the level and quality of customer service it provides in all aspects of its operations. Key elements of customer service includes complaints management. Complaints management is about resolving individual complaints and identifying opportunities to make systematic improvements. Every organisation that deals with the public will receive complaints. The community expects organisations to be responsive to complaints.</p> <p>Effective complaints management practices at Council are integral to providing quality service to the Community. It helps to measure community satisfaction and is a useful source of information and feedback for improving services.</p> <p>The objective of the review is to assess the adequacy and effectiveness of customer complaints handling and management practices at the Council. More specifically, assessment of:</p> <ul style="list-style-type: none"> <li>The adequacy, transparency and comprehensiveness of complaints handling and management systems, policies, procedures and practices (including any specific members / community that need special focus, e.g. indigenous, disability, etc.);</li> <li>The adequacy of the structure and approach at Council with respect to complaints management (i.e. centralised vs decentralised) and whether it is consistently applied;</li> <li>Comparison of the Council's complaints management systems, policies, procedures and practices against the Victorian Ombudsman Complaints – Good Practice Guide for Public Sector Agencies and Local Government;</li> <li>The roles and responsibilities in relation to complaints management at the Council;</li> </ul>	12 May 2025	(Hours)



Description	Commencement Date	Hours
<ul style="list-style-type: none"> <li>The processes in place to address complaints not directly relating to council (i.e. complaints about a contractor engaged by Council);</li> <li>The adequacy of training procedures for staff involved in complaints handling;</li> <li>The adequacy of recordkeeping, reporting and monitoring processes at the Council with respect to complaints management;</li> <li>Implementation of corrective actions in a timely manner, if any; and</li> <li>The Council's compliance with its complaints management policies and procedures.</li> </ul>		
<p><b>Buildings Maintenance (incl. Essential Safety Measures)</b></p> <p>The Council has buildings and facilities for which it is responsible. KCC has responsibility for maintenance and upkeep of these buildings to ensure that relevant standards (both internal and legislated/regulated - including essential safety measures and fire safety) are maintained. Building and facilities maintenance should be a key component of KCC's asset management planning and be regulated by a preventive maintenance schedule. Reactive maintenance should be governed by a proper framework of controls to ensure it is conducted appropriately, economically and in a timely manner.</p> <p>The objectives of this review will be to assess the adequacy and effectiveness of internal controls and processes with respect to KCC's buildings maintenance related activities. More specifically, to determine whether:</p> <ul style="list-style-type: none"> <li>KCC has a preventive maintenance plan in place for buildings and facilities, and an appropriate process for reporting and recording reactive maintenance works that is necessary;</li> <li>The preventive maintenance plan links with KCC's asset management / capital project management plans (i.e. ensuring clear linkage between key strategic asset management documents and where buildings sits within that);</li> <li>Appropriate monitoring and reporting against the building maintenance plan (for both preventive and reactive) is conducted by KCC;</li> </ul>	4 August 2025	(Hours)





Description	Commencement Date	Hours
<ul style="list-style-type: none"> <li>KCC has a system in place to prioritise reactive maintenance works together with performance thresholds/milestones for when works need to be inspected and conducted;</li> <li>KCC has appropriate arrangements in place for the conduct of maintenance works (whether by a panel of service providers or a combination of internal / external resources) and that formal requirements in this respect are complied with;</li> <li>KCC has appropriate processes in place with respect to health and safety requirements for external providers / contractors performing building related works (i.e. contractor insurance requirements, health and safety compliance document requirements, induction processes, site visit processes such as entry logs / sign-ins, declarations etc.);</li> <li>KCC has appropriate processes in place to ensure that works performed are in line with the scope of works and of sufficient quality, prior to payment; and</li> <li>KCC is aware of its responsibilities under the <i>Building Act 1993 (including the 2006 Building Regulations)</i>, and appropriate inspections (and any relevant remedial works) are performed to ensure continued compliance with essential service and fire safety requirements, specifically over maintenance related works; and</li> <li>Management monitoring and reporting relating to buildings maintenance assets is undertaken appropriately with clear performance measures / metrics and that link clearly to strategic asset management documents.</li> </ul>		
<b>Leases &amp; Licenses – Property Portfolio Management</b> <p>A lease is a right granted by the owner of the land (landlord) to another person (tenant) to have exclusive possession of that land / property / asset / service, or part thereof, for a fixed duration in return for rental payment. A lease creates an interest in land that is binding on third parties and is capable of being assigned, unless the lease specifies to the contrary. The Council is the custodian of property assets that support a wide range of community uses. The Council should effectively and transparently manage the occupancy of its leased and licensed property assets to optimise the public value it provides to the community. As such, it is important that</p>	11 August 2025	(Hours)



Description	Commencement Date	Hours
<p>Council has robust systems, processes and internal controls in place for the management of the property portfolio leases and licenses.</p> <p>The primary objective of the review will be to assess the adequacy and effectiveness of systems, processes and internal controls in relation to the management of property leases and licenses. More specifically, we will assess whether:</p> <ul style="list-style-type: none"> <li>• The Council has adequate policies, processes and approvals in place when signing property leases and licenses with third parties;</li> <li>• There is an adequate central repository of all property leases and licenses entered into by the Council;</li> <li>• The property leases and licenses entered into by the Council were approved as per the delegation;</li> <li>• Adequate processes are in place to identify when a legal review of a lease/license is warranted;</li> <li>• The property leases and licenses clearly outline the rights and responsibilities of both parties to the contract;</li> <li>• Adequate indemnity and insurance clauses are stipulated in the leases and licenses;</li> <li>• The property leases and licenses contain appropriate performance targets/requirements that need to be met, where applicable;</li> <li>• The property leases and licenses provide the Council with the ability to formally assess third party performance on a periodic basis (where applicable);</li> <li>• Third-parties are charged as per the rates and /or terms and conditions stipulated in the property leases and licenses (where applicable);</li> <li>• Periodic meetings were held with respect to management and performance of the property leases and licenses; and</li> <li>• Appropriate processes are in place for review of tenancy and subsequent decisions about use of facilities at the end of a lease.</li> </ul>		



Description	Commencement Date	Hours
<p><b>Transformation Program (with specific focus on Governance Processes &amp; Systems)</b></p> <p>A project / program is a unique endeavour to produce a set of deliverables (i.e. outputs or outcomes) within clearly specified timeframes, costs and quality constraints. Projects / programs are different from standard business operational activities in that they normally have defined objectives, approved budgets, limited resources and involve elements of risk. Project management represents the methodology, framework and processes required to undertake a project successfully.</p> <p>The Council is in the process of implementing its transformation program. The purpose of the program is to provide a step change in business capabilities across key council areas to ensure Council is a high performing, future ready organisation that is adaptable, innovative and financially sustainable, and able to deliver maximum community benefit and value. The program will be delivered across a number of years and is being rolled out in a number of phases (transformation design, transformation implementation, etc.). The implementation of the transformation program is a significant process for the Council and accordingly must be appropriately managed to ensure a timely, efficient and effective roll out/introduction.</p> <p>The primary objectives of this review will be to assess the adequacy and appropriateness of key governance systems, processes and controls in place with respect to the transformation program. More specifically, to assess:</p> <ul style="list-style-type: none"> <li>• The adequacy and comprehensiveness of Council's existing Transformation Governance and Delivery Model covering the project methodologies, tools and capabilities throughout the program phases, and whether it provides project managers with the methodologies, tools and capabilities to manage their projects effectively and efficiently, and whether it is appropriate for the multi-year 'implementation' phase;</li> <li>• The existence, adequacy and appropriateness of key governance systems, processes and controls in place with respect to the transformation program to ensure that it is managed and monitored appropriately to assist in ensuring that program outcomes and objectives are being achieved;</li> <li>• The methodology used to capture and manage the Transformation Program Benefits; and</li> <li>• Whether the transformation program is being managed in accordance with the adopted Transformation Strategy.</li> </ul>	8 September 2025	(Hours)



Description	Commencement Date	Hours
<p><b>Waste Management</b></p> <p>Waste management is a critical responsibility of the council to ensure that waste is being appropriately managed and efficiently disposed into strategic landfill sites. This requires a robust framework with all operational processes co-operating with one another, ensuring that the system doesn't breakdown for the council.</p> <p>Council should have a framework and appropriate planning measures that provides key stakeholders with confidence that the organisation is fulfilling its role and obligations to the community while ensuring compliance with internal policies and procedures, and external requirements.</p> <p>The objectives of the review will be to assess and evaluate the effectiveness and efficiency of the Council's Waste Management processes at Council to determine whether:</p> <ul style="list-style-type: none"> <li>• Council has calculated the viability of its current waste management practices and approaches in the short, medium and long term;</li> <li>• Council has undertaken medium to long term planning to identify options for waste management in the future, including financial and environmental impacts;</li> <li>• Appropriate governance mechanisms have been established to oversee waste management planning and activities; and</li> <li>• Effective monitoring mechanisms have been established to ensure that key Council stakeholders (i.e. Councillors, Executive and Community) are aware of progress against targets/measures.</li> </ul>	10 November 2025	(Hours)



Description	Commencement Date	Hours
<p><b>Follow Up Audit (Completed Actions Only – Medium, High and Extreme risks only)</b></p> <p>Internal audit is a vital resource for an organisation in providing assurance that key areas of the organisation are operating appropriately, in identifying any weaknesses or deficiencies in operations, and in providing assistance to the organisation in addressing these issues through the provision of value-added recommendations.</p> <p>In order to maximise the effectiveness of the audit process, it is important that the status of actions contained in management responses to internal audit recommendations are monitored by management and the Audit and Risk Committee ("ARC"). This will ensure that they are implemented appropriately and in a timely manner.</p> <p>A selection of completed / closed off management actions from previous reports will be reviewed as part of the follow-up process, which will be agreed with management. The verification process will occur through observation, discussion with Council officers and review of documentary evidence where relevant. A report will be presented to the Audit and Risk Committee showing the recommendations made in each report, the management actions to be adopted and the status of implementation based on our review</p> <p><b><i>The review will only focus on findings / observations from previous reports that are rated as Medium, High or Extreme Risk only.</i></b></p>	8 December 2025	(Hours)



### Audit Universe – 2015-2027

DESCRIPTION	2015-18	2019	2020	2021	2022	2023	2024	2025	2026	2027
<b>Governance</b>										
Privacy Act Management	☑		☑							
Corporate Governance incl. LGA 2020 implementation				☑						
Delegations				☑						
Fraud Framework	☑				☑				☑	
Councillor Expenses										
Risk Management	☑					☑				☑
Assurance Mapping							☑			
Transformation Program (with specific focus on Governance Processes & Systems)								☑		
<b>Financial Systems and Controls</b>										
Accounts Payable (Inc. Data Analytics ) – 2020; Financial Controls – Accounts Payable & Accounts Receivable			☑				☑			
Cash Handling and Receipting	☑									



DESCRIPTION	2015-18	2019	2020	2021	2022	2023	2024	2025	2026	2027
Long Term Financial Planning				<input checked="" type="checkbox"/>						
Payroll (incl. Data Analytics)	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>	
Purchasing/Credit Cards	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>					
Rates Management (including Data Analytics)		<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	
Contract Management	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			
Procurement (under tender threshold)			<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>	
Tendering Processes	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>
<b>Infrastructure and Asset Management</b>										
Asset Management	<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>				
Building Maintenance (Essential Safety Measures)	<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>		
Portable and Attractive Assets					<input checked="" type="checkbox"/>					
Road Management Plan				<input checked="" type="checkbox"/>						
Capital Works Management					<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	
Open Space Assets (incl. Parks & Gardens)									<input checked="" type="checkbox"/>	
Project Management Governance		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>



DESCRIPTION	2015-18	2019	2020	2021	2022	2023	2024	2025	2026	2027
<b>People and Culture</b>										
OH&S - Employees & Contractors		<input checked="" type="checkbox"/>					<input checked="" type="checkbox"/>			
Human Resources Management				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		
Volunteer Management			<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>
Gender Equality Practices – Compliance with the Gender Equality Act 2020 (incl. awareness survey)										<input checked="" type="checkbox"/>
<b>Information Technology</b>										
Business Continuity Planning & IT DRP		<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	
Data Analysis	<input checked="" type="checkbox"/>									
Disaster Recovery Planning		<input checked="" type="checkbox"/>								<input checked="" type="checkbox"/>
IT Strategy & Architecture										
IT General Controls			<input checked="" type="checkbox"/>							
IT – ECommerce										
IT – Cyber Governance (ASD - Essential 8) – 2020 & 2022; Cyber Security (Essential 8 and Third-Party Security) ;Cyber – Focus area TBD (either NIST /			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	





DESCRIPTION	2015-18	2019	2020	2021	2022	2023	2024	2025	2026	2027
Essential 8 / Third Parties/ Training & Awareness & Phishing / ISO 27002) - 2026										
<b>Departmental/Operational and Organisation-wide Audits</b>										
Child Safety Standards					☑					
Covid-19 Relief Packages				☑						
Contaminated Land Management										
Environment, Social & Governance (incl. sustainability & climate reporting)									☑	
Emergency Management			☑							
Events Management						☑				
Family Day Care										
Customer Service – Complaints Management	☑							☑		
Food and Health Services		☑								
Climate change (Adaptation)				☑						
Grants Management (Discretionary)	☑									
HaCC Services										



DESCRIPTION	2015-18	2019	2020	2021	2022	2023	2024	2025	2026	2027
Hall Management										
Immunisation Management							☑			
Landfill Site Management					☑					
Maternal and Child Health										☑
Parking Enforcement/ Administration						☑				
Playground Maintenance						☑				
Property Leases and Licenses	☑							☑		
Records Management					☑					
Security of Staff	☑									
Third Party Management of Information										
Tree Management				☑						
Waste Management General & Recycling								☑		
Statutory Building Services						☑				
Statutory Planning					☑					
Statutory Registers										



DESCRIPTION	2015-18	2019	2020	2021	2022	2023	2024	2025	2026	2027
Annual/Continuous Reviews										
Post Implementation Review										
Follow up of prior audit recommendations							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



## Potential Future Audit Areas

Audit Areas	
Tree Management	Workforce Planning & Development (incl. succession planning)
Local Laws Enforcement	Aquatic & Leisure Centres
Privacy & Artificial Intelligence	Social Media
Management of Conflict of Interest	Statutory Planning
Legislative Compliance	Infringements & Enforcements
Asset Management	Road Management Plan Compliance
Service Planning	IT Governance
Managing and reporting sexual harassment	Credit Cards
Councillor Expenses	Records Management
Child Safe Standards	Management of Community Facilities
Management of Events	Fleet Management
Cash Handling and Management	Swimming Pool Registration process
Freedom of Information	Grants Management



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TOGETHER WE MAKE IT HAPPEN

## 4.5 Motions for Australian Local Government Association's National General Assembly

<b>Final Report Destination:</b>	Council
<b>Paper Type:</b>	For Decision
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<b>Executive:</b>	Director, Customer & Performance, Greg Curcio

### SUMMARY

The purpose of this report is to seek Council endorsement for three motions for consideration at the Australian Local Government Association (ALGA) National General Assembly scheduled for 24-27 June 2025.

### RECOMMENDATION

That Council endorses the motions outlined in this report for submission to the Australian Local Government Association 2025 National General Assembly of Local Government.

### 1. DISCUSSION

The ALGA National General Assembly serves as a key forum for local government representations to propose and discuss matters of national importance.

The next ALGA NGA will be held in Canberra from 24-27 June 2025 and Councils have been invited to submit motions on this year's theme 'National Priorities Need Local Solutions'.

Motions for this year's NGA should consider:

- Any new practical programs or policy changes that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and/or
- New program ideas that that would help the local government sector to deliver place-based solutions to national priorities.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations
- Financial sustainability
- Roads and infrastructure
- Emergency management
- Housing and homelessness
- Jobs and skills
- Community services
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation
- Data, digital technology and cyber security
- Climate change and renewable energy
- Environment
- Circular economy

Giving regard to the guidance from ALGA, previous advocacy approaches and discussions, officers have prepared three motions for Council consideration, as set out below.

**Motion 1 – Grant programs for existing essential infrastructure**

This National General Assembly calls on the Australian Government to explore and, where feasible, implement grant programs that address infrastructure needs, prioritising the renewal, upgrade, and maintenance of existing essential infrastructure.

**Why is this a national issue and why should this be debated at the NGA?**

This motion links directly to the themes of: *Financial Sustainability, Roads and Infrastructure, and Housing and homelessness*.

Ensuring existing infrastructure is sufficiently maintained and renewed will improve the reliability and usage of that infrastructure for use by our communities. Knox City Council commented on the wider impacts of maintaining ageing infrastructure in the *interim report into local government sustainability*:

“Many councils are facing the challenge of maintaining and upgrading aging infrastructure. This includes roads, bridges, and public buildings that require significant investment to ensure safety, inclusion and functionality. Where councils are unable to renew infrastructure in a timely manner this results in increased maintenance costs and may result in a reduction of overall facilities to communities if councils are unable to renew due to funding constraints may result in the loss of facilities within communities.” (page 12, section 1.58).

**Background information and supporting arguments:**

The recent interim report into local government sustainability received submissions on a wide range of recommendations, of which, Knox City Council was quoted in relation to the Infrastructure and Assets ([Interim report into local government sustainability](#)).

Further to Knox’s commentary: “The Local Government Association of SA submitted that around 10 per cent of the infrastructure owned and managed by councils is in poor condition and requires intervention. In particular, ageing infrastructure was highlighted as a significant contributing factor influencing the financial sustainability of councils” (page 11 and 12, section 1.55)

As well as commentary from Kiama Municipal Council: “Many councils commented on the challenges in meeting the maintenance and rural requirements of their ageing infrastructure. Kiama Municipal Council referenced an Australian Local Government Association report which concluded that \$30 billion was required to renew and replace ageing infrastructure in 2018 which was only expected to increase overtime.

Moreover, the amount of infrastructure requiring renewal will continue to increase over the next 20 years as structures built during the post-war “Baby boom” and the rapid growth period of the 1960s and ’70s age and their condition, capacity and function declines. This infrastructure cliff is fast approaching and requires strategic management and coordination, rather than distribution among political grants / donations.” (page 11, section 1.56).

Additional commentary can be found on pages 11-13 in the *interim report into local government sustainability*.

### **Motion 2 – National framework for waste and recycling management**

This National General Assembly calls on the Australian Government to work with all States and Territories to implement a national framework for waste and recycling management, creating a harmonised approach, including but not limited to a nationally consistent Container Deposit Scheme (CDS).

#### **Why is this a national issue and why should this be debated at the NGA?**

This motion links directly to the theme of: *Circular Economy*.

Australia continues to have one of the lowest rates of recycling among OECD countries in the world despite recent improvements in recycling and recovery. With Local Governments under pressure to respond to increase demand and at-capacity levels with landfill, achieving targets relating to collecting, treating and disposing of waste will be problematic.

A national approach to waste and recycling should be considered so that services are delivered more efficiently and efficiently.

#### **Background information and supporting arguments:**

Knox City Council is one of 31 Victorian Councils actively advocating to postpone the mandatory implementation date for Councils to provide a glass-only bin service to households due to major concerns about the duplication with the CDS, the efficiency of the system, and the cost impact this would have on local communities.

Independent research undertaken indicates that for an average Council, the cost implications for local communities far out way any positive outcomes set out in the Regulatory Impact Statement (RIS).

For a typical Council this cost would be approximately \$4m or a \$27 increase on the standard residential waste charge. Aligning with the national CDS Harmonisation scheme should be considered in developing a national approach.

While noting the example in Victoria, this issue is of strategic importance nationally. According to the Australian Council of Recycling: *It is vital that container deposit schemes across Australia support recycling through a nationally harmonised approach to targets, higher deposit rates, broad collection network coverage, strong marketing, appropriate eligibility settings, and robust governance and accountability. These elements are standard practice in well-designed schemes around the world, resulting in strong recycling outcomes and higher return rates than those achieved by Australian schemes.*

*As Australia gears up for nationwide operation of container deposit schemes, now is the time to step up to these globally accepted measures.*

Refer to: [240415-ACOR-Position-paper-on-CDS-national-harmonisation.pdf](#)



### **Motion 3 – National funding for an “earn and learn” program**

This National General Assembly calls on the Australian Government to fund an “earn and learn” program that targets areas of skills-shortage and attracts job seekers to access training and employment programs within the Local Government sector.

#### **Why is this a national issue and why should this be debated at the NGA?**

This motion links directly to the theme of: *Jobs and Skills*.

Local Government is a major employer in Australia and is experiencing skills shortages that are impacting on service delivery for the community. Attracting and retaining talent must be addressed with innovative solutions, and an “earn and learn” program is one such way.

An “earn and learn” program, targeted at job segments where skills shortages exist, would assist in filling key gaps in the Local Government workforce, essential for servicing our local communities. Programs that enable job seekers to earn while learning can successfully create opportunities and remove barriers to skills development and hands-on experience.

#### **Background information and supporting arguments:**

Research shows that 9 of every ten Local Governments are facing jobs and skills shortages. Key drivers of skills shortages include a lack of available training opportunities and a lack of resources to upskill existing staff.

Programs that support job seekers to earn while learning and support the existing workforce to develop their skills in areas of need, can significantly improve pathways to skilled employment and the ability to retain staff in areas of high skill demand.

A pilot program is currently underway in Victoria involving dual-sector universities working together and partnering within a consortium to deliver an earn and learn training pilot for Local Government. Funded by the Victorian government as a pilot, this type of model has national application in seeking to ensure Local Governments have an appropriately skilled workforce to deliver on community needs. A national approach to funding hands-on learning within Local Governments through an earn and learn approach is an important practical step to addressing skills shortages, gaps and training needs.

## **2. ENGAGEMENT**

Although there has not been specific community engagement on the above motions, Council regularly discusses issues and priorities via various advocacy avenues and advisory committees.

## **3. SOCIAL IMPLICATIONS**

As the closest government to communities, councils understand local challenges and opportunities. Councils are a willing partner in government and can provide place-based solutions to national priorities. The outcomes from Council activities and specifically from the above motions have a range of social implications outlined in the discussion text in section 1 above.

## **4. CLIMATE CHANGE CONSIDERATIONS**

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council’s Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

## **5. ENVIRONMENTAL IMPLICATIONS**

Similar as described in Section 3 - these motions have a range of environmental implications, in particular, Motion 2 (National framework for waste and recycling management), aimed at ensuring a nationally consistent approach to waste and recycling management.

## **6. FINANCIAL AND RESOURCE IMPLICATIONS**

If the motions are carried at the ALGA National General Assembly, there is no commitment from the Council to invest finance and/or resources. Therefore, this report item is not applicable.

## **7. RISKS**

Given the purpose of this report is recommending motions to be tabled at the ALGA National General Assembly, the organisation does not foresee any material risk on the production or outcome of this report.

## **8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025**

### **Natural Environment & Sustainability**

Strategy 3.3 - Lead by example and encourage our community to reduce waste.

### **Civic Engagement & Integrity**

Strategy 5.2 - Manage our resources effectively to ensure financial sustainability and improved customer experience.

## **9. CONFLICT OF INTEREST**

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

## **10. STATEMENT OF COMPATIBILITY**

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

## **11. CONFIDENTIALITY**

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

## **ATTACHMENTS**

Nil

5 Notices Of Motion

6 Supplementary Items

7 Urgent Business

8 Confidential Items